

# AGENDA

August 18, 2020  
Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, August 18, 2020, at 5:00 p.m., to be held through means of electronic video conferencing, per HR 197, and to be seen LIVE on CityLink channels 17 & 329 and on Spectrum channel 1024. The meeting will also stream LIVE on [www.WatchWCTV.com](http://www.WatchWCTV.com) and can be watched anytime following the meeting at [www.WatchWCTV.com](http://www.WatchWCTV.com).

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call

5. Approval of City Council Minutes: *July 21, 2020*

6. **PUBLIC HEARING: ORDINANCE NO. 20-035: AN ORDINANCE TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF CITY LOTS 413 AND 414 FROM THE R-4 RESIDENTIAL DISTRICT TO THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**

7. Reading of Legislation:

**ORDINANCE 20-046 (1<sup>st</sup> RDG.): AN ORDINANCE TO AMEND ORDINANCE NO. 20-034 TO ALLOW THE PURCHASE OF A FORTY FIVE FOOT ARTICULATING TELESCOPIC AERIAL FROM ALTEC INDUSTRIES, INC. THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington

**ORDINANCE 20-047 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE TRADE IN OF CERTAIN PERSONAL PROPERTY TOWARDS THE PURCHASE OF CUES SEWER INSPECTION SYSTEM AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington

**ORDINANCE 20-048 (1<sup>st</sup> RDG.): AN ORDINANCE TO AMEND ORDINANCE NO. 20-026 SECTION 1 FOR COST NOT EXCEED \$83,427.72 AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington

**ORDINANCE 20-049 (1<sup>st</sup> RDG.): AN ORDINANCE VACATING HAMLET STREET A PAPER STREET WEST OF WAVERLY AVENUE AS APPROVED BY PLANNING COMMISSION ON JULY 27, 2020**

- Sponsored by Council Member David Williams
- Forwarded to Council by the Public Ways Committee August 3, 2020

**ORDINANCE 20-050 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE VALLEY VIEW DRIVE AND BAKER STREET WATER MAIN REPLACEMENT PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington
- Forwarded to Council by the Public Service Committee August 4, 2020

**ORDINANCE 20-039 (2<sup>nd</sup> RDG.): AN ORDINANCE TO ACCEPT THE APPLICATION FOR ANNEXATION OF 81.9108 ACRES OF LAND KNOWN AS BEING PART OF WADSWORTH TOWNSHIP TO THE CITY OF WADSWORTH AND TO DECLARE AN EMERGENCY**

- Sponsored by Council Member Thomas Stugmyer
- Location: Reimer Road

**ORDINANCE NO. 20-035 (3<sup>rd</sup> RDG.): AN ORDINANCE TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF CITY LOTS 413 AND 414 FROM THE R-4 RESIDENTIAL DISTRICT TO THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**

*Public Hearing Set for August 18, 2020, by Video-Conferencing, at 5:00 p.m.*

- Sponsored by Council Member Thomas Stugmyer
- Recommended by the Planning Commission June 22, 2020

**ORDINANCE NO. 20-036 (3<sup>rd</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO DONATE CERTAIN OLD FIRE EQUIPMENT FROM THE FIRE DEPARTMENT TO THE FOUR CITIES COMPACT FOR ITS FIRE SAFETY/EMT PROGRAM AND TO DECLARE AN EMERGENCY**

- Sponsored by Council Member Ralph Copley

8. Other Business

9. Recess or Adjournment

**ORDINANCE NO. 20-046**  
**Sponsored by Council Member Bruce Darlington**

**AN ORDINANCE TO AMEND ORDINANCE NO. 20-034 TO ALLOW THE PURCHASE OF A FORTY FIVE FOOT ARTICULATING TELESCOPIC AERIAL FROM ALTEC INDUSTRIES, INC. THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES AND DECLARING AN EMERGENCY**

WHEREAS, this Council on July 21, 2020 approved by its Ordinance No. 20-034 the purchase of a forty five foot articulating telescopic aerial, and

WHEREAS, Section 125.04 of the Ohio Revised Code permits a political subdivision to participate in purchase contracts of the Ohio Department of Administrative Services and this Council by its Ordinance 11-110 has provided for the City of Wadsworth to participate in said state contracts; **NOW THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That this Council hereby amends Ordinance No. 20-034 to allow the purchase of forty five foot articulating telescopic aerial from Altec Industries, Inc. through participation in an Ohio Department of Administrative Services at a total cost not to exceed \$140,000.

**Section 2.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the City of Wadsworth in order to expedite the acquisition of an aerial device needed by the Department of Public Service; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

**ORDINANCE NO. 20-047**  
**Sponsored by Council Member Bruce Darlington**

**AN ORDINANCE AUTHORIZING THE TRADE IN OF CERTAIN PERSONAL PROPERTY TOWARDS THE PURCHASE OF CUES SEWER INSPECTION SYSTEM AND DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Revised Code §721.15 authorized the sale or trade in of personal property not needed for municipal purposes; and

**WHEREAS**, this Council by its Ordinance 20-026 approved the purchase of a Cues Sewer Inspection System; NOW THEREFORE

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That this Council hereby authorized the trade in of old sewer cameras, no longer needed for municipal purposes, for a credit of \$3,500 towards the purchase of a Cues Sewer Inspection System.

**Section 2.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to avoid having to continue to store obsolete and no longer needed equipment; WHEREFORE, this ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of city council. If it receives approval of a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

**CERTIFICATE OF PUBLICATION**

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and a <http://publicnoticesohio.com> on \_\_\_\_\_ and \_\_\_\_\_ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Tammy L. Guenther  
Clerk of Council  
City of Wadsworth

**ORDINANCE NO. 20-048**  
**Sponsored by Council Member Bruce Darlington**

**AN ORDINANCE TO AMEND ORDINANCE NO. 20-026 SECTION 1 FOR COST NOT EXCEED \$83,427.72 AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council on April 21, 2020 approved by Ordinance No. 20-026 the purchase of a Cues Sewer Inspection System from M Tech Company, and

**WHEREAS**, the Finance Department noted an issue in regards to the trading in of personal property no longer needed for municipal purposes, **WHEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That this Council hereby amends Ordinance No. 20-026 Section 1 to read as follows:

That the Director of Public Service is hereby authorized to purchase Cues Sewer Inspection System at a total price exceeding fifty thousand dollars through participation in an Ohio Department of Administrative Services contract pursuant to section 125.04 of the Ohio Revised Code and Ordinance 11-110 of the City of Wadsworth. The total price to be paid for Cues Sewer Inspection System shall not exceed \$83,427.72; however will be subject to a set off of \$3,500.00 for trade in of personal property no longer needed for municipal purposes.

**Section 2.** This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth to purchase and pay for needed equipment for the department of public service; **WHEREFORE**, this ordinance shall go into immediate effect provided it receives a two-thirds vote of all members of City Council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_  
Passed: yes \_\_\_\_\_ no \_\_\_\_\_  
Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

**ORDINANCE NO. 20-049**  
**Sponsored by Council Member David Williams**

**AN ORDINANCE VACATING HAMLET STREET A PAPER STREET WEST OF WAVERLY AVENUE AS APPROVED BY PLANNING COMMISSION ON JULY 27, 2020**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That this Council hereby approves the vacating of Hamlet Street a paper street west of Waverly Avenue as approved by Planning Commission on July 27, 2020.

**Section 2.** This Council hereby approves upon further recommendation of Planning Commission on July 27, 2020 to return of the lands created by vacation of Hamlet Street to the adjacent property owners and for the City to retain a 10 foot wide easement on said properties as a future pedestrian access point to Holmesbrook Park.

**Section 3.** That this Ordinance shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

**CERTIFICATE OF PUBLICATION**

I, Tammy Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the Medina Gazette and at <http://www.publicnoticesohio.com/> on \_\_\_\_\_ and \_\_\_\_\_, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Tammy L. Guenther  
Clerk of Council  
City of Wadsworth

**ORDINANCE NO. 20-050**  
**Sponsored by Council Member Bruce Darlington**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE VALLEY VIEW DRIVE AND BAKER STREET WATER MAIN REPLACEMENT PROJECT AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That the Director of Public Service is hereby authorized and directed to advertise for, receive bids for and to enter into a contract for the Valley View Drive and Baker Street Water Main Replacement project in accordance with plans and specifications on file in the office of the Director of Public Service. The total price to be awarded pursuant to said contract shall not exceed \$1,025,000. If it becomes necessary after the contract is entered into, to authorize change orders, such change orders may be authorized so long as the total financial obligation of the city pursuant to the contract including change orders does not exceed the awarded bid amount plus ten percent of the awarded bid amount.

**Section 2.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

**Section 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the City of Wadsworth in order to expedite construction of water main improvements, storm and sanitary sewer repair, and tree replacement; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_  
2<sup>nd</sup> Rdg. \_\_\_\_\_  
Passed: yes \_\_\_\_\_ no \_\_\_\_\_  
Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticesohio.com/> on \_\_\_\_\_ and \_\_\_\_\_ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Tammy L. Guenther  
Clerk of Council, City of Wadsworth