

AGENDA
July 18, 2017
Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Wednesday, July 5, 2017, 7:30 p.m., in City Council Chambers:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Minutes for Approval: *Regular Council Meeting of July 5, 2017*
6. **PUBLIC HEARING: ORDINANCE NO. 17-034: AN ORDINANCE TO AMEND SECTIONS 154.365, 154.366, 154.367, AND 154.368 AND TO ENACT SECTIONS 154.369, 154.370, 154.371, AND 154.372 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO REPEAL THE HIGH STREET ARTERIAL DISTRICT REGULATIONS AND REPLACE THEM WITH THE HIGH STREET TRANSITIONAL BUSINESS OVERLAY DISTRICT REGULATIONS**
7. Visitors
8. Correspondence
9. Reports of Officials
10. Reports of Committees and Commissions
11. Reading of Legislation:

ORDINANCE NO. 17-043 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PERMIT THE WADSWORTH BREWING COMPANY TO OCCUPY AND USE A PORTION OF PUBLICLY OWNED PROPERTY DIRECTLY BEHIND (WEST SIDE) OF THE PREMISES AT 126 MAIN STREET, CURRENTLY OCCUPIED BY THE WADSWORTH BREWING COMPANY, FOR THE SALE, POSSESSION AND CONSUMPTION OF BEER AND TO PERMIT THE ERECTION OF FENCING AROUND SAID AREA; THE ERECTION AND INSTALLATION OF OTHER IMPROVEMENTS WITHIN SAID AREA; AND EXEMPTING SAID SALE, POSSESSION AND CONSUMPTION OF BEER FROM ANY CITY ORDINANCE PROVISIONS THAT MIGHT PROHIBIT SAID SALE, POSSESSION, OR CONSUMPTION OF BEER PROVIDED THAT SAID SALE, POSSESSION AND CONSUMPTION OF BEER IS PERMITTED UNDER STATE LAW AND AN APPROPRIATE STATE LIQUOR LICENSE HAS BEEN GRANTED FOR SAID SALE OF BEER AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Economic Development and Planning Committee July 6, 2017

ORDINANCE NO. 17-044 (1st RDG.): AN ORDINANCE ACCEPTING PUBLIC RIGHT OF WAY AND PUBLIC EASEMENTS AS SHOWN ON THE FINAL PLAT FOR THE BLOOMING ACRES SUBDIVISION PHASE 1 AS APPROVED BY THE PLANNING COMMISSION ON JULY 10, 2017 AND DECLARING AN EMERGENCY

- Sponsored by Council Member Robert Titus

ORDINANCE NO. 17-045 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE AN AERIAL DEVICE WITH PURCHASE OF A BOOM AND BODY PACKAGE FROM TEREX UTILITIES, INC. THROUGH PARTICIPATION IN A NATIONAL JOINT POWER ALLIANCE (NJPA) CONTRACT AND PURCHASE OF A 2018 FREIGHTLINER M2 106 CAB AND CHASSIS FROM CLEVELAND FREIGHTLINER, INC. THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Discussed by Public Service Committee July 11, 2017

ORDINANCE NO. 17-041 (2nd RDG.): AN ORDINANCE TO INCREASE THE ALLOWABLE PAYMENT OBLIGATION OF THE CONTRACT AUTHORIZED BY ORDINANCE NO. 17-036 FOR THE PURCHASE OF TWO 2017 FORD E-450 LIFE LINE CUSTOM SUPERLINER AMBULANCES FROM \$311,000.00 TO \$325,090.00 AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Discussed by Committee of the Whole July 5, 2017

ORDINANCE NO. 17-042 (2nd RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$20,000.00 FOR PURPOSES OTHER THAN PERSONAL SERVICES IN THE 212 EMERGENCY MEDICAL SERVICES FUND AND TO DECLARE AN EMERGENCY

- Sponsored by President of Council Bob Thurber
- Discussed by Committee of the Whole July 5, 2017

ORDINANCE NO. 17-039 (3rd RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017

- Sponsored by President of Council Bob Thurber
- Discussed in Committee of the Whole June 21, 2017

ORDINANCE NO. 17-034 (4th RDG.): AN ORDINANCE TO AMEND SECTIONS 154.365, 154.366, 154.367, AND 154.368 AND TO ENACT SECTIONS 154.369, 154.370, 154.371, AND 154.372 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO REPEAL THE HIGH STREET ARTERIAL DISTRICT REGULATIONS AND REPLACE THEM WITH THE HIGH STREET TRANSITIONAL BUSINESS OVERLAY DISTRICT REGULATIONS

Council Public Hearing Set July 18, 2017, at 7:30 p.m., in City Council Chambers

- Sponsored by Council Member Robert Titus
- Forwarded by Economic Development & Planning Committee June 1, 2017

12. Review of Phone Call-in Messages
13. New Business and/or Comments of Council Members and Officials
14. Recess or Adjournment

ORDINANCE NO. 17- 043

Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PERMIT THE WADSWORTH BREWING COMPANY TO OCCUPY AND USE A PORTION OF PUBLICLY OWNED PROPERTY DIRECTLY BEHIND (WEST SIDE) OF THE PREMISES AT 126 MAIN STREET, CURRENTLY OCCUPIED BY THE WADSWORTH BREWING COMPANY, FOR THE SALE, POSSESSION AND CONSUMPTION OF BEER AND TO PERMIT THE ERECTION OF FENCING AROUND SAID AREA; THE ERECTION AND INSTALLATION OF OTHER IMPROVEMENTS WITHIN SAID AREA; AND EXEMPTING SAID SALE, POSSESSION AND CONSUMPTION OF BEER FROM ANY CITY ORDINANCE PROVISIONS THAT MIGHT PROHIBIT SAID SALE, POSSESSION, OR CONSUMPTION OF BEER PROVIDED THAT SAID SALE, POSSESSION AND CONSUMPTION OF BEER IS PERMITTED UNDER STATE LAW AND AN APPROPRIATE STATE LIQUOR LICENSE HAS BEEN GRANTED FOR SAID SALE OF BEER AND DECLARING AN EMERGENCY

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

Section 1. That this Council hereby authorizes the Director of Public Service to permit the Wadsworth Brewing Company to occupy and use a portion of publicly owned property directly behind (west side) the premises at 126 Main Street, currently occupied by the Wadsworth Brewing Company for the sale, possession and consumption of beer and to permit the erection of fencing around said area and the erection and installation of other improvements within said area.

Section 2. This council exempts said sale, possession and consumption of beer from any city ordinance provisions that might prohibit said sale, possession, or consumption of beer provided that said sale, possession and consumption of beer is permitted under state law and an appropriate state liquor license has been granted for said sale of beer.

Section 3. Wadsworth Brewing Company shall submit a plan of proposed fencing around and improvements within said area to the Director of Public Service for review and approval. The Director of Public Service may require revisions to or place conditions upon the plan to ensure that the public health, safety and welfare are not negatively impacted. Any permission granted by the Director of Public Service pursuant to this section may be revoked at any time by the Director of Public Service or by this Council.

Section 4. 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 promote economic development; 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

1st Rdg. _____

2nd Rdg. _____

3rd Rdg. _____

Passed: yes _____ no _____

Vote: aye _____ nay _____

Immediate Effect: 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. 17-044
Sponsored by Council Member Robert Titus

AN ORDINANCE ACCEPTING PUBLIC RIGHT OF WAY AND PUBLIC EASEMENTS AS SHOWN ON THE FINAL PLAT FOR THE BLOOMING ACRES SUBDIVISION PHASE 1 AS APPROVED BY THE PLANNING COMMISSION ON JULY 10, 2017 AND DECLARING AN EMERGENCY

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

Section 1. That this Council hereby accepts public right of way and public easements as shown on the final plat for the Blooming Acres Subdivision Phase 1 as approved by the Planning Commission on July 10, 2017.

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 promote economic development; 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 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

1st Rdg. _____

2nd Rdg. _____

3rd 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 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

ORDINANCE NO. 17-045

Sponsored by Council Member Bruce Darlington

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE AN AERIAL DEVICE WITH PURCHASE OF A BOOM AND BODY PACKAGE FROM TEREX UTILITIES, INC. THROUGH PARTICIPATION IN A NATIONAL JOINT POWER ALLIANCE (NJPA) CONTRACT AND PURCHASE OF A 2018 FREIGHTLINER M2 106 CAB AND CHASSIS FROM CLEVELAND FREIGHTLINER, INC. THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AND DECLARING AN EMERGENCY

Whereas, section 9.48 of the Ohio Revised Code permits a political subdivision to participate in a joint purchasing program operated by or through a national or state association of political subdivisions in which the purchasing political subdivision is eligible for membership and the equipment is available under NJPA Contract #080114-HPI and 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

Whereas, the Director of Public Service has determined that a needed Aerial Device is available for purchase from Terex Utilities, Inc. through participation in a National Joint Power Alliance (NJPA) contract and from Cleveland Freightliner, Inc. through participation in the Ohio Department of Administrative Services Contract and that it is in the best interest of the City of Wadsworth to purchase said needed Aerial Device through participation in the said NJPA contract and the Ohio Department of Administrative Services Contract, and

Whereas, pursuant to section 735.05 of the Ohio Revised Code, authorization of this Council is required for the Director of Public Service to make an expenditure exceeding fifty thousand dollars; **NOW THEREFORE**

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 to purchase an Aerial Device at a total cost of \$223,615.00 for boom and body package from Terex Utilities, Inc. through participation in a National Joint Power Alliance (NJPA) contract pursuant to section 9.48 of the Ohio Revised Code and a 2018 Freightliner M2 106 cab and chassis from Cleveland Freightliner, Inc. through participation in Ohio Department of Administrative Services Contract, pursuant to section 125.04 of the Ohio Revised Code.

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 provide 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

1st Rdg. _____

3rd Rdg. _____

Vote: aye _____ nay _____

2nd 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://publicnoticsohio.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