

AGENDA
February 21, 2023
Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, February 21, 2023, at 5:30 p.m., in-person in City Council Chambers:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of City Council Minutes for the:
Regular Meeting of February 7 & the Special Meeting of February 15, 2023
6. Visitors
7. Correspondence
8. **READING OF LEGISLATION:**

ORDINANCE NO. 23-016 (1st RDG.): AN ORDINANCE TO APPROVE THE EXECUTION OF A SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. FOR PARTICIPATION IN THE COMMUNITY ENERGY SAVINGS SMART THERMOSTAT PROGRAM AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee February 13, 2023, with recommendation for three readings

ORDINANCE NO. 23-017 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A NEW LABRIE AUTOMIZER SIDE LOADER AND DUAL STEERING CAB AND CHASSIS FROM BEST EQUIPMENT COMPANY, INC. THROUGH PARTICIPATION IN A SOURCEWELL CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee February 13, 2023, with recommendation to suspend and call

ORDINANCE NO. 23-018 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A CATERPILLAR 420XE AUTO BACKHOE WITH EXTENDED WARRANTY FROM OHIO CAT THROUGH PARTICIPATION IN A SOURCEWELL CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee February 13, 2023, with recommendation to suspend and call

ORDINANCE NO. 23-019 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS FOR, AND AWARD CONTRACTS FOR THE 2023 STREET IMPROVEMENT PROGRAM PROJECTS CONSISTING OF THE CONSTRUCTION OF IMPROVEMENTS OF CERTAIN CITY STREETS AND ALL APPURTENANCES AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

ORDINANCE NO. 23-020 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE STATE STREET RESURFACING PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023, with three readings suggested

ORDINANCE NO. 23-021 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE 2023 STREET STRIPING PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

ORDINANCE NO. 23-022 (1st RDG.): AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT FUNDS FROM MEDINA COUNTY'S PY2022 CDBG ALLOCATION PROGRAM AND TO ENTER INTO AN AGREEMENT WITH THE COUNTY COMMISSIONERS IN ORDER TO IMPLEMENT THE GRANT AND DEFINE THE ROLES AND RESPONSIBILITIES OF THE CITY OF WADSWORTH AND MEDINA COUNTY AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

ORDINANCE NO. 23-023 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE 2023 CDBG SIDEWALK IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023, with two readings

ORDINANCE NO. 23-024 (1st RDG.): AN ORDINANCE DETERMINING TO PROCEED WITH REPAIRING, REPLACING OR CONSTRUCTING OF CERTAIN SIDEWALKS IN THE CITY OF WADSWORTH AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023, with at least two readings

ORDINANCE NO. 23-025 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO GRANT AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION DIVISION OF AVIATION FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS, FOR DESIGN SERVICES FOR PRECISION APPROACH PATH INDICATORS (PAPI), DESIGN SERVICES FOR AIRPORT PARKING APRON, DESIGN AND CONSTRUCTION OF OBSTRUCTION REMOVAL, AND DESIGN OF AN AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) AT THE WADSWORTH MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

ORDINANCE NO. 23-026 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE AIRPORT TAXIWAY & FUEL FARM CONCRETE PAVEMENT REPAIR PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

ORDINANCE NO. 23-027 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO SELL A 1995 KME FIRE FOX PUMPER AND A 1992 PIERCE ARROW 100" AERIAL PLATFORM PURSUANT TO DIVISION (A) OF SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee February 15, 2023 with recommendation to suspend the three reading rule

ORDINANCE NO. 23-028 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH STRUCTURE PERSONNEL INC. FOR THE LEASING OF EMPLOYEES FROM SAID EMPLOYMENT AGENCY TO BE RESPONSIBLE FOR THE SEASONAL FLUSHING OF HYDRANTS, THE SEASONAL COLLECTION OF YARD WASTE AND LEAVES, AND OTHER NEEDS AND DECLARING AN EMERGENCY

- Sponsored by President of Council Bob Thurber
- To be Discussed at Committee of the Whole February 21, 2023

RESOLUTION NO. 23-02 (1st RDG.): A RESOLUTION ACCEPTING THE TRANSFER OF AN 800 MHz RADIO SYSTEM FROM THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT TO THE WADSWORTH POLICE DEPARTMENT AND TO DECLARE AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee February 15, 2023 with recommendation to suspend the three reading rule

ORDINANCE NO. 23-012 (2nd RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS FOR THE WADSWORTH MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee January 23, 2023

ORDINANCE NO. 23-013 (2nd RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS, FOR DESIGN SERVICES FOR PRECISION APPROACH PATH INDICATORS (PAPI), AND DESIGN SERVICES FOR THE CONSTRUCTION OF ADDITIONAL AIRPORT APRON AREA AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee January 23, 2023

ORDINANCE NO. 23-008 (3rd RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND RECEIVE BIDS AND ENTER INTO A CONTRACT FOR CITY STREET SWEEPING AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Discussed by Public Ways December 12, 2022
- Discussed by Public Ways February 13, 2023, with amendment anticipated for ordinance

9. Other Business

10. Recess or Adjournment

ORDINANCE NO. 23-016
Sponsored by Council Member Bruce Darlington

AN ORDINANCE TO APPROVE THE EXECUTION OF A SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. FOR PARTICIPATION IN THE COMMUNITY ENERGY SAVINGS SMART THERMOSTAT PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, the City of Wadsworth, Ohio (“Municipality”) owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, American Municipal Power, Inc. (“AMP”) is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being, as of the date hereof, political subdivisions that operate, or whose members operate, municipal electric utility systems in Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia; and

WHEREAS, AMP and Municipality have entered into a Master Services Agreement, AMP Contract No. C-9-2005-4347, pursuant to which AMP provides certain services to Municipality as set forth in various schedules to the Master Services Agreement (the “Schedules”); and

WHEREAS, AMP and EnergyHub, Inc. (“EnergyHub”) will enter or have entered into an agreement (the “EH Agreement”) to provide Software as a Service (“SaaS”) and program management services in order to provide a thermostat-based demand management program that has the advantages to participating AMP Members of economies of scale, mitigation of risk from local technology deployment and support, and reduced burden of ongoing support; and

WHEREAS, AMP and Municipality desire to enter into a Schedule (“Smart Thermostat Schedule”), under the MSA, which provides that AMP will obtain and sell to Municipality, and Municipality will agree to take and pay for the services which AMP will acquire through the EH Agreement; NOW, THEREFORE,

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

SECTION 1: That the Smart Thermostat Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Appendices thereto, are approved, and the Director of Public Service of Municipality is hereby authorized to execute and deliver the Smart Thermostat Schedule, with such changes as the Director of Public Service may approve as neither inconsistent with this Ordinance nor materially detrimental to the Municipality, the execution of the Smart Thermostat Schedule to be conclusive evidence of such approval.

SECTION 2. That the Director of Public Service is hereby authorized to take any action necessary for Municipality to fulfill its obligations under the Smart Thermostat Schedule.

SECTION 3. That it is found and determined that all formal actions of this concerning and relating to the passage of this Ordinance were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 4. If any section, subsection, paragraph, clause or provision or any part thereof of this Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 5. 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 implement a necessary energy efficiency program; 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://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. 23-017

Sponsored by Council Member Bruce Darlington

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A NEW LABRIE AUTOMIZER SIDE LOADER AND DUAL STEERING CAB AND CHASSIS FROM BEST EQUIPMENT COMPANY, INC. THROUGH PARTICIPATION IN A SOURCEWELL 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 Sourcewell Contract 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 new Labrie Automizer Side Loader and Dual Steering Cab and Chassis is available for purchase from Best Equipment Company, Inc. through participation in a Sourcewell contract and that it is in the best interest of the City of Wadsworth to purchase said needed Labrie Automizer Side Loader and Dual Steering Cab and Chassis through participation in the said Sourcewell 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 a new Labrie Automizer Side Loader and Dual Steering Cab and Chassis at a cost of \$390,466.00 for said equipment from Best Equipment Company, Inc. for a total of \$390,466.00 through participation in a Sourcewell contract pursuant to section 9.48 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

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Tammy L. Guenther
Clerk of Council
City of Wadsworth

ORDINANCE NO. 23-018
Sponsored by Council Member Bruce Darlington

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A CATERPILLAR 420XE AUTO BACKHOE WITH EXTENDED WARRANTY FROM OHIO CAT THROUGH PARTICIPATION IN A SOURCEWELL 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 Sourcewell Contract 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 new Caterpillar 420XE AUTO Backhoe with extended warranty is available for purchase from Ohio CAT through participation in a Sourcewell contract and that it is in the best interest of the City of Wadsworth to purchase said needed new Caterpillar 420XE AUTO Backhoe with extended warranty through participation in the said Sourcewell 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 a new Caterpillar 420XE AUTO Backhoe with extended warranty at a cost of \$176,604.98 for said equipment from Ohio CAT through participation in a Sourcewell contract pursuant to section 9.48 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

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Tammy L. Guenther
Clerk of Council
City of Wadsworth

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ORDINANCE NO. 23-019
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS FOR, AND AWARD CONTRACTS FOR THE 2023 STREET IMPROVEMENT PROGRAM PROJECTS CONSISTING OF THE CONSTRUCTION OF IMPROVEMENTS OF CERTAIN CITY STREETS AND ALL APPURTENANCES 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 award contracts for the 2023 Street Improvement Program Projects, which may include “**Contract 2023-270 Asphalt Resurfacing Project**”, “**Contract 2023-273 Crack Seal Project**”, and “**Contract 2023-274 Concrete Pavement Repair and Replacement Project**”, and pavement repairs for the Vehicle Maintenance parking lot, paving Memorial Parkway and all appurtenances in accordance with plans and specifications prescribed or to be prescribed by the Director of Public Service. The Total Engineer’s Estimate for the above projects is \$1,350,000. The street resurfacing list is included as Attachment A. The Director of Public Service may utilize the Ohio Department of Transportation State Bid Pricing pursuant to Ohio Revised Code section 9.48 for “**Contract 2023-273 Crack Seal Project**”. 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 services are available under ODOT Contracts for the identified commodity. The total price to be awarded pursuant to said contracts shall not exceed \$1,350,000. 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 complete construction improvements to make it safer to operate vehicles as soon as reasonably feasible; WHEREFORE, this ordinance shall go into immediate effect.

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

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Tammy L. Guenther
Clerk of Council
City of Wadsworth



Attachment 'A'

2023 Street Improvement Program

Program Summary

1. Asphalt Resurfacing & Repair	\$1,200,000
2. Crack Seal Project	\$50,000
3. Concrete Pavement Repair & Replacement	\$0
4. State St. Resurfacing Project (City's match)	\$160,000
5. Wolf Ave. Improvement Project (roadway portion) (Wolf: High-Rosalind (Asphalt & Concrete); Park Meadows Ct.; Wolf Ext.; Waverly: Rosalind-Sunset)	\$765,000
6. Wadsworth Twp Cost Share	<u>\$15,000</u>
Program Estimate	\$2,190,000

Note: The above program estimate will require a \$600,000 Supplemental Appropriation since the Asphalt Resurfacing & Repair project was increased from \$500,000 to \$1,200,000.

Asphalt Resurfacing & Repair Streets

1. E. Boyer St.: High St. to Fairlawn Ave.
2. Watrusa St.: College St. to Mills St.
3. Watrusa Ct.: S. Pardee St. to Watrusa St.
4. Mills St.: Main St. to Grandview Ave.
5. Washington St.: Grandview east approx. 150'
6. W. Prospect St.: High St to Beck St
7. Oak St.: Fairlawn to Tanglewood
8. Brookwood Rd.: Oak St. north to end
9. Valley View Pkwy: West to High
10. Misc. Repair Areas

Note:

Resurfacing of a portion of the Vehicle Maintenance Parking Lot will be included in the 2023 Street Resurfacing Project. The cost for this work (estimated at \$25,000) will be paid for out of 714-1400-50-55085 (Vehicle Maintenance's Budget). Additionally, Memorial Parkway will be included as an alternate. The cost for this work (estimated at \$125,000) will be paid for out of 431-3105-50-55085.

ORDINANCE NO. 23-020
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE STATE STREET RESURFACING 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, receive bids and to enter into a contract for the State St. Resurfacing 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 \$465,540. 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 complete construction improvements to make it safer to operate vehicles as soon as reasonably feasible; 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

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Tammy L. Guenther
Clerk of Council, City of Wadsworth

ORDINANCE NO. 23-021
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE 2023 STREET STRIPING 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 2023 Street Striping 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 \$80,000. 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 complete improvements to make it safer to operate vehicles as soon as reasonably feasible; 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 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

ORDINANCE NO. 23-022
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT FUNDS FROM MEDINA COUNTY'S PY2022 CDBG ALLOCATION PROGRAM AND TO ENTER INTO AN AGREEMENT WITH THE COUNTY COMMISSIONERS IN ORDER TO IMPLEMENT THE GRANT AND DEFINE THE ROLES AND RESPONSIBILITES OF THE CITY OF WADSWORTH AND MEDINA COUNTY AND DECLARING AN EMERGENCY

WHEREAS, the City of Wadsworth falls under Medina County's Community Development Block Grant (CDBG) Allocation Program and

WHEREAS, Medina County is eligible to apply for \$500,000 in CDBG allocation funds, of which \$150,000 is dedicated and earmarked for use solely by the City of Wadsworth, and

WHEREAS, the City of Wadsworth has requested \$150,000 from Medina County's PY2022 CDBG Program to partially fund the following projects, which are deemed to meet a national objective of the CDBG program:

- Wadsworth Sidewalk Improvement: CDBG Amount: \$130,000
- Wadsworth Housing Assistance: CDBG Amount: \$20,000

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

Section 1. That this Council hereby authorizes the Mayor or Director of Public Service to accept funds in the amount of \$150,000.00 from Medina County's PY2022 CDBG Allocation Program.

Section 2. That this Council hereby authorizes the Mayor or Director of Public Service to enter into an agreement with the County Commissioners in order to execute the grant and define the roles and responsibilities of the City of Wadsworth and Medina County with this project.

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 advertise, bid and award such contracts as may be necessary for the completion of such projects, 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: _____
Attest: _____
Approved: _____

Clerk of Council
President of Council
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://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. 23-023
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE 2023 CDBG SIDEWALK IMPROVEMENT 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 2023 CDBG Sidewalk Improvement 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 \$260,000. 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 complete improvements to make it safer for pedestrians as soon as reasonably feasible; 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 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

ORDINANCE NO. 23-024
Sponsored by Council Member David Williams

**AN ORDINANCE DETERMINING TO PROCEED WITH REPAIRING,
REPLACING OR CONSTRUCTING OF CERTAIN SIDEWALKS IN THE CITY
OF WADSWORTH AND DECLARING AN EMERGENCY**

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

SECTION 1. That it is hereby determined to proceed with the repair, replacement or construction of sidewalks as the implementation of the 2022-23 Sidewalk Repair Project, which is conducive to the public convenience and welfare in accordance with plans, specifications and estimates of costs on file in the office of the Director of Public Service and on file with the Clerk of Council in accordance with Resolution No. 22-04, passed by council on the 19th day of April, 2022.

SECTION 2. That the estimated assessments of the cost of said improvement heretofore prepared and filed in the office of said Clerk and the same are hereby adopted.

SECTION 3. That it is further determined that the cost of said improvement to be assessed against benefited property shall be assessed in the amount, manner and number of installments as provided for in said Resolution declaring the necessity of said improvement.

SECTION 4. That bonds of the City of Wadsworth shall be issued in anticipation of the collection of assessments by the installments and in an amount equal thereto, and notes of said City of Wadsworth shall be issued in anticipation of the issue of such bonds.

SECTION 5. That since no claims for damages or objections to benefited or abutting land owners have been filed, or in the event of such filing have been resolved and settled according to law, that no judicial inquiry shall be necessary prior to commencement of this improvement.

SECTION 6. That the Director of Public Service is authorized to advertise for and receive bids and to enter into a contract for the aforesaid implementation of the 2022-23 Sidewalk Repair Project which includes said assessment work and repair of sidewalk deficiencies due to City street trees and utilities. The total price to be awarded shall not exceed \$317,000. 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 7. That the Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the Medina County Auditor within fifteen days after its adoption.

SECTION 8. This ordinance shall go into immediate effect pursuant to section 731.30 of the Ohio Revised Code, as being an ordinance to complete the legislation to make and pay for a public improvement, being subsequent to Resolution 22-04, the first measure required to be passed in regard to said public improvement.

SECTION 9. 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 complete construction improvements to make it safer for pedestrians as soon as reasonably feasible; WHEREFORE, this ordinance shall go into immediate effect.

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

RECORD OF DELIVERY

A certified copy of this legislation was delivered to the office of the Medina County Auditor on the _____ day of _____, 2023 by _____

ORDINANCE NO. 23-025
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO GRANT AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION DIVISION OF AVIATION FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS, FOR DESIGN SERVICES FOR PRECISION APPROACH PATH INDICATORS (PAPI), DESIGN SERVICES FOR AIRPORT PARKING APRON, DESIGN AND CONSTRUCTION OF OBSTRUCTION REMOVAL, AND DESIGN OF AN AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) AT THE WADSWORTH MUNICIPAL AIRPORT 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 apply for and enter into grant agreements with the Ohio Department of Transportation Division of Aviation for the purchase of Snow Removal Carrier Vehicle and Attachments, design services for Precision Approach Path Indicators (PAPI), design services for Airport Parking Apron, design and construction of Obstruction Removal, and design of an Automated Weather Observation System (AWOS) at the Wadsworth Municipal Airport.

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 timely respond to a grant offer and to expedite the receipt of funds from the Ohio Department of Transportation Division of Aviation to improve safety conditions at the Wadsworth Municipal Airport; 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 <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. 23-026
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE AIRPORT TAXIWAY & FUEL FARM CONCRETE PAVEMENT REPAIR 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 Airport Taxiway and Fuel Farm Concrete Pavement Repair 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 \$170,000. 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 complete improvements to make it safer for airport operations as soon as reasonably feasible; 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 st Rdg. _____	2 nd Rdg. _____
3 rd 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, City of Wadsworth

ORDINANCE NO. 23-027
Sponsored by Council Member Ralph Copley

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO SELL A 1995 KME FIRE FOX PUMPER AND A 1992 PIERCE ARROW 100” AERIAL PLATFORM PURSUANT TO DIVISION (A) OF SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, division (A) of section 721.15 of the Ohio Revised Code provides that personal property not needed for municipal purposes, of an estimated value of one thousand dollars or more, shall be sold only when authorized by an ordinance of the legislative authority of the municipal corporation and approved by the board, officer or director having supervision or management of that property. When so authorized, the board, officer or director shall make a written contract with the highest and best bidder after advertisement for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the municipal corporation or as provided in section 7.16 of the Revised Code, or with a board of county commissioners upon such lawful terms as are agreed upon, as provided by division (B)(1) of section 721.27 of the Revised Code; **NOW THEREFORE**,

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

Section 1. That this Council hereby determines that a 1995 KME Fire Fox Pumper and a 1992 Pierce Arrow 100” Aerial Platform owned by the City of Wadsworth is not needed for municipal purposes, that it has an estimated value in excess of one thousand dollars and that the Director of Public Safety, as the officer having supervision or management of said property, has requested authorization to sell said property.

Section 2. That the Director of Public Safety is hereby authorized to sell the aforesaid 1995 KME Fire Fox Pumper and a 1992 Pierce Arrow 100” Aerial Platform pursuant to division (A) of section 721.15 of the Ohio Revised Code via a representative conducting an auction pursuant to division (D) of section 721.15 of the Ohio Revised Code. Said representative shall be Fenton Fire Equipment, Inc., 720 Cambria Street., Ste #1, Portage, PA 15946.

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 obtain needed funds by selling property that is not needed for municipal purposes; **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. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd Rdg. _____
Passed: yes _____ no _____
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. 23-028
Sponsored by Council President Bob Thurber

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH STRUCTURE PERSONNEL INC. FOR THE LEASING OF EMPLOYEES FROM SAID EMPLOYMENT AGENCY TO BE RESPONSIBLE FOR THE SEASONAL FLUSHING OF HYDRANTS, THE SEASONAL COLLECTION OF YARD WASTE AND LEAVES, AND OTHER NEEDS AND DECLARING AN EMERGENCY

WHEREAS, section 35.53 of the Codified Ordinances of the City of Wadsworth provides that no contract shall be entered into on behalf of the City of Wadsworth for leasing of employees from an employment agency if the total amount of the contract exceeds two thousand dollars unless the contract has been authorized by the city council, and

WHEREAS, this council finds it to be necessary to authorize the Director of Public Service to enter into a contract for the leasing of employees from an employment agency to be responsible for the seasonal flushing of hydrants and the seasonal collection of yard waste and leaves and other needs as he deems necessary during the calendar year 2023, NOW THEREFORE

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

Section 1. That pursuant to section 35.53 of the Codified Ordinances of the City of Wadsworth, the director of public service is hereby authorized to enter into a contract with Structure Personnel Inc. for the leasing of employees from said employment agency to be responsible for the seasonal flushing of hydrants and the seasonal collection of yard waste and leaves and other needs as he deems necessary during the calendar year 2023. The total amount to be paid for the contracted services shall not exceed \$70,000.

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 provide for necessary and appropriate City services; 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://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

RESOLUTION NO. 23-02
Sponsored by Council Member Ralph Copley

A RESOLUTION ACCEPTING THE TRANSFER OF AN 800 MHz RADIO SYSTEM FROM THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT TO THE WADSWORTH POLICE DEPARTMENT AND TO DECLARE AN EMERGENCY

WHEREAS, Portage County has personal property which is no longer needed for public use, and they would like to transfer ownership of the items to the Wadsworth Police Department, Medina County and;

WHEREAS, the Wadsworth Police Department has a need for said equipment; **NOW THEREFORE**

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

Section 1. That the Director of Public Safety is hereby authorized to accept the donation of an 800 MHz Radio System from the Portage County Office of Homeland Security and Emergency Management.

Section 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 resolution 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 accept needed equipment; **WHEREFORE**, this resolution 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: _____
Attest: _____
Clerk of Council
Approved: _____
Mayor

President of Council

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 resolution 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