

REVISED AGENDA
March 1, 2023
Wadsworth City Council

Special Meeting of the Wadsworth City Council, Wednesday March 1, 2023, at 5:30 p.m., in-person in the Administrative Conference Room:

1. Call to Order
2. Roll Call
3. Other Matters for Consideration:

A.) LEGISLATION:

ORDINANCE NO. 23-030 (1st RDG.):AN ORDINANCE TO UPDATE THE EXISTENCE OF A REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT TO UPDATE SERVICES AND COST REQUIRED FOR THE CONTINUED REPAIR OF THE MAHOGANY ROW SEWER AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington

B.) LIQUOR PERMIT APPLICATION

4. **EXECUTIVE SESSION:** *Potential Litigation*

5. Recess or Adjournment

ORDINANCE NO. 23-030
Sponsored by Council Member Bruce Darlington

AN ORDINANCE TO UPDATE THE EXISTENCE OF A REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT TO UPDATE SERVICES AND COST REQUIRED FOR THE CONTINUED REPAIR OF THE MAHOGANY ROW SEWER AND DECLARING AN EMERGENCY

WHEREAS, this Council on February 21, 2023 authorized by its Ordinance No. 23-029 the Director of Public Service to enter into a contract for removal of an existing manhole and installation of a new doghouse manhole including pumping, installation of necessary pipe and sleeve connections and pipe bedding and backfill under pavement as part of the Mahogany Row sewer without formal bidding and advertising in order to expedite the installation of improvements needed to provide continued wastewater collection in the Mahogany Row area, and

WHEREAS, estimates approved in Ordinance No. 23-029 did not include prevailing wages required by the State of Ohio on public projects, rental of sanitary bypass equipment for maintenance of service to residents during repairs, cost of fuel for pumps, sufficient estimate of vendor services including repairs to infrastructure and landscaping, and potential change orders;
NOW THEREFORE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO; TWO-THIRDS OF THE MEMBERS CONCURRING:

Section 1. That this Council, pursuant to section 735.051 of the Ohio Revised Code, hereby finds the existence of a real and present emergency in connection with the operation and maintenance of the Department of Public Service necessitating authorizing the Director of Public Service to enter into a contract to update services and cost required for the continued repair of the Mahogany Row Sewer.

Section 2. That based upon the aforesaid real and present emergency, this Council hereby authorizes the Director of Public Service to enter into a contract to include updated services and cost required for the continued repair of the Mahogany Row Sewer without formal bidding and advertising in accordance with specifications on file or to be on file in the office of the Director of Public Service.

Section 3. That based upon the aforesaid real and present emergency, this Council hereby authorizes the Director of Public Service to enter into a contract without formal bidding and advertising for a total amount not to exceed \$105,433.35. 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 4. That this Council finds and determines that all formal actions of this Council or of any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and of any of its committees and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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 expedite the continued repair of the Mahogany Row sewer without formal bidding and advertising in order to expedite the installation of improvements needed to provide continued wastewater collection in the Mahogany Row area; WHEREFORE, this ordinance shall go into immediate effect.

Passed: _____
President of Council

Attest: _____

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://www.
publicnoticsohio.com/](http://www.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