

**AGENDA**  
**April 5, 2022**  
Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, April 5, 2022, at 5:30 p.m., in-person at City Council Chambers:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of City Council Minutes: *March 15, 2022*
6. Visitors
7. Correspondence
8. READING OF LEGISLATION:

**RESOLUTION NO. 22-05 (1<sup>st</sup> RDG.): A RESOLUTION PURSUANT TO DIVISION (C) OF SECTION 709.023 OF THE OHIO REVISED CODE STATING WHAT SERVICES THE CITY OF WADSWORTH WILL PROVIDE AND AN APPROXIMATE DATE BY WHICH IT WILL PROVIDE THEM TO THE TERRITORY PROPOSED FOR ANNEXATION BY THE PETITION OF SALAMAR REAL ESTATE, LTD., RICHARD K LEWIS AND BETTY A. LEWIS, AS TRUSTEES, TROY A. CRISLIP AND MARY ANN CRISLIP FOR AN EXPEDITED TYPE 2 ANNEXATION OF 81.9108 ACRES FROM THE TOWNSHIP OF WADSWORTH TO THE CITY OF WADSWORTH UPON ANNEXATION AND STATING THAT IF SAID TERRITORY IS ANNEXED AND BECOMES SUBJECT TO ZONING BY THE CITY OF WADSWORTH AND THE MUNICIPAL ZONING PERMITS USES IN THE SAID TERRITORY THAT THE CITY OF WADSWORTH DETERMINES ARE CLEARLY INCOMPATIBLE UNDER THE USES PERMITTED UNDER CURRENT TOWNSHIP ZONING REGULATIONS IN THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP FROM WHICH SAID TERRITORY WAS ANNEXED, THE LEGISLATIVE AUTHORITY OF THE CITY OF WADSWORTH WILL REQUIRE, IN THE ZONING ORDINANCE PERMITTING THE INCOMPATIBLE USES, THE OWNER OF THE SAID ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE SAID ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP**

- Sponsored by Council Member Thomas Stugmyer
- Discussed by Economic Development & Planning Committee March 14, 2022

**ORDINANCE NO. 22-029 (1<sup>st</sup> RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$20,000.00 IN THE 232 – MUNICIPAL COURT IMPROVEMENT FUND FOR OTHER EXPENSES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022**

- Sponsored by President of Council Bob Thurber

**ORDINANCE NO. 22-030 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY OF WADSWORTH AND THE MEDINA COUNTY PARK DISTRICT TO LEASE 58.3 ACRES OF LAND ALSO KNOWN AS HOLMESBROOK PARK AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee March 14, 2022

**ORDINANCE NO. 22-031 (1<sup>st</sup> RDG.): AN ORDINANCE FINDING THE EXISTENCE OF A REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SAFETY NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING FOR THE PURCHASE OF ONE 2023 FORD E-450 LIFE LINE CUSTOM SUPERLINER AMBULANCE AND ONE 2023 FORD E-450 LIFE LINE REMOUNTED CUSTOM SUPERLINER AMBULANCE FROM PFUND SUPERIOR SALES COMPANY, INCORPORATED AND AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO SUCH A CONTRACT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Ralph Copley

**ORDINANCE NO. 22-022 (2<sup>nd</sup> RDG.): AN ORDINANCE TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF CITY LOT 6463 FROM THE C-5 COMMERCIAL DISTRICT TO THE R-3 RESIDENTIAL DISTRICT**

*Council Public Hearing Set for April 19, 2022, at 5:30 p.m.*

- Sponsored by Council Member Thomas Stugmyer
- Forwarded by Economic Development & Planning Committee March 14, 2022

**ORDINANCE NO. 22-024 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A FIRST RESPONSE AND DIRECTCAST UNIT FROM HENDERSON PRODUCTS, INC. THROUGH PARTICIPATION IN A SOURCEWELL, FORMERLY NATIONAL JOINT POWER ALLIANCE (NJPA), CONTRACT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee March 14, 2022

**ORDINANCE NO. 22-025 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE RAINBOW AND MILL STREET CULVERT REPLACEMENT PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee March 14, 2022

**ORDINANCE NO. 22-028 (2<sup>nd</sup> RDG.): AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,975,000 FOR THE PURPOSE OF PAYING THE COSTS OF THE CONSTRUCTION OF THE NEW COLLEGE STREET FIRE STATION BUILDING, INCLUDING PROVIDING NECESSARY FURNISHINGS, FIXTURES AND EQUIPMENT THEREFOR AND FIRE APPARATUS AND EQUIPMENT TO BE HOUSED THEREIN AND IMPROVING THE SITE THEREOF, AND THE COSTS OF ACQUISITION OF A FIRE TRUCK, EACH INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY**

- Sponsored by President Council Bob Thurber
- Discussed by the Finance Committee March 15, 2022

**RESOLUTION NO. 22-04 (2<sup>nd</sup> RDG.): A RESOLUTION DECLARING THE NECESSITY OF REPAIRING, REPLACING OR CONSTRUCTING CERTAIN SIDEWALKS IN THE CITY OF WADSWORTH, REQUIRING THAT ABUTTING PROPERTY OWNERS REPAIR, REPLACE OR CONSTRUCT SAME AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Discussed by Public Ways Committee March 14, 2022

**ORDINANCE NO. 22-014 (3<sup>rd</sup> RDG.): AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REPAIRING, REPLACEMENT, OR CONSTRUCTION OF CERTAIN SIDEWALKS**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 14, 2022

9. Other Business

10. Recess or Adjournment

**RESOLUTION NO. 22-05**  
**Sponsored by Council Member Thomas Stugmyer**

**A RESOLUTION PURSUANT TO DIVISION (C) OF SECTION 709.023 OF THE OHIO REVISED CODE STATING WHAT SERVICES THE CITY OF WADSWORTH WILL PROVIDE AND AN APPROXIMATE DATE BY WHICH IT WILL PROVIDE THEM TO THE TERRITORY PROPOSED FOR ANNEXATION BY THE PETITION OF SALAMAR REAL ESTATE, LTD., RICHARD K LEWIS AND BETTY A. LEWIS, AS TRUSTEES, TROY A. CRISLIP AND MARY ANN CRISLIP FOR AN EXPEDITED TYPE 2 ANNEXATION OF 81.9108 ACRES FROM THE TOWNSHIP OF WADSWORTH TO THE CITY OF WADSWORTH UPON ANNEXATION AND STATING THAT IF SAID TERRITORY IS ANNEXED AND BECOMES SUBJECT TO ZONING BY THE CITY OF WADSWORTH AND THE MUNICIPAL ZONING PERMITS USES IN THE SAID TERRITORY THAT THE CITY OF WADSWORTH DETERMINES ARE CLEARLY INCOMPATIBLE UNDER THE USES PERMITTED UNDER CURRENT TOWNSHIP ZONING REGULATIONS IN THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP FROM WHICH SAID TERRITORY WAS ANNEXED, THE LEGISLATIVE AUTHORITY OF THE CITY OF WADSWORTH WILL REQUIRE, IN THE ZONING ORDINANCE PERMITTING THE INCOMPATIBLE USES, THE OWNER OF THE SAID ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE SAID ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP**

**WHEREAS**, the clerk of the legislative authority of the City of Wadsworth has received a copy of a petition of Salamar Real Estate, Ltd., Richard K Lewis and Betty A. Lewis, as Trustees, Troy A. Crislip and Mary Ann Crislip for an expedited Type 2 Annexation of 81.9108 acres from the Township of Wadsworth to the City of Wadsworth, and

**WHEREAS**, division (C) of section 709.023 of the Ohio Revised Code provides that within twenty days after the date such a petition is filed, the legislative authority of the municipal corporation to which annexation is proposed shall adopt an ordinance or resolution stating what services the municipal corporation will provide, and an approximate date by which it will provide them, to the territory proposed for annexation, upon annexation, and

**WHEREAS**, division (C) of section 709.023 of the Ohio Revised Code further provides that if the territory proposed for annexation is subject to zoning regulations adopted under either Chapter 303 or 519 of the Revised Code at the time the petition is filed, the legislative authority of the municipal corporation also shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township and that for purposes of said section 709.023 of the Revised

Code, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way and bicycle and pedestrian paths and sidewalks, and

**WHEREAS**, the petition for annexation of Salamar Real Estate, Ltd., Richard K Lewis and Betty A. Lewis, as Trustees, Troy A. Crislip and Mary Ann Crislip for an expedited Type 2 Annexation of 81.9108 acres proposes for annexation of territory that is subject to Wadsworth Township zoning regulations adopted under Chapter 519 of the Revised Code; **NOW THEREFORE**

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

**SECTION 1.** That the services the City of Wadsworth will provide to the territory proposed for annexation by the petition of Salamar Real Estate, Ltd., Richard K Lewis and Betty A. Lewis, as Trustees, Troy A. Crislip and Mary Ann Crislip for an expedited Type 2 Annexation of 81.9108 acres from the Township of Wadsworth to the City of Wadsworth are as follows:

Public Safety: The City of Wadsworth will provide police and fire protection and emergency medical services.

Water Service: The City of Wadsworth will provide water service subject to the following:

1. Water service currently exists to the south of this parcel on Reimer Road and to the north at Shepperton Drive in Tiberon Trace.
2. The property owner/developer will be required to run water from Reimer Road and loop it into the system at Shepperton Drive.
3. There is adequate water supply at the Wadsworth Water Treatment Plant.

It is understood that all water line extensions are the responsibility of the property owner/developer; and, upon receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.

Electric Service: The City of Wadsworth will provide electric service subject to the following:

1. The City of Wadsworth has electric facilities currently available along the frontage of the property on Reimer Road. These existing electric facilities have the capacity to serve the electrical needs of the proposed annexed property for residential development.

The City of Wadsworth charges a fee for the electric facilities to be installed and those fees are the responsibility of the property owner/developer; and, upon receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.

Telecommunications: The City of Wadsworth (CityLink) will provide telecommunications service subject to the following:

1. CityLink is available along Reimer Road.
2. There is no charge for CityLink to install facilities and serve the annexed property for residential development.

Sanitary Sewer Service: The City of Wadsworth will provide sanitary sewer service subject to the following:

1. Although it appears there is capacity to the existing system, it will be the developer's responsibility to demonstrate how this area can be served by sanitary sewer and that there is downstream capacity in the gravity sewer and that there is capacity in downstream lift stations and forcemains.
2. There is treatment capacity at the Wadsworth Regional Wastewater Treatment plant.
3. There is no sanitary sewer along Reimer Road, east of Hinkle Drive.
4. The topography of this land flows to Tiberon Trace subdivision and therefore, will need to be tied into that system.
5. No new lift station will be allowed for this small area to drain to the south.

Solid Waste Collection: The City of Wadsworth will provide solid waste collection service.

General Services:

1. Street Department can provide annual maintenance including snow and ice control, sweeping to public roadways and leaf collection on the annexed properties.
2. Annual preventative maintenance as far as crack sealing, patching, etc. in the future as the roadways deteriorates.
3. Cost/Benefit analysis should be conducted for large roadway repairs such as resurfacing or full depth improvements if public streets are requested.

The approximate date when these services shall be provided shall be the date when the annexation becomes effective, provided that the water, electric and telecommunications services may require the installation of on-site and off-site infrastructure improvements subject to being financed by property developers, petitions for special assessments or other agreements.

**SECTION 2.** That if the territory proposed for annexation by the petition for annexation of Salamar Real Estate, Ltd., Richard K Lewis and Betty A. Lewis, as Trustees, Troy A. Crislip and Mary Ann Crislip for an expedited Type 2 Annexation of 81.9108 acres is annexed and becomes subject to zoning by the City of Wadsworth and that municipal zoning permits uses in the annexed territory that the City of Wadsworth determines are clearly incompatible with the uses permitted under current Wadsworth Township zoning regulations in the adjacent land remaining within

Wadsworth Township, the legislative authority of the City of Wadsworth will require, in the zoning ordinance permitting the incompatible uses the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Wadsworth Township. For purposes of this provision, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way and bicycle and pedestrian paths and sidewalks.

**SECTION 3.** That this Resolution 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 resolution was duly published in the *Medina Gazette* and <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 Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_.

**ORDINANCE NO. 22-029**  
**Sponsored by President of Council Bob Thurber**

**AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$20,000.00 IN THE 232 – MUNICIPAL COURT IMPROVEMENT FUND FOR OTHER EXPENSES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022**

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

**Section 1.** That this Council hereby authorizes the Auditor of the City of Wadsworth to increase the appropriations for the fiscal year ending December 31, 2022 by the following amount:

<b>Fund</b>	<b>Personal Services</b>	<b>Other</b>	<b>Total</b>
232 – Municipal Court Improvements	\$ 0.00	\$20,000.00	\$20,000.00

**Section 2.** That this ordinance is to make funds available to pay for current expenses; WHEREFORE, this ordinance shall go into immediate effect upon receipt of the county auditor’s certificate required for this appropriation pursuant to section 5705.39 of the Ohio Revised Code.

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 foregoing 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. 22-030**  
**Sponsored by Council Member David Williams**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY OF WADSWORTH AND THE MEDINA COUNTY PARK DISTRICT TO LEASE 58.3 ACRES OF LAND ALSO KNOWN AS HOLMESBROOK PARK AND DECLARING AN EMERGENCY**

**WHEREAS**, the City owns approximately 58.3 acres, located in the City of Wadsworth in Medina County, Ohio and which is also known as "Holmesbrook Park"; and

**WHEREAS**, the Park District has provided quality park services for Medina County, Ohio since 1965; and

**WHEREAS**, the Park District currently manages 7,500 acres of natural and outdoor recreational land for the enjoyment of the general public, and thus has the experience, professional staff, resources and ability to operate at economies of scale to efficiently manage additional park lands; and

**WHEREAS**, both parties mutually wish to enter into the Lease Agreement for the benefit of the residents of the City, other residents of Medina County and the general public; NOW, THEREFORE

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

Section 1. That the Mayor is hereby authorized to enter into a lease agreement between the City of Wadsworth and the Medina County Park District to lease 58.3 acres of land also known as "Holmesbrook Park." A copy of Description/Map of Leased Property is attached as Exhibit A.

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 to provide the City of Wadsworth residents with additional quality park 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

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. 22-031**  
**Sponsored by Council Member Ralph Copley**

**AN ORDINANCE FINDING THE EXISTENCE OF A REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SAFETY NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING FOR THE PURCHASE OF ONE 2023 FORD E-450 LIFE LINE CUSTOM SUPERLINER AMBULANCE AND ONE 2023 FORD E-450 LIFE LINE REMOUNTED CUSTOM SUPERLINER AMBULANCE FROM PFUND SUPERIOR SALES COMPANY, INCORPORATED AND AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO SUCH A CONTRACT AND DECLARING AN EMERGENCY**

**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 Safety necessitating authorizing the Director of Public Safety to enter into a contract without formal bidding and advertising for the purchase of one 2023 Ford E-450 Life Line Custom Superliner ambulance and one 2023 Ford E-450 Life Line Remounted Custom Superliner ambulance from Pfund Superior Sales Company, Incorporated.

**Section 2.** That based upon the aforesaid real and present emergency, this Council hereby authorizes the Director of Public Safety to enter into a contract without formal bidding and advertising to purchase one 2023 Ford E-450 Life Line Custom Superliner ambulance and one 2023 Ford E-450 Life Line Remounted Custom Superliner ambulance from Pfund Superior Sales Company, Incorporated. The City's payment obligation under the contract shall not exceed \$415,000.00.

**Section 3.** 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 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 acquire needed ambulances as soon as possible; WHEREFORE, this ordinance shall go into immediate effect.

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

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

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

Clerk of Council

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

\_\_\_\_\_  
Mayor