

AGENDA
May 16, 2023
Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, May 16, 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. City Council Meeting Minutes' Approval: The *Regular meeting of May 3, 2023*
6. Public Hearing: **AN ORDINANCE TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF DUAL JURISDICTION LOTS 10232 AND 10233 FROM THE EXISTING WADSWORTH TOWNSHIP R-2 RESIDENTIAL ZONING CLASSIFICATION TO THE CITY OF WADSWORTH R-1 RESIDENTIAL ZONING DISTRICT CLASSIFICATION AND TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF DUAL JURISDICTION LOTS 10234 AND 10235 FROM THE EXISTING WADSWORTH TOWNSHIP R-2 RESIDENTIAL ZONING CLASSIFICATION TO THE CITY OF WADSWORTH LDR (LOW DENSITY RESIDENTIAL) ZONING DISTRICT CLASSIFICATION AND DECLARING AN EMERGENCY**
7. *Mayoral Proclamation recognizing Wadsworth Police and EMS*
8. Visitors
9. Correspondence
10. READING OF LEGISLATION:

ORDINANCE NO. 23-054 (1st RDG.): AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE COUNTY OF MEDINA IN ORDER TO APPLY FOR A PROGRAM YEAR 2023 COMMUNITY HOUSING IMPACT AND PRESERVATION (PY2023 CHIP) PROGRAM GRANT, WITH THE COUNTY OF MEDINA BEING DESIGNATED AS THE GRANTEE, WHO WILL BE RESPONSIBLE FOR FILING THE APPLICATION ON OR BEFORE JUNE 21, 2023 AND IMPLEMENTING SAID GRANT IF GRANT IS FUNDED BY THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT (OCD), AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer
- Forwarded by Economic Development & Planning Committee May 8, 2023

ORDINANCE NO. 23-055 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) ANNUAL ROAD SALT BID IN ACCORDANCE WITH DIVISION (B) OF SECTION 5513.01 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee May 8, 2023

ORDINANCE NO. 23-049 (3rd RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 2023 SINGLE AXLE SNOW & ICE CONTROL WITH 9 FOOT WITH FRS SALT/SAND SPREADER TRUCK EQUIPMENT PACKAGE FROM HENDERSON PRODUCTS, INC. THROUGH PARTICIPATION IN A SOURCEWELL CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 10, 2023

ORDINANCE NO. 23-045 (4th RDG.): AN ORDINANCE TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF DUAL JURISDICTION LOTS 10232 AND 10233 FROM THE EXISTING WADSWORTH TOWNSHIP R-2 RESIDENTIAL ZONING CLASSIFICATION TO THE CITY OF WADSWORTH R-1 RESIDENTIAL ZONING DISTRICT CLASSIFICATION AND TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF DUAL JURISDICTION LOTS 10234 AND 10235 FROM THE EXISTING WADSWORTH TOWNSHIP R-2 RESIDENTIAL ZONING CLASSIFICATION TO THE CITY OF WADSWORTH LDR (LOW DENSITY RESIDENTIAL) ZONING DISTRICT CLASSIFICATION AND DECLARING AN EMERGENCY

Public Hearing Set for May 16, 2023, at 5:30 p.m. in City Council Chambers

- Sponsored by Council Member Thomas Stugmyer
- Discussed in Committee of the Whole April 4, 2023

11. Other Business of the City Council or Administration Officials

12. Recess or Adjournment

ORDINANCE NO. 23-054
Sponsored by Council Member Thomas Stugmyer

AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE COUNTY OF MEDINA IN ORDER TO APPLY FOR A PROGRAM YEAR 2023 COMMUNITY HOUSING IMPACT AND PRESERVATION (PY2023 CHIP) PROGRAM GRANT, WITH THE COUNTY OF MEDINA BEING DESIGNATED AS THE GRANTEE, WHO WILL BE RESPONSIBLE FOR FILING THE APPLICATION ON OR BEFORE JUNE 21, 2023 AND IMPLEMENTING SAID GRANT IF GRANT IS FUNDED BY THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT (OCD), AND DECLARING AN EMERGENCY

WHEREAS, the City of Wadsworth wishes to receive PY2023 Community Housing Impact and Preservation (CHIP) Program Grant funds, and;

WHEREAS, the Ohio Development Services Agency, Office of Community Development 's filing guidelines for the PY2023 CHIP encourage applicants to partner with other governmental agencies by increasing the amount of funding available to the partnering communities to a maximum of \$400,000 for Counties and \$350,000 for partnering communities; and

WHEREAS, the City of Wadsworth intends to partner with the County of Medina, with the County being the Grantee, in applying for the PY2023 Community Housing Impact and Preservation Program Grant (CHIP) in order to maximize the funds available to each community in the partnership, and;

WHEREAS, Grantee and Partner wish to set forth the responsibilities and obligations of each in administering the grant, if funded, utilizing the State's CDBG, HOME and Ohio Housing Trust Fund (OHTF) funds; and

WHEREAS, to fulfill the Program Guidelines of OCD, a Partnership Agreement must be executed by the participating jurisdictions and the Grantee and Partner understand this agreement is contingent on PY2023 CHIP funding from the State of Ohio, Development Services Agency, Office of Community Development (OCD); and

WHEREAS, this agreement is in effect until the CHIP funds are expended and the funded activities are complete and closed out. The Grantee nor the Partner cannot terminate or withdraw from the partnership agreement while it remains in effect; **NOW, THEREFORE:**

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

Section 1. That this Council authorizes the Mayor and/or the Director of Public Services to execute a Partnership Agreement with the County of Medina in order to apply for a Program Year 2023 Community Housing Impact and Preservation (CHIP) program grant, with the County of Medina designated as the Grantee responsible for filing, administering and implementing the PY 2023 CHIP with the OCD, if awarded and funded and to provide all information and documentation required for said application submission.

Section 2. That this Council authorizes the Mayor and/or Director of Public Service to enter into an Administrative Services Agreement with the County of Medina as Grantee, as required, if said grant is awarded and funded.

Section 3: That City of Wadsworth hereby commits itself to provide any local share of funding, as described in the Application, from the CHIP Program Income Fund (Fund 406), as is necessary.

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 provide adequate time to meet the Program Guidelines and Schedule established by OCD and the County of Medina, as Grantee to file an application for funding by June 21, 2023.

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

State of Ohio
PY2023 Community Housing Impact and Preservation (CHIP) Program
Partnership Agreement
Between
Medina County, Ohio and the City of Wadsworth, Ohio;

WHEREAS, Medina County (Grantee) will be submitting a PY2023 CHIP Grant Application to the Ohio Department of Development (ODOD) due June 21, 2023; and

WHEREAS, ODOD has determined that the City of Wadsworth is an eligible CHIP Program “Partner” participant within Medina County for the PY2023 funding round enabling Medina County to apply for \$400,000 and Wadsworth for \$350,000; for a total grant of \$750,000 for housing assistance to income eligible households; and

WHEREAS, without this partnership agreement, Medina County would have been eligible for only \$400,000 of CHIP Grant Funds; and

WHEREAS, Medina County and City of Wadsworth support the continuation of a partnership arrangement between Medina County and the City of Wadsworth for the PY2023 CHIP Grant Application;

WHEREAS, Medina County and the City of Wadsworth reviewed and approved the PY2023 CHIP Partnership arrangement; and

WHEREAS, Medina County and the City of Wadsworth agree to form a partnership for the purpose of applying for a PY2023 CHIP Grant Application; and

WHEREAS, Medina County has agreed to be the Grantee and fiscal agent for the entire PY2023 CHIP Grant and be responsible for the preparation of the PY2023 CHIP Application and for the administration of the grant in accordance with the CHIP rules and regulations as required by ODOD; and with City of Wadsworth as its Partner;

NOW, THEREFORE, Medina County and the City of Wadsworth do hereby agree to the following terms of this PY2023 CHIP Partnership Agreement:

1. That Medina County will be responsible for the preparation of the PY2023 CHIP Grant Application due June 21, 2023, that will include the partnership arrangement between the County and the City of Wadsworth as stipulated herein.
2. That Medina County will be the Grantee (recipient of the PY2023 CHIP Grant) with responsibility for and authority over the overall administration and implementation of the entire CHIP Program grant award and solely responsible for regulatory compliance and with terms of the grant agreement.

3. That this agreement will be in full force and effect for the duration of the PY2023 CHIP Grant Period which will be from December 1, 2023, until April 30, 2026 (due to recent ODOD-OCD grant period extension).
4. That this agreement cannot be withdrawn or terminated by any parties while it remains in effect.
5. That Medina County and City of Wadsworth agree that Medina County is the Grantee and may not transfer its liability. Subrecipient agreements are prohibited.
6. That through this partnership agreement, Medina County is eligible to apply for \$750,000 of CHIP Grant Funds that may include Federal Community Development Block Grant (CDBG), HOME Investment Partnership Program Funds (HOME), and State of Ohio Housing Trust Fund (OHTF) monies to fund CHIP activities, including private owner rehabilitation loans and home repair grants (see attached planned budget - final numbers to be determined by ODOD based on available funding).
7. That for the PY2023 CHIP Grant, the Medina County CHIP Program Policies and Procedures Manual will be utilized for the administration of the grant.
8. As required by ODOD, that Medina County and the City of Wadsworth will use respective CHIP Program Income as leverage/in conjunction with the PY2023 Medina County CHIP Grant Application and program, if funded.
9. That Medina County and the City of Wadsworth agree and will endeavor to use each partners' CHIP Program Income within the respective jurisdictions; however, available CHIP Program Income may be expended outside each partners' jurisdictions if/as required to meet applicable ODOD grant requirements (program income to be expended prior to ODOD allowing CHIP Grant funds to be drawn);
10. That Medina County agrees to retain and track the use of CHIP Program Income deriving from said PY2023 CHIP Grant and use it to fund CHIP eligible housing activities in the City of Wadsworth and throughout the Medina County CHIP Service Area.
11. That Medina County will provide copies of the ODOD CHIP status reports to the City of Wadsworth and provide updates on program status throughout the grant period.
12. That Medina County will be the repository of all applicable PY2023 CHIP program records for monitoring purposes and agrees to retain all applicable records for the required time period from the date of grant completion, currently three years from the date of the ODOD Final Grant Closeout Letter.

13. That Medina County and the City of Wadsworth agree to take actions necessary to assure compliance with the certifications required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights of 1964, the Fair Housing Act, Section 109 of the Housing and Community Development Act of 1974 and other applicable laws.
14. That Medina County and the City of Wadsworth agree that CHIP funds are prohibited for activities that do not affirmatively further fair housing within their own jurisdiction or that impedes the Grantee's actions to comply with its fair housing certification. Noncompliance can, in turn, provide cause for funding sanctions or other remedial actions by the State of Ohio or U.S. Department of Housing and Urban Development (HUD).
15. That Medina County and the City of Wadsworth do designate Kleinfelder, Inc. and its CHIP staff to be Representatives of the Local Public Agency (LPA) and that staff may be responsible for executing certain necessary CHIP contract documentation used for Private Rehabilitation and Home Repair; including, but not limited to, the HOME Written Agreement.

THE UNDERSIGNED REPRESENTATIVES OF THIS PY2023 CHIP PARTNERSHIP AGREEMENT HEREBY AGREE TO THE ABOVE STATED TERMS AND CONDITIONS ON RESPECTIVE DATES SET FORTH ON SIGNATORY PAGES.

SEE SIGNATORY PAGES.

**SIGNATORY: PY2023 CHIP PARTNERSHIP AGREEMENT
MEDINA COUNTY BOARD OF COMMISSIONERS
MEDINA COUNTY, OHIO**

**Colleen M. Swedyk
President, Medina County
Board of Commissioners**

Witness

Date: _____

Legal Form and Sufficiency

This PY2023 CHIP Partnership Agreement has been reviewed by the legal counsel of Medina County. The terms and provisions of said Agreement are fully authorized under State of Ohio and local law. This Agreement provides full legal authority for Medina County, as the PY2023 CHIP Grantee, through the Medina County Board of Commissioners, its governing body.

Approved as to Form and Sufficiency:

Medina County Prosecutor

Date: _____

**SIGNATORY: PY2023 CHIP PARTNERSHIP AGREEMENT
CITY OF WADSWORTH, OHIO**

**Robin L. Laubaugh
Mayor, City of Wadsworth**

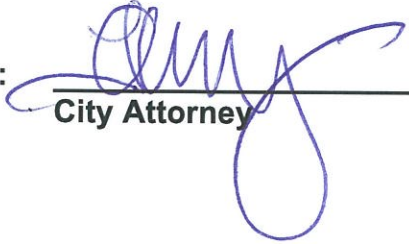
Witness

Date: _____

Legal Form and Sufficiency

This PY2023 CHIP Partnership Agreement has been reviewed by the legal counsel of the City of Wadsworth. The terms and provisions of said Agreement are fully authorized under State of Ohio and local law.

Approved as to Form and Sufficiency:



City Attorney

Date: 4/28/23

ORDINANCE NO. 23-055
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) ANNUAL ROAD SALT BID IN ACCORDANCE WITH DIVISION (B) OF SECTION 5513.01 OF THE OHIO REVISED CODE 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 to enter into an agreement with the Ohio Department of Transportation (ODOT) to participate in the Ohio Department of Transportation (ODOT) annual road salt bid in accordance with Division (B) of section 5513.01 of the Ohio Revised Code .

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 121.23 of the Ohio Revised Code.

Section 3. 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 assure the availability of road salt for the 2023-2024 snow season at a reasonable price; 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 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