

CITY COUNCIL AGENDA
January 19, 2021
Zoom Videoconference meeting
7:30p.m.

The council meeting will be conducted via Zoom Videoconferencing with public access through YouTube.

- I. ROLL CALL & ORDERING OF AGENDA**
- II. APPROVAL OF MINUTES**
- III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**
Wooster Community Hospital Board Appointee Request
- IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**
- VI. UNFINISHED BUSINESS - NONE**
- VII. NEW BUSINESS**
 - 1. First Reading – ORDINANCE 2021-02
AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO IN ORDER TO INCORPORATE A RECENT CHANGE TO THE CHARTER OF THE CITY OF WOOSTER (Sanders)
 - 2. First Reading – ORDINANCE NO. 2021-03
AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO IN ORDER TO INCORPORATE A RECENT CHANGE TO THE CHARTER OF THE CITY OF WOOSTER (Sanders)
 - 3. First Reading – ORDINANCE NO. 2021-04
AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO IN ORDER TO INCORPORATE A RECENT CHANGE TO THE CHARTER OF THE CITY OF WOOSTER (Sanders)
- VIII. MISCELLANEOUS**
- IX. ADJOURNMENT**

ORDINANCE NO. 2021-02

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO
IN ORDER TO INCORPORATE A RECENT CHANGE TO THE
CHARTER OF THE CITY OF WOOSTER

WHEREAS, at the general election in November 2020, the voters approved several amendments to the Charter of the City of Wooster, one of which (Section 2.07) directed this Council to modify the schedule for meetings of the City Council.

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

SECTION 1. That the following sections of the Codified Ordinances of the city of Wooster, Ohio are hereby amended to read in accordance with the attached Exhibit A:

- Section 111.01, pertaining to the Regular Meetings of City Council

SECTION 2. The changes described in the Ordinance cited above and in Section 2.07 of the Charter became effective for Meeting of City Council occurring after November 3, 2020.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2021 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2021
Mayor

Introduced by: Craig Sanders

111.01 REGULAR MEETINGS.

Regular meetings of Council shall be held in Council chambers on the first and third Mondays of each month except during the months of July and August. ~~In July, one regular meeting shall be held on the first Monday, and in August one regular meeting will be held on the third Monday, provided that if the Mayor and the President of Council together determine no later than the Friday before such scheduled July or August meeting that there is no necessity for such meeting, then the meeting may be canceled by the Mayor and President of Council.~~ Meetings may be scheduled in the months of July and August as determined by the Mayor and the Council President, but are not required. Any meeting of Council may be canceled if, as determined by the Mayor and the Council President, there is no business before Council. If such day is a legal holiday, the regular meeting shall be held the day following. Such meetings shall be held at 7:30 p.m.

ORDINANCE NO. 2021-03

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO
IN ORDER TO INCORPORATE A RECENT CHANGE TO THE
CHARTER OF THE CITY OF WOOSTER

WHEREAS, at the general election in November 2020, the voters approved several amendments to the Charter of the City of Wooster, one of which (Section 4.02) directed this Council to clarify the appointment process for the Directors of Finance and Law.

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

SECTION 1. That the following sections of the Codified Ordinances of the city of Wooster, Ohio are hereby amended to read in accordance with the attached Exhibit A:

- Section 125.01, pertaining to the Director of Finance
- Section 127.01, pertaining to the Director of Law

SECTION 2. The changes described in the Ordinances cited above and in Section 4.02 of the Charter became effective November 3, 2020.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2021

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2021

Mayor

Introduced by: Craig Sanders

125.01 DIRECTOR; DEPUTY; DIVISIONS.

There shall be a Department of Finance with an Internal Audit Division, Accounting Division, Accounts Receivable Division and a Treasury Management/Payable Division. The Director of Finance shall have such duties and responsibilities as provided in Section 4.04~~03~~ of the Charter. The Director of Finance shall be appointed in accordance with Section 4.04 of the Charter of the City of Wooster. There shall be a Deputy Director of Finance whose duties and responsibilities shall be established by the Director of Finance. The Director of Finance shall also be the administrator of the Accounts Receivable Division and the Treasury Management/Payable Division. The duties and responsibilities of the Accounts Receivable Division and the Treasury Management/Payable Division shall be established by the Director of Finance. In addition, the Director of Finance, the Deputy Director of Finance, or any other employee of the Finance Department may be designated the Division Manager of the Internal Audit Division, Accounting Division, Accounts Receivable Division and the Treasury Management/Payable Division, by the Director of Finance.

127.01 DIRECTOR; DUTIES.

There shall be a Department of Law. The Director of Law shall have such duties and responsibilities as provided in Section 4.02 of the Charter. The Director of Law shall be appointed in accordance with Section 4.04 of the Charter of the City of Wooster.

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO
IN ORDER TO INCORPORATE A RECENT CHANGE TO THE
CHARTER OF THE CITY OF WOOSTER

WHEREAS, at the general election in November 2020, the voters approved several amendments to the Charter of the City of Wooster, which (Sections 4.06, 10.02 and 10.04) direct this Council to modify the Board of Governors of the Wooster Community Hospital and the Fiscal Affairs Office of the Wooster Community Hospital.

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

SECTION 1. That the following sections of the Codified Ordinances of the city of Wooster, Ohio are hereby amended to read in accordance with the attached Exhibit A:

- Section 160.03, pertaining to Bidding Procedures
- Section 160.04, pertaining to Contract Requirements; Estimates, Payments
- Section 943.01, pertaining to General Hospital Operations
- Section 943.02, pertaining to Hospital Accounting Records and Reporting
- Section 943.04, pertaining to Hospital Purchasing; Accounts Payable
- Section 943.05, pertaining to Hospital Payroll and Personnel
- Section 943.06, pertaining to Hospital Petty Cash
- Section 943.07, pertaining to Hospital Cash Receipts
- Section 943.08, pertaining to Hospital Cash Disbursement

SECTION 2. The changes described in the Ordinances cited above and in Section 4.06, 10.02 and 10.04 of the Charter became effective November 3, 2020.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2021 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2021
Mayor

Introduced by: Craig Sanders

160.03 BIDDING PROCEDURES.

(a) The Director of Administration, or ~~Administrator of~~ the Wooster Community Hospital ~~Chief Executive Officer~~, or their designees, may make any contract, purchase supplies or material or provide labor for any work under the supervision of various departments and divisions and agencies of the City involving not more than fifty thousand dollars (\$50,000.00).

(b) [no change]

(c) Upon the approval of an ordinance or resolution by Council, or the Board of Governors on behalf of the Hospital, the Director of Administration or Hospital ~~Administrator~~ ~~Chief Executive Officer~~ or their designees may enter into a contract without competitive bidding for any one of the following conditions:

(1) [no change]

(2) [no change]

(3) When the contract is for a professional or technical service; or for the purchase of an item of specialized technology, provided that the Director of Administration or the Hospital ~~Administrator~~ ~~Chief Executive Officer~~ has first requested and reviewed proposals from qualified vendors;

(4) [no change]

(5) [no change]

(6) [no change]

(7) [no change]

(8) [no change]

(9) [no change]

(d) In the case of a real and present emergency arising in connection with the operation and maintenance of various City departments, divisions and agencies, Council and the Board of Governors in the case of Wooster Community Hospital, may by a three-fourths vote of the members thereof, authorize the Director of Administration or Hospital ~~Administrator~~ ~~Chief Executive Officer~~, or their designees, to enter into a contract for work to be done or for the purchase of supplies or material without formal bidding and advertising.

160.04 CONTRACT REQUIREMENTS; ESTIMATES, PAYMENTS.

(a) [No change]

(b) Bids for work under the supervision of the Director of Administration or Hospital ~~Administrator~~ ~~Chief Executive Officer~~ shall be opened at 12:00 noon, on the last day for filing. The bids shall be publicly read upon opening. Each bid shall contain the full name of each person or company submitting the bid and shall be accompanied by a bond or certified check on a

solvent bank securing the veracity of the bid and the intention of the bidder to enter into a contract with the City. A contract under this chapter shall be entered into or rejected by the authorized City official within sixty days from the date bids are opened and publicly read. If the work bid embraces both labor and material, such items shall be separately stated in the bid with the price thereof. The Director or Hospital ~~Administrator~~ Chief Executive Officer may reject any bid. Where there is reason to believe there is collusion or combination among bidders, the bids of those concerned therein shall be rejected.

(c) The contract referred to in this chapter shall be between the City and the bidder, and the City shall pay the contract price in cash. Where the contract requires completion of a contract prior to a specified date, the City may exact liquidated damages for every day of delay beyond the specified date.

When, in the opinion of the Director or Hospital ~~Administrator~~ Chief Executive Officer, it becomes necessary in the prosecution of any work or improvement under contract to make alterations or modifications in the contract, such alterations or modifications shall only be made upon the order of the Director or Hospital ~~Administrator~~ Chief Executive Officer, but such order shall be of no effect until the price to be paid for the amended work and for material, has been agreed upon in writing and signed by the Director or Hospital ~~Administrator~~ Chief Executive Officer, and the contractor.

No contractor may be compensated for work or material because of any such alteration or modification unless the contract is made as provided herein, nor shall recovery be allowed for such work and for material, for more than the agreed price.

(d) [No change]

(e) [No change]

(f) The statements referred to in this chapter shall be filed by the Director or Hospital ~~Administrator~~ Chief Executive Officer and a copy thereof delivered to the City Finance Director. When the contracted material has been furnished and delivered to the City, but has not actually become a part of such building, construction, alteration, addition, installation or improvement, but which has been inspected and approved by the authorized City official, and the inspection certificate has been attached to such statement, there shall be paid a sum equal to ninety-two percent of the estimated value as shown by the statement. Upon such payment the material shall become the property of the City.

All materials furnished and delivered after the job is fifty percent completed shall be paid for at the rate of ninety-two percent of the invoiced value of the materials. The balance of such contract shall be paid when the material is incorporated into and becomes a part of the building, construction, addition, improvement, alteration or installation, unless the contractor using the material does not prosecute the work with diligence and with the expediency specified or intended in the contract.

When the rate of work and amounts involved are so large that it is deemed advisable by the City, statements and payments shall be made twice each month.

(g) [No change]

(h) All contracts shall be executed by the Director of Administration or Hospital ~~Administrator~~ Chief Executive Officer in the name of the City, one copy of which shall be filed in his office and one with the City Finance Director or ~~Deputy Finance Director for Hospital Affairs~~ the Vice-President of Fiscal Services. No liability shall be created against the City as to any matters under the supervision of such Director or Hospital ~~Administrator~~ Chief Executive Officer, except by his express authority. Neither the Director or Hospital ~~Administrator~~ Chief Executive Officer, nor any other officer or employee of the City, shall be interested in any contract entered into in the name of the City.

943.01 GENERAL.

(a) In accordance with § Section 10.02 of the Charter, the Municipal Hospital shall be operated, managed and controlled by a Board of Governors comprised of six members consisting of the Mayor, who by virtue of his office shall be its ~~president~~ Chairperson, and five electors of the City, at least one of whom shall be a doctor of medicine, to be appointed by the Mayor with the consent of the Council each for a term of four years. In accordance with §4.06 of the Charter, ~~no member shall serve for more than twelve consecutive years~~ appointments to the Wooster Community Hospital Board of Governors are specifically exempted from any limit on the number of years they may serve. A vacancy in the office of any appointed member shall be filled in like manner for the unexpired term of such office.

(b) The Hospital ~~Administrator~~ Chief Executive Officer, (also known as the chief ~~executive administrative~~ executive administrative officer), shall report to the Board of Governors on all matters concerning Hospital operation.

(c) ~~After consultation with the Hospital Administrator, the Mayor will designate a Hospital Officer as Deputy Director of Finance for Hospital Affairs. The designation shall be consistent with Section 10.04 of the Charter. The Vice President of Fiscal Services, as the chief fiscal officer of the Wooster Community Hospital, shall, with respect to the Hospital, perform the functions and duties required of the chief financial officer of the Hospital and collaborate with the Director of Finance of the City pursuant to duties and functions as specified in pursuant to Section 4.04 of the Charter, and oversee the custody and investment of Hospital funds, including funds donated to the Hospital. The Vice President of Fiscal Services will be selected by a group consisting of the Mayor or his or her designee, the Hospital Chief Executive Officer, the Vice-Chair of the Board of Governors, and the Finance Director. In the case of a tie in the~~

selection process, the vote of the Mayor or his or her designee shall be considered as the tie-breaking vote. The Vice President of Fiscal Services and the Board of Governors shall submit the Hospital portions of each City annual budget and appropriation ordinance, prepared pursuant to Article VI of the Charter, which concern the Hospital.

(d) The person designated as the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services (also known as the chief financial officer or CFO) shall, before undertaking his duties first give bond in such amount as may be established by Wooster City Council, the cost of which shall be paid from the Hospital Fund.

(e) The Wooster City Council shall provide for professional liability insurance for both the Director of Finance and the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services, to be paid from the General Fund and the Hospital Fund, respectively.

(f) [No change]

(g) [No change]

943.02 ACCOUNTING RECORDS AND REPORTING.

(a) The Board of Governors shall have primary responsibility for the maintenance of the system of accounting records and reporting. The Board may delegate to the Hospital ~~Administrator, Chief Executive Officer~~ and such other individuals as it deems necessary, responsibility for the daily operations of the system of accounting records and reporting.

(b) The Hospital ~~Administrator~~ Chief Executive Officer will maintain a set of books and records on the accrual basis in accordance with American Hospital Association chart of accounts and generally accepted accounting principles and in a manner sufficient to satisfy the reporting requirements of third party payers.

(c) The Hospital ~~Administrator~~ Chief Executive Officer will prepare and submit all third party reimbursement reports.

(d) The Hospital ~~Administrator~~ Chief Executive Officer will maintain financial and statistical records sufficient to manage the Hospital in an efficient manner.

(e) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services will provide the Director of Finance with all data necessary to maintain the fund accounting records of the City.

(f) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services will maintain for the Hospital, in sufficient detail, a revenue, encumbrance, and expenditure accounting system, as applicable, -sufficient to monitor the Hospital appropriations.

(g) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services will submit to the Director of Finance a monthly income statement, balance sheet and a statement of cash flows for each of the funds maintained by the Hospital as designated by Council ordinance, or as may be required by general law or contractual obligation.

(h) Representatives of the ~~Deputy Director of Finance for Hospital Affairs'~~ Vice-President of Fiscal Services' staff and the Director's staff will meet as needed, but not less than quarterly, for the purpose of reconciling the Hospital's financial records to the City's financial records and analysis of the Hospital's monthly financial statements.

(i) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services will serve as financial advisor to the Hospital Board of Governors.

(j) The Hospital financial records, including all funds related to Hospital operations, may be audited annually by an independent certified public accounting firm selected from a list approved by the State Auditor. The auditing firm will be selected by the Board of Governors and the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services based upon review of proposals submitted by the accounting firms. Each proposal shall include the qualifications of the firm as well as the qualifications of the individuals assigned to the audit team. These qualifications should include demonstrated experience in hospital auditing, familiarity with hospital auditing and accounting literature, knowledge of third party cost reimbursement formulas as well as current legislation which might affect hospital cost reimbursement. The auditing firm will be required to provide such consulting service as the Board of Governors and ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services determines from time to time to be necessary. The Auditor's report will be submitted to both the Board of Governors and the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services. After their review, a copy of the report will be filed with the Clerk of Wooster City Council and the Secretary of the Joint Township Hospital District Board. The Auditor's management letter will be first submitted to the Hospital ~~Administrator~~ Chief Executive Officer for review and then to the Board of Governors and the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services with the ~~Administrator~~ Hospital Chief Executive Officer's review comments.

943.04 PURCHASING; ACCOUNTS PAYABLE.

(a) [No change]

(b) All contracts made by the Board of Governors shall be executed in the name of the City by the ~~chief administrative officer of the~~ Hospital Chief Executive Officer, or such other Hospital officer as may from time to time be designated by the Board, only after such contracts have been approved and such execution authorized by the resolution of the Board. In approving and authorizing such contracts, the Board shall comply with all applicable requirements governing the award of public contracts, including requirements relative to advertisement and formal bidding procedures, as are prescribed by this Charter or by ordinance of Council or, when not prescribed by Charter or ordinance, as provided by the general laws of the State of Ohio.

(c) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall authorize and approve payment for all supplies and services rendered for Hospital purposes.

(d) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall insure that supporting documentation is maintained for each Hospital purchase of supplies, equipment and services sufficient to make the public purpose of the expenditure self-evident.

(e) [No change]

(f) The Hospital ~~Administrator~~ Chief Executive Officer shall provide for the security of all documents related to the purchase of, and payment for supplies, equipment and services rendered for Hospital purposes. The designated area shall be considered as an extension of the City records depository and, as such, shall be open at all reasonable times for public inspection.

(g) [No change]

(h) [No change]

943.05 PAYROLL AND PERSONNEL.

(a) It shall be the primary responsibility of the Board of Governors to provide for a hospital ~~Administrator~~ Chief Executive Officer, (also known as the chief ~~executive administrative officer~~) ~~administrator~~, a professional staff and such other administrative and supportive personnel as it deems necessary. The Board may delegate to the Hospital ~~Administrator~~, Chief Executive Officer and such other individuals as it deems necessary, responsibility for maintenance and control of a system of personnel and payroll which is operated in compliance with the Charter, ordinance and general law requirements.

(b) [No change]

(c) [No change]

(d) [No change]

(e) The Hospital ~~Administrator~~ Chief Executive Officer will have the authority to hire new employees and upgrade current employees into payroll grade classifications which are determined to be warranted.

(f) It will be the responsibility of a designated Hospital officer, acting in the position of ~~Deputy Director of Finance~~ Vice-President of Fiscal Services, to monitor the payroll personnel system to insure that Hospital employees are reimbursed for actual services rendered.

(g) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall monitor the payroll system to insure that all payroll tax and fringe benefit calculations and the corresponding deductions are performed accurately and in compliance with state and federal regulations.

(h) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall inform the Board of Governors on a timely basis of all changes in State and federal regulations affecting the calculation of payroll taxes and fringe benefits.

(i) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall properly approve and authorize all payments for compensation including wages, salaries and fringe benefits.

(j) [No change]

(k) [No change]

943.06 PETTY CASH.

(a) An imprest petty cash fund will be maintained at the Hospital in an amount specified by the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services and approved by the Board of Governors.

(b) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall designate the Hospital petty cash custodian.

(c) The petty cash fund will be utilized to purchase goods and services for which there is an emergent need as determined by the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services.

(d) The petty cash fund will be reimbursed on a periodic basis at the discretion of the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services via the routine procedures of the Accounts Payable system.

943.07 CASH RECEIPTS.

(a) [No change]

(b) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services will provide security for transporting the daily cash deposit from the Hospital to the designated bank and return to the Hospital.

(c) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services will have primary responsibility for the timely application of all cash receipts to the appropriate accounts receivable.

(d) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall furnish the Director of Finance with all necessary data to reflect the receipt of Hospital cash in the fund accounting records of the City.

(e) It will be the responsibility of the Director of Finance to furnish the ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services, on a timely basis, with the data necessary to reflect in the Hospital's accounting records the receipts, by the Finance Director, of cash designated for a Hospital fund.

943.08 CASH DISBURSEMENT.

(a) All cash for payment of Hospital expenses will be disbursed by the ~~Deputy Director of Finance~~ Vice-President of Fiscal Services for Hospital Affairs.

(b) The ~~Deputy Director of Finance for Hospital Affairs~~ Vice-President of Fiscal Services shall monitor the cash flow position of the Hospital.