

CITY COUNCIL AGENDA

March 6, 2023

7:30p.m.

The meeting convenes at City Hall, in Council Chambers, 1st Floor, 538 N. Market Street, Wooster, Ohio.

- I. ROLL CALL & ORDERING OF AGENDA**
- II. APPROVAL OF MINUTES**
- III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**
- IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**

- VI. UNFINISHED BUSINESS**
 1. Second Reading – ORDINANCE NO. 2023-07
AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND ALLOWING FOR IMMEDIATE ENACTMENT (Reynolds)

- VII. NEW BUSINESS**
 1. First Reading – RESOLUTION NO. 2023-17
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT WITH 908 DEVICES FOR THE PURCHASE OF DRUG TESTING EQUIPMENT AND ALLOWING FOR IMMEDIATE ENACTMENT (Cavin)

 2. First Reading – RESOLUTION NO. 2023-18
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A CREW CAB UTILITY TRUCK AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

- VIII. MISCELLANEOUS**

- IX. ADJOURNMENT**

ORDINANCE NO. 2023-07

AN ORDINANCE TO APPROVE AND ADOPT
CURRENT REPLACEMENT PAGES TO THE
CODIFIED ORDINANCES AND ALLOWING FOR
IMMEDIATE ENACTMENT

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances, and

WHEREAS, certain traffic and misdemeanor provisions should be revised to comply with current State law; and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wooster, Ohio:

SECTION 1. The ordinances of the City of Wooster, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2022 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections are hereby amended, enacted or repealed as respectively indicated in order to comply with current State law:

Traffic Code

301.04	Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
303.082	Private Tow-Away Zones. (Amended)
303.083	Impounding Vehicles on Public Property. (Added)
337.10	Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)
337.16	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)

Fire Prevention Code

1519.01	Fireworks Definitions. (Amended)
1519.04	Possession, Sale or Discharge Prohibited; Exceptions. (Amended)
1519.05	Application. (Amended)
1519.06	Safety Requirements for Fireworks Showroom Structures. (Added)
1519.07	Manufacturing or Wholesale Sale Without a License; Prohibitions. (Added)
1519.08	Purchase to Comply with Law; Unauthorized Purchases. (Added)

SECTION 3. The complete text of the sections of the Codified Ordinances listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. As provided in Section 2.19 of the Charter, notice of the proposed revision of the Codified Ordinances shall be published one time in a newspaper of general circulation in the City at least seven days prior to its final approval and no other publication thereof shall be required.

SECTION 4. 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 5. This Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, and for the further reason that prompt implementation is necessary to insure compatibility between state and local code provisions; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading 2/21/23 2nd reading _____ 3rd reading _____

Passed: _____, 2023 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2023 _____
 Mayor

Introduced by: Bob Reynolds

RESOLUTION NO. 2023-17

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT WITH 908 DEVICES FOR THE PURCHASE OF DRUG TESTING EQUIPMENT AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, this City Council adopted an annual budget for 2023, and such budget includes the purchase of a MX-908 drug testing device.

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

SECTION 1. The Director of Administration is authorized to contract with 908 devices for the purchase of a MX-908 drug testing device.

SECTION 2. This contract is exempt from the requirements of competitive bidding pursuant to section 160.03 of the Wooster Codified Ordinances because only a single sole source for the service exists.

SECTION 3. The cost of such contract will not exceed the amount budgeted.

SECTION 4. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 5. This Resolution is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2023

Mayor

Introduced by: Mark Cavin

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2023-17

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Police	Meeting Date Requested 3-6-2023
Project Name MX-908 Drug Testing	Estimated Total Funds/Costs 93,000
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? Budgeted Capital Funds (Opioid Money)	
Description of Request Purchase an MX-908 for drug testing unknown substances at the Wooster Police Department. Testing unknown substances in-house should drastically reduce the amount of presumed drugs we take to BCI. It will also provide a quicker turn around time on testing of unknown substances. In addition, we anticipate entering into an MOU with BCI for use of the machine. BCI will then provide prosecutorial support if the machine is challenged in court.	
Justification / Benefits	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: 908 Devices is the only agency who manufactures	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Price increase takes effect in March	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Fisher	Date: 2-22-2023

Approved for Agenda Yes No

RESOLUTION NO. 2023-18

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO ENTER INTO A CONTRACT FOR
THE PURCHASE OF A CREW CAB UTILITY TRUCK
AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, this City Council adopted an annual budget for 2023, and such budget includes the purchase of a crew cab utility truck.

WHEREAS, the current crew cab utility truck is beyond its useful life.

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

SECTION 1. The Director of Administration is authorized to enter into a contract for the purchase of a crew cab utility truck.

SECTION 2. This contract is exempt from the requirements of competitive bidding pursuant to section 160.03 of the Wooster Codified Ordinances because the purchase can be accomplished upon equivalent terms, conditions and specifications, but at a price which is equal to or lower than that which is available from a State-sponsored cooperative purchasing program.

SECTION 3. The cost of such contract will not exceed the amount budgeted.

SECTION 4. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its committees in compliance with the law.

SECTION 5. This Resolution is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2023

Mayor

Introduced by: Jon Ansel

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2023-18

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Utilities	Meeting Date Requested March 6, 2023
Project Name Truck with Utility Box	Estimated Total Funds/Costs \$80,241.00
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request Replace crew cab utility truck	
Justification / Benefits UT-4 is 17 years old and has exceeded it's expected useful life.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives Keep the UT-4 truck and continue to repair breakdowns	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Immediate approval will allow for a swift order purchase at the quoted price.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Mike Fritz	Date: 2-23-23

Approved for Agenda Yes No