

CITY COUNCIL AGENDA
January 21, 2014
7:30 p.m.

The meeting will be held 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

Liquor License notices regarding a new C2 permit application from Dollar General store located at 2222 Gateway Drive and a new C1 permit application from Khurram Shamsi for 310 S Market Street.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Public Hearing: East South Street Alley Vacation

VI. OLD BUSINESS

1. Third Reading – RESOLUTION NO. 2013-98 A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT ACT AGREEMENTS (Ansel)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-03 AN ORDINANCE VACATING AN UNNAMED NORTH/SOUTH ALLEY IN THE CITY OF WOOSTER (VICINITY OF SOUTH STREET) (Ulbright)
2. First Reading – ORDINANCE NO. 2014-04 AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AND EMERGENCY. (Knapic)
3. First Reading – RESOLUTION NO. 2014-05 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT FOR THE PROVISION OF TRANSPORTATION SERVICES FOR QUALIFIED PARTICIPANTS (Myers)
4. First Reading – RESOLUTION NO. 2014-06 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF SIDEWALKS, CROSSWALK IMPROVEMENTS AND STORM SEWERS ON HIGHLAND AVENUE, BETWEEN CHRISTMAS RUN BOULEVARD AND OAK HILL ROAD (Ulbright)
5. First Reading – RESOLUTION NO. 2014-07 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH MBI SOLUTIONS OF DAYTON, OHIO FOR BILLING SERVICES RELATED TO THE CITY EMS SERVICE (Ansel)
6. First Reading – RESOLUTION NO. 2014-08 RESOLUTION NO. 2014-08 A RESOLUTION AMENDING AMENDED RESOLUTION NO. 2013-45 BY CLARIFYING THE FINANCIAL PROVISIONS THEREOF, AND DECLARING AN EMERGENCY (Sanders)

7. First Reading – RESOLUTION NO. 2014-09 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF US RT 30 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 87745) (Ulbright)

8. First Reading – RESOLUTION NO. 2014-10 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR BRIDGE PAINTING/COLLISION REPAIR ON TWO STRUCTURES WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 83453) (Ulbright)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

**NOTICE TO LEGISLATIVE
AUTHORITY**

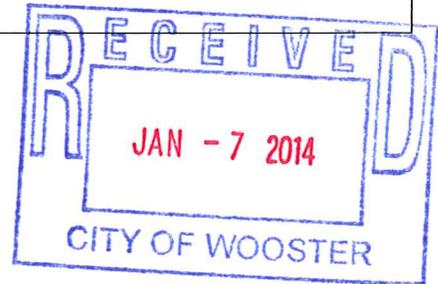
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

22348151720 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	DOLGEN MIDWEST LLC DBA DOLLAR GENERAL STORE #14356 2222 GATEWAY DR WOOSTER OH 44691
ISSUE DATE			
01 02 2014 <small>FILING DATE</small>			
C2 <small>PERMIT CLASSES</small>			
85 <small>TAX DISTRICT</small>	165 <small>PERMIT CLASSES</small>	B	A30661 <small>RECEIPT NO.</small>

FROM 01/06/2014

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	PERMIT CLASSES	RECEIPT NO.



MAILED 01/06/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/06/2014

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B NEW 2234815-1720

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF WOOSTER CITY COUNCIL
538 N MARKET ST
PO BOX 1128
WOOSTER OHIO 44691

2234815 PERMIT NBR
DOLGEN MIDWEST LLC
ATTN TAX DEPT BEER & WINE
100 MISSION RIDGE
GOODLETTSVILLE TN 37072

ROBERT STEPHENSON	06/10/2011	ACTIVE	SECRETARY	
WILLIAM C BASS	06/10/2011	INACTIVE		
JAMES PATRICK SMITS	11/06/2012	INACTIVE		
DG STRATEGIC I LLC	06/10/2011	ACTIVE		MAN-MBR
GATTA LAWRENCE JOSEPH	09/30/2013	ACTIVE	VICE PRES.	
STEVEN RAY DECKARD	09/24/2013	ACTIVE	CEO	
JOHN FERRAY	06/10/2011	ACTIVE	VICE PRES.	
CHRISTINE CONNOLLY	06/10/2011	INACTIVE		

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

**NOTICE TO LEGISLATIVE
AUTHORITY**

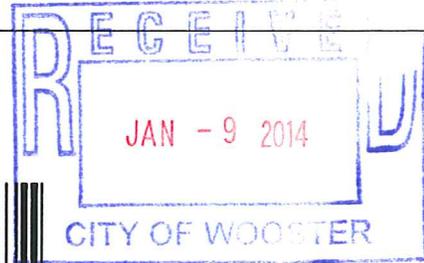
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

8030650 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	KHURRAM SHAMSI 310 S MARKET ST WOOSTER OH 44691
ISSUE DATE			
01 03 2014 <small>FILING DATE</small>			
C1 <small>PERMIT CLASSES</small>			
85 <small>TAX DISTRICT</small>	165 <small>TAX DISTRICT</small>	B <small>TAX DISTRICT</small>	A30841 <small>RECEIPT NO.</small>

FROM 01/07/2014

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 01/07/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/07/2014

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B NEW 8030650

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF WOOSTER CITY COUNCIL
538 N MARKET ST
PO BOX 1128
WOOSTER OHIO 44691

RESOLUTION NO. 2013-98

A RESOLUTION ACCEPTING THE RECOMMENDATIONS
OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL
WITH RESPECT TO EXISTING ENTERPRISE ZONE AND
COMMUNITY REINVESTMENT ACT AGREEMENTS

WHEREAS, the state's Enterprise Zone law provides that the legislative authority, upon receipt of the written recommendations of the municipal tax incentive review council (TIRC), must vote to accept, cancel or modify all or any part of the TIRC's recommendations as to existing enterprise zone (EZ) and community reinvestment act (CRA) agreements; and

WHEREAS, the Wooster TIRC met on December 11, 2013, and after reviewing existing city EZ and CRA agreements coming within its jurisdiction, has recommended that all such agreements should be continued in effect.

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

SECTION 1. This City Council, after reviewing the recommendations of the Wooster TIRC (as per the letter attached hereto) as to existing EZ and CRA agreements coming within its jurisdiction, hereby indicates its acceptance and adoption of such recommendations.

SECTION 2. 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 law.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

1st reading 12-16-13 2nd reading 1-6-14 3rd reading _____

Passed: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Jon Ansel



CITY OF WOOSTER
538 N. Market Street
P.O. Box 1128
Wooster, Ohio 44691-7082

Jonathan S. Millea
Development Coordinator
Phone (330) 263-5250
Fax: (330) 263-5247
Email: jmillea@woosteroh.com

2012 Tax Incentive Review Council Recommendations

12 December 2013

Dear Wooster City Council,

The Wooster Tax Incentive Review Council's met December 11th at 3:00pm at Wooster City Hall to review the compliance of each recipient of a tax exemption under the City's Enterprise Zone and Community Reinvestment area for the year ended. Recommendations were made as followed:

Enterprise Zone Agreements

- 389-04-01 - TECHNIGRAPHICS INC. ET. AL. – Recommended 7-0 to **CONTINUE**
- 389-05-01 - United Titanium Inc. – Recommended 7-0 to **CONTINUE**
- 389-06-01 - Eldorado Stone LLC & Chesterland Estates – Recommended 7-0 to **CONTINUE**
- 389-06-03 - Westerman, Inc. – Recommended 7-0 to **CONTINUE**
- 389-06-04 - COMPAK Inc. – Recommended 7-0 to **CONTINUE**
- 389-07-01 - Bosch Rexroth Corporation & Chesterland Estates – Recommended 7-0 to **CONTINUE**
- 389-08-01 - TECHNIGRAPHICS INC. ET. AL. – Recommended 7-0 to **CONTINUE**
- 389-12-01 - Seaman Corporation – Recommended 7-0 to **CONTINUE**
- 389-12-02 - ABS Materials – Recommended 6-0 to **CONTINUE**

Community Reinvestment Area Agreements

- 05-001 - Wooster Republican Printing Company – Recommended 7-0 to **CONTINUE**
- 06-001 - Michael R. Rose – Recommended 7-0 to **CONTINUE**
- 06-002 - Liberty Market Properties LLC – Recommended 7-0 to **CONTINUE**
- 06-003 - HAYNN Construction Inc. – Recommended 7-0 to **CONTINUE**
- 06-004 - Coyote Group LLC – Recommended 7-0 to **CONTINUE**
- 06-005 - Gold Star Holdings, LLC – Recommended 7-0 to **CONTINUE**
- 07-001 - 544 LLC – Recommended 6-0 to **CONTINUE**
- 07-002 - CCM Real Estate LLC – Recommended 7-0 to **CONTINUE**
- 07-003 - Coyote Group LLC – Recommended 7-0 to **CONTINUE**
- 07-004 - Liberty Market Properties – Recommended 7-0 to **CONTINUE**
- 07-005 - S Properties LLC – Recommended 6-0 to **CONTINUE**
- 07-006 - MRR Properties – Recommended 7-0 to **CONTINUE**
- 10-001 - Coyote Group LLC – Recommended 7-0 to **CONTINUE**
- 10-002 - Merchants Block LLC – Recommended 7-0 to **CONTINUE**
- 11-001 - CM Properties-Wooster LLC – Recommended 7-0 to **CONTINUE**
- 12-001 - Brasfond USA Corp. – Recommended 7-0 to **CONTINUE**
- 12-002 - Just Basic Sports, Inc. and Retail Rentals LLC – Recommended 7-0 to **CONTINUE**
- 12-003 - S & D Realty, LLC – Recommended 7-0 to **CONTINUE**
- 12-004 - G&G Properties of Ohio – Recommended 7-0 to **CONTINUE**

The **2013 Tax Incentive Review Council Meeting** was tentatively Scheduled for 3:00pm April 30, 2014

Ohio Revised Code 5709.85 requires that City Council, within sixty-days (60) after receipt of the aforementioned recommendations, hold a meeting to accept, reject, or modify all of any portion of the recommendations. Please feel free to contact us anytime with any questions or if we can provide further detail. (My office phone is 330.263.5250, and you may also call me anytime via cell at 330.439.3339.) Thank you.

Sincerely,

Jonathan S. Millea

cc: 2012 TIRC Committee Members

ORDINANCE NO. 2014-03

AN ORDINANCE VACATING AN UNNAMED NORTH/SOUTH ALLEY IN THE CITY OF WOOSTER (VICINITY OF SOUTH STREET), AND DECLARING AN EMERGENCY

WHEREAS, the owners of Lot Nos. 313 and 314 have petitioned for the vacation of a twenty (20) foot public alley running north from South Street (due west of the railroad tracks) to an unnamed east/west public alley, and between those lots, as shown by the attached petition to vacate and map thereof; and

WHEREAS, the petitioners, as owners of all of the land abutting the alley in the area of proposed vacation, has given written consent by virtue of the petition attached hereto, thus obviating the need for notice by publication; and

WHEREAS, this City Council is satisfied that there is good cause for vacating said alley, and that it will not be detrimental to the general interest of the public.

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

SECTION 1. That the twenty (20) foot public alley running north from South Street (due west of the railroad tracks) to an unnamed east/west public alley, and between those lots, as shown on the map attached hereto, be, and hereby is, vacated; provided that the city of Wooster will retain a permanent easement across, under and through said alley rights-of-way for the construction, maintenance and/or repair of any public utilities which are presently located therein, or which may, in the opinion of the authorities of the municipal government, become necessary at some future time to locate therein..

SECTION 2. The Clerk of Council is hereby directed to certify a copy of this Ordinance, together with a map of the vacated alley, and record the same in the Office of the Recorder of Wayne County, Ohio.

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 is hereby declared to be an emergency measure 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, and for the further reason that prompt action is necessary to facilitate the alley vacation in order to enable one of the petitioners to improve his commercial site; 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 the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: _____, 2014 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2014
Mayor

Introduced by: Jon E. Ulbright

CITY OF WOOSTER
PETITION TO VACATE ALLEY

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

The undersigned, owners of lots in the City of Wooster, Ohio, abutting on a 20' foot public alley running in a North direction from South St. to an Alley
(east/west/north/south) (street name/ alley description) (street name/alley description)

between lots number 313 & 314, respectfully petition your honorable body
(numbers of all lots abutting the alley to be vacated)

that said alley be vacated between the points named for the reason that it no longer serves a public purpose, and its vacation will not be detrimental to the general interest. The undersigned do hereby consent to the vacation of said alley in accordance with this petition filed within said Council.

Owners signature (s)

Lot number

Each owner must sign. If jointly owned, all parties must sign.

Rodney J. Jorgensen and Danny W. Forst
Michael R. Brown and _____

_____ and _____

E PT 314
W PT 313

(continue on another sheet if needed)

ATTACH A TAX MAP SHOWING THE ALLEY AND ALL ABUTTING PROPERTIES
PLEASE READ THE INFORMATION PRINTED ON THE BACK OF THIS PETITION

WHAT VACATING AN ALLEY MEANS TO THE ABUTTING PROPERTY OWNERS

1. In most cases, the vacated alley is divided by operation of law so that the adjacent property owners gain the additional land equally. However, this will depend on how the alley was originally dedicated. Abutting property owners have complete responsibility to have the vacated alley surveyed. The city has no legal role in dividing the vacated property or resolving ownership disputes.
2. Any utilities occupying the alley will continue to have the right to do so, and the ordinance vacating the alley should so reflect. Furthermore, the alley may be subject to easements, which were granted to private individuals in the original instrument of platting or conveyance, and the city has no role in resolving such concerns.
3. The abutting property owners are responsible for the maintenance of the vacated alley if they want to continue to use it as access to their property. The city has no further responsibility whatsoever for the care of the property.
4. The abutting property owners are responsible for the security of the vacated alley.

CITY COUNCIL WILL USE THE FOLLOWING GUIDELINES WHEN MAKING ITS DECISION:

1. There is no public purpose for the alley; and/or
2. All of the property owners abutting the alley concur and sign the petition to vacate; and/or
3. If vacating the alley does not create undue hardship for others in the area of the alley.

These guidelines are not law. In any decision to vacate an alley, Council must find that good cause exists for vacating it, and that vacating the alley will not be detrimental to the general interest.

SCHEDULE FOR VACATING AN ALLEY

1. File a petition with the clerk of council, Mayor's office, Municipal Building, 538 N. Market Street.
2. A public notice will be printed six weeks prior to the public hearing. This is normal practice, although by law, the public notice and public hearing is not required when 100% of the owners abutting the alley sign the petition.
3. City council will hold the public hearing after the six-week waiting period has expired.
4. City council will vote on the petition to vacate the alley. This is usually done during the meeting immediately following the public hearing.
5. If city council approves the petition with an emergency clause, the action will take effect immediately upon the signatures by the President of Council and the Mayor. Without the emergency clause, the effective date will be thirty days after the council action and upon the signatures by the President of Council and the Mayor.



All boundaries ARE NOT survey quality and are for reference only.

Scale: 1"=40'

PREPARED BY
CITY OF WOOSTER
 DIVISION OF ENGINEERING
 330 S. MARKET ST.
 WOOSTER, OHIO 44691-2521
 PH: (330) 263-2521





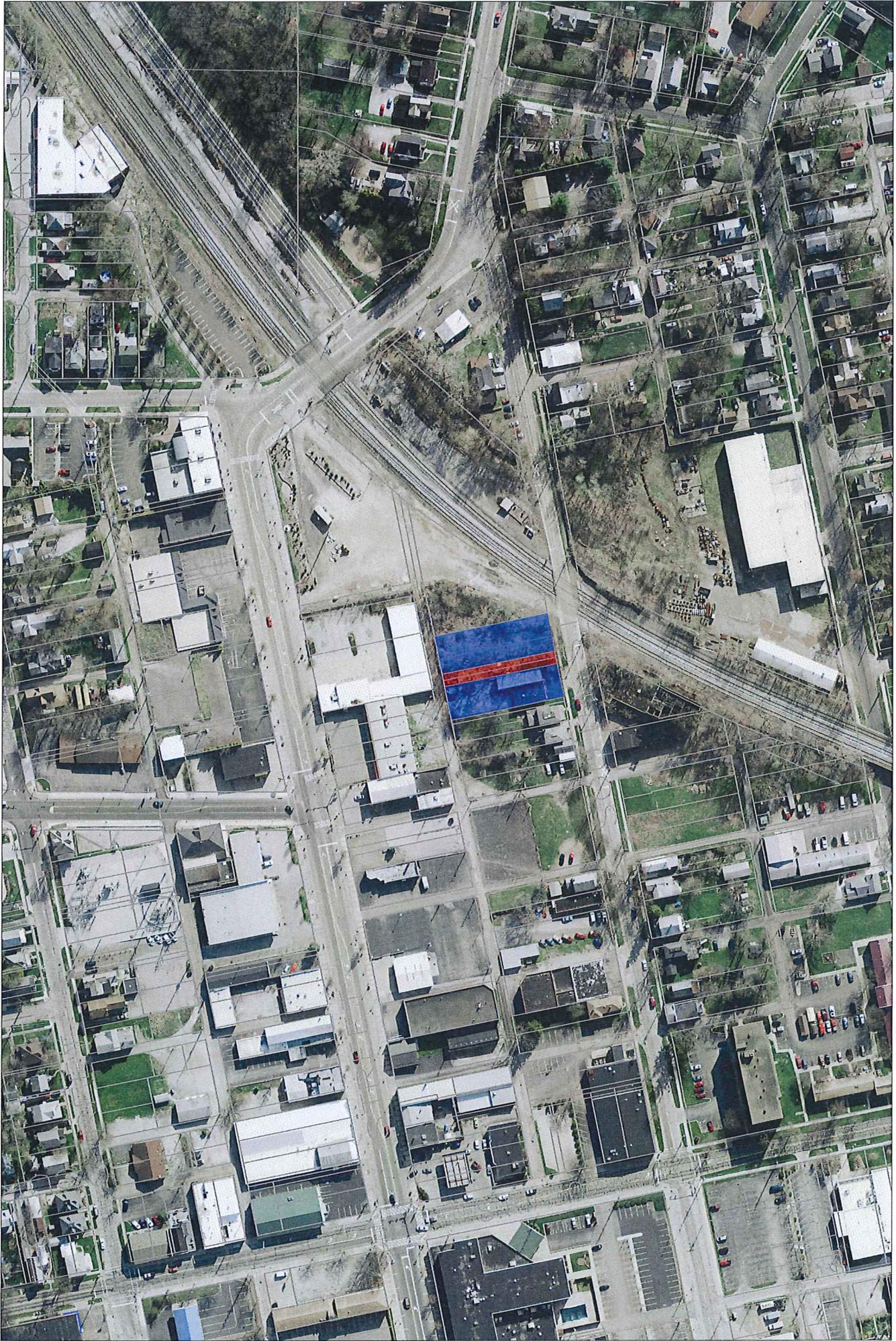
All boundaries ARE NOT survey quality and are for reference only.

Scale: 1"=40'

PREPARED BY
CITY OF WOOSTER
 DIVISION OF ENGINEERING
 330 N. MARKET ST.
 WOOSTER, OHIO 44691
 PH: (330) 263-3251



Alley Vacation Between 514 & 518 E South Street



All boundaries ARE NOT survey quality and are for reference only.

Scale: 1"=200'

PREPARED BY
CITY OF WOOSTER
DIVISION OF ENGINEERING
100 N. MARKET ST.
WOOSTER, OHIO 44691
PH: (330) 266-2261
FAX: (330) 266-2262



ORDINANCE NO. 2014-04

AN ORDINANCE TO APPROVE AND ADOPT
CURRENT REPLACEMENT PAGES TO THE
CODIFIED ORDINANCES AND DECLARING AN
EMERGENCY.

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. That 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 2013 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. (Amended)
313.03	Traffic Signal Indications. (Amended)
333.03	Maximum Speed Limits. (Amended)
333.11	Texting While Driving Prohibited. (Amended)
335.032	Electronic Wireless Communication Device Prohibited. (Amended)
339.01	Oversize or Overweight Vehicle on State Routes. (Amended)
339.03	Maximum Width, Height and Length. (Amended)
373.02	Riding Upon Seats; Handle Bars; Helmets and Glasses. (Amended)

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

Description (be as descriptive as possible, given space limitations)

The Wooster Recreation Dept. wishes to contract with Thompson Taxi Inc. DBA Thompsons Miller Cab, who provides subsidized transportation services for income qualifying residents of the City of Wooster. We will spend approximately \$90,000 with Thompson Taxi Inc DBA Thompsons Miller Cab.

Is there a need for rules suspension or time limitation when this must be passed?

Manager Requesting

Date

Approved for Agenda

Res #5

RESOLUTION NO. 2014-06

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF SIDEWALKS, CROSSWALK IMPROVEMENTS AND STORM SEWERS ON HIGHLAND AVENUE, BETWEEN CHRISTMAS RUN BOULEVARD AND OAK HILL ROAD

WHEREAS, the city administration received grant approval from the Safe Routes to Schools program for the construction of sidewalks in the vicinity of Kean Elementary School in order to provide for the safety of school children en route to and from school, as well as pedestrian and vehicular traffic in such areas; and

WHEREAS, in addition to the SRTS funding, which will fund ninety percent (90%) of the costs of sidewalk construction (with the remaining 10% being assessed to the owners of the parcels of land bounding and abutting on the proposed improvements), the Ohio Department of Transportation has previously committed to funding more than half of the construction costs (Res. No. 2012-17); and the entire project is included in the budget for 2014.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for the construction of sidewalks, crosswalk improvements and a storm sewer on Highland Avenue, from just west of Christmas Run Boulevard to Oak Hill Road, in accordance with final plans and specifications on file in the office of the Director of Administration.

SECTION 2. The cost of said project shall not exceed the amount appropriated for this purpose in the 2014 Appropriation Ordinance.

SECTION 3. 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 law.

SECTION 4. This Resolution 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: _____, 2014
Mayor

Introduced by: Jon E. Ulbright

**REQUEST FOR AGENDA ITEM
AUTHORIZATION FOR BID & CONTRACT**

Division: **Engineering**

Meeting Date Requested: **January 21, 2014**

Project Name: **Melrose Safe Routes to Schools; ODOT PID 92110** Approved for Agenda:
=====

1. Estimated Total Cost: **\$220,000. ODOT Grant = \$123,000, Local Funds = \$93,000, Assessment = \$4,000**

2. Is the full amount budgeted? **YES**. If no, how is the purchase to be funded?

3. Description of Purchase:

This is a request to advertise for bids and enter into a contract with the lowest and best bidder for the construction of sidewalk, crosswalk improvements and storm sewer on Highland Avenue from just west of Christmas Run to Oak Hill. The City's portion of the project is budgeted from the Capital Improvements Fund, a portion will be assessed to the adjacent property owners and the remainder will be funded by the ODOT. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. The total project cost includes storm sewer work, intersections and sidewalks. The assessments are based on 10% of the sidewalk portion only.

4. Justification\Benefits: **The Ohio Department of Transportation has committed to funding 56% of the construction costs for this project in FY2013. Council has already authorized the funding agreement with ODOT for these funds.**

These projects were the highest priority on the ODOT approved, Wooster School Travel Plan. This plan and the projects therein were selected based on student and parent surveys, and school officials and teacher input.

5. Will this project affect the city's operating costs? **This is new construction; therefore maintenance costs should be minimal.**

6. What alternatives exist and what are the implications of the alternatives. **We could do nothing, and turn down the grant funds. We could proceed with the project using other interest accruing financing methods.**

7. Is this a sole source request? **NO** If yes, explain the circumstances:

8. Are you requesting suspension of the rules and passage on one reading? If yes, note reasons. **No. However, earlier passage would allow the opportunity to advertise and bid this project as soon as possible in order to obtain the best possible bids.**

Roger Kobilarcsik
City Engineer

Date: January 8, 2014

RK # 6

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

Description (be as descriptive as possible, given space limitations)

I would recommend the city renew the service contract with MBI Solutions of Dayton, Ohio for billing services related to EMS billing. The Fire Division has used this company since 2004. The contract itself expires in March of 2014.

The cost of the contract will not exceed the amount appropriated by the 2014 general fund as budgeted and appropriated in the Fire Division line item. The city pays MBI Solutions 6% administrative fees of the funds collected. At this time, revenue collected in 2013 was \$748,635.00.

Is there a need for rules suspension or time limitation when this must be passed?

Manager Requesting

Date

Approved for Agenda

Res # 7

RESOLUTION NO. 2014-08

A RESOLUTION AMENDING AMENDED RESOLUTION NO. 2013-45 BY CLARIFYING THE FINANCIAL PROVISIONS THEREOF, AND DECLARING AN EMERGENCY

WHEREAS, this City Council, in Amended Resolution No. 2013-45, authorized the Director of Administration to enter into a contract with quasar energy group for the construction and operation of improvements to the wastewater treatment plant, with the amount of the contract not to exceed the amounts appropriated for the project in the 2013 Appropriations Budget; and

WHEREAS, the nature of the contract is such that it provides for the municipal government to make payments to the quasar energy group on an annual basis, such that it is necessary to amend the above-referenced resolution to allow payments as budgeted for each year of the 15-year contract.

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

SECTION 1. That Section 2 of Amended Resolution No. 2013-45 is hereby amended to read as follows: Such contract will not exceed the amounts appropriated for this project. ~~in the 2013 Appropriations Budget adopted by this Council in Ordinance No. 2012-32.~~

SECTION 2. 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 law.

SECTION 3. This Resolution is hereby declared to be an emergency measure 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, and for the further reason that time is of the essence in enabling the contractor to begin construction immediately; 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.

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

Passed: _____, 2014

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2014

Mayor

Introduced by: Craig Sanders

CONSENT LEGISLATION

~~Ordinance~~/Resolution No. 2014-09
PID No. 87745
Project Name WAY US 0030 09.18PM

The following Resolution enacted by the City of Wooster of Wayne County, Ohio,
(Ordinance/Resolution)
hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

The purpose of this project is to perform preventative maintenance pavement resurfacing on US 30 from just west of the SR 3 interchange to just west of the SR 83 interchange.

Approximately 1.57 miles of work for this project is within the City.

This project is currently scheduled for the spring 2015 construction season.

NOW THEREFORE, be it ordained by the City of Wooster of Wayne County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

SECTION IV - Maintenance

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION V - Authority to Sign

The Director of Admin. of said City of Wooster is hereby empowered on behalf
(Contractual Agent)
of the City of Wooster to enter into contracts with the Director of Transportation
necessary to complete the above described project.

Passed: _____, 2014____.
(Date)

Attested: _____
(Clerk) (Officer of City - title)

Attested: _____
(Title) (President of Council)

This Resolution is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
project and to promote highway safety. Following appropriate legislative action, it shall take
effect and be in force immediately upon its passage and approval, otherwise it shall take effect
and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO
City of Wooster of Wayne County, Ohio

I, Amy Hamilton, as Clerk of the City of Wooster of Wayne County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Res. No. 2014-09 adopted by
(Ordinance/Resolution)
the legislative Authority of the said City of Wooster on this ____ day of _____, 2014,

that the publication of such Resolution has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such Resolution have been taken;
(Ordinance/Resolution)

and that such Resolution and certificate of publication thereof are of record in
(Ordinance/Resolution)

Resolution, Page 2014-09.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this ____ day of _____, 2014,

(SEAL)
(If Applicable)

Clerk Signature
City of Wooster of Wayne County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Wooster of Wayne County, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____

**Request for Agenda Item
Authorization for Bid or Purchase of Capital Item**

Division Engineering	Meeting Date Requested January 21, 2014
Project Name ODOT Preventative Maintenance on US 30	Approved for Agenda
Estimated Total Cost \$0.00	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to give consent to ODOT so they can perform preventative maintenance pavement resurfacing on US 30 from just west of SR 3 interchange to just west of the SR 83 interchange. This project is tentatively scheduled for the spring of 2015 construction season.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 100% of the preventative maintenance resurfacing costs in FY 2015.	
Will This Project Effect the City's Operating Costs This project will have no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and forfeit the ODOT funds. Preventative pavement maintenance would then be paid for from City funds.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances This is a request to simply consent and cooperate with ODOT.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons Passage on first reading is required since ODOT has requested that signed legislation be returned as soon as possible.	
Division Manager Roger Kobilarcsik	Date January 14, 2014

Res #9



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 3 • 906 CLARK AVE • ASHLAND, OHIO 44805 • (800) 276-4188
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • ALLEN C. BIEHL, P.E., DISTRICT DEPUTY DIRECTOR

January 8, 2014

Mr. Roger Kobilarcsik, P.E.
City of Wooster Engineer
538 North Market Street
Wooster, OH 44691

Re: PID 87745 WAY-US 30-9.18 Preventative Maintenance

Dear Mr. Kobilarcsik:

Enclosed are two (2) copies of an ordinance form, to be enacted by the City Council for the referenced project.

Please make arrangements to have the ordinance forms presented to the City Council for consideration and when enacted, **return two (2) original signature copies to this office.** An original signature copy will be returned to the city later with a signature of the Director of ODOT affixed.

The title of the contractual officer should be affixed on page two and that person should sign as the contractual officer on page three. If the city does not have an official seal, please attach a copy of a statement to that effect, to the return transmittal. **Please return these documents to this office no later than February 19, 2014.**

Please call me at 419.207.7062 if you have any questions.

Respectfully,

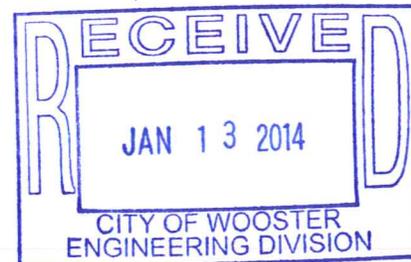
A handwritten signature in blue ink, appearing to read "Toriene Johnson", with a long horizontal line extending to the right.

Toriene Johnson, AP 4
Planning & Engineering Department
District 3

LAF:TMJ:tmj

Attachments

cc: Project file, I:Drive file



CONSENT LEGISLATION

~~Ordinance/Resolution~~ No. 2014-10
PID No. 83453
Project Name WAY BH FY2015

The following Resolution enacted by the City of Wooster of Wayne County, Ohio,
(Ordinance/Resolution)
hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

The purpose of this project is to perform bridge painting/bridge collision repair on various structures throughout Wayne County. The two structures located within the City limits of Wooster are WAY-302-0.88 over Apple Creek near the interchange of US 250 and WAY-302-0.93 over US 30, in Wayne County. The ramp from SR 302 to US 30 westbound will be closed when this project is working in that area under the bridge for approximately 14 days. Traffic will be directed to use Columbus Ave. instead of SR 302 to access US 30 westbound at this time.

Two structures involving SR 302 are within the City limits for this project.

This project is tentatively scheduled for the spring of 2015 construction season.

NOW THEREFORE, be it ordained by the City of Wooster of Wayne County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

SECTION IV - Maintenance

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

PID No. 83453

Project Name WAY BH FY2015

SECTION V - Authority to Sign

The Director of Admin. of said City of Wooster is hereby empowered on behalf
(Contractual Agent)
of the City of Wooster to enter into contracts with the Director of Transportation
necessary to complete the above described project.

Passed: _____, 2014.
(Date)

Attested: _____
(Clerk) (Officer of City - title)

Attested: _____
(Title) (President of Council)

This Resolution is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
project and to promote highway safety. Following appropriate legislative action, it shall take
effect and be in force immediately upon its passage and approval, otherwise it shall take effect
and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO
City of Wooster of *Wayne County*, Ohio

I, Amy Hamilton, as Clerk of the *City of Wooster* of *Wayne County*, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Res. No. 2014-10 adopted by
(Ordinance/Resolution)
the legislative Authority of the said *City of Wooster* on this ____ day of _____, 2014,

that the publication of such Resolution has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such Resolution have been taken;
(Ordinance/Resolution)

and that such Resolution and certificate of publication thereof are of record in
(Ordinance/Resolution)

Resolution, Page 2014-10.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this ____ day of _____, 2014,

(SEAL)
(If Applicable)

Clerk Signature
City of Wooster of *Wayne County*, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the *City of Wooster* of *Wayne County*, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____

**Request for Agenda Item
Authorization for Bid or Purchase of Capital Item**

Division Engineering	Meeting Date Requested January 21, 2014
Project Name ODOT Bridge Painting/Collision Repair	Approved for Agenda
Estimated Total Cost \$0.00	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to give consent to ODOT so they can perform bridge painting/collision repair of two structures within the City limits. The two structures located within the City limits are WAY-302-0.88 over Apple Creek near the interchange of US 250 and WAY-302-0.93 over US 30, in Wayne County. This project is tentatively scheduled for the spring of 2015 construction season.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 100% of the painting/repair costs in FY 2015.	
Will This Project Effect the City's Operating Costs This project will have no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and forfeit the ODOT funds. Painting/repairs would then be paid for from City funds.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances This is a request to simply consent and cooperate with ODOT.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons Passage on first reading is required since ODOT has requested that signed legislation be returned as soon as possible.	
Division Manager Roger Kobilarcsik	Date January 14, 2014

Res #10



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 3 • 906 CLARK AVE • ASHLAND, OHIO 44805 • (800) 276-4188
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • ALLEN C. BIEHL, P.E., DISTRICT DEPUTY DIRECTOR

January 8, 2014

Mr. Roger Kobilarcsik, P.E.
City of Wooster Engineer
538 North Market Street
Wooster, OH 44691

Re: PID 83453 WAY-BH-FY2015 Bridge Painting

Dear Mr. Kobilarcsik:

Enclosed are two (2) copies of an ordinance form, to be enacted by the City Council for the referenced project.

Please make arrangements to have the ordinance forms presented to the City Council for consideration and when enacted, **return two (2) original signature copies to this office**. An original signature copy will be returned to the city later with a signature of the Director of ODOT affixed.

The title of the contractual officer should be affixed on page two and that person should sign as the contractual officer on page three. If the city does not have an official seal, please attach a copy of a statement to that effect, to the return transmittal. **Please return these documents to this office no later than February 19, 2014.**

Please call me at 419.207.7062 if you have any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read "Toriene Johnson", with a long horizontal flourish extending to the right.

Toriene Johnson, AP 4
Planning & Engineering Department
District 3

LAF:TMJ:tmj

Attachments

cc: Project file, I:Drive file

