

CITY COUNCIL AGENDA

February 18, 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

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-05 AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, AND DECLARING AN EMERGENCY (Ansel)
2. First Reading – RESOLUTION NO. 2014-13 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ANNUAL BRIDGE INSPECTIONS WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)
3. First Reading – RESOLUTION NO. 2014-14 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF MADISON AVENUE AND S. MARKET STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 92617) (Ulbright)
4. First Reading – RESOLUTION NO. 2014-15 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF PITTSBURGH AVENUE AND LIBERTY STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 97514) (Ulbright)
5. First Reading – RESOLUTION NO. 2014-16 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 A WATER STORAGE TANK SERVING THE NORTH HIGH ZONE (Sanders)
6. First Reading – RESOLUTION NO. 2014-17 A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE AKRON ROAD PROJECT – PHASE 2, AND DECLARING AN EMERGENCY (Ulbright)
7. First Reading – RESOLUTION NO. 2014-18 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 REPLACEMENT OF A CULVERT ON GEYERS CHAPEL ROAD (Sanders)
8. First Reading – RESOLUTION NO. 2014-19 A RESOLUTION AMENDING AMENDED RESOLUTION NO. 2012-04 BY CLARIFYING THE FINANCIAL PROVISIONS THEREOF, AND DECLARING AN EMERGENCY (Ulbright)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

CHAPTER 162

Management Benefits

- 162.01 Administration.
- 162.02 ~~Medical~~ **Health** insurance.
- 162.03 Leaves.
- 162.04 Education assistance.
- 162.05 Holidays.
- 162.06 Uniforms.
- 162.07 Retirement benefits.
- 162.08 Salaries.
- 162.09 Management positions.

162.01 ADMINISTRATION.

Only management level employees of the City (including supervisor, confidential and administrative support employees) shall be eligible for any of the benefits described herein. Such employees shall be defined as those employees listed ~~on the Allocation of Management Positions Ordinance~~ *in Section 162.09, herein.*

162.02 ~~MEDICAL~~ **HEALTH** INSURANCE.

(a) Management level employees may enroll in the City's health insurance program ~~for single or family coverage~~, subject to the terms and conditions established by the Mayor. *Such program may include medical, dental, vision, disability and/or life insurance coverages.*

~~(b) Subject to the terms and conditions established by the Mayor, management level employees may request reimbursement for dental or optical expenses not covered under the medical insurance plan payable in accordance with the dental/optical guidelines. Unless superseded by a successor plan established by the Mayor, the maximum reimbursement shall be four hundred dollars (\$400.00) each calendar year beginning January 1, 1996. Any unused balance for each calendar year will be credited to the following year, provided that such unused balance must be expended by June 30th of the following year, after which it will be forfeited and provided that statements attributable to an unused balance carried over from the prior year must be received in the Personnel Division by July 15 of the current year, in which event the purchase order will be liquidated no later than September 30 of the current year.~~

162.03 LEAVES.

Management level employees shall be paid their full salary while on sick and vacation leaves. They shall continue to earn sick leave and vacation credit while on sick leave, injury leave, vacation leave and military leave.

- (a) [No change]

(1) [No change]

(2) A. *With respect to employees who retire on or before December 31, 2018,*

When management employees with at least ten years of service with the City retire, they shall be paid thirty-three percent (33%) of their accumulated sick leave, not to exceed seventy-five (75) days. When management employees with less than ten years of service with the City, but with ten or more years service with the State, any political subdivision, or a combination thereof retire from active service with the City, the rate shall be reduced to twenty-five percent (25%), *not to exceed seventy-five (75) days*. Such payment shall be based on the employee's rate of pay at the time of retirement and eliminates all sick leave credit accrued but unused by the employee at the time of the payment. As used in this section, "retirement" is limited to the point at which an employee is then eligible to receive disability or service retirement payments under any State or municipal retirement system in this State.

B. *With respect to employees who retire on or after January 1, 2019, when management employees with at least ten years of service with the City retire, they shall be paid twenty-five percent (25%) of their accrued but unused sick leave, not to exceed two hundred forty (240) hours. Management employees with less than ten years of service with the City, but with ten or more years service with the State, any political subdivision, or a combination thereof retire from active service with the City, shall be paid twenty-five percent (25%) of their accrued but unused sick leave, not to exceed two hundred forty (240) hours. Such payment shall be based on the employee's rate of pay at the time of retirement and eliminates all sick leave credit accrued but unused by the employee at the time of the payment. As used in this section, "retirement" is limited to the point at which an employee is then eligible to receive disability or service retirement payments under any State or municipal retirement system in this State.*

C. In the case of the death of an employee, the estate of an employee with ten or more years of service to the City shall receive payment for his/her accumulated sick leave based upon the employee's rate of pay at time of death. Maximum payment shall be as prescribed in the preceding subsection, provided that an employee who died before becoming eligible for retirement will be limited to a maximum payment calculated by multiplying the figure from subsection (a)(2) A. hereof by the fraction of the employee's total years of service divided by 30.

(3) Management employees may use sick leave for absences due to personal illness, injury, pregnancy, exposure to contagious disease *and/or* examination by an appropriate *health care* practitioner for medical, dental, optical or psychological purposes. Sick leave may also be used for illness of or injury to a member of the employee's family (*spouse, children or employee's parents*), ~~or to attend the funeral of a member of the employee's family.~~ For use of sick leave for parents of an employee, employees are limited to no more than three days per calendar year.

(4) Sick leave incentive. Management level employees who have a minimum of forty days of accumulated sick leave on the first day of the last pay period ending in the preceding year, and who increase that balance by an additional eleven days from the first day of the last pay period ending in December of the current year, shall qualify for sick leave incentive.

A. [No change]

B. [No change]

C. [No change]

D. *This subsection (4), Sick leave incentive, will be repealed as of January 1,*

2015.

(b) Injury Leave. [No change]

(c) *Family Medical Leave Act (FMLA). The City of Wooster is and will remain in compliance with respect to the FMLA regulations and requirements.* ~~Pregnancy, Childbirth Leave. Upon written request to the Mayor and/or Director of Administration a pregnant employee may be granted a leave of absence without pay subject to the provisions of this section.~~

~~(1) — Leaves of absence without pay shall be limited to a period of time not to exceed six months. This period may include a reasonable delivery and recovery period, as certified by physician, and may extend past the one year limitation upon approval by the Mayor and/or Director. Such leave shall not include time, following recovery from childbirth, being requested for purposes of child care.~~

~~(2) — A pregnant employee requesting a leave of absence without pay shall present, at the time the request is made, a physician's statement that the employee is unable to perform the material and substantial duties of her position as a result of pregnancy, childbirth or related medical conditions.~~

~~(3) — Use of sick leave and vacation leave: A pregnant employee shall be permitted to use accumulated sick leave for the period of time as certified by a physician, that the employee is unable to perform the material and substantial duties of her position as a result of pregnancy, childbirth or related medical conditions. An employee using sick leave credit shall not be prevented from receiving a leave of absence without pay for the remainder of the period an employee is unable to return to work. A pregnant employee is also permitted to use approved, accumulated vacation leave.~~

~~(d) — Child Care Leave. Employees may take required time off for special child care purposes. Such leave shall be considered on a nondiscriminatory basis without regard to gender of the employee. Such leave shall be without pay. Child care leave may be renewed once upon approval by the Mayor and/or Director of Administration. An employee on child care leave shall continue to receive medical insurance coverage, but shall cease to earn vacation and sick leave credit. An adoptive parent's request shall be considered on the same basis as that of a biological parent under similar circumstances.~~

(d) *Bereavement Leave. In the event of the death of an immediate family member, employees will be permitted to take up to five (5) days with full pay for purposes of dealing with matters related to death and grieving. Such leave will not be granted to employees attending a funeral during periods when, for other reasons, they are not at work, such as during vacation, holidays or illness.*

(e) Personal Leave. A management level employee may request an unpaid ~~or~~ personal leave of absence for a period not to exceed thirty-one (31) calendar days. Request for renewal may be made only once. Award or denial of a personal leave shall be made by the Mayor and/or Director of Administration. All decisions shall be final. ~~All other benefits are discontinued for an employee on a personal leave of absence. Upon approval of the Mayor and/or Director of Administration, employees may continue their medical insurance coverage on a self-pay basis.~~ *During any such period of personal leave employees will continue to be covered by the City's existing health care plan.*

(f) *Non-FMLA* Medical Leave. ~~If a~~ Management employees *who* have exhausted *both their FMLA eligibility and* their *accrued* sick leave balance and require additional time off because of their illness, ~~they~~ may request a medical leave of absence.

(1) A medical leave is taken without pay.

(2) The employee does not earn vacation or sick leave credit while on an unpaid medical leave. The Mayor and/or Director of Administration may *shall* continue medical *health* insurance coverage for such employee.

(3) The maximum length of time an employee may request for a *non-FMLA* medical leave is ~~180~~ *ninety (90)* calendar days. A renewal may be awarded only once.

(g) Vacation Leave.

(1) [No change]

(2) [No change]

(3) [No change]

(4) [No change]

(5) [No change]

(6) [No change]

(7) ~~The Mayor and/or Director of Administration may transfer accrued service time from other governmental agencies for any new employee.~~ *Vacation Cash-Out Option. Subject to the approval of the Director of Administration, employees will be permitted to "cash out" unused vacation time of up to one-half of their annual accrual once during any calendar year (January through December), provided that the employee must maintain a minimum balance of ten (10) vacation days. The "cash out" rate will be ninety percent (90%) of the employee's daily base rate.*

(h) [No change]

162.04 EDUCATION ASSISTANCE. [No change]

162.05 HOLIDAYS.

The following days shall be recognized as paid holidays beginning January 1, 2006:

New Year's Day	Labor Day	Christmas Day
Martin Luther King Day	Veteran's Day	
Presidents' Day	Thanksgiving Day	
Memorial Day	Day after Thanksgiving	
Independence Day	Christmas Eve	

~~If a holiday falls on a weekend, the employee may take the time off at an alternative time as approved by the employee's supervisor. Compensation for holidays is included in a management employee's salary.~~

162.06 UNIFORMS. [No change]

162.07 RETIREMENT BENEFITS.

(a) [No change]

(b) [No change]

(c) This section will be repealed as of January 1, 2019.

162.08 SALARIES.

(a) Commencing January 1, 2014, the salary ranges for Supervisor, Confidential and Administrative Employees are hereby established as follows:

S,C & A		
Grade	Min	Max
1	\$31,751.20	\$ 48,817.60
2	\$33,332.00	\$ 51,266.80
3	\$35,003.80	\$ 53,830.40
4	\$36,764.00	\$ 56,526.60
5	\$38,589.20	\$ 59,335.40
6	\$41,488.20	\$ 63,791.00
7	\$43,560.40	\$ 66,976.00
8	\$46,173.00	\$ 70,994.00

(b) *Commencing January 1, 2014, the salary ranges for Management Employees are hereby established as follows:*

Management Grade	Min	Max
1	\$44,673.20	\$ 68,694.60
2	\$46,901.40	\$ 72,124.00
3	\$49,038.60	\$ 76,024.00
4	\$51,513.80	\$ 79,833.00
5	\$53,586.00	\$ 84,601.40
6	\$56,258.80	\$ 88,834.20
7	\$59,066.80	\$ 93,269.80
8	\$62,030.80	\$ 97,923.80
9	\$65,127.40	\$102,827.40
10	\$68,203.20	\$108,264.00
11	\$71,609.20	\$113,677.20
12	\$74,887.80	\$119,849.60
13	\$78,629.20	\$125,842.60

(c) Commencing January 1, 2009~~2014~~ and every January 1 thereafter, the salary ranges for management employees *(including supervisor, confidential and administrative support employees)* established in this chapter shall *may* be adjusted by the same percentage as the increases contained in the corresponding collective bargaining agreement with the Wooster Employees Association *based upon market survey data, but not in excess of the annual cost of living adjustment published by the Ohio Public Employees Retirement System.*

(d) In addition to the salaries established herein, management employees will be eligible for the "pick up" provided for in Section 2 of Ordinance No. 1999-32 *effective as of April 1, 2014 the City, as employer, will pay 3.5% of each employee's statutorily required 10% contribution to OPERS for all management (including supervisor, confidential and administrative support) employees.*

162.09 MANAGEMENT POSITIONS.

(a) In accordance with Article V, Section 5.03 of the Charter of the City of Wooster, and ~~the Codified Ordinance~~ Section 162.01, *above*, the following management positions are hereby identified and authorized:

POSITION	STATUS
Accountant I	Unclassified
Accountant II	Unclassified
Administrative Assistant	Unclassified
Assistant City Engineer	Unclassified
Assistant Fire Chief	Classified
Building Standards Manager	Unclassified
City Planner	Unclassified
Community Service and Development Administrator	Unclassified
Deputy Director of Finance	Unclassified
Director of Administration	Unclassified
Director of Finance	Unclassified
Director of Law	Unclassified
Development Coordinator	Unclassified
Engineering Manager	Unclassified
Finance Manager	Unclassified
Fire Chief	Classified
Human Resources Manager	Unclassified
Human Resources Specialist	Classified <i>Unclassified</i>
Information Systems Manager	Unclassified
Planning and Zoning Manager	Unclassified
Police Captain	Classified

Police Chief	Classified
Project Manager	Unclassified
Public Properties Maintenance Manager	Unclassified
Public Properties Maintenance Assistant Manager	Unclassified
Public Properties Maintenance Supervisor	Classified
Public Works Administrator	Unclassified
Recreation/Community Center Manager	Unclassified
Recreation Supervisor	Unclassified
Safety Administrative Supervisor	Classified
Staff Engineer	Unclassified
Utilities Manager	Unclassified
Utilities Assistant Manager	Unclassified
Utilities Supervisor	Classified

~~(b) — Any employee presently serving in a position considered to be classified prior to the adoption of this Ordinance shall continue in such status so long as s/he remains in that position.~~

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

~~Ordinance~~/Resolution # : 13

PID No. : 97103

County/Route/Section : _____

The following is a ~~an~~ Resolution enacted by the City of Wooster of Wayne
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

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

SECTION II – Consent Statement

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

SECTION III – Cooperation Statement

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

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION V Authority to Sign

I, Joel Montgomery of said City of Wooster is hereby empowered on behalf of the
(Contractual Agent) (LPA)
City of Wooster to enter into contracts with the Director of Transportation which is necessary to
(LPA)
complete the above described project.

Passed: _____, 2 014 .
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

Attested: _____
(Title)

(President of Council)

The Resolution is hereby declared to be an emergency measure to expedite the highway project and
(~~Ordinance~~/Resolution)
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
(LPA)

I, Amy M. Hamilton, as Clerk of the City of Wooster
(LPA)
of Wayne County, Ohio, do hereby certify that the foregoing is a true and correct copy of
Resolution 2014-13 adopted by the legislative Authority of the said
(~~Ordinance~~/Resolution)
City of Wooster on the _____ day of February, 2014.
(LPA)
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 Resolution,
Page 2014-13. (~~Ordinance~~/Resolution)
(Record No.)

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

(Clerk)

(CITY SEAL)

City of Wooster of Wayne County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

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

For the City of Wooster of Wayne County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

.....
For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

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

Division Engineering	Meeting Date Requested February 18, 2014
Project Name ODOT Bridge Inspection Program	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 yearly bridge inspections on the five bridges which the City is responsible. The five bridges are located on Palmer Street over the railroad, on North Street and Larwill Street over the Christmas Run Creek, the culverts under Saybolt and the bridge at the Christmas Run Park.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 100% of all future inspection costs.	
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 and have the Egnineering Division continue performing the inspections. Each year the Engineering staff spends approximately 100 man hours performing the inspections, filling out paperwork and addending training classes.	
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 February 10, 2014

Res #13

RESOLUTION NO. 2014-14

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF MADISON AVENUE AND S. MARKET STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 92617)

WHEREAS, Section 5501.03 (C) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, the Madison Avenue and S. Market Street Resurfacing Project (PID 92617) is a transportation activity eligible to receive federal/state funding; and

WHEREAS, the LPA (Local Public Agency), the City of Wooster, has received funding approval for the project listed above from the Program Manager having responsibility for the federal/state funds involved, and

WHEREAS, it is the mutual desire of both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project.

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

SECTION 1. That the Mayor or his/her designee is hereby authorized to enter into an agreement with ODOT for the purpose of facilitating the above-described improvements.

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 full force from and after the earliest date 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

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

Division Engineering	Meeting Date Requested February 18, 2014
Project Name Resurfacing – Madison, South Market PID 92617	Approved for Agenda
Estimated Total Cost \$301,600.00 ODOT Grant = \$241,280(80%), Local Funds = \$60,320 (20%) (Capital Funds - \$30,320, SMCR - \$30,000)	
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 authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Madison Avenue between Bever & S. Market and S. Market Street between Madison & Liberty. ODOT is funding 80% of the construction costs, or \$241,280. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. ODOT will reimburse 80% of these costs as well, up to \$10,853.54.	
Justification/Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2016.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
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.	
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 accept the funds already awarded for this project, and is a requirement of the funding process.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons ODOT plan approval process can not begin until the LPA agreement is signed.	
Division Manager Roger Kobilarcsik	Date February 10, 2014

Res # 14

RESOLUTION NO. 2014-15

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF PITTSBURGH AVENUE AND LIBERTY STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 97514)

WHEREAS, Section 5501.03 (C) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, the Pittsburgh Avenue and Liberty Street Resurfacing Project (PID 97514) is a transportation activity eligible to receive federal/state funding; and

WHEREAS, the LPA (Local Public Agency), the City of Wooster, has received funding approval for the project listed above from the Program Manager having responsibility for the federal/state funds involved, and

WHEREAS, it is the mutual desire of both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project.

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

SECTION 1. That the Mayor or his/her designee is hereby authorized to enter into an agreement with ODOT for the purpose of facilitating the above-described improvements.

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 full force from and after the earliest date 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

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

Division Engineering	Meeting Date Requested February 18, 2014
Project Name Resurfacing – Pittsburg Avenue & Liberty Street PID 97514	Approved for Agenda
Estimated Total Cost \$478,400.00 ODOT Grant = \$382,720 (80%), Local Funds = \$95,680 (20%) (Capital Funds - \$65,680, SMCR - \$30,000)	
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 authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Pittsburg Avenue between the Eastern Corporation Limits & Liberty Street and Liberty Street between Pittsburg & Bever. ODOT is funding 80% of the construction costs, or \$382,720. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. ODOT will reimburse 80% of these costs as well, up to \$14,720.	
Justification/Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2015.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
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.	
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 accept the funds already awarded for this project, and is a requirement of the funding process.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons ODOT plan approval process can not begin until the LPA agreement is signed.	
Division Manager Roger Kobilarcsik	Date February 10, 2014

Res #15

RESOLUTION NO. 2014-16

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 A WATER STORAGE TANK SERVING THE NORTH HIGH ZONE

WHEREAS, it is necessary to construct a water storage tank for the city's north high zone, and the cost of such project is included in the capital plan for 2014; and

WHEREAS, this City Council deems that prompt action is necessary to complete the project at the earliest possible time to improve storage capacity, water pressure, and the safe and efficient distribution of water within the north high zone.

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 water storage tank serving the city's north high zone, in accordance with specifications now on file in his office.

SECTION 2. The cost of such contract will not exceed the amount appropriated for this purpose.

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.

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

Passed: _____, 2014 Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2014

Mayor

Introduced by: Craig Sanders

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

Division Engineering	Meeting Date Requested February 18, 2014
Project Name North High Water Storage Tank	Approved for Agenda
Estimated Total Cost \$3,800,000.00. \$1,500,000.00 will be reimbursement from the Wooster Community Hospital and the remaining amount budgeted in the water fund.	
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 authorize advertisement and award of a contract to the lowest and best bidder for the North High Water Storage Tank. This is a new 1,500,000 gallon elevated storage tank which will service the north high pressure zone.	
Justification / Benefits The north high pressure zone of the City water system is significantly deficient in water storage capacity. This project will provide adequate storage to this zone for current and projected demands in the water system. The tower will supply the new Dasiy facility with a projected 1,000,000 gallons of water per day.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing and continue to experience storage capacity problems, and possible supply deficiencies in prolonged pwer outages.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons This project needs to move forward to meet the completion schedule of the fall 2015.	
Division Manager Roger Kobilarcsik	Date February 10, 2014

Res #16

RESOLUTION NO. 2014-17

A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE AKRON ROAD PROJECT – PHASE 2, AND DECLARING AN EMERGENCY

WHEREAS, the City of Wooster, by action of this Council, has declared in Resolution No. 2014-03 adopted January 6, 2014, the necessity to construct certain improvements to Akron Road in the locations as detailed and described in that resolution, and a portion of the cost thereof will be assessed to benefited properties as set forth therein; and

WHEREAS, Ohio law provides that owners of property to be assessed for such improvements may make timely objection thereto and have their objections heard by an assessment equalization board;

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

SECTION 1. Sarah Baker, Robert Metz, Jr. and Steve Webster, three disinterested freeholders of the City of Wooster, are appointed to act as an assessment equalization board to hear and determine all written objections filed in accordance with law to the estimated special assessments filed with the Clerk of this Council pursuant to Resolution No. 2014-03 adopted by this Council on January 6, 2014. The board is directed to equalize such assessments as it deems proper to conform to the standards prescribed by law and that resolution.

SECTION 2. The assessment equalization board shall first meet at 6:00 p.m. on Tuesday, February 25, 2014, in the City Council Chambers of the Municipal Building, 538 North Market Street, Wooster, Ohio, for the purposes aforesaid, and on completion of the hearing and any adjournments thereof, shall report its recommendations, including any changes which should be made in the estimated special assessments, to this Council.

SECTION 3. The Clerk of Council is directed to notify by certified mail, return receipt requested, each person who has timely filed a written objection to the estimated special assessments of the time and place of the meeting of the assessment equalization board. Such notices shall be mailed at least five (5) days prior to the date of the first meeting.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City, and for the further reason that prompt action by the assessment equalization board is necessary in order to ensure that affected property owners will be afforded a mechanism by which to have their objections heard in a timely manner; wherefore, this resolution shall be in full force and effect immediately upon its adoption 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

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

Division Engineering	Meeting Date Requested February 18, 2014
Project Name Akron Road Improvements - Phase 2; Resolution to appoint Assessment Equalization Board	Approved for Agenda
Estimated Total Cost \$3,775,000 (ODOT is providing \$2,320,000 in grant funding for construction costs).	
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 appoint an Assessment Equalization Board to hear objections to the Akron Road Improvements Phase 2 Assessments, and to schedule the meeting.	
Justification / Benefits This is required by the Ohio Revised Code, section 727.16. The proposed members are Sarah Baker, Bob Metze, and Steve Webster. The proposed Meeting date is Tuesday, February 25 th , 2014.	
Will This Project Effect the City's Operating Costs N/A	
What Alternatives Exist and What Are The Implications of The Alternatives N/A	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons The ODOT funding schedule must be followed. In order to begin construction, an equalization board hearing must be set and recommendations made, and an ordinance to proceed approved. The public notice and filing requirements, along with the Council meeting schedule, require this legislation to be passed in order to allow for approval of final assessments on March 3rd, and a March 27th bid opening.	
Division Manager Roger Kobilarcsik	Date February 10, 2014

Res #17

RESOLUTION NO. 2014-18

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 REPLACEMENT OF A CULVERT ON GEYERS CHAPEL ROAD

WHEREAS, it is necessary to replace a culvert on Geyers Chapel Road, just south of its intersection with Long Road, and such project is included in the capital plan for 2014.

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

SECTION 1. 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 replacement of a culvert on Geyers Chapel Road, in accordance with specifications on file in the office of the director.

SECTION 2. The cost of such contract will not exceed the amount appropriated for this purpose.

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.

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

Passed: _____, 2014 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2014
Mayor

Introduced by: Craig Sanders

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

Division Engineering	Meeting Date Requested February 18, 2014
Project Name Geyers Chapel Culvert Replacement Project	Approved for Agenda
Estimated Total Cost \$ 100,000 (Storm Drainage Funds)	
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 authorize advertisement and award of a contract to the lowest and best bidder for the replacement of a culvert on Geyers Chapel Road just south of Long Road. This project involves the replacing of the existing culvert with a history of complications and to improve the drainage in each of the four quadrants.	
Justification / Benefits This project will replace an existing 72"x54" concrete and stone culvert which has deteriorated and requires periodic maintenance to repair sink holes in the pavement with a new 66" reinforced concrete culvert including new headwalls, grading and some roadway widening.	
Will This Project Effect the City's Operating Costs This project should reduce roadway maintenance and operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and continue to perform periodic maintenance and risk culvert failure. The deteriorating condition of the existing culvert has resulted in maintenance repairing the roadway over time.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons Earlier passage would allow the opportunity to advertise and bid this project as soon as possible in order to obtain the best possible bids.	
Division Manager Roger Kobilarcsik	Date February 10, 2014

Ros #18

