

CITY COUNCIL AGENDA

July 1, 2013

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

Public Hearing: South Buckeye Street Alley Vacation

VI. OLD BUSINESS

1. Third Reading – *AMENDED* ORDINANCE NO. 2013-17(A) AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS (Knapic)

1. Second Reading – RESOLUTION NO. 2013-59 A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO JOIN A REGIONAL COUNCIL OF GOVERNMENTS PURSUANT TO CHAPTER 167 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY (Steiner)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-25 AN ORDINANCE REVISING THE AUTHORIZED RANGE OF PAY SCALES AND BENEFITS FOR HOURLY RATED AND SALARIED EMPLOYEES AT WOOSTER COMMUNITY HOSPITAL, AND REPEALING FORMER ORDINANCES (Ansel)

2. First Reading – ORDINANCE NO. 2013-26 AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF MECHANICSBURG ROAD, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT, AND CONTIGUOUS TO THE CORPORATION LIMITS (Matthew A. Long, Esq., Agent for Petitioner Habitat for Humanity in Wayne County, Inc.) (Knapic)

3. First Reading – RESOLUTION NO. 2013-65 A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO FILE AN APPLICATION TO THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND DECLARING AN EMERGENCY (Sanders)

4. First Reading – RESOLUTION NO. 2013-66 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO ACCEPT GRANT MONIES FOR IMPROVEMENTS TO GEYERS CHAPEL ROAD (Ulbright)

5. First Reading – RESOLUTION NO. 2013-67 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013 (Ulbright)

6. First Reading – RESOLUTION NO. 2013-68 A RESOLUTION AUTHORIZING THE MAYOR TO PURSUE APPROPRIATION OF CERTAIN PROPERTY INTERESTS FROM PROPERTY OWNERS ADJACENT TO OR ABUTTING AKRON ROAD FOR PURPOSES OF PROCEEDING WITH THE IMPROVEMENT THEREOF, AND DECLARING AN EMERGENCY (Ulbright)

7. First Reading – RESOLUTION NO. 2013-69 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 NEW STORM SEWER SERVING THE SPINK STREET AREA AND REPAIRS TO THE EXISTING SANITARY SEWER SERVING THAT AREA, AND DECLARING AN EMERGENCY (Silvestri)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

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 _____ foot public alley running in a EAST/WEST direction from S. BUCKEYE ST. to _____
(east/west/north/south) (street name/alley description)

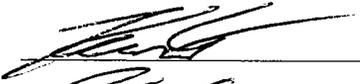
S. BUCKEYE EAST TO ALLEY between lot numbers 64-1127/64-1128/64-1129/64-480/64-481
(street name/alley description) (numbers of all lots abutting the alley to be vacated)

respectfully petition your honorable body 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.

Owner's signature(s)

Lot number

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

	and _____	<u>169</u>
	and _____	<u>1866</u>
	and _____	<u>1865 NPT</u>
	and _____	<u>170</u>
	and _____	<u>1865 S PT</u>
_____	and _____	_____

(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

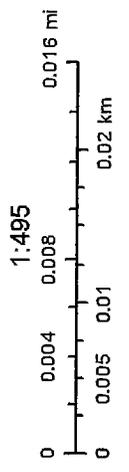
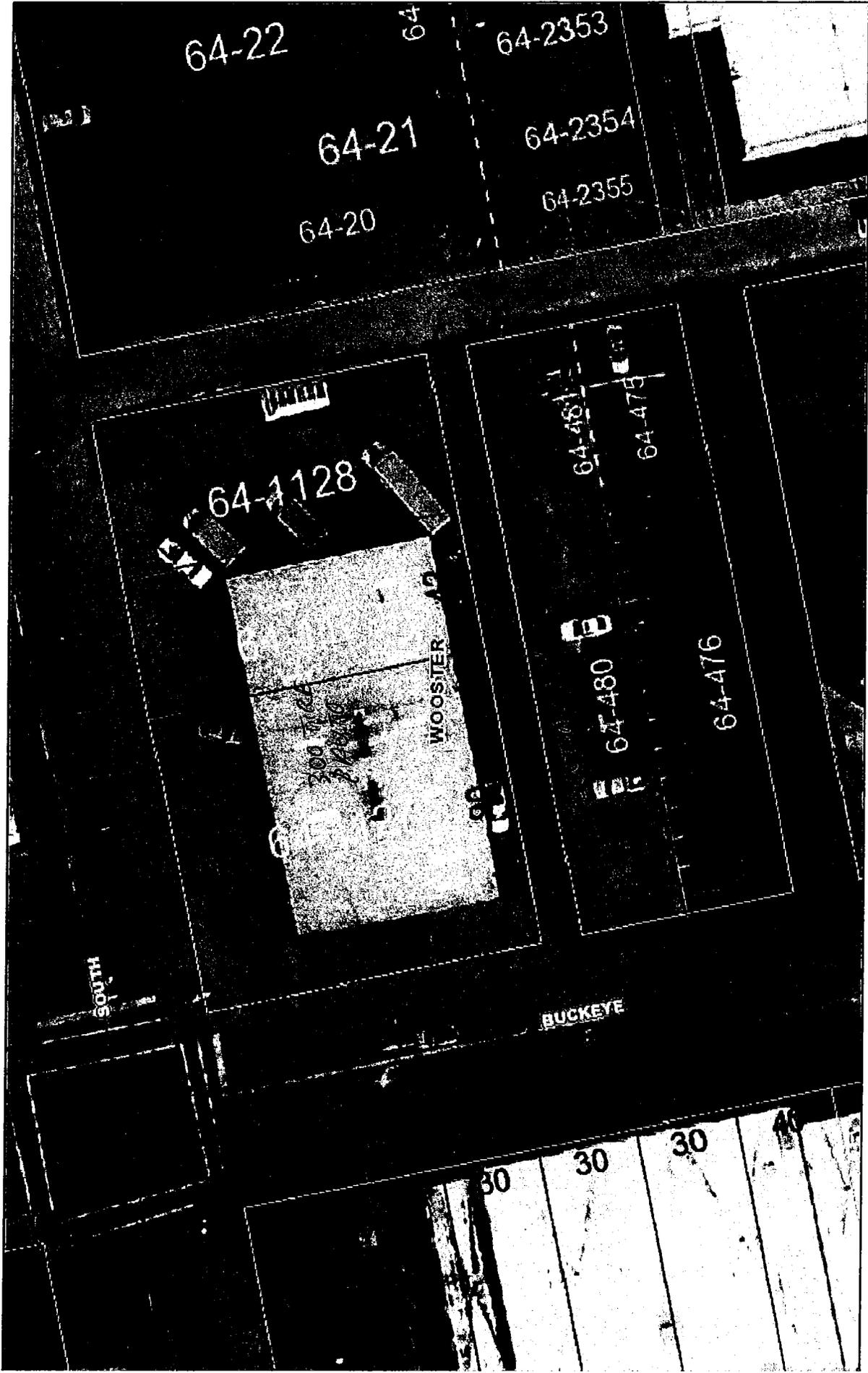
1. In most cases, the vacated alley is divided by operation of law so that the adjacent property owners gain the additional land equally. However, this will depend on how the alley was originally dedicated. Abutting property owners have complete responsibility to have the vacated alley surveyed. The 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.



May 18, 2013

Amended at Second Reading on May 20, 2013

AMENDED

ORDINANCE NO. 2013-17(A)

AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO TITLES ONE, THREE AND FIVE OF THE CODE

WHEREAS, the Wooster City Planning Commission, on its own motion, directed the planning and zoning manager to review and recommend various proposed text amendments to the Planning and Zoning Code; and

WHEREAS, the Planning Commission considered the proposed amendments at its meeting on March 27, 2013 and recommended the **approval** thereof; and

WHEREAS, at the City Council meeting of June 3, 2013 a motion was made and approved to amend the proposed amendments by dividing the question into two, with the first question to be presented for consideration in accordance with the attached Exhibit A.

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

SECTION 1. That Part Eleven, Planning and Zoning Code, of the Codified Ordinances of the City of Wooster, is hereby amended at Section 1143.07(e), Screening, to read in accordance with the attached Exhibit A.

SECTION 2. 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 3. This Ordinance shall take effect and be in force from and after the earliest date allowed by law.

1st reading 5-6-13 2nd reading 5-20-13 3rd reading _____

Passed: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Barbara A. Knapic

EXHIBIT A

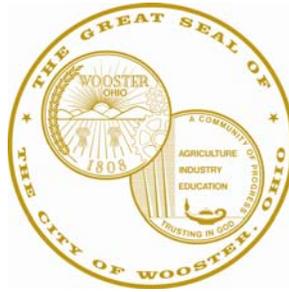
PROPOSED ZONING CODE AMENDMENT TO SECTION 1143.07(e)

1143.07 OUTDOOR ACTIVITIES.

Outdoor activities, when permitted according to Table 1143.02, shall be permitted only when associated with the principal use provided such outdoor activity complies with the following:

- (e) Screening. All outdoor activity areas shall be enclosed with a wall or fence, including gates and shall be screened according to the requirements set forth in Chapter 1165 and Section 1143.08 (e) below, Fence and Walls. *screened from the public right-of-way, adjacent non-manufacturing zoning districts and adjacent less intensive manufacturing zoning districts per the following:*
 - (1) *Screening shall be composed of either a wall or fence according to the requirements set forth in Chapter 1165 and Section 1143.08 (c) or dense landscaping with no less than eight (80) percent opacity at the time of planting.*
 - (2) *Screening provided shall be no less than six (6) feet in height at the time of installation. Landscaping utilized to provide such screening may employ a mound of no more than three (3) feet in height.*
 - (3) *A single gap of no more than thirty (30) feet in such required screening shall be permissible to allow for ingress and egress to an outdoor activity area.*

ROBERT F. BRENEMAN
Mayor



ANDREW DUTTON
Planning & Zoning Manager
330-263-5238

LAURIE HART
Administrative Assistant
30-263-5200 x304

CITY OF WOOSTER
DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION
538 N. MARKET STREET
P.O. BOX 1128
WOOSTER, OH 44691
FAX: 330-263-5274

MEMORANDUM

DATE: June 28, 2013
TO: City Council
FROM: Andrew Dutton
RE: Ordinance 2013-17 Overview

-
- Zoning Code Amendment #ZC-252, which included various amendments to the Planning and Zoning Code, was heard by the Planning Commission on March 27th and recommended to Council for approval.
 - The proposed Ordinance for the code amendments was reviewed by the Laws and Ordinances Committee at their May 20th meeting. A point of discussion involving the Committee and a nearby property owner, Todd Carmony, was an amendment to Section 1143.07(e) which reduced the screening requirement of outdoor activities in manufacturing districts, when adjacent to similar manufacturing districts. The Committee instructed staff to investigate an alteration to the amended Section 1143.07(e) to take into account residents in, and near, manufacturing districts.
 - At the June 3rd City Council meeting, staff presented an alteration to Section 1143.07(e) to address concerns raised at the Laws and Ordinances Committee meeting. Chris Pycraft, representing Brasfond USA, debated the effects of the alterations to Section 1143.07(e) with Council. The Ordinance was split into Ordinance 2013-17(a), which included the amendment to Section 1143.07(e), and Ordinance 2013-17(b), which included the remainder of the amendments. Ordinance 2013-17(a) was tabled and Ordinance 2013-17(b) was adopted at the meeting.
 - Upon investigating the application of the proposed alteration to the amendment of Section 1143.07(e), staff concluded that approximately 125 properties in manufacturing district would be affected by the proposed alteration.
 - On June 20th city staff, including Joel Montgomery, Dick Benson and Andrew Dutton, met with Mr. Carmony, Mr. Pycraft and Ray Farley of Brasfond USA to discuss the amendment to Section 1143.07. After discussion, all parties agreed that the original amendment to Section 1143.07(e), as recommend by the Planning Commission, was acceptable. In addition, Brasfond USA agreed to install a slatted chain link fence along their north property line to provide screening of their outdoor activities.
 - Ordinance 2013-17(A) has been included on the July 1st Council Agenda for adoption. The originally proposed amendment to Section 1143.07(e) has been included with your Council materials.

RESOLUTION NO. 2013-59

A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO JOIN A REGIONAL COUNCIL OF GOVERNMENTS PURSUANT TO CHAPTER 167 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, the Councils of the cities of Wooster and Ashland wish to establish a regional public safety dispatching system; and

WHEREAS, forming a Regional Council of Governments pursuant to Chapter 167 of the Ohio Revised Code has been determined by the parties to be a necessary step in planning for, establishing, and operating a regional dispatching system; and

WHEREAS, for the foregoing reasons, the Council of the City of Wooster believes it to be in the best interests of the City to form and join such a Regional Council of Governments.

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

SECTION 1. This Council finds and determines that it is in the best interests of the citizens of the City of Wooster to assist in the establishment of a regional public safety dispatching system, and to that end, to form and join a Regional Council of Governments charged with implementing such a system.

SECTION 2. The Mayor, on behalf of the City of Wooster, is hereby authorized to enter into the Articles of Agreement establishing the Wooster-Ashland Regional Council of Governments.

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 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 the prompt establishment of the Regional Council of Governments will expedite the development and implementation of a regional public safety dispatch system that will greatly enhance the public health and safety of the residents of the City of Wooster; 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 the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading 6-17-13 2nd reading _____ 3rd reading _____

Passed: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor _____

Introduced by: Jeffrey A. Steiner

ORDINANCE NO. 2013-25

AN ORDINANCE REVISING THE AUTHORIZED RANGE OF PAY SCALES AND BENEFITS FOR HOURLY RATED AND SALARIED EMPLOYEES AT WOOSTER COMMUNITY HOSPITAL, AND REPEALING FORMER ORDINANCES

WHEREAS, the Board of Governors of Wooster Community Hospital, at its meeting on June 26, 2013, recommended the adoption of new maximum pay scales and benefits to remain competitive within the industry and community; and

WHEREAS, the Charter and Ordinances of the City of Wooster provide that the Board of Governors shall fix compensation for hospital personnel, subject to the approval of City Council.

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

SECTION 1. That the authorized range of pay scales and benefits for hourly rated personnel and salaried employees of the Wooster Community Hospital by grade and job group, respectively, shall be as shown on the schedule attached hereto and made a part hereof, and shall be made effective as of September 8, 2013.

SECTION 2. That the Board of Governors of Wooster Community Hospital shall have the authority to establish, or to promulgate the rules and regulations for establishing, the grade or job group into which each position at the hospital should be placed.

SECTION 3. That all previous ordinances and resolutions or sections thereof in conflict with this Ordinance are hereby repealed.

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 shall take effect and be in force from and after September 8, 2013.

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

Passed: _____, 2013

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Jon Ansel

ORDINANCE NO. 2013-26

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF MECHANICSBURG ROAD, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT, AND CONTIGUOUS TO THE CORPORATION LIMITS (Matthew A. Long, Esq., Agent for Petitioner Habitat for Humanity in Wayne County, Inc.)

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

SECTION 1. That the proposed annexation (consisting of approx 0.526 ac.), as applied for in the petition described above, and as approved for annexation to the City of Wooster by the Board of County Commissioners of Wayne County on April 24, 2013, is hereby accepted. The territory to be annexed is described in the petition, a copy of which is attached hereto and incorporated herein by reference.

The certified transcript of the proceedings for annexation, together with an accurate map of the territory, the petition for annexation and other papers relating to the proceedings of the Wayne County Commissioners, are on file with the Clerk of this Council, and have been for more than sixty (60) days.

SECTION 2. The Clerk of Council is hereby directed to make three (3) copies of this Ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners of Wayne County relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the Wayne County Auditor, one copy to the Wayne County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Wayne County Board of Elections within thirty (30) days after it becomes effective; and the Clerk shall do all other things required by law.

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

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

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

Passed: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Barbara A. Knapic

PETITION FOR ANNEXATION

To the Board of Commissioners of Wayne County, State of Ohio

The undersigned, being a majority of the owners of real estate in the following described territory within the County of Wayne and adjacent to the City of Wooster, Ohio, petitions the Board of Commissioners of Wayne County, Ohio, to annex the territory described below to the City of Wooster. The territory to be annexed is fully described as follows:

See attached **Exhibit A.**

The Tax Account Numbers are: 53-00028.000 and 53-00029.000.

The parcels described herein for annexation consists of .526 acres.

An accurate map of this territory is attached hereto and incorporated herein as a part of this Petition as **Exhibit B.**

Matthew A. Long, 225 North Market Street, Wooster, Ohio, is hereby appointed and authorized to act as agent for the undersigned petitioner in securing such annexation with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area; to substitute an agent; to do any and all things essential thereto and to take any action necessary for obtaining the granting of this petition. Said amendment, alteration, change, correction, withdrawal, refile, substituting, compromise, increase or deletion, or other actions for granting of this petition shall be made in the petition, description and/or plat by said agent without further expressed consent of petitioner.

The total number of owners of real estate in the above-described territory is one (1).

Jane J. DalPra
Jane DalPra, President

Date: February 5th, 2013

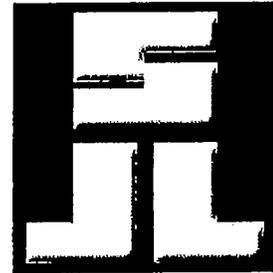
2013 FEB - 9 - 9:21 AM
COUNTY CLERK
WAYNE COUNTY
OHIO

I hereby certify this is a true and correct copy of the original on file

Diane L. Austen
Wayne County Commissioners
Diane L. Austen

Exhibit A

**SHAFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS**



Boundary description of a 0.526 acre parcel

Job No. EW 832OB

Situated in the Township of Wayne, County of Wayne and State of Ohio and known as being a part of the Northwest and Northeast Quarters of Section 32, T-16N; R-13W, also known as being a part of lands conveyed to Habitat for Humanity in Wayne County Inc. in O.R. 731; Page 437 of Wayne County Official Records and further bound and described as follows:

Commencing at a 1" pipe found at the northeast corner of the Northwest Quarter of Section 32;

Thence S 00° 21' 42" E, 264.00 feet along the quarter section line to an angle iron found on the southerly line of lands conveyed to David R. and Melinda A. Martin in O.R. 355; Page 422 of Wayne County Official Records and the principal place of beginning of the parcel herein described:

THENCE WITH THE FOLLOWING FIVE (5) COURSES:

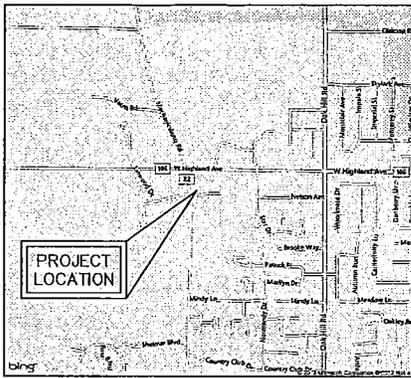
- 1) N 88° 37' 40" E, 52.72 feet along the southerly line of said Martin lands to a 1" angle iron found at the southeast corner thereof and on the Wooster City Corporation Line and the westerly line of Lot 8691 in Crosswinds Allotment as recorded in Volume 26; Page 110 of Wayne County Plat Records;
- 2) S 00° 21' 42" E, 200.90 feet along said corporation line and the westerly line of said Lot 8691 to a ¾" pipe found at the southwest corner of Lot 8691 and on the northerly right of way line of Crosswind Court;
- 3) S 88° 37' 40" W, 93.41 feet, passing through the quarter section line at 52.72 feet, along said corporation line and the northerly right of way line of Crosswind Court to a point in Mechanicsburg Road (C.R. 22) ~ witnessed by a capped pin marked "S.J.L., INC." found N 88° 37' 40" E, 30.52 feet;
- 4) N 12° 02' 29" W, 204.40 feet in Mechanicsburg Road (C.R. 22) to a point at the southwest corner of aforesaid Martin lands ~ witnessed by a capped pin marked "S.J.L., INC." found N 88° 37' 40" E, 30.52 feet;

Continued on Page 2

Page 2 (Description of 0.526 ac.)

- 5) **N 88° 37' 40" E, 82.08** feet along the southerly line of said Martin lands to the principal place of beginning and containing within said bounds 0.526 acre of land, of which 0.283 acre is in the Northwest Quarter of Section 32 and 0.243 acre is in the Northeast Quarter of Section 32, more or less, and subject to all legal highways and easements of record.

This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2013.
Bearings are to an assumed meridian.
See Wayne County Survey Records Volume ____; Page ____ for survey.



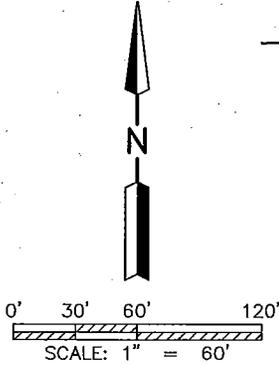
LOCATION MAP

0.526 AC.
ANNEXATION PLAT
TO THE
CITY OF WOOSTER
PART OF
N.W. & N.E. QTR. SEC. 32
T-16N ; R-13W
WAYNE TOWNSHIP
WAYNE COUNTY, OHIO

W. HIGHLAND AVENUE (C.R. 106)

REFERENCE SURVEY:
'M'-447
'R'-458
'AA'-279
'RR'-743
BASIS OF BEARING:
The bearings are to an assumed meridian.

- ✕ SPIKE FOUND
- I.P. OR PIPE FOUND
- 5/8" REBAR SET WITH I.D. CAP MARKED S.J.L. INC



Approved by The Council of the City of Wooster
this ___ day of _____, 20__.

MAYOR _____ CLERK _____
Approved by Wayne County Commissioners:
this ___ day of _____, 20__.

SCOTT S. WIGGAM JIM CARMICHAEL ANN M. OBRECHT
Approved for Recording:

this ___ day of _____, 20__.

Transferred: Wayne County Tax Map Office
this ___ day of _____, 20__ DOUGLAS K. GREEN (Sign)

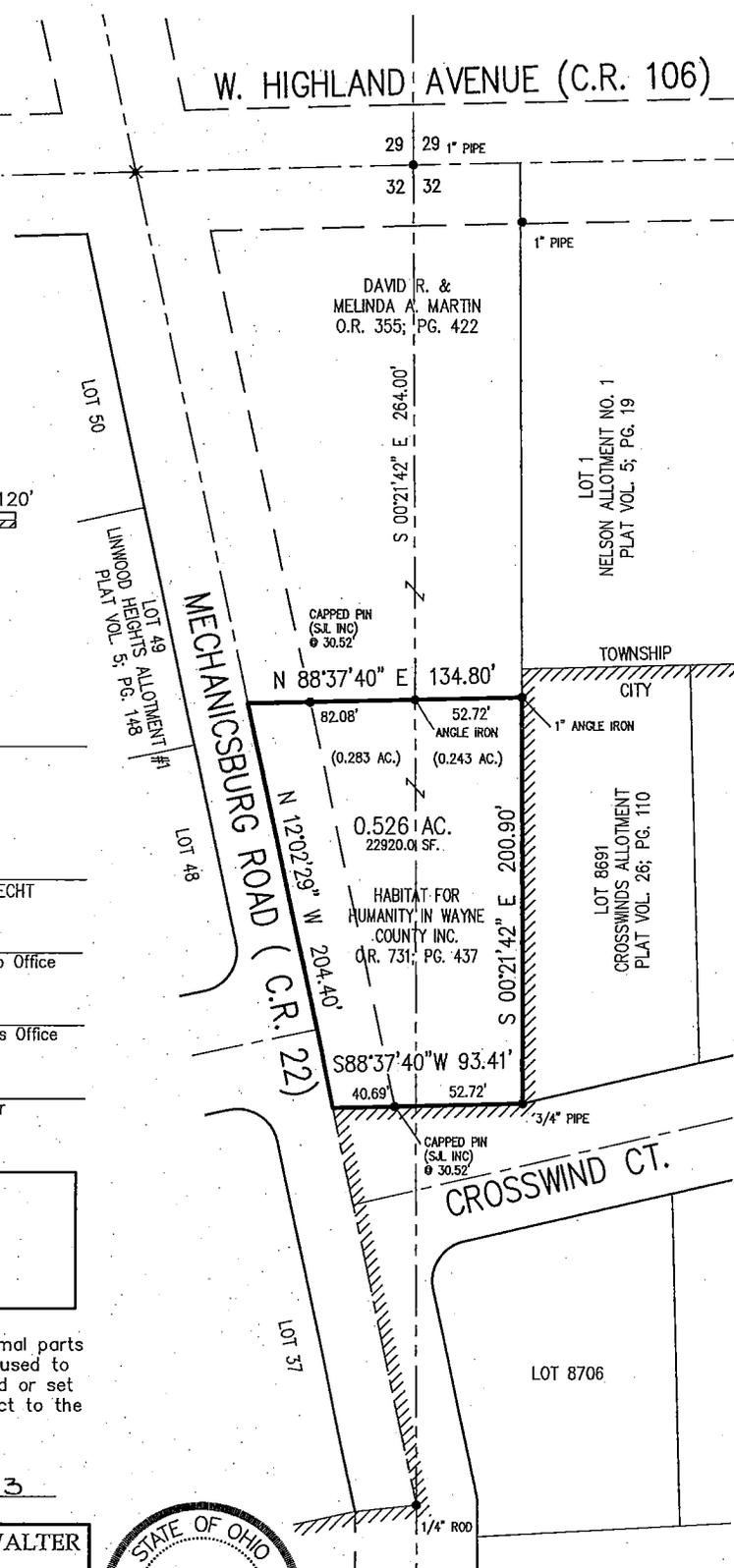
Filed for Record: Wayne County Auditor's Office
this ___ day of _____, 20__ (Print)

_____ @ _____ in Vol. _____ Pg _____
Wayne County Recorder JANE CARMICHAEL

AUDITOR:	_____
RECORDER:	_____
TOTAL:	_____

Distances shown hereon are expressed in feet and decimal parts thereof, bearings are to an assumed meridian and are used to express angles only, iron pins or monuments were found or set as indicated hereon. All of which I believe to be correct to the best of my knowledge.

By: *Mark E. Purdy* 1-17-13
Mark E. Purdy, P.S. #7307 Date



SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
Consulting Engineers & Surveyors
3477 Commerce Parkway, Suite C
Wooster, Ohio 44691
TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sjl@sjl-inc.com



RESOLUTION NO. 2013-65

A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO
FILE AN APPLICATION TO THE STATE OF OHIO
DEVELOPMENT SERVICES AGENCY ASSISTANCE UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND
DECLARING AN EMERGENCY

WHEREAS, the State of Ohio Development Services Agency ("ODSA") provides financial assistance to local governments for the purpose of promoting economic development; and

WHEREAS, the city of Wooster desires to apply for financial assistance to help defray the expense of extending water and sewer facilities to newly-annexed land located near the intersection of Akron Road (SR 585) and Geyers Chapel Road

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 file an application with the Ohio Development Services Agency for grant monies to be applied to the extension of water and sewer facilities as described above; to accept such funds, if awarded; and to execute any documents in accordance therewith.

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 prompt action is necessary to facilitate the filing of the application at the earliest possible time in order to facilitate completion of the project; 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 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: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Craig Sanders

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

Division PPM Division Project Name Capital Truck Purchase Requested Meeting Date July 1, 2013

- Approved for Agenda
 Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase
Purchase of a New dump truck to be used for road repair as well as snow and ice removal in the City.
Cost Center 331602-3360 Fully funded capital.
Approximate Cost \$150,000.00

Justifications / Benefits
No trade in will be given. This unit will be added as a front line truck to our snow removal system and this would only still provide us with 10 trucks for 6 snow routes. In heavy winter snows, 2 trucks per route would be our best response. The 2 oldest trucks in our current fleet are 1992 and a 1996 (4 of these total) Milage on these trucks have exceeded 100,000 miles each.

How will this project effect the City's operating budget?
N/A

What alternatives exist, and what are the implications of the alternatives?
Continue to operate with an aging fleet that may soon leave us without trucks and at a huge one time expense to repalce several or all vehicles at once.

- Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances
We will be using the State of Ohio bid program

- Requesting suspension of the rules?

If Yes, explain reasons.
We would like to move on the purchase of this vehicle over the summer months. These trucks are built for us and take 4-6 months to deliver.

Division Manager Daryl Decker Date 6/24/13

Rec #67

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

Division Engineering	Meeting Date Requested July 1, 2013
Project Name Akron Road Improvements - Phase 2; Resolution of Necessity for RW Aquisition	Approved for Agenda
Estimated Total Cost \$8,535 (value of parcel which may need to be filed for acquisition). Owner is the Ohio Central Telephone Corporation.	
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 declare the necessity of acquiring a certain property on Akron Road between Long Road and Gateway Drive as part of the WAY-585-0.57 Project. This request is to initiate the filing procedures for the unsigned propoerty, with the intent of reaching agreement with all before filing, but needing to initiate the process in order to meet statutory notice requirements if agreements cannot be reached and funding commitments jepardized.	
Justification / Benefits The design for this project is complete and has been awarded funds through the Ohio Dept. of Development for construction. In order to begin construction, all property interests must be obtained. Some properties may need to be acquired through the eminent domain process in order for this schedule to be met, which requires Council action to initiate.	
Will This Project Effect the City's Operating Costs This project should have little or no affect on the City's operating costs. The existing road would need to be maintained, ditches cleaned periodically, and utilities replaced if not improved.	
What Alternatives Exist and What Are The Implications of The Alternatives We can do nothing and forfeit the grant money, continue maintenance on the existing road, and not address the safety issues resulting from the narrow lanes and future traffic volume increase from potential devlopment.	
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 funding schedule must be followed. In order to begin utility relocation and roadway construction, all property interests must be obtained. Properties that need to be acquired through the eminent domain process require Council action to initiate. The public notice and filing requirements, along with the Council meeting schedule, require this legislation to be passed.	
In addition, Council has already passed 3 pieces of legislation previously authorizing design, ODOT funding applications, and ODOT funding agreements.	
Division Manager Roger Kobilarcsik	Date June 25, 2013

Res #68

TOTAL NUMBER OF :
 36 OWNERSHIPS 0 TOTAL TAXES
 106 PARCELS 0 OWNERSHIPS WITH STRUCTURES INVOLVED

RECORD AREA - TOTAL PRO - NET TAKE = NET RESIDUE
 GROSS TAKE - PRO IN TAKE = NET TAKE
 ALL AREAS IN ACRE UNLESS NOTED

GRANTEE:
 ALL RIGHT OF WAY ACQUIRED IN THE NAME OF
 THE CITY OF WOOSTER
 UNLESS OTHERWISE SHOWN.

PARCEL NO.	OWNER	SHEET NO.	BOOK	PAGE	RECORD PAGE	AUDITOR'S PARCEL	RECORD AREA	TOTAL P.R.O.	GROSS TAKE	P.R.O. IN TAKE	NET TAKE	STRUCTURE	NET RESIDUE	TYPE	REMARKS	AS ACQUIRED
2770	THB HOLDINGS, LLC	35, 36	OR 689	512	512	67-02585-000	0.581	0.092	0.055	0.092	0.003	(87 S.F.)	0.508	LOCAL	PARCEL 27 OVERLAPS PARCEL 28 BY AN AREA OF 0.0091 AC	
277					372				0.032	0.000	0.032	(131 S.F.)			TO COMPLETE GRADING & CONSTRUCT DRIVES, #4 ROCKS, 45' HEDGE UTILITY EASEMENT	
270									0.009	0.000	0.009	(392 S.F.)			LOT 1740 P.V. 21 PAGE 482 R/W DEDICATED PER PLAT	
2810	WHICHESTER WOODS PARTNERS, LLC	35, 36	OR 675	1695		67-02575-001	4.003	0.000	0.002	0.000	0.002	(87 S.F.)	4.001		LOT 1740 P.V. 21 PAGE 482 R/W DEDICATED PER PLAT	
281									0.013	0.000	0.013	(87 S.F.)			TO COMPLETE GRADING & CONSTRUCT DRIVE, #1 ROCK UTILITY EASEMENT	
280									0.004	0.000	0.004	(174 S.F.)			TO COMPLETE GRADING & CONSTRUCT DRIVE, #1 ROCK UTILITY EASEMENT	
2910-1A	JEFF E. SMITH	35, 36	OR 673	1842		67-02575-000	5.287	0.000	0.010	0.000	0.010	(87 S.F.)			LOT 1739 P.V. 21 PAGE 482 R/W DEDICATED PER PLAT	
2910-1B		37, 38				67-02568-000	0.459	0.000	0.030	0.000	0.030	(87 S.F.)			FORMERLY LOT 1023	
2910-2						TOTAL	5.746	0.000	0.068	0.000	0.068		5.678		LOT 1022 P.V. 21 PAGE 482 R/W DEDICATED PER PLAT	
291-1A									0.108	0.000	0.108				TO COMPLETE GRADING, 8 TREES, 11 BUSHES, 3 ROCKS	
291-1B									0.012	0.000	0.012				TO COMPLETE GRADING	
291-1C									0.009	0.000	0.009				TO COMPLETE GRADING	
291-2									0.024	0.000	0.024				TO COMPLETE GRADING & CONSTRUCT DRIVE, 4 TREES UTILITY EASEMENT	
290-1									0.043	0.000	0.043				TO COMPLETE GRADING & CONSTRUCT DRIVE, 4 TREES UTILITY EASEMENT	
301		37, 38	DV 433	169					0.057	0.000	0.057				TO COMPLETE GRADING & CONSTRUCT DRIVES, 1 STUMP UTILITY EASEMENT	
300-2									0.003	0.000	0.003				UTILITY EASEMENT	
310									0.043	0.000	0.043				UTILITY EASEMENT	
310		37, 38	OR 173	246		67-02581-011	1.575	0.000	0.000	0.000	0.000		1.575		LOT 1780 P.V. 22 PAGE 172 R/W DEDICATED PER P.V. 20 PAGE 592	
311															TO COMPLETE GRADING, 4 TREES 108 MONTH DURATION	
311															UTILITY EASEMENT	

NOTE: ALL TEMPORARY PARCELS TO BE OF 18 MONTH DURATION.
 UNDER NO CIRCUMSTANCES ARE TEMPORARY EASEMENTS TO BE USED FOR STORAGE OF MATERIAL OR EQUIPMENT BY THE CONTRACTOR UNLESS NOTED OTHERWISE.

OR = OFFICIAL RECORD VOLUME
 DV = DEED VOLUME
 LV = LEASE VOLUME
 PV = PLAT VOLUME

PARCEL LEGEND:
 WD = WARRANTY DEED
 T = TEMPORARY EASEMENT
 U = UTILITY EASEMENT

FOR INFORMATION ON PROPERTY EASEMENTS, SEE THE EASEMENT SUMMARY ON SHEET 13.
 * DENOTES R/W ENCROACHMENT

WDT	7/26/12	FILED-IN SHEET NO. COLUMN	
WDT	7/26/12	REVISED TOTAL NO. OF PARCELS TO 106	
REV. BY	DATE	DESCRIPTION	
FIELD REVIEW BY:	TIM LEACH	DATE: 7/17/2012	
OWNERSHIP VERIFIED BY:	WDT	DATE: 7/8/2012	
DATE COMPLETED:	7/20/2012		

WAY-585-0.57 (AKRON ROAD)

SUMMARY OF ADDITIONAL RIGHT OF WAY

STATE JOB NO.	PID NO.	FEDERAL PROJECT NO.
437849	86127	E090424

RESOLUTION NO. 2013-69

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 NEW STORM SEWER SERVING THE SPINK STREET AREA AND REPAIRS TO THE EXISTING SANITARY SEWER SERVING THAT AREA, AND DECLARING AN EMERGENCY

WHEREAS, in compliance with the City's Master Plan for Sewer Separation and the Long Term Control Plan, it is necessary to construct a new storm sewer serving the Spink Street area, from Bowman Street at Gasche Street to the Wayne County Historical Society; Belmont Street from Bowman to approximately 300 feet north of Spring Street; Spink Street at Bowman Street to just south of University Street; and Spring Street, from Spink Street to Beall Avenue, and including repairs to the existing sanitary sewer serving that area; and the cost of such project is included in the capital plan for 2013; and

WHEREAS, this City Council deems that prompt action is necessary to complete the project during the building season to improve the safe and efficient distribution of storm water and sanitary effluent within the area.

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 a new storm sewer serving the serving the Spink Street area, as described above, and including repairs to the existing sanitary sewer serving that area, in accordance with specifications now on file in his office.

SECTION 2. The cost of such contract will not exceed the amounts appropriated for this project.

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 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 provide for the safe and efficient treatment of storm water and sanitary effluent within the affected area; 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: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Craig Sanders

**Request for Agenda Item
Supporting Information and Details**

Division: Engineering	Meeting Date Requested: July 1, 2013
Project Name: Spink Street Spink Street North Sewer Separation	Approved for Agenda
Estimated Total Funds/Cost: \$950,000. \$540,000 is budgeted in the Storm Sewer Fund, \$160,000 is budgeted in the Sanitary Sewer Fund and \$35,000 is budgeted in the Water Fund with the remaining monies coming from an OPWC - \$500,000 zero interest loan	
Is Full Amount Budgeted/Accounted for? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
What are the funding implications, if any?	
Description Of Request: This is a request to advertise and enter into a contract with the lowest and best bidder for the construction of a new Storm sewer and Sanitary sewer repairs on Spink Street from Bowman Street at Gasche to the Historical Society, Belmont to first alley north, Spink from Bowman to just south of University and Spring Street from Spink to Beall Avenue. This project will install over 3525 feet of new storm sewer, 225 feet of sanitary sewer replacement, 500 feet of water line replacement and separation of storm sewer connections into the sanitary sewer.	
Justification / Benefits: This project is being requested in order to comply with the City's 10 year Infrastructure Plan, Master Plan for Sewer Separation, and CSO Long Term Control Plan. This project is required in order to eliminate combined sewer overflows and help eliminate sewer back-ups.	
Will This Project Effect the City's Operating Costs: This project should have little or no affect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives: Do nothing, and fail to comply with EPA's mandate to eliminate CSO's.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Explanation: This project needs to be advertised for bid before the next Council meeting to meet the OPWC funding schedule.	
Division Manager Roger Kobilarcsik	Date June 25, 2013

Res #69