

CITY COUNCIL AGENDA
August 19, 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:

1. The zoning of .526 acres (being petitioned for annexation) to a R-2 (Single Family Residential) District for property located at the northeast corner of Mechanicsburg Road and Crosswind Court. Zoning approval is contingent upon two lots being replatted into one. (Petitioner is Habitat for Humanity.)

VI. OLD BUSINESS

1. Second 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)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-27 AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Morris Stutzman, Esq., Agent for Petitioners Bruce and Jodi Steiner) (Knapic)
2. First Reading – ORDINANCE NO. 2013-28 AN ORDINANCE VACATING AN UNNAMED EAST/WEST ALLEY IN THE CITY OF WOOSTER (BETWEEN S. BEVER AND S. BUCKEYE STREETS) (Ulbright)
3. First Reading – ORDINANCE NO. 2013-29 AN ORDINANCE AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO ZONE NEWLY-ANNEXED LAND (0.661 ACRES) TO AN R-2 (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD (Knapic)
4. First Reading – ORDINANCE NO. 2013-30 AN ORDINANCE AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO ZONE NEWLY-ANNEXED LAND (0.526 ACRES) TO AN R-2 (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF MECHANICSBURG, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT (Knapic)
5. First Reading – ORDINANCE NO. 2013-31 AN ORDINANCE AMENDING CHAPTER 351, PARKING GENERALLY, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY ADOPTING A PROHIBITION AGAINST PARKING VEHICLES OF ANY DESCRIPTION UPON THE PUBLIC RIGHT OF WAY AND UTILIZING SUCH

VEHICLES FOR HUMAN HABITATION, AND DECLARING AN EMERGENCY
(Knapic)

6. First Reading – ORDINANCE NO. 2013-32 AN ORDINANCE AMENDING CHAPTER 123, DEPARTMENT OF ADMINISTRATION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO PROVIDE FOR THE REORGANIZATION OF THAT DEPARTMENT, AND DECLARING AN EMERGENCY (Knapic)
7. First Reading – ORDINANCE NO. 2013-33 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF AKRON ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING A TURNING LANE, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY (Ulbright)
8. First Reading – ORDINANCE NO. 2013-34 AN ORDINANCE AMENDING CHAPTER 925, STORM DRAINAGE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY UPDATING THE APPLICABLE CHARGE IN CERTAIN ZONING DISTRICTS AND MODIFYING THE CHARGE FOR PROPERTIES WITHIN AN ESTABLISHED FLOODWAY (Knapic)
9. First Reading – ORDINANCE NO. 2013-35 AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO CONFORM TO A RECENT REORGANIZATION (Knapic)
10. First Reading – ORDINANCE NO. 2013-36 AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH A QUALIFIED VENDOR FOR THE CONSTRUCTION AND MAINTENANCE OF A COMMUNICATIONS TOWER AND RELATED FACILITIES ON CITY-OWNED PROPERTY; AND DECLARING AN EMERGENCY (Cavin)
11. First Reading – RESOLUTION NO. 2013-70 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013 (Ulbright)
12. First Reading – RESOLUTION NO. 2013-71 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH OHM ADVISORS OF GAHANNA, OHIO FOR COMPREHENSIVE PLANNING SERVICES (Ansel)
13. First Reading – RESOLUTION NO. 2013-72 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 RESURFACING OF PORTIONS OF LARWILL AND MARKET STREETS, AND DECLARING AN EMERGENCY (Ulbright)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

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, refiling, 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

RECEIVED
COUNTY CLERK
WAYNE COUNTY
COMMISSIONERS OFFICE
1000 STATE ST
WOOSTER, OHIO 44691
FEB 21 2013

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

Diane L. Austen
Wayne County Commissioners
Diane L. Austen

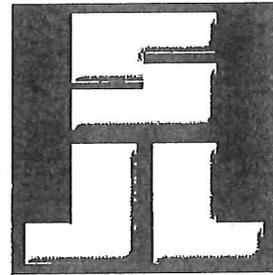
**LIST OF ALL TRACTS, LOTS AND PARCELS IN THE
TERRITORY PROPOSED FOR ANNEXATION AND ADJACENT
TO THAT TERRITORY OR DIRECTLY ACROSS THE ROAD FROM IT**

Owner Name	Mailing Address	Permanent Parcel Number
Habitat for Humanity in Wayne County, Inc.	1451 Spruce Street Ext., Wooster, OH 44691	53-00028.000
Habitat for Humanity in Wayne County, Inc.	1451 Spruce Street Ext., Wooster, OH 44691	53-00029.000
John K. Collier	1606 Linwood Dr., Wooster, OH 44691	53-00991.000
Jeffrey L. Fickes and Jeri L. Fickes	1580 W. Highland Ave., Wooster, OH 44691	53-01049.000
David R. Martin and Melinda A. Martin	2367 Mechanicsburg Rd., Wooster, OH 44691	53-00114.000
Michael V. Naylor and Michelle R. Naylor	1569 Crosswind Ct., Wooster, OH 44691	68-02620.045
David M. Odiam and Kellie M. Omeara	1574 Crosswind Ct., Wooster, OH 44691	68-02620.092
John D. Ott and Kathryn L. Ott	1605 Linwood Dr., Wooster, OH 44691	53-00100.000
John D. Ott and Kathryn L. Ott	1605 Linwood Dr., Wooster, OH 44691	53-00101.000

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ell no lenighto ord lo yqzo

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

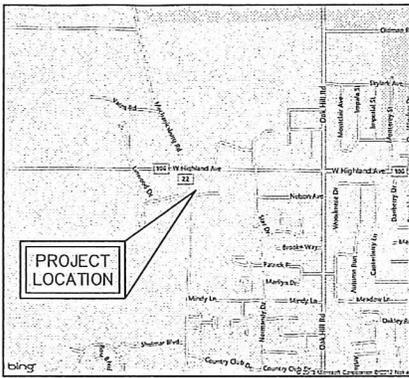
Page 2 (Description of 0.526 ac.)

- 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.

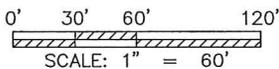


LOCATION MAP

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

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 SJL 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:
this ___ day of _____, 20__.

Filed for Record:
this ___ day of _____, 20__.

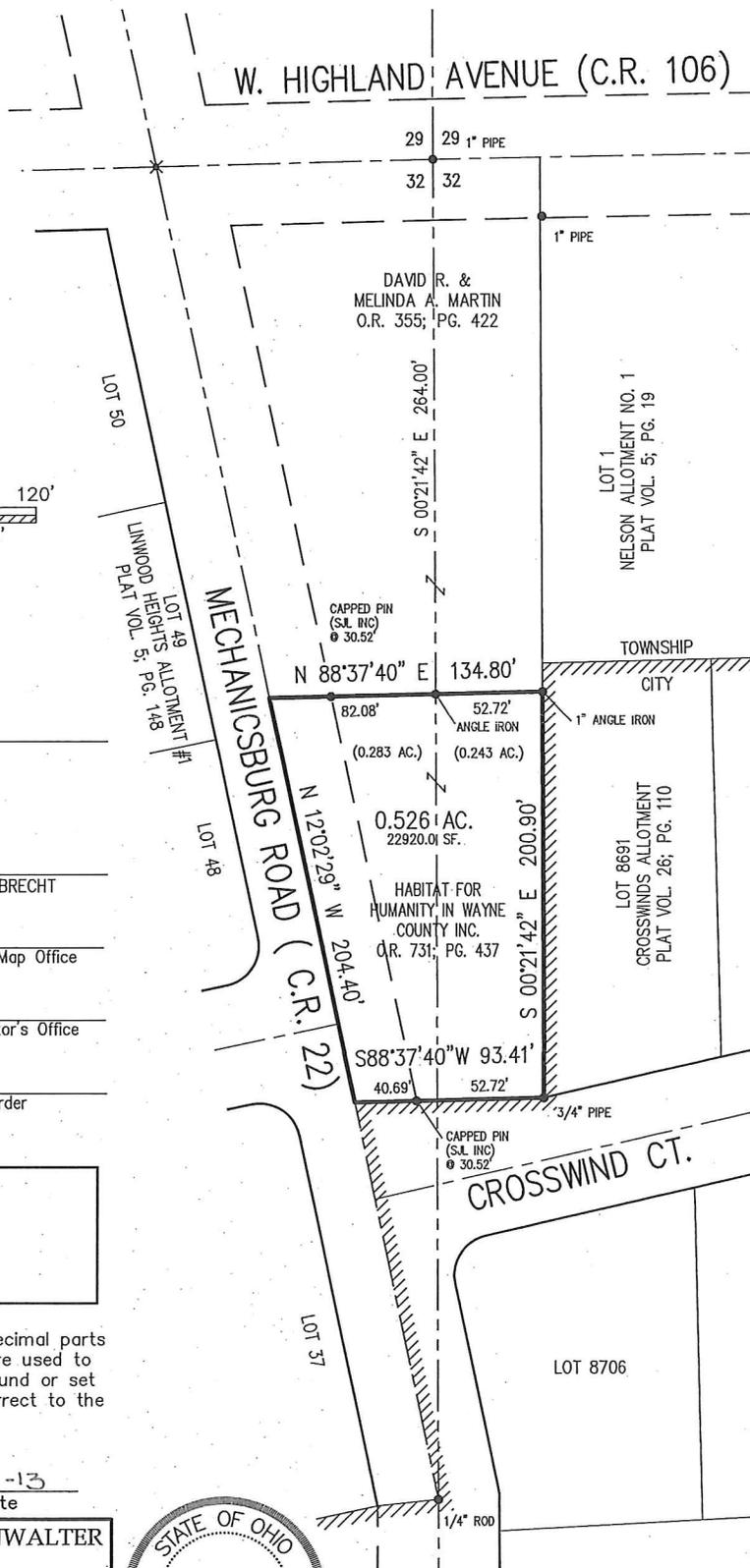
___ @ ___ in Vol. ___ Pg. ___
Wayne County Tax Map Office
DOUGLAS K. GREEN
(Sign)
Wayne County Auditor's Office
(Print)
Wayne County Recorder
JANE CARMICHAEL

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



ORDINANCE NO. 2013-27

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Morris Stutzman, Esq., Agent for Petitioners Bruce and Jodi Steiner)

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

SECTION 1. That the proposed annexation (consisting of approx 0.661 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 June 5, 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 County Commissioners of Wayne County, Ohio.

The undersigned, being a majority of the owners of the real estate in the territory hereinafter described, do hereby petition for the annexation of said real estate to the City of Wooster, Wayne County, Ohio pursuant to Chapter 709 of the Ohio Revised Code.

An accurate legal description of the perimeter of the territory sought to be annexed is set forth on Exhibit A attached hereto and incorporated herein by reference (the "Territory"); and an accurate map or survey of the Territory proposed for annexation is attached hereto as Exhibit B and incorporated herein by reference. .

The Territory is adjacent and contiguous to the City of Wooster, Ohio.

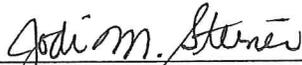
Morris Stutzman is hereby appointed agent for the undersigned petitioners as required by Section 709.02 of the Ohio Revised Code and is granted full power and authority to amend, alter, change, correct, withdraw or refile this Petition, increase or decrease the size of the Territory and do any and all things essential to this Petition and take any other action necessary pertaining to the granting of this Petition.

The number of owners of real estate in the above-described Territory is two (2). Pursuant to Section 1702.02 (E) of the Ohio Revised Code, that portion of said Territory which is a dedicated roadway has not been included in determining the total number of owners necessary to file this petition.

Date: March 13, 2013


Bruce A. Steiner

Date: March 13, 2013


Jodi M. Steiner

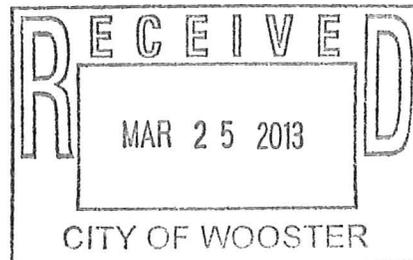


EXHIBIT "A"

Situated in the State of Ohio, County of Wayne and Township of Wayne, in the Southwest Quarter of Section 26, T-16N, R-13W;

And known as being Lot 3 in the Weekley Allotment No. 1, as shown by the plat recorded in Volume 5, Page 173 of the Wayne County, Ohio Plat Records, and part of a dedicated roadway, and further bound and described as follows:

BEGINNING at an iron pin at the northeast corner of Lot 2 in said Weekley Allotment No. 1;

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

1. North 86° 33' 00" West, 200.00 feet along the northerly line of said Lot 2 and its westerly prolongation to a point in Melrose Drive (T.R. 113) and on the Wooster City corporation line - witnessed by an iron pin South 86° 33' 00" East, 30.00 feet at the northwest corner of said Lot 2;
2. North 02° 56' 00" East, 144.00 feet in Melrose Drive (T.R. 113) and along said corporation line to a point - witnessed by an iron pin South 86° 33' 00" East, 30.00 feet at the southwest corner of Lot 4 in said Weekley Allotment No. 1;
3. South 86° 33' 00" East, 200.00 feet easterly in Melrose Drive (T.R. 113) and along the southerly line of said Lot 4 to an iron pin at the southeast corner thereof and on the westerly line of lands conveyed to Ann L. Kinney in Volume 643, Page 182 of the Wayne County Deed Records;
4. South 02° 56' 00" West, 144.00 feet along the westerly line of said Kinney lands to the PLACE OF BEGINNING.

The above-described parcel contains **0.661 acre** of which 0.562 acre is in Lot 3 and 0.099 acre is in the dedicated roadway, more or less, and subject to all legal highways and easements of record.

This description was prepared by Mark E. Purdy, P.S. #7307, of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2013.

Basis of Bearing: This survey is based on the west line of the Southwest Quarter of Section 26, bearing North 2° 56' East, as shown on Survey "Q", Page 291 by Ray W. Gasbarre dated February, 1957.

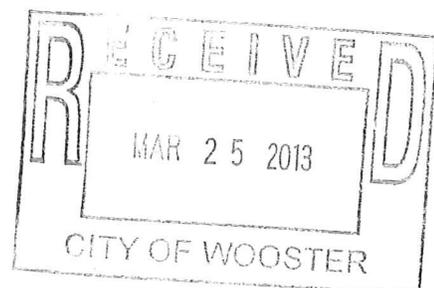
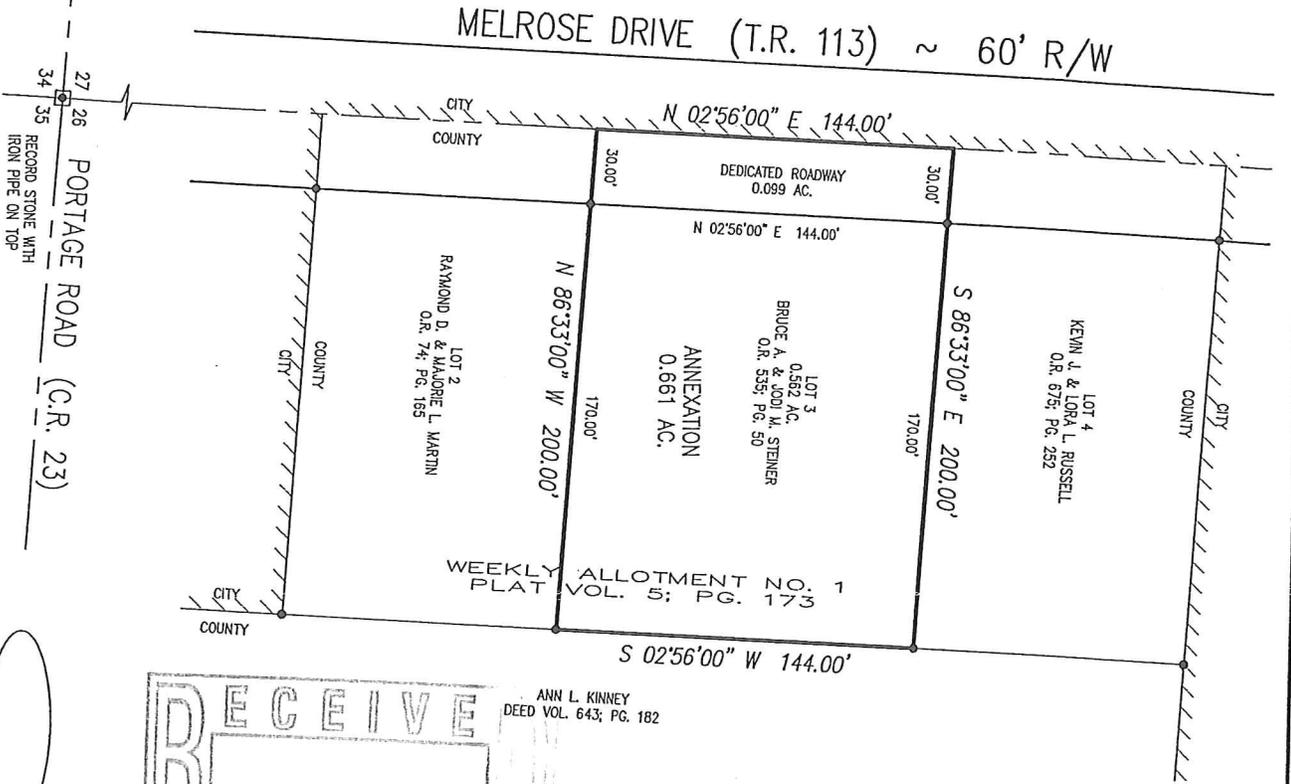
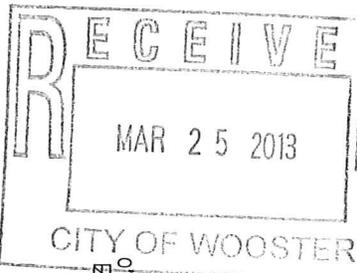


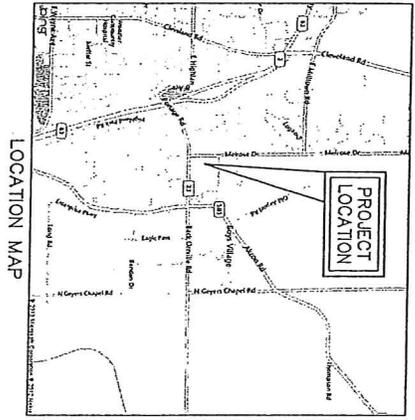
EXHIBIT "B"



ANN L. KINNEY
DEED VOL. 643; PG. 182



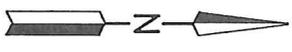
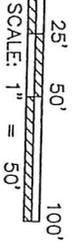
ANNEXATION PLAT
0.661 AC.
TO THE
CITY OF WOOSTER
PART OF
S.W. QTR. SEC. 26
T-16N ; R-13W
WAYNE TOWNSHIP
WAYNE COUNTY, OHIO



This survey is based on the west line of the Southwest Quarter of Section 26, bearing N 2°56' E, as shown on survey Q-291 by Roy W. Gasbarre dated February 1957.

REFERENCE SURVEY:
Q-291

● RECORD IRON CORNER



SHAFER, 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@sjf-inc.com

By: *[Signature]* Date: 7-4-13
Mark E. Purdy, P.S. #7307

DWG NO.: SW-5519 JOB NO: SW-5519 SHEET 1 OF 1

Distances shown hereon are expressed in feet and decimal parts thereof, bearings 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.



AUDITOR:	
RECORDER:	
TOTAL:	

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

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

MAAYOR _____ CLERK _____

SCOTT S. WIGGAM JIM CARMICHAEL ANN M. OBRECHT
Approved for Recording: this ___ day of ___, 20__

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

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

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

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)

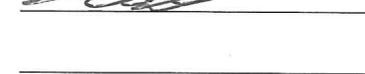
S. BUCKEYE EAST TO ALLEY between lot numbers 64-1127/64-1128/64-1129/64-480/64-481
(street name/alley description) (numbers of all lots abutting the alley to be vacated)

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)

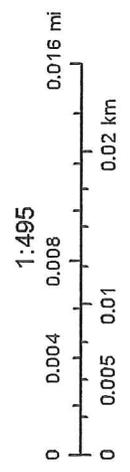
Each owner must sign. If jointly owned, all parties must sign.

Lot number

	and _____	<u>169</u>
	and _____	<u>1866</u>
	and _____	<u>1865 NPT</u>
	and _____	<u>170</u>
	and _____	<u>1865 SPT</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



May 18, 2013

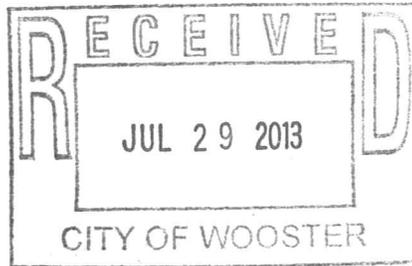
**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

Planning Commission recommended to City Council the R-2 zoning as requested by the applicant for property located at 2553 Melrose Drive (see attached).



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

Manager Requesting

Date

Approved for Agenda

Ord # 29

ROBERT F. BRENEMAN
Mayor



ANDREW DUTTON
Planning & Zoning Manager
330-263-5238

LAURIE HART
Administrative Assistant
330-263-5200 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: August 13, 2013
TO: City Council
FROM: Andrew Dutton
RE: 2553 Melrose Drive Annexation

The Planning Commission heard application #ZC-254 at their July 24th meeting to recommend the zoning of 2553 Melrose Drive upon annexation. The applicant requested R-2 (Single-Family) zoning for the property and staff recommended a zoning of R-3 (Attached Single-Family/Townhouse). After discussion, the Planning Commission voted unanimously to recommend an R-2 zoning of the property per the applicants request and the existing sites non-conformance with R-3 district setback regulations.

The staff report outlines the difference between the zoning districts and the history of annexations in the area. Section 1135.03, Area and Density Regulations, not included in the staff report, states:

"In the R-3 and R-4 Districts, single-family dwellings on individually subdivided lots shall comply with the regulations for detached, single family homes in the R-2, Single Family District that are contained in Chapter 1133, Single Family Residential Districts".

This section was previously interpreted to be limited to similar area and density regulations in the R-2 district. Based on conversations with D.B. Hartt, the firm that worked with the city to draft the 2007 Zoning Code update, this section intended to apply all regulations of the R-2 District, including setbacks, to single family properties located in the R-3 district.

I have been in contact with the applicant to discuss Section 1135.03 and their concerns of zoning the property R-2 or R-3.



Development Plan #ZC-254 Melrose Drive Map Amendment

Property Owners: Bruce and Jodi Steiner
Applicant: Morris Stutzman
Location: 2553 Melrose Drive
Proposed Zoning: R-2 (Single-Family Residential)

Location and Surrounding Land Uses

The subject annexation consists of a single property encompassing 0.661 acres located on the east side of Melrose Drive. The property is currently located in unincorporated Wayne Township. Properties to the north and south contain single-family homes located in unincorporated Wayne Township. Property to the east is a large undeveloped parcel in Wayne Township. Properties to the west are a school property zoned CF (Community Facilities) and a large single-family residential lot zoned R-1 (Suburban Single-Family).



Proposed Annexation and Zoning

The applicant has proposed the annexation of the 0.661 acres into the City of Wooster. A portion of the area, 0.099 acres, will be dedicated public right-of-way, leaving approximately 0.56 acres of usable lot area.

Section 1101.09 states: Unless otherwise stated in the conditions of annexation, territory annexed to or otherwise becoming a part of the City shall be zoned by Council upon recommendation of the Planning Commission as per Chapter 1119, Amendments. The Planning Commission shall recommend a zoning classification to Council prior to the time Council accepts an annexation.

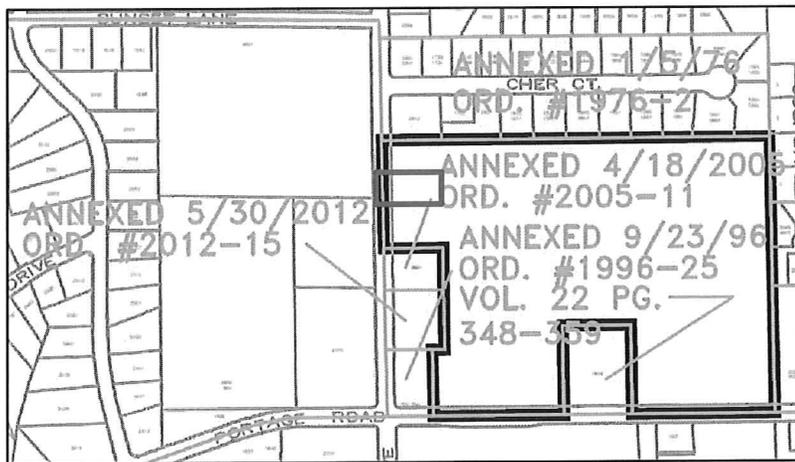


The Wayne County Commissioners voted on June 7, 2013 to approve a resolution for the annexation of the 0.661 acres into the City of Wooster.

Comprehensive Plan/Annexations

The applicant has proposed a zoning of R-2 (Single-Family) for the property. The Wooster Comprehensive Plan, which typically would guide such a zoning classification, does not place the unincorporated area northeast of the intersection of Porter Road and Melrose Drive in one of the plan’s Development Character Areas. The area is between the Portage Road/585 Commercial Character Area and the Central Residential Neighborhood Character Area of the Comprehensive Plan. The former is identified for commercial development and the latter is identified for continued single-family residential development.

The unincorporated area northeast of the intersection of Porter Road and Melrose Drive is an area of transition between commercial zoning to the south and east and single-family residential zoning to the north and west. Recent annexations in the area, indicated below in 1996, 2005 and 2012, have been zoned R-3 (Attached Single-Family/Townhouse).



Zoning of the properties as R-3 likely aimed to provide a multi-family use between existing commercial and single-family residential zoning and uses. Transitioning from industrial, to commercial, to multi-family residential, to single-family residential is a common practice in traditional zoning. The practice aims to transition more intensive uses to less intensive uses and avoid adjacent incompatible land uses.

Zoning Districts

R-2 Zoning District

The district allows for single-family homes as a permitted use, two-family homes as conditional use, and a number of community facilities and open space uses as conditional uses. The R-2 district also has the following minimum lot requirements, which the subject property meets.

Minimum Lot Size	0.15 acres
Minimum Lot Width	50 ft.
Maximum Lot Coverage	25% or 2,300 sq. ft. (whichever is greater)



R-3 Zoning District

The district allows for single-family homes (for lots created prior to June 21, 2007), attached single-family dwellings, multi-family dwellings, and a number of community facilities and open space uses as conditional uses. The R-3 district also has the following minimum lot requirements, which the subject property meets.

Minimum Lot Size	None, 5 acres for a development
Minimum Lot Width	100 ft.
Maximum Lot Coverage	25%

Staff Recommendation

Staff recommends a zoning of R-3 (Attached Single-Family/Townhouse) for the property at 2553 Melrose Drive. An R-3 zoning is consistent with the zoning of recently annexed properties in the unincorporated area northeast of the intersection of Porter Road and Melrose Drive, provides a transition in zoning districts between commercial and single-family residential and does not create nonconforming conditions on the subject property.

Criteria for Approval

When a proposed amendment would result in a change of zoning classification of any property, the Planning Commission and the City Council should consider whether:

- (1) The change in classification would be consistent with the Comprehensive Plan of the City or other adopted plans and policies.
- (2) The change in classification would be consistent with the intent and purposes of this Planning and Zoning Code.
- (3) The proposed amendment is made necessary because of changed or changing conditions in the area affected, and if so, the nature of such changed or changing conditions.
- (4) The uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The Planning Commission may suggest conditions and restrictions on the uses that would be permitted on the property if it were reclassified in order to attain compatibility with the uses permitted on other property in the immediate vicinity.
- (5) The uses that would be permitted on the property if it were reclassified would have an adverse environmental or health impact on the immediate surrounding area in terms of acceptable air, noise, light, or water quality standards.
- (6) Adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.
- (7) The amount of vacant land with the same zoning classification as proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, if any, make a substantial part of such vacant land unavailable for development.
- (8) The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

**Supplemental Information
Request for Zoning Code Amendment**

1. The name, address and phone number of the applicant and the property owner if other than the applicant.

Applicant: Morris Stutzman, Attorney
2171 Eagle Pass
Wooster, Ohio 44691
(330) 264-6115

Property Owners: Bruce A. Steiner
Jodi M. Steiner
2553 Melrose Drive
Wooster, Ohio 44691

2. A statement of the reason(s) for the proposed amendment.

The reason for the proposed amendment is that the Wayne County Commissioners have approved annexation of the property to the City of Wooster. A single family residence is located on the property. The applicant/owners are requesting that the Planning Commission recommend to City Council that the property be given a zoning classification of R-2 when it is annexed.

3. A statement on the ways the proposed amendment relates to the Comprehensive Plan.

The property, which has frontage on Melrose Drive, would appear to be at the edge of the "Central Residential Neighborhood" identified in the City's Comprehensive Plan and in close proximity to the "Portage Road - SR 585 Commercial Area".

The Comprehensive Plan recommends continued single family residential development for its "Central Residential Neighborhood" and a mix of retail, office and residential for its "Portage Road - SR 585 Commercial Area".

The property has a single family home located on it and so, an R-2 classification would be consistent with the City's Comprehensive Plan.

4. Legal description of the parcel(s) to be rezoned, drawn by an Ohio registered/licensed surveyor.

A legal description and survey of the parcel to be re-zoned are attached hereto as Exhibits A and B.

FILE COPY

5. Present use and zoning district.

The property is presently used as a single family residence. It is located outside the City of Wooster and therefore, not within any zoning district.

6. Proposed use and zoning district.

The proposed use of the property is residential; and applicant/owners are proposing R-2 as its zoning district.

The adjacent properties are not within the City's limits and therefore, not zoned. However, the properties farther north (corner of Melrose and Cher Court as well as along Cher Court) are zoned R-2. Therefore R-2 is consistent with other properties within the City located in the immediate vicinity of this property.

7. A vicinity map showing property lines, thoroughfares, existing and proposed zoning.

A copy of the existing Zoning Map for properties in the vicinity of the property which is the subject of this Zoning Amendment is attached hereto as Exhibit C.

8. A list of all property owners lying within 200 feet of any of the property in which the zoning amendment is requested, including their addresses and permanent parcel numbers as shown on the Wayne County Auditor's current tax list.

Such list is attached hereto as Exhibit D.

**Request for Agenda Item
Non-Capital**

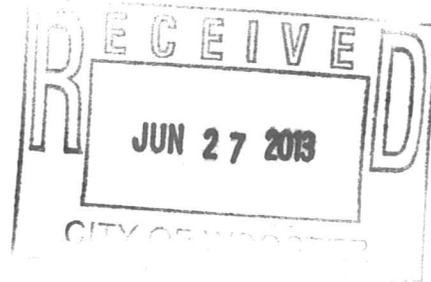
Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

Annexation and zoning of 0.526 acres at the northeast corner of Mechanicsburg Road and Crosswind Court to an R-2 District upon annexation to the City of Wooster as requested by Habitat for Humanity of Wayne County.

Planning Commission recommended approval of the R-2 zoning to City Council, contingent upon the two lots being replatted into one.



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

Manager Requesting

Date

Approved for Agenda

Ord #30

ROBERT F. BRENEMAN
Mayor



ANDREW DUTTON
Planning & Zoning Manager
330-263-5238

LAURIE HART
Administrative Assistant
330-263-5200 x304

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

June 27, 2013

Wooster City Council
538 North Market Street
Wooster, OH 44691

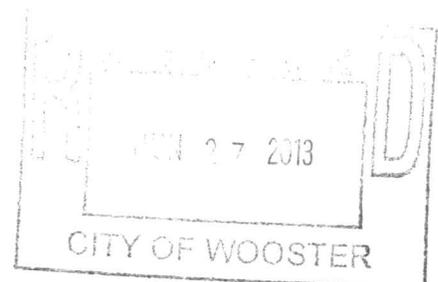
Dear Council Members:

At the June 26, 2013 meeting of the Wooster City Planning Commission, a motion was made and carried to recommend to Council approval of a zoning map amendment to designate 0.526 acres at the northeast corner of Mechanicsburg Road and Crosswind Court to an R-2 (Single Family Residential) District upon annexation to the City of Wooster, contingent upon the two lots being replatted into one.

Sincerely,

Kevin Lowry, Chairman
Wooster City Planning Commission

KL/lah
Enclosures—Request for Agenda Item (City Council)
cc: Matthew Long, Critchfield Law Firm



CITY OF WOOSTER
PLANNING COMMISSION

ZONING/REZONING REQUESTS/ZONING CODE AMENDMENTS

Application # ZC 253

Municipal Building, 538 North Market Street, 1st Floor, Wooster, Ohio 44691

330.263.5235

Owner
 Agent
 Lessee
 Signed Purchase Contract

APPLICANT'S NAME: Matthew A. Long - Critchfield, Critchfield & Johnston, Ltd.
(Street Address) 225 North Market Street
(City) Wooster (State) Ohio (Zip) 44691
(Telephone Number) (330) 264-4444

PROPERTY OWNER'S NAME: Habitat for Humanity in Wayne County, Inc.
(Street Address) 1451 Spruce Street Extension
(City) Wooster (State) Ohio (Zip) 44691
(Telephone Number) (330) 264-4999

TYPE OF REQUEST/FILING FEE/SUBMITTAL REQUIREMENTS:

Zoning Recommendation Rezoning Request Zoning Code Amendment

Filing Fee: \$120.00

Address and/or Location of Property: See attached - Exhibit A

of Lots: See attached - Exhibit A Lot Acreage: See attached - Exhibit A Lot Number(s): See attached - Exhibit A

Existing Use: N/A Proposed Use: Single Family Residential

Current Zoning District (if applicable): N/A Proposed Zoning District (if applicable): R-2

Description of Request: This request is part of the Property Owner's request for annexation of the above referenced real property into the City of Wooster. The Property Owner intends to develop the property into a single family residential use. All adjacent properties within the City of Wooster are also zoned R-2, and the Proposed Zoning District conforms intent of the Comprehensive Plan (Area 11 - Central Residential Neighborhood)

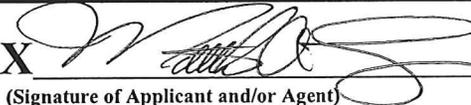
Per Zoning Code Section 1115.14, the following information must be submitted **at the time of filing of the application:**

- (1) The name, address and phone number of the applicant and the property owner if other than the applicant;
- (2) A statement of the reason(s) for the proposed amendment;
- (3) A statement on the ways in which the proposed amendment relates to the Comprehensive Plan; and
- (4) The payment of the application fee noted above.

Amendments to the Zoning Map shall contain the following additional information:

- (5) Legal description of the parcel(s) to be rezoned, drawn by an Ohio registered/licensed surveyor;
- (6) Present use and zoning district;
- (7) Proposed use and zoning district;
- (8) A vicinity map at a scale approved by the Zoning Administrator showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Administrator may require;
- (9) A list of all property owners lying within 200 feet of any part of the property on which the zoning amendment is requested, including their addresses and permanent parcel number, as shown upon the County Auditor's current tax list;
- (10) Existing topography at two-foot contour intervals of the property to be rezoned and extending at least 250 feet outside the proposed site, and including property lines, easements, street rights-of-ways, existing structures, trees and landscaping features existing thereon; and
- (11) Applicant shall furnish **thirteen (13) copies** of the information noted above. Please note that all maps submitted with this proposal must be pre-folded.

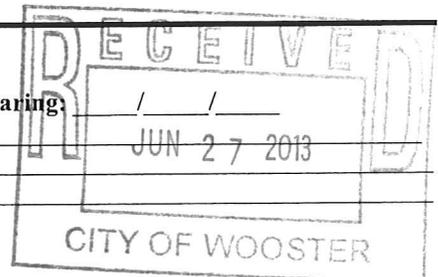
The applicant or a representative who is authorized to speak on behalf of the request must be present at the meeting.

X 
(Signature of Applicant and/or Agent)

X 5/9/13
(Date)

FOR OFFICIAL USE ONLY

Date Filed: ___/___/___ Date Paid: ___/___/___ Date of Hearing: ___/___/___
Decision: Granted Denied Conditions: _____



ATTACHMENT TO ZONING RECOMENDATION

Applicant: Matthew A. Long – Critchfield, Critchfield & Johnston, Ltd.
Property Owners: Habitat for Humanity in Wayne County, Inc.

Location of Property: See *Exhibit A*.

1. See Application for Zoning Recommendation.
2. See “Description of Request” on the cover page of the Application.
3. See “Description of Request” on the cover page of the Application, as well as *Exhibit B* attached hereto and made part hereof.
4. Applicant has paid all applicable fees.
5. See attached *Exhibit A* (legal description of the property).
6. Not applicable.
7. See Application for Zoning Recommendation.
8. See attached *Exhibit C* (Annexation Plat).
9. See attached *Exhibit D* (a list of all Property Owners in the area).
10. Please see *Exhibit C* (Annexation Plat). Further information can be obtained upon request.

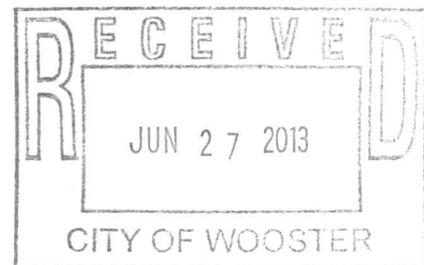


Exhibit A

Boundary description of a 0.526 acre parcel

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;
- 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.

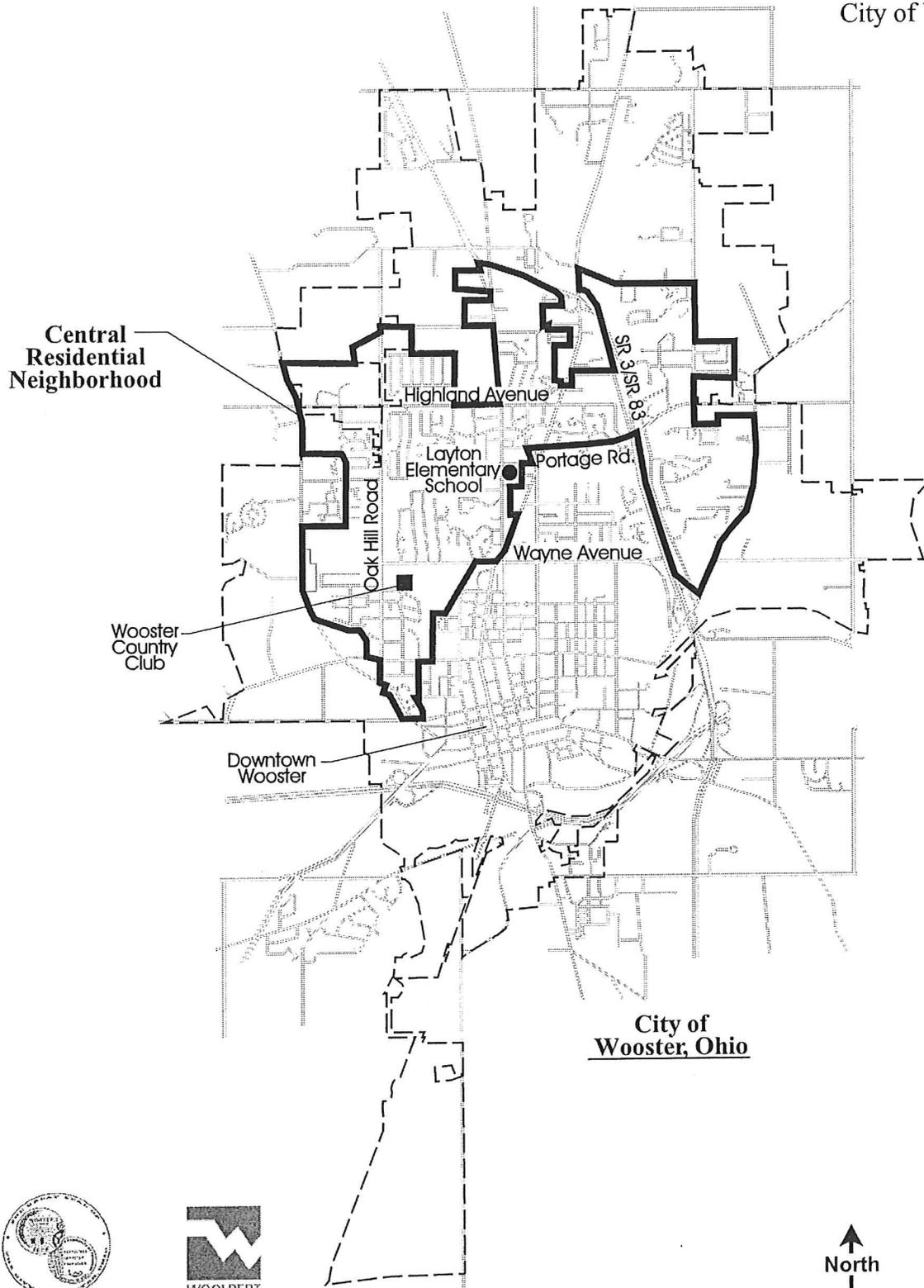
This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2013.
Bearings are to an assumed meridian.

Exhibit B
Comprehensive Plan

Figure 8-12
**Development Character
Area 11
Central Residential Neighborhood**
Comprehensive Plan

City of Wooster, Ohio

October 2002



NOT TO SCALE

CITY OF WOOSTER

Development Character Area 11—Central Residential Neighborhood

Background and Existing Conditions

The series of neighborhoods in the Central Residential area, Figure 8-12, are comprised primarily of single family detached homes. The Wooster Country Club is a major land user within this area. Many of the homes in this area are medium to large homes on curvilinear and cul-de-sac streets. There is very little land available for new development without significant environmental constraints.

Issues

Issues facing the future of the Central Residential DCA include the following:

- ▶ Duplex development within single family areas.
- ▶ Replacement of lift station with a gravity system.

Recommendations

General recommendations for the Central Residential Neighborhood DCA include the following:

- ▶ Continue to permit single family residential development.
- ▶ Continue pedestrian friendly street designs and linkages between neighborhoods.

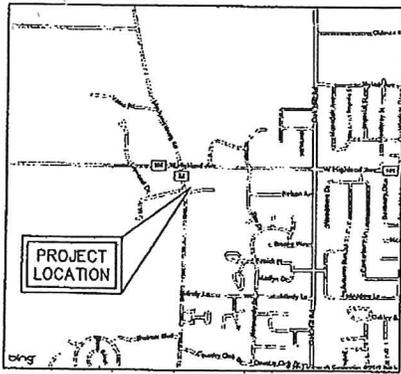
Exhibit C
Adjacent Property Owners

Owner Name	Mailing Address	Permanent Parcel Number
Habitat for Humanity in Wayne County, Inc.	1451 Spruce Street Ext., Wooster, OH 44691	53-00028.000
Habitat for Humanity in Wayne County, Inc.	1451 Spruce Street Ext., Wooster, OH 44691	53-00029.000
John K. Collier	1606 Linwood Dr., Wooster, OH 44691	53-00991.000
Jeffrey L. Fickes and Jeri L. Fickes	1580 W. Highland Ave., Wooster, OH 44691	53-01049.000
David R. Martin and Melinda A. Martin	2367 Mechanicsburg Rd., Wooster, OH 44691	53-00114.000
Michael V. Naylor and Michelle R. Naylor	1569 Crosswind Ct., Wooster, OH 44691	68-02620.045
David M. Odiam and Kellie M. Omeara	1574 Crosswind Ct., Wooster, OH 44691	68-02620.092
John D. Ott and Kathryn L. Ott	1605 Linwood Dr., Wooster, OH 44691	53-00100.000
John D. Ott and Kathryn L. Ott	1605 Linwood Dr., Wooster, OH 44691	53-00101.000
Lois Mullen	2382 Mechanicsburg Rd., Wooster, OH 44691	53-00155.000
Lois Mullen	2382 Mechanicsburg Rd., Wooster, OH 44691	53-00888.000
James G. Miller and Cynthia J. Miller	1560 W. Highland Rd., Wooster, OH 44691	53-01050.000
Judith Buren	1612 Linwood Dr., Wooster, OH 44691	53-01080.000
Roger L Shiplett and Linda L. Shiplett	1551 Crosswind Ct., Wooster, OH 44691	68-02620.78
Thomas W. Pelkey	1533 Crosswind Ct., Wooster, OH 44691	68-02620.79
Dennis J. Derflinger and Veronica K. Derflinger	1534 Crosswind Ct., Wooster, OH 44691	68-02620.090
Bradley S. Eberly and Nicole M. Eberly	1552 Crosswind Ct., Wooster, OH 44691	68-02620.091

Exhibit D
Annexation Plat

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



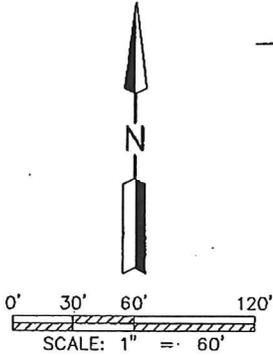
LOCATION MAP

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__ (Sign) DOUGLAS K. GREEN

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.

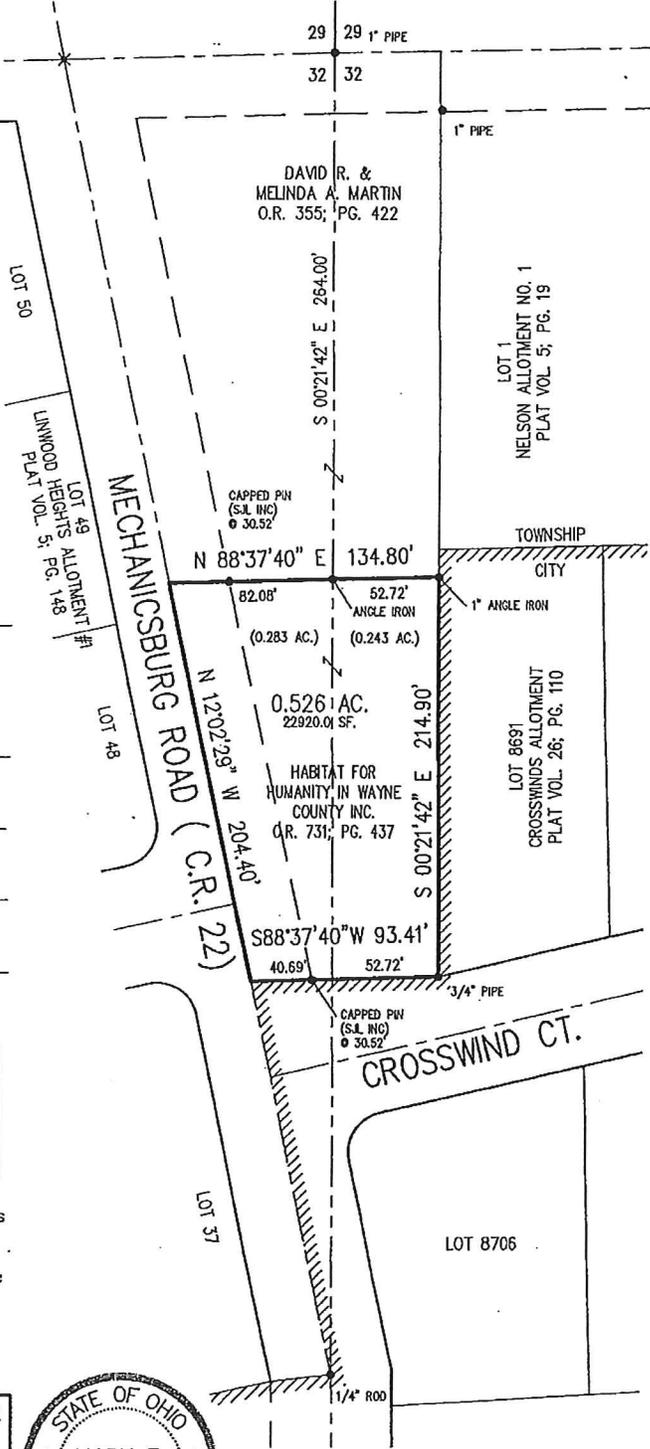
By: Mark E. Purdy 1-17-13
Mark E. Purdy, P.S. #7307 Date

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



DRAWN C. Felt	CHECKED	SCALE 1" = 60'	DATE 01/17/13
DWG NO: EW-832B-ANNEX		JOB NO: EW-832OB	
		SHEET 1 OF 1	

W. HIGHLAND AVENUE (C.R. 106)



DAVID R. & MELINDA A. MARTIN
O.R. 355; PG. 422

CAPPED PIN (S.J.L INC) @ 30.52'

0.526 AC.
22920.01 SF.

HABITAT FOR HUMANITY IN WAYNE COUNTY INC.
O.R. 731; PG. 437

CAPPED PIN (S.J.L INC) @ 30.52'

LOT 8706

LOT 1
NELSON ALLOTMENT NO. 1
PLAT VOL 5; PG. 19

LOT 8691
CROSSWINDS ALLOTMENT
PLAT VOL. 26; PG. 110

LOT 49
ALLOTMENT #1
LINWOOD HEIGHTS
PLAT VOL. 5; PG. 148

LOT 48

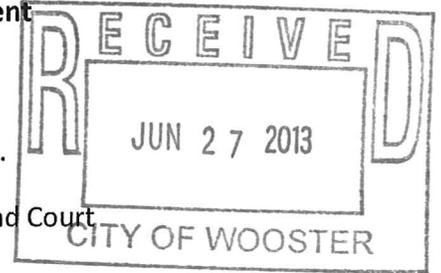
LOT 37

MECHANISBURG ROAD (C.R. 22)

CROSSWIND CT.



**Development Plan #ZC-253
Mechanicsburg Rd/Crosswind Ct Map Amendment**



Property Owner: Habitat for Humanity in Wayne County Inc.
Applicant: Matthew Long of Critchfield, Critchfield & Johnson, Ltd.
Location: Northeast corner of Mechanicsburg Road and Crosswind Court
Proposed Zoning: R-2 (Single-Family Residential)

Location and Surrounding Land Uses

The subject annexation consists of two properties encompassing 0.526 acres located at the northeast corner of Mechanicsburg Road and Crosswind Court. The properties are currently located in unincorporated Wayne Township. Properties to the north and west contain single-family homes located in unincorporated Wayne Township. Properties to the south and east contain single-family homes located in the R-2 zoning district.



Proposed Annexation and Zoning

The applicant has proposed the annexation of the 0.526 acres into the City of Wooster. A portion of the 0.526 acres is located in a public right-of-way, leaving approximately 0.40 acres of net area. The existing western lot of record, which is triangular in shape and has approximately 0.155 acres of net lot area, would not be buildable due to its size, shape and the applicable setbacks.

Section 1101.09 states: Unless otherwise stated in the conditions of annexation, territory annexed to or otherwise becoming a part of the City shall be zoned by Council upon recommendation of the Planning Commission as per Chapter 1119, Amendments. The Planning Commission shall recommend a zoning classification to Council prior to the time Council accepts an annexation.



The Wayne County Commissioners voted on April 24, 2013 to approve a resolution for the annexation of the 0.526 acres into the City of Wooster.

R-2 Zoning District Standards

Chapter 1133 of the Planning and Zoning Code contains standards for the R-2 Zoning District. The district allows for single-family homes as a permitted use, two-family homes as conditional use, and a number of community facilities and open space uses as conditional uses. The R-2 district also has the following minimum lot requirements, which the subject properties meet.

Minimum Lot Size	0.15 acres
Minimum Lot Width	50 ft.
Maximum Lot Coverage	25% or 2,300 sq. ft. (whichever is greater)

Staff Recommendation

Staff recommends that Zoning Amendment #ZC-253 to zone 0.526 acres located at the northeast corner of Mechanicsburg Road and Crosswind Court R-2 (Single-Family Residential) be approved as presented.

Criteria for Approval

When a proposed amendment would result in a change of zoning classification of any property, the Planning Commission and the City Council should consider whether:

- (1) The change in classification would be consistent with the Comprehensive Plan of the City or other adopted plans and policies.
- (2) The change in classification would be consistent with the intent and purposes of this Planning and Zoning Code.
- (3) The proposed amendment is made necessary because of changed or changing conditions in the area affected, and if so, the nature of such changed or changing conditions.
- (4) The uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The Planning Commission may suggest conditions and restrictions on the uses that would be permitted on the property if it were reclassified in order to attain compatibility with the uses permitted on other property in the immediate vicinity.
- (5) The uses that would be permitted on the property if it were reclassified would have an adverse environmental or health impact on the immediate surrounding area in terms of acceptable air, noise, light, or water quality standards.
- (6) Adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.
- (7) The amount of vacant land with the same zoning classification as proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, if any, make a substantial part of such vacant land unavailable for development.
- (8) The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

Approved: _____, 2013 _____
Mayor

Introduced by: Barbara A. Knapic

ORDINANCE NO. 2013-32

AN ORDINANCE AMENDING CHAPTER 123, DEPARTMENT OF ADMINISTRATION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO PROVIDE FOR THE REORGANIZATION OF THAT DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS, the municipal government is engaged in an ongoing effort to improve operations, maintain services and conserve resources, while endeavoring to accomplish this in the most efficient and fiscally responsible manner possible; the Director of Administration, in accordance with Section 4.01 of the Charter, has been engaged in citywide strategic planning and evaluation of departmental and division operations, staffing and organizational structures to meet organizational goals and best accomplish the City mission, and has proposed a minor reorganization of the City organizational structure in order to meet that mission; and

WHEREAS, the Mayor, in view of the foregoing, and pursuant to Section 4.08 of the Charter of the City of Wooster, Ohio, hereby presents this City Council with a plan of reorganization by which he proposes to reorganize the current departments of Public Works and Community Service and Development by moving the Planning and Zoning Division from the Public Works Department to the Community Service and Development Department; and by moving the Human Resources and Information Technology Divisions from the Community Service and Development Department to a newly-created Business and Organizational Support Department.

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

SECTION 1. That Chapter 123, DEPARTMENT OF ADMINISTRATION, of the Codified Ordinances of the City of Wooster, Ohio is hereby amended to read as follows:

123.01 CREATION OF DEPARTMENTS.

In accordance with Article IV of the Charter, the following departments shall be created in the Department of Administration: Safety; Community Service and Development; *Business and Organizational Support*; and Public Works.

123.02 DIRECTOR OF ADMINISTRATION.

[Unchanged]

123.03 DEPARTMENT OF SAFETY.

[Unchanged]

123.04 COMMUNITY SERVICE AND DEVELOPMENT DEPARTMENT.

There shall be a Community Service and Development Department with the following divisions: Building Standards, Recreation and Community Center, ~~Information Technology, Human Resources~~ *Planning and Zoning*, and Economic Development. The Mayor may designate a Community Service and Development Director, or designate a division manager within the Community Service and Development Department to assume the additional responsibilities of the Development Director. The division managers in the Community Service and Development Department shall have control and supervision over the employees and work in their divisions.

123.05 [COMMUNITY SERVICES DEPARTMENT-Repealed]

123.06 PUBLIC WORKS DEPARTMENT.

There shall be a Department of Public Works with the following divisions: Public Properties Maintenance; Engineering ~~and Planning~~; and Utilities. The Mayor may designate a Director of Public Works or designate a division manager within the Public Works Department to assume the additional responsibilities of Public Works Director. The division managers in the Department of Public Works shall have control and supervision over the employees and work in their divisions.

123.07 *BUSINESS AND ORGANIZATIONAL SUPPORT DEPARTMENT*

There shall be a Department of Business and Organizational Support with the following divisions: Human Resources and Information Technology. The Mayor may designate a Director of Business and Organizational Support or designate a division manager within the department to assume the additional responsibilities of Business and Organizational Support Director. The division managers in the Department of Business and Organizational Support shall have control and supervision over the employees and work in their divisions.

123.08 AUTHORITY FOR SETTING FEES AND CHARGES.

[Unchanged]

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 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 implement this plan of reorganization in order to enhance the efficiency of municipal functions for the benefit of the general public; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor, provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: _____, 2013

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Barbara A. Knapic

ORDINANCE NO. 2013-33

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF AKRON ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING A TURNING LANE, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this Council adopted Resolution No. 2011-07 on January 3, 2011, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity) which improvement has been completed and the final cost thereof determined;

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

SECTION 1. The special assessments for the cost and expense of improving Akron Road, from Old Airport Road to Gateway Drive, by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, sidewalks and driveway approaches, constructing a turning lane, installing storm sewers, catch basins, manholes, water mains, fire hydrants, and traffic control signs and devices, and acquiring any real estate and interests therein required thereby, all together with the necessary appurtenances thereto, all as provided for and described in, and pursuant to, the Resolution of Necessity, amounting in the aggregate to \$398,163.64, which were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity in the respective amounts set forth in the final schedule of special assessments on file, which special assessments are not in excess of any statutory limitation.

SECTION 2. This Council finds and determines that the special assessments are in the same proportion to the estimated special assessments as the actual cost of the improvement is to the estimated cost of the improvement as originally filed, and do not exceed the limit of \$65.15 per foot front established in the Resolution of Necessity and as equalized by the Assessment Equalization Board.

SECTION 3. The special assessment against each lot or parcel of land shall be payable, in whole or in part, in cash or by check within 30 days after the passage of this ordinance, or at the option of the owner in fifteen annual installments with interest at the rate of 4.50% per year, which interest rate is determined by this Council to be substantially equivalent to the fair market rate that would have been borne by securities issued in anticipation of the collection of the special assessments if those securities had been issued by this City. All cash payments shall be made to the Director of Finance of this City. All special assessments remaining unpaid at the expiration of those 30 days shall be certified by the Clerk of Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected.

SECTION 4. The Clerk of Council shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in the office of the Clerk of Council the special assessments.

SECTION 5. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 20 days after its passage.

SECTION 6. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 7. This ordinance 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 the levy of the special assessments may be immediately effective so that advances made by this City in anticipation of that levy may be repaid from the collection of such assessments which assessments must be certified to the County Auditor by the date established by law and thereby preserve the credit of the City; wherefore, this ordinance shall be in full force and effect immediately upon 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: Jon E. Ulbright

ORDINANCE NO. 2013-34

AN ORDINANCE AMENDING CHAPTER 925, STORM DRAINAGE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY UPDATING THE APPLICABLE CHARGE IN CERTAIN ZONING DISTRICTS AND MODIFYING THE CHARGE FOR PROPERTIES WITHIN AN ESTABLISHED FLOODWAY

WHEREAS, the director of administration, acting in consultation with the city engineer, has proposed the adoption of certain amendments to the City's Storm Drainage Ordinance in order to update the applicable charge in certain zoning districts to conform to recent amendments to the Zoning Code, and also to modify the charge as it pertains to properties which are located with an established floodway.

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

SECTION 1. That Chapter 925, Storm Drainage, of the Codified Ordinances of the City of Wooster, Ohio, be amended at Section 925.03, to read as follows:

925.03 STORM DRAINAGE UTILITY CHARGES; RATES.

(a) [No change]

(b) [No change]

(c) [No change]

(d) Council finds that property is furnished service in proportion to the amount of the property's impervious surface. The basic unit of service is 3,050 square feet of impervious surface applicable to all ~~conventionally developed~~ *single or two-family* residential properties in R-1 *and AG* zoning districts. Sixty percent (60%) of one basic service unit is the equivalent service unit for one- and two-family residential properties in R-2, R-3, R-4, R-5, *R-T* and nonresidential zoning districts. All other properties shall be furnished service equivalent to multiples of basic service units of 3,050 square feet of impervious surface as calculated for individual properties by the City Engineer's office.

(e) [No change]

(f) The established rates may be reduced for a property, other than conventionally developed one- and two-family *residential properties*, where approved runoff control measures and storm water management facilities have been implemented, *or where a portion of the improved area is located within an established floodway, as determined by the Federal Emergency Management Agency*. Review and analysis of these measures shall be handled on an individual case basis by the City Engineer, according to established policies and standards. Maximum rate reduction shall be fifty percent (50%) of the established rate. Any person aggrieved by a decision of the City Engineer under this section may appeal such decision to the

REQUEST FOR AGENDA ITEM

Division: **Administration**

Meeting Date Requested: **August 19, 2013**

Project Name: **Storm Water Ordinance 925 Updates**

1. Estimated Total Cost: **None**
2. Is the full amount budgeted? **N/A**
3. Description of Project: **Request to revise codified ordinance chapter 925, Storm Drainage, part 925.03, Storm Drainage Utility Charges; Rates**
4. Justification\Benefits:
 - A. **The current ordinance was drafted before more recent zoning code changes, and lists the R-5 zoning district, which no longer exists, and does not include R-T or Ag districts. The proposed update would correct these discrepancies.**
 - B. **The current language allows for up to a 50% reduction in the fee charged for runoff control measures or other storm water management facilities incorporated into commercial or industrial developments, i.e. detention. The proposed revision would also allow for a fee reduction for portions of developed areas located within the established floodway. This update would affect approximately 20 properties and 18 owners. This provision would allow properties within the same class (commercial and industrial), but located within the floodway, to have the same opportunity to receive the fee reduction, acknowledging the fact that they do not have the same ability to construct detention facilities, nor do they receive the same benefit from the storm drainage utility due to periodic/frequent flooding of those properties.**
5. Will this project affect the city's operating costs? **Actual revenue will increase due to the recent audit of all storm water ESU calculations for the entire City. The result is a net increase overall in billable ESU's, even with the reduction in fees for 20 out over 200 properties which saw ESU adjustments.**
6. What alternatives exist and what are the implications of the alternatives. **The zoning districts must be updated to reflect current zoning. The floodway provision is a fair and equitable way to establish fees consistently for a defined class of users.**
7. Is this a sole source request? YES NO If yes, explain the circumstances: **N/A**
8. Are you requesting suspension of the rules and passage on one reading? If yes, note reasons. **Yes, so that utility billing may be updated as soon as possible to allow correct invoicing and eliminate the need for refunds.**

Joel Montgomery
Director of Administration

Date: August 14, 2013

Ord #34

ORDINANCE NO. 2013-35

AN ORDINANCE AMENDING CHAPTER 162,
MANAGEMENT BENEFITS, OF THE CODIFIED
ORDINANCES OF THE CITY OF WOOSTER, OHIO TO
CONFORM TO A RECENT REORGANIZATION

WHEREAS, in accordance with the recent reorganization approved by this Council with the adoption of Ordinance No. 2013-32, the Director of Administration has recommended certain changes to the ordinance pertaining to Management Positions.

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

SECTION 1. That Chapter 162 of the Codified Ordinances, entitled Management Benefits, be amended at Section 162.09, MANAGEMENT POSITIONS, to read as follows:

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 162.09, the following management positions are hereby identified and authorized:

<u>POSITION</u>	<u>STATUS</u>
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
Information Systems Manager	Unclassified
Planning and Zoning Manager	Unclassified
Police Captain	Classified
Police Chief	Classified
<i>Project Manager</i>	<i>Unclassified</i>

**REQUEST FOR AGENDA ITEM
AUTHORIZATION FOR CONTRACT**

Division: **Public Works & Development**

Meeting Date Requested: **August 19, 2013**

Project Name: **Chapter 162, Management Revisions** Approved for Agenda:

=====

1. Estimated Total Cost: **N/A**
2. Is the full amount budgeted? **YES** or NO. If no, how is the purchase to be funded?
3. Description of Purchase: **Revise chapter 162, Management Benefits, of the codified ordinances of the City of Wooster, Section 162.09 Management Positions, in order to conform to recent re-organization plans and to provide appropriate staffing for the carrying out the City's mission.**
4. Justification\Benefits: **This revision re-creates the position of Recreation Supervisor in the recreation & Community center Division. This does not create any additional staffing at this time, but will be filled by promotion. This division has recently lost 1 full time position, one part time position, and two temporary positions. This will provide for a staff position with the appropriate authority to supervise and manage the remaining staff and programs.**

The second position is to create a Project Manager position in the Engineering division to manage the numerous projects and programs planned and required for regulatory and capital improvement plan compliance. This does not increase the number of staff as a an inspector retired earlier this year. This will provide for a staff position with the appropriate authority to supervise and manage the required projects and staff.
5. Will this project affect the city's operating costs? **These do not create additional staffing, but only replace vacated positions, and will therefore not require any additional funds.**
6. What alternatives exist and what are the implications of the alternatives. **Increased work loads and projects require that these positions be filled, or contracted out.**
7. Is this a sole source request? **YES** **NO** If yes, explain the circumstances: **N/A**
8. Are you requesting suspension of the rules and passage on one reading? If yes, note reasons. **Yes. We have been working under staffed and with temporary organizational structure for over 6 months. Passage would allow for needed planning, scheduling, and re-organization in each division.**

Joel Montgomery
Public Works Administrator

Date: **August 14, 2013**

Ord # 35

ORDINANCE NO. 2013-36

AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH A QUALIFIED VENDOR FOR THE CONSTRUCTION AND MAINTENANCE OF A COMMUNICATIONS TOWER AND RELATED FACILITIES ON CITY-OWNED PROPERTY; AND DECLARING AN EMERGENCY

WHEREAS, it is necessary for the safe and efficient operation of safety and other related city services to provide a means of radio and/or cellular communications; and

WHEREAS, with the planned demolition of the Winter Street water storage tank, on which the city has previously located antennas for such communications, it is necessary to identify another site that is in close proximity thereto in order to maintain such radio and/or cellular communications capabilities; and

WHEREAS, the former Layton School property possesses the attributes (elevation; proximity to the existing Winter Street tower) necessary to support such necessary city services; and

WHEREAS, based upon preliminary discussions with representatives of vendors currently providing such services within the city, the director of administration believes that it may be possible to negotiate an agreement with a tower contractor or cellular provider for the construction and maintenance of such facilities, thereby resulting in a substantial savings to the city.

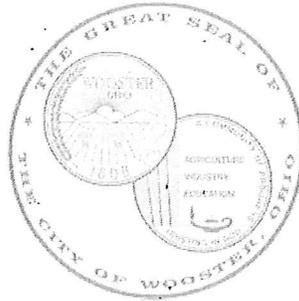
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That the Director of Administration is hereby authorized to enter into a technical services contract with a qualified vendor for the construction and maintenance of a communications tower and related communications facilities on city-owned property, the primary purpose of which will be to facilitate radio and/or cellular communications for the police, fire, maintenance and utilities divisions of the municipal government; provided that the vendor may, in addition thereto, provide for facilities that will also serve cellular providers within the city of Wooster.

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 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 such agreements for the benefit of local cellular services; wherefore, this Ordinance shall be in full force and effect from and

Robert F. Breneman
Mayor



Joel Montgomery, PE
Director of Administration
Phone (330) 263-5244
Fax: (330) 263-5247
Email: jmontgomery@woosteroh.com

CITY OF WOOSTER
538 N. Market Street * P.O. Box 1128
Wooster, Ohio 44691-3406

August 16, 2013

Property Owner
123 Main Street
Wooster, Ohio 44691

Dear Property Owner:

RE: Public Notice
Communications Facilities at the Layton Property

The City Council of the City of Wooster will be considering legislation authorizing the placement of a communications tower on the former Layton School property, at the regularly scheduled Council meeting on:

Monday, August 19, 2013 at 7:30 p.m.

at Wooster City Hall, 538 North Market Street, Wooster, Ohio. Authorization is being requested to enter into a contract with qualified contractor for the construction and maintenance of a communications tower and related facilities at 1859 Burbank Road.

Reason for Request:

The City has several communications facilities located on the current Winter Street water tower, which is scheduled to be demolished by the end of 2014. Therefore, there is a need to relocate the antennas, repeaters, and other equipment for Police, Fire, Maintenance, and Utilities communications and telemetry to a structure with sufficient height, capacity, and accessibility characteristics, and within close proximity to the existing Winter Street facilities.

The Administration has also been coordinating with existing cellular service providers that are currently located on the Winter Street water tower for relocation of their facilities. Presently, we have contracts with three companies that lease space on the water tower. Were we not demolishing it, we would be coordinating a significant water tower repair, maintenance, and painting project with these companies and their facilities. Our experience with the location of multiple cell phone and other facilities on our water towers, and the associated damage caused by the structural stress, has led us to determine that it is not in our best interests to continue this practice. However, the City is reluctant to forfeit the revenue generated by these relationships (currently over \$53,000 per year).

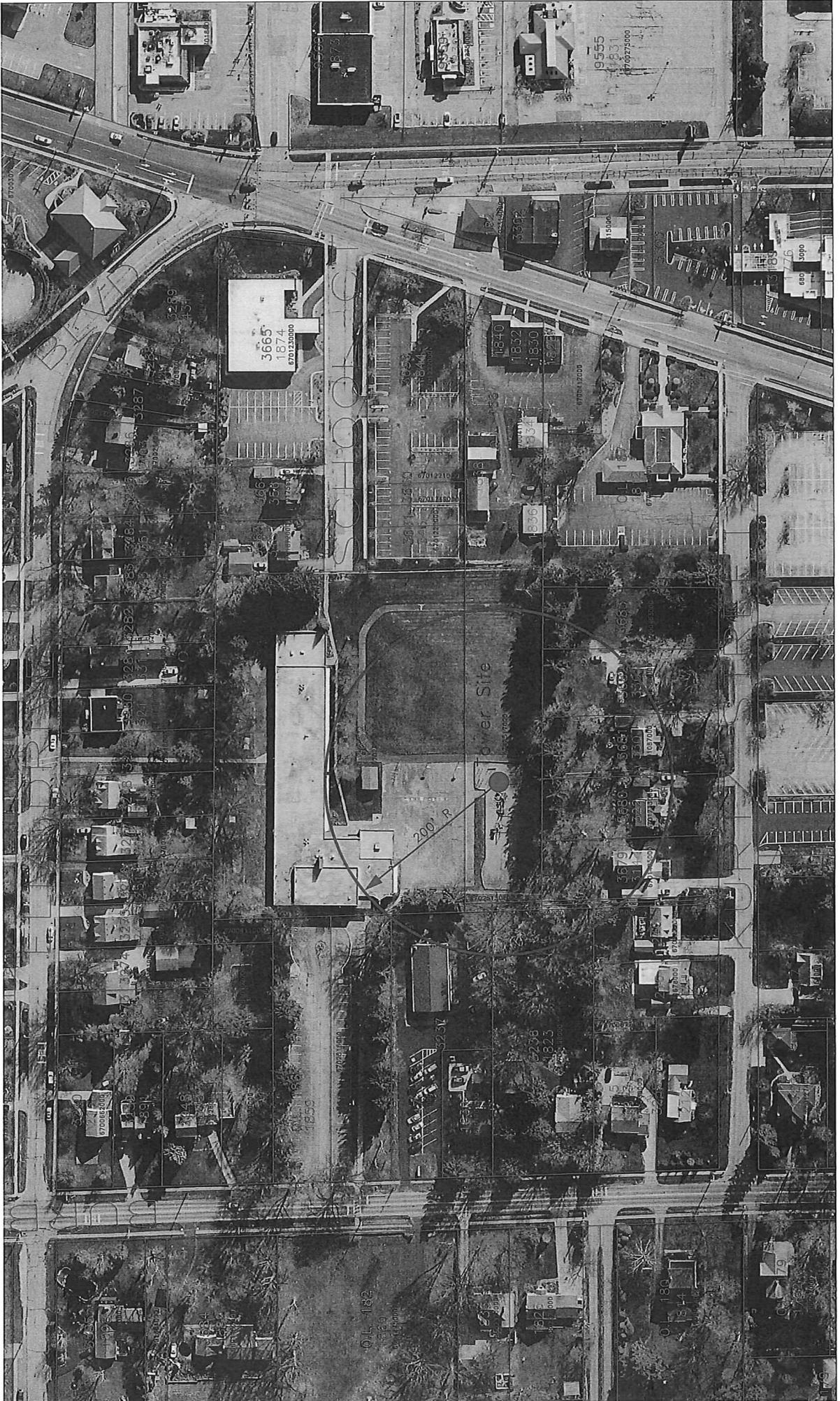
Therefore, these factors have compelled us to investigate potential solutions to our need for a structure that could provide the necessary capabilities for the *City's* communications facilities, as well as potentially retaining the revenue we receive from the cell phone providers. The Layton property was purchased primarily for the purpose of constructing a new water tower to replace the Winter Street tower. However, this is not planned to begin for at least 5 years. Since the new water tower will not be constructed for several years, and communications facilities located on water towers has proven to be problematic, a separate structure will be needed within the next 12 months.

The best and most cost effective solution would be to have a structure constructed on the Layton School property that could accommodate all of our current and future communications needs. Preliminary discussions with several cell phone providers and communications tower construction companies have indicated that a mono-pole (solid pole, no guy wires, no lattice) could be constructed within a 100' x 100' area on the Layton property. The tower would be just less than 200' tall and located within a fenced area with trees for screening. The property's ground elevation and proximity to the Winter Street tank site make it ideal for this use.

Current City ordinance authorizes the Director of Administration to execute contracts with cell providers on City owned facilities. Current City zoning ordinances also exempt antenna towers from the need for a zoning permit as long as the tower serves a public purpose. However, due to the nature of the project and the location adjacent to residential properties, the City is communicating these plans with the public and inviting public input.

All interested parties are welcome to attend. Further information is available from the office of the Director of Administration, Joel Montgomery, at 330.263.5244, during regular office hours.

Joel Montgomery, PE
Director of Administration



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

PREPARED BY
CITY OF WOOSTER
DIVISION OF ENGINEERING
200 N. WALTON ST.
WOOSTER, OHIO 44691
PH: (330) 265-2551
FAX: (330) 265-2555



Scale: 1"=100'

RESOLUTION NO. 2013-70

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013

WHEREAS, this City Council, in Ordinance No. 2012-32, adopted an annual budget and capital plan for 2013, and such capital plan includes the purchase of new vehicles and equipment for the various divisions of municipal service.

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

SECTION 1. That in accordance with the capital plan adopted in Ordinance No. 2012-32, the Director of Administration is hereby authorized to purchase the following vehicles and equipment, with payment to originate from the fund indicated:

WATER AND WATER POLLUTION CONTROL FUNDS:

Water and Wastewater Divisions:

- One new dump truck for water and sewer line repairs.

With respect to such purchase(s), the Director of Administration will advertise according to law and enter into a purchase contract with the lowest and best bidder, except that if the item is available through a state-sponsored cooperative purchasing program, or can be accomplished through a vendor upon equivalent terms, conditions and specifications, but at a price which is equal to or lower than that which is available from the state sponsored program, s/he may make such purchase therefrom if s/he determines that the price and availability is more advantageous to the City.

SECTION 2. 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 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: _____, 2013
Mayor

Introduced by: Jon E. Ulbright

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

Division PPM D&C 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 water and sewer repairs in the City.
Cost Center 1/2 from 742502-3360 Water Fund and 1/2 from 743502-3360 Sewer Fund. 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 water and sewer line break/repairs and daily maintenance. This truck is used to haul the excavations from the work site and to transport back in dry fill materials. The truck it will be taking the place of is a 1997 with over 60,000 miles. This truck will be rotated into the PPM fleet for continued usage.

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



RESOLUTION NO. 2013-71

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH OHM ADVISORS OF GAHANNA, OHIO FOR COMPREHENSIVE PLANNING SERVICES

WHEREAS, the director of administration, in consultation with the planner, has recommended that the municipal government update the existing comprehensive plan by evaluating the existing and future needs of the city relative to land use and development, infrastructure needs, public safety strategies, and planning for related public services; and

WHEREAS, OHM Advisors is a firm which possesses the expertise and experience to provide such consulting services; and

WHEREAS, the cost of the proposed engagement is budgeted for FY 2013, and this Council deems that prompt action is necessary in order to finish and implement the resulting plan by the end of year 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 enter into a professional services contract with OHM Advisors of Gahanna, Ohio for comprehensive planning services.

SECTION 2. The cost of such contract will not exceed the amount budgeted.

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: _____, 2013 _____
Mayor

Introduced by: Jon Ansel

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

Division Planning and Zoning	Meeting Date Requested August 19, 2013
Project Name Comprehensive Plan Update	Approved for Agenda
Estimated Total Cost \$69,448	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
<p>Description Of Purchase This is a request to enter into a contract with a qualified planning consultant to facilitate an update of the city's comprehensive plan. The consultant will work with staff to formulate the plan update process, conduct public meetings and compile public opinion, coordinate and direct the creation of the plan, draft the plan, and provide hard and electronic copies of the document.</p>	
<p>Justification / Benefits The current comprehensive plan was completed in 2002. Changing conditions over the past eleven years in the City and surrounding area necessitate an update of the plan. Engaging a planning consultant with expertise in coordinating the many aspects involved in a comprehensive plan update is essential. Per the RFP for the plan update, detailed proposals were submitted by firms indicating their qualifications and providing information concerning the planning process. The final selection was based on a review of the qualifications, reference checks and interviews by City staff.</p>	
<p>Will This Project Effect the City's Operating Costs As this project is within the current budget, the city's operation cost will not be effected.</p>	
<p>What Alternatives Exist and What Are The Implications of The Alternatives The alternatives to employing a consultant are an update of the comprehensive plan solely by city staff or not updating the plan at this time. The estimated time necessary for the consultant to conduct the process is 677 hours. The city is currently not staffed for such a time commitment to update the comprehensive plan. Not updating the plan will result in decisions regarding future growth, redevelopment, transportation, and public facilities being guided by a plan that is not in sync with current conditions.</p>	
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 update to the comprehensive plan has been budgeted for the current year and moving from the consultant selection phase to the initial stages of the update in a timely manner will provide continuity to the process.	
Division Manager Andrew Dutton	Date August 14, 2013

Res # 71

Request for Agenda Item Supporting Information and Details

Division: Engineering	Meeting Date Requested: August 19, 2013
Project Name: Larwill Street and Market Street Resurfacing	Approved for Agenda
Estimated Total Funds/Cost: \$175,000. This project is not budgeted since it was added to the project list after the passing of the tax levy. Monies will be transferred from the general fund to cover the costs.	
Is Full Amount Budgeted/Accounted for? <input type="checkbox"/> Yes <input checked="" 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 as well as appropriate funds for the resurfacing of Larwill Street (Beall to Market) and Market Street (Liberty to Larwill) This project will mill the existing surface, adjust manholes and water valve boxes to grade, install curb ramps with truncated domes, place new asphalt and pavement markings.	
Justification / Benefits: These two streets are near the top of the street resurfacing list, based on the pavement condition rating, usage and traffic.	
Will This Project Effect the City's Operating Costs: This project should reduce maintenance costs by repairing deteriorating roads.	
What Alternatives Exist and What Are The Implications of The Alternatives: Do nothing, and continue to patch holes as best as possible.	
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Explanation: While suspension of the rules is not necessary, earlier passage would allow the opportunity to advertise and bid this project as soon as the plans are completed in order to complete the project while weather permits..	
Division Manager Roger Kobilarcsik	Date August 14, 2013

Res #72