

CITY COUNCIL AGENDA

September 19, 2011

7:30 p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2011-23 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF MELROSE DRIVE 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)
2. First Reading - ORDINANCE NO. 2011-24 AMENDING ORDINANCE NO. 2000-58 BY ADDING AND DESIGNATING PROPERTIES WITHIN THE CITY OF WOOSTER'S PUBLIC SQUARE LANDMARK DISTRICT (Buytendyk)
3. First Reading - RESOLUTION NO. 2011-76 APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE MELROSE DRIVE PROJECT, AND DECLARING AN EMERGENCY (Ulbright)
4. First Reading - RESOLUTION NO. 2011-77 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR PAVEMENT REPAIRS, MICROSURFACING AND PAVEMENT MARKINGS, LYING WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)
5. First Reading - RESOLUTION NO. 2011-78 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR REPAIRS TO A COMBINED SEWER LATERAL ON PEARL STREET, AND DECLARING AN EMERGENCY (Silvestri)
6. First Reading - RESOLUTION NO. 2011-79 AMENDING RESOLUTION NO. 2010-22 BY INCREASING THE AMOUNT OF THE CONTRACT (Ansel)
7. First Reading - RESOLUTION NO. 2011-80 AMENDING RESOLUTION NO. 2010-64 BY INCREASING THE AMOUNT OF THE CONTRACT (Ansel)
8. First Reading - RESOLUTION NO. 2011-81 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT TO PARTICIPATE IN THE COMPREHENSIVE DOWNTOWN REVITALIZATION TIER TWO PROGRAM; TO ACCEPT AND APPLY SUCH FUNDS, IF AWARDED; AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY (Ulbright)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2011-23

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF MELROSE DRIVE 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 has adopted Resolution No. 2011-65 on July 5, 2011, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity); and

WHEREAS, this Council has adopted a resolution approving the report of the Assessment Equalization Board appointed by Resolution No. 2011-73.

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

SECTION 1. It is determined to proceed with the improvement of Melrose Drive, from Portage Road to Milltown Road, 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.

SECTION 2. The improvement shall be made in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

SECTION 3. Any claims for damages resulting from the improvement that have been legally filed shall be inquired into after completion of the improvement, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 4. The portion of the cost of the improvement to be assessed in accordance with the Resolution of Necessity, less the amount to be assumed and paid by the City as an additional part of the City's portion of the cost of the improvement resulting from the reductions set forth in the report of the Assessment Equalization Board referred to in the preambles hereto, shall be assessed in the manner and pursuant to the schedule set forth, and on the lots and lands described, in the Resolution of Necessity.

SECTION 5. The estimated special assessments previously prepared and filed in the office of the Clerk of Council, and as equalized by the Assessment Equalization Board, are adopted.

SECTION 6. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

SECTION 7. Subject to the provisions of Section 727.24 of the Revised Code, the Director of Administration is authorized and directed, as soon as the funds are available, to make and execute a contract for the improvement with the lowest and best bidder after advertising according to law, and the improvement shall be financed as provided in the Resolution of Necessity; provided, however, that the amount to be assumed by the City as part of the City's portion of the cost of the improvement resulting from the reductions set forth in the report of the Assessment Equalization Board shall be paid, as shall be the balance of the City's portion of the cost of the improvement, by the issuance of securities in the manner provided by law or from other funds available for this purpose.

SECTION 8. 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 of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 9. 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 this ordinance is required to be immediately effective in order to provide for the construction of the improvement, which is necessary to eliminate existing hazards to the traveling public and provide for adequate drainage and utility services to the residents of this 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: _____, 2011

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2011

Mayor

Introduced by: Jon E. Ulbright

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

The City of Wooster, on behalf of the St. James Episcopal Church, C&C Wellert properties, Commercial Banking & Trust, Wayne Savings & Loan, Bradford and Beth Starlin and Jerry L. Baker are requesting Board recommendation and approval to City Council of the incorporation of parcels (64-00698.000, 64-00699.000, 64-01447.000, 64-01447.001, 64-01688.000, 64-01689.000, 64-01690.000, 64-01691.000, 64-01693.000, 64-01694.000, 64-01695.000, 64-01692.000, 64-01692.000, 64-01757.000, 64-02263.000 and 64-00391.000) into the City of Wooster's Public Square Landmark District.

Refer to attached aerial for specific details.

BACKGROUND

In 1995, the City of Wooster created the Design and Review Board along with the adopting of Design Guidelines for Wooster's Historic Properties and Districts. These Guidelines and Board were adopted to provide guidance and standards to historic building owners and managers who may be doing work on a historic building site, structure or in a historic district. Through these guidelines, it is hoped that a variety of Wooster's historic and architectural resources may be protected and enhanced and that the aesthetics of a neighborhood or district are taking into consideration.

These property owners are seeking inclusion into the Public Square Landmark District, so that any exterior rehab and redevelopment efforts will take into consideration the aesthetic of the neighboring property and district. By being included into the Public Square Landmark District, all proposed future development and rehabilitation will be required to go before the Design and Review Board for review prior to commencing the project.

Currently this area is not within the Public Square Landmark District and not subject to Design and Review Board or Design Guidelines for Wooster's Historic Properties and Districts.

PAST APPROVALS

Planning Commission approved request on 8/24/11. Design and Review Board approved request on 9/14/11.

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

Yes – Proposed projects within the district are scheduled to begin in the very near future and approval will assure compliance of the Wooster's Historic Properties and Districts Design Guidelines.

Manager Requesting

Date

Approved for Agenda

PUBLIC SQUARE LANDMARK DISTRICT &
 C-4 (DOWNTOWN BUSINESS) DISTRICT
 N. MARKET ST LANDMARK DISTRICT



-  SIGN APPROVAL REQUIRED IN C-4 DISTRICT
-  APPROVAL REQUIRED IN PUBLIC SQUARE LANDMARK DIST. FOR: SIGNS, EXTERIOR BLDG / SITE CHANGES, DEMOLITIONS, BLDG ADDITIONS & NEW BLDGS
-  APPROVAL REQUIRED IN N. MARKET ST LANDMARK DIST. FOR: SIGNS, EXTERIOR BLDG / SITE CHANGES, DEMOLITIONS, BLDG ADDITIONS & NEW BLDGS CONST.
-  PROPOSED AREA

**PROPOSED
LANDMARK PROPERTIES SUBJECT TO
DESIGN & REVIEW BOARD APPROVAL PRIOR TO
ANY ALTERATION, BUILDING OR ENVIRONMENTAL CHANGE**

L=Landmark
P=Pioneer
NR=National Register
NR(C)=National Register (Contributing Building)
NR(NC)=National Register (Non-contributing Building)

PUBLIC SQUARE LANDMARK DISTRICT (NR):

East Liberty Street:

Location #

1	105 East Liberty Street (Gallery in the Vault) – NR(C); Part of building labeled 'c' on district map is NR(NC)
2	114 East Liberty Street (Looking Glass Eyecare) – NR(C)
3	116 East Liberty Street (Muddy Waters Café & Grille) – NR(C)
4	119 East Liberty Street (Calla Lily Yarn) – NR(C)
5	120 East Liberty Street (Mimi's Memories) – NR(C)
6	123 East Liberty Street (Broken Rocks) – NR(C), L
7	124 East Liberty Street (Federated Auto Parts) – NR (C)
8	127 East Liberty Street (First Federal Bank Loan Department addition—currently First Merit offices) – NR(NC)
9	130 – 132 East Liberty Street (Davis Holdings and the Ohio Company) – NR(C), L 130 East Liberty Street (Aid Detective and Security Agency) 130 ½ East Liberty Street (Vaughan & Assoc. Insurance) 132 East Liberty Street (Inter-molds, Inc.)
10	138 East Liberty Street (Wooster Food Co-Op) – NR(C)
11	140 East Liberty Street (Books in Stock) – NR(C)
12	142 East Liberty Street (Sew Crazy) – NR(C)
13	144 East Liberty Street (formerly Jerry's Home Furnishings) - NR(C)
14	146 East Liberty Street (formerly Thomas Galleries) – NR(C)
15	154 East Liberty Street (Army/Navy Store) – NR(C)
16	156 East Liberty Street (Pink Tomato) – NR(C)

West Liberty Street:

17	107 West Liberty Street (Courthouse) – NR(C)
18	112 West Liberty Street (National City Bank) – NR(C)
19	113-117 West Liberty Street (Amster Building) – NR(C) 113 West Liberty Street (Courthouse offices) 115 West Liberty Street (Courthouse offices) 117 West Liberty Street (El Rancho Grande)
19a	125-127 West Liberty Street (vacant/former Freedlander's site). Ordinance No. 2011-12.
20	134 – 142 West Liberty Street (Taggart Law Firm, Killbuck Title, etc.) – NR(C)

**LANDMARK PROPERTIES SUBJECT TO
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NR(C)=National Register (Contributing Building)
NR(NC)=National Register (Non-contributing Building)

21	144 West Liberty Street (Timbuktu store) – NR(C)
22	148 West Liberty Street (Mike Euga Shoes) – NR(C)
23	150 West Liberty Street (ZEN/Huckleberry Suites) – NR(C)
24	154 West Liberty Street (Matsos Restaurant) – NR(C)
25	200 West Liberty Street (formerly Dick's Camera Shop – NR(C)
26	212 West Liberty Street (formerly Precision Audio & Video) – NR(C)
27	216 West Liberty Street (formerly Stull Barber Shop). Building burned, now vacant lot – NR
28	220 West Liberty Street (Wayne County Public Library) – NR(C)
29	222 West Liberty Street (formerly Audio Advancement) – NR(NC)
30	228 West Liberty Street (Vacant lot) – NR
31	236 West Liberty Street (Vacant lot) – NR
32	240 West Liberty Street (Vacant lot) – NR
Walnut Street:	
33	130 South Walnut Street (Quonset hut – storage building) – NR(NC)
34	140 South Walnut Street (Local Roots Market) – front addition – NR(NC)
34a	141 North Walnut Street (Commercial Banking & Trust)—64-01688.000, 64-01689.000, 64-01690.000, 64-01691.000, 64-01692.000, 64-01694.000 and 64-01695.000)
34b	149 North Walnut Street (C & C Wellert Properties)—64-01693.000
34c	215 North Walnut Street (Olde Jaol Tavern/Spa Collections)—64-02263.000 and 64-00391.000
South Market Street:	
35	115 South Market Street (Rubbermaid Outlet Store) – NR(C)
36	116 South Market Street (Today's Kitchen Store) – L, NR(NC)
37	120 South Market Street (Kites B Kool) – L, NR(NC)
38	122 South Market Street (Tulipan Hungarian Pastries) – L, NR(C)
39	124 South Market Street (Fitness 124) – L, NR(C)
40	126 South Market Street (White Raven) – L, NR(C)
41	128 South Market Street (Omahoma Bob's) – NR(C)
42	130 South Market Street (Silver Building – Preferred Risk Insurance) – NR(C)
43	100 South Market Street (Silver Building – Fair Financial Services) – NR(C)
44	102 South Market Street (Silver Building – Silver/Her Realtors) – NR(C)

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45	131 South Market Street (Gift Corner) – NR(C)
46	135 South Market Street (City News) – NR(C)
47	140 South Market Street (Townsend Antiques) – NR(NC)
48	146 South Market Street (vacant) – NR(C) 146 ½ South Market Street (three apartments) – NR(C)
49	143 South Market Street (Artfind Tile) – NR(C)
50	147 South Market Street (South Market Street Bistro; Spoon Market) – NR(C) 147 ½ South Market Street (Kim Ro Jim Karate) – NR(C)
51	151 South Market Street (Pioneer Loft) – NR (C)
52	155 South Market Street (Apple Creek Bank front parking lot area) – NR(C)
53	203 South Market Street (St. Paul Hotel Properties) – NR(C)
54	211-213 South Market Street (Saal Building) – NR(C) 211 South Market Street (vacant; John Meier) 213 South Market Street (Collection Connection)
North Market Street:	
55	121 North Market Street (office building) – NR(C)
56	101-131-139 North Market Street (Downing Building) – NR(C) (Woo's Brews Cafe, Malcuit Jewelers, Ride On Wooster)
57	140 North Market Street (Masonic Temple) – NR(C)
58	143 North Market Street (vacant). Front building burned and demolished. – NR(NC)
59	144 North Market Street (Wooster City School Offices/Board of Education) – NR(C)
60	151 North Market Street (Wayne Savings Bank) – NR(C)
61	202 North Market Street (Buckeye Oil and attorney offices) – L, NR(C)
North Street:	
62	110 – 122 East North Street (St. James Church) – NR(C)
63	West North Street (Wayne Savings & Loan Parking Lot (64-01757.000))
64	121 West North Street—Bradford J. and Beth A. Starlin (64-01447.000 and 64-01447.001)
65	127 West North Street—St. James Episcopal Church (64-00698.000 and 64-00699.000)

COLLEGE OF WOOSTER LANDMARK DISTRICT (NR):

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Location #	
1	Kenarden Lodge – NR(C)
2	Andrews Hall – NR(NC)
3	Armington Hall - NR(NC)
4	Stevenson Hall – NR(NC)
5	Douglass Hall – NR(C)
6	Compton Hall – NR(NC)
7	Babcock Hall – NR(NC)
8	Holden Hall – NR(C)
9	Bissman Hall – NR(NC)
10	Severance Art Studio – NR(C)
11	Galpin Hall – NR(C)
12	Kauke Hall – NR(C)
13	Taylor Hall – NR(C)
14	McGaw Chapel – NR(NC)
15	Timken Science Library (Frick) – NR(C)
16	Andrews Library – NR(NC)
17	Severance Hall – NR(C)
18	President's House – NR(C)
19	Merz Hall – (Gault Alumni House) NR(NC)
20	Mateer Hall – NR(NC)
21	Scovel Hall – NR(C)
22	Hygeia Hall – NR(C)
NORTH MARKET STREET LANDMARK DISTRICT:	
1	220 North Market Street (National City Bank employee parking lot)
2	225 North Market Street (Critchfield Law Offices)
3	230 North Market Street (Horn Nursing Home)
4	243 North Market Street (United Methodist Church)
5	246 North Market Street (First Baptist Church) – L
6	301 North Market Street (Zion Lutheran Church)
7	304 North Market Street (Wayne County Public Library)
8	335 North Market Street (Elk's Lodge)
9	336 North Market Street (Buehler's Towne Market)
10	345 North Market Street (Wayne Metropolitan Housing Authority offices)
11	356 North Market Street (Market Street Inn)

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12	406 North Market Street (Ross Law Offices and apartment)
13	407 North Market Street (Central Christian Church) – L
13a	North Market Street (parking lot—Lot #483, 485 and S. Pt. 487)
14	416 North Market Street (Hair Movement II)
15	418 North Market Street (Rich's Barber Shop)
16	421 North Market Street (Homer Yost Agency and apartments)
17	423 North Market street (duplex)
18	424 North Market Street (Hair Designers & Tanning)
19	428 North Market Street (Mimi's Memories)
20	430 North Market Street (massage therapist)
21	431 North Market Street (apartments) – P
22	434 North Market Street (Anfang Law Office)
23	439 North Market Street (apartments) – L
24	442 North Market Street (Don Mortimer Insurance office)
25	449 North Market Street (Gardner Enterprises offices)
25a	450 North Market Street (Fire Station parking lot)
26	505 North Market Street (Long, Cook & Samsa CPA offices)
27	510 North Market Street (Fire Station)
28	517 North Market Street (Greater Wayne County Foundation)
29a	527 North Market Street (Kinder/Tyler house)
29b	531 North Market Street (Hothem Realty) – L, NR
30	538 North Market Street (Municipal Building)
31	545 North Market Street (REA & Associates)
32	558 North Market Street (Kennedy, Cicconetti & Knowlton, attorneys) – L
33	567 North Market Street (Rondi's Hair/Wooster Dental)
34	570 North Market Street (Cutter GMAC Realty)
35	573 ½ North Market Street (apartments)
36	579 North Market Street (duplex)
37	580 North Market Street (apartments)
OTHER LANDMARK PROPERTIES:	
1	150 East North Street (Trinity Church)
2	237 South Walnut Street (Walnut Street School Art Center) – NR
3	104 Spink Street (former Reed Warehouse/Gerstenslager Buggy Works – now Wayne County Council on Alcoholism and Every Woman's House)

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	offices) – NR
4	516 North Buckeye Street (residence) – P
5	101 West Bowman Street (former Wooster High School—now Cornerstone Elementary school)
6	527 Beall Avenue (Imgard House; St. Mary's rectory and office)
7	1473 Beall Avenue (Overholt House Bed N' Breakfast) – NR
8	816 College Avenue (Compton House; duplex) – L
9	328 East Bowman Street (apartments; rooming house)
10	546 East Bowman Street (Reasin Beall; WCHS) – NR, L
11	824 East Bowman Street (Taggart residence)
12	637 Quinby Avenue (residence) – P
13	235 West Larwill Street (residence) – P
14	713 Pittsburgh Avenue (duplex)
15	745 Pittsburgh Avenue (residence) – L
16	124 Massaro (residence)
17	155 West North Street (Ye Olde Jaol Restaurant)
18	3317 Friendsville Road (George Hider house) – P
19	698 East Milltown Road (Schneider house) – P
20	2101 East Smithville-Western Road (Gerald Hider house) – P
21	4122 Melrose Drive (Gallapoo house) – P
22	4777 Young Drive – (Dilyard house) – P
Village of Bloomington:	
23	1782 Burbank Road (former Vagnini residence) – P
24	1575 Burbank Road (Fifer residence) – P
25	1727 Burbank Road (Jay Henthorne residence)
26	1577 Cleveland Road (Sarah Painter residence) – P
Founders Village:	
27	317 North Bever Street (apartments)
28	329 North Bever Street (apartments)
29	337 North Bever Street (apartments)
30	340 North Bever Street (Gasche House/formerly Howey House Bed N' Breakfast) – NR
31	349 North Bever Street and 309 Nold Avenue (duplex)
32	408 North Bever Street (Liggett/Freedlander House; William Older) – NR

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33	445 North Bever Street (Adventist Church; originally United Presbyterian)
34	515 North Bever Street (residence)
35	524 North Bever Street (residence)
36	537 North Bever Street (apartments)

(Rev. 8/17/11)

**REPORT OF ASSESSMENT EQUALIZATION BOARD
MELROSE DRIVE PROJECT**

TO: The Council of the City of Wooster, Ohio

Gentlepersons:

We, the undersigned members of the Assessment Equalization Board appointed by your Resolution No. 2011-73, passed September 6, 2011, to hear and determine objections to the estimated special assessments filed pursuant to Resolution No. 2011-065, with respect to the improvement of Melrose Drive, as described in that Resolution and the supporting documents thereto, respectfully report:

- (1) We met at the time and place established in Resolution No. 2011-73, and took an oath of office as provided by law; and
- (2) We considered and determined all of the objections to the estimated special assessments, or to the amount and apportionment of those special assessments, and, except to the extent of the reductions recommended in this report, find that those objections are not well taken, and therefore overrule and deny them; and
- (3) A total of twenty objections were timely filed, all of which were considered individually by the Board. After careful consideration we determined that there was merit to the objections of owners who fell into a single classification: those who own property that does NOT have frontage on the improvement. As a consequence, we have equalized the estimated assessments as follows:
 - A) With respect to properties that have neither frontage nor driveway approaches on Melrose Drive, the proposed assessment for all such properties (including those for which objections were not filed) should be reduced by ten percent (10%).
 - B) With respect to any proposed assessment that exceeds the one-third value (based upon the county auditor's valuation) as appears on the Values & Assessment Analysis prepared by the city engineer, we recommend that the assessments be conformed to equal but not exceed the one-third value contained therein.
- (4) We also find that the estimated special assessments of this improvement, on file with the Clerk of Council, as so adjusted and equalized by this Board, are in accordance with the provisions of Resolution No. 2011-65; that they are limited, with respect to each lot and parcel of land to be assessed, to the special benefits conferred thereon by the improvement; and those estimated special assessments as so adjusted and equalized are therefore approved.
- (5) We have completed all hearings on the objections and have concluded our deliberations with the submission to you of this report;
- (6) We find and determine that all formal actions of this Board concerning and relating to the rendering of this report were adopted in an open meeting of this Board, and all

deliberations of this Board that resulted in those formal actions were conducted in compliance with law.

Respectfully submitted,

Robert Metze, Jr., Chairperson



Sarah B. Baker, Member

Craig Sanders, Member

FINAL RESOLUTION

The following Final Resolution enacted by the City of **Wooster**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **21st day of March, 2011**, the LPA enacted legislation (Resolution No. 2011-43) proposing cooperation with the Director of Transportation for the described project:

This project will include pavement repairs, microsurfacing, and pavement markings, lying within the City of Wooster; and

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

The City agrees to assume and bear twenty percent (20%) of the entire cost of the roadway portion of the improvement within the City corporation limits as a match to the Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Two Thousand Eight Hundred Four and - - - - 00/100 Dollars, (\$2,804.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of **Two Thousand Eight Hundred Four and - - - - 00/100 Dollars (\$2,804.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that **Mayor** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 2011, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 2011.

Legislative Authority of the
City of **Wooster**, Ohio

Mayor

SEAL
(If Applicable)

Clerk (Secretary Ex-Officio)

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested April 4, 2011
Project Name :Pearl Street Sewer Replacement	Approved for Agenda
Estimated Total Cost \$25,000	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? Appropriate additional funds from the Sewer Fund.	
Description Of Purchase This is a request to award a contract without bidding on an emergency basis for replacement of a failed, combined sewer lateral serving several residences. Sewer replacement costs may be under \$25,000, depending on the extent of the work required, but final cost will not be known until the culvert is exposed and replaced.	
Justification / Benefits This sewer is undersized for multiple residences, and is full of roots. Several back-ups have occurred, and the existing lateral is directly under a gas main. At least one residence can not use any sewer facilities at this time. The existing lateral was installed in 1969 (42 years old). The proposal is for the City to purchase the materials and hire a contractor to perform the new sewer and manhole installation. Materials should be around \$10,000.	
Will This Project Effect the City's Operating Costs This project should reduce maintenance costs by repairing a deteriorating drainage system.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, which will leave one residence without sewer facilities, and eventually several residences with sewer back-ups. The extent of the work is beyond the current resources of City utility crews.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances The current situation has existed for several weeks. Several contractors are currently performing work for the City, and could mobilize quickly to fix the situation.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons One residence is without working sewer facilities, and several more are at risk.	
Division Manager Joel Montgomery	Date September 15, 2011

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

Division Engineering	Meeting Date Requested September 19, 2011
Project Name : Oak Hill Park Trail Contract Adjustment	Approved for Agenda
Estimated Total Cost \$40,000	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? The costs for this project will be paid from approximately \$542,000 of donated funds for this work currently at the Wayne County Community Foundation, and \$100,000 authorized by Res. 2008-96 from the Capital Improvements Fund.	
Description Of Purchase This is a request to adjust the contract amount the trail, parking lot, driveway, and grading. The Current contract amount is \$496,950.47. Res. 2010-22 capped the contract amount at \$500,000. The total for all required work to complete the park is \$535,000.	
Justification / Benefits The original bid contract was kept to a minimum of work in order to ensure costs were kept below available funds. All additional work was part of the original design plan, and no new features have been added. We have simply been adding the original features back into the project as it progressed and actual costs for each of those items has been finalized. This adjustment will allow us to complete all of the original park design features, except final plantings.	
Will This Project Effect the City's Operating Costs Operation and maintenace cost of the park should be minimal.	
What Alternatives Exist and What Are The Implications of The Alternatives None.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input 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 While suspension of the rules is not necessary, most of the work has been or is in the process of being completed, and we would like to finish the work before the October 15 th ribbon cutting.	
Division Manager Joel Montgomery	Date September 15, 2011

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

Division Engineering	Meeting Date Requested September 19, 2011
Project Name Friendsville Road Reconstruction Engineering - Additional Services	Approved for Agenda
Estimated Total Cost \$17,000	
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 increase the contract with GPD Associates of Akron for design services related to the reconstruction of Friendsville Road, from Milltown Road to Riffel Road. The additional services required include:</p> <ol style="list-style-type: none"> 1. US Army Corps of Engineers Waterway Permit preparation and application 2. Retaining wall design not originally anticipated. 3. Additional ODOT LPA services. 4. Additional services for design revisions due to changes in ODOT design standards. <p>The total design services, with additions, is still less than 6% of the construction cost, and well below the industry standard of 10%.</p>	
<p>Justification / Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project. Therefore, ODOT design guidelines and procedures must be followed. The requested services are required to meet those requirements.</p>	
<p>Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs. Road and ditch maintenance should be reduced after the project is completed.</p>	
<p>What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing and forfeit the ODOT funds. The traffic congestion and safety issues will remain.</p>	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>If Yes, Explain The Circumstances This is a request to adjust an existing Engineering services contract.</p>	
Are You Requesting Suspension Of The Rules <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>If Yes, Note Reasons Authorizing the contract this year would facilitate meeting the funding timelines.</p>	
Division Manager Joel Montgomery	Date September 14, 2011

**Request for Agenda Item
Non-Capital**

Division Administration

Meeting Date Requested September 19th 2011

Project Name

Tier Two: Downtown Building and Streetscape Revitalization
Grant Application

Approved for Agenda

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

The Office of Housing and Community Partnerships (OHCP), a division of the Ohio Department of Development has approved the City of Wooster's request to apply for \$400,000.00 in downtown building and streetscape revitalization grant monies. These grant monies, which can be used to improve private buildings and public infrastructure within a municipality's downtown, are granted to communities on a competitive basis and are not guaranteed by submitting an application.

It is our understanding, that nine additional communities received pre-approval to submit a complete grant application to the Office of Housing and Community Partnerships. In order to document support of the City of Wooster's application, a resolution approving the submission of an application is required.

BACKGROUND INFORMATION

The City Administration has held three public hearings to discuss the grant application and from these meetings has created a target area for the grant program (map attached)

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

Yes – Approval by council will allow the City Administration to apply to the State by the grant deadline of October 4th 2011.

Manager Requesting

Justin Starlin

Date

September 15, 2011

Approved for Agenda

CITY OF WOOSTER - 2011 TIER TWO DOWNTOWN BUILDING AND STREETScape REVITALIZATION PROJECT AREA



LEGEND

Building #1		Building #6		Building #11		Building #16	
Building #2		Building #7		Building #12		Public	
Building #3		Building #8		Building #13		Infrastructure #1	
Building #4		Building #9		Building #14			
Building #5		Building #10		Building #15			



PREPARED BY
CITY OF WOOSTER
 DIVISION OF ENGINEERING
 538 N. MARKET ST.
 PH: (330) 263-5251

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

Scale: 1"=200'