

# WOOSTER CITY COUNCIL AGENDA

February 17, 2015

7:30 p.m.

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

## **I. ROLL CALL & ORDERING OF AGENDA**

## **II. APPROVAL OF MINUTES**

## **III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Presentation of the Police Officer of the Year Award by Chief Matt Fisher and recognition of Wooster Police Department officers by Medway Director Don Hall.

## **IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

## **V. COMMITTEE REPORTS; PUBLIC HEARINGS**

## **VI. OLD BUSINESS**

1. Second Reading – ORDINANCE NO. 2015-03 AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO CHAPTER 1171, SIGN REGULATIONS (Knapic)
2. Second Reading – ORDINANCE NO. 2015-04 AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO TITLES ONE, THREE AND FIVE OF THE CODE (Knapic)
3. Second Reading – RESOLUTION NO. 2015-20 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER FUNDS TO THE WOOSTER – ASHLAND REGIONAL COUNCIL OF GOVERNMENTS, AND DECLARING AN EMERGENCY (Cavin; Ansel)

## **VII. NEW BUSINESS**

1. First Reading – ORDINANCE NO. 2015-06 AN ORDINANCE AMENDING ORDINANCE NO. 2006-39 BY AUTHORIZING THE MAYOR TO TRANSFER THE COMMUNITY REINVESTMENT AREA AGREEMENT THEREUNDER FROM THE CURRENT OWNER TO A NEW OWNER, AND DECLARING AN EMERGENCY (Ansel)
2. First Reading – RESOLUTION NO. 2015-21 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER(S) FOR FURNISHING BITUMINOUS MATERIAL AND CONCRETE (Ulbright)
3. First Reading – RESOLUTION NO. 2015-22 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF THE OLDMAN TRAIL (Cavin)
4. First Reading – RESOLUTION NO. 2015-23 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR RESURFACING A PORTION OF PALMER STREET (Ulbright)

5. First Reading – RESOLUTION NO. 2015-24 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF A PORTION OF PALMER STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 99762) (Ulbright)
6. First Reading – RESOLUTION NO. 2015-25 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR FUNDING UNDER THE SAFE ROUTES TO SCHOOL PROGRAM; TO ACCEPT AND APPY SUCH FUNDS, IF AWARDED; AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY (Ulbright)
7. First Reading – RESOLUTION NO. 2015-26 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT (Sanders)
8. First Reading – RESOLUTION NO. 2015-27 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND EXTEND FOR ONE YEAR CONTRACT(S) THAT WERE ENTERED INTO IN 2014 WITH THE LOWEST AND BEST BIDDER(S) FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT (Sanders)

**VIII. MISCELLANEOUS**

**IX. ADJOURNMENT**



EXHIBIT A

**PROPOSED AMENDMENTS TO CHAPTER 1171 OF  
THE PLANNING AND ZONING CODE (SIGN REGULATIONS)**

**1171.04 SIGNS IN NONRESIDENTIAL DISTRICTS.**

Signs in nonresidential districts shall conform to the standards set forth in this Section, except for residential uses, which shall comply with the standards set forth in Section 1171.05 Signs in Residential Districts.

- (d) Temporary Signs In Nonresidential Districts. The following regulations for temporary signs in non-residential districts are in addition to the maximum sign area and height regulations set forth in Section 1171.04. *A sign permit shall be required per Section 1171.11(c), however, the regulations of this Chapter shall apply to all temporary signs in nonresidential districts, whether or not a permit is required.*

- (1) — Project Real Estate/Construction Signs. A project real estate or construction sign for a development project shall be permitted only in compliance with the following:
- A. — One project real estate or construction sign shall be permitted for each street on which the lot has frontage.
  - B. — Such sign shall be located a minimum of 3 feet from any street right-of-way.
  - C. — A project real estate or construction sign shall be erected and maintained on a lot only during the period of time that the parcel is up for sale, rent, or lease or the building project is under construction. Such temporary sign shall be removed within two (2) business days of installation of the permanent identification sign.
  - D. — The maximum sign area shall be forty (40) square feet.
- (2) — Temporary Window Signs. Temporary window signs shall be attached to the interior of the building and shall comply with the following:
- A. — The area of temporary window signs, either affixed thereto or visible from the outside, shall not exceed the percentage of the window area as set forth in Section 1171.04 (b)(1), Window Sign. This area is in addition to the allowable sign area for identification signs that are permanently attached to windows.
  - B. — All temporary window signs shall be displayed no longer than 30 days after placement, after which time such sign shall be removed. Temporary window signs shall only be displayed a maximum of four (4) times in a calendar year.
- (3) — Other Temporary Signs. A temporary sign, whether a freestanding sign; a banner attached to the front of the building; or a portable sign, shall be permitted for not more than four (4) times per calendar year, not to exceed a period of more than thirty (30) days each time. Such signs may be permitted for a period longer than thirty (30) days only when the Planning Commission approves an extended time frame.

The maximum area for freestanding or banner signs shall be forty (40) square feet. The maximum height for freestanding signs shall be six (6) feet.

- (4) ~~Additional Regulations for Portable Signs.~~ Portable signs shall not be permitted in the C-4 District. The maximum area shall be thirty-two (32) square feet, and the maximum height shall be six (6) feet.
  - (5) ~~Temporary Signs in C-4 District.~~ Only sandwich board signs and similar types of temporary signs shall be permitted in the C-4 District. Such signs shall be placed no more than five feet from the front of the building and may encroach upon the public right-of-way provided an unobstructed walkway is reserved for public passage. Such signs shall not exceed three (3) feet in height or two (2) feet in width. Sandwich board signs must be placed indoors at the close of each business day. The Zoning Administrator shall approve all such signs.
  - (6) ~~Setbacks.~~ All temporary freestanding signs shall be located no closer than three (3) feet from the street right-of-way line and three (3) feet from a side lot line, unless specifically regulated otherwise.
- (1) ***Temporary Signs.*** *A temporary sign attached to a building, freestanding on a property or otherwise visible through a window or door shall be permitted in compliance with the following, in addition to temporary signs specified in Sections (2), (3) and (4) below:*
    - A. *No more than one (1) temporary sign shall be permitted at a time for each business located on a property.*
    - B. *An occurrence of displaying a temporary sign shall not exceed thirty (30) consecutive days. No more than four (4) separate occurrence of displaying a temporary sign shall be permitted in a calendar year.*
    - C. *The maximum sign area shall be forty (40) square feet and the total sign height shall be a maximum of six (6) feet.*
    - D. *A temporary sign visible from the outside through a window or door, or placed on the outside of a window, shall be included in the glass area calculation found in Section 1171.04(b)(1).*
    - E. *Freestanding signs shall be located no less than three (3) feet from the street right-of-way or a property line.*
    - F. *Freestanding signs shall not be permitted in the C-4 District except as noted in Section 1171.04(d)(4).*
  - (2) ***Real Estate for Sale or Lease Signs.*** *A temporary sign announcing the sale or lease of real estate shall be permitted in compliance with the following:*
    - A. *Available real estate shall be permitted no more than one (1) sign along each street on which the lot has frontage.*
    - B. *For properties less than two (2) acres in area, the maximum sign area shall be twenty (20) square feet and the total sign height shall not exceed six (6) feet.*
    - C. *For properties two (2) acres or larger, the maximum sign area shall be forty (40) square feet and the total sign height shall not exceed twelve (12) feet.*

- D. *A sign shall be displayed only when the subject real estate is actively for sale or lease and shall be removed no more than fourteen (14) days after the sale or lease of the property.*
- E. *Freestanding signs shall be located no less than three (3) feet from the street right-of-way or a property line.*
- (3) **Project Real Estate/Construction Signs.** *A project real estate or construction sign for a real estate or construction project shall be permitted in compliance with the following:*
  - A. *A project shall be permitted no more than one (1) sign along each street on which the lot has frontage.*
  - B. *The maximum sign area shall be forty (40) square feet and the total sign height shall be a maximum of twelve (12) feet.*
  - C. *A project real estate or construction sign shall be erected and maintained on a lot only during the period of time that the project is under construction. Such temporary sign shall be removed within two (2) business days of installation of the permanent identification sign.*
  - D. *Freestanding signs shall be located no less than three (3) feet from the street right-of-way line or a property line.*
- (4) **Sandwich Board Signs in the C-4 District.** *Sandwich board signs and similar types of temporary signs shall be permitted on a public sidewalk in the C-4 zoning district in compliance with the following:*
  - A. *No more than one (1) sign shall be permitted per business. No other freestanding temporary signs shall be permitted for a properties located in the C-4 District.*
  - B. *The sign shall be located no more than five (5) feet from the entrance of the subject business. The sign may encroach upon the public right-of-way provided that an unobstructed walkway of no less than four (4) feet is available on the public sidewalk.*
  - C. *Such signs shall not exceed three (3) feet in height or two (2) feet in width.*
  - D. *Sandwich board signs shall be placed indoors at the close of each business day.*

**1171.05 SIGNS IN RESIDENTIAL DISTRICTS.**

Signs for all residential uses and for nonresidential uses in residential districts shall comply with the regulations set forth in this Section.

- (c) ~~Supplemental Regulations for Temporary Signs:~~ Temporary signs are permitted in Residential Districts subject to the following provisions:  
**Temporary Signs in Residential Districts.** *The following regulations for temporary signs in residential districts are in addition to the maximum sign area and height regulations set forth in Section 1171.05. A sign permit shall be required per Section 1171.11(c), however, the regulations of this Chapter shall apply to all temporary signs in residential districts, whether or not a permit is required.*

- (1) Temporary Signs for Individual Lots in R-1, R-2, R-T, R-3, R-4, and R-5 Residential Districts: Residential Uses. *A temporary sign freestanding on a property or otherwise visible through a window or door shall be permitted in compliance with the following, in addition to temporary signs specified in Sections (3) and (4) below and Section 1171.06:*
- A. Each residential unit shall be permitted to erect *one (1)* temporary signs either in a window or as a freestanding sign in the front yard. The area of *a* each temporary signs shall not exceed six (6) square feet. Such temporary sign shall be displayed for no longer than 30 days, after which time such sign shall either be removed or replaced. *An occurrence of displaying a temporary sign shall not exceed thirty (30) consecutive days. No more than four (4) separate occurrence of displaying a temporary sign shall be permitted in a calendar year.*
  - B. Temporary signs for commercial uses shall not be permitted in residential districts except *garage or yard sale signs per Section 1171.06* that one temporary sign promoting a garage sale or a *sign for a contractor working on-site* shall be permitted. Such sign shall be posted on private property for a period not to exceed seven (7) calendar days, on not more than two separate occasions in any given calendar year *per the requirements of Section 1171.05(c)(1).*
  - C. Temporary freestanding signs shall be located at least three (3) feet from a public right-of-way or a side lot *property* line.
  - D. The height of temporary freestanding signs shall not exceed four (4) feet.
- (2) Temporary Signs for Non-Residential Uses. *A temporary sign attached to a building, freestanding on a property or otherwise visible through a window or door shall be permitted in compliance with the following, in addition to temporary signs specified in Sections (3) and (4) below:*
- A. *No more than one (1) temporary sign shall be permitted at a time on a property.*
  - B. *An occurrence of displaying a temporary sign shall not exceed thirty (30) consecutive days. No more than four (4) separate occurrence of displaying a temporary sign shall be permitted in a calendar year.*
  - C. *The maximum sign area shall be twelve (12) square feet and the total sign height shall be a maximum of six (6) feet.*
  - D. *A sign visible from the outside through a window or door, or placed on the outside of a window, shall be included in the glass area calculation found in Section 1171.04(b)(1).*
  - E. *Freestanding signs shall be located no less than ten (10) feet from the street right-of-way or a property line.*
- (3) Real Estate for Sale or Lease Signs. *A real estate for sale or lease sign shall comply with the requirements of Section 1171.04(d)(2).*
- (24) Project Real Estate /Construction Signs. A project *real estate* or construction sign shall comply with the following: *requirements of Section 1171.04(d)(3).*
- A. Such signs shall be located a minimum of three (3) feet from any street right-of-way.

- B. — A project or construction sign may be erected and maintained on a lot only during the period of time that the parcel is up for sale, rent, or lease or the building project is under construction. Such temporary sign shall be removed within two (2) business days of installation of the permanent identification sign.
- C. — The maximum area shall be thirty-two (32) square feet, and the maximum height shall be six (6) feet.
- (3) — Other Temporary Signs for Non-residential Uses. Such signs shall comply with the following:
  - A. — One temporary freestanding sign or one banner attached to the front of the building shall be permitted for a period not to exceed fourteen (14) days, four times per calendar year. Such signs may be permitted for a period longer than 14 days only when the Planning Commission approves an extended time frame. The maximum area shall be twelve (12) square feet.
  - B. — A temporary freestanding sign shall be located no closer than 10 feet from the street right-of-way line or a side lot line.

#### **1171.10 REGULATIONS FOR NONCONFORMING SIGNS.**

- (a) Maintenance of Nonconforming Signs. Nonconforming signs shall be maintained in good condition pursuant to Section 1171.089(c), Maintenance, and may continue until such sign is required to be removed as set forth in this Chapter.

#### **1171.11 ADMINISTRATIVE PROVISIONS.**

- (a) Compliance with this Section. No person shall erect, locate, move, alter, or replace any sign or cause a sign to be located or maintained, unless all provisions of this Chapter have been met.
- (b) Application, Administrative Review, and Approval of Signage Proposals.
  - (1) *A sign permit shall be required for the erection, location, relocation, alteration, or replacement of a sign per Section 1171.11(c). All signs are subject to provisions of this Chapter and applicable sections of this Planning and Zoning Code whether or not a sign permit is required.*
  - (1.2) When any person other than the owner of the property submits a sign *permit* application, the owner of the property or a designated agent for the owner shall also sign such application.
  - (2.3) All signage proposals requiring review and approval shall be reviewed administratively by the Zoning Administrator for compliance with the design criteria, construction standards, maintenance, and all other applicable regulations *provisions of* in this Chapter *and applicable sections of this Planning and Zoning Code.*
  - (3.4) Approved signage proposals will receive from the Zoning Administrator a Sign Permit *A sign permit shall be issued only when the Zoning Administrator determines that the proposed application fully complies with the regulations set forth in this Chapter and applicable sections of this Planning and Zoning Code.*

(c) Table 1171.11 Administrative Requirements.

Table 1171.11 Administrative Requirements		
Sign Type	Sign Permit Required	Sign Permit Not Required
<i>Address</i>		X
Building, Permanent	X	
Construction		X
Entrance or Exit	X	
Freestanding, Permanent	X	
Instructional		X
Address Sign		X
<i>Project Real Estate/Construction</i>	X	
<i>Real Estate for Sale or Lease</i>		X
<i>Sandwich Board</i>		X
Temporary (6 sq. ft. or less)		X
Temporary (greater than 6 sq. ft.)	X	

- (d) Status of Prior Violations. All violations of the sign regulations repealed by the adoption of this Planning and Zoning Code shall remain violations and all penalties and enforcement remedies set forth herein shall be available to the City as though the violation were a violation of this Planning and Zoning Code. Provided, however, that if the effect of this Planning and Zoning Code is to make a sign, that was formerly unlawful or non-conforming, become lawful and/or conforming, then no enforcement action shall be taken except for the imposition and collection of penalties, other than the removal of the sign, for the violations that occurred prior to the effective date of this Planning and Zoning Code.
- (e) Prohibited signs located in the public right-of-way, as indicated in Section 1171.06 7(a) of this Planning and Zoning Code, shall be immediately removed by the City in order to maintain a public right-of-way which is safe and unobstructed.
- (f) Expiration of Sign Permit.
- (1) Permanent Signs. *A sign permit for a permanent sign shall expire if all work has not completed in compliance with the approved sign permit within one (1) year of the issuance.*
  - (2) Temporary Signs. *A sign permit for a temporary sign shall expire at the end of the calendar year in which such sign permit was issued. Sign permits for Project Real Estate/Construction signs shall expire per Section 1171.04(d)(3).*

## Summary of Proposed Changes to Temporary Signage Regulations

### Non-Residential Districts (Section 1171.04(d))

Current		Proposed	
Project Real Estate/ Construction Signs	1 sign permitted No max size No max height 3 ft. from R/W Displayed during construction & lease of project	Project Real Estate/ Construction Signs	1 sign permitted <i>along each R/W</i> <i>Max area 40 sq. ft.</i> <i>Max height 12 ft.</i> 3 ft. from R/W <i>or property line</i> Displayed during <i>construction</i> of project
Temporary Window Signs	No max number Conform to window sign area Display time 30 days, no more than 4 times a year	Temporary Signs	<i>1 sign per occurrence</i> Max area 40 sq. ft. Display time 30 days, no more than 4 time a year Max height (freestanding) 6 ft. Conform to window sign area Portable signs not permitted in C-4 Freestanding no closer than 3 ft. from R/W or property line
Other Temporary Signs	No max number Max area 40 sq. ft. Max height (freestanding) 6 ft. Display time 30 days, no more than 4 times a year		
Portable signs	No max number Max area 32 sq. ft. Max height (freestanding) 6 ft. Not permitted in C-4 Display time 30 days, no more than 4 time a year		
Temporary Signs in the C-4 District	Sandwich board signs and "similar types of temporary signs" permitted only in C-4 Max size 3 ft. high by 2 ft. wide Permitted in R/W if allowing a walkway, 5 ft. from door	Sandwich Board Signs in the C-4 District	Sandwich board signs and "similar types of temporary signs" only permitted in C-4 Max size 3 ft. high by 2 ft. wide Permitted in R/W if allowing a <i>4 ft.</i> walkway, 5 ft. from door
Setbacks	Freestanding no closer than 3 ft. from R/W or property line	(Addressed in other Sections)	Freestanding no closer than 3 ft. from R/W or property line
Real Estate for Sale or Lease Signs	No regulations	Real Estate for Sale or Lease Signs	<i>1 sign permitted along each R/W</i> <i>Property &lt; 2 acres, max area 20 sq. ft., max height 6 ft.</i> <i>Property ≥ 2 acres, max area 40 sq. ft., max height 12 ft.</i> <i>Displayed when for sale/lease</i> <i>Freestanding no closer than 3 ft. from R/W or property line</i>

**Residential Districts (Section 1171.05(c))**

<b>Current</b>		<b>Proposed</b>	
<b>Temporary Signs (Residential Use)</b>	1 sign permitted Max area 6 sq. ft. Max height 4 ft. Displayed for 30 days, no limit on number of occurrences 3 ft. from R/W	<b>Temporary Signs (Residential Use)</b>	1 sign permitted Max area 6 sq. ft. Max height 4 ft. <i>Display time 30 days, no more than 4 times a year</i> 3 ft. from R/W <i>or property line</i>
<b>Temporary Signs (Non-Residential Use)</b>	1 sign permitted Max area 14 sq. ft. No max height Displayed for 14 days, no more than 4 times a year 10 ft. from R/W or property line	<b>Temporary Signs (Non-Residential Use)</b>	1 sign permitted Max area 12 sq. ft. Max height 6 ft. <i>Display time 30 days, no more than 4 times a year</i> 10 ft. from R/W or property line
<b>Project Real Estate/ Construction Signs</b>	No regulations	<b>Project Real Estate/ Construction Signs</b>	<i>1 sign permitted along each R/W</i> <i>Max area 40 sq. ft.</i> <i>Max height 12 ft.</i> <i>3 ft. from R/W or property line</i> <i>Displayed during construction of project</i>
<b>Real Estate for Sale or Lease Signs</b>	No regulations	<b>Real Estate for Sale or Lease Signs</b>	<i>1 sign permitted along each R/W</i> <i>Property &lt; 2 acres, max area 20 sq. ft., max height 6 ft.</i> <i>Property ≥ 2 acres, max area 40 sq. ft., max height 12 ft.</i> <i>Displayed when for sale/lease</i> <i>Freestanding no closer than 3 ft. from R/W or property line</i>

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

JUSTIN REED  
*Property Maintenance Inspector*  
*Planning & Zoning Code Enforcement*  
330-263-5200 x362

**THE DAILY RECORD**  
**LEGAL AD - Please Publish December 7, 2014**

**NOTICE OF PUBLIC HEARING**

The Planning Commission of the City of Wooster will hold a public hearing on a request filed the City of Wooster for approval and recommendation by the Planning Commission to City Council of amendments to Chapter 1171, Sign Regulations, of the Wooster Planning and Zoning Code.

The hearing will be held on Wednesday, December 17, 2014 at 5:30 p.m., or soon thereafter, at City Hall, 1<sup>st</sup> Floor Council Chambers, 538 North Market Street, Wooster, Ohio. All interested parties are welcome to attend. Further information is available from the Division of Planning and Zoning, 330-263-5238, during regular office hours.

Special auxiliary aids for handicapped persons are available upon request. At least five (5) days notice is required prior to a meeting. Requests must be made to Andrew Dutton, 330.263.5238, during regular working hours.

**Andrew Dutton**  
**Planning and Zoning Manager**

**Proof of Publication**

Dix Communications  
P.O. Box 918  
Wooster, OH 44691  
Phone: (330) 264-1125  
Fax: (330) 264-3756

I, Penni Vacca being first duly sworn depose and say that I am Office Manager of

**THE DAILY RECORD**

Daily Record a newspaper printed and published in the city of Wooster, and of General circulation in the County of Wayne, State of Ohio, and personal knowledge of the facts herein stated and that the notice hereto annexed was Published in said newspapers for 1 insertions on the same day of the week from and after the 7th day of December, 2014 and that the fees charged are legal.



Penni Vacca

Name of Account: City Of Wooster-LEGALS

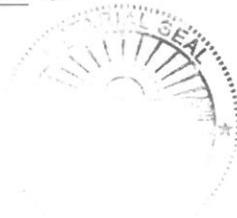
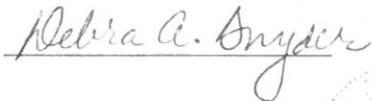
Ad Number: 11901997

No. of Lines: 38

Day(s) Published: 12/07.

Printers Fee: \$63.14

Sworn to and subscribed before this 8th day of December, 2014.



**DEBRA A SNYDER**  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
March 13, 2013

**LEGAL**  
**Notice of Public Hearing**  
The Planning Commission of the City of Wooster will hold a public hearing on a request filed the City of Wooster for approval and recommendation by the Planning Commission to City Council of amendments to Chapter 1171, Sign Regulations, of the Wooster Planning and Zoning Code.

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Andrew D. Snyder  
Planning and Zoning  
M:

Publish Wooster Daily Record  
December 7, 2014



EXHIBIT A

**PROPOSED AMENDMENTS TO  
CHAPTER 1103 (DEFINITIONS), CHAPTER 1109 (SUBDIVISION PROCEDURES),  
CHAPTER 1133 (SINGLE-FAMILY RESIDENTIAL DISTRICTS), CHAPTER 1135  
(MULTI-FAMILY RESIDENTIAL DISTRICTS), CHAPTER 1143  
(MANUFACTURING DISTRICTS), CHAPTER 1149 (NONCONFORMING USES,  
LOTS AND STRUCTURES), AND CHAPTER 1165 (LANDSCAPING AND LAND  
USE BUFFERS) OF THE PLANNING AND ZONING CODE**

**CHAPTER 1103 (DEFINITIONS)**

**1103.02 DEFINITIONS.**

- (a) Words used in this Ordinance are used in their ordinary English usage.
- (b) For the purpose of this Zoning Ordinance, the following terms shall have the meaning herein indicated:

*(55) **Data Center.** A facility in which the majority of the space is occupied by computer systems and associated components, such as servers, switches, routers, data storage devices, telecommunication equipment, wiring cages/closets, vaults, and racks, where digital data and information is managed, processed, transferred and/or stored. This definition includes, but is not limited to data centers, data storage and hosting facilities, co-located server hosting facilities (CoLo), network operations centers, web hosting facilities, and other similar facilities.*

*\* The numbering of existing definitions (55) through (78) in Section 1133.02(b) shall be increased by one*

*(79) **Family.** “Family” means an individual or two or more persons, each related to the other by blood, marriage, or adoption, or foster children as defined in Section 1103.02 (b) (86) **this Planning and Zoning Code** and not more than two additional persons not related as set forth above, all living together as a single housekeeping unit and using common kitchen facilities.*

*\* The numbering of existing definitions (80) through (100) in Section 1133.02(b) shall be increased by one*

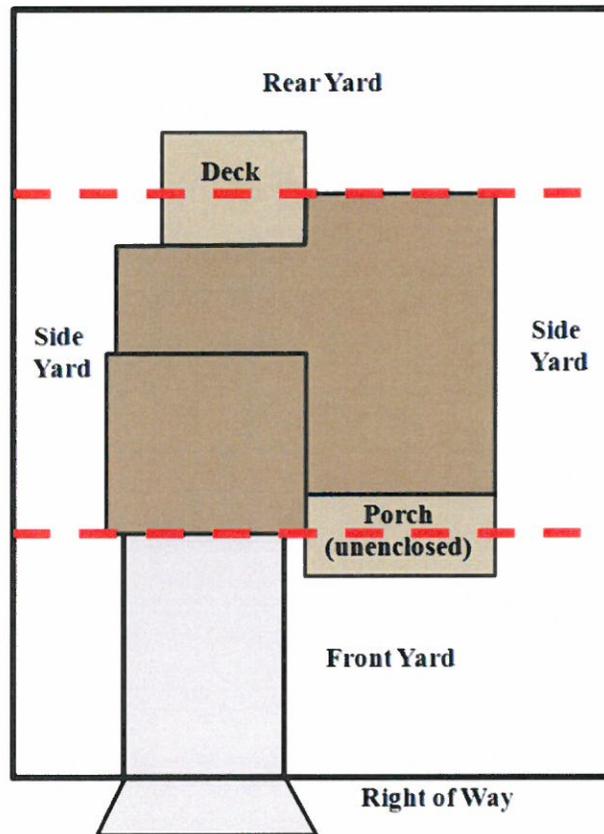
*(101) **Health club.** An establishment for the conduct of indoor sports and **or** exercise activities, along with **which may include** related locker and shower rooms, offices and classrooms, where use of such establishment is offered on a membership basis.*

*\* The numbering of existing definitions (102) through (256) in Section 1133.02(b) shall be increased by one*

(2578) Yard. An open space on the same lot with a principal building or structure extending between the lot line and the extreme front, rear or side wall of the main building or structure. See Figure 5 below.

- A. Yard, corner side. On a corner lot, the yard between the principal building and the side lot line adjacent to the street and extending from the front yard to the rear lot line.
- B. Yard, front. The area across the full width of the lot between the front of the principal building and the front line of the lot.
- C. Yard, rear. The area across the full width of the lot between the rear of the principal building and the rear line of the lot.
- D. Yard, side. The area between the main building and the side line of the lot extending from the front wall to the rear wall of the main building.

**Figure 5**  
**Illustration of Front, Rear and Side Yards**



*\* The numbering of existing definitions (258) through (268) in Section 1133.02(b) shall be increased by one*

## CHAPTER 1109 (SUBDIVISION PROCEDURES)

### 1109.09 APPROVAL OF MINOR SUBDIVISION.

Review of a proposed minor subdivision shall be conducted in compliance with the following:

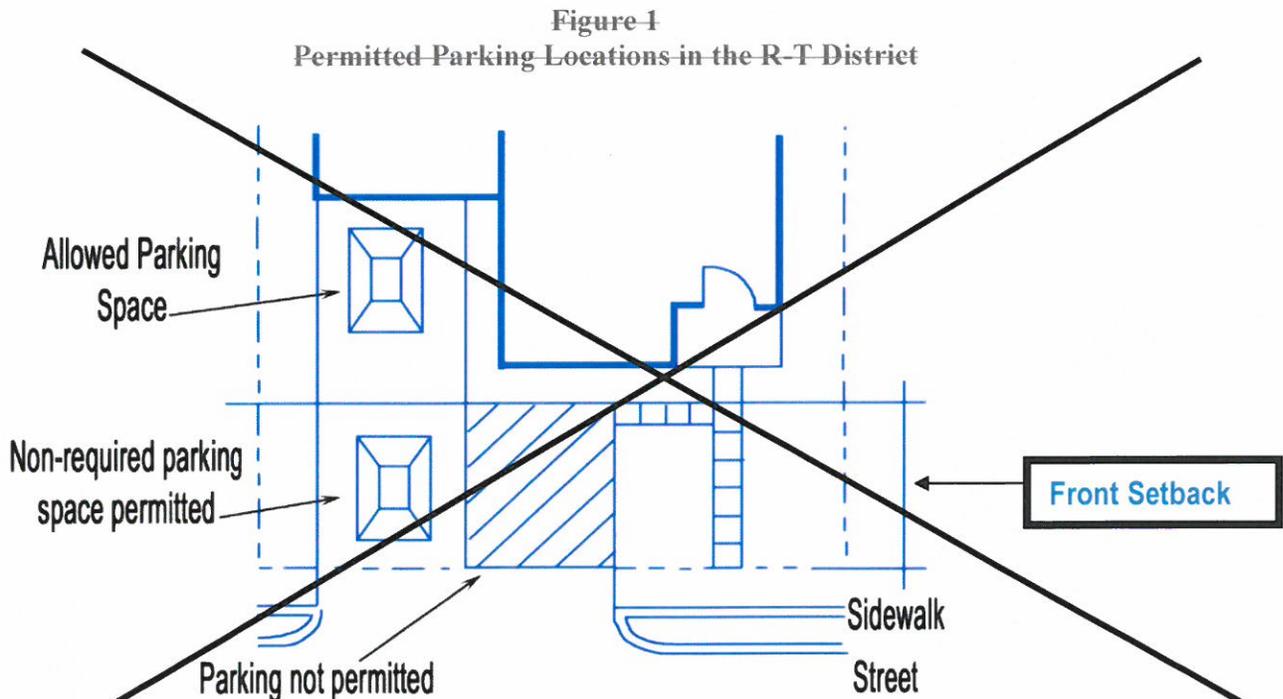
- (a) Applicability. Administrative approval of a minor subdivision, including the relocation of lot lines *and the combination of parcels*, may be granted by the Zoning Administrator and the City Engineer if the proposed division of a parcel of land meets all of the following conditions:

## CHAPTER 1133 (SINGLE-FAMILY RESIDENTIAL DISTRICTS)

### 1133.06 DESIGN CRITERIA FOR DWELLINGS LOCATED IN THE R-T DISTRICT.

All single-family detached dwellings in the R-T District shall comply with the following regulations. The Design and Review Board may exempt applicants from these standards when the exterior building modifications are minor in nature, meaning the design modifications will have no discernable impact on neighboring properties, the public, the public right-of-way, or those intended to occupy or use the proposed development.

- (e) — Required parking areas shall not be located in the front setback, and supplemental parking areas are prohibited between the front building line and the front setback line. See Figure 1 below.



**1133.07 ACCESSORY STRUCTURE REGULATIONS.**

Accessory buildings and structures permitted in single-family residential districts shall conform to the standards contained in this Section and Chapter 1125, if applicable. No accessory building shall be established on a lot unless a principal building has first been established on the lot in conformance with all applicable provisions of this Planning and Zoning Code.

(b) Table 1133.07 Permitted Accessory Structures In Front, Side And Rear Yards:

<b>Table 1133.07 Permitted Accessory Structures In Front, Side And Rear Yards</b>				
Structure	Yard Permitted	Minimum Setback From Lot Line		
		Front	Side	Rear
1. Detached accessory buildings, including garages	Side, rear	NP	5 ft.	5 ft.
2. Driveways	Front, corner side, side, rear	NA	3 ft.	3 ft.
3. Unroofed parking spaces <sup>(a)</sup>	Front, corner side, side, rear	20 ft.	5 ft.	5 ft.
4. Fences, walls	Front, corner side, side, rear	0 ft.	0 ft.	0 ft.
5. Outdoor storage of recreation vehicle. <sup>(b)</sup>	Side, rear	NP	10 ft.	10 ft.
6. Private Swimming pools	Rear	NP	10 ft.	10 ft.
<b>Notes to Table 1133.07:</b> <sup>(a)</sup> Required and non-required parking spaces are permitted in a driveway as shown in Figure 1 under Section 1133.06(e). <i>See Section 1133.07(e) for additional requirements regarding the location of required and supplemental parking spaces.</i> <sup>(b)</sup> See Section 1125.08 for additional outdoor storage of recreation vehicle regulations. NP Not Permitted				

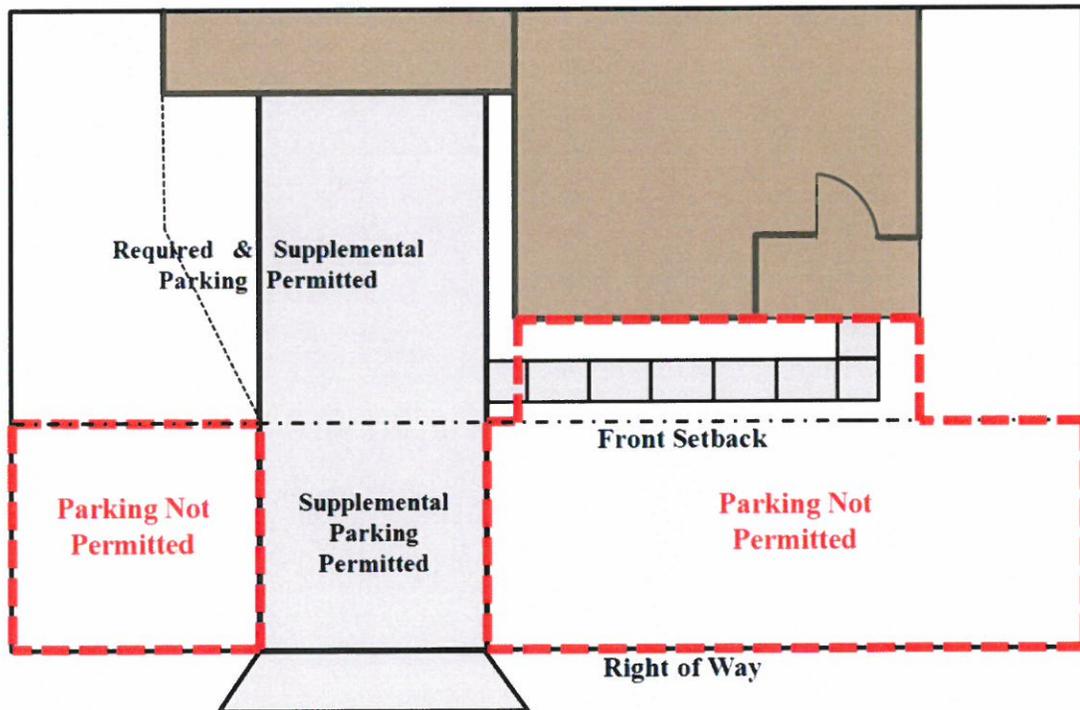
(h) Fences, Walls and Similar Screening Devices. Fences, walls and similar screening devices in any single-family residential district shall comply with the following requirements:

- (4) Fences that are painted, shall be one color. *All fences on a single property shall have a unified style, unified color and* Fences, walls and similar screening devices shall be maintained in good repair and structurally sound at all times by the owner and/or occupant of the lot on which they are located. *The smooth finished side of the fence shall be the side of the fence that faces outward from the yard being fenced. Different styles of fencing may be permitted on a single property in an attempt to match existing fence styles on the property or existing adjacent fencing on a neighboring property. Fences, walls and similar screening devices shall be maintained in good repair and structurally sound at all times by the owner and/or occupant of the lot on which they are located.*

(e) Additional Regulations for Parking Areas. *The following additional regulations shall apply to all parking areas:*

- (1) Accessory off-street parking spaces shall be provided in compliance with the parking requirements set forth in Chapter 1169, which shall be located on the same lot as the dwelling served.
- (2) *Required parking spaces shall not be located in the front setback as established in Section 1133.07(b)(3). Supplemental parking spaces shall not be located in the front setback, unless located in a driveway. Driveways shall not be widened in the front setback for the purpose of accommodating supplemental parking spaces. No parking spaces, required or supplemental, shall be located between the front face of a habitable first floor of a principal building and the front setback. See Figure 1 below.*

**Figure 1**  
**Permitted Parking Locations in the R-T District**



**CHAPTER 1135 (MULTI-FAMILY RESIDENTIAL DISTRICTS)**

**1135.05 ACCESSORY STRUCTURES.**

Accessory buildings and structures permitted in multi-family residential districts shall conform to the standards contained in this Section and Chapter 1125, if applicable. No accessory building shall be established on a lot unless a principal building has first been established on the lot in conformance with all applicable provisions of this Planning and Zoning Code.

- (c) Fences, Walls and Similar Screening Devices. Fences, walls and similar screening devices in any multi-family residential district shall comply with the following requirements:
  - (4) ~~Fences that are painted, shall be one color.~~ *All fences on a single property shall have a unified style, unified color and* Fences, walls and similar screening devices shall be maintained in good repair and structurally sound at all times by the owner and/or occupant of the lot on which they are located. ~~The smooth finished side of the fence shall be the side of the fence that faces outward from the yard being fenced.~~ *Different styles of fencing may be permitted on a single property in an attempt to match existing fence styles on the property or existing adjacent fencing on a neighboring property. Fences, walls and similar screening devices shall be maintained in good repair and structurally sound at all times by the owner and/or occupant of the lot on which they are located.*

**CHAPTER 1143 (MANUFACTURING DISTRICTS)**

**1143.02 USE REGULATIONS.**

- (d) Table of Permitted Uses.

<b>Table 1143.02 Permitted Uses</b>				
	<b>M-1 Office/Limited Manufact'g</b>	<b>M-2 General Manufact'g</b>	<b>M-3 Urban Manufact'g</b>	<b>M-4 Open Space/ Heavy Manufat'g</b>
<b>(2) Industrial/Warehousing Uses</b>				
<i>A. Data Center</i>	--	<i>P</i>	--	<i>P</i>
<i>AB. Light industrial processing, assembly</i>	P	P	P	P
<i>BC. Manufacturing and production with outdoor activities (open space)</i>	--	--	--	P
<i>CD. Manufacturing and production within enclosed building</i>	P	P	P	P
<i>DE. Manufacturing using raw materials, including saw mill, asphalt plant, etc.</i>	--	--	--	P

<b>Table 1143.02 Permitted Uses</b>				
	<b>M-1 Office/Limited Manufact'g</b>	<b>M-2 General Manufact'g</b>	<b>M-3 Urban Manufact'g</b>	<b>M-4 Open Space/ Heavy Manufat'g</b>
<b>E.F.</b> Metal, steel alloy fabrication	--	P	--	P
<b>F.G.</b> Outdoor storage of materials & general merchandise	--	P	--	P
<b>G.H.</b> Scientific research, development, training and testing facility	P	P	P	P
<b>H.I.</b> Transport and truck terminal	--	P	--	P
<b>I.J.</b> Self-storage facility, indoor	--	C	--	C
<b>J.K.</b> Warehousing	P	P	P	P
<b>K.L.</b> Wholesale sales & distribution, indoor	P	P	P	P
<b>L.M.</b> Wholesale sales & distribution, outdoor	--	P	--	P

**1143.08 ACCESSORY STRUCTURE REGULATIONS.**

Accessory structures permitted in any manufacturing district shall conform to the regulations of this Section and any other applicable regulation in this Planning and Zoning Code.

- (a) Accessory Buildings. Accessory buildings shall be located in a rear or side yard and shall be located on the same lot as the principle building. The height of accessory buildings shall not exceed twenty (20) feet.

**CHAPTER 1149 (NONCONFORMING USES, LOTS AND STRUCTURES)**

**1149.03 NONCONFORMING USES OF BUILDINGS, STRUCTURES, OR LAND.**

A nonconforming use may be continued so long as it remains otherwise lawful and does not constitute a public nuisance, subject to the following regulations:

- (b) Land Occupied by Nonconforming Use.
  - (1) Expansion of Nonconforming Use of Land. A nonconforming use of land shall not be physically enlarged, increased, nor extended to occupy a greater area of land than was occupied by the use at the time it became nonconforming, unless otherwise specified.
  - (2) Relocation of Nonconforming Use of Land. A nonconforming use of land shall not be moved in whole or in part to any portion of the lot or parcel other than those portions occupied by the use at the time it became nonconforming.
  - (3) The nonconforming use of land as a site for a mobile or manufactured home may be continued so long as the site is not unused for one year and so long as replacement mobile homes which occupy the site are no larger

in floor area than the one existing at the time of adoption of this Code or 1000 square feet whichever is larger.

***Removal of a Nonconforming Mobile or Manufactured Home Use of Land.*** A nonconforming use of land for a mobile or manufactured home shall be voluntarily abandoned upon the removal of such mobile or manufactured home from the site of such use. Any subsequent use of the land shall conform to the use regulations specified by this Code for the district in which such land is located.

## CHAPTER 1165 (LANDSCAPING AND LAND USE BUFFERS)

### 1165.04 STREET TREE PLANTING REQUIREMENTS.

In all zoning districts, developers shall plant and maintain shade trees along public streets in compliance with the following:

- (a) **Species.** Trees shall be limited to species characterized as hardy, long-lived shade trees. Suggested species are listed in Table 1165.12. The Zoning Administrator or the Planning Commission may approve other species. ***found in the Wooster City Urban Forestry Policy Manual, current edition. If other species are desired, the developer must apply to the Shade Tree Commission for approval.***
- (b) **Quantity, Size and Location Requirements.**
  - (1) One (1) tree shall be provided for every forty (40) linear feet of frontage, or fraction thereof, along each road.
  - (2) Trees are to ***shall*** be planted within three (3) feet of the rights-of-way of the road or roads within and abutting the development or at the discretion of the City, within the right-of-way of such roads ***in accordance with the Wooster City Urban Forestry Policy Manual, current edition.*** In the C-4 Central Business District, street trees shall be planted in sidewalk pits with a minimum pit size of five (5) feet by five (5) feet. ***in accordance with the Wooster City Urban Forestry Policy Manual, current edition. Street trees shall be planted in the public right of way, however, due to*** varying conditions near public roads and rights-of-way, street trees may be located elsewhere on the property at the discretion of the Zoning Administrator or the Planning Commission, as applicable.
  - (3) Each tree at the time of installation shall have a minimum caliper of two and one-half (2.5) inches and a clear trunk height of at least six (6) feet.
  - (4) Trees shall be planted an adequate distance from intersections so that at full maturity such planting shall comply with Section 1125.15, Visibility at Intersections, to ensure the unobstructed visibility of motorists and pedestrians.
- (c) **Installation.** In the case of residential subdivisions, street trees shall be planted ***on developed lots*** after seventy-five (75) percent of the residential dwelling units have been occupied or ***received a certificate of zoning compliance. Undeveloped residential subdivision lots at the time of the above required street tree planting shall have street trees planted prior to receiving a certificate of zoning compliance.*** For all other developments that require Development Plan Review

pursuant to Section 1107.05, street trees shall be planted prior to receiving a certificate of zoning compliance.

- (d) **Maintenance.** The developer shall be required to maintain the trees for two (2) years after the trees are planted and to replace any tree that dies within such two year guarantee period.
- (1) Upon completion of the street tree planting, the landscape contractor shall contact *the* Zoning Administrator.
  - (2) The two-(2) year guarantee period shall begin after the approval from the Zoning Administrator or the Zoning Administrator's designee for this approval *and submission of a guarantee in accordance with Section 1165.04(d)(7).*
  - (3) A final inspection shall be made at the end of the guarantee period.
  - (4) The developer shall notify the Zoning Administrator within five (5) business days of the end of the guarantee period to schedule the final inspection.
  - (5) All trees not exhibiting a healthy, vigorous growing condition, as determined by the City's inspection *Zoning Administrator*, shall be replaced at the expense of the developer or builder.
  - (6) If the City *Zoning Administrator* determines that replacement of a tree is required, such replacement shall occur within thirty (30) days of the date the City's inspection report is submitted to the developer. The two-(2) year guarantee period shall begin anew for each replacement tree.
  - (7) Developments requiring ten (10) or more street trees shall require the developer to deposit a guarantee amount equal to fifty (50) percent of the total cost of providing and installing the street trees as determined by the Zoning Administrator. The deposit shall be in the form of a bond, with the developer as principal and with a surety company authorized to do business in the State of Ohio, a certified check, or an irrevocable letter of credit. The deposit shall be in a form acceptable to the Law Director.

**1165.12 RECOMMENDED TREE SPECIES.**

Acceptable trees to fulfill the requirements of this Chapter include, but are not limited to, those identified as suitable for the use intended in Table 1165.12 (a) below:

(a) Table 1165.12 (a) Recommended Trees.

Table 1165.12 (a) Recommended Tree Species		
Botanic Name	Common Name	Suitability
Acer rubrum	Red Maple	T, S
Celtis occidentalis	Hackberry	P, T
Cercis Canadensis	Redbud	P
Corylus colurna	Turkish Filbert	T
Crataegus punctata var.	Ohio Pioneer Dotted Hawthorn	P
	Vaughn Dotted Hawthorn	P

Table 1165.12 (a) Recommended Tree Species		
Botanic Name	Common Name	Suitability
Ginko-biloba	Ginko (male tree only)	T, S
Gleditsia triacanthos-inermis var.	Thornless Honeylocust (use podless cultivar)	P, T
Gymnocladus dioica	Kentucky Coffeetree (male tree only)	P, T, S
Malus sp.	Flowering Crab (use upright, disease resistant cultivars)	P, T
Prunus sp.	Flowering cherry (use upright, single stem cultivars)	P, T
Pyrus calleryana var. <sup>(a)</sup>	Cleveland Select Callery Pear	P, T, S
	Redspire Callery Pear	P, T, S
Quercus bicolor	Swamp White Oak	T
Quercus rubra	Red Oak	T
Quercus shumard	Shumard Oak	T
Syringa reticulata	Japanese Tree Lilac	P, S
Taxodium distichum	Common Bald Cypress	T
Tilia americana	American Linden	T, S
Tilia cordata	Littleleaf Linden	T, S
Ulmus var.	Delaware Hybrid Elm	T
	Frontier Hybrid Elm	T
	Urban Hybrid Elm	T
P = Parking Lot Trees T = Tree Lawn S = Sidewalk Trees <sup>(a)</sup> Bradford Callery Pear trees should be avoided since it attracts bird-roosting, has a wide spread, and is susceptible to wind damage.		

- (b) — Evergreen trees should only be used for landscaping and screening purposes on private property and shall not be permitted in any public street right-of-way. Evergreen trees shall only be planted in planting areas with sufficient space to permit the trees to grow to maturity.
- (c) — Table 1165.12 (c) — Prohibited Trees. The trees listed in Table 1165.12 (c) should not be used unless approved by the Zoning Administrator or the Planning Commission, whichever is applicable under Chapter 1107.

<b>Table 1165.12 (e) Prohibited Trees</b>	
<b>Botanic Name</b>	<b>Common Name</b>
Acer-negundo	Box-elder
Acer-saccharinum	Silver-Maple
Aesculus-hippocastanum	Horsechestnut
Ailanthus-altissima	Tree-of-heaven Ailanthus
Catalpa (all)	Catalpa
Crataegus-sp.	Hawthorn (any species with thorns)
Liriodendron-tulipifera	Tuliptree (Tulip-Popular)
Maelura-pomifera	Osageorange
Malus-pumila	Common-Apple
Morus-sp.	Mulberry (any-species)
Populus-sp.	Cottonwood, Popular, etc.
Pyrus-calleryana-Bradford	Bradford-Callery-Pear
Robinia-pseudoacacia	Black-Locust
Sambucus-canadensis	Elderberry
Salix (all)	Willow
Ulmus-americana	American-Elm (including-Moline-Elm)
Ulmus-pumila <sup>(a)</sup>	Siberian-Elm
<sup>(a)</sup> —Not to be confused with Ulmus-parvifolia—Chinese-or-Lacebark-Elm	

*Acceptable trees and trees not acceptable to fulfill the requirements of this Chapter include, but are not limited to, ones found in the Wooster City Urban Forestry Policy Manual, current edition. If other trees are to be considered, the matter must be brought before the Wooster Shade Tree Commission for approval.*





## Request for Agenda Item Non-Capital

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

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

Council's consideration is requested in authorizing the Mayor, on the City's behalf, to modify the City's Community Reinvestment Area Agreement (CRA) Agreement 07-005, which was made to support the redevelopment of 150 W. Liberty Street in Downtown Wooster. Specifically sought is a transfer of the CRA agreement from the building's current owner, S Properties LLC, to Gentry Estates LLC, which has negotiated a purchase the 150 W. Liberty Street property on the basis such a modification could be approved.

On Sept. 5, 2006, Council authorized the Mayor to enter into this CRA Agreement with S Properties LLC for a redevelopment project at 150 W. Liberty Street in Downtown Wooster. The agreement committed the creation of two new positions with a minimum \$21,000.00 payroll, in addition to a \$480,000.00 investment. The agreement provided a 100 percent abatement for 12 years, which expires after 2018. As a result of the agreement, the proposed renovation work was accomplished, creating living space on the second and third floors, while remodeling the first floor to allow for a restaurant.

As of the most recent state filing, completed in March of 2014 to assess the business's 2013 performance, S Properties reported a total investment of \$320,000, seven new positions (three full-time), and a payroll of \$33,000 (Please note: figure does not include total business earnings generated). S Properties LLC benefited from a \$1,973.73 tax savings in 2012 property taxes (paid in 2013), with a cumulative savings of \$7,399.36 as of the start of the abatement. At the same time, \$9,106.74 in property taxes was generated.

On Dec. 11 2014, this Department learned that the 150 W. Liberty Street property was delinquent on property taxes owed, though the property owner was under and adhering to a repayment contract with the Wayne County Auditor's office, which has reported that it is satisfied with the company's performance on making repayments. As of 16 Dec 2014, the delinquency was \$5,612.67. Section 6 of the signed CRA agreement with S Properties LLC specifies that all taxes shall be paid.

Staff received a CRA Application from Gentry Estates LLC requesting the CRA transfer on Jan. 21, 2015. This was accompanied by a letter from S Properties, stating that they were in the process of negotiating and completing the sale of the 150 W. Liberty Street property, and requesting that the City modify its current agreement to allow the CRA to benefit the new owner. As per the current agreement, express and written approval from the City is required for a transfer.

The proposed sale, as a requirement of the agreement, would satisfy all tax delinquencies prior to the building's transfer to Gentry Estates LLC, which is committed to maintaining the investments previously made in addition to minor updates.

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

The purchase of 150 W. Liberty Street was negotiated between two private parties with the hope that Gentry Estates LLC's application for a transfer would be approved. A suspension of rules is *recommended* in order to enable a timely closing if approved, thereby resolving a current delinquency and allowing the building to transfer to new ownership.

**Manager Requesting**

**Date**

**Approved for Agenda**



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

Division  Project Name  Requested Meeting Date

- Approved for Agenda
- Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase  
Approval to go to bid for pricing on the purchase of bituminous products and concrete unless pricing is available through either the Ohio Department of Administrative Services Cooperative Purchasing Program or the Ohio Department of Transportation Purchasing Program.

Justifications / Benefits  
Materials are needed to do necessary roadway, curb, sidewalk and storm inlet repairs for 2015.

How will this project effect the City's operating budget?  
Fully budgeted from 331602 (Street Construction and Repair), 331605 (Sidewalks SCM&R) & 731502 (Storm Drainage-Maintenance)

What alternatives exist, and what are the implications of the alternatives?  
Not to do the required work, therein allowing the roadways to become more deteriorated.

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

Requesting suspension of the rules?

If Yes, explain reasons.  
So that PPM can move forward to begin work in 2015 once weather is permitting

Division Manager  Date

Res #21



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

<b>Division</b> Engineering	<b>Meeting Date Requested</b> February 17, 2015
<b>Project Name</b> Oldman Connector Trail	<b>Approved for Agenda</b>
<b>Estimated Total Cost</b> \$ 180,000. (\$144,000 ODOT, 36,000 Capital Fund)	
<b>Is Full Amount Budgeted</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If No, How Is The Purchase To Be Funded?</b>	
<p><b>Description Of Purchase</b> This is a request to authorize advertisement and award of a contract to the lowest and best bidder for the construction of a connector trail from the Oak Hill Park to the Kinney Trail. The project involves the construction of approximately 2,500 linear feet of a 10' wide asphalt trail.</p> <p>Resolution No. 2013-53 Application for Grant</p>	
<p><b>Justification / Benefits</b> This project will connect the two existing trails and provide for 3.50 miles of interconnecting trails.</p>	
<p><b>Will This Project Effect the City's Operating Costs</b> This project should have no effect on the City's operating costs.</p>	
<p><b>What Alternatives Exist and What Are The Implications of The Alternatives</b> There are no alternatives since the City has agreed to accept these funds by passing earlier legislation.</p>	
<p><b>Is This A Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><b>If Yes, Explain The Circumstances</b></p>	
<p><b>Are You Requesting Suspension Of The Rules</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center;"><b>If Yes, Note Reasons</b> While suspension of the rules is not necessary, earlier passage would allow the opportunity to advertise and bid this project as early as possible in order to obtain the best possible bids.</p>	
<b>Division Manager</b> Roger Kobilarcsik	<b>Date</b> February 6, 2015

*Res #22*

RESOLUTION NO. 2015-23

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR RESURFACING A PORTION OF PALMER STREET

WHEREAS, it is necessary to resurface a portion of Palmer Street, between Bowman Street and Pittsburgh Avenue, and the cost thereof has been budgeted for 2015.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for resurfacing portions of Palmer Street, in accordance with specifications on file in the Office of the Director of Administration.

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: \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

Introduced by: Jon E. Ulbright

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

<b>Division:</b> Engineering	<b>Meeting Date Requested:</b> February 17, 2015
<b>Project Name:</b> Palmer Street Resurfacing	<b>Approved for Agenda</b>
<b>Estimated Total Funds/Cost:</b> \$121,000. (ODOT Larger City Funds \$88,000, Permissive Tax Fund \$33,000)	
<b>Is Full Amount Budgeted/Accounted for?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>What are the funding implications, if any?</b>	
<b>Description Of Request:</b> This is a request to authorize advertisement and award of a contract to the lowest and best bidder for resurfacing and repairing the pavement on Palmer Street from Pittsburg Avenue to Bowman Street. The project will mill the existing surface, adjust manholes and water valve boxes to grade, and place new asphalt and pavement markings.	
<b>Justification / Benefits:</b> This road has been scheduled for resurfacing in 2015. This legislation will allow the City to remain on ODOT's schedule.	
<b>Will This Project Effect the City's Operating Costs:</b> This project should reduce maintenance costs by repairing deteriorating roads.	
<b>What Alternatives Exist and What Are The Implications of The Alternatives:</b> Do nothing, and continue to patch holes as best as possible.	
<b>Is This A Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <b>If Yes, Explain The Circumstances</b>	
<b>Are You Requesting Suspension Of The Rules</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Explanation:</b> While suspension of the rules is not necessary, earlier passage would allow the City to meet ODOT's completion schedule.	
<b>Division Manager</b> Roger Kobilarcsik	<b>Date</b> February 9, 2015

*Res #23*

RESOLUTION NO. 2015-24

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF A PORTION OF PALMER STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 99762)

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

WHEREAS, the Palmer Street Resurfacing Project (PID 99762) is a transportation activity eligible to receive federal/state funding; and

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

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

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

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

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this resolution occurred in an open meeting of this Council or its committees, in compliance with law.

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

1st reading \_\_\_\_\_ 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2015

Vote: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

Introduced by: Jon E. Ulbright

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

<b>Division</b> Engineering	<b>Meeting Date Requested</b> February 17, 2015
<b>Project Name</b> Resurfacing – Palmer Street PID 99762	<b>Approved for Agenda</b>
<b>Estimated Total Cost</b> \$121,000.00 ODOT Grant = \$88,000 (80%), Local Funds = \$33,000 (20%) (Permissive Tax)	
<b>Is Full Amount Budgeted</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If No, How Is The Purchase To Be Funded?</b>	
<p><b>Description Of Purchase</b>  This is a request to authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Palmer Street between Pittsburg Avenue and Bowman Street. ODOT is funding 80% of the construction costs, or \$121,000. This project was moved up on the City's paving list in order to use some left over money from ODOT's Large Cities yearly distribution due to a rules change. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff.</p>	
<p><b>Justification/Benefits</b>  The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2015.</p>	
<p><b>Will This Project Effect the City's Operating Costs</b> This project should have little or no effect on the City's operating costs.</p>	
<p><b>What Alternatives Exist and What Are The Implications of The Alternatives</b> We could do nothing, and turn down the grant funds. We could proceed with the project using other interest accruing financing methods.</p>	
<p><b>Is This A Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If Yes, Explain The Circumstances</b> This is a request to simply accept the funds already awarded for this project, and is a requirement of the funding process.</p>	
<p><b>Are You Requesting Suspension Of The Rules</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If Yes, Note Reasons</b> ODOT plan approval process can not begin until the LPA agreement is signed.</p>	
<b>Division Manager</b> Roger Kobilarcsik	<b>Date</b> February 9, 2015

#24



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

<b>Division</b> Engineering	<b>Meeting Date Requested</b> February 17, 2015
<b>Project Name</b> Safe Routes To Schools - SRTS Participation	<b>Approved for Agenda</b>
<b>Estimated Total Cost</b> \$400,000. If approved, the SRTS program would fund \$320,000 of project costs with grant funds.	
<b>Is Full Amount Budgeted</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If No, How Is The Purchase To Be Funded?</b> This application would be for year 2018 construction, and the City portion would be budgeted in 2018. The non-grant funded portion of the project would be funded by assessments to property owners.	
<b>Description Of Purchase</b> This is a request to authorize application for and acceptance of grant money from the Ohio Department of Transportation, SRTS program for sidewalk improvements. Concurrently with the application process the City's School Travel Plan will be updated and one of the areas to be studied is around Ashwood and Ridgecrest Drives.	
<b>Justification / Benefits</b> The City has completed or is in the process of completing all the projects in the original Wooster School Travel Plan. The application and updated plan will continue the City's overall plan to construct sidewalks on improved streets. Project selection is based on student and parent surveys, and school officials and teacher input.	
<b>Will This Project Effect the City's Operating Costs</b> This project should have little or no affect on the City's operating costs.	
<b>What Alternatives Exist and What Are The Implications of The Alternatives</b> We could do nothing, and turn down the possible grant funds.	
<b>Is This A Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If Yes, Explain The Circumstances</b> ODOT SRTS is the only agency offering additional grant funding for this type of project at this time.	
<b>Are You Requesting Suspension Of The Rules</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If Yes, Note Reasons</b> The ODOT funding application process requires that the application be submitted by March 1, 2015.	
<b>Division Manager</b> Roger Kobilarcsik	<b>Date</b> February 10, 2015

# 25



**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 water treatment plant requires certain chemicals in order to process raw well water and produce safe, aesthetically pleasing drinking water for the residents of Wooster. Pebble lime is required to remove hardness from the water through chemical reaction and precipitation. The water softening process uses 3 to 4 tons of pebble lime each day.

This is a budgeted item.

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

The current contract will expire in March. Request for bids should begin as soon as possible.

**Manager Requesting**

**Date**

**Approved for Agenda**

#20



**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 water treatment plant requires certain chemicals in order to process raw well water and produce safe, aesthetically pleasing drinking water for the residents of Wooster. Suppliers of sodium hypochlorite (disinfection) and soda ash (softening) have agreed to extend the current contract an additional 12 months. History shows that these contracts increase annually and it would benefit the City to extend the current contracts.

This is a budgeted item.

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

The current contract will expire in March.

**Manager Requesting**

**Date**

**Approved for Agenda**

#27