

**CITY COUNCIL AGENDA**  
**November 6, 2017**  
**7:30p.m.**

The meeting convenes 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**
- IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**
  1. Liquor Control Hearing Notice – New – C1, C2  
Aldi Inc. Ohio  
DBA Aldi 9  
2249 Akron Road  
Wooster, OH 44691
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**  
Safety Committee
- VI. OLD BUSINESS - None**
- VII. NEW BUSINESS**
  1. First Reading –RESOLUTION NO. 2017-46  
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 AND REPAIRING PORTIONS OF OAK HILL ROAD, SMITHVILLE-WESTERN ROAD, AND BEVER STREET (Ulbright)
  2. First Reading – RESOLUTION NO. 2017-47  
A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO APPROPRIATE INSURANCE PROCEEDS TO THE CAPITAL IMPROVEMENTS FUND (Ansel)
  3. First Reading - ORDINANCE NO. 2017-33  
AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE, AND DECLARING AN EMERGENCY (Cavin)
  4. First Reading – ORDINANCE NO. 2017-34  
AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE TRANSFER AND APPROPRIATION OF DEMOLITION COSTS, AND DECLARING AN EMERGENCY (Ansel)
  5. First Reading – ORDINANCE NO. 2017-35  
AN ORDINANCE AUTHORIZING THE SALE OF REAL ESTATE (Myers)
- VIII. MISCELLANEOUS**
- IX. ADJOURNMENT**

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

01007781055 PERMIT NUMBER		NEW TYPE	ALDI INC OHIO DBA ALDI 9 2249 AKRON RD WOOSTER OH 44691
ISSUE DATE			
10 16 2017			
FILING DATE			
C1 C2			
PERMIT CLASSES			
85	165	B	B76787
TAX DISTRICT		RECEIPT NO.	

FROM 10/25/2017

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED 10/25/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/27/2017

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B NEW 0100778-1055**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF WOOSTER CITY COUNCIL**  
538 N MARKET ST  
PO BOX 1128  
WOOSTER OHIO 44691

### OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

#### Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

#### SEARCH CRITERIA

<b>Permit Number</b>	<input type="text" value="0100778"/>
<b>Permit Name / DBA</b>	<input type="text"/>
<b>Member / Officer Name</b>	<input type="text"/>

[Search](#)      [Reset](#)      [Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
<b>Permit Number:</b> 0100778; <b>Name:</b> ALDI INC OHIO SPRINGFIELD DIVISION; <b>DBA:</b> ; <b>Address:</b> PO BOX 2997 SPRINGFIELD 45501		
ALDI INC	1000.00	
CHARLES YOUNGSTROM	0.00	PRESIDENT
TERRY PFORTMILLER	0.00	SECR-TREA.

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- [Ohio Department of Commerce](#)

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RESOLUTION NO. 2017-46

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 AND REPAIRING PORTIONS OF OAK HILL ROAD, SMITHVILLE-WESTERN ROAD, AND BEVER STREET

WHEREAS, it is necessary to resurface and repair the pavement on portions of Oak Hill Road, Smithville-Western Road, and Bever Street; and

WHEREAS, Council, through Resolution 2017-20, has previously authorized a cooperative agreement with ODOT for this project, and the cost has been budgeted for 2018.

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

SECTION 1. That the Director of Administration is authorized to advertise according to law and enter into a contract with the lowest and best bidder for resurfacing portions of Oak Hill Road, Smithville-Western Road, and Bever 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: \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor

Introduced by: Jon E. Ulbright

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

<b>Division</b> Engineering	<b>Meeting Date Requested</b> November 6, 2017
<b>Project Name</b> Oak Hill, Smithville-Western, Bever Resurfacing PID 105353	<b>Approved for Agenda</b>
<b>Estimated Total Funds/Cost</b> \$850,000.00 (ODOT Large City Funds \$418,000, Local Funds \$305,000, Wayne County Engineer \$127,000)	
<b>Is Full Amount Budgeted?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>If No, How Is The Purchase To Be Funded?</b> Funding for this project will be included in the 2018 Appropriation Budget.	
<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 Oak Hill Road from Wayne Avenue to Oldman Road, Smithville-Western Road from Cleveland Road to the eastern Corp limit and Bever Street from Liberty Street 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; Council has already passed the cooperative agreement with ODOT for this project (Resolution 2017-20 Cooperative Agreement). The Wayne County Engineer will be participating in this project since a small section of roadway is in the county. All of the construction engineering, contract management and inspection will be performed in-house by the Engineering Division staff.	
<b>Justification / Benefits</b> These roads have been scheduled for resurfacing in 2018. 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>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.	
<b>Division Manager</b> Roger Kobilarcsik	<b>Date</b> October 30, 2017

RESOLUTION NO. 2017-47

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE  
TO APPROPRIATE INSURANCE PROCEEDS TO THE CAPITAL  
IMPROVEMENTS FUND.

WHEREAS, the City received insurance proceeds of \$24,490.50 from the Ohio Plan for a totaled police vehicle.

WHEREAS, pursuant to Wooster Codified Ordinance 161.02, insurance proceeds in excess of fifteen thousand dollars (\$15,000.00) must be presented to Council for formal acceptance and appropriation;

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

SECTION 1. That the Director of Finance is authorized to appropriate \$24,490.50 in insurance proceeds to the Capital Improvements Fund.

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

SECTION 3. This Resolution is declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary to compensate the foregoing contractor for services rendered; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2017

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

Attest: \_\_\_\_\_  
Clerk of Council

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

Approved: \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor

Introduced by: Jon Ansel

**Request for Agenda Item  
Non-Capital**

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

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

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

On July 15<sup>th</sup>, Car 8 was struck by a drunk driver and the insurance company totaled the car due to the damage.

Insurance has reimbursed the City for the loss in the amount of \$24,490.50. In order to replace this vehicle, it is necessary to appropriate the insurance proceeds to the Capital Improvements Fund.

Insurance proceeds were received by the City and receipted into the Capital Improvements Fund at the end of August.

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

**Manager Requesting**

**Date**

**Approved for Agenda**





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



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

## MEMO

**To:** City Council  
**From:** Joel Montgomery, Director of Administration  
**CC:** Mayor, Law Director, Finance Director, Fire Chief  
**Date:** 10/31/17  
**Re:** Mortimer Property Update

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Dear Councilpersons,

As discussed previously, the City Administration was approached by representatives of the Mortimer family regarding the potential purchase of the property at 442 N. Market Street, adjacent to Fire Station #1. This property could be used for potential, future improvements to the fire station property.

The family desires that the property be acquired by the City for municipal purposes. After several meetings to negotiate the purchase, the following tentative purchase agreement was developed, subject to Council approval:

- Purchase price of \$150,000.
- Down payment at time of agreement of \$40,000.
- Balance of \$110,000 payable 12 months from date of agreement

This would allow the current owner to retain rental revenue for the next 12 months, while not burdening the City with upkeep, maintenance, taxes, utilities or rental management.

Please note that Design and Review Board approval is required for any future demolition and redevelopment. While the building itself carries no historic designation, this property is located within the Downtown Historic District, and as such any demolition must meet certain criteria. These criteria include preservation of the overall character of the area, and final site improvement will result in an improvement to existing conditions. While we should be able to meet these criteria, the DRB decision is not guaranteed. To that end, the seller has agreed to make the purchase contingent upon the DRB approval in 12 months. At that time, the City will have the option of purchasing the property, or requiring the down payment be refunded out of the proceeds from a separate sale.

By way of reference, the property owner has approached the City several times over the past several years, one of which being in 2009. At that time, Council tentatively negotiated a price of \$205,000 for the property. It was not accepted by the owner at that time.

Please let me know if you have additional questions or need further information. I would be happy to discuss in further detail.

Sincerely,

*Joel Montgomery, PE*

Director of Administration

ORDINANCE NO. 2017-34

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE, TRANSFER AND APPROPRIATION OF DEMOLITION COSTS, AND DECLARING AN EMERGENCY

WHEREAS, this City Council, acting upon the recommendation of the Mayor, has determined that it is in the best interests of the municipal government to purchase a certain parcel of real estate located at 148 Beall Ave.;

WHEREAS, the City needs to transfer previously authorized demolition funds to the Capital Improvements Funds since we are acquiring the property and it will part of cost basis; and

WHEREAS, prompt action is necessary in order to take advantage of pending purchase proposals.

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

SECTION 1. That the Mayor is authorized to purchase, in the name of the City of Wooster, the following parcel of real estate, and that he is authorized to execute any necessary documents in connection with such purchase:

PPN 64-01215.000, located at 148 N. Beall Ave.

SECTION 2. The amount of such purchase will not exceed \$5,000.00, plus costs related or incidental to closing; and such amount is payable from the Capital Improvements Fund.

SECTION 3. That the costs of the demolition for this building be transferred from the building standards cost center to the Capital Improvements Fund and appropriated.

SECTION 4. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 5. This Ordinance is declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City; or providing for the usual daily operation of a municipal department or division and for the further reason that prompt action is necessary to authorize the purchase in order to secure the site for future development; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.





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Wooster, Ohio 44691-3406



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Director of Administration  
Phone (330) 263-5244  
Fax: (330) 263-5247  
Email: [jmontgomery@woosteroh.com](mailto:jmontgomery@woosteroh.com)

## MEMO

**To:** City Council  
**From:** Joel Montgomery, Director of Administration  
**CC:** Mayor, Law Director, Finance Director, Chief Building Official, Planning Manager  
**Date:** 10/31/17  
**Re:** 148 Beall Property Update

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Dear Councilpersons,

As discussed previously, the City Administration has been in discussions with the owner of 148 Beall Avenue regarding the potential purchase of the property.

The City condemned the house at this location after a fire caused substantial damage. The house was uninsured. The owner was actively trying to sell the property for \$25,000. The current Auditor's value for the property is \$65,730. Since the City has been actively trying to find parking in this area of the newly expanded Downtown Parking District, we expressed interest in purchasing this property.

Tim Monea has been actively working with the owner, and negotiated an agreement that the owner cause the bank to release the mortgage, pay the taxes owed, and sell the property (#1 attached) to the City of Wooster for \$5,000. The demolition will cost approximately \$12,000.

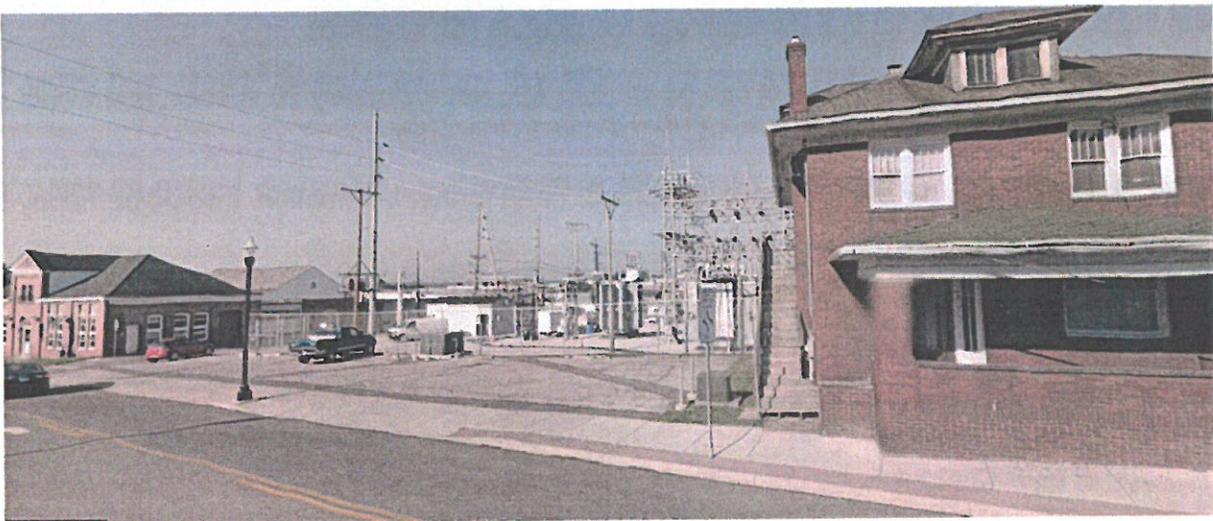
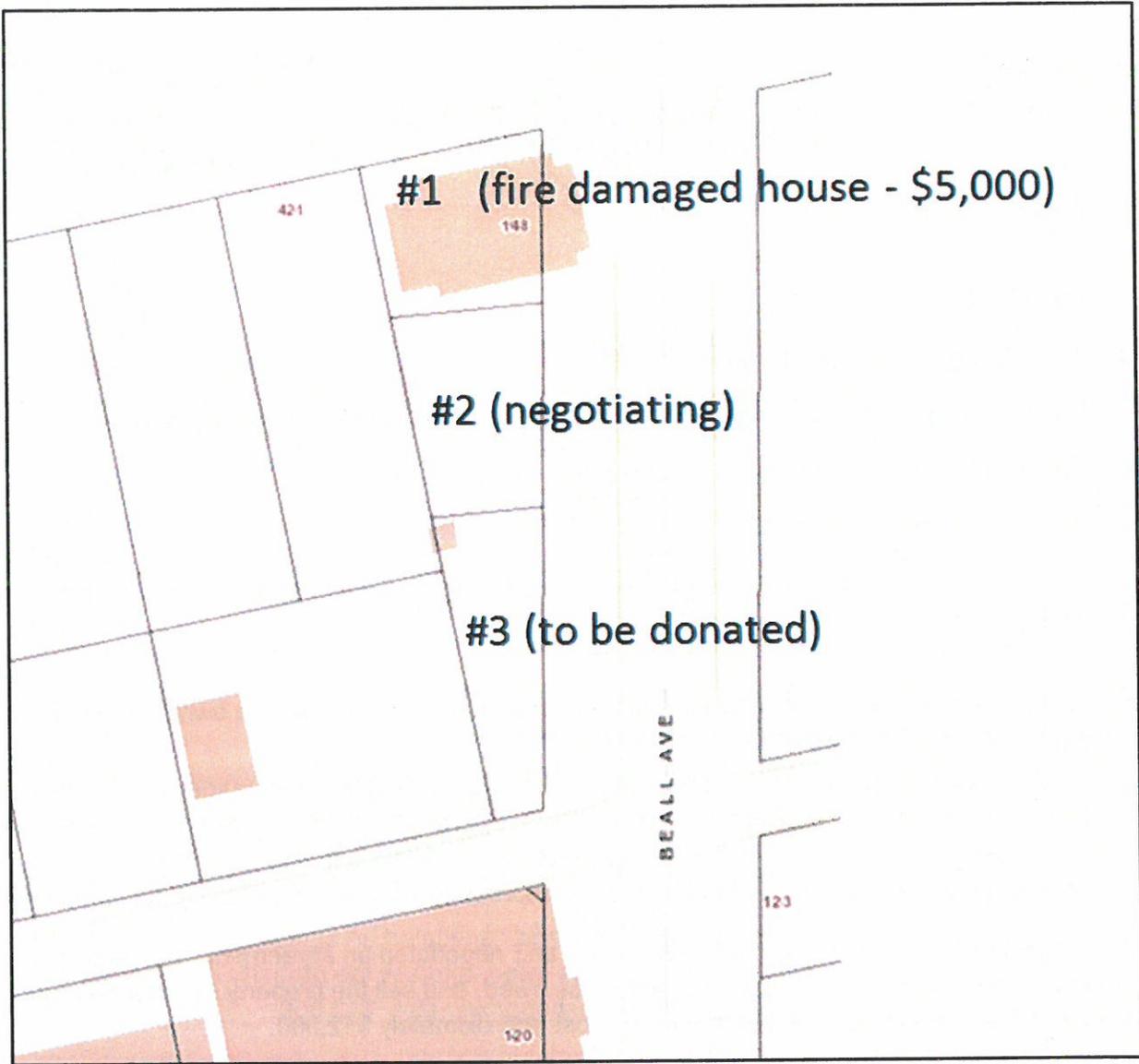
Additionally, the owners of the 120 Beall Ave. have agreed to donate to the City the lot (#3) on the NW corner of Beall Ave. and the alley that runs to the North of their property. We are also actively pursuing the purchase of the lot in-between these two parcels (#2 attached).

With these 3 parcels, a public parking lot can be created with approximately 20 spaces, and would enhance the development potential for several properties in this area.

Please let me know if you have additional questions or need further information. I would be happy to discuss in further detail.

Sincerely,

*Joel Montgomery, PE*  
Director of Administration



ORDINANCE NO. 2017-35

AN ORDINANCE AUTHORIZING THE SALE OF  
REAL ESTATE

WHEREAS, with the construction of the new Safety Services Center, the City Administration has determined that no municipal purpose will be served by continued ownership of the fire station located at 433 E. Highland, parcel #67-02548.000, and that a sale of this parcel and building would be appropriate;

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

SECTION 1. That the Director of Administration is authorized to sell the property described above by first advertising the sale to the highest bidder, and then, if unsuccessful, by other legal means, including sale by public auction;

SECTION 2. In addition, the Mayor is authorized to execute any necessary documents in connection with the sale; and

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

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

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

Passed: \_\_\_\_\_, 2017      Vote: \_\_\_\_\_

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

Clerk of Council

President of Council

Approved: \_\_\_\_\_, 2017

Mayor

Introduced by: Scott Myers



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



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Director of Administration  
Phone (330) 263-5244  
Fax: (330) 263-5247  
Email: [jmontgomery@woosteroh.com](mailto:jmontgomery@woosteroh.com)

## MEMO

**To:** City Council  
**From:** Joel Montgomery, Director of Administration  
**CC:** Mayor, Law Director, Finance Director, Fire Chief  
**Date:** 11/01/17  
**Re:** Highland Fire Station Disposition

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Dear Councilpersons,

As discussed previously, the City Administration has been evaluating several options for the disposition of the former fire station building located at 433 E. Highland Avenue. Options evaluated included:

1. Renovating the building for storage.
2. Traditional sale of the building and property as is.
3. Demolish the building and offer the lot for sale.
4. Auction the property.
5. Accept sealed bids for the property

After evaluating the options, discussing each with the Fire Department administration, as well as discussing sale options with local real estate representatives, we have decided that the best, initial route is to advertise the property for sale as is, and accept sealed bids.

We believe this option will generate the best price, and allow us to evaluate the final, proposed use of the site as part of the award and sale.

If we are not satisfied with the bids, we could always proceed with an auction. We therefore request authorization to sell the property via sealed bids, and auction if necessary.

Please let me know if you have additional questions or need further information. I would be happy to discuss in further detail.

Sincerely,

*Joel Montgomery, PE*  
Director of Administration