

**CITY COUNCIL AGENDA**  
**September 17, 2018**  
**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 – D5  
Greenbriar Event Center Inc.  
50 Riffel Road  
Wooster, Ohio 44691

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

1. Public Hearing – Zoning Map Amendment : E. Smithville-Western Road & Friendsville Road
2. Public Hearing – Zoning Map Amendment: 1055 E. Henry Street; Request by applicant for hearing to be continued

**VI. UNFINISHED BUSINESS**

1. Second Reading – RESOLUTION NO. 2018-050  
A RESOLUTION AUTHORIZING THE MAYOR TO MAKE A GIFT TO THE GREATER WAYNE COUNTY FOUNDATION FOR THE BENEFIT OF THE WAYNE COUNTY FAIRGROUND IMPROVEMENT CAMPAIGN (Ansel)

**VII. NEW BUSINESS**

1. First Reading – ORDINANCE NO. 2018-016  
AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO R-3 (ATTACHED RESIDENTIAL), R-4 (MULTI-FAMILY RESIDENTIAL), C-2 (COMMUNITY COMMERCIAL) AND C-3 (GENERAL COMMERCIAL) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF EAST SMITHVILLE – WESTERN ROAD AND EAST AND WEST SIDES OF FRIENDSVILLE ROAD (Sanders)
2. First Reading – RESOLUTION NO. 2018-052  
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FINAL RESOLUTION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR 83 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY ( Bostancic)
3. First Reading – RESOLUTION NO. 2018-053  
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A WATERLINE TO THE NORTH HIGH WATER TOWER AND EXTENSION OF THE SANITARY SEWER TO THE NORTH AND DECLARING AN EMERGENCY (Silvestri)
4. First Reading – RESOLUTION N. 2018-054  
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 REPLACEMENT OF THE STORM SEWER ALONG CLEVELAND ROAD, NORTH OF HIGHLAND AVENUE, AND DECLARING AN EMERGENCY (Bostancic)

5. RESOLUTION NO. 2018-055

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE CITY'S PROPOSED VENTURE PARK PROJECT AND AUTHORIZING THE NECESSARY FUNDS AND DECLARING AN EMERGENCY (Bostancic)

6. RESOLUTION NO. 2018-056

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO ACCEPT AND APPLY SUCH FUNDS, IF AWARDED, AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY (Bostancic)

**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

<b>3356645</b> <small>PERMIT NUMBER</small>		<b>NEW</b> <small>TYPE</small>	<b>GREENBRIAR EVENT CENTER INC</b> <b>DBA GREENBRIAR</b> <b>50 RIFFEL RD</b> <b>WOOSTER OH 44691</b>
ISSUE DATE			
<b>08 21 2018</b> <small>FILING DATE</small>			
<b>D5</b> <small>PERMIT CLASSES</small>			
<b>85</b> <small>TAX DISTRICT</small>	<b>165</b> <small>TAX DISTRICT</small>	<b>B</b> <small>TAX DISTRICT</small>	<b>C07659</b> <small>RECEIPT NO.</small>

FROM **08/30/2018**

<small>PERMIT NUMBER</small>		<small>TYPE</small>
<small>ISSUE DATE</small>		
<small>FILING DATE</small>		
<small>PERMIT CLASSES</small>		
<small>TAX DISTRICT</small>	<small>TAX DISTRICT</small>	<small>RECEIPT NO.</small>



MAILED **08/30/2018**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **10/01/2018**

**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 3356645**

(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**

RESOLUTION NO. 2018-050

A RESOLUTION AUTHORIZING THE MAYOR TO MAKE A  
GIFT TO THE GREATER WAYNE COUNTY FOUNDATION  
FOR THE BENEFIT OF THE WAYNE COUNTY  
FAIRGROUND IMPROVEMENT CAMPAIGN

WHEREAS, the City of Wooster, recognizes that the Wayne County Fair Board and Fairgrounds located at 199 Vanover Street, Wooster, is a quality of life asset to the community.

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

SECTION 1. The Mayor is authorized to make a gift to the Greater Wayne County Foundation for the benefit of the Fairground Improvement Campaign for \$30,000.

SECTION 2. The Director of Finance is authorized to make payment from the 2019 appropriations budget to the Greater Wayne County Foundation in the amount of \$30,000.

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 the law.

SECTION 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

1st reading 9-4-18 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2018 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2018  
Mayor

Introduced by: Jon Ansel

### Request for Agenda Item

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division</b> Administration	<b>Meeting Date Requested</b> 9-4-2018
<b>Project Name</b> Fairground Improvement	<b>Estimated Total Funds/Costs</b> \$ 30,000.00
<b>Is Full Amount Budgeted?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED Will be in the 2019 Budget	
<b>If No, How is the Purchase to be Funded?</b> Support Donation from General Fund.	
<b>Description of Request</b> John Crum, the Campaign Chair of the Wayne County Fair Fairgrounds Improvement Campaign has met with me about having the City be a part in the improvements (Event Center, Barn, Parking area, and Entrance) being planned at the Wayne County Fair Grounds. He has suggested it would be helpful to the Campaign if the City of Wooster would take a Gold Level or stronger pledge of support for this community improvement. After conferring with the Administrative Team and Community Partners Sanda Hall (Main Street Wooster) and Martha Starky (WC Convention & Visitor's Bureau), it was determined that this project will enhance our community and use of our Downtown, and support the youth of our area through the 4-H programs. I am requesting that City Council approve a one time donation to this project through the Wayne County Community Foundation. It will be budgeted in the 2019 Budget with funds being disbursed in 2019. It is our intention to use Bed Tax Funds for this donation.	
<b>Justification / Benefits</b> This facility will support the youth of our community and surrounding area, and will help with the Economic Benefit to our city through the year round usage of the new facility. Also, giving support for a Wayne County project should promote goodwill between the city and county organizations.	
<b>Will this Project affect the City's Operating Costs</b> No	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> None - not participate.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Bob Breneman <span style="float: right;"><b>Date:</b> 8-30-18</span>	

# Wayne County Fair Fairgrounds Improvement Campaign Pledge Form

**Donor Information (please print or type)**

Company Name (or NA)	
Contact Name	
Billing Address	
City, State and Zip	Phone (cell)
Phone (home or business)	
E-Mail	

**Pledge Information**

I (we) hereby contribute cash and/or assets to the Wayne County Fairgrounds Improvement Campaign (Make checks payable to (Wayne County Community Foundation) Please place on the memo line of your check: Junior Fair Expansion Project.

I (we) pledge a total of \$  Amount enclosed \$  Remainder pledged \$

I (we) wish to have this donation spread over:  1  2  3  4  5 year(s)

I (we) wish to make an in-kind donation of goods and services:  Please contact me to discuss.

**Payment Information**

I (we) plan to make this contribution in the form of:  Month & Year of First Installment   
 Cash  Check  Other: For a contribution of

**Acknowledgement Information**

Please use the following name(s) in all acknowledgements:

I (we) wish to have our gift remain anonymous.

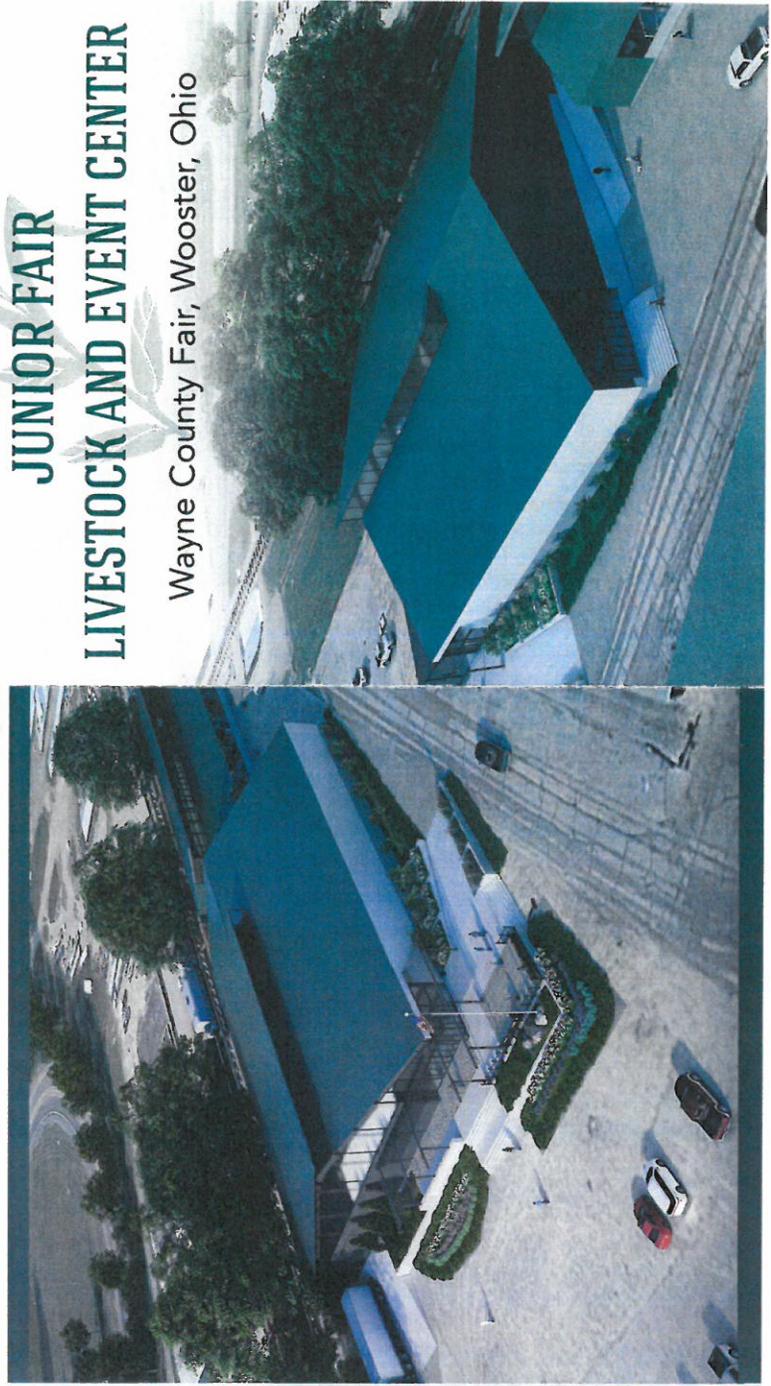
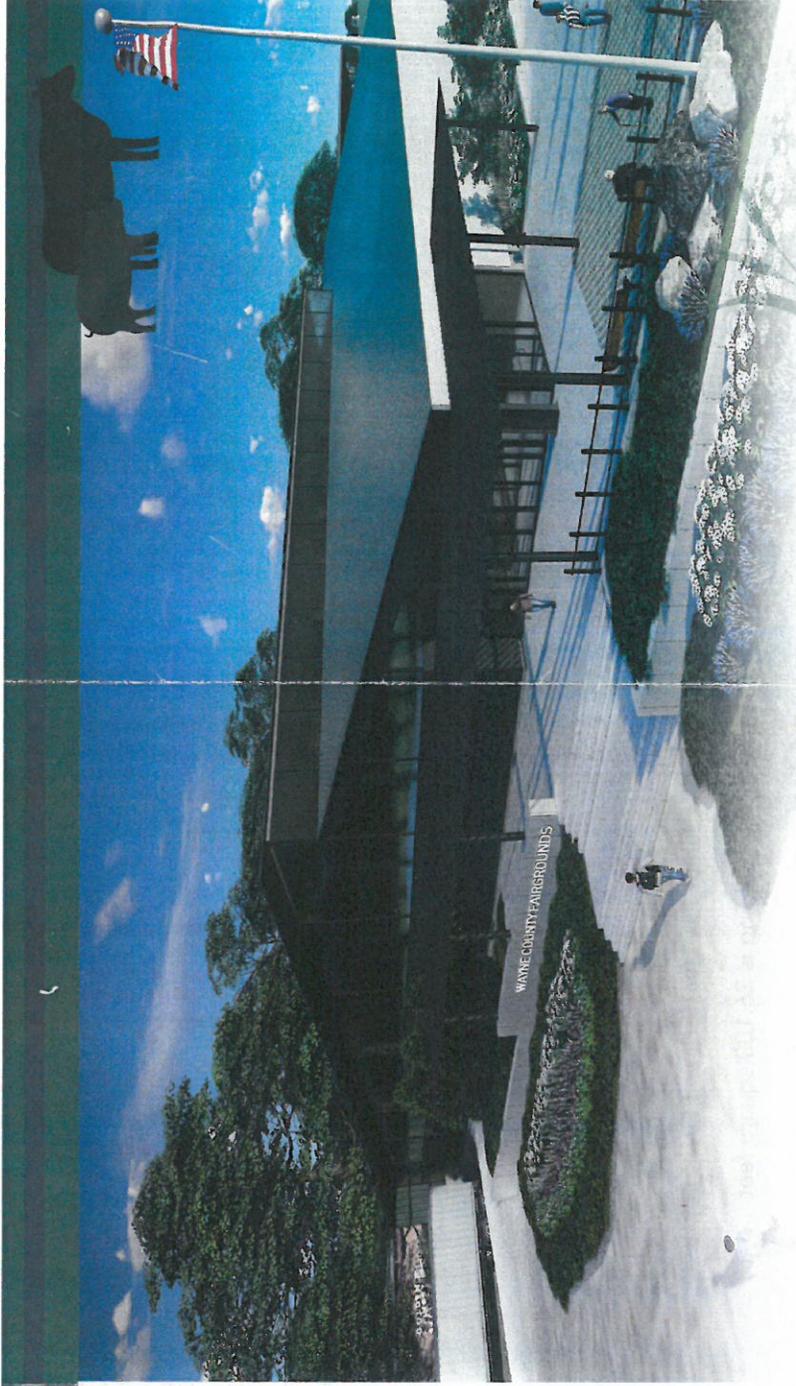
Signature(s)   
 Date

Please make checks, corporate matches, or other gifts payable to: **Wayne County Community Foundation**

The Wayne County Community Foundation is a 501(c)(3) Corporation and your gift is tax deductible. Please place on the memo line of your check: Junior Fair Expansion Project.

Please mail to: **Wayne County Community Foundation 517 North Market Street, Wooster, Ohio 44691**

If you have any questions, please contact Matt Martin at 330/262/8001 or email: waynecountfair@yahoo.com



## JUNIOR FAIR LIVESTOCK AND EVENT CENTER

Wayne County Fair, Wooster, Ohio

Dear Supporters of the Wayne County Fair,

There are over 90 fairs in Ohio. There are 21 of us on the Wayne County Fair Board and like the hundreds of other fair leaders that have led our Fair for generations, we have strived to be known as one of Ohio's foremost agricultural fairs.

The economic impact of our fair here in our county is significant not just for the 6 days of the fair but throughout the year. In addition to the agricultural education for the youth of Wayne County, the fairgrounds are a year round hub of community activities.

We have enjoyed steady growth in our 4H and FFA programs. More kids than ever are joining local clubs and learning wonderful life lessons regarding organizational skills, developing a consistent work ethic and designing a plan and sticking with it! They wake up with responsibility and go to bed with responsibility.

One of the many testimonials about the wholesomeness and effectiveness of FFA and 4H programs throughout Ohio came from Juvenile Judge Ray Leisy, he said "in the 30 years as a Judge and Prosecutor I can't remember seeing a 4H or FFA kid in my court. For the last ten years I have been part of the green recycle team for the Fair and found the work of the 4H/FFA to on this project to be exceptional, my respect for these two groups has grown.

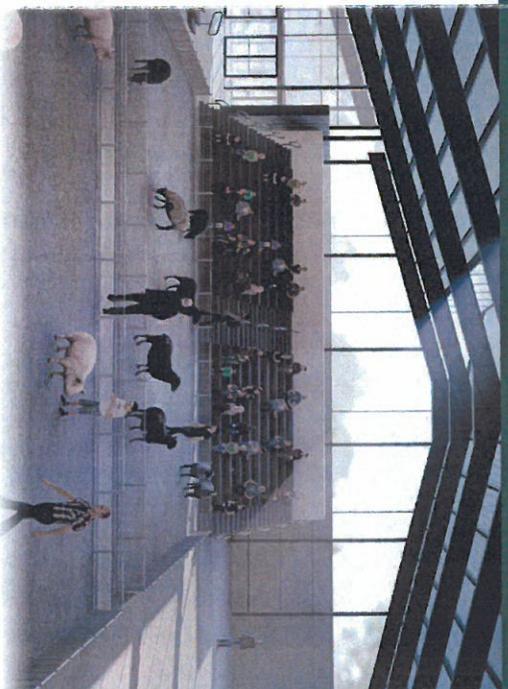
With that growth in mind and years of fair traditions, the board of the Wayne County Fair has announced their first major capital campaign since 1936 to construct a 26,100 square foot Junior Fair Livestock and Event Center. Depending on fundraising, the building can be heated and air-conditioned, will have large overhead doors and clear span space that can seat up to 1800 for a meeting or a meal. An adjacent 14,400 pole barn will provide additional space. Since introducing the idea this past December, the community's response highly suggested we add a multi-purpose feature to meet not only the needs of our kids, but to address the shrinking inventory of county-wide community space.

In addition to the 21-member Wayne County Fair Board and our friends at the Wayne County Community Foundation we have enlisted the help of two very well-known community leaders to serve as Co-Chairman. Mr. John Crum, CEO and President of Seaman Corporation and Mr. Harley Gerber of Gerber Feed have agreed to help in the promotion of this campaign to benefit kids, agriculture and community gatherings.

If you have questions regarding the Wayne County Fair's campaign please do not hesitate to contact the Fair office at 330-262-8001.

Thank you in advance for all that you do to make our community a great place to live and work!

Wayne County Fair Board



### Important Facts about the campaign to construct The Junior Fair Livestock and Event Center

- Featured building is 26,100 square feet
- Adjacent pole building is 14,400 square feet
- Depending on fundraising main building will be heated and air-conditioned
- Clear span construction allows for 1800 for a meeting or a meal
- Campaign runs through the 2018 Fair
- Gifts of construction/building related materials are welcomed
- Tax deductible pledges can be made up to a 5-year period
- Wayne County Agricultural Society is running the campaign
- Deferred/Estate gifts are welcome, gifts of land, stock, life insurance

• Gifts of grain, corn, beans can be made and are also tax friendly

• All gifts are important

• If enough money is raised the removal of 5 buildings and the construction of 2 new buildings will begin within weeks of the 2018 Fair

• There are naming opportunities and giving categories

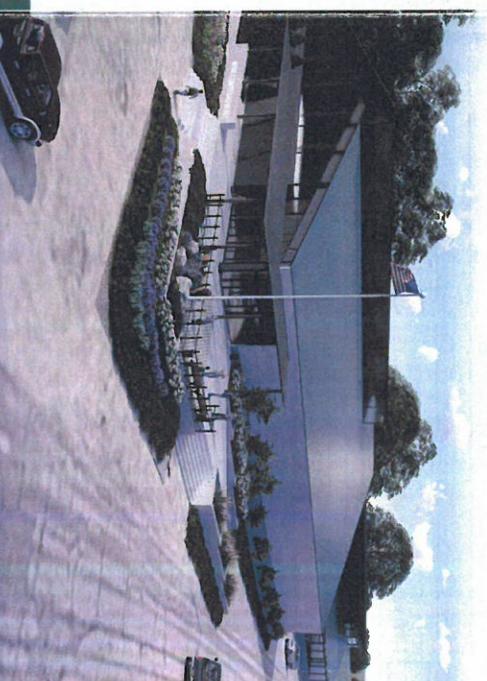
• The Wayne County Fair has pledged \$250,000

• The Wayne County Fair Board (21) have all pledged as individuals

• County-wide participation is expected from the Ag community, the business community, foundations, individuals

• The property at the Wayne County Fairgrounds are owned by Wayne County

• Every building on the Wayne County Fairgrounds is owned by the Wayne County Agricultural Society doing business as the Wayne County Fair



ORDINANCE NO. 2018-016

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO R-3 (ATTACHED RESIDENTIAL), R-4 (MULTI-FAMILY RESIDENTIAL), C-2 (COMMUNITY COMMERCIAL) AND C-3 (GENERAL COMMERCIAL) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF EAST SMITHVILLE –WESTERN ROAD AND EAST AND WEST SIDES OF FRIENDSVILLE ROAD

WHEREAS, an application has been duly filed by Alex Quay of Brouse McDowell, with the Planning Commission of the City of Wooster requesting the re-zoning of 162.2193 acres of land with PPN 53-00456.000, currently owned by James M. Richard, et al. from a R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial) and C-3 (General Commercial); and

WHEREAS, at its August 22, 2018, meeting, and after a public hearing in accordance with law, the Planning Commission voted unanimously to recommend to the City Council that the proposed re-zoning of the property from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial) and C-3 (General Commercial) be approved; and

WHEREAS notice of a public hearing by the City Council on this re-zoning has been duly given, and a public hearing has been held, all in accordance with law; and

WHEREAS, this City Council deems that the proposed zoning designation for the land should be approved.

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

SECTION 1. That Part Eleven, Planning and Zoning Code, of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, is amended so as to re-zone land, 162.2193 acres of land with PPN 53-00456.000, from a R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial) and C-3 (General Commercial) for property located on the south side of east Smithville-Western Road and the east and west sides of Friendsville Road as appears on the attached map.

SECTION 2. The Planning Division is directed to change the official zoning map to conform to the above-described amendment.

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 the law.



BEING A REPLATTING AND ANNEXATION OF  
AS RECORDED IN PLAT VOLUME XX, PAGE XXX  
OF THE WAYNE COUNTY PLAT RECORDS,  
CITY OF WOOSTER, COUNTY OF WAYNE, STATE OF OHIO



NO.	DATE	BY	DESCRIPTION
1	7-14-18	REG.	FORMER PLAT

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN AND DO HEREBY ACKNOWLEDGE THE SAME TO BE OUR OWN FREE ACT AND WILL.

WITNESS OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

BY: \_\_\_\_\_ JAMES RICHARD  
\_\_\_\_\_ SUZANNE M. SHORT  
\_\_\_\_\_ SALLY J. SCHRECK  
\_\_\_\_\_ DALE D. RICHARD

BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE OWNERS, WHO ACKNOWLEDGED THAT THEY DID SIGN THE FOREGOING PLAT AND THAT THE SAME WAS THEIR OWN FREE ACT AND DEED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

NOTARY PUBLIC: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017 BY THE WAYNE COUNTY COMMISSIONERS.  
BY: \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017 BY THE WOOSTER CITY ENGINEER.  
BY: \_\_\_\_\_ ROGER KOBIARCSIK, PE

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WOOSTER CITY PLANNING DEPARTMENT.  
BY: \_\_\_\_\_ ANDREW DUTTON

APPROVED FOR RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WAYNE COUNTY MAP OFFICE.  
BY: \_\_\_\_\_ DOUGLAS K. GREEN

RECEIVED FOR TRANSFER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WAYNE COUNTY AUDITOR.  
BY: \_\_\_\_\_ LINDA ROHRER, DEPUTY

RECEIVED FOR RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 BY THE WAYNE COUNTY RECORDER.  
BY: \_\_\_\_\_ JANE CARMICHAEL

RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ NO. \_\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_

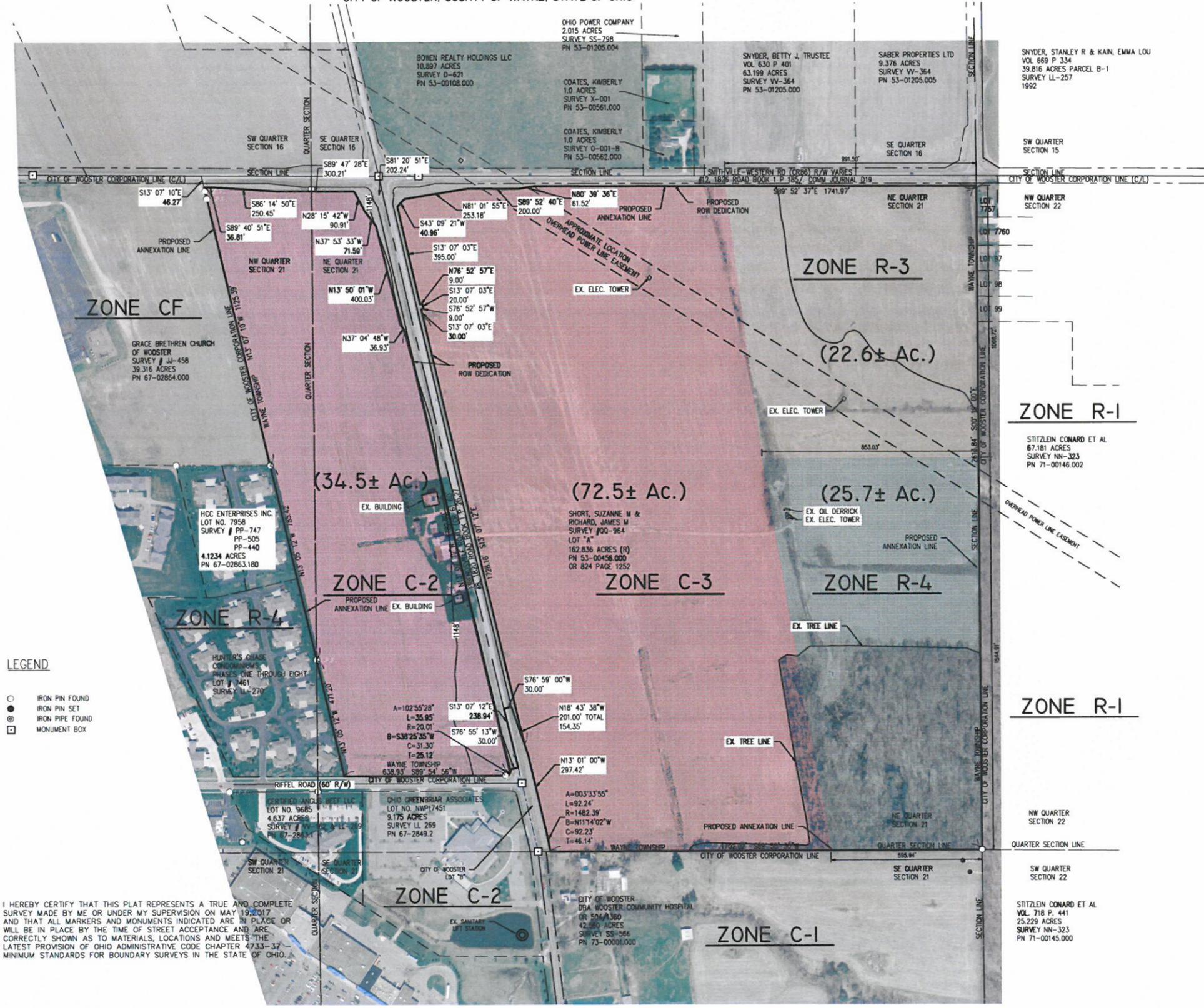
200 100 0 200 400  
1"=200'

NOTE: EXISTING CONDITIONS SHOWN ARE TAKEN FROM AERIAL IMAGERY



PREPARED FOR  
**JAMES RICHARD**  
127 E LIBERTY ST.  
WOOSTER, OH 44691

**WOOSTER ANNEXATION PLAT**



- LEGEND**
- IRON PIN FOUND
  - IRON PIN SET
  - ⊗ IRON PIPE FOUND
  - MONUMENT BOX

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY SUPERVISION ON MAY 19, 2017 AND THAT ALL MARKERS AND MONUMENTS INDICATED ARE IN PLACE OR WILL BE IN PLACE BY THE TIME OF STREET ACCEPTANCE AND ARE CORRECTLY SHOWN AS TO MATERIALS, LOCATIONS AND MEETS THE LATEST PROVISION OF OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.

W:\Projects\Projects P-18337001\CADD\SURVEY\370001\Boundary\_Zoning\_Enblat.dwg - Last printed: 7/20/2018 4:52 PM

**Request for Agenda Item**

#1

9/17/18  
Council

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

2018-016  
ORD

<b>Division</b> Planning and Zoning	<b>Meeting Date Requested</b> 9/17/18
<b>Project Name</b> Friendsville/Smithville Western Rezoning	<b>Estimated Total Funds/Costs</b> NA
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b>	
<b>Description of Request</b> Alex Quay of Brouse McDowell requesting approval for a Zoning Map amendment to change the zoning of 162.2193 acres on the south side of East Smithville Western Road and east and west sides of Friendsville Road (Parcel Number 53-00456.000) from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial).  The Planning Commission held a public hearing on the application on 8/22/18 and voted unanimously (5-0) to recommend approval of the rezoning application.  The application will also require a public hearing before City Council.	
<b>Justification / Benefits</b> It is staff's assessment that application would provide zoning classifications addressing changing economic conditions in the area fulfilling demand for commercial and multi-family residential uses. In addition, the proposed lower intensity commercial C-2 zoning west of Friendsville Road and Multi-Family Residential R-3 and R-4 zoning district on the east side of the property provide a transition to less intensive area land uses. The noted transition results in compatibility of the proposed application with zoning and land uses in the vicinity.	
<b>Will this Project affect the City's Operating Costs</b> No.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> Property will remain zoned R-1 (Suburban Single Family Residential)	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting: Andrew Dutton</b>	<b>Date: 8/28/18</b>
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

# PLANNING COMMISSION APPLICATION INFORMATION SHEET

**Application Number**

PC-18-19

**Scheduled Meeting Date**

08-22-2018

**Application Type**

Zoning Amendment - Map

**Property Location**

0 Smithville Western Rd

**Property Information**

Acreage: 162.2193

Zoning: R-1

**Property Owner**

James M. Richard, et al.

**Applicant**

Alex Quay

**Applicant's Project Description**

The project involves the request for a zoning amendment for approximately 162.2193 acres of property proposed for annexation to the City of Wooster pursuant to R.C. 709.023. The entirety of the property will be zoned as "R-1" by default upon the approval of the proposed annexation by the Wayne County Board of Commissioners. The petitioners seek to amend the zoning classification to accommodate and facilitate future residential and commercial mixed use development of the property in a manner consistent with the City of Wooster's Comprehensive Plan.

**Agenda Text**

Alex Quay of Brouse McDowell requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map amendment to change the zoning of 162.2193 acres on the south side of East Smithville Western Road and east and west sides of Friendsville Road (Parcel Number 53-00456.000) from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial)



**CITY OF WOOSTER**  
**Planning and Zoning Division**  
538 North Market Street Wooster, OH 44691  
Phone: 330-263-5238

August 23, 2018

Dear Alex Quay,

At the 08-22-2018 meeting of the City of Wooster Planning Commission, a motion was made to recommend approval of application PC-18-19, Alex Quay of Brouse McDowell requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map amendment to change the zoning of 162.2193 acres on the south side of East Smithville Western Road and east and west sides of Friendsville Road (Parcel Number 53-00456.000) from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial), to City Council.

The motion received the necessary votes and the application will be forwarded to City Council with a recommendation of approval from the Planning Commission.

Please feel free to contact me at (330) 263-5238 or [adutton@woosteroh.com](mailto:adutton@woosteroh.com) if you have any questions or need any further information.

Sincerely,

Andrew Dutton  
Planning and Zoning Manager



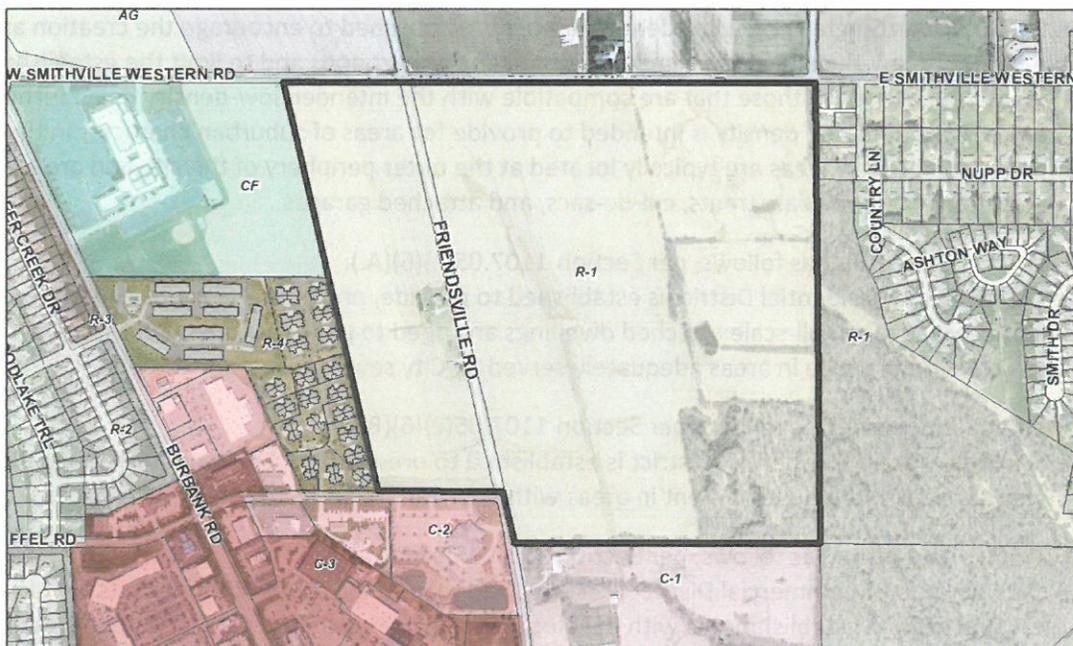
**Application PC-18-19**  
**Friendsville Rd./Smithville Western Rd. Zoning Map Amendment**

- Property Owners: Dale Richard, James Richard, Suzanne Short, and Salley Schrek
- Applicant: Alex Quay of Brouse McDowell
- Location: South side of East Smithville Western Road and east and west sides of Friendsville Road (Parcel Number 53-00456.000)
- Current Zoning: R-1 (Suburban Single-Family Residential)
- Proposed Zoning: R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial)
- Request: An approval recommendation from the Planning Commission to City Council for a zoning map amendment to change the zoning from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial)

**LOCATION AND SURROUNDING USES**

The site consists of 162.2193 acres on the south side of East Smithville Western Road and east and west sides of Friendsville Road. Adjacent properties include the following uses and zoning:

- North – Agriculture and Single-Family Residential (Unincorporated)
- South – Agriculture (C1, Office/Institutional) & Vacant Conference Center and Office (C-2)
- East – Single-Family Residential and Vacant (R-1)
- West – Church (CF, Community Facilities) and Multi-Family Residential (R-4, Multi-Family Residential)





### **PROPOSED APPLICATION/BACKGROUND**

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The property recently proceeded through the process of annexation into the City of Wooster. At the time of annexation, no application was made to apply a zoning classification to the property. Per Section 1107.04(c): "If City Council does not simultaneously accept an annexation and designate a zoning district, the territory annexed shall become an R-1 Suburban Single-Family Residential District until otherwise classified". Therefore, the property has been zoned R-1.

The applicant is requesting a Zoning Map Amendment to change the zoning of the property from the current R-1 zoning to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial). Zoning is proposed as follows on the submitted map:

- West Side of the Site - 34.5 acres of the property located on the west side of Friendsville Road is proposed as C-2.
- Central Portion of the Site - 72.5 acres of the property located on the east side of Friendsville Road is proposed as C-3.
- East Side of the Site - The northern 22.6 acres is proposed as R-3 and the southern 25.7 acres is proposed as R-4.

Zoning Map Amendment requests are reviewed against the Zoning Map Amendment Review Criteria and should consider all development possibilities resulting from the zoning change. Zoning Map Amendment requests do not require an indication of a specific use or the submission of a site plan. At this time, the applicant has not included any information with the application regarding the intended use or development of the site. Any future development of the property will be subject to a separate Development Plan application, which will include a review of the proposal against City standards by the Planning Commission.

### **ZONING DISTRICT INTENT**

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The R-1 District is established as follows, per Section 1107.05(b)(9)(A.):

The R-1 Suburban Single-Family Residential District is established to encourage the creation and preservation of low-density single-family residential neighborhoods and to limit the establishment of nonresidential uses to those that are compatible with the intended low-density neighborhood character. The stipulated density is intended to provide for areas of suburban character in the community. Suburban areas are typically located at the outer periphery of the city and are characterized by curvilinear streets, cul-de-sacs, and attached garages..

The R-3 District is established as follows, per Section 1107.05(c)(6)(A.):

The R-3 Attached Residential District is established to provide, preserve and protect medium density residential areas for small-scale attached dwellings arranged to provide good building site design and effective open space in areas adequately served by City sewer, water and streets.

The R-4 District is established as follows, per Section 1107.05(c)(6)(B.):

The R-4 Multi-Family Residential District is established to provide, preserve and protect locations for high density apartment development in areas with appropriate levels of service.

The C-2 District is established as follows, per Section 1107.05(e)(4)(B.):

The C-2 Community Commercial District is established to create a district that permits a wide variety of retail and service establishments with development standards that ensure that development is compatible with adjacent land uses that create a more pedestrian-oriented environment



The C-3 District is established as follows, per Section 1107.05(e)(4)(C.):

The C-3 General Commercial District is established to accommodate a broad range of commercial services and activities in locations adequately served by major streets and other facilities and to provide a wide range of goods and services to a large consumer population from the larger regional area.

**PERMITTED USES AND STANDARDS**

Table 1109-1 includes a list of all Permitted (P), Permitted with Standards (PS), Conditional (C) and Prohibited (X or not included in the table) principal uses in the subject zoning districts:

R-1, R-3, R-4, C-3, & C-3 PERMITTED PRINCIPAL USES					
Use Type	R-1	R-3	R-4	C-3	C-3
<b>Agricultural Uses</b>					
Agriculture (Raising of Crops)	P	P	P	P	P
Agriculture (Livestock)	X	X	X	X	X
Community Gardens	P S	P S	P S	P S	P S
Greenhouses and Nurseries	X	X	X	X	X
<b>Residential Uses</b>					
Cluster Residential Development	P S	X	X	X	X
Convent, Monastery, or Other Housing for Places of Worship	X	X	X	X	X
Dormitories	X	X	X	X	X
Dwellings, Multi-Family	X	X	P	C	C
Dwellings, Single-Family Attached	X	P	P	X	X
Dwellings, Single-Family Detached	P	X	X	X	X
Dwellings, Two-Family	X	P	P	X	X
Dwellings, Two-Family Conversion from a Single-Family Dwelling	X	P S	P S	X	X
Fraternities and Sororities	X	X	X	X	X
Group Homes or Residential Facilities	See Section 1109.03(c)(6)				
Manufactured Home	X	X	X	X	X
Mobile Home	X	X	X	X	X
Skilled Nursing or Personal Care Facilities	X	C	C	C	P S
Transitional Housing	X	C	C	X	C
<b>Commercial and Offices Uses</b>					
Adult Uses	X	X	X	X	X
Agriculture/Farm Supplies and Sales	X	X	X	X	X
Animal Day Care/Animal Grooming	X	X	X	P	P
Assembly Halls, Membership Clubs, and Conference Centers	X	X	X	P S	P S
Automated Teller Machine (Stand-Alone)	X	X	X	C	C
Automotive Fuel Sales	X	X	X	C	P
Automotive Repair (Heavy)	X	X	X	X	C
Automotive Sales and Leasing	X	X	X	X	C
Automotive Service Station and Parts Sales	X	X	X	C	P S
Bars and Taverns	X	X	X	P	P

R-1, R-3, R-4, C-3, & C-3 PERMITTED PRINCIPAL USES					
Use Type	R-1	R-3	R-4	C-3	C-3
Bed and Breakfast Establishments	X	X	X	C	X
Business and Professional Offices	X	X	X	P	P
Business Service Establishments	X	X	X	P	P
Campgrounds	X	X	X	X	X
Financial Institutions	X	X	X	P	P
Funeral Homes and Mortuaries	X	X	X	P	P
Hotels or Motels	X	X	X	P	P
Kennels/Animal Boarding	X	X	X	X	P S
Live/Work Units	X	X	X	P S	P S
Medical or Dental Clinics/Offices and 24-Hour Urgent Care	X	X	X	P	P
Medical Marijuana Dispensaries	X	X	X	X	C
Microbrewery, Microdistillery, or Microwinery	X	X	X	X	P
Mixed Use Building (with Residential Uses)	X	X	X	P	P
Mobile Home, Commercial Truck, and Recreational Vehicle Sales, Leasing, Service, or Storage	X	X	X	X	X
Parking Garages	X	X	X	X	X
Parking Lots (Principal Use)	X	X	X	C	X
Personal Service Establishments	X	X	X	P	P
Recreation Facilities	X	X	X	X	C
Restaurants	X	X	X	P	P
Retail Commercial Uses	X	X	X	P S	P
Service Commercial Uses	X	X	X	P	P
Theaters	X	X	X	X	P S
Vehicle Washing Establishment	X	X	X	X	P S
Veterinarian Offices/Animal Hospital	X	X	X	X	P
<b>Industrial Uses</b>					
Bulk Storage of Liquids or Grain	X	X	X	X	X
Contractor Offices	X	X	X	X	X
Crematorium	X	X	X	X	X
Data Center	X	X	X	X	X



R-1, R-3, R-4, C-3, & C-3 PERMITTED PRINCIPAL USES					
Use Type	R-1	R-3	R-4	C-2	C-3
Machinery and Heavy Equipment Sales, Leasing, and Storage	X	X	X	X	X
Manufacturing and Production (Heavy or Outdoors)	X	X	X	X	X
Manufacturing and Production (Indoors)	X	X	X	X	X
Medical Marijuana Testing and Processing	X	X	X	X	X
Outdoor Storage and Bulk Sales	X	X	X	X	X
Printing and Publishing	X	X	X	X	X
Radio and Television Stations	X	X	X	X	X
Recycling Collection/Processing Facilities	X	X	X	X	X
Research and Development Facilities	X	X	X	X	X
Self-Storage Facilities	X	X	X	X	X
Soil and Mineral Extraction Activities	X	X	X	X	X
Warehouses	X	X	X	X	X
Wholesale Sales and Distribution Centers (Indoors)	X	X	X	X	X
Wholesale Sales and Distribution Centers (Outdoors)	X	X	X	X	X

R-1, R-3, R-4, C-3, & C-3 PERMITTED PRINCIPAL USES					
Use Type	R-1	R-3	R-4	C-2	C-3
<b>Public and Institutional Uses</b>					
Active Recreational Uses	C	P	P	P	P
Cemeteries	C	X	X	X	X
Colleges and Higher Educational Institutions	X	X	X	C	C
Community Recreation Facility	C	C	C	X	X
Cultural Facilities and Structures	C	C	C	P S	P S
Educational Institutions (K-12)	C	C	C	P	P
Essential Services	Exempt per Section 1101.05(b)				
Government Facilities	C	C	C	C	P
Government Offices	C	C	C	P	P
Hospitals	X	X	X	C	C
Nursery Schools or Day Care Centers (Children or Adults)	C	C	C	P	P
Passive Parks, Open Space, and Natural Areas	P	P	P	P	P
Places of Worship	C	C	C	P S	P S
Utility Facilities and Buildings	C	C	C	C	P
Wireless Telecommunication Facilities	See Section 1109.03(f)(10)				

Tables 1115-1, 1115-2 and 1115-3 include development standards for subject zoning districts:

COMPILATION OF TABLES 1115-1, 1115-2 AND 1115-3					
	R-1	R-3	R-4	C-2	C-3
Minimum Lot Area (Square Feet)	8,700	43,560	87,120	10,000	20,000
Minimum Lot Width at the Building Line (Feet)	70	100	125	60	100
Minimum Lot Frontage for Cul-de-Sac Lots (Feet)	50	-	-	-	-
Maximum Residential Density (Units per Acre)	-	8	15	-	-
Minimum Front Yard Building Setback (Feet)	25	25	40	20	30
Maximum Front Yard Setback (Feet)	-	-	-	40	-
Side Yard Building Setback (Feet) – Minimum Each Side	5	-	-	-	-
Minimum Side Yard Building Setback (Feet) – Both Sides	15	-	-	-	-
Minimum Rear Yard Building Setback (Feet)	20	-	-	-	-
Minimum Side & Rear Yard Building Setbacks from an R-1, R-2, or R-T District (Feet)	-	40	50	-	-
Minimum Side & Rear Yard Building Setbacks from all Other Districts (Feet)	-	20	20	-	-
Minimum Side and Rear Yard Building Setbacks from any Nonresidential Zoning District (Feet)	-	-	-	8	10
Minimum Side Yard Building Setback from any Residential Zoning District (Feet)	-	-	-	25	50
Minimum Rear Yard Building Setback from any Residential Zoning District (Feet)	-	-	-	35	50
Maximum Lot Coverage by Buildings (Greater of)	30% or 2,300 sq. ft.	25%	40%	40%	30%
Total Maximum Lot Coverage	40%	45%	60%	-	-
Maximum Building Height (Feet)	35	35	60	45	45

\* To simplify the table, notes have been removed. See Tables 1115-1, 1115-2 and 1115-3 for all notes.



**COMPREHENSIVE PLAN (2014)**

**Chapter 3 - Land Use, Demographics and Housing**

Section 3.1 includes a general land use analysis examining existing zoning within the city and projected demand. As the analysis was a portion of a larger plan, it did not include a detailed study. Detailed land use analysis studies are typically a separate project and are not conducted within a comprehensive plan. The general land use analysis concluded that the city was comprised of enough land to accommodate residential and non-residential development for the next ten years.

However, since 2014, there has been interest in both commercial and multi-family development in the Burbank Road area. Numerous commercial developments have been proposed such as the Shoppes at Burbank (TJ Maxx, Five Guys, etc.), Aldi on Burbank Road, a Riffel Road hotel, and Meijer on West Milltown Road. In addition, there has been continued interest for multi-family developments throughout the city. At this time, there is limited undeveloped land zoned for such development in the Burbank Road area.

Section 3.2 of the plan, Public Input, indicates that “There is a desire to attract and promote high quality vibrant developments that will attract and serve a variety of age groups”. The proposed multi-family and commercial zoning classifications have the potential to promote such developments and serve various age groups. Section 3.3 of the plan, Current Trends, indicates that “Mixed-use development continues to be a growing trend”. Though the proposed zoning classifications are not specifically targeted for mixed uses, proposed adjacent multi-family and commercial zoning districts have the ability to integrate into one cohesive development.

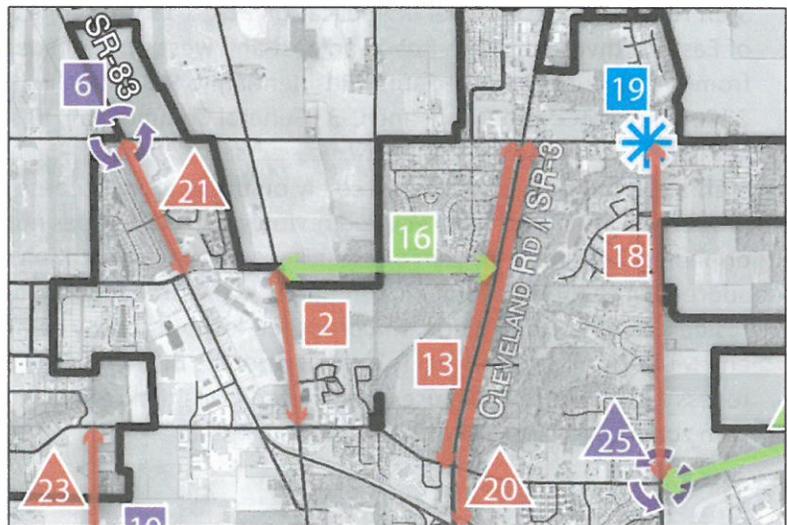
The Future Land Use map, Figure 3.11, of the Comprehensive Plan categorizes future land use for properties within the City of Wooster Corporation limits. Therefore, the recently annexed subject property was not included in the map.

**Chapter 4 - Transportation**

Table 4.1 and Figure 4.9 illustrate possible future motorized transportation projects. A new road connection between Riffle Road from Friendsville Road to Cleveland Road is included in the table and figure, as Project #16. Though not proposed with the subject application, development of the site could potentially provide a portion of the connection.

The Comprehensive Plan encompasses many topics at a higher level and targeted specific *redevelopment* areas within the city. As the proposed property would be new development and is located outside of the city, no further detail is provided in the Plan for the subject property

Portion of Figure 4.9





### **REVIEW CRITERIA**

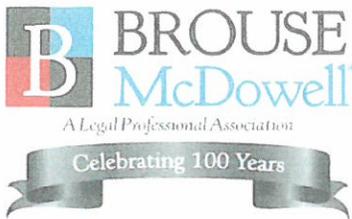
Recommendations and decisions on zoning map amendment applications shall be based on consideration of the following review criteria. Not all criteria may be applicable in each case, and each case shall be determined on its own facts.

- A. The proposed amendment is consistent with the comprehensive plan, other adopted City plans, and the stated purposes of this code;
- B. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;
- C. The proposed amendment will promote the public health, safety, and general welfare;
- D. The uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity;
- E. The proposed amendment follows lot lines or the centerlines of streets, railroads, or other rights-of-way;
- F. Adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified;
- G. The proposed amendment is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- H. The proposed amendment will not constitute an instance where special treatment is given to a particular property or property owner that would not be applicable to a similar property, under the same circumstances;
- I. The proposed amendment is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- J. The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

### **STAFF RECOMMENDATION**

Staff recommends approval of application PC-18-19 to change the zoning of 162.2193 acres on the south side of East Smithville Western Road and east and west sides of Friendsville Road (Parcel Number 53-00456.000) from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial), as submitted.

Staff's recommendation is based solely on the appropriateness of the proposed zoning classifications for the property in relation to the required review criteria and does not include the consideration of any specific use or plan for the site. It is staff's assessment that the application would provide zoning classifications addressing changing economic conditions in the area fulfilling demand for commercial and multi-family residential uses. In addition, the proposed lower intensity commercial C-2 zoning west of Friendsville Road and Multi-Family Residential R-3 and R-4 zoning district on the east side of the property provide a transition to less intensive area land uses. The noted transition results in compatibility of the proposed application with zoning and land uses in the vicinity.



**J. Alex Quay**  
Attorney at Law  
Direct Dial: 330.434.4730  
AQuay@brouse.com

August 15, 2018

VIA EMAIL

City of Wooster  
Attn: Planning Commission  
538 N. Market Street.  
Wooster, OH 44691  
[adutton@woosteroh.com](mailto:adutton@woosteroh.com)

Re: Richard Annexation – Application for Zoning Map Amendment (PC-18-19)

Planning Commission Members:

Please allow this letter to serve as a follow-up to the Application for Zoning Map Amendment (the “Application”) for Wayne County Parcel No. 53-00456.000, which comprises approximately 162.2193 acres (the “Property”), which was filed electronically via the Planning Commission’s viewpoint portal on August 1, 2018.

As you may be aware, the Property is currently proposed for annexation to the City of Wooster, and has been approved by a Resolution of the Wayne County Board of Commissioners. The annexation process will be completed upon the recording of the Plat and Resolution in the County Recorder’s Office. A copy of the Petition for Annexation, and the County’s Resolution are attached for reference.

Based upon our prior discussions with City officials, it is our understanding that the Planning Commission will review the Application at the next meeting scheduled for August 22, 2018 at 5:30 p.m. As stated in the Application, the Property is currently zoned as “R-1” and the petitioners seek to have the Property re-zoned for mixed residential and commercial use, including designated areas specified for “R-1” (Suburban Single Family Residential), “R-3” (Attached Residential), “R-4” (Multi-Family Residential), “C-2” (Community Commercial), and “C-3” (General Commercial), formulated as a result of several conversations and feedback from City officials prior to and during the annexation process. Although there are currently no firm development plans or contracts in place, we believe that a re-zoning at this time will help facilitate future development of the Property in a manner beneficial to all parties involved and in a manner consistent with the City’s Comprehensive Plan.

Akron | Cleveland | Naples | Toledo | Youngstown | [www.brouse.com](http://www.brouse.com)

388 South Main St., Suite 500, Akron, Ohio 44311 | Phone: 330.535.5711

I plan to attend the August 22nd meeting to address any questions or concerns the Planning Commission might have with regard to the owners' Application. A copy of the proposed zoning map submitted with the Application is also enclosed for reference.

In the meantime, if you have any questions or concerns, I can be reached by phone at (330) 434-4730, or by email at [aquay@brouse.com](mailto:aquay@brouse.com).

Very truly yours,



J. Alex Quay, Esq.

Enclosures

cc: James Richard, Esq.  
Andrew Dutton  
A. Joel Montgomery  
Jonathan Millea



## **CITY OF WOOSTER**

*Planning and Zoning Division*

538 North Market Street Wooster, OH 44691  
Phone: 330-263-5235 Fax: 330-263-5274

August 8, 2018

Dear Property Owner,

You are receiving this notice because you are an owner of property within 200 ft. of an application that has been submitted to the City of Wooster Planning Commission. The Commission will hold a public hearing at their next regular meeting regarding the subject application, as described below. The meeting will take place at City Hall, 1<sup>st</sup> floor Council Chambers, 538 North Market Street and will begin at 5:30 pm on Wednesday, August 22<sup>nd</sup>, 2018.

PC-18-19. Alex Quay of Brouse McDowell requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map amendment to change the zoning of 162.2193 acres on the south side of East Smithville Western Road and east and west sides of Friendsville Road (Parcel Number 53-00456.000) from R-1 (Suburban Single Family Residential) to R-3 (Attached Residential), R-4 (Multi-Family Residential), C-2 (Community Commercial), and C-3 (General Commercial).

All interested parties are welcome to attend and will be given the opportunity to address the Commission during the public hearing portion of the meeting and submit evidence and written comments with respect to the application. Special auxiliary aids for disabled persons are available upon request with at least five days notice prior to the meeting.

For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact:

Andrew Dutton  
Planning and Zoning Manager  
538 North Market Street, Wooster, Ohio  
adutton@woosteroh.com  
(330)-263-5238

RESOLUTION NO. 2018-052

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FINAL RESOLUTION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR 83 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY

(Bostancic)

FINAL RESOLUTION 2018-052

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 2nd day of April, 2018, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of asphalt concrete overlay with repair including pavement repairs, planning, resurfacing, guardrail repair, structure rehabilitation and pavement marking, 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 one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid and State 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 Fourteen Thousand Two Hundred Fifty Eight and - - - 00/100 Dollars, (\$14,258.00), 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 **Fourteen Thousand Two Hundred Fifty Eight and - - - - 00/100 Dollars (\$14,258.00)** 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 September, 2018, 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 as Resolution 2018-52, and under date of \_\_\_\_\_, 2018.

Introduced: \_\_\_\_\_ Passed: \_\_\_\_\_ Vote: \_\_\_\_\_

Legislative Authority of the City of Wooster, Ohio

\_\_\_\_\_  
Mayor – Robert F. Breneman

SEAL (if applicable)

\_\_\_\_\_  
Council Clerk – Lynne DePaulo

**Request for Agenda Item**

#3

2018-052

RES

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> September 17, 2018
<b>Project Name</b> ODOT Urban Paving Program SR 83 towards Millersburg PID 101400	<b>Estimated Total Funds/Costs</b> \$14,258.00
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b>	
<b>Description of Request</b> This is a request to authorize the Mayor to enter into a final resolution with the Ohio Department of Transportation (ODOT) as part of their Urban Paving Program for the resurfacing of a small portion of SR 83 south of town near the Hilton Garden Inn.	
Resolution No. 2018-026 cooperative agreement passed April 2, 2018.	
<b>Justification / Benefits</b> The Ohio Department of Transportation has committed to funding 80% of the construction and construction engineering cost for this project as part of their Urban Paving Program.	
<b>Will this Project affect the City's Operating Costs</b> This project will have no effect 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 grant funds. We could proceed with the project using other interest accruing financing.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons ODOT's plan is to let the project October 25, 2018 and then award the contract there after. Suspension of the rules is necessary so that the City can be prepared to execute their share of the costs.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> September 5, 2018
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2018-053

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A WATERLINE TO THE NORTH HIGH WATER TOWER AND EXTENSION OF THE SANITARY SEWER NORTH TO THE SAME AREA AND DECLARING AN EMERGENCY

WHEREAS, the City desires to encourage industrial development.

WHEREAS, expanding water and sewer service in the northern part of the City of Wooster encourages further industrial development and benefits the current industry in the area.

WHEREAS, it is necessary to construct a water line to the north high water tower of approximately 4,000 linear feet of waterline and associated appurtenances; and the costs for such construction are budgeted for 2018.

WHEREAS, it is necessary to construct approximately 700 feet of sanitary sewer and appurtenances to extend to the north of the industrial area serviced by Old Airport Road and Daisy Way; and the costs for such construction are budgeted for 2018.

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

SECTION 1. The Director of Administration is authorized to advertise according to law and enter into a contract with the lowest and best bidder for the above-referenced project, which includes the construction approximately 4,000 linear feet of 12 inch ductile iron pipe to the north high water tower and to construct a sanitary sewer line to extend to north, constructed of 12 inch PVC with two manholes.

SECTION 2. The cost of the 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 the law.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that time is of the essence in making a timely application for the funds described above; 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.

Introduced: \_\_\_\_\_ Passed: \_\_\_\_\_ Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2018  
Mayor

Introduced by: David Silvestri

## Request for Agenda Item

**Authorization for Bid**



**Purchase Capital Item**



**Non-Capital**



<b>Division:</b> Engineering	<b>Meeting Date Requested</b> September 17, 2018
<b>Project Name</b> North High Water Line and Sanitary Sewer Extension Project	<b>Estimated Total Funds/Costs</b> Total project costs of \$500,000 (\$400,000 water fund)(\$100,000 sanitary fund)
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b>	
<b>Description of Request</b> This is a request to advertise for bids and to enter into a contract with the lowest and best bidder for the extension of a waterline to the north high water tower and extension of the sanitary sewer to the north. This project will prepare the City for any industrial expansion to the north. The monies are budgeted in the water and sanitary sewer funds for this project. The new waterline will be approximately 4,000 linear feet of 12" ductile iron pipe. The sanitary sewer will be approximately 700 linear feet of 12" PVC and includes 2 manholes. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
<b>Justification / Benefits</b> The project will help to improve the water turnover rate at the north high water tower, provide for the future Akron Road Industrial Park expansion to the north and continue to provide Daisy Brand with adequate water for their cream cheese and future cottage cheese production. The project also extends the sanitary sewer for future expansion to the north.	
<b>Will this Project affect the City's Operating Costs</b> This project will have no effect on the City's operating costs.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> There are no alternatives, this project will benefit the City's water system and prepare the utilities for expansion of the Akron Road Industrial Park to the north.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the rules is not necessary but earlier passage would allow the opportunity to bid this project as early as possible for completion this year.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> September 5, 2018
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	



## Request for Agenda Item

# 5

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

2018-54  
RES

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> September 17, 2018
<b>Project Name</b> Cleveland Road Storm Sewer Replacement Project	<b>Estimated Total Funds/Costs</b> \$80,000.00 (Storm Sewer Fund)
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b>  	
<b>Description of Request</b> This is a request to advertise for bids and to enter into a contract with the lowest and best bidder for the replacement of a storm sewer along Cleveland Road just north of Highland Avenue. The existing storm sewer is deteriorated and is ready to fall. The project consists of replacing approximately 260 linear feet of deteriorated corrugated metal pipe with new plastic pipe. All engineering design, construction administration and inspection will be performed by the engineering staff.	
<b>Justification / Benefits</b> The project will replace an existing deteriorated storm sewer with new conduit. The existing system has been repaired a couple of times and has shown signs of further decay. The replacement will eliminate the need for emergency repairs.	
<b>Will this Project affect the City's Operating Costs</b> This project will have no effect on the City's operating costs.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> The alternative is to do nothing and continue to make any emergency repairs.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the rules is not necessary but earlier passage would allow the opportunity to bid this project as early as possible for completion this year.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> September 5, 2018
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2018-055

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE CITY'S PROPOSED VENTURE PARK PROJECT AND AUTHORIZING THE NECESSARY FUNDS AND DECLARING AN EMERGENCY

WHEREAS, the City is planning the construction of the Venture Park Project; and

WHEREAS, Environmental Design Group has completed the preliminary layout of the park and is already familiar with the challenges of design and construction; and

WHEREAS, Environmental Design Group possesses the professional expertise to provide the engineering services necessary for this project; and

WHEREAS, it is necessary to appropriate \$81,598.00 for design, and up to \$23,200 for additional services to enter into this contract; and

WHEREAS, seventy-five percent of the cost (\$78,598.50) will be reimbursed by Clean Ohio Funds and \$26,199.50 will come from Capital Funds; and

WHEREAS, Environmental Design Group's previous work on the project likely makes them a more affordable option because of their familiarity with the project; and

WHEREAS, this City Council has determined that prompt action is necessary to begin the process of implementing this improvement.

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

SECTION 1. The Director of Administration is authorized to enter into a professional services contract with Environmental Design Group for engineering services related to the Venture Park Project.

SECTION 2. That the Engineering Division, through the Director of Administration, is authorized to expend amount appropriated for engineering services provided by Environmental Design Group.

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, in compliance with law.



## Request for Agenda Item

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> September 17, 2018
<b>Project Name</b> Venture Park Engineering	<b>Estimated Total Funds/Costs</b> \$104,798 (\$78,598.50 Clean Ohio Funds)(\$26,199.50 Capital Funds)
<b>Is Full Amount Budgeted?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b> This legislation is asking to appropriate the funds for the engineering design which the Clean Ohio Fund will reimburse up to 75% of the costs. The design fee is \$81,598 for the initial design and \$23,200 for additional services to be used as authorized for historic review & archeological survey and construction support.	
<b>Description of Request</b> This is a request to appropriate funds and to enter into a contract with Environmental Design Group (EDG) for professional services related to the Proposed Venture Park Project. EDG is one of the top five environmental consulting firms on the City's registry of Engineering Consulting Firms. The contract will be for the preparation of construction documentations for the walking trail, pavilions and parking areas. The overall estimated costs of the park including engineering but excluding the pavilions and children's play area is currently \$845,000 of which \$150,000 will be funded from the City's Capital Fund. An application for an additional \$79,000 to Nature Works has been submitted for the costs of the pavilions and children's play area. All of the construction engineering will be performed in-house by the engineering division staff.	
<b>Justification / Benefits</b> Environmental Design Group has worked on the preliminary layout of the park and is familiar with the challenges of design and construction of the proposed park. They have a great deal of experience with navigating through the governmental permitting process as required by the presence of wetlands throughout the proposed park.	
<b>Will this Project affect the City's Operating Costs</b> Yes, this project will add one additional park to the existing list of those that must be maintained by the City's maintenance division.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> The alternatives is to advertise and find another Engineering firm which would more than likely cost more since they would not have any familiarity with the project.	
<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> Because of EDG's previous work on the park it would be cost effective to have them complete the engineering plans. They were chosen based on the current engineering services selection policy and having worked on this project during the preliminary layout and environmental phases.	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Note Reasons</b> Suspension of the rules is not necessary but earlier passage would allow the opportunity to start the design of the park so construction can begin sometime in 2019.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> September 5, 2018
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2018-056

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO ACCEPT AND APPLY SUCH FUNDS, IF AWARDED, AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Public Works Commission ("OPWC"), through the State Capital Improvement Program, provides financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Wooster is planning to make capital improvements to W. Highland Avenue and Sunset Lane, with the total cost of the projects estimated to be \$1,738,000.00, of which the OPWC would fund approximately \$500,000.00 and

WHEREAS, the infrastructure improvement project hereinabove described is considered to be a priority need for the community and is a qualified project under the OPWC programs

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

SECTION 1. That the Mayor, is hereby authorized to apply to the OPWC for grant monies as described above, and if such funds are awarded, to appropriate and apply the funds as indicated.

SECTION 2. The City, by its Mayor, is further authorized to execute any necessary documents in connection therewith for obtaining this financial assistance.

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 the law.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that time is of the essence in making a timely application for the funds described above; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: \_\_\_\_\_, 2018 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2018  
Mayor

Introduced by: Bill Bostancic

## Request for Agenda Item

#7

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

2018-56  
RES

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> September 17, 2018
<b>Project Name</b> W. Highland Avenue and Sunset Lane Improvement Project - OPWC Participation	<b>Estimated Total Funds/Costs</b> \$1,738,000 (\$500,000 OPWC), the remaining funds will come from the Capital Fund, Water Fund, Sanitary Fund, Storm Fund and Assessments.
<b>Is Full Amount Budgeted?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b> This application would be for construction in 2020 with the City's portion budgeted in 2020. We have done some preliminary survey work to identify property pins and prepare an alignment. There are no plans or drawings for this project at this time. Detailed design will proceed after the first of the year following the City's normal plan development procedure.	
<b>Description of Request</b> This is a request to authorize application for and acceptance of \$500,000 in grant money from the Ohio Public Works Commission for roadway improvements on W. Highland Avenue from Oak Hill Road to Tatum Drive and Sunset Lane from Armstrong Drive to Melrose Drive. This project will install curb and gutters, new pavement, storm sewer, sanitary sewer, waterline including all appurtenances and sidewalks.	
<b>Justification / Benefits</b> This project is the next highest roadway priority on the City's infrastructure plan, and will complete roadway improvements on W. Highland Avenue and Sunset Lane. The improvements on Sunset will make it safer for the students going to Melrose Elementary school by the construction of sidewalks and eliminating the ditches. It will also increase the City's chances of receiving SRTS monies since there will be a defined terminus point.	
<b>Will this Project affect the City's Operating Costs</b> Yes, this project will actually reduce the City's operating costs since each road will be upgraded and maintenance costs will be reduced.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> We can do nothing, and turn down the grant funds. We could postpone the project, which will push other projects further into the future, will cost more as construction costs increase, and have no guarantee of future grant funding. We could proceed with the project using interest accruing financing methods.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: OPWC is the only agency offering grant funding at this time.	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons This OPWC integrating committee is currently reviewing the fundable projects and establishing the final list of projects and has requested this legislation as soon as possible in order to complete the application package.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> September 5, 2018
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	