

CITY COUNCIL AGENDA

April 15, 2013

7:30 p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-16 AN ORDINANCE AMENDING CHAPTER 505, ANIMALS AND FOWL, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF NEW REGULATIONS PERTAINING TO ANIMALS RUNNING AT LARGE AND DANGEROUS DOGS (Knapic)
2. First Reading – RESOLUTION NO. 2013-38 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 SAYBOLT AVENUE SANITARY SEWER LINE (Sanders)
3. First Reading – RESOLUTION NO. 2013-39 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 GLENN AVENUE WATER AND SANITARY SEWER LINES (Sanders)
4. First Reading – RESOLUTION NO. 2013-40 A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Morris Stutzman, Esq., Agent for Petitioners Bruce and Jodi Steiner) (Knapic)
5. First Reading – RESOLUTION NO. 2013-41 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BURBANK ROAD RESURFACING PROJECT (PID 92632) (Ulbright)
6. First Reading – RESOLUTION NO. 2013-42 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OAK HILL ROAD RESURFACING PROJECT (PID 92621) (Ulbright)
7. First Reading – RESOLUTION NO. 2013-43 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 WEST LIBERTY STREET (Ulbright)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

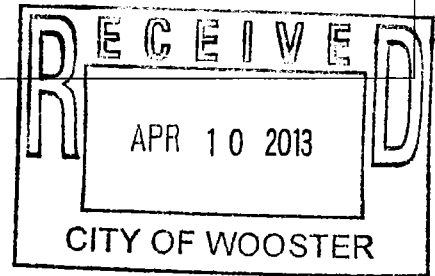
**NOTICE TO LEGISLATIVE
AUTHORITY**

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

42204550001		TRFL	JAKES OF WOOSTER LTD	
PERMIT NUMBER		TYPE	DBA JAKES OF WOOSTER	
02	01	2012		
ISSUE DATE				
04	05	2013		
FILING DATE				
D5	D6			
PERMIT CLASSES				
85	165	B	F09621	
TAX DISTRICT			RECEIPT NO.	

FROM 04/09/2013 SAFEKEEPING

4220455			JAKES OF WOOSTER LTD	
PERMIT NUMBER		TYPE	DBA JAKES OF WOOSTER	
02	01	2012		
ISSUE DATE				
04	05	2013		
FILING DATE				
D5	D6			
PERMIT CLASSES				
85	165			
TAX DISTRICT			RECEIPT NO.	



MAILED 04/09/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/10/2013

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 TRFL 4220455-0001

(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

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # <u>1220455-0001</u>	

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL

6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr



LIMITED LIABILITY COMPANY DISCLOSURE FORM

(This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company Jake's of Wooster Ltd.	DBA Name Jake's of Wooster	
Permit Premises Address 344 Riffel Road	City, State Wooster, Ohio	Zip Code 44691
Township, if in Unincorporated Area	Tax Identification No. (TIN) 20-5266815	

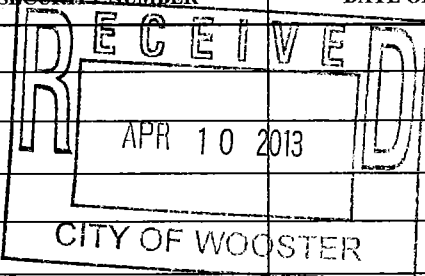
Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO <i>None</i>		
2) President <i>u</i>		
3) Vice-President <i>u</i>		
4) Secretary <i>u</i>		
5) Treasurer <i>u</i>		



SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name	Timothy J. DeRodes	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member
Residence Address	296 County Rd. 620	Tax Identification No. (if applicable)	<input checked="" type="checkbox"/> 5% or greater voting interest
City and State	West Salem, Ohio	Zip Code 44287	<input checked="" type="checkbox"/> 5% or greater membership interest
Telephone No.	419-945-1409	Date of Birth 06/14/1959	
2) Name	Jerry L. Baker	Social Security No. (if individual)	<input type="checkbox"/> Managing Member
Residence Address	1220 Riffel Road	Tax Identification No. (if applicable)	<input checked="" type="checkbox"/> 5% or greater voting interest
City and State	Wooster, Ohio	Zip Code 44691	<input checked="" type="checkbox"/> 5% or greater membership interest
Telephone No.	330-345-1560	Date of Birth 07/09/1945	

OHIO DIV. LIQUOR CONTROL
FRONT DESK 2
2012 APR -4 PM 3:54

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

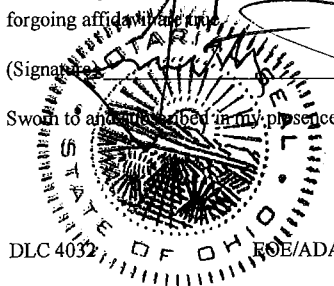
STATE OF OHIO, Wayne COUNTY ss,

I, Timothy J. DeRodes being first duly sworn, according to law, deposes and says that he/she is (Title) Member

of the Jake's of Wooster Ltd, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) [Signature] (Print Name and Title) Timothy J DeRodes

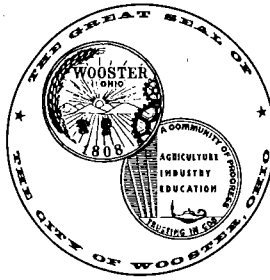
Sworn to and subscribed in my presence this 27th day of March, 2013



BRENDA LITT
 NOTARY PUBLIC - STATE OF OHIO

[Signature]
 (Notary Public) Brenda Litt
 (Notary Expiration) May 20, 2013

ROBERT F. BRENEMAN
Mayor



ANDREW DUTTON
Planning & Zoning Manager
330-263-5238

LAURIE HART
Administrative Assistant
330-263-5200 x304

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

April 2, 2013

Wooster City Council
538 North Market Street
Wooster, OH 44691

Dear Council Members:

At the March 27, 2013 meeting of the Wooster City Planning Commission, a motion was made and carried to recommend to Council approval of amendments to the Wooster Planning and Zoning Code (Chapter 1103 - Definitions, Chapter 1115 - Submission Requirements, Chapter 1125 - General Use Regulations, Chapter 1141 - Commercial Districts, Chapter 1143 - Manufacturing Districts, Chapter 1147 - Conditional Use Requirements, 1169 - Off Street Parking and Loading Regulations, and Chapter 1171 - Signs), with a modification to Chapter 1125 - General Use Regulations, Section 1125.18, Garage or Yard Sales, to eliminate Section (b).

Sincerely,

Kevin Lowry, Chairman
Wooster City Planning Commission

KL/lah
Enclosures - Request for Agenda Item (City Council)

DAILY RECORD

NOTICE OF PUBLIC HEARING

Wooster City Council will hold a public hearing on May 6, 2013 at 7:30 p.m. on proposed amendments to City of Wooster's Zoning Code (Title One, General Provisions/Administration, Chapter 1103 – Definitions and Chapter 1115 – Submission Requirements; Title Three, Zoning District /Use Regulations, Chapter 1125 – General Use Regulations, Chapter 1141 – Commercial Districts, Chapter 1143 – Manufacturing Districts, and Chapter 1147 – Conditional Use Requirements; Title Five, Regulations Applicable to All Districts, Chapters 1169 – Off Street Parking and Loading Regulations, and Chapter 1171 - Signs).

All interested parties are welcome to attend and the opportunity to be heard will be afforded to any person interested. Further information and copy of said petition are available for public review in the office of the Clerk of Council.

Special auxiliary aids for disabled persons are available upon request. At least five days notice is required prior to a meeting. Requests must be made to Amy Hamilton (330-263-5242) during regular office hours.

Amy Hamilton
Clerk of Council

Publish: April 6, 2013

ORDINANCE NO. 2013-16

AN ORDINANCE AMENDING CHAPTER 505, ANIMALS AND FOWL, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF NEW REGULATIONS PERTAINING TO ANIMALS RUNNING AT LARGE AND DANGEROUS DOGS

WHEREAS, this Council has determined that it is necessary and advisable to amend the Codified Ordinances of the City of Wooster, Ohio as it pertains to both animals running at large and the treatment of dangerous dogs in order to bring local ordinances in-line with corresponding state law.

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

SECTION 1. That Chapter 505, ANIMALS AND FOWL, of the Codified Ordinances of the City of Wooster, Ohio be amended by the adoption of a new Section 505.001, DEFINITIONS, to read as appears in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. That Chapter 505, ANIMALS AND FOWL, of the Codified Ordinances of the City of Wooster, Ohio be amended by the adoption of a revised and amended Section 505.01, DOGS AND OTHER ANIMALS RUNNING AT LARGE, to read as appears in Exhibit B, attached hereto and incorporated herein by reference.

SECTION 3. That Chapter 505, ANIMALS AND FOWL, of the Codified Ordinances of the City of Wooster, Ohio be amended by the adoption of a revised and amended Section 505.14, DANGEROUS DOGS, to read as appears in Exhibit C, attached hereto and incorporated herein by reference.

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

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

Passed: _____, 2013 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2013 Mayor

Introduced by: Barbara A. Knapic

RESOLUTION NO. 2013-38

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 SAYBOLT AVENUE SANITARY SEWER LINE

WHEREAS, it is necessary to replace the sanitary sewer line serving Saybolt Avenue, and the cost of such project is included in the capital plan for 2013; and

WHEREAS, this City Council deems that prompt action is necessary to complete the project to improve the safe and efficient collection and disposal of sanitary sewerage within the area.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for the replacement of the Saybolt Avenue sanitary sewer line, in accordance with specifications now on file in his office.

SECTION 2. The cost of such contract will not exceed the amount budgeted in the 2013 Appropriations Budget adopted by this Council in Ordinance No. 2012-32.

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

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

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Craig Sanders

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Saybolt Avenue Sanitary Sewer Project	Approved for Agenda
Estimated Total Cost \$ 85,000.00 (Sanitary Funds)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize advertisement and award of a contract to the lowest and best bidder for the replacement of the sanitary sewer on Saybolt Avenue. This project involves the replacing an old sanitary sewer with a history of complications.	
Justification / Benefits This project will place a 8" new sanitary sewer, sanitary manholes and 6" sanitary laterals.	
Will This Project Effect the City's Operating Costs This project should reduce maintenance and operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could postpone the project, which will result in damaging the new resurfacing on Liberty Street when constructing the sanitary sewer.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons The Liberty Street resurfacing project will be advertised for bid at the same time. The sanitary sewer will be constructed before the paving operation.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res#38

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Glenn Avenue W/L and Sanitary Sewer Replacement Project	Approved for Agenda
Estimated Total Cost \$ 125,000.00 (Water Fund - \$50,000, Sanitary Fund - \$75,000)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize advertisement and award of a contract to the lowest and best bidder for the replacement of the W/L and Sanitary Sewer on Glenn Avenue. This project involves the replacement of a 6" W/L with a history of breaks and placing a new sanitary sewer where shared laterals exist before resurfacing Liberty Street.	
Justification / Benefits This project will replace an aging waterline and new main sanitary sewer in preparation for the pavement work on Liberty Street.	
Will This Project Effect the City's Operating Costs This project should reduce maintenace and operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could postpone the project, which will result in damaging the new resurfacing on Liberty Street when constructing the waterline and sanitary sewer.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons The Liberty Street resurfacing project will be advertised for bid at the same time. The waterline and sanitary sewer will be completed before the paving operation by limiting the construction time.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

RESOLUTION NO. 2013-40

A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Morris Stutzman, Esq., Agent for Petitioners Bruce and Jodi Steiner)

WHEREAS, Morris Stutzman, Esq., agent for Petitioners, has, pursuant to Revised Code Section 709.02, filed a petition with the Wayne County Commissioners seeking annexation of 0.661 acres of land owned by petitioners in Wayne Township, adjacent to the City of Wooster (a map of said area is attached hereto); and

WHEREAS, Revised Code Section 709.03 provides that upon the clerk of the municipal legislative authority receiving notice of a proposed annexation, the municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will be able to provide upon annexation of the territory proposed for annexation.

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

SECTION 1: That upon annexation to the City of Wooster, the land contained in the petition for annexation would receive the following services from the City of Wooster:

- A. Police protection from the full-time police department of the City of Wooster; and fire protection and emergency squad services from the full-time fire department of the City of Wooster. The projected response time for fire and emergency squad is 4 minutes from Station 2, first-in unit; and 6 minutes from Station 1, second-in unit. These services would be immediately available.
- B. Pursuant to this Council's adoption of Ordinance No. 2012-26 on October 15, 2012, Petitioners were already granted permission to access the city's water line on Melrose Drive.
- C. Pursuant to this Council's adoption of Ordinance No. 2012-26 on October 15, 2012, Petitioners were already granted permission to access the city's sanitary sewer line on Melrose Drive.
- D. The City would also provide miscellaneous other city services, including, but not limited to, residential solid waste pickup, maintenance of dedicated streets and access to parks and recreation facilities. These services would be immediately available.

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 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 it is necessary to act pursuant to statute to provide timely notice to the Wayne County Commissioners of services which the City would provide in order to facilitate the orderly process of annexation; 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: _____, 2013

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Barbara A. Knapic

NOTICE OF FILING OF ANNEXATION PETITION

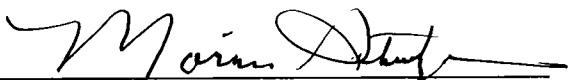
TO: Amy Hamilton
Clerk of Council of the City of Wooster, Wayne County, Ohio
538 N. Market St.
Wooster, OH 44691

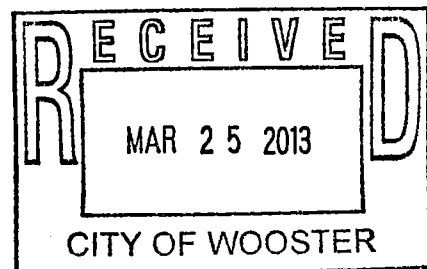
You will take notice that a petition for annexation of certain real property located in the Township of Wayne, County of Wayne and State of Ohio to the City of Wooster, Ohio has been filed in the office of the Board of County Commissioners of Wayne County, Ohio on March 19, 2013, a copy of which is attached hereto and incorporated by reference.

This notice is given by the undersigned as agent for petitioners pursuant to Section 709.03 of the Ohio Revised Code.

The Petition contains a full description of the property to be annexed and other matters required by law and is signed by all of the owners of real estate in the territory to be annexed.

The Board of Wayne County Commissioners has fixed May 29, 2013 at 9:00 a.m. as the time for the hearing on the Petition. The hearing will be held at the Office of the Board of Wayne County Commissioners located in the Administration Building, 428 West Liberty Street, Wooster, Ohio.


Morris Stutzman
Agent for Petitioners



PETITION FOR ANNEXATION

To: The Board of County Commissioners of Wayne County, Ohio.

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

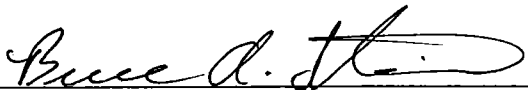
An accurate legal description of the perimeter of the territory sought to be annexed is set forth on Exhibit A attached hereto and incorporated herein by reference (the "**Territory**"); and an accurate map or survey of the Territory proposed for annexation is attached hereto as Exhibit B and incorporated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

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

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

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

Date: March 13, 2013


Bruce A. Steiner

Date: March 13, 2013


Jodi M. Steiner

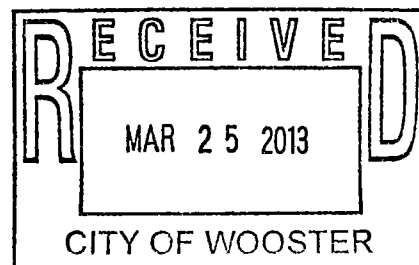


EXHIBIT "A"

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

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

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

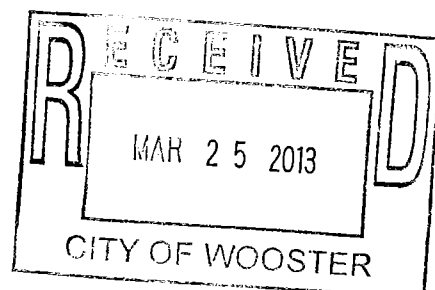
THENCE WITH THE FOLLOWING FOUR (4) COURSES:

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

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

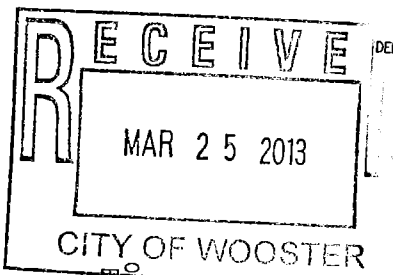
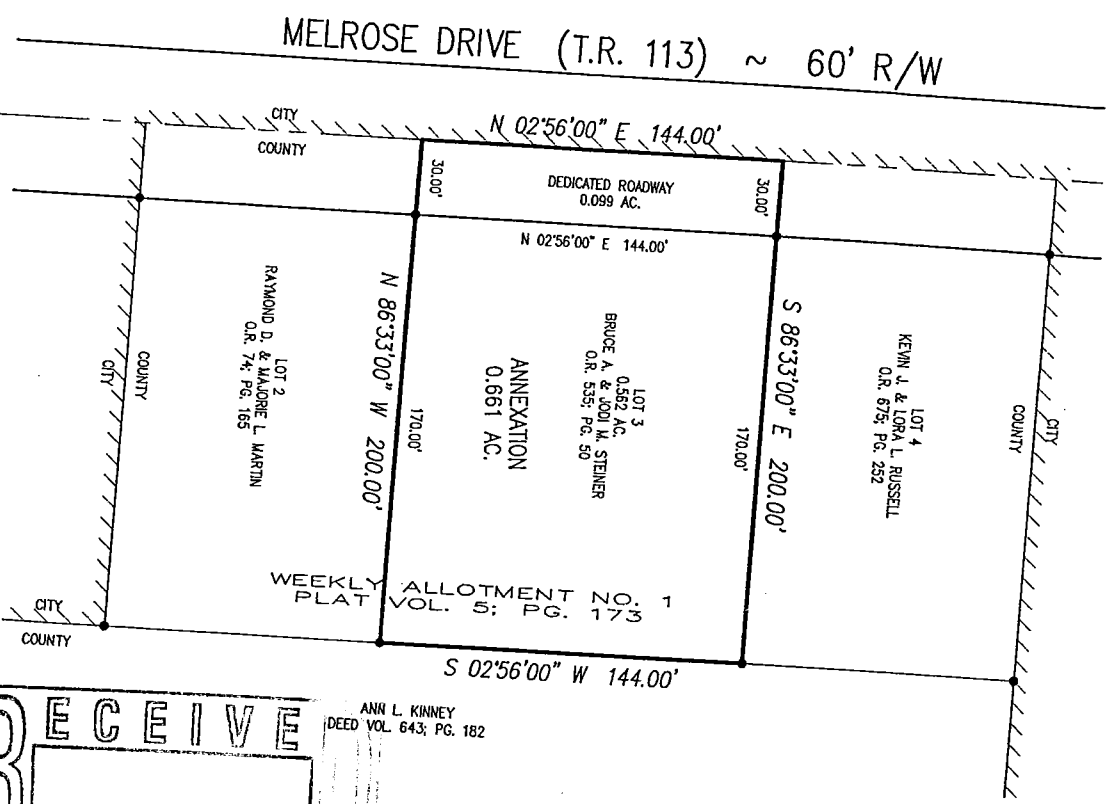
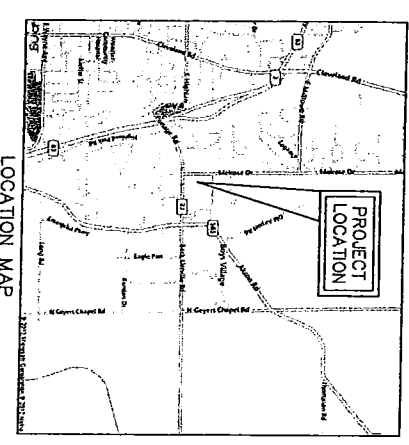
This description was prepared by Mark E. Purdy, P.S. #7307, of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2013.

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



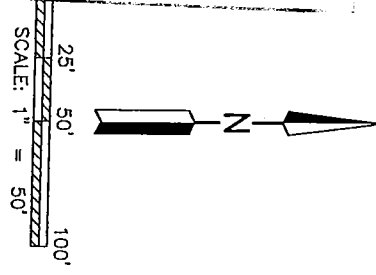
ANNEXATION PLAT

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



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

REFERENCE SURVEY:
 Q-291
 BASIS OF BEARING:
 This survey is based on the west line of the Southwest Quarter of Section 26, bearing N 2°36' E, as shown on survey Q-291 by Ray W. Gadsborre dated February 1957.



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

MAYOR _____ CLERK _____
 Approved by Wayne County Commissioners:
 this ___ day of ___ 20__

SCOTT S. WIGGAM JIM CARMICHAEL ANN W. OBRRECHT
 Approved for Recording: _____
 this ___ day of ___ 20__
 Transferred: _____
 this ___ day of ___ 20__
 Filed for Record: _____
 this ___ day of ___ 20__
 # ___ in Vol. ___ Pg. ___
 Wayne County Recorder
 JANE CARMICHAEL

AUDITOR: _____
 RECORDER: _____
 TOTAL: _____

Distances shown hereon are expressed in feet and decimal parts thereof, bearings are used to express angles only, iron pins or monuments were found or set as indicated hereon. All of which I believe to be correct to the best of my knowledge.

By: *Mark E. Purdy*
 Mark E. Purdy, P.S. #7307 Date: 2-4-13

SHAFER JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 3477 Commerce Parkway, Suite C
 Wooster, Ohio 44691
 TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sjl@sj-inc.com

DESKAN CHECKED 1" SCALE 50' DATE 01/30/13
 DWG NO: SW-5519 JOB NO: SW-5519 SHEET 1 OF 1

STATE OF OHIO
 PROFESSIONAL SURVEYOR
 MARK E. PURDY
 7307

RESOLUTION NO. 2013-41

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BURBANK ROAD RESURFACING PROJECT (PID 92632)

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

WHEREAS, the Burbank Road Resurfacing Project (PID 92632) is a transportation activity eligible to receive federal/state funding; and

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

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

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

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

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

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

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

Passed: _____, 2013 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Resurfacing – Burbank Road PID 92632	Approved for Agenda
Estimated Total Cost \$200,200.00. ODOT Grant = \$154,394.24(80%), Local Funds = \$45,805.76 (20%) (Capital Funds - \$\$35,000, SCMR - \$11,000)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Burbank Road between Cleveland and Elm. ODOT is funding 80% of the construction costs, or \$154,394.24. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. ODOT will reimburse 80% of these costs as well, up to \$6,000.00.	
Justification/Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2013.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and turn down the grant funds. We could proceed with the project using other interest accruing financing methods.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances This is a request to simply accept the funds already awarded for this project, and is a requirement of the funding process.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons ODOT plan approval process can not begin until the LPA agreement is signed.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res #41

RESOLUTION NO. 2013-42

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OAK HILL ROAD RESURFACING PROJECT (PID 92621)

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

WHEREAS, the Oak Hill Road Resurfacing Project (PID 92621) is a transportation activity eligible to receive federal/state funding; and

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

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

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

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

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

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

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

Passed: _____, 2013 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2013 Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Resurfacing – Oak Hill Road PID 92621	Approved for Agenda
Estimated Total Cost \$360,000.00 ODOT Grant = \$271,338.40(80%), Local Funds = \$88,661.60 (20%) (Capital Funds - \$65,000, SMCR - \$24,000)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Oak Hill Road between Liberty & Wayne. ODOT is funding 80% of the construction costs, or \$271,338.40. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. ODOT will reimburse 80% of these costs as well, up to \$10,853.54.	
Justification/Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2013.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and turn down the grant funds. We could proceed with the project using other interest accruing financing methods.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances This is a request to simply accept the funds already awarded for this project, and is a requirement of the funding process.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons ODOT plan approval process can not begin until the LPA agreement is signed.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res #42

RESOLUTION NO. 2013-43

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 WEST LIBERTY STREET

WHEREAS, it is necessary to resurface West Liberty Street, between Larwill Street and Oak Hill Road, and such expense, eighty percent (80%) of which is being funded by ODOT, has been budgeted for 2013.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for resurfacing West Liberty Street, between Larwill Street and Oak Hill Road, in accordance with specifications on file in the Office of the Director of Administration.

SECTION 2. The cost of such contract/project will not exceed the amount budgeted in the 2013 Appropriations Budget adopted by this Council in Ordinance No. 2012-32.

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

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

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name : Liberty Street Resurfacing (Larwill to Oak Hill) PID 92623	Approved for Agenda
Estimated Total Cost \$195,000.00 ODOT Grant = \$156,000(80%), Local Funds = \$39,000(20%) (Capital Funds - \$29,000, SCMR - \$10,000)	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase 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 Liberty Street between Larwill & Oak Hill.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs with the City responsible for 20%. The City authorized cooperation and participation in RES 2013-32	
Will This Project Effect the City's Operating Costs This project should reduce maintenance costs by repairing a deteriorating roads.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and the road will continue deteriorate.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons While suspension of the rules is not necessary, earlier passage would allow the opportunity to advertise and bid this project as soon as possible in order to obtain the best possible bids and schedule paving as soon as possible.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res #43

CITY COUNCIL AGENDA

April 15, 2013

7:30 p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-16 AN ORDINANCE AMENDING CHAPTER 505, ANIMALS AND FOWL, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF NEW REGULATIONS PERTAINING TO ANIMALS RUNNING AT LARGE AND DANGEROUS DOGS (Knapic)
2. First Reading – RESOLUTION NO. 2013-38 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 SAYBOLT AVENUE SANITARY SEWER LINE (Sanders)
3. First Reading – RESOLUTION NO. 2013-39 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 GLENN AVENUE WATER AND SANITARY SEWER LINES (Sanders)
4. First Reading – RESOLUTION NO. 2013-40 A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Morris Stutzman, Esq., Agent for Petitioners Bruce and Jodi Steiner) (Knapic)
5. First Reading – RESOLUTION NO. 2013-41 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BURBANK ROAD RESURFACING PROJECT (PID 92632) (Ulbright)
6. First Reading – RESOLUTION NO. 2013-42 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OAK HILL ROAD RESURFACING PROJECT (PID 92621) (Ulbright)
7. First Reading – RESOLUTION NO. 2013-43 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 WEST LIBERTY STREET (Ulbright)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

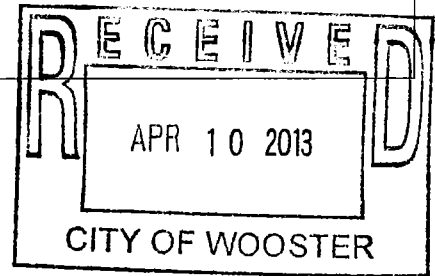
**NOTICE TO LEGISLATIVE
AUTHORITY**

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

42204550001		TRFL	JAKES OF WOOSTER LTD	
PERMIT NUMBER		TYPE	DBA JAKES OF WOOSTER	
02	01	2012		
ISSUE DATE				
04	05	2013		
FILING DATE				
D5	D6			
PERMIT CLASSES				
85	165	B	F09621	
TAX DISTRICT			RECEIPT NO.	

FROM 04/09/2013 SAFEKEEPING

4220455			JAKES OF WOOSTER LTD	
PERMIT NUMBER		TYPE	DBA JAKES OF WOOSTER	
02	01	2012		
ISSUE DATE				
04	05	2013		
FILING DATE				
D5	D6			
PERMIT CLASSES				
85	165			
TAX DISTRICT			RECEIPT NO.	



MAILED 04/09/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/10/2013

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 TRFL 4220455-0001

(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

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # <u>1220455-0001</u>	

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL

6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - <http://www.com.ohio.gov/liqr>



LIMITED LIABILITY COMPANY DISCLOSURE FORM

(This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company Jake's of Wooster Ltd.	DBA Name Jake's of Wooster	
Permit Premises Address 344 Riffel Road	City, State Wooster, Ohio	Zip Code 44691
Township, if in Unincorporated Area	Tax Identification No. (TIN) 20-5266815	

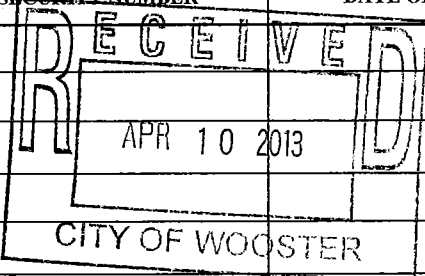
Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

➔ EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO <i>None</i>		
2) President <i>u</i>		
3) Vice-President <i>u</i>		
4) Secretary <i>u</i>		
5) Treasurer <i>u</i>		



SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

➔ THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name	Timothy J. DeRodes	Social Security No. (if individual)		<input checked="" type="checkbox"/> Managing Member
Residence Address	296 County Rd. 620	Tax Identification No. (if applicable)		<input checked="" type="checkbox"/> 5% or greater voting interest
City and State	West Salem, Ohio	Zip Code	44287	<input checked="" type="checkbox"/> 5% or greater membership interest
Telephone No.	419-945-1409	Date of Birth	06/14/1959	
2) Name	Jerry L. Baker	Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address	1220 Riffel Road	Tax Identification No. (if applicable)		<input checked="" type="checkbox"/> 5% or greater voting interest
City and State	Wooster, Ohio	Zip Code	44691	<input checked="" type="checkbox"/> 5% or greater membership interest
Telephone No.	330-345-1560	Date of Birth	07/09/1945	

OHIO DIV. OF LIQUOR CONTROL
FRONT DESK 2
2012 APR -4 PM 3:54

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

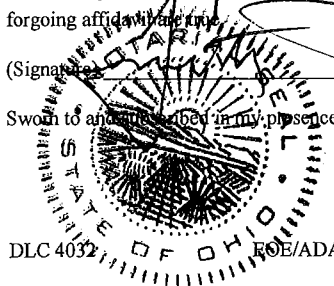
STATE OF OHIO, Wayne COUNTY ss,

I, Timothy J. DeRodes being first duly sworn, according to law, deposes and says that he/she is (Title) Member

of the Jake's of Wooster Ltd, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) [Signature] (Print Name and Title) Timothy J DeRodes

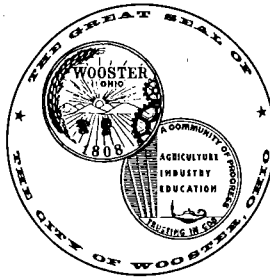
Sworn to and subscribed in my presence this 27th day of March, 2013



BRENDA LITT
 NOTARY PUBLIC - STATE OF OHIO

Brenda Litt (Notary Public) May 20, 2013 (Notary Expiration)

ROBERT F. BRENEMAN
Mayor



ANDREW DUTTON
Planning & Zoning Manager
330-263-5238

LAURIE HART
Administrative Assistant
330-263-5200 x304

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

April 2, 2013

Wooster City Council
538 North Market Street
Wooster, OH 44691

Dear Council Members:

At the March 27, 2013 meeting of the Wooster City Planning Commission, a motion was made and carried to recommend to Council approval of amendments to the Wooster Planning and Zoning Code (Chapter 1103 - Definitions, Chapter 1115 - Submission Requirements, Chapter 1125 - General Use Regulations, Chapter 1141 - Commercial Districts, Chapter 1143 - Manufacturing Districts, Chapter 1147 - Conditional Use Requirements, 1169 - Off Street Parking and Loading Regulations, and Chapter 1171 - Signs), with a modification to Chapter 1125 - General Use Regulations, Section 1125.18, Garage or Yard Sales, to eliminate Section (b).

Sincerely,

Kevin Lowry, Chairman
Wooster City Planning Commission

KL/lah
Enclosures - Request for Agenda Item (City Council)

DAILY RECORD

NOTICE OF PUBLIC HEARING

Wooster City Council will hold a public hearing on May 6, 2013 at 7:30 p.m. on proposed amendments to City of Wooster's Zoning Code (Title One, General Provisions/Administration, Chapter 1103 – Definitions and Chapter 1115 – Submission Requirements; Title Three, Zoning District /Use Regulations, Chapter 1125 – General Use Regulations, Chapter 1141 – Commercial Districts, Chapter 1143 – Manufacturing Districts, and Chapter 1147 – Conditional Use Requirements; Title Five, Regulations Applicable to All Districts, Chapters 1169 – Off Street Parking and Loading Regulations, and Chapter 1171 - Signs).

All interested parties are welcome to attend and the opportunity to be heard will be afforded to any person interested. Further information and copy of said petition are available for public review in the office of the Clerk of Council.

Special auxiliary aids for disabled persons are available upon request. At least five days notice is required prior to a meeting. Requests must be made to Amy Hamilton (330-263-5242) during regular office hours.

Amy Hamilton
Clerk of Council

Publish: April 6, 2013

ORDINANCE NO. 2013-16

AN ORDINANCE AMENDING CHAPTER 505, ANIMALS AND FOWL, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF NEW REGULATIONS PERTAINING TO ANIMALS RUNNING AT LARGE AND DANGEROUS DOGS

WHEREAS, this Council has determined that it is necessary and advisable to amend the Codified Ordinances of the City of Wooster, Ohio as it pertains to both animals running at large and the treatment of dangerous dogs in order to bring local ordinances in-line with corresponding state law.

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

SECTION 1. That Chapter 505, ANIMALS AND FOWL, of the Codified Ordinances of the City of Wooster, Ohio be amended by the adoption of a new Section 505.001, DEFINITIONS, to read as appears in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. That Chapter 505, ANIMALS AND FOWL, of the Codified Ordinances of the City of Wooster, Ohio be amended by the adoption of a revised and amended Section 505.01, DOGS AND OTHER ANIMALS RUNNING AT LARGE, to read as appears in Exhibit B, attached hereto and incorporated herein by reference.

SECTION 3. That Chapter 505, ANIMALS AND FOWL, of the Codified Ordinances of the City of Wooster, Ohio be amended by the adoption of a revised and amended Section 505.14, DANGEROUS DOGS, to read as appears in Exhibit C, attached hereto and incorporated herein by reference.

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

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

Passed: _____, 2013 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2013 Mayor

Introduced by: Barbara A. Knapic

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Saybolt Avenue Sanitary Sewer Project	Approved for Agenda
Estimated Total Cost \$ 85,000.00 (Sanitary Funds)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize advertisement and award of a contract to the lowest and best bidder for the replacement of the sanitary sewer on Saybolt Avenue. This project involves the replacing an old sanitary sewer with a history of complications.	
Justification / Benefits This project will place a 8" new sanitary sewer, sanitary manholes and 6" sanitary laterals.	
Will This Project Effect the City's Operating Costs This project should reduce maintenace and operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could postpone the project, which will result in damaging the new resurfacing on Liberty Street when constructing the sanitary sewer.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons The Liberty Street resurfacing project will be advertised for bid at the same time. The sanitary sewer will be constructed befroe the paving operation.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res#38

RESOLUTION NO. 2013-39

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 GLENN AVENUE WATER AND SANITARY SEWER LINES

WHEREAS, it is necessary to replace the water and sanitary sewer lines serving Glenn Avenue, and the cost of such project is included in the capital plan for 2013; and

WHEREAS, this City Council deems that prompt action is necessary to complete the project to improve the safe and efficient distribution of water and collection and disposal of sanitary sewerage within the area.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for the replacement of the Glenn Avenue water and sanitary sewer lines, in accordance with specifications now on file in his office.

SECTION 2. The cost of such contract will not exceed the amount budgeted in the 2013 Appropriations Budget adopted by this Council in Ordinance No. 2012-32.

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

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

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2013
Mayor

Introduced by: Craig Sanders

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Glenn Avenue W/L and Sanitary Sewer Replacement Project	Approved for Agenda
Estimated Total Cost \$ 125,000.00 (Water Fund - \$50,000, Sanitary Fund - \$75,000)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize advertisement and award of a contract to the lowest and best bidder for the replacement of the W/L and Sanitary Sewer on Glenn Avenue. This project involves the replacement of a 6" W/L with a history of breaks and placing a new sanitary sewer where shared laterals exist before resurfacing Liberty Street.	
Justification / Benefits This project will replace an aging waterline and new main sanitary sewer in preparation for the pavement work on Liberty Street.	
Will This Project Effect the City's Operating Costs This project should reduce maintenace and operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could postpone the project, which will result in damaging the new resurfacing on Liberty Street when constructing the waterline and sanitary sewer.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons The Liberty Street resurfacing project will be advertised for bid at the same time. The waterline and sanitary sewer will be completed before the paving operation by limiting the construction time.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

RESOLUTION NO. 2013-40

A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Morris Stutzman, Esq., Agent for Petitioners Bruce and Jodi Steiner)

WHEREAS, Morris Stutzman, Esq., agent for Petitioners, has, pursuant to Revised Code Section 709.02, filed a petition with the Wayne County Commissioners seeking annexation of 0.661 acres of land owned by petitioners in Wayne Township, adjacent to the City of Wooster (a map of said area is attached hereto); and

WHEREAS, Revised Code Section 709.03 provides that upon the clerk of the municipal legislative authority receiving notice of a proposed annexation, the municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will be able to provide upon annexation of the territory proposed for annexation.

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

SECTION 1: That upon annexation to the City of Wooster, the land contained in the petition for annexation would receive the following services from the City of Wooster:

- A. Police protection from the full-time police department of the City of Wooster; and fire protection and emergency squad services from the full-time fire department of the City of Wooster. The projected response time for fire and emergency squad is 4 minutes from Station 2, first-in unit; and 6 minutes from Station 1, second-in unit. These services would be immediately available.
- B. Pursuant to this Council's adoption of Ordinance No. 2012-26 on October 15, 2012, Petitioners were already granted permission to access the city's water line on Melrose Drive.
- C. Pursuant to this Council's adoption of Ordinance No. 2012-26 on October 15, 2012, Petitioners were already granted permission to access the city's sanitary sewer line on Melrose Drive.
- D. The City would also provide miscellaneous other city services, including, but not limited to, residential solid waste pickup, maintenance of dedicated streets and access to parks and recreation facilities. These services would be immediately available.

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 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 it is necessary to act pursuant to statute to provide timely notice to the Wayne County Commissioners of services which the City would provide in order to facilitate the orderly process of annexation; 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: _____, 2013

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Barbara A. Knapic

NOTICE OF FILING OF ANNEXATION PETITION

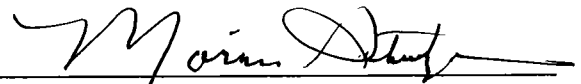
TO: Amy Hamilton
Clerk of Council of the City of Wooster, Wayne County, Ohio
538 N. Market St.
Wooster, OH 44691

You will take notice that a petition for annexation of certain real property located in the Township of Wayne, County of Wayne and State of Ohio to the City of Wooster, Ohio has been filed in the office of the Board of County Commissioners of Wayne County, Ohio on March 19, 2013, a copy of which is attached hereto and incorporated by reference.

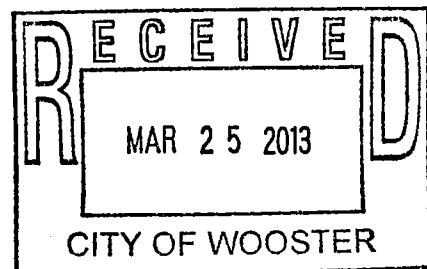
This notice is given by the undersigned as agent for petitioners pursuant to Section 709.03 of the Ohio Revised Code.

The Petition contains a full description of the property to be annexed and other matters required by law and is signed by all of the owners of real estate in the territory to be annexed.

The Board of Wayne County Commissioners has fixed May 29, 2013 at 9:00 a.m. as the time for the hearing on the Petition. The hearing will be held at the Office of the Board of Wayne County Commissioners located in the Administration Building, 428 West Liberty Street, Wooster, Ohio.



Morris Stutzman
Agent for Petitioners



PETITION FOR ANNEXATION

To: The Board of County Commissioners of Wayne County, Ohio.

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

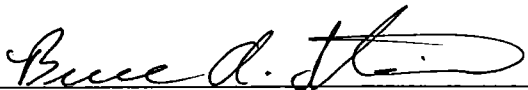
An accurate legal description of the perimeter of the territory sought to be annexed is set forth on Exhibit A attached hereto and incorporated herein by reference (the "**Territory**"); and an accurate map or survey of the Territory proposed for annexation is attached hereto as Exhibit B and incorporated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

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

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

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

Date: March 13, 2013


Bruce A. Steiner

Date: March 13, 2013


Jodi M. Steiner

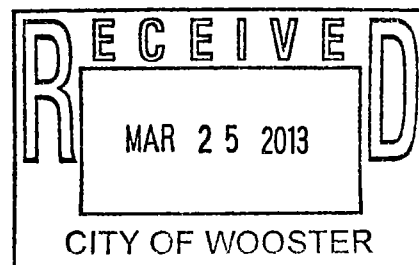


EXHIBIT "A"

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

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

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

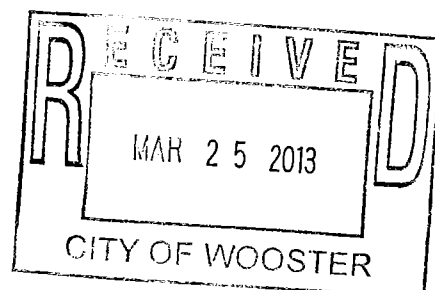
THENCE WITH THE FOLLOWING FOUR (4) COURSES:

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

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

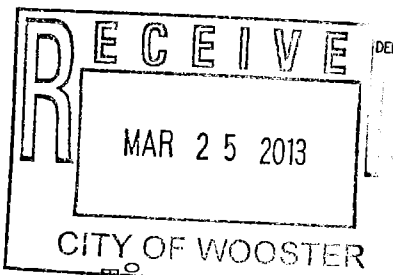
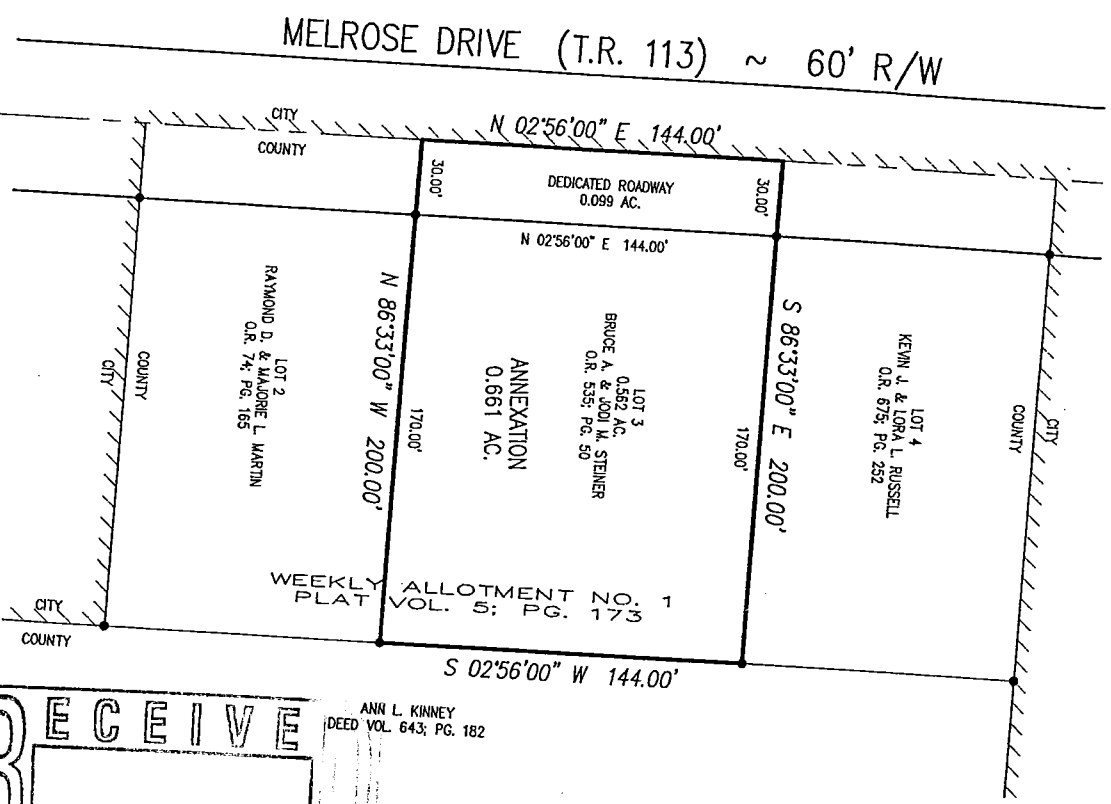
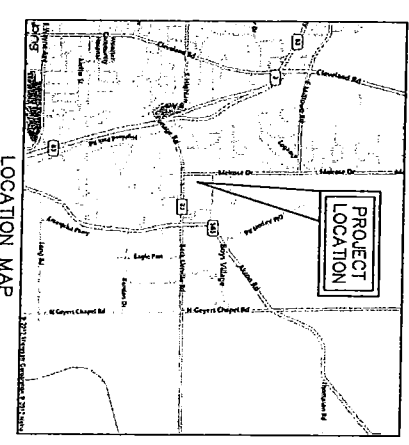
This description was prepared by Mark E. Purdy, P.S. #7307, of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2013.

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



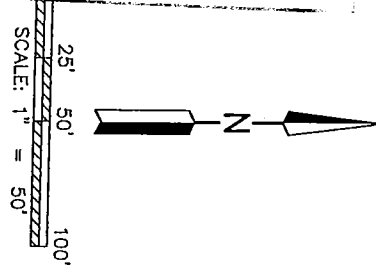
ANNEXATION PLAT

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



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

REFERENCE SURVEY:
 Q-291
 BASIS OF BEARING:
 This survey is based on the west line of
 the Southwest Quarter of Section 26,
 bearing N 2°36' E, as shown on survey
 Q-291 by Ray W. Gadsborre dated
 February 1957.



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

MAYOR _____ CLERK _____
 Approved by Wayne County Commissioners:
 this ___ day of ___ 20__

SCOTT S. WIGGAM JIM CARMICHAEL ANN W. OBRRECHT
 Approved for Recording: _____
 this ___ day of ___ 20__ Wayne County Tax Map Office
 Transferred: _____ DOUGLAS K. GREEN
 this ___ day of ___ 20__ (Sign)
 Filed for Record: _____ Wayne County Auditor's Office
 this ___ day of ___ 20__ (Print)
 # _____ in Vol. ___ Pg. ___ Wayne County Recorder
 JANE CARMICHAEL

AUDITOR: _____
 RECORDER: _____
 TOTAL: _____

Distances shown hereon are expressed
 in feet and decimal parts thereof,
 bearings are used to express angles
 only, iron pins or monuments were
 found or set as indicated hereon. All
 of which I believe to be correct to the
 best of my knowledge.

By: *Mark E. Purdy*
 Mark E. Purdy, P.S. #7307 Date: 2-4-13

SHAFER JOHNSTON, LICHTENWALTER
 & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 3477 Commerce Parkway, Suite C
 Wooster, Ohio 44691
 TEL (330) 345-6377 FAX (330) 345-6723 EMAIL sjl@sj-inc.com

DESKAN CHECKED 1" SCALE 50' DATE
 DWG NO: SW-5519 JOB NO: SW-5519 SHEET 1 OF 1

RESOLUTION NO. 2013-41

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BURBANK ROAD RESURFACING PROJECT (PID 92632)

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

WHEREAS, the Burbank Road Resurfacing Project (PID 92632) is a transportation activity eligible to receive federal/state funding; and

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

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

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

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

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

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

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

Passed: _____, 2013 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2013 Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Resurfacing – Burbank Road PID 92632	Approved for Agenda
Estimated Total Cost \$200,200.00. ODOT Grant = \$154,394.24(80%), Local Funds = \$45,805.76 (20%) (Capital Funds - \$\$35,000, SCMR - \$11,000)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Burbank Road between Cleveland and Elm. ODOT is funding 80% of the construction costs, or \$154,394.24. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. ODOT will reimburse 80% of these costs as well, up to \$6,000.00.	
Justification/Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2013.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and turn down the grant funds. We could proceed with the project using other interest accruing financing methods.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances This is a request to simply accept the funds already awarded for this project, and is a requirement of the funding process.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons ODOT plan approval process can not begin until the LPA agreement is signed.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res #41

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name Resurfacing – Oak Hill Road PID 92621	Approved for Agenda
Estimated Total Cost \$360,000.00 ODOT Grant = \$271,338.40(80%), Local Funds = \$88,661.60 (20%) (Capital Funds - \$65,000, SMCR - \$24,000)	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to authorize the Mayor to enter into a cooperative agreement with the Ohio Department of Transportation (ODOT) for resurfacing of Oak Hill Road between Liberty & Wayne. ODOT is funding 80% of the construction costs, or \$271,338.40. All of the construction engineering, contract management and inspection will be performed in-house by the engineering division staff. ODOT will reimburse 80% of these costs as well, up to \$10,853.54.	
Justification/Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2013.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and turn down the grant funds. We could proceed with the project using other interest accruing financing methods.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances This is a request to simply accept the funds already awarded for this project, and is a requirement of the funding process.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons ODOT plan approval process can not begin until the LPA agreement is signed.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res #42

RESOLUTION NO. 2013-43

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 WEST LIBERTY STREET

WHEREAS, it is necessary to resurface West Liberty Street, between Larwill Street and Oak Hill Road, and such expense, eighty percent (80%) of which is being funded by ODOT, has been budgeted for 2013.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for resurfacing West Liberty Street, between Larwill Street and Oak Hill Road, in accordance with specifications on file in the Office of the Director of Administration.

SECTION 2. The cost of such contract/project will not exceed the amount budgeted in the 2013 Appropriations Budget adopted by this Council in Ordinance No. 2012-32.

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

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

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested April 15, 2013
Project Name : Liberty Street Resurfacing (Larwill to Oak Hill) PID 92623	Approved for Agenda
Estimated Total Cost \$195,000.00 ODOT Grant = \$156,000(80%), Local Funds = \$39,000(20%) (Capital Funds - \$29,000, SCMR - \$10,000)	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase 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 Liberty Street between Larwill & Oak Hill.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs with the City responsible for 20%. The City authorized cooperation and participation in RES 2013-32	
Will This Project Effect the City's Operating Costs This project should reduce maintenance costs by repairing a deteriorating roads.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and the road will continue deteriorate.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons While suspension of the rules is not necessary, earlier passage would allow the opportunity to advertise and bid this project as soon as possible in order to obtain the best possible bids and schedule paving as soon as possible.	
Division Manager Roger Kobilarcsik	Date April 3, 2013

Res #43