

CITY COUNCIL AGENDA

June 17, 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

Public Hearing: 2014 Tax Budget

VI. OLD BUSINESS

1. Second Reading – RESOLUTION NO. 2013-51 A RESOLUTION PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2014 (Ansel)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-23 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT EASEMENT FOR AN ENCROACHMENT UPON THE PUBLIC RIGHT-OF-WAY, AND DECLARING AN EMERGENCY (Ulbright)
2. First Reading – ORDINANCE NO. 2013-24 AN ORDINANCE EXTENDING THE CITY OF WOOSTER'S MORATORIUM ON THE PROCESSING OR APPROVAL OF APPLICATIONS FOR PERMITS OR APPROVALS UNDER THE CITY'S ZONING OR BUILDING CODES FOR ANY PREMISES FOR WHICH AN ADULT GAMING PARLOR OR SWEEPSTAKES TERMINAL DEVICE IS, OR IS PROPOSED TO BE LOCATED, AND DECLARING AN EMERGENCY (Knapic)
3. First Reading – RESOLUTION NO. 2013-57 A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT APPLICATIONS TO THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT, TO ACCEPT SUCH MONIES, IF AWARDED; TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY (Ansel)
4. First Reading – RESOLUTION NO. 2013-58 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013 (Steiner)
5. First Reading – RESOLUTION NO. 2013-59 A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO JOIN A REGIONAL COUNCIL OF GOVERNMENTS PURSUANT TO CHAPTER 167 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY (Steiner)
6. First Reading – RESOLUTION NO. 2013-60 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 WATER LINE SERVING WAYNE AVENUE (Sanders)
7. First Reading – RESOLUTION NO. 2013-61 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PROCEED WITH A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF

SIGNS ON STATE ROUTES 3 AND 83 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 82260) (Ulbright)

8. First Reading – RESOLUTION NO. 2013-62 A RESOLUTION AMENDING AND RESTATING TO THE OHIO POLICE AND FIRE PENSION FUND, IN COMPLIANCE WITH OAC §742-7-14, THE INTENTION OF THE CITY OF WOOSTER TO HONOR THE PREVIOUSLY ADOPTED “PICK UP” PROGRAM FOR THE POLICE DIVISION, AND DECLARING AN EMERGENCY (Steiner)

9. First Reading – RESOLUTION NO. 2013-63 A RESOLUTION AMENDING AND RESTATING TO THE OHIO POLICE AND FIRE PENSION FUND, IN COMPLIANCE WITH OAC §742-7-14, THE INTENTION OF THE CITY OF WOOSTER TO HONOR THE PREVIOUSLY ADOPTED “PICK UP” PROGRAM FOR THE FIRE DIVISION, AND DECLARING AN EMERGENCY (Steiner)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2013-23

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT EASEMENT FOR AN ENCROACHMENT UPON THE PUBLIC RIGHT-OF-WAY, AND DECLARING AN EMERGENCY

WHEREAS, the owner of the City Square Steakhouse, located at 148 S. Market Street, desires to extend its entryway and erect a canopy over its main entrance in order to protect diners within from inclement weather, and the structure, as planned, will encroach no more than six (6) feet onto the public right of way (a sidewalk, as appears on the scale drawing attached hereto as Exhibit A); and

WHEREAS, the existing sidewalk is slightly more than thirteen (13) feet wide, and an easement of six (6) feet from the existing building line would leave sufficient room for the passage of pedestrians, and would be consistent with all other encroachments along the sidewalk within this block; and

WHEREAS, the Engineering Division has examined the location and determined that the encroachment will not interfere with any current municipal interest; and the Board of Zoning Appeals, at its meeting on May 14, 2013, approved the design of the proposed canopy.

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

SECTION 1. That the Mayor is hereby authorized to grant a permanent easement for an encroachment of a commercial structure located at 148 S. Market Street upon the public right-of-way (a sidewalk), being no more than a six (6) foot wide easement parallel and adjacent to the west property line. This easement is subject to the following limitations: (1) that it will be dissolved immediately upon the destruction, dismantling or removal of the permanent structure located at 148 S. Market Street; or (2) that it will be dissolved at such time as the City of Wooster, in its sole discretion, shall require the use of the right-of-way for improvements to the infrastructure located in proximity thereto and (3) that the property owner assumes all responsibility and liability for that which it owns, erects or otherwise places upon the easement, and for damage occurring to persons or property attributable to such.

SECTION 2. 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 3. This Ordinance 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 enabling the property owner to fully establish the boundaries of the easement in order to commence and complete the erection of the canopy; 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 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: Jon E. Ulbright

**Request for Agenda Item
Non-Capital**

Division Administration

Meeting Date Requested June 13, 2013

Project Name Encroachment Easement 151 S. Market Street

Approved for Agenda

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

The owner of the building located at 151 S. Market Street (City Square Steakhouse) has initiated improvements to the building which require a permanent and temporary encroachment into the public right of way for a stoop and to provide wind and snow protection for the main entrance.

Adjacent buildings from 115 Liberty on the north and 128 S. Market Street on the south have existing encroachments for stairs and other items that have existed for many years at this location. These encroachments are located within the public right of way, but in an existing sidewalk area, and will not hinder pedestrian traffic.

The existing sidewalk is 13 feet wide, and an easement of 6 feet wide would leave sufficient room for the passage of pedestrians, and is consistent with all other encroachments along the sidewalk between 115 Liberty and 128 S. Market Street.

The easement description would be a 6 foot wide easement parallel and adjacent to the west property lines as appears on the drawings attached hereto.

This proposal was approved by the Design and Review Board on May 14th.

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

No.

Manager Requesting Joel Montgomery

Date 6-13-13

Approved for Agenda

DESIGN AND REVIEW BOARD OF WOOSTER
-- Certificate of Approval --

DR No. 466

The Design and Review Board hereby certifies that the application of **City Square Steakhouse**, filed May 7, 2013 for property located at **148 South Market Street**, is on file with the Planning/Zoning Division and takes the following action in accordance with Chapter 155 of the City of Wooster, Ohio:

5/14/13
Date

Approved—Construction, reconstruction, alteration, demolition or signage meets Commission approval as presented

Date

Approved—Construction, reconstruction, alteration or signage meets Commission approval when modified as per Commission recommendations (see comments below).

Date

Not approved (Waiting period enforced.)

Date

Not approved (Waiting period extended—for demolition only.)

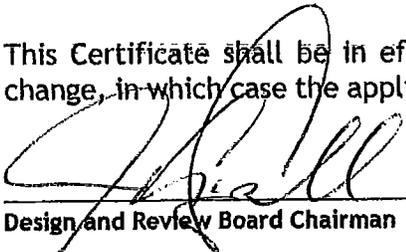
Date

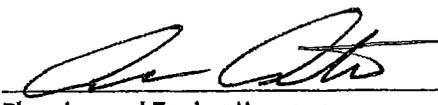
Waiting period expired; approval granted

****NOTE:** This Certificate of Approval is not a building permit or certificate of zoning clearance. This does not relieve the responsibility of filing for and obtaining a building permit or a zoning permit where required and following all other applicable codes, ordinances and regulations of the City of Wooster.**

Comments by the Board:

This Certificate shall be in effect as of the date shown above, unless the applicant's plans change, in which case the applicant will need to file a revised application form with the Board.


Design and Review Board Chairman 5.14.13 Date


Planning and Zoning Manager 5/14/13 Date

cc: Mark Nussbaum, City Building Department
Mike Rose

App. # 20130705

MAY 7 2013

DESIGN AND REVIEW BOARD OF WOOSTER

Application for Exterior Building Alterations, Additions, Construction, Rehabilitation, Demolition and/or Environmental Change

DR No. 466

FILE COPY

(PLEASE PRINT OR TYPE.)

148 South Market St.

Property Address

05/06/13

Date of Application

Michael Mariola, City Square Steakhouse

Applicant's Name

Mike Rose, Liberty Market Prop. LLC

Owner's Name

148 South Market St.

Applicant's Address

23 Public Square Suite 200, Medina, OH 44256

Owner's Address

330-466-5212

Applicant's Daytime Telephone Number

SUBMISSION REQUIREMENTS:

- 8 sets of color photos of existing building, lot, etc.
- 8 site plans (for new construction, additions, demolition, landscaping)
- 8 drawings/plans indicating colors and materials to be used on exterior of building (for additions, new construction, major rehabilitation only) and 1 set of colored drawings (to be left on file with the Planning/Zoning Division)
- Manufacturer's literature (if applicable)
- 1 set of color chips (for exterior painting only)

NOTE: Please submit samples of building materials to be used. Samples may be in the form of color chips, sketches, photos, plans, brochures, product information. Photographs showing the building and specific areas where work is to be undertaken may be requested.

WORK SUMMARY:

Please check the proposed work here, and explain fully on Pages 2 and 3:

- Painting (exterior color change only)
- Masonry cleaning/repainting
- Window repair/replacement/addition
- Door repair/replacement/addition
- Gutters and downspouts repair/replacement/addition
- Roof repair/replacement/addition
- Re-siding
- Trim
- Demolition ___ Full ___ Partial
- Addition
- Landscaping ___ Fence ___ Signage ___ Outdoor lighting ___ Site grading
- ___ Deck ___ Parking space ___ Handicapped access ___ Restoration



Other _____

DETAILED DISCUSSION OF PROPOSED WORK

Painting

Trim _____ (color)

Base _____ (color)

Other _____ (color)

Is the color selection based on historic paint color research? Explain.

Masonry cleaning/repointing

Cleaning technique:

Mortar composition:

Window repair/replacement/addition

Explain:

Door repair/replacement/addition

Explain:

Gutters and downspouts repair/replacement/addition

Explain:

Roof repair/replacement/addition

Explain:

Re-siding

Describe reasons and materials to be used:

Demolition

Explain reasons for demolition:

Additions

Describe design and placement: _____

Landscaping

Explain: _____

Other

Describe any work not previously discussed: 1) Seasonal wind break at front door
2) Expand existing mechanical enclosure located behind restaurant to accommodate new walk-in cooler. 3) New front concrete step w/ handrail (black steel)

MAD

Applicant's signature

Date

05/06/13

Liberty Market Properties LLC - W. Rose Hill

Owner's signature (if different)

Date

5-6-13

-- FOR OFFICIAL USE ONLY --

May 7, 2013

Date Filed

May 14, 2013

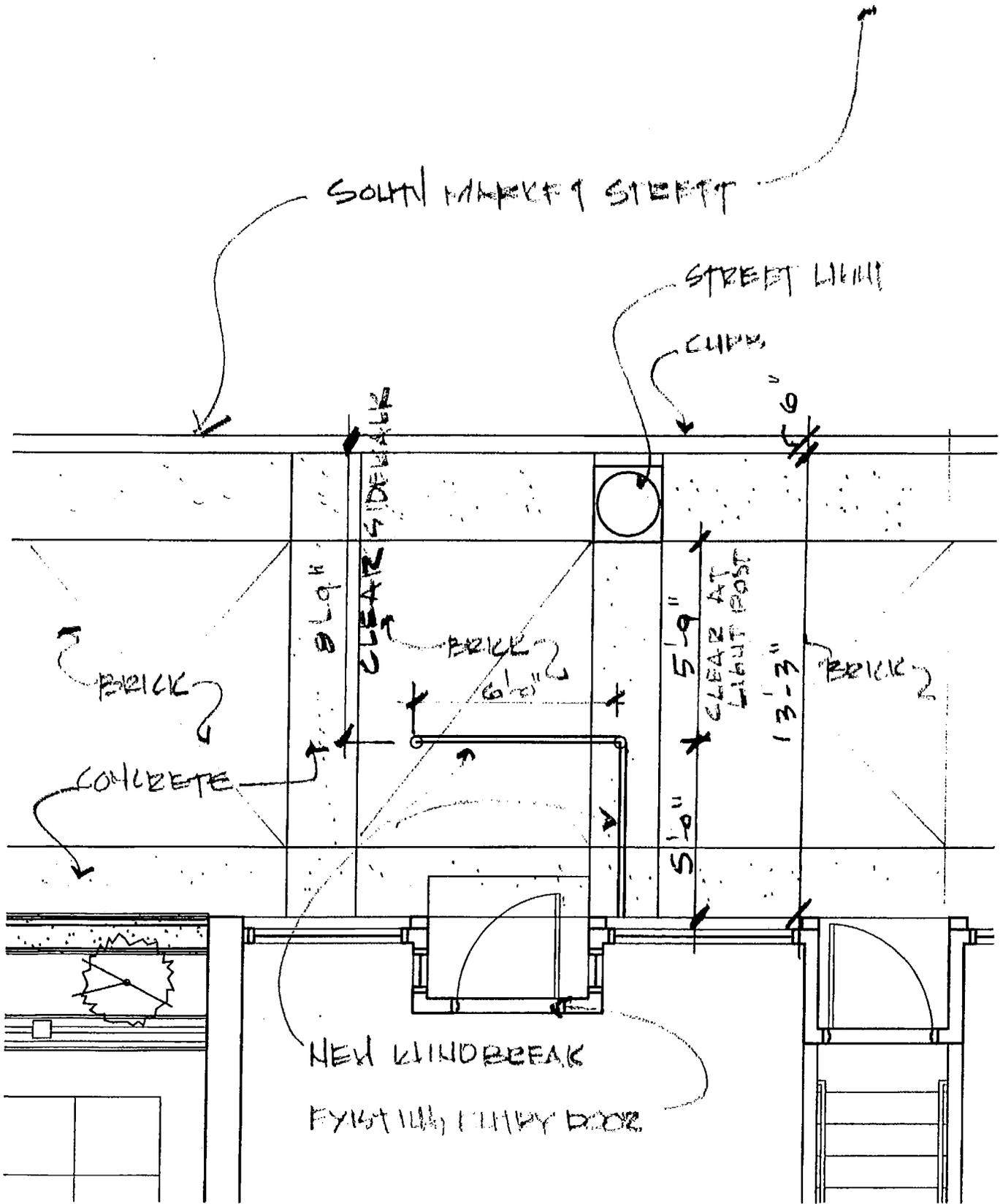
Date of Meeting

Board Decision

- Approved Date: 5/14/13
- 6-month waiting period
Date commenced: _____
- Waiting period expired; Approval granted
Expiration date: _____

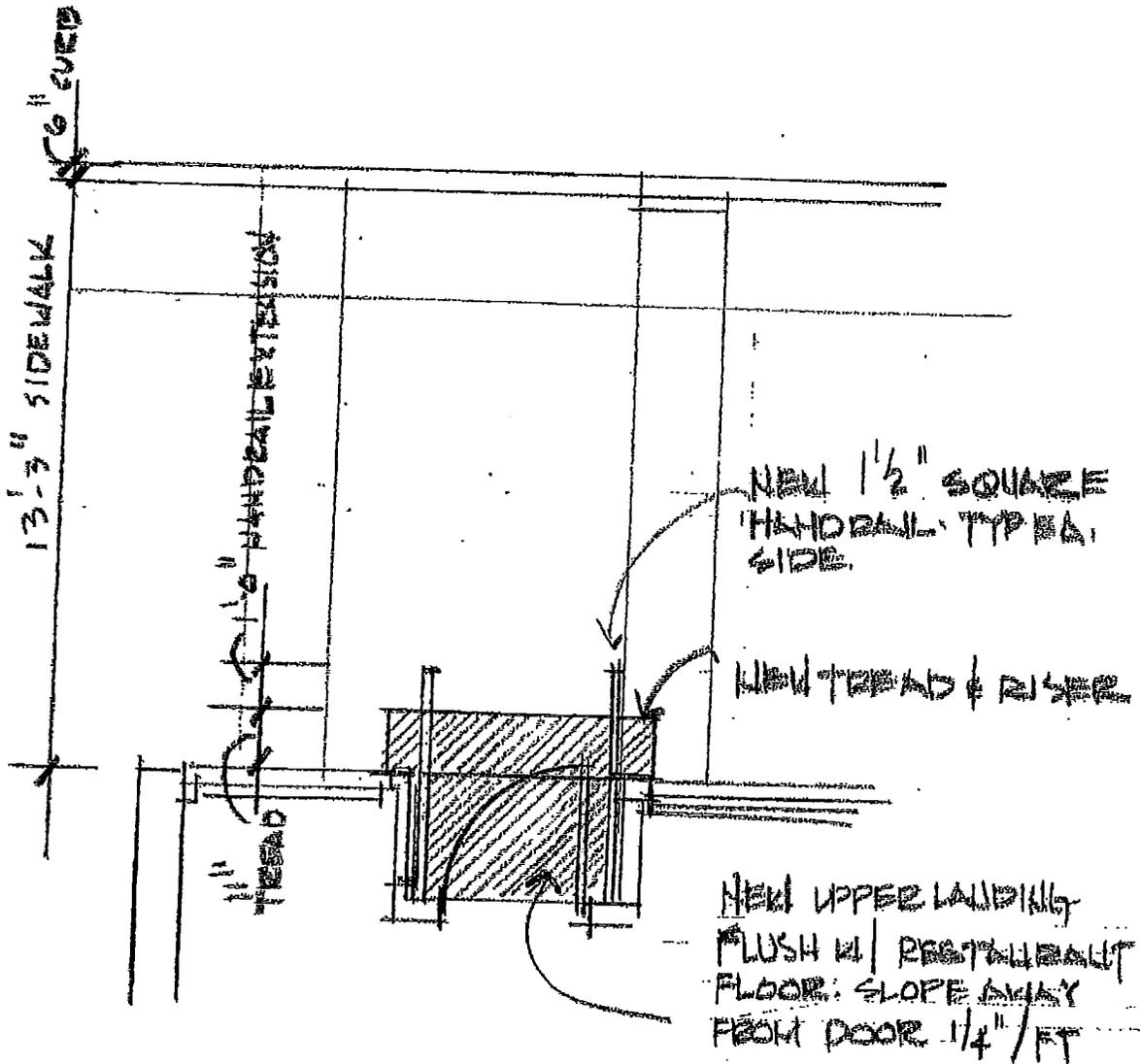
- Denied Date: _____
- Waiting period extended (demolition only)
Date commenced: _____

Comments/conditions:



FILE COPY CITY SQUARE
SIDEWALK PLAN

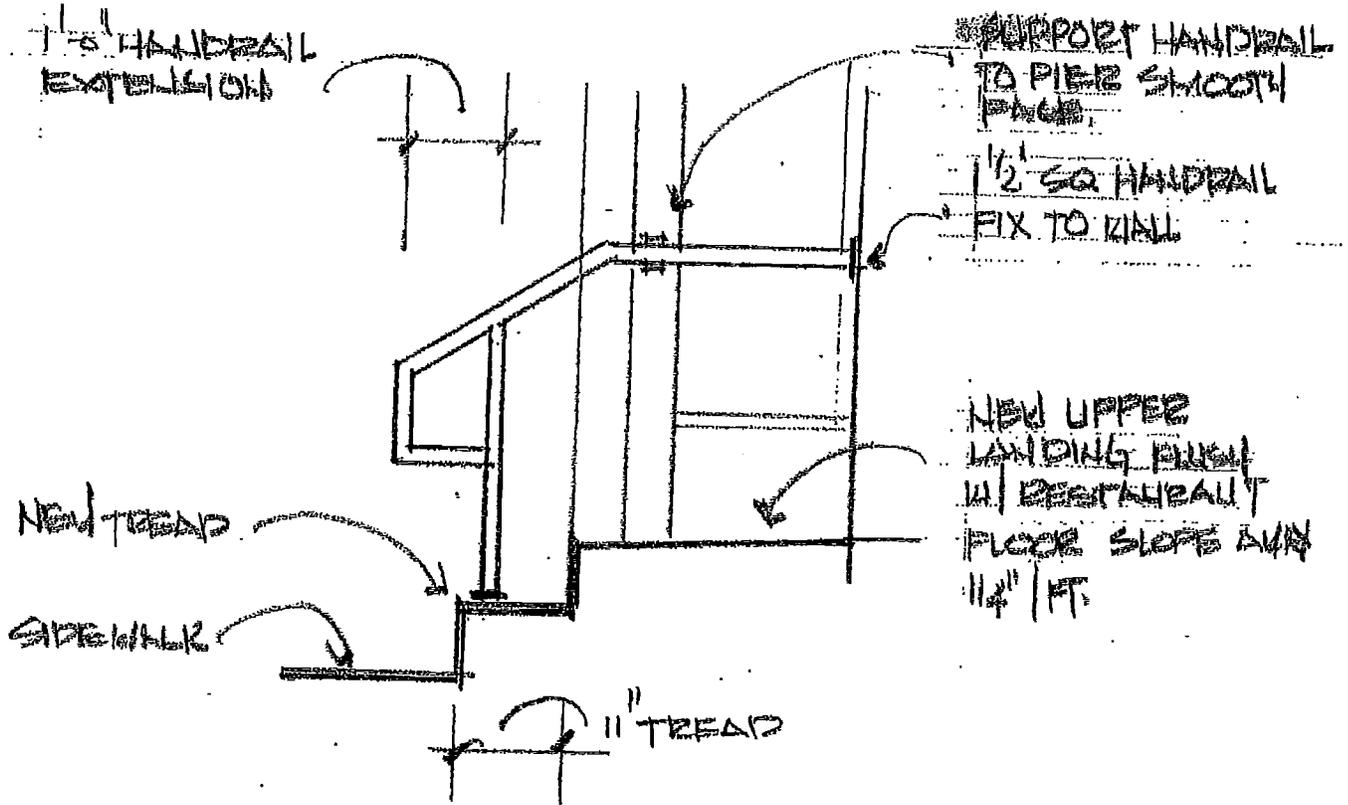
SCALE 1/4" = 1'-0"



CITY SQUARE
ENTRY STEP PLAN

SCALE 1/4" = 1'-0"

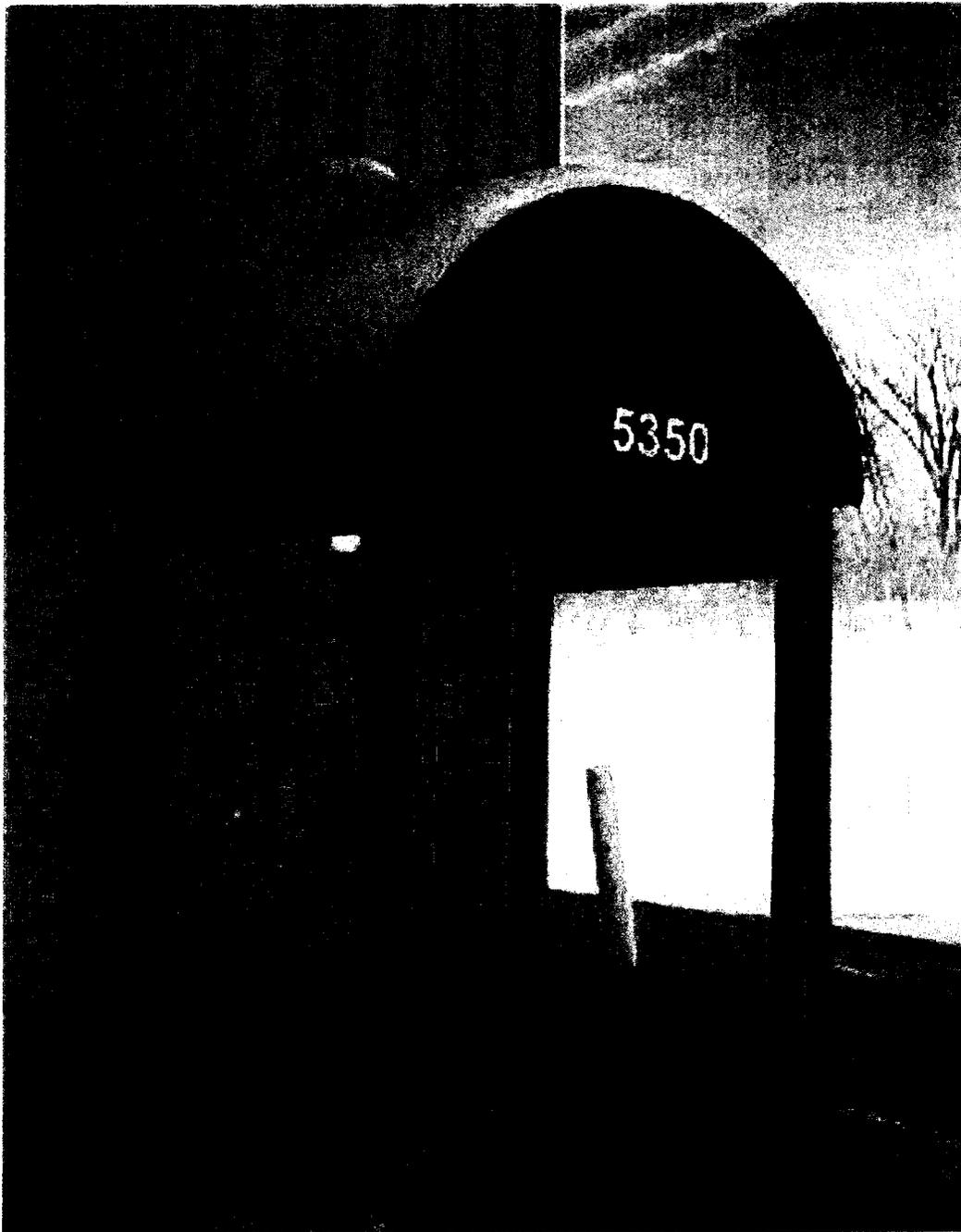
FILE COPY



CITY SQUARE
ENTRY HANDRAIL

SCALE 1/2" = 1'-0"

FILE COPY

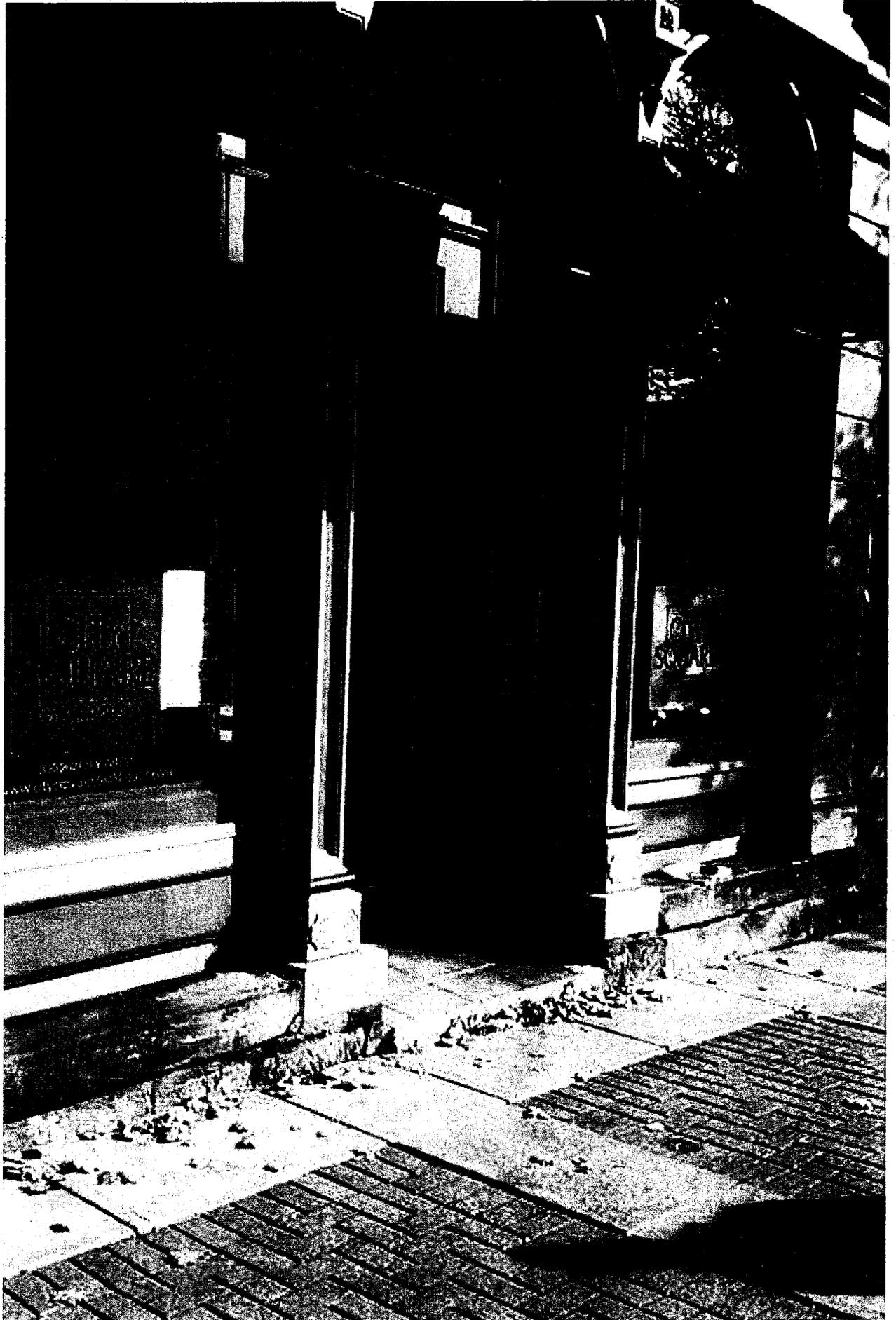


Entrance Canopy w/curtains

FILE COPY

Example of "Seasonal Wind Break" as shown on line drawing.

Fabric Color will be Black & match existing canopies.



FILE COPY

ORDINANCE NO. 2013-24

AN ORDINANCE EXTENDING THE CITY OF WOOSTER'S MORATORIUM ON THE PROCESSING OR APPROVAL OF APPLICATIONS FOR PERMITS OR APPROVALS UNDER THE CITY'S ZONING OR BUILDING CODES FOR ANY PREMISES FOR WHICH AN ADULT GAMING PARLOR OR SWEEPSTAKES TERMINAL DEVICE IS, OR IS PROPOSED TO BE LOCATED, AND DECLARING AN EMERGENCY

WHEREAS, the City of Wooster, with the adoption of Ordinance Nos. 2011-30, 2012-14 and 2012-31, enacted a 180-day moratorium, and two subsequent extensions thereof, on the processing or approval of applications for permits or approvals for the establishment of premises for which an adult gaming parlor or sweepstakes terminal device is, or is proposed to be, located, for the reason that the Ohio Legislature was, at the time of the enactment thereof, considering legislation that would require these businesses to be licensed and regulated by the state of Ohio, and absent this action, law enforcement, consumers, and charities cannot operate in a fair, consistent legal environment; and

WHEREAS, the state legislature has recently adopted HB 7, by which it has proposed the regulation of sweepstakes terminal devices; the registration and certification thereof by the office of the state attorney general; and criminal penalties for violations thereof. The new law will take effect as of September 4, 2013; and

WHEREAS, in the interim, the City of Wooster, which has the power to enact planning and zoning laws that are for the health, safety, and welfare, comfort and peace of the municipality, does not, at this time, define and regulate Adult Gaming Parlors, such that it will be necessary for the city to extend its moratorium in order to permit the state to enact its scheme of regulations, and;

WHEREAS, because the present moratorium is about to expire, it is immediately necessary to extend the temporary moratorium on the processing or approval of certificates, permits and approvals under the City's Zoning and Building Codes for internet sweepstakes cafes to allow for the State's implementation of statewide regulation of this unregulated activity and for the City's consideration of their compatibility with the City's land use plans and their effects on surrounding land uses, thereby preserving the public health, peace, property, safety, and welfare.

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

SECTION 1. That the Director of Administration is hereby authorized and directed to extend until December 31, 2013 the previously-enacted and extended moratorium on the processing or approval of any application for a certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the City's Zoning Code or the Building Code, for any premises upon which, or building in which, any sweepstakes terminal

RESOLUTION NO. 2013-58

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE
WITH THE CAPITAL PLAN FOR 2013

WHEREAS, this City Council, in Ordinance No. 2012-32, adopted an annual budget and capital plan for 2013, and such capital plan includes the purchase of new vehicles and equipment for the various divisions of municipal service.

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

SECTION 1. That in accordance with the capital plan adopted in Ordinance No. 2012-32, the Director of Administration is hereby authorized to purchase the following vehicles and equipment, with payment to originate from the fund indicated:

CAPITAL IMPROVEMENTS FUND:

Police Division:

- Two Ford Interceptor sport utility vehicles police cruisers (for K-9 units; replaces two Ford Crown Victoria cruisers that have extensive time and mileage usage).

With respect to such purchase(s), the Director of Administration will advertise according to law and enter into a purchase contract with the lowest and best bidder, except that if the item is available through a state-sponsored cooperative purchasing program, or can be accomplished through a vendor upon equivalent terms, conditions and specifications, but at a price which is equal to or lower than that which is available from the state sponsored program, s/he may make such purchase therefrom if s/he determines that the price and availability is more advantageous to the City.

SECTION 2. Such contract will not exceed the amounts appropriated for this project 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: Jeffrey A. Steiner

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

Division Police Project Name Purchase of K9 Vehicles Requested Meeting Date 5-20-13

- Approved for Agenda
 Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase

Purchase of two Ford Interceptor SUV's to replace two current K9 vehicles.

Justifications / Benefits

These two new vehicles will replace two existing Ford Crown Victorias. These SUV's are pursuit rated and offer more room for the K9's and equipment. Per 2013 state purchasing they are within 1000 dollars of a standard cruiser.

How will this project effect the City's operating budget?

This is a budgeted capital item

What alternatives exist, and what are the implications of the alternatives?

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

Vehicles are currently on state bid, however bids were solicited for these vehicles

Requesting suspension of the rules?

If Yes, explain reasons.

Division Manager

Matt Fisher

Date

5-15-13

Res#58

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

Division Engineering	Meeting Date Requested June 17, 2013
Project Name Wayne Avenue W/L	Approved for Agenda
Estimated Total Cost \$ 65,000.00 (Water Fund - \$65,000)	
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 on Wayne Avenue. This project involves the replacement of an existing 8" W/L with a history of breaks before resurfacing Oak Hill.	
Justification / Benefits This project will replace an aging waterline in preparation for the pavement work on Oak Hill.	
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 Oak Hill when constructing the waterline.	
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 Oak Hill resurfacing project will be advertised for bid starting June 26 th and we would like to complete this project before paving Oak Hill.	
Division Manager Roger Kobilarcsik	Date June 11, 2013

Res#60

CONSENT LEGISLATION

Ordinance/Resolution No. 2013-61

PID No. 82260

Project Name WAY SR 0003 SYSSIGN FY2014

The following 2013-61 enacted by the City of Wooster of Wayne County, Ohio,
(Ordinance/Resolution)
hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

To perform systematic sign replacement on SR 3/SR 83 in the City of Wooster from approximately 0.09 miles north of the exit ramp from US 30 to the beginning of the SR 83 overlap on SR 3, and also on SR 83 from the end of the SR 3 overlap to approximately 0.05 miles south of W. Milltown Rd., in Wayne County.

Approximately 3.16 miles of this project is within the City limits.

This project is currently scheduled for the spring 2014 construction season.

NOW THEREFORE, be it ordained by the City of Wooster of Wayne County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

SECTION IV - Maintenance

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION V - Authority to Sign

The Dir. of Admin. of said City of Wooster is hereby empowered on behalf
(Contractual Agent)
of the City of Wooster to enter into contracts with the Director of Transportation
necessary to complete the above described project.

Passed: _____, 2013.
(Date)

Attested: _____ (Clerk) _____ (Officer of City - title)

Attested: _____ (Title) _____ (President of Council)

This 2013-61 is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
project and to promote highway safety. Following appropriate legislative action, it shall take
effect and be in force immediately upon its passage and approval, otherwise it shall take effect
and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO
City of Wooster of *Wayne County*, Ohio

I, Amy M. Hamilton, as Clerk of the *City of Wooster* of *Wayne County*, Ohio,

Do hereby certify that the foregoing is a true and correct copy of 2013-61 adopted by
(Ordinance/Resolution)
the legislative Authority of the said *City of Wooster* on this ____ day of _____, 2013,

that the publication of such 2013-61 has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such 2013-61 have been taken;
(Ordinance/Resolution)

and that such 2013-61 and certificate of publication thereof are of record in
(Ordinance/Resolution)

2013-61, Page xx.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this ____ day of _____, 2013,

(SEAL)
(If Applicable)

Clerk Signature
City of Wooster of *Wayne County*, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the *City of Wooster* of *Wayne County*, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____

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

Division Engineering	Meeting Date Requested June 17, 2013
Project Name ODOT SR3/SR83 Sign Replacement. PID 82260	Approved for Agenda
Estimated Total Cost \$0.00	
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 give consent to ODOT so they can perform systematic sign replacement on SR 3/SR 83 in the City of Wooster from Approximately 0.09 miles north of the exit ramp from US 30 to the beginning of the SR 83 overlap on SR 3, and also on SR 83 from the end of the SR 3 overlap to approximately 0.05 miles south of W. Milltown Road. There will be no costs to the City of Wooster for the sign replacement.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 100% of the sign replacement costs in FY 2014.	
Will This Project Effect the City's Operating Costs This project will have no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and forfeit the ODOT funds. Sign replacement would then be paid for from City funds.	
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 consent and cooperate with ODOT.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons Passage on first reading is required since ODOT has requested that signed legislation be returned as soon as possible.	
Division Manager Roger Kobilarcsik	Date June 11, 2013

Res # 61

RESOLUTION NO. 2013-62

A RESOLUTION AMENDING AND RESTATING TO THE OHIO POLICE AND FIRE PENSION FUND, IN COMPLIANCE WITH OAC §742-7-14, THE INTENTION OF THE CITY OF WOOSTER TO HONOR THE PREVIOUSLY ADOPTED "PICK UP" PROGRAM FOR THE POLICE DIVISION, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Police and Fire Pension Fund (OP&F) has requested that all municipalities adopt an amended and restated resolution to conform with the procedural requirements for reporting contributions to the Fund, but does not make any changes in the percentage of contributions from the City of Wooster for Police Division Employees; and

WHEREAS, the eligible employees of the city of Wooster Division of Police participate in the Ohio Police and Fire Pension Fund (OP&F); and

WHEREAS, this City Council has previously adopted a pick-up of all of the ten percent (10%) mandatory contributions required by Section 742.31 of the Ohio Revised Code for participating employees of the city's Division of Police who are members of the OP&F; and

WHEREAS, OP&F has adopted new procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members; and

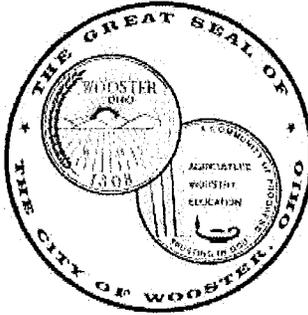
WHEREAS, this Council wishes to reaffirm and amend and restate its prior resolution in order to continue the pick-up under the new procedures.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Wooster, State of Ohio:

SECTION 1. That effective July 14, 2013, the Council of the City of Wooster has determined to continue to pick-up all of the ten and seventy-five one-hundredths percent (10.75%) mandatory contributions by the employees who are members of the OP&F Fund through a payroll reduction referenced in the city's labor contracts as the salary reduction method; and that effective July 13, 2014, the Council of the City of Wooster has determined to continue to pick-up all of the eleven and one half percent (11.50%) mandatory contributions by the employees who are members of the OP&F Fund through a payroll reduction referenced in the city's labor contracts as the salary reduction method; and that effective July 12, 2015, the Council of the City of Wooster has determined to continue to pick-up all of the twelve and one-quarter percent (12.25%) mandatory contributions by the employees who are members of the OP&F Fund through payroll reduction referenced in the city's labor contracts as the salary reduction method; and

SECTION 2. That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the city of Wooster in lieu of said contributions by the employee; and

Robert F. Breneman
Mayor



Andrei A. Dordea, CPA
Director of Finance
Phone (330) 263-5225
Fax: (330) 263-5262
Email: adordea@woosteroh.com

CITY OF WOOSTER
538 N. Market Street, P.O. Box 1128
Wooster, Ohio 44691-7082

Memorandum

To: Wooster City Council
CC: City Administration/Chief Eyler/Chief Fisher
From: Andrei Dordea 
Date: 6/13/2013
Re: Resolution No.'s 2013-62 & 2013-63

Member contribution rates to the Ohio Police and Fire Pension Fund (OP&F) will increase over the next the next three years. The member contribution rate is 10.00%. In July 2013, this rate will increase to 10.75%, then 11.50% in July 2014, and finally 12.25% in 2015.

These member contributions are not included in gross income of the employees for tax reporting purposes for federal and state income taxes. This is referred to as pick-up through payroll reduction. OP&F rules require the governing board (city council in our case) to update our pick-up legislation anytime there is a change in member contribution rates. As such, we are bringing these resolutions to you. One resolution relates to fire and one to police.

Please be advised that this does NOT change the contribution rates that the City pays. Therefore, there is no additional/increased cost to city taxpayers.

I apologize for not getting this to you sooner. I am asking for adoption on Monday evening so I can forward to OP&F prior to July.

RESOLUTION NO. 2013-63

A RESOLUTION AMENDING AND RESTATING TO THE OHIO POLICE AND FIRE PENSION FUND, IN COMPLIANCE WITH OAC §742-7-14, THE INTENTION OF THE CITY OF WOOSTER TO HONOR THE PREVIOUSLY ADOPTED "PICK UP" PROGRAM FOR THE FIRE DIVISION, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Police and Fire Pension Fund (OP&F) has requested that all municipalities adopt an amended and restated resolution to conform with the procedural requirements for reporting contributions to the Fund, but does not make any changes in the percentage of contributions from the City of Wooster for Fire Division Employees; and

WHEREAS, the eligible employees of the city of Wooster Division of Fire participate in the Ohio Police and Fire Pension Fund (OP&F); and

WHEREAS, this City Council has previously adopted a pick-up of all of the ten percent (10%) mandatory contributions required by Section 742.31 of the Ohio Revised Code for participating employees of the city's Division of Fire who are members of the OP&F; and

WHEREAS, OP&F has adopted new procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members; and

WHEREAS, this Council wishes to reaffirm and amend and restate its prior resolution in order to continue the pick-up under the new procedures.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Wooster, State of Ohio:

SECTION 1. That effective July 14, 2013, the Council of the City of Wooster has determined to continue to pick-up all of the ten and seventy-five one-hundredths percent (10.75%) mandatory contributions by the employees who are members of the OP&F Fund through a payroll reduction referenced in the city's labor contracts as the salary reduction method; and that effective July 13, 2014, the Council of the City of Wooster has determined to continue to pick-up all of the eleven and one half percent (11.50%) mandatory contributions by the employees who are members of the OP&F Fund through a payroll reduction referenced in the city's labor contracts as the salary reduction method; and that effective July 12, 2015, the Council of the City of Wooster has determined to continue to pick-up all of the twelve and one-quarter percent (12.25%) mandatory contributions by the employees who are members of the OP&F Fund through payroll reduction referenced in the city's labor contracts as the salary reduction method; and

SECTION 2. That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the city of Wooster in lieu of said contributions by the employee; and

