

CITY COUNCIL AGENDA

June 20, 2016

7:30 p.m.

All meetings are held in Council Chambers, 1st Floor, 538 N. Market Street

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

- New application for a Class D5L Liquor License for A Brush and A Beverage, LLC. Business located at 149 N. Walnut Street, Wooster, Ohio 44691

V. COMMITTEE REPORTS/PUBLIC HEARINGS

- Public Hearing for 2017 Tax Budget

VI. OLD BUSINESS

1. Third Reading - RESOLUTION NO. 2016-35 A RESOLUTION PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2017

VII. NEW BUSINESS

2. First Reading- RESOLUTION NO. 2016-39 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 A PORTION OF THE WATER LINE SERVING BURBANK ROAD, AND DECLARING AN EMERGENCY (Sanders)
3. First Reading- RESOLUTION NO. 2016-40 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH OHM ADVISORS FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE DOWNTOWN STREETScape (Ulbright)
4. First Reading- RESOLUTION NO. 2016-41 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED UNDER CONTRACTS WITH VARIOUS VENDORS, AND DECLARING AN EMERGENCY (Ansel)

VII. MISCELLANEOUS

IX. ADJOURNMENT

WOOSTER CITY COUNCIL MINUTES
June 6, 2016

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers. All members of City Council were present except Jon Ansel and David Silvestri. City Administration present: Mayor Bob Breneman, Finance Director Andrei Dordea, Director of Administration Joel Montgomery, Law Director Richard Benson, Fire Chief Barry Saley, Development Coordinator Jonathan Millea, and Kevin Givins.

II. APPROVAL OF MINUTES

Councilman Myers moved to approve the minutes of the May 16, 2016 meeting, seconded by Councilman Cavin. By voice vote the motion passed unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman stated that the Kiwanis playground will be dedicated next Tuesday, June 14th at Christmas Run Park. The Strawberry Social starts at 4:30pm. All are welcome to attend. The dedication is going to start at 8pm. The City contributed approximately \$100,000 to the rebuild of the playground. Everyone had a part in it.

The Memorial Day parade was a great success and the pool has opened. The Mayor thanks the Veterans association for organizing the parade.

The flower baskets are all in downtown. Citizens of Wooster donated \$5,000 to help defray the costs. It is an important part of our downtown.

There is an emergency measure that the City has to move forward on for the repairs to the screening at the wastewater treatment plant.

The CDBG grant application has to be submitted before next council meeting. The Mayor requests a special meeting next Monday, June 13th.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC [None.]

V. COMMITTEE REPORTS; PUBLIC HEARINGS

There will be a public hearing next Council Meeting on the Budget Proposal and a Public Utilities meeting. The Utilities meeting is Monday, June 13th at 6pm in Council Chambers.

VI. OLD BUSINESS [None]

VII. NEW BUSINESS

1. First Reading- Ordinance 2016-16 -An ordinance authorizing the Mayor to enter into a preannexation agreement with certain property owners for the purpose of facilitating the annexation and extension of utility services to those properties, and declaring an emergency (Sanders)

Property owners on Perkins Avenue wish to annex and obtain utility services from the City of Wooster.

1. First Reading- Resolution 2016-35 -A resolution providing for the annual tax budget for 2017 (Sanders)

Pursuant to the Ohio Revised Code, the annual tax budget must be filed with the Wayne County Auditor on or before July 20, 2016.

1. First Reading Resolution 2016-36 -A resolution authorizing the Director of Administration to enter into a contract for repairs to the influent sewage screening equipment at the wastewater treatment plant, and declaring an emergency (Sanders)

It is necessary to repair the influent sewage screening equipment at the plant. The screens are 10 years old and repairs are considered normal wear and tear. If not immediately repaired, failure of the screens is imminent and would cause damage to other equipment

1. First Reading 2016-37 -A resolution authorizing the Director of Finance to issue payment for legal services in connection with the litigation of certain issues relating to the issuance by the Ohio Division of Natural Resources of a permit to Enviroclean services to process certain potentially hazardous substances, and declaring an emergency (Sanders)

In 2013 Enviroclean was issued a permit by the ODNR, that was absent of regulation, to process polluted, and potentially radioactive, waste water from fracking. Thirty similar permits were issued throughout the state. Frost Brown Todd provided legal services to represent the City and obtained a favorable decision from the Oil and Gas Commission. The permit issued to Enviroclean from ODNR was revoked. If the permit is issued again, steps must be taken to prohibit hazardous materials from entering into the watershed. Councilman Ulbright applauds the City's efforts to protect the health of tax payers and citizens from the reckless move of granting such a permit. Mr. Benson added that it was Mindy Cavin and Teresa Mills that made it possible by notifying the City of the issue prior to the deadline of being able to file an appeal.

1. First Reading 2016-38 -A resolution authorizing the Mayor to submit an application to the state of Ohio Development Services Agency for a small cities Community Development Block Grant and a companion critical infrastructure grant; to accept such monies, if awarded; to execute any necessary documents in connection therewith; and declaring an emergency (Myers)

The State of Ohio Development Services Agency notified the City of its eligibility for an allocation of up to \$79,000 from the Ohio Small Cities Community Block Grant funds for FY 2016. The grant has a deadline of June 17, 2016.

VIII. MISCELLANEOUS

Councilman Ulbright discussed a news article concerning Ohio bill H-180. It bans local hiring goals and prevents local money from supporting local communities. It is an assault on home rule by state legislation. The City was not aware of this bill and was not notified by its representatives in Columbus. Ulbright recommends the Council and City to have further discussion on the matter and to possibly issue a formal letter of protest, as well as, address it on the City's webpage and newspaper. Councilman Cavin welcomes more information on the matter and would be happy to sign a petition if one were garnered. Councilwoman Knapic wishes all our local graduates the best of luck and hopes they return to Wooster after all their many adventures to bring back lots of ideas, business, and prosperity to our city. Councilman Myers recognizes the Boy Scout present who is working on his merit badge and thanks him for attending.

IX. ADJOURNMENT

Councilman Ulbright moved to adjourn, seconded by Councilman Myers. By voice vote the motion passed unanimously.

Michael G. Buytendyk
President of Council

Christa Sturgeon
Clerk of Council

WOOSTER CITY COUNCIL MINUTES
June 13, 2016

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the special meeting of Wooster City Council to order at 7:00 p.m. in council chambers. All members of City Council were present except Councilman Myers. City Administration present: Mayor Bob Breneman, Finance Director Andrei Dordea, Director of Administration Joel Montgomery, Law Directors Richard Benson and Linda Applebaum, and Development Coordinator Jonathan Millea.

President Buytendyk modified the agenda by reducing the items to roll call & ordering of the agenda, old business, and adjournment.

II. OLD BUSINESS

1. Second Reading - Ordinance 2016-16 –An Ordinance authorizing the Mayor to enter into a preannexation agreement with certain property owners for the purpose of facilitating the annexation and extension of utility services to those properties, and declaring an emergency.

Councilman Sanders moved to suspend the rules and place on third and final reading, seconded by Councilman Ulbright. Upon roll call, the motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes). Councilman Sanders moved, seconded by Councilwoman Knapic, to adopt. Upon roll call, the motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

2. Second Reading - Resolution 2016-36-A Resolution authorizing the Director of Administration to enter into a contract for repairs to the influent sewage screening equipment at the wastewater treatment plant, and declaring an emergency.

Councilman Sanders moved to suspend the rules and place on third and final reading, seconded by Councilwoman Knapic. Upon roll call, the motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes). Councilman Sanders moved, seconded by Councilman Ulbright, to adopt. Upon roll call, the motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

3. Resolution 2016-37 -A Resolution authorizing the director of finance to issue payment for legal services in connection with the litigation of certain issues relating to the issuance by the Ohio Division of Natural Resources of a permit to Enviroclean Services to process certain potentially hazardous substances, and declaring an emergency.

Councilman Sanders moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, the motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes). Councilman Sanders moved, seconded by Councilman Ulbright, to adopt. Upon roll call, the motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

4. Resolution 2016-38 -A Resolution authorizing the Mayor to submit an application to the state of Ohio Development Services Agency for a Small Cities Community Development Block Grant and a companion critical infrastructure grant; to accept such monies, if awarded; to execute any necessary documents in connection therewith; and declaring an emergency.

Councilman Ansel moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, the motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes). Councilman Ansel moved, seconded by Councilwoman Knapic, to adopt. Upon roll call, the motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

III. ADJOURNMENT

Councilman Ulbright moved to adjourn, seconded by Councilman Sanders. By voice vote the motion passed unanimously.

Michael G. Buytendyk
President of Council

Christa Sturgeon
Clerk of Council

RESOLUTION NO. 2016-35

A RESOLUTION PROVIDING FOR THE ANNUAL TAX
BUDGET FOR 2017

WHEREAS, pursuant to the Ohio Revised Code, the City of Wooster is required to file an annual tax budget; and

WHEREAS, pursuant to the Ohio Revised Code, the annual tax budget must be filed with the Wayne County Auditor on or before July 20, 2016.

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

SECTION 1. That the annual tax budget for the year 2017, as set forth in "Exhibit A" attached hereto and incorporated herein by reference, detailing the nature and amounts of funds needed by the City of Wooster for the year 2017, is hereby adopted.

SECTION 2. That the Director of Finance be and is hereby authorized and directed to certify said annual tax budget to the Auditor of Wayne County, Ohio.

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 full force from and after the earliest date allowed by law.

1st reading 6/6/16 2nd reading 6/13/16 3rd reading _____

Passed: _____, 2016 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2016
Mayor

Introduced by: Jon Ansel

RESOLUTION NO. 2016-39

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 A PORTION OF THE WATER LINE SERVING BURBANK ROAD, AND DECLARING AN EMERGENCY

WHEREAS, it is necessary to replace a portion of the water line serving Burbank Road, between Elm Street and Highland Avenue (a portion of Phase I of the Burbank Road Reconstruction Project), and the full cost thereof is not included in the capital plan for 2016.

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 water line indicated herein, in accordance with specifications now on file in his office.

SECTION 2. The cost of such contract will not exceed the amount appropriated, with a related appropriation of \$100,000.00 from the unappropriated balance in the Water Fund.

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 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 prompt action is necessary to commence construction of the improvement for the health and safety of the public served thereby; 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: _____, 2016 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2016 _____

Introduced by: Craig Sanders

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

Division Engineering	Meeting Date Requested June 20, 2016
Project Name Burbank Road W/L Replacement Phase 1 of the Burbank Road Reconstruction Project	Approved for Agenda
Estimated Total Cost \$ 450,000 (Total) 350,000 (Water Fund) \$100,000 (To be appropriated) \$112,500 (OPWC Grant reimbursement)	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? This section of waterline replacement is part of the OPWC Burbank Road Reconstruction Project set for construction in 2017. Phase 1 of the project will construct this section of waterline allowing the Burbank Road Reconstruction Project Phase 2 including utility and road work north of Highland Avenue a shorter construction period.	
Description Of Purchase This is a request to appropriate funds and to authorize advertisement and award of a contract to the lowest and best bidder for the replacement of the W/L on Burbank Road between Elm Street and Highland Avenue. This project involves the replacement of approximately 1,800 linear feet of 8" C.I. W/L having a history of breaks with a 12" ductile iron W/L and completing a loop to the Oldman Water Storage Tank. The project includes replacing 28 water service and 6 fire hydrant.	
Justification / Benefits This project will replace an aging waterline with a history of breaks as well as being undersized and complete a main loop in the intermediate pressure zone.	
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 could result in possible emergency repairs and longer construction time for the Burbank Road Project.	
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 early as possible in order to obtain the best possible bids.	
Division Manager Roger Kobilarcsik	Date June 15, 2016

Res #39

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

Division Engineering	Meeting Date Requested June 16, 2016
Project Name Downtown Streetscape Improvements	Approved for Agenda
Estimated Total Cost \$70,000.00	
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 enter into a contract with OHM for professional services related to the Downtown Streetscape and Public Space Projects. This contract will be for the preparation of construction documentation for Phase 1 which includes the downtown northeast quadrant and the two pedestrian alleys just east of the square. In house engineering will perform the collection of field data, construction bidding and construction administration.	
Justification / Benefits The Downtown Streetscape and Public Space Plan is the result of comments from residents and downtown business owners during preparation of updating the City's Comprehensive Plan as well as meetings with Main Street Wooster.	
Will This Project Effect the City's Operating Costs This will be a one time capital expense and will not affect the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives	
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 an Engineering services request and OHM has worked during the development of the schematic plan and is intimately familiar with the project and it's goals. They were the firm that developed the overall downtown development plan.	
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 start the process of developing construction plans.	
Division Manager Roger Kobilarcsik	Date June 16, 2016

Res # 40



LINCOLN

4199 Cleveland Road
Wooster, Ohio 44691

Phone: 330-345-6600
Fax: 330-345-8143

RO: 187528B-CLOSED

Cashier: 006945

Date Out: 03/31/2016

Status: REPRINT

Tag: 10

Time-In: 14:41 Out: 16:02

Miles-In: 610 Out: 610

VIN: 1FM5K8AR5FGC26901 2015 FORD EXPLORER P BLK

Sold By: Mike Woodruff

Delivered: 09/15/2015

In Service: 09/15/2015

Date In: 02/22/2016

Customer: W00102 Stock #: 3426

CITY OF WOOSTER

538 N MARKET STREET

WOOSTER OH 44691

Office: 330-263-5200 Other: 330-287-5721

Cellular: 330-201-3006

E-mail: jmontgomery@woosteroh.com PO: A37583

Advisor: 005430-Dee Kohl

Hat:

OP	Acct	Tech	Hours	Complaint/Cause/Correction
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Per Unit	Extended Price
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Operation Total: 214.50

[CUSTOMER PAY]

*F SCP 000162B

CUSTOMER STATES INSTALLED OVERHEAD LIGHT BAR AND
MODULE WARNING

Labor Total: 174.80

Operation Total: 174.80

EPA CHARGE

3.00

SO = Special Order Parts

Customer Pay Labor: 4153.59

Customer Pay Parts: 11700.76

Customer Pay Sublets: 6734.91

Customer Pay Miscellaneous: 427.20

Other: 23016.46

Customer Total Due: 23016.46

I hereby authorize the repair work herein set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft, or any other cause beyond your control or for any delays caused by the unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways, or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on the vehicle to secure the amount of repairs thereto.

ALL REPAIRS SUBJECT TO A MINIMUM OF \$49.00 DIAGNOSTIC CHARGE.

DISCLAIMER OF WARRANTIES: All warranties on this product are the manufacturer's. PALLOTTA FORD, INC. hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose and PALLOTTA FORD, INC. neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of the product. This disclaimer by PALLOTTA FORD, INC. in no way affects the terms of the manufacturer's warranty.

"All parts installed are new/salvaged or reconditioned parts."
TERMS: STRICTLY CASH unless arrangements made.

ATTENTION: Vehicle owners having tire work done, where the tire is removed from the vehicle, should check the lug nut tension within the first 25 to 50 miles after the services are rendered. Lug nuts have the potential to come loose, even when properly torqued, after the vehicle is driven for a short time.

Signature: _____

NO RETURNS: SPO's/open packages/past 30

Printed: 06/15/2016 08:10:42 AM

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