

## CITY COUNCIL AGENDA

March 18, 2013

7:30 p.m.

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

### I. ROLL CALL & ORDERING OF AGENDA

### II. APPROVAL OF MINUTES

### III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

### IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

### V. COMMITTEE REPORTS; PUBLIC HEARINGS

### VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2013-11 AN ORDINANCE AMENDING CHAPTER 160, BIDDING PROCEDURES AND CONTRACT REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY INCREASING THE AMOUNT OF THE LIMIT FOR COMPETITIVE BIDDING (Knapic)

### VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-13 AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF FRIENDSVILLE ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING, REHABILITATING AND OTHERWISE IMPROVING STORM SEWERS, STORM WATER DRAINAGE FACILITIES, UNDERGROUND CONDUITS, CATCH BASINS, MANHOLES, WATER MAINS, SANITARY SEWERS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY (Ulbright)
2. First Reading – ORDINANCE NO. 2013-14 AN ORDINANCE AMENDING TITLE THIRTEEN, FLOOD DAMAGE REDUCTION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Knapic)
3. First Reading – RESOLUTION NO. 2013-33 A RESOLUTION REQUESTING THAT THE OHIO DEVELOPMENT SERVICES AGENCY AMEND WAYNE COUNTY'S ENTERPRISE ZONE #115C, AND DECLARING AN EMERGENCY (Ansel)
4. First Reading – RESOLUTION NO. 2013-34 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 FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND, UPON APPROVAL, TO ACCEPT AND APPLY SUCH FUNDS, AND DECLARING AN EMERGENCY (Ansel)
5. First Reading – RESOLUTION NO. 2013-35 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 PURCHASE OF WATER METERS (Sanders)
6. First Reading – RESOLUTION NO. 2013-36 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013 (Sanders)

7. First Reading – RESOLUTION NO. 2013-37 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED UNDER CONTRACTS WITH VARIOUS VENDORS AND DECLARING AN EMERGENCY (Ansel)

VIII. MISCELLANEOUS  
IX. ADJOURNMENT

ORDINANCE NO. 2013-11

AN ORDINANCE AMENDING CHAPTER 160, BIDDING PROCEDURES AND CONTRACT REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY INCREASING THE AMOUNT OF THE LIMIT FOR COMPETITIVE BIDDING

WHEREAS, the Director of Administration has recommend that the City's bidding ordinance be amended to bring it into conformity with Ohio law regarding the threshold at which municipalities are required to competitively bid certain types of contracts.

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

SECTION 1. That Chapter 160, Bidding Procedures and Contract Requirements, of the Codified Ordinances of the City of Wooster, Ohio, be amended at Section 160.03, BIDDING PROCEDURES, to read as follows:

**160.03 BIDDING PROCEDURES.**

(a) The Director of Administration, or Administrator of the Wooster Community Hospital, or their designees, may make any contract, purchase supplies or material or provide labor for any work under the supervision of various departments and divisions and agencies of the City involving not more than ~~twenty-five~~ *fifty* thousand dollars (~~\$250,000.00~~).

~~(b) When an expenditure within the department, division or agency, other than compensation of persons employed therein, exceeds fifteen thousand dollars (\$15,000.00), but is less than or equal to twenty-five thousand dollars (\$25,000.00), such expenditure shall first be authorized and directed by ordinance or resolution of Council, or in the case of the Wooster Community Hospital, by resolution of the Board of Governors.~~

~~(eb)~~ When an expenditure within the department, division or agency, other than compensation of persons employed therein, exceeds ~~twenty-five~~ *fifty* thousand dollars (~~\$250,000.00~~), such expenditure shall first be authorized and directed by ordinance or resolution of Council, or in the case of the Wooster Community Hospital, by resolution of the Board of Governors. When so authorized or directed, the Director of Administration or Hospital Administrator or their designees, shall make a written contract in the name of the City with the lowest and best bidder after advertisement for not less than two, nor more than four consecutive weeks in a newspaper of general circulation within the City.

~~(dc)~~ [No change]

~~(ed)~~ [No change]

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

1st reading 3-4-13 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2013 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2013  
Mayor

Introduced by: Barbara A. Knapic

ORDINANCE NO. 2013-13

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF FRIENDSVILLE ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING, REHABILITATING AND OTHERWISE IMPROVING STORM SEWERS, STORM WATER DRAINAGE FACILITIES, UNDERGROUND CONDUITS, CATCH BASINS, MANHOLES, WATER MAINS, SANITARY SEWERS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. 2013-18 on February 19, 2013, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity);

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

SECTION 1. It is determined to proceed with the improvement of Friendsville Road from a point approximately 271 feet northerly of the intersection of Friendsville Road and Milltown Road northerly approximately 3,019 feet, ending at a point approximately 342 feet northerly of the intersection of Friendsville Road and Riffel Road, by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, sidewalks and driveway approaches, constructing, rehabilitating and otherwise improving storm sewers, storm water drainage facilities, underground conduits, catch basins, manholes, water mains, sanitary sewers, fire hydrants, and traffic control signs and devices, and acquiring any real estate and interests therein required thereby, all together with the necessary appurtenances thereto.

SECTION 2. The improvement shall be made in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

SECTION 3. Any claims for damages resulting from the improvement that have been legally filed shall be inquired into after completion of the improvement, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 4. The portion of the cost of the improvement to be assessed in accordance with the Resolution of Necessity shall be assessed in the manner and pursuant to the schedule set forth, and on the lots and lands described, in the Resolution of Necessity.

SECTION 5. The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

SECTION 6. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

SECTION 7. Subject to the provisions of Section 727.24 of the Revised Code, the Director of Administration is authorized and directed, as soon as the funds are available, to make and execute a contract for the improvement with the lowest and best bidder after advertising according to law, and the improvement shall be financed as provided in the Resolution of Necessity.

SECTION 8. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 9. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to provide for the construction of the improvement, which is necessary to eliminate existing hazards to the traveling public and provide for adequate drainage and utility services to the residents of this City; wherefore, this ordinance shall be in full force and effect immediately upon 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: Jon Ulbright



Exhibit A

**1361.06 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.**

For the purposes of these regulations, the following studies and/or maps are adopted:

(a) Flood Insurance Study, Wayne County, Ohio and Incorporated Areas, May 17, 1989.

Flood Insurance Rate Maps, Wayne County, Ohio and Incorporated Areas, May 3, 1993 August 18, 2009.

(b) [No change]

**1363.01 DEFINITIONS.**

Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

(a) Accessory Structure: [No change]

(b) Appeal: [No change]

(c) Base Flood: [No change]

(d) Base (100-Year) Flood Elevation (BFE): The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). ~~In Zone AO areas, the base flood elevation is the natural grade elevation plus the depth number (from 1 to 3 feet).~~

[No changes to remainder of Chapter 1363]

**1365.02 DUTIES AND RESPONSIBILITIES OF FLOODPLAIN ADMINISTRATOR.**

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

(a) [No change]

(b) [No change]

(c) [No change]

(d) [No change]

(e) ~~Make and p~~ Permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances, and records of enforcement actions taken for violations of these regulations.

(f) [No change]

(g) [No change]

(h) [No change]

(i) [No change]

**1367.04 RESIDENTIAL STRUCTURES.**

- (a) [No change]
- (b) [No change]
- (c) [No change]
- (d) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. ~~Where no flood protection elevation data exists, the structure shall have the lowest floor, including basement, elevated at least two (2) feet above the highest adjacent natural grade.~~

- (e) [No change]
- (f) [No change]
- (g) [No change]

**1367.05 NONRESIDENTIAL STRUCTURES.**

- (a) [No change]
- (b) [No change]
- (c) ~~Where no flood protection elevation data exists, the structure shall have the lowest floor, including basement, elevated at least two (2) feet above the highest adjacent natural grade.~~

RESOLUTION NO. 2013-33

A RESOLUTION REQUESTING THAT THE OHIO DEVELOPMENT SERVICES AGENCY AMEND WAYNE COUNTY'S ENTERPRISE ZONE #115C, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Enterprise Zone Act ("the Act"), under Ohio Revised Code Section 5709.61 through 5709.69 has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating, or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county;

WHEREAS, the City Council of Wooster ("the Council") upon due consideration desires to implement said Act and to designate an Enterprise Manager within the boundaries of Wooster, ("the Municipality") to promote the economic welfare of said Municipality;

WHEREAS, it is necessary for the Council to formally request from the County Commissioners of Wayne County, Ohio, ("the Board") the inclusion of the Municipality in an Enterprise Zone proposal and to include such an ordinance in a petition to the Director of the Development Services Agency of the State of Ohio to certify the area described as such a zone;

WHEREAS, the Council finds and determines that the designation of the zone pursuant to the Ohio Revised Code Section 5709.632 will promote the economic welfare of the residents of the Municipality by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said Municipality;

WHEREAS, the Council understands that the Board of County Commissioners is required by law to administer all Enterprise Zone and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85, 2) to ensure that the Enterprise Zone Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property, 3) to forward copies of all Enterprise Zone Incentive Agreements to both the Ohio Development Services Agency and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code, 4) to notify affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school board as part of the review process as required under Ohio Revised Code Section 5709.83, 5) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and 6) to submit a comprehensive annual zone activities on or before March 31 of each year pursuant to Section 5709.68;



RESOLUTION NO. 2013-34

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 FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND, UPON APPROVAL, TO ACCEPT AND APPLY SUCH FUNDS, AND DECLARING AN EMERGENCY

WHEREAS, the State of Development Services Agency provides financial assistance to local governments for the purpose of addressing local housing needs for low and moderate income persons; and

WHEREAS, this City Council desires to participate in the program to receive financial assistance under the Small Cities Community Development Block Grant Community Housing Improvement Program (CHIP) for FY 2013; and

WHEREAS, two required public hearings to gain input for expenditure of said funds were held on February 13, 2013 and March 18, 2013; and

WHEREAS, an application for the Block Grant funds must be submitted to the State of Ohio by April 5, 2013.

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

SECTION 1. That the Mayor is hereby authorized to submit on behalf of the City of Wooster an application to the State of Ohio Development Services Agency, including all understandings and assurances contained therein, for a Small Cities Community Development Block Grant for a Community Housing Improvement Program; to accept such monies, if awarded; to expend such monies in accordance with the terms of such grant; and to execute any necessary documents in connection therewith.

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 prompt action is necessary in order that the application to the State of Ohio Development Services Agency for a Small Cities Community Development Block Grant may be submitted by the April 5, 2013 deadline; 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: Jon Ansel

RESOLUTION NO. 2013-35

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 PURCHASE OF WATER METERS

WHEREAS, in the process of completing the MTU (meter transmitting unit) project, it is necessary to replace residential and commercial water meters, and the cost thereof is included in the annual appropriation ordinance 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 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 purchase of replacement water meters, 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 it shall take effect and be in force from and after the earliest period allowed by law.

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

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

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

Approved: \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

Introduced by: Craig Sanders

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

Division PPM D&C Project Name 2013 Water Meter Purchase Requested Meeting Date 3/18/13

- Approved for Agenda  
 Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase

Permission to go to bid for best price on residential and commercial water meters.  
Total cost: Not to exceed \$315,000.00 from cost center 742501-2360 (Water Meter Maintenance)

Justifications / Benefits

We are currently 25% of the way into the city wide MTU replacement project. As we are replacing the MTU units we are simultaneously servicing and or replacing old or ineffective meters in our system. This purchase will provide the replacement meters needed to keep both these projects on course.

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

It will provide proper water meter readings thereby more accurately providing information to our billing system to recoup water costs.

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

No replacement of worn out or nonworking meters which defaults the system into estimated meter readings which do not properly bill for water usage.

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

Requesting suspension of the rules?

If Yes, explain reasons.

We currently have approximately a two month supply of replacement meters on shelf. We need to have time to go to bid and have our order filled and shipped so as not to delay our current replacement schedules.

Division Manager Daryl Decker Date 3/13/13

RESOLUTION NO. 2013-36

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:

WATER AND WATER POLLUTION CONTROL FUNDS:

Public Properties Maintenance Division:

- One Case 580 SN T4 Backhoe

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: Craig Sanders

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

Division PPM Project Name Backhoe Purchase Requested Meeting Date 3/18/13

- Approved for Agenda  
 Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase

Purchase of a Case 580 SN T4 backhoe \$84,811.50  
Funding will be:  
50% from 742502-3360 (Water Line Maintenance) and \$42,405.75  
50% from 743502-3360 (Sewer Line Maintenance) \$42,405.75

Justifications / Benefits

This unit will be used for emergency repairs to the City's water and sewer infrastructure systems as well as daily maintenance work.

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

N/A

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

Rental of similar units would delay repairs until appropriate units could be located and transported to us for use.

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

This is a State Bid item.

Requesting suspension of the rules?

If Yes, explain reasons.

We would like to move quickly on this unit since our distributor is saying in the next 30-90 days they may be dropping the state bid due to anticipated pricing increases in their spring equipment line.

Division Manager

Daryl Decker

Date

3/12/13

RESOLUTION NO. 2013-37

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO  
ISSUE PAYMENT FOR SERVICES RENDERED UNDER  
CONTRACTS WITH VARIOUS VENDORS AND DECLARING AN  
EMERGENCY.

WHEREAS, the Director of Administration proposed to enter into contracts with various vendors who have provided services essential to municipal operations; and

WHEREAS, Ohio law and local fiscal policy require that expenditures in excess of \$3,000.00 be accompanied by a fiscal officer's certification of the availability of funds issued at or before the time the contract is executed; and

WHEREAS, in the cases below neither the purchase order nor the fiscal officer's certification were issued at the time performance of the contracts commenced, thus necessitating that these matters come to the legislative authority for authorization of the drawing of warrants in payment of amounts due upon the contracts; and

WHEREAS, the expenditures in question were included within the division's budgets, and the contractors have performed services in accordance with the terms of the contracts, such that authorization of payments is appropriate.

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

SECTION 1. That the Director of Finance is hereby authorized to draw a warrant for the payment of the following purchase orders, all of which are budgeted expenditures:

A) Standard Plumbing & Heating, Co., in the amount of \$3,072.00, for costs related to a maintenance agreement for the HVAC system serving Wooster City Hall.

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 prompt action is necessary to compensate the foregoing contractors for services rendered; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: \_\_\_\_\_, 2013 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2013  
Mayor

Introduced by: Jon Ansel