

## CITY COUNCIL AGENDA

March 21, 2011

7:30 p.m.

All meetings are held in Council Chambers, 1<sup>st</sup> 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
- V. COMMITTEE REPORTS; PUBLIC HEARINGS

Public Hearing - Zoning 3.443 acres on the northeast corner of Lot #7870, east of and adjacent to property located at 3889 Friendsville Road (Acres of Fun), to a C-5 (General Commercial) District.

### VI. OLD BUSINESS

- 1. Second Reading - ORDINANCE NO. 2011-06 ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF FRIENDSVILLE ROAD, SOUTH OF ITS INTERSECTION WITH RIFFEL ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Robert J. Reynolds, Esq., Agent for Petitioners) (Buytendyk)
- 2. Second Reading - ORDINANCE NO. 2011-07 AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO ZONE NEWLY-ANNEXED LAND (3.443 ACRES) TO A C-5 GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF FRIENDSVILLE ROAD, SOUTH OF ITS INTERSECTION WITH RIFFEL ROAD (Buytendyk)

### VII. NEW BUSINESS

- 1. First Reading - ORDINANCE NO. 2011-08 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WAYNE COUNTY TO ACCEPT SANITARY SEWERAGE FROM THE HILLCREST SANITARY SEWER DISTRICT (Silvestri)
- 2. First Reading - RESOLUTION NO. 2011-38 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT 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)
- 3. First Reading - RESOLUTION NO. 2011-39 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WAYNE METROPOLITAN HOUSING AUTHORITY FOR ADMINISTRATIVE CONSULTING SERVICES FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND DECLARING AN EMERGENCY (Ansel)
- 4. First Reading - RESOLUTION NO. 2011-40 AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT TO CLEVELAND STATE UNIVERSITY FOR THE PERFORMANCE OF A FEASIBILITY STUDY; AND APPROPRIATING THE FUNDS FOR PAYMENT THEREOF, AND DECLARING AN EMERGENCY (Silvestri)
- 5. First Reading - RESOLUTION NO. 2011-41 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A CONTRACT WITH WASTE MANAGEMENT, INC. FOR RESIDENTIAL COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES (Ansel)

6. First Reading - RESOLUTION NO. 2011-42 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: IN-CAR REPORTING SOFTWARE MODULE FOR THE POLICE DIVISION (Steiner)
7. First Reading - RESOLUTION NO. 2011-43 TO AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR3 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)
8. First Reading - RESOLUTION NO. 2011-44 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT WITH WOOSTER COMMUNITY HOSPITAL FOR HEALTH AND WELLNESS SERVICES (Steiner)

**VIII. MISCELLANEOUS**  
**IX. ADJOURNMENT**



## PETITION FOR ANNEXATION

To the Board of Commissioners of Wayne County, State of Ohio

The undersigned, being all of the owners of real estate in the following described territory within the County of Wayne and adjacent to the City of Wooster, Ohio, petition the Board of Commissioners of Wayne County, Ohio, pursuant to Sections, 709.02, 709.021, and 709.023 of the Ohio Revised Code, to annex the territory described below to the City of Wooster. The territory to be annexed is fully described as follows:

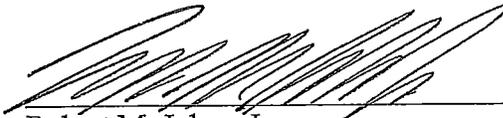
**SEE ATTACHED EXHIBIT "A"**

Robert J. Reynolds, 441 West Liberty Street, Wooster, Ohio, is hereby appointed and authorized to act as agent for the undersigned petitioners in securing such annexation with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area; to substitute an agent; to do any and things essential thereto and to take any action necessary for obtaining the granting of this petition. Said amendment, alteration, change, correction, withdrawal, refiling, substituting, compromise, increase or deletion, or other actions, for granting of this petition shall be made in the petition, description and/or plat by said agent without further expressed consent of petitioner.

The total number of owners of real estate in the above-described territory is two  
(2).

RECEIVED  
WAYNE COUNTY  
COMMISSIONERS OFFICE  
2010 NOV 23 P 3: 39

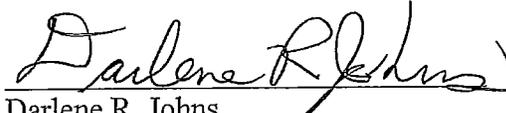
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO  
APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF  
COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE  
BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.



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Robert M. Johns, Jr.

11/22/10



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Darlene R. Johns

11/22/10

Exhibit "A"

Situated in the Township of Wayne, County of Wayne and State of Ohio: Located in the Southeast Quarter of Section 21, T-16N, R-13W described as follows:

Commencing at a capped pin marked "S.J.L." found at the northeast corner of Lot 7870 in the City of Wooster, Northridge Village Subdivision, Plat Volume 22, Page 110.

THENCE N 89 degrees 23' 32" W 179.70 feet, along the north line of Lot 7870, to a capped pin set at the Point of Beginning for the parcel herein described.

THENCE with the following FOUR courses:

1. N 89 degrees 28' 32" W 250.00 feet, continuing along the north line of Lot 7870, to a 5/8 inch diameter steel pin found;
2. N 00 degrees 32' 49" E 599.86 feet, to a capped pin marked "Engineering Associates, Inc." found at the northeast corner thereof;
3. S 89 degrees 27' 39" E 250.00 feet to a capped pin set;
4. S 00 degrees 32' 49" W 599.79 feet to the Point of Beginning.

This parcel contains 3.443 acres and has no frontage on any public way.

This described was prepared by William R. Gasbarre, P.S. 6529, from information contained in a survey made under his direction, in November 2004, on behalf of R.W. Gasbarre & Associates, Inc. See Survey Volume "SS", Page 493.

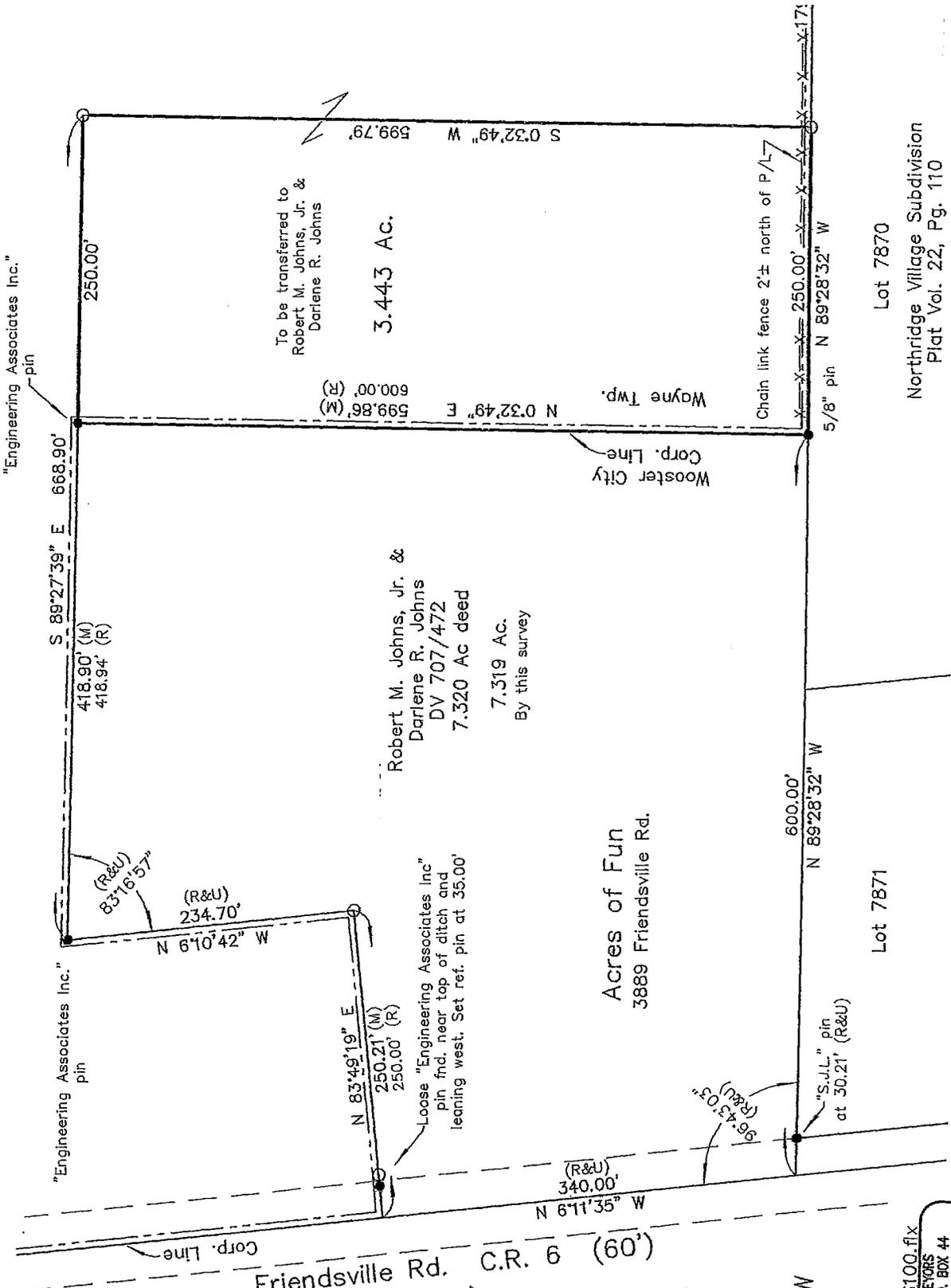
All bearings are related and based on the north line of Lot 7870 bearing N 89 degrees 28' 32" W according to Plat Volume 22, Page 110.

All capped pins, both set and found, are 5/8 inch diameter solid steel rods with identification caps marked "GASBARRE WOOSTER, OHIO" unless otherwise noted.

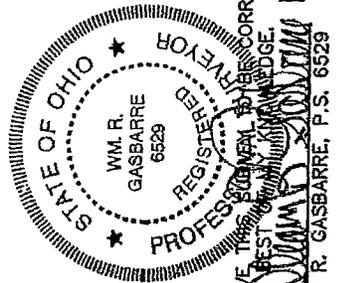
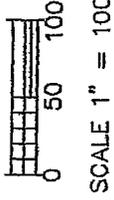


Bearings are based on the north line of Lot 7870 bearing N 89°28'32" W according to Plat Vol. 22, Pg. 110  
 Ref. Surveys: MM-256, Plat Vol. 22, Pg. 110

Robert M. & Lillian  
 DV 430/708  
 45.774 Ac



LEGEND:  
 IN SET:  
 I. Red W/Yellow I.D. Cop  
 ARRE WOOSTER, OHIO  
 L. MONUMENT FOUND:  
 Drawing



**Acres of Fun Survey**  
 a New 3.443 Ac Parcel  
 Wayne Township  
 Tr. Sec. 21, T-16N, R-13W  
 Wayne County, Ohio

2004  
 204139S100.flx  
**BARRE**  
 PROFESSIONAL LAND SURVEYORS  
 401 SOUTH MARKET ST. - P.O. BOX 44  
 WOOSTER, OHIO 44691  
 & ASSOCIATES, INC. PH 330-264-3489 FAX 330-264-9162

Lot 7871

Lot 7870

Northridge Village Subdivision  
 Plat Vol. 22, Pg. 110

Acres of Fun  
 3889 Friendsville Rd.

Robert M. Johns, Jr. &  
 Darlene R. Johns  
 DV 707/472  
 7.320 Ac deed  
 7.319 Ac.  
 By this survey

To be transferred to  
 Robert M. Johns, Jr. &  
 Darlene R. Johns  
 3.443 Ac.

"Engineering Associates Inc." pin

"Engineering Associates Inc." pin

Wooster City Corp. Line

Wayne Twp.

Chain link fence 2'± north of P/L7

5/8" pin N 89°28'32" W

600.00'

"S.J.L." pin at 30.21' (R&U)

(R&U) 340.00'

N 6°11'35" W

N 6°10'42" W

418.90' (M)  
 418.94' (R)

S 89°27'39" E

250.00'

599.86' (M)  
 600.00' (R)

S 0°32'49" W 599.79'

X-17



**Request for Agenda Item  
Non-Capital**

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

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

The administration has agreed to terms and conditions with the County Commissioners of Wayne under which the Hillcrest Area will be served with Sanitary Sewer. This will provide an additional revenue source for the city of Wooster WPC fund and also allow for the expansion of our service area into this region.

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

Yes, the commissioners would like to commence with the project as soon as possible.

**Manager Requesting**

**Date**

**Approved for Agenda**

*Ord \$*

RESOLUTION NO. 2011-38

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT 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 Ohio Department of Development 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 2011; and

WHEREAS, two required public hearings to gain input for expenditure of said funds were held on February 1st and March 18, 2011; and

WHEREAS, an application for the Block Grant funds must be submitted to the State of Ohio by April 1, 2011.

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 Department of Development, 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 Department of Development for a Small Cities Community Development Block Grant may be submitted by the April 1, 2011 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: \_\_\_\_\_, 2011 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2011  
Mayor

Introduced by: Jon Ansel



RESOLUTION NO. 2011-39

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WAYNE METROPOLITAN HOUSING AUTHORITY FOR ADMINISTRATIVE CONSULTING SERVICES FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio Department of Development 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 authorize an agreement with the Wayne Metropolitan Housing Authority for administrative consulting services for the city of Wooster's Small Cities Community Development Block Grant Community Housing Improvement Program (CHIP) for FY 2011.

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

SECTION 1. That the Mayor is hereby authorized to enter into an agreement with the Wayne Metropolitan Housing Authority for administrative consulting services in connection with a grant application filed by the city of Wooster for a Small Cities Community Development Block Grant for a Community Housing Improvement Program (CHIP).

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 Department of Development for a Small Cities Community Development Block Grant may be submitted by the April 1<sup>st</sup>, 2011 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: \_\_\_\_\_, 2011

Vote: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

President of Council

Approved: \_\_\_\_\_, 2011

Mayor

Introduced by: Jon Ansel

**Request for Agenda Item  
Non-Capital**

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

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

Since 2001 the City of Wooster has contracted with the Wayne Metropolitan Housing Authority for administrative consulting services related to the Community Housing Improvement Program. The CHIP requires a significant amount of documentation related to the grant requirements, which can not be absorbed by current administration staff. WMHA has successfully managed all projects that the City of Wooster have undertaken over the past ten years, allowing Administration and Finance to be assured that the applicable grant processes and state required reports are properly being completed.

**Is there a need for rules suspension or time limitation when this must be passed?**  
Yes – the CHIP application is due to the State by April 1<sup>st</sup> 2011. Authorization an administrative consultant prior to the application deadline will allow the City of Wooster to meet all grant requirements.

**Manager Requesting**

**Date**

**Approved for Agenda**

RESOLUTION NO. 2011-40

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT TO CLEVELAND STATE UNIVERSITY FOR THE PERFORMANCE OF A FEASIBILITY STUDY; AND APPROPRIATING THE FUNDS FOR PAYMENT THEREOF, AND DECLARING AN EMERGENCY

WHEREAS, this City Council, in Resolution No. 2010-52, authorized the Mayor to apply for CDBG monies for the purpose of funding the city of Wooster's portion of a regional dispatch center feasibility study, and appropriated such monies, if and when awarded, for that purpose; and

WHEREAS, the city of Wooster, in cooperation with the city of Ashland and the Wayne County Commissioners, agreed to retain the Center for Public Management of Cleveland State University to perform the study, with each party contributing one-third of the cost thereof; and

WHEREAS, the study has commenced, and an invoice for services rendered has been submitted to the city of Wooster, which has been designated as the fiscal agency to act on behalf of the parties to the study.

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 issue payment to Cleveland State University in a total amount not to exceed \$50,000.00 for the preparation and completion of a regional dispatch center feasibility study, and to execute any necessary documents in connection therewith.

In connection therewith, the Director of Finance is hereby authorized to accept funds from the city of Ashland and the Wayne County Commissioners as their share of the cost of the study, which funds, along with those received by the city of Wooster pursuant to Resolution No. 2010-52, are hereby appropriated to the Fire Division operating fund for the costs of this project.

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 time is of the essence, in that an agreement must be authorized in order for negotiations to proceed; 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: \_\_\_\_\_, 2011 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2011  
Mayor

Introduced by: David Silvestri

RESOLUTION NO. 2011-41

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A CONTRACT WITH WASTE MANAGEMENT, INC. FOR RESIDENTIAL COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES

WHEREAS, pursuant to Resolution No. 2008-43, the director of administration entered into a contract with Waste Management, Inc. for residential collection, transportation and disposal of solid waste and recyclables, which contract included two options for two-year renewals; and

WHEREAS, the director of administration has recommended that the city exercise said renewals; and

WHEREAS, this City Council deems that prompt action is necessary to continue this essential service during 2011, and the cost thereof is budgeted for 2011.

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 renew a contract with Waste Management, Inc. for residential collection, transportation and disposal of solid waste and recyclables.

SECTION 2. The cost of such contract will not exceed the amount budgeted in the 2011 Appropriations Budget adopted by this Council in Ordinance No. 2010-37.

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: \_\_\_\_\_, 2011  
Mayor

Introduced by: Jon E. Ansel

## Request for Agenda Item Non-Capital

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

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

We would like to extend the current contract with Waste Management (WM) for a period of four years. WM would offer a recycling bid to each resident for this extension. WM also agrees to assist the city in promoting the tote recycling program to all residents. There is no cost increase for this service in years 1 and 2. The basic service would increase 34 cents per month per customer in years 3 and 4.

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

The contract does expire in June.

**Manager Requesting**

**Date**

**Approved for Agenda**

4



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

Division Police

Project Name In-Car Reporting

Requested Meeting Date March 21, 2011

Approved for Agenda

Full Amount is Budgeted

If not, how is purchase to be funded?

Description of Purchase

This is the purchase of the In-Car Reporting software module for Emergi Tech. This allows officer full access to the Records Management System (RMS) in the patrol vehicles. All officers have already received training on the module and are using it on desk top computers. This module allows access in the patrol cars via the Mobile Data Terminals (MDT).

Cost of the purchase is \$39,877 which is currently in the Capital Budget (rolled over from 2010).

The Department received a grant of almost \$11,000 from OCJS for in-car printers. That will pay for the next phase of the project which is to issue traffic citations electronically.

Justifications / Benefits

1. Will eliminate the need to hire another Clerk-Specialist as the officers will now be entering the reports directly into the RMS. Currently, officers hand write the reports and then the civilian staff re-writes those reports into the RMS.
2. Hard copies of the reports will no longer be printed except for court or for public records release as needed.
3. This should reduce errors that need corrected by returning reports to officers.
4. Quicker assignment of follow-up cases.
5. Reports will only be written once.

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

1. No need to replace current Clerk-Specialist vacancy.
2. Second year maintenance fee of \$4,631.

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

The only alternative is to continue to write reports twice and replace the vacancy that currently exists.

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

Emergi Tech is our current RMS/CAD system. This is an add-on module to our current system. This is a proprietary system.

Requesting suspension of the rules?

If Yes, explain reasons.

Training is complete and everything is in place to complete the project.

Division Manager

Chief Steven D. Glick, CLEE

Date

March 9, 2011

## PRELIMINARY LEGISLATION

~~Ordinance~~/Resolution No. 2011-43  
PID No. 88655  
Project Name WAY SR 0003 10.15

The following Resolution 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:

*The purpose of the project is to perform preventive maintenance resurfacing of SR 3 from north of Jacobs Lane to the structure north of the Wooster South Corp.*

**Approximately 0.05 miles of this project is within the Wooster Corporation Limits**

Construction is tentatively scheduled to begin in 2012.

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, for the portion of this project within the Ashland Corporation limit, as follows:

- 1) *ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs, and environmental studies costs.*
- 2) *ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs;*
- 3) *The City agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs;*
- 4) *ODOT and the City agree that the following roadway construction items are eligible for 80%ODOT/20%City funding: Pavement planing, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, man holes, valve boxes, etc, Mailbox supports & approaches and Work zone signs*

**SECTION III - Cooperation Statement continued.**

- 5) *ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs.*
  
- 6) *The City further agrees to pay One Hundred Percent (100%) of the cost of the following construction items, Pavement repair partial & full depth, Curbs, curb ramps, sidewalks, City owned signs, Guardrail- replacement of existing & required new locations, and those items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project.*

*At this time there are no items identified as 100% city responsibility*

**SECTION IV - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

**SECTION V – Utilities and Right-of-Way Statement**

The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual

Passed: \_\_\_\_\_, 201\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_ (Clerk) \_\_\_\_\_ (Officer of City - title)

Attested: \_\_\_\_\_ (Title) \_\_\_\_\_ (President of Council)

This Resolution 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.

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

<b>Division</b> Engineering	<b>Meeting Date Requested</b> March 21, 2011
<b>Project Name</b> ODOT Resurfacing SR 3 South	<b>Approved for Agenda</b>
<b>Estimated Total Cost</b> \$3,000. Costs to be funded by existing SCMR O&M and/or Permissive Tax funds.	
<b>Is Full Amount Budgeted</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If No, How Is The Purchase To Be Funded?</b>	
<b>Description Of Purchase</b> This is a request to authorize ODOT to resurface SR3 from the bridge over US30 at the south edge of Wooster to Jacobs Lane south of Wooster. A portion of this section of roadway is inside the Wooster corp. limit, and a portion is outside. This legislation would also authorize cooperation with funding the City portion of the roadway. The City is agreeing to pay only 20% of the inside City corp. paving costs.	
<b>Justification / Benefits</b> The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2012, with construction taking place in 2011. The City will only be responsible for 20% of the construction costs located within the City corp.	
<b>Will This Project Effect the City's Operating Costs</b> This project should have little or no effect on the City's operating costs. Road maintenance should be reduced after the project is completed.	
<b>What Alternatives Exist and What Are The Implications of The Alternatives</b> We could do nothing and forfeit the ODOT funds.	
<b>Is This A Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If Yes, Explain The Circumstances</b> This is a request to simply consent and cooperate with ODOT.	
<b>Are You Requesting Suspension Of The Rules</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>If Yes, Note Reasons</b> Passage on first reading is not required, however, ODOT has requested that signed legislation be returned to them by June 6th.	
<b>Division Manager</b> Joel Montgomery	<b>Date</b> March 10, 2011

RESOLUTION NO. 2011-44

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT WITH WOOSTER COMMUNITY HOSPITAL FOR HEALTH AND WELLNESS SERVICES, AND DECLARING AN EMERGENCY

WHEREAS, the collective bargaining agreement between the city and the IAFF Local 764 provides for a program of health and wellness services, and Wooster Community Hospital is able to provide such services; and

WHEREAS, the cost of such services (90% of which will be subject to reimbursement under a FEMA grant) will exceed the limits authorized in the codified ordinances, such that this expenditure will require council approval; and

WHEREAS, this Council deems that prompt action is necessary to continue to afford this important service for the Fire Division.

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 enter into a professional or technical services contract with Wooster Community Hospital for health and wellness services for the Fire Division.

SECTION 2. The cost of such contract will not exceed \$60,000.00, of which amount 10% is budgeted in the 2011 Appropriations Budget adopted by this Council in Ordinance No. 2010-37; and the remainder thereof will be reimbursed to a maximum of \$54,270.00, which amount is hereby appropriated to such use.

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 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 resolution is required to be immediately effective in order promote the health and wellness of members of the Fire Division; wherefore, this resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor, provided it receives the affirmative vote of at least three-fourths of the members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Approved: \_\_\_\_\_, 2011  
Mayor

Introduced by: Jeffrey A. Steiner

**Request for Agenda Item  
Non-Capital**

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

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

In 2009, the City of Wooster received a grant to implement a firefighter health and wellness program. With the cooperation of the City of Wooster Firefighters local 764, we are implementing this program. The program includes baseline physicals for all personnel as well as health and wellness education. In cooperation with the Wooster Community Hospital, the firefighters will receive a through exam and other testing related to their health. The grant was a 10% match and we were going to use a PFS out of Pennsylvania, but have decided to pay a little more money to work with WCH to ensure a smoother process. We do not anticipate spending the entire allocation of \$60,000, but want to make sure we cover the amount of the grant award. The total grant award amount was \$54,270.

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

No, please leave on first reading

**Manager Requesting**

**Date**

**Approved for Agenda**