

CITY COUNCIL AGENDA

March 4, 2013

7:30 p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-11 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)
2. First Reading – ORDINANCE NO. 2013-12 AN ORDINANCE AMENDING ORDINANCE NO. 2012-10 BY INCREASING THE TERMS OF THE COMMUNITY REINVESTMENT AREA COMMITMENT, AND DECLARING AN EMERGENCY (Ansel)
3. First Reading – RESOLUTION NO. 2013-27 A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MECHANICSBURG ROAD, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Matthew A. Long, Esq., Agent for Petitioners Habitat for Humanity in Wayne County, Inc.) (Knapic)
4. First Reading – RESOLUTION NO. 2013-28 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 (Ansel)
5. First Reading – RESOLUTION NO. 2013-29 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR MICROSURFACTING NORTH STREET (Ulbright)
6. First Reading – RESOLUTION NO. 2013-30 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PROCEED WITH A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR PAVEMENT REPAIR, DIAMOND GRINDING AND PAVEMENT MARKINGS ON SR 83 WITHIN THE CITY OF WOOSTER; AND AUTHORIZING THE ISSUANCE OF PAYMENT FOR THE CITY'S PORTION OF THE PROJECT EXPENSE, AND DECLARING AN EMERGENCY (Ulbright)
7. First Reading – RESOLUTION NO. 2013-31 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND APPLY GRANT MONIES FROM THE DEPARTMENT OF HOMELAND SECURITY, AND DECLARING AN EMERGENCY (Steiner)

VIII. EXECUTIVE SESSION
IX. MISCELLANEOUS
X. ADJOURNMENT

NOTICE TO LEGISLATIVE
AUTHORITY

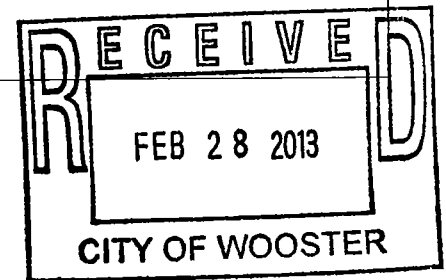
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

9092360		TRFO		TULSI LLC DBA CONVENIENT FOOD MART 718 337 W LIBERTY ST WOOSTER OHIO 44691
PERMIT NUMBER		TYPE		
02	01	2013		
ISSUE DATE				
02	22	2013		
FILING DATE				
C1		C2		
PERMIT CLASSES				
85	165	B	F09263	
TAX DISTRICT			RECEIPT NO.	

FROM 02/26/2013

9125100				TY GY INC DBA CONVENIENT FOOD MART 718 337 W LIBERTY ST WOOSTER OHIO 44691
PERMIT NUMBER		TYPE		
02	01	2013		
ISSUE DATE				
02	22	2013		
FILING DATE				
C1		C2		
PERMIT CLASSES				
85	165			
TAX DISTRICT			RECEIPT NO.	



MAILED 02/26/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 03/29/2013

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B TRFO 9092360**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF WOOSTER CITY COUNCIL
538 N MARKET ST
PO BOX 1128
WOOSTER OHIO 44691

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # 9092360	

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

2013 FEB 21 AM 11:00



LIMITED LIABILITY COMPANY DISCLOSURE FORM

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

SECTION A.

Name of Limited Liability Company TULSI, LLC	DBA Name CONVENIENT FOOD MARKET	
Permit Premises Address 337 WEST LIBERTY ST	City, State WOOSTER	Zip Code 44691
Township, if in Unincorporated Area	Tax Identification No. (TIN)	

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

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

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

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

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO NONE		
2) President AJAY PATEL		4/24/1982
3) Vice-President AMIT PATEL		4/24/1982
4) Secretary AMIT PATEL		4/24/1982
5) Treasurer AJAY PATEL		4/24/1982

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

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

1) Name AJAY PATEL	Social Security No. (if individual)	<input type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 4105 SPRING BROOK	Tax Identification No. (if applicable)	
City and State WOOSTER, OH	Zip Code 44691	
Telephone No. 220-234-0807	Date of Birth 4/24/1982	
2) Name AMIT PATEL	Social Security No. (if individual)	<input type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 4105 SPRING BROOK	Tax Identification No. (if applicable)	
City and State WOOSTER, OH	Zip Code 44691	
Telephone No. 220-234-0807	Date of Birth 4/24/1982	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Wayne COUNTY ss,

I, AMIT PATEL being first duly sworn, according to law, deposes and says that he/she is (Title) SECRETARY of the TULSI, LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Amit Patel (Print Name and Title) SECRETARY

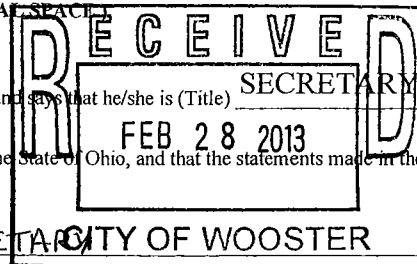
Sworn to and subscribed in my presence this 8th day of FEBRUARY 2013



Robert Stutzman
Notary Public, State of Ohio
My Commission Never Expires

(Notary Public)

(Notary Expiration)



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 _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2013

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Barbara A. Knapic

ORDINANCE NO. 2013-12

AN ORDINANCE AMENDING ORDINANCE NO. 2012-10 BY
INCREASING THE TERMS OF THE COMMUNITY
REINVESTMENT AREA COMMITMENT, AND DECLARING
AN EMERGENCY

WHEREAS, this City Council, in Ordinance No. 2012-10, authorized the Mayor to enter into an agreement with Brasfond USA for Community Reinvestment Area Tax Incentives, including a capital investment of up to \$700,000.00 for construction of a new facility; and

WHEREAS, the project has been so successful that the enterprise would like to expand the scope of the new construction, including an additional investment of \$750,000.00 and the creation of additional jobs, all within the term of the existing CRA agreement.

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

SECTION 1. That Section 1 of Ordinance No. 2012-10 is hereby amended to read: That the Mayor is hereby authorized to enter into an agreement on behalf of the City of Wooster with Brasfond USA for CRA tax incentives. The terms of such agreement will include, but not be limited to, the following: (1) *investment of up to \$1,450,000.00 for new construction*; (2) abatement of real estate taxes of 50%; (2) for a maximum term not to exceed ten (10) years; (4) *retention of eight (8) and creation of at least three (3) full-time jobs*; and (4) such other terms as the Mayor, in his/her discretion, deems appropriate.

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 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. 2013-27

A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MECHANICSBURG ROAD, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Matthew A. Long, Esq., Agent for Petitioners Habitat for Humanity in Wayne County, Inc.)

WHEREAS, Matthew A. Long, Esq., agent for Petitioners, has, pursuant to Revised Code Section 709.02, filed a petition with the Wayne County Commissioners seeking annexation of 0.526 acres of land owned by petitioners in Wayne Township, adjacent to the City of Wooster (a map of said area is attached hereto); and

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

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

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

- A. Police protection from the full-time police department of the City of Wooster; and fire protection and emergency squad services from the full-time fire department of the City of Wooster. The projected response time for fire and emergency squad is ___ minutes from Station 2, first-in unit; and ___ minutes from Station 1, second-in unit. These services would be immediately available.
- B. A six-inch water line is located on Crosswind Court, adjacent to the territory proposed for annexation, and immediately accessible for extension thereto. The water plant and water resources of the City of Wooster have sufficient capacity to serve this property. This service would be immediately available upon the Petitioners paying the necessary fees and obtaining the necessary permits.
- C. A twelve-inch sanitary sewer line is located on Mechanicsburg Road, adjacent to the territory proposed for annexation, and immediately accessible for extension thereto. The water pollution control plant has sufficient capacity to serve this property. This service would be immediately available upon the Petitioners paying the necessary fees and obtaining the necessary permits.

- D. The City would also provide miscellaneous other city services, including, but not limited to, residential solid waste pickup, maintenance of dedicated streets and access to parks and recreation facilities. These services would be immediately available.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City or providing for the usual daily operation of a municipal department or division, and for the further reason that it is necessary to act pursuant to statute to provide timely notice to the Wayne County Commissioners of services which the City would provide in order to facilitate the orderly process of annexation; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: _____, 2013

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Barbara A. Knapic

Resolution

No. 2013-80

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: February 13, 2013

Subject: **Resolution to Enter Upon the Wayne County Commissioners' Journal
a Petition for Annexation of .526 Acres in Wayne Twp. to the City of Wooster
(2013-A1 Regular 709.02)**

It was moved by Mrs. Obrecht and seconded by Mr. Wiggam that record of the following Petition for Annexation be entered into the Wayne County Commissioners' Journal and set for Public Hearing immediately following the 9:00AM Session on Wednesday, April 17, 2013, at the Wayne County Administration Bldg., 428 W. Liberty St., Wooster, Ohio in the Commissioners' Meeting Room.

Annexation 2013-A1 Regular 709.02:

Petition for Annexation filed February 6, 2013 for .526 Acres in Wayne Twp. to the City of Wooster

Agent for the Petitioner(s): Matthew Long

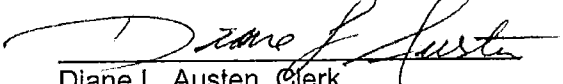
Petitioner(s): Habitat for Humanity in Wayne County, Inc. – Jane DalPra, President

BE IT FURTHER RESOLVED, a copy of this resolution be sent to the Agent for the Petitioner(s) to serve as notice of the Public Hearing as required by the Ohio Revised Code.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

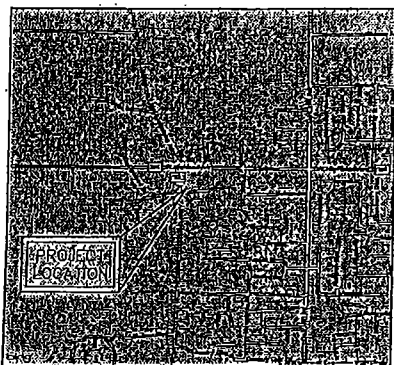

Diane L. Austen, Clerk

Revised
Exhibit B

0.526 AC.

ANNEXATION PLAT

TO THE
CITY OF WOOSTER
PART OF
N.W. & N.E. QTR. SEC. 32
T-16N, R-13W
WAYNE TOWNSHIP
WAYNE COUNTY, OHIO



LOCATION MAP

REFERENCE SURVEY:

'M'-447
'R'-458
'AA'-279
'RR'-743

BASIS OF BEARING:

The bearings are to an assumed meridian.

- X SPIKE FOUND
- I.P. OR PIPE FOUND
- 5/8" REBAR SET WITH I.D. CAP MARKED S.L. INC

0' 30' 60' 120'
SCALE: 1" = 60'

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

MAYOR _____ CLERK _____

Approved by Wayne County Commissioners:
this ___ day of ___, 20__

SCOTT S. WIGGAM, JIM CARMICHAEL, ANN M. OBRECHT

Approved for Recording:

this ___ day of ___, 20__

Transferred:

this ___ day of ___, 20__

Filed for Record:

this ___ day of ___, 20__

0 in Vol. Pg. Wayne County Recorder JANE CARMICHAEL

AUDITOR:

RECORDER:

TOTAL:

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

By: Mark E. Purdy 1-17-13
Mark E. Purdy, P.S. #7307 Date



SHAFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.

Consulting Engineers & Surveyors

3477 Commerce Parkway, Suite C
Wooster, Ohio 44691

TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sjl@sjl-inc.com

DRAWN G. Felt CHECKED 1" SCALE 60' DATE 01/17/13

DWG NO: EW-832B-ANNEX JOB NO: EW-8320B SHEET: 1 OF 1



W. HIGHLAND AVENUE (C.R. 106)

29 29 1" PIPE
32 32

DAVID R. &
MELINDA A. MARTIN
O.R. 355, PG. 422

S 00°21'42" E 264.00'

CAPPED PIN
(S.L. INC)
30.52

N 88°37'40" E 134.80'

82.08'

52.72'

(0.283 AC.)

(0.243 AC.)

0.526 AC.
22920.0 SF.

HABITAT FOR
HUMANITY IN WAYNE
COUNTY INC.
O.R. 731, PG. 437

S 88°37'40" W 93.41'

40.69'

52.72'

CAPPED PIN
(S.L. INC)
30.52

CROSSWIND CT.

LOT 8706

LOT 1
NELSON ALLOTMENT NO. 1
PLAT VOL. 5, PG. 19

LOT 8691
CROSSWIND ALLOTMENT
PLAT VOL. 26, PG. 110

LOT 37

MECHANICSBURG ROAD (C.R. 22)

LOT 50

LOT 49
UNIMOD HEIGHTS ALLOTMENT #1
PLAT VOL. 5, PG. 148

LOT 48

RESOLUTION NO. 2013-28

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 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 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 2013.

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 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. 2013-29

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO ADVERTISE ACCORDING TO LAW
AND ENTER INTO A CONTRACT WITH THE LOWEST AND
BEST BIDDER FOR MICROSURFACING NORTH STREET

WHEREAS, it is necessary to resurface North Street, between Bever Street and Beall Avenue, and such expense, eighty percent (80%) of which is being funded by ODOT, has been budgeted for 2013.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for microsurfacing North Street, between Bever Street and Beall Avenue, in accordance with specifications on file in the Office of the Director of Administration.

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

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

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

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2013

Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested March 4, 2013
Project Name : North Street Microsurfacing	Approved for Agenda
Estimated Total Cost \$40,000	
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 microsurfacing of North Street between Bever and Beall.	
Justification / Benefits This project is on the 2013 City Paving List, and is being funded 80% by ODOT grant funds. The City authorized cooperation and participation in Res 2012-81, on August 20, 2012	
Will This Project Effect the City's Operating Costs This project should reduce maintenance costs by repairing a deteriorating road.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and continue to patch holes as best as possible.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons While suspension of the rules is not necessary, earlier passage would allow the opportunity to advertise and bid this project as soon as possible in order to obtain the best possible bids and schedule paving as soon as possible.	
Division Manager Roger Kobilarcsik	Date February 27, 2013

Res #29

RESOLUTION NO. 2013-30

FINAL RESOLUTION

The following Final Resolution enacted by the City of **Wooster**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **3rd day of December, 2012**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of pavement repair, diamond grinding and pavement markings on State Route 83, lying within the City of Wooster; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **One Hundred Eleven Thousand Five Hundred Forty One and - - - 00/100 Dollars, (\$111,541.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of **One Hundred Eleven Thousand Five Hundred Forty One and - - - 00/100 Dollars (\$111,541.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that **Mayor** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 2 _____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 2 _____.

Legislative Authority of the
City of **Wooster**, Ohio

Mayor

SEAL
(If Applicable)

Clerk (Secretary Ex-Officio)

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

Division Engineering	Meeting Date Requested March 4, 2013
Project Name ODOT SR83 (DIX) PID 90434	Approved for Agenda
Estimated Total Cost \$112,000.00	
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 for final authorizion to participate with ODOT for a portion of the ODOT SR3/83 (Dix) pavement repair. The City is agreeing to pay a portion of the repair costs for the pavement inside City corp. limits.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs with the City responsible for 20% of the construction costs located within the City corp. The City authorized cooperation and participation in Res 2012-34, on March 5, 2012 and funded the project in Res 2013-05, on January 22, 2013.	
Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs. Road maintenance should be reduced after the project is completed.	
What Alternatives Exist and What Are The Implications of The Alternatives There are no reasonable alternatives. If we fail to give consent, the City could ultimately be held responsible for the repairs.	
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 ODOT project which the City has previously agreed to cooperate.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons ODOT is requesting that the completed legislation be returned to them no later than March 20, 2013.	
Division Manager Roger Kobilarcsik	Date February 28, 2013

RKS #30

RESOLUTION NO. 2013-31

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND
APPLY GRANT MONIES FROM THE DEPARTMENT OF
HOMELAND SECURITY, AND DECLARING AN EMERGENCY

WHEREAS, the Fire Division received a grant from the Department of Homeland Security, Assistance to Firefighters Grant Program, to fund programs for the safety of firefighters and the general public; and

WHEREAS, the project has been approved at \$119,000.00, of which amount the DHS will contribute 90%, or \$107,100.00, subject to a ten percent (10%) local match in the amount of \$11,900.00, with such funds to be expended for the acquisition of equipment related to rescue and emergency medical care; and it is necessary to formally accept the funds and execute certain documents in connection therewith.

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

SECTION 1. That the Mayor is hereby authorized to accept grant monies awarded by the Department of Homeland Security, Office of Domestic Preparedness; to expend such monies, plus a ten percent (10%) local match, in accordance with the terms of such grant; and to execute any necessary documents in connection therewith. In conjunction with this authority, the amount of \$119,000.00 is hereby appropriated for the purposes stated herein.

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 acceptance is necessary in order to utilize the grant monies for the health and wellness of the fire division personnel; 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: Jeffrey A. Steiner

**Request for Agenda Item
Non-Capital**

Division FIRE

Meeting Date Requested March 4th, 2013

Project Name FEMA Grant Rescue and EMS Related Equipment

☐ **Approved for Agenda**

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

The Wooster Fire Division has applied for and awarded a grant from the U.S. Department of Homeland Security. The funds are from the Assistance to Firefighters Grant program under Operations and Safety.

The purpose of the grant is to provide funding to purchase equipment related to rescue and emergency medical care.

The Fire Division is requesting the acceptance of the grant funding so we may advise of our intention to except the grant as well as start the process of purchasing the equipment specified within the grant program.

The grant is a 90/10 grant with the city responsible for a 10% match of the funding requested. The total grant is for \$119,000. Federal share of \$107,100 and the city share is \$11,900.00

With your approval, the division will begin the purchasing process per city ordinances and federal grant requirements.

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

Manager Requesting Robert Eyler, Chief

Date February 22, 2013

Approved for Agenda

Res # 31