

CITY COUNCIL AGENDA

May 7, 2012

7:30 p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

PUBLIC HEARING - Amendment to the City of Wooster zoning map following the annexation of 2457 Melrose Drive (Tim and Carol Hall) to an R-3 (Attached Single-Family/Townhouse) District.

VI. OLD BUSINESS

1. Second Reading - ORDINANCE NO. 2012-13 AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY THE ADOPTION OF AN AMENDMENT TO SECTION 1149.03(c)(4) DEALING WITH NONCONFORMING USES OF BUILDINGS, STRUCTURES OR LAND (Knapic)

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2012-14 EXTENDING THE CITY OF WOOSTER'S MORATORIUM ON THE PROCESSING OR APPROVAL OF APPLICATIONS FOR PERMITS OR APPROVALS UNDER THE CITY'S ZONING OR BUILDING CODES FOR ANY PREMISES FOR WHICH AN ADULT GAMING PARLOR OR SWEEPSTAKES TERMINAL DEVICE IS, OR IS PROPOSED TO BE LOCATED, AND DECLARING AN EMERGENCY (Knapic)

2. First Reading - ORDINANCE NO. 2012-15 ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Matthew A. Long, Esq., Agent for Petitioners Tim and Carol Hall) (Knapic)

3. First Reading - ORDINANCE NO. 2012-16 AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO ZONE NEWLY-ANNEXED LAND (0.920 ACRES) TO AN R-3 (ATTACHED SINGLE-FAMILY/TOWNHOUSE) DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD (Knapic)

4. First Reading - RESOLUTION NO. 2012-51 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR PROVIDING TREE SERVICE (Silvestri)

5. First Reading - RESOLUTION NO. 2012-52 AUTHORIZING THE MAYOR TO ACCEPT AND APPLY GRANT MONIES FROM THE DEPARTMENT OF JUSTICE, AND DECLARING AN EMERGENCY (Steiner)

6. First Reading - RESOLUTION NO. 2012-53 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE HAULING AND DISPOSAL OF SLUDGES, AND DECLARING AN EMERGENCY (Sanders)

7. First Reading - RESOLUTION NO. 2012-54 AMENDING RESOLUTION NO. 2011-89 BY INCREASING THE AMOUNT OF THE CONTRACT (Sanders)
8. First Reading - RESOLUTION NO. 2012-55 AUTHORIZING THE PUBLIC WORKS ADMINISTRATOR TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE EXTENSION OF A SANITARY SEWER LINE SERVING GEYERS CHAPEL ROAD (Sanders)
9. First Reading - RESOLUTION NO. 2012-56 AMENDING RESOLUTION NO. 2011-91 BY INCREASING THE AMOUNT OF THE CONTRACT; AND APPROPRIATING THE COLLEGE OF WOOSTER'S SHARE OF THE PROJECT COSTS (Ulbright)
10. First Reading - RESOLUTION NO. 2012-57 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO ACCEPT AND APPLY SUCH FUNDS, IF AWARDED, AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY (Sanders)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2012-13

AN ORDINANCE AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY THE ADOPTION OF AN AMENDMENT TO SECTION 1149.03(c)(4) DEALING WITH NONCONFORMING USES OF BUILDINGS, STRUCTURES OR LAND

WHEREAS, an application has been duly filed by Ross Winkler (Attorney Aimee W. Lane, agent) with the Planning Commission of the City of Wooster requesting the amendment of Zoning Code Section 1149.03, *Nonconforming Uses of Buildings, Structures and Lands*, at subpart (c), Damage or Destruction (of Structures Occupied By A Nonconforming Use), in accordance with the language attached hereto as "Attachment A"; and

WHEREAS, at its February 22, 2012 meeting, and after a public hearing in accordance with law, the Planning Commission voted **not to recommend** to the City Council that the proposed amendment be approved (motion to approve failed by a vote of 3 yea; 4 nay; and 1 abstention); and

WHEREAS, notice of a public hearing by the City Council on the proposed amendment has been duly given and a public hearing has been held thereon, all in accordance with law; and

WHEREAS, this City Council deems that the proposed zoning designation for the land should be approved.

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

SECTION 1. That Title Eleven, Zoning, of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, be and the same is hereby amended at Section 1149.03(c)(4) to read in accordance with the language attached hereto as "Attachment A".

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

1st reading 4-16-12 2nd reading _____ 3rd reading _____

Passed: _____, 2012 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2012 _____
Mayor

Introduced by: Barbara A. Knapic

“ATTACHMENT A” to Application for 556 N. Buckeye

Description of Request:

The Applicant, on behalf of the Owner, is requesting a text amendment of Zoning Code §1149.03(c)(4) to permit multi-family dwellings that are legal nonconforming uses in the R-T zoning district to be rebuilt if destroyed by any means to the extent of more than 50% of its replacement value.

The Applicant suggests the following text amendment to §1149.03(c)(4):

(c) Structures Occupied by Nonconforming Uses:

* * *

(4) Damage or Destruction.

A. Except as otherwise expressly permitted in subpart (B) below, if in the event a building or structure that is occupied by a nonconforming use is destroyed by any means to the extent of more than 50% of its replacement value, it shall not be rebuilt, restored or reoccupied for any use unless such use conforms to the use regulations of the district in which the building or structure is located.

B. A structure devoted solely to a nonconforming single family dwelling, two-family residential use or multi-family residential use that is damaged or destroyed by fire, earthquake or other act of God, may be reconstructed so as not to exceed 100% of the gross floor area of the previous structure as used before such event of damage or destruction. All reconstruction of the structure must be completed within two years following the event of damage or destruction, shall not increase the degree of nonconformance or noncompliance existing prior to such damage or destruction, and shall otherwise be in conformance with this code.

ORDINANCE NO. 2012-14

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

WHEREAS, the City of Wooster, with the adoption of Ordinance 2011-30, enacted a 180-day moratorium on the processing or approval of applications for permits or approvals for the establishment of premises for which an adult gaming parlor or sweepstakes terminal device is, or is proposed to be, located, for the reason that the Ohio Legislature was (and is) considering legislation that would require these businesses to be licensed and regulated by the Ohio Casino Control Commission, and absent this action, law enforcement, consumers, and charities cannot operate in a fair, consistent legal environment; and

WHEREAS, the City of Wooster has the power to enact planning and zoning laws that are for the health, safety, and welfare, comfort and peace of the municipality; at this time, Adult Gaming Parlors are not specifically listed as a permitted use in the City's zoning code, and in the event that state regulation does not come forward, it will be necessary for the city to extend its review of the issue of Adult Gaming Parlors to determine their compatibility with the City's land use plans and their effects on surrounding land uses, and;

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

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

SECTION 1. That the Director of Administration is hereby authorized and directed to extend for an additional 180 days the previously-enacted moratorium on the processing or approval of any application for a certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the City's Zoning Code or the Building Code, for any premises upon which, or building in which, any sweepstakes terminal device is, or is proposed to be, located. This moratorium shall not apply to any permit required to comply with an order or notice issued pursuant to Chapter 1309 of the Codified Ordinances of the City of Wooster, Ohio dealing with the demolition of unsafe buildings.

Exhibit A

PETITION FOR ANNEXATION

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

The undersigned, being a majority of the owners of real estate in the following described territory within the County of Wayne and adjacent to the City of Wooster, Ohio, petitions the Board of Commissioners of Wayne County, Ohio, 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.

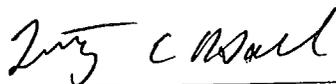
The Tax Account Numbers are: 53-01122.000 and 53-01122.001.

The parcel described herein for annexation consists of .920 acres.

An accurate map of this territory is attached hereto and incorporated herein as a part of this Petition as Exhibit B.

Matthew A. Long, 225 North Market 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 all things essential thereto and to take any action necessary for obtaining the granting of this petition. Said amendment, alteration, change, correction, withdrawal, refile, 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 petitioners.

The total number of owners of real estate in the above-described territory is two (2). Pursuant to Ohio Revised Code Section 709.02(E), the City of Wooster is not considered an "owner" and has not been included in the total number of owners necessary to file this petition.



Tim Hall

Date: December 2, 2011



Carol Hall

Date: December 2, 2011

**LIST OF ALL TRACTS, LOTS AND PARCELS IN THE
TERRITORY PROPOSED FOR ANNEXATION AND ADJACENT
TO THAT TERRITORY OR DIRECTLY ACROSS THE ROAD FROM IT**

Owner Name	Mailing Address	Permanent Parcel Number
Tim & Carol Hall	2457 Melrose Drive, Wooster, OH 44691	67-02933.000
Tim & Carol Hall	2457 Melrose Drive, Wooster, OH 44691	53-01122.000
Danny K. & Theresa M. Hastings	1772 Portage Road, Wooster, OH 446916	53-00574.000
Gerald F. & Mary E. Henry	2505 Melrose Drive, Wooster, OH 44691	67-02988.000
Board of Education of the Wooster City School District	144 North Market Street, Wooster, OH 44691	67-02566.000
Ann L. Kinney	1824 Portage Road, Wooster, OH 44691	53-00420.000
City of Wooster	538 North Market Street, Wooster, OH 44691	53-01122.001

R.W.

GASBARRE & Associates, Inc.

Professional Land Surveyors

401 South Market St. P.O. Box 44
Wooster, Ohio 44691
330.264.9499

William R. Gasbarre, P.S.

Edward A. Gasbarre, P.S.

gasbarresurveying@combarqmail.com

November 17, 2011

211129.docx

**Boundary Description to Extend the Corporation Limits of the City of Wooster
0.920 Acres**

Situated in the State of Ohio, County of Wayne, **Township of Wayne** in the southwest quarter of **Section 26, T-16N, R-13W** and being all of a 0.920 acre parcel described in a deed to **Tim and Carol Hall** recorded in official record volume 669, page 537 of the Wayne County records, of which 0.138 acre has since been conveyed to the **City of Wooster**. Described as follows:

Commencing at a one inch diameter steel pin found in the intersection of Portage Road and Melrose Drive marking the southwest corner of Section 26.

Thence N 00° 55' 04" W 223.18 feet, along the west line of the quarter section and in Melrose Drive, to the **Point of Beginning** for the area herein described.

Thence with the following FOUR courses:

- 1) N 00° 55' 04" W 199.77 feet, in Melrose Drive along the west line of the quarter section and an east corporation line of the City of Wooster, to the northwest corner of the aforementioned original 0.920 acre parcel – witnessed by a capped reference pin set N 89° 30' 02" E 30.00 feet and a one inch diameter steel reference pipe found at 30.25 feet.
- 2) N 89° 30' 02" E 200.19 feet, along a south corporation line of the City of Wooster and the north line of the original 0.920 acre parcel, to a 1-1/4 inch diameter steel pipe found at the northeast corner of thereof.
- 3) S 00° 58' 26" E 200.31 feet, along the east line of the original 0.920 acre parcel, to a one inch diameter steel pipe found at the southeast corner thereof.
- 4) S 89° 39' 07" W 200.39 feet, along the south line of the original 0.920 acre parcel and in part along a north corporation line of the City of Wooster, to the **Point of Beginning**.

This area contains 0.920 acres;

0.782 acre of which is all of Permanent Parcel # 53-01122.000

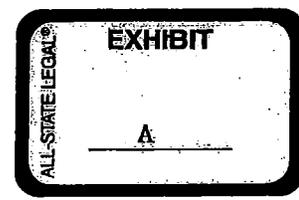
0.138 acre of which is all of Permanent Parcel # 53-01122.001

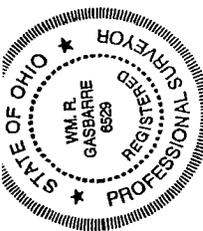
This description was prepared by William R. Gasbarre, P.S. 6529, from information contained in record survey UU-401. All capped pins, both set and found, are 5/8 inch diameter solid steel rods with identification caps marked "GASBARRE WOOSTER, OHIO" unless otherwise noted.

 11-17-11

William R. Gasbarre, P.S. 6529

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I believe this survey to be correct to the best of my knowledge.

William R. Gasbarre
 William R. Gasbarre, P.S. 6529
 Date 11-12-11

Approved this ___ day of ___ 2011 by the Council of the City of Wooster.

Ordinance No. _____ Sign _____
 Print _____

Approved this ___ day of ___ 2011 by the Wayne County Commissioners.

Scott S. Wiggam _____ Jim Carmichael _____ Ann M. Obrecht _____

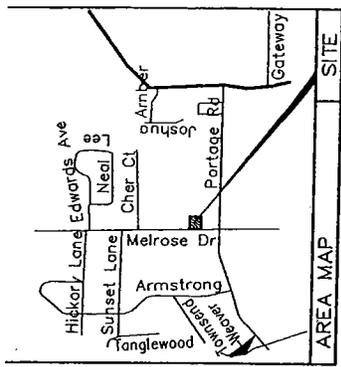
Received for transfer this ___ day of ___ 2011 by the Wayne County Auditor.

Fee: _____ BY: _____ Linda Rohrer _____

Received for recording this ___ day of ___ 2011 by the Wayne County Recorder.

Fee: _____ Total: _____ BY: _____ Jane Carmichael _____

Recorded in plat book ___ page ___ No. ___ at ___ o'clock ___ Fee: _____

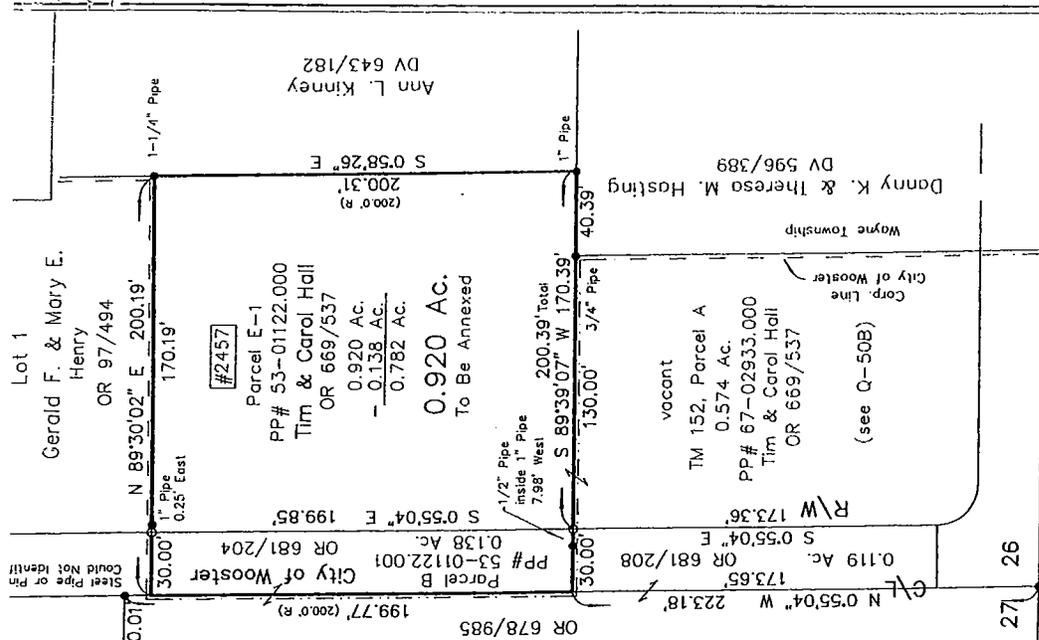


Melrose-Portage Allotment PV 29 Pg. 71
 Lot 9546
 Board of Education of the City of Wooster School District
 OR 665/801
 Melrose Drive 60'

Former Army Reserve Post

Area Summary
 Hall 0.782 Ac
 City of Wooster 0.138 Ac
 Total 0.920 Ac

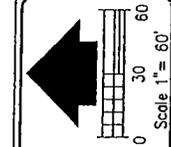
Portage Road 60'



1" Pin in MBOX
 Grid Coordinates (±0.03')
 N 423798.83
 E 2130248.23
 Note:
 Pins to be set after the new road construction is completed

Annexation Plat for 0.920 Acres
 to Extend the Corporation Limits of the City of Wooster
 Wayne Township
 SW qtr. Sec. 26, T-16N, R-13W
 Wayne County, Ohio

- Legend
- set
 - ⊗ set previously found
 - 5/8" x 3/4" Steel Rod w/Yellow I.D. Cap
 - Marked "Gasbarre Wooster, Ohio"
 - Iron/Steel monument found
 - Described in Drawing
 - - Stone monument found
 - △ - Spike or magnoli set
 - ▲ - Spike or magnoli found
 - *-x* Fence Line Evident
 - R - Record Dimension
 - M - Measured Dimension
 - U - Used Record Dimension



Basis of Bearings: Bearings are common with record survey UU-401
 Drawing 211129.dwg
 R.W. GASBARRE
 Professional Land Surveyors
 401 South Market St. - P.O. Box 44
 Wooster, Ohio 44691
 & Associates, Inc.
 PH. 330-264-9499
 November 16, 2011



ORDINANCE NO. 2012-016

AN ORDINANCE AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO ZONE NEWLY-ANNEXED LAND (0.920 ACRES) TO AN R-3 (ATTACHED SINGLE-FAMILY/TOWNHOUSE) DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, NORTH OF ITS INTERSECTION WITH PORTAGE ROAD

WHEREAS, an application has been duly filed by Attorney Matthew A. Long, agent for Petitioners Tim and Carol Hall, with the Planning Commission of the City of Wooster requesting the zoning of newly-annexed land to an R-3 (Attached Single-Family/Townhouse) district; and

WHEREAS, at its March 28, 2012 meeting, and after a public hearing in accordance with law, the Planning Commission voted to recommend to the City Council that said zoning be **approved**; and

WHEREAS, notice of public hearing by the City Council on said zoning request has been duly given and a public hearing has been held thereon, all in accordance with law; and

WHEREAS, this City Council deems that said zoning designation for the newly-annexed land, as recommended by the Planning Commission, should be approved.

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

SECTION 1. That Title Eleven, Zoning, of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, be and the same is hereby amended so as to zone newly annexed land (0.920 acres) to an R-3 (Attached Single-Family/Townhouse) district, in accordance with the recommendation of the Wooster City Planning Commission, for property located on the east side of Melrose Drive, north of its intersection with Portage Road, as appears on the map attached hereto.

SECTION 2. The Planning Division is hereby directed to change the official zoning map to conform to the above-described amendment.

SECTION 3. 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 4. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

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

Passed: _____, 2012 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2012
Mayor

Introduced by: Barbara A. Knapic

TE

Melrose-Portage Allotment PV 29 Pg.71
 Lot 9546
 Board of Education of the
 City of Wooster School District
 OR 665/801

Former
 Army Reserve Post

Area Summary

Hall	0.782 Ac
City of Wooster	0.138 Ac
Total	0.920 Ac

Melrose Drive 60'
 R\W

OR 678/985

Steel Pipe or Pin
 Could Not Identify

30.01'

30.00'

199.77' (200.0' R)

OR 681/204

OR 681/208

30.00'

223.18'

173.65'

0.119 Ac.

173.36'

27

26

34

35

Lot 1
 Gerald F. & Mary E.
 Henry
 OR 97/494

N 89°30'02" E 200.19'

1-1/4" Pipe

30.00'

1" Pipe
 0.25' East

170.19'

#2457

Parcel E-1
 PP# 53-01122.000
 Tim & Carol Hall
 OR 669/537

0.920 Ac.
 - 0.138 Ac.
 0.782 Ac.

0.920 Ac.
 To Be Annexed

1/2" Pipe
 inside 1" Pipe
 7.98' West

200.39' Total

S 89°39'07" W 170.39'

1" Pipe

130.00'

3/4" Pipe

40.39'

vacant

TM 152, Parcel A
 0.574 Ac.

PP# 67-02933.000
 Tim & Carol Hall
 OR 669/537

(see Q-50B)

Corp. Line
 City of Wooster

Wayne Township

Danny K. & Theresa M. Hasting
 DV 596/389

Ann L. Kinney
 DV 643/182

(200.0' R)
 200.31'

S 0°58'26" E

1" Pin in MBOX
 Grid Coordinates (±0.03')
 N 423788.83
 E 2130248.23

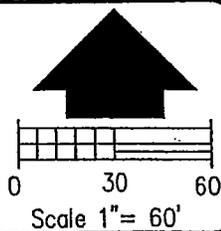
Note:
 Pins to be set after the new
 road construction is completed.

Basis of Bearings: Bearings are common with record survey UU-401

Drawing 211129.dwg

November 16, 2011

- △ - Spike or magnail set
- ▲ - Spike or magnail found
- X-X Fence Line Evident
- R - Record Dimension
- M - Measured Dimension
- U - Used Record Dimension



R.W.

GASBARRE

& Associates, Inc.

Professional Land Surveyors
 401 South Market St. - P.O. Box 44
 Wooster, Ohio 44691
 PH 330-264-9499

**Request for Agenda Item
Non-Capital**

Division Meeting Date Requested

Project Name Approved for Agenda

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

This request is for permission to enter into a contract for city owned tree services through the Shade Tree program. The anticipated total yearly cost will exceed \$25,000.00 for routine and emergency services and will need council's approval.
The contract will be in effect from July 1, 2012 to June 30, 2013.
The contract augments our in-house Shade Tree program and allows for completion in a timely manner and under emergency circumstances.
Amount spent in 2011 for trimming and removal of shade trees was \$38,000.00.
Amount spent in 2011 for replanting of shade trees was \$8,000.00.

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

There is a need for rules suspension to expedite the bidding process.
We would like to award the contract in May and complete the necessary paperwork by the end of June.

Manager Requesting

Date

Approved for Agenda

**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 2011, the Police Division purchased bullet proof vests for all department officers. This expenditure was taken out of the Police Division 2011 budget. Once these vests were purchased, the department requested and received a grant from the Department of Justice to pay one half of the total cost for these vests. This reimbursement from the DOJ was recently received in the amount of \$12,487.50.

I am requesting that this amount be allocated back into the Police Department budget for 2012. This will allow for the purchase of SWAT /Tactical Vests that will expire this year.

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

Manager Requesting

Date

Approved for Agenda

Ros #57

**REQUEST FOR AGENDA ITEM
AUTHORIZATION FOR BID**

Division: **WPCP/WTP**

Meeting Date Requested: **May 7, 2012**

Project Name: **Sewage Sludge Hauling and Disposal** Approved for Agenda:
=====

1. Estimated Total Cost: **\$500,000/ yr, contingent on bid price. (\$250,000 for 2nd half of 2012 & \$250,000 for 1st half of 2013)**

2. Is the full amount budgeted? **YES** NO if no, how is the purchase to be funded?

As part of O&M funds and capital budgets.

3. Description of Purchase: **To authorize entering into a contract with lowest and best bidder for hauling and ultimate disposal of the WPCP anaerobically digested sewage sludge blended with the WTPs spent lime sludge.**

4. Justification\Benefits:
This is a required process of current treatment plant. Failure to dispose of sludges will result in effluent violations.

5. Will this project affect the city's operating costs? **Possibly. Current price is expected to increase due to increased fuel and labor costs for the potential bidders.**

6. What alternatives exist and what are the implications of the alternatives. **No legal alternatives exist to bidding the contract. There are technical alternatives to liquid sludge hauling, but those alternatives are part of the bid specification and will be up to the successful bidder to determine cost effectiveness.**

7. Is this a sole source request? YES **NO** If yes, explain the circumstances:

Sole source will only be considered when: the purchase consists of supplies or parts for current equipment and only one source exists; or only a single sole source exists for the purchase; or the contract is for professional services or specialized technology and the Director of Administration has reviewed proposals from qualified vendors.

8. Are you requesting suspension of the rules and passage on one reading? If yes, note reasons. **No. But sufficient time should be allowed in order to bid, advertise and accept contract.**

Kevin P. Givins
Utilities Manager

Date: **May 4, 2012**

**REQUEST FOR AGENDA ITEM
AUTHORIZATION FOR BID OR PURCHASE OF CAPITAL ITEM**

Division: **WPCP/WTP**

Meeting Date Requested: **5/7/2012**

Project Name: **Sludge Hauling & Disposal Contract Extension**

Approved for Agenda:
=====

1. Estimated Total Cost: **\$50,000 in additional funds to sustain the last two months of the existing sludge hauling contract.**

2. Is the full amount budgeted? **YES** NO if no, how is the purchase to be funded?

WPCP/WTP funds (50%/50%).

3. Description of Purchase: **To authorize the extension of an existing contract with Agri-Sludge, Inc. Agri-Sludge has conducted additional sludge hauling that will exceed the original contract before it expires. This extension would provide for coverage through 6/30/12.**

4. Justification\Benefits:

This is a required process of the water pollution control plant to maintain compliance and remove excess biosolids.

5. Will this project affect the city's operating costs? **Yes. This is expected to only last until hauling is rebid.**

6. What alternatives exist and what are the implications of the alternatives. **None. Failure to haul sludge will result in compliance issues.**

7. Is this a sole source request? **YES** NO If yes, explain the circumstances:
This is to extend funding for a previous bid contract and authorized change order.

Sole source will only be considered when: the purchase consists of supplies or parts for current equipment and only one source exists; or only a single sole source exists for the purchase; or the contract is for professional services or specialized technology and the Director of Administration has reviewed proposals from qualified vendors.

8. Are you requesting suspension of the rules and passage on one reading? If yes, note reasons. **Yes. This will ensure no gap in the hauling contract.**

Kevin P. Givins
Utilities Manager

Date: **5/4/2012**

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

Division Engineering	Meeting Date Requested May 7, 2012
Project Name : Geyers Chapel Road Sewer Extension for ODOT Garage	Approved for Agenda
Estimated Total Cost \$60,000	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? This project is budgeted in the Sanitary Sewer Fund.	
Description Of Purchase This is a request to authorize advertising and entering into a contract for the extension of a sanitary sewer on Geyers Chapel Road in order to serve the new ODOT garage to be constructed there this summer.	
Justification / Benefits The garage site was sold to ODOT with the understanding that all City services would be available. This was anticipated and budgeted. Permit fees for site review and utility connection fees will cover a significant portion of this cost.	
Will This Project Effect the City's Operating Costs This will be a new waterline, so operation and maintenace costs should be minimal.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and jepardize the ODOT project, including the relocation of 30 jobs into the City.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Explain The Circumstances T	
Are You Requesting Suspension Of The Rules <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Note Reasons While suspension of the rules is not necessary, earlier passage would allow ample time for bidding and construction prior to ODOT's construction, scheduled to begin this spring.	
Division Manager Joel Montgomery	Date May 3, 2012

Res #55

RESOLUTION NO. 2012-56

A RESOLUTION AMENDING RESOLUTION NO. 2011-91 BY
INCREASING THE AMOUNT OF THE CONTRACT; AND
APPROPRIATING THE COLLEGE OF WOOSTER'S SHARE
OF THE PROJECT COSTS

WHEREAS, this City Council, in Resolution No. 2011-91, authorized the Director of Administration to enter into a contract for the purchase and installation of a traffic signal and related equipment on Beall Avenue, in front of Lowry Center on the College of Wooster campus, with the amount of the contract not to exceed \$50,000.00; and

WHEREAS, the project has been bid, and the contract amount will be \$60,000.00; with the addition of a five percent (5%) contingency of \$3,000.00, the amount necessary for the contract stands at \$63,000.00; and it is, therefore, necessary to authorize an additional \$13,000.00 in funds for the remainder of the contract. The additional monies are budgeted funds.

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

SECTION 1. That Section 2 of Resolution No. 2011-91 is hereby amended to read: Such contract will not exceed the amount of \$63,000.00, payable from the Capital Improvements Fund. *Additionally, the amount of \$29,637.50, representing the College of Wooster's share of the project costs, is hereby appropriated to the Capital Improvements Fund for 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 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: _____, 2012
Mayor

Introduced by: Jon E. Ulbright

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

Division Engineering	Meeting Date Requested May 7, 2012
Project Name : Beall-Lowry Pedestrian Signal	Approved for Agenda
Estimated Total Cost \$59,267 + \$3000 Contingencies	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? The total city portion of the project cost is budgeted. The College of Wooster portion (50%) has been invoiced, but needs to be accepted and appropriated.	
Description Of Purchase This is a request to increase the allowed contract amount from \$50,000 to the amount budgeted and appropriated (approximately \$63,000 with contingencies). This is also a request to accept and appropriate the funds from the College of Wooster (\$29,637.50).	
Justification / Benefits The College of Wooster has requested the installation of a traffic signal on Beall Ave. at the Lowry Center due to pedestrain safety concerns of the College administration. Fifty percent of the project will be funded by the College of Wooster.	
Will This Project Effect the City's Operating Costs This project would add a small amount of operating cost for beacon electric operation and maintenance.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and allow the crosswalk to remain as is.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances The contract has been bid, but contracts can not be signed until the College funds are accepted and available for this project.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons The lead time for the equipment is a little over a month, and can not be ordered until the contract is signed. It would be best to construct the signal over the summer break.	
Division Manager Joel Montgomery	Date May 3, 2012

Roc #56

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

Division Engineering	Meeting Date Requested May 7, 2012
Project Name Spink Street Sewer Separation Project - OPWC Participation	Approved for Agenda
Estimated Total Cost \$850,000. If approved, the Ohio Public Works Commission would fund \$500,000 of project costs with 0% loan funds.	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? This project is scheduled for 2013. The City portion of the project will budgeted in FY 2013.	
Description Of Purchase This is a request to authorize application for and acceptance of \$500,000 in grant money from the Ohio Public Works Commission for sewer separation on Spink Street from Bowman to University, and portions on Bowman Street and Belmont. This project would install over 3000 feet of storm sewer, 1500 feet of sanitary sewer, 41 catch basins & manholes, and separate storm sewer connections into the sanitary sewer.	
Justification / Benefits This funding will cover 59% of the project. This project is the next sewer system priority on the City's 10 year Infrastructure Plan.	
Will This Project Effect the City's Operating Costs This project should have little or no affect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could postpone the project, which will push other projects further into the future, will cost more as construction costs increase, and have no guarantee of future grant/loan funding. We could proceed with the project using other interest accruing financing methods.	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Explain The Circumstances OPWC is the only agency offering funding for this type of project at this time.	
Are You Requesting Suspension Of The Rules <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, Note Reasons The OPWC funding application has been approved, but this legislation is required as soon as possible in order to complete the application package.	
Division Manager Joel Montgomery	Date May 3, 2012

Per #57