

CITY COUNCIL AGENDA
September 19, 2016
7:30 p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS/PUBLIC HEARINGS

VI. OLD BUSINESS

1. Tabled - RESOLUTION NO. 2016-40

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH OHM ADVISORS FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE DOWNTOWN STREETScape (Ulbright)

VII. NEW BUSINESS

1. First Reading- RESOLUTION NO. 2016-50

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ANNUAL BRIDGE INSPECTIONS WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)

2. First Reading- ORDINANCE NO. 2016-23

A ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR RESURFACING AND PAVEMENT REPAIRS ON VARIOUS STREETS; AND APPROPRIATE FUNDS (Ulbright)

3. First Reading- RESOLUTION NO. 2016-51

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 WEST SIDE OF PERKINS DRIVE, SOUTH OF ITS INTERSECTION WITH ROBINSON ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY (Knapic)

4. First Reading- ORDINANCE NO. 2016-24

AN ORDINANCE AUTHORIZING THE FIRE CHIEF TO UTILIZE OHIO STATE BID PRICING AND ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW FIRE ENGINE; AND APPROPRIATE FUNDS (Cavin)

5. First Reading- ORDINANCE NO. 2016-25
AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERTIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY (Sanders)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

RESOLUTION NO. 2016-50

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ANNUAL BRIDGE INSPECTIONS WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

~~Ordinance~~/Resolution # : 2016-50

PID No. : 102554

County/Route/Section : _____

The following is a ~~an~~ Resolution enacted by the City of Wooster of Wayne
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

NOW THEREFORE, be it ordained by the City of Wooster ~~of~~ Wayne County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

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

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant’s Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION V Authority to Sign

I, Joel Montgomery of said City of Wooster is hereby empowered on behalf of the
(Contractual Agent) (LPA)
City of Wooster to enter into contracts with the Director of Transportation which is necessary to
(LPA)
complete the above described project.

Passed: _____, 2_____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

Attested: _____
(Title)

(President of Council)

The Resolution is hereby declared to be an emergency measure to expedite the highway project and
(~~Ordinance~~/Resolution)
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.

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Wooster ^{Wayne} County, Ohio
(LPA)

I, Christa Sturgeon, as Clerk of the City of Wooster
(LPA)
of Wayne County, Ohio, do hereby certify that the foregoing is a true and correct copy of
Resolution 2016-50 adopted by the legislative Authority of the said
~~(Ordinance/Resolution)~~
City of Wooster on the _____ day of _____, 2016
(LPA)

That the publication of such Resolution has been made and certified of record according to
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such Resolution have been taken;
(Ordinance/Resolution)

and that such Resolution and certificate of publication thereof are of record in Resolution,
Page 2016-50.
(Record No.) (Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____ 2016.

(Clerk)

(CITY SEAL)

City of Wooster of Wayne County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Wooster of Wayne County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

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

Division Engineering	Meeting Date Requested September 19, 2016
Project Name ODOT Bridge Inspection Program	Approved for Agenda
Estimated Total Cost \$0.00	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
Description Of Purchase This is a request to give consent to ODOT so they can continue performing yearly bridge inspections on the five bridges which the City is responsible. The five bridges are located on Palmer Street over the railroad, on North Street and Larwill Street over the Christmas Run Creek, the culverts under Saybolt and the bridge at the Christmas Run Park. They have completed their third year inspections and this legislation will extend their inspection for another 3 years.	
Justification / Benefits The Ohio Department of Transportation has committed to funding 100% of all future inspection costs.	
Will This Project Effect the City's Operating Costs This project will have no effect on the City's operating costs.	
What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing, and forfeit the ODOT funds and once again have the Egnineering Division perform the inspections. In the past the Engineering staff spent approximately 100 man hours performing the inspections, filling out paperwork and addending training classes.	
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 a request to simply consent and cooperate with ODOT.	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons Passage on first reading is required since ODOT has requested that signed legislation be returned as soon as possible.	
Division Manager Roger Kobilarcsik	Date September 8, 2016

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

Division Engineering	Meeting Date Requested September 19, 2016
Project Name 2017 Paving Project Contract A	Approved for Agenda
Estimated Total Cost \$500,000	
Is Full Amount Budgeted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If No, How Is The Purchase To Be Funded? Monies to be appropriated from the unencumbered funds in the General Fund per the September 6 th meeting of the Infrastructure Committee.	
Description Of Purchase This is a request to authorize advertisement and award of a contract to the lowest and best bidder for resurfacing and repairing the pavement on Old Airport Road, Buckeye Street (Liberty to Bowman), W. Henry (Walnut to Market), Kurtz Street, Winter Street, Ihrig Avenue and Sherman Road. This project will mill the existing asphalt, adjust manholes and valves boxes to grade and place new asphalt and pavement markings. Engineering will prepare the construction plans and advertise and award as soon as possible. Paving will more than likely happen in 2017.	
Justification / Benefits This allocation of funds will allow the City to resurface some additional asphalt collector streets improving their condition.	
Will This Project Effect the City's Operating Costs This project will reduce maintenance costs by replacing the deteriorated asphalt.	
What Alternatives Exist and What Are The Implications of The Alternatives Do nothing, and return at a latter date to affect these repairs.	
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 Approval will allow Engineering to complete construction plans and to advertise and award a contract.	
Division Manager Roger Kobilarcsik	Date September 9, 2016

RESOLUTION NO. 2016-51

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 WEST SIDE OF PERKINS DRIVE, SOUTH OF ITS INTERSECTION WITH ROBINSON ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Matthew Long, Esq., Agent for Petitioners Jackie and Cynthia Welch)

WHEREAS, Matthew Long, Esq., agent for Petitioners, has, pursuant to Revised Code Section 709.02, filed a petition with the Wayne County Commissioners seeking annexation of 0.547 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 and 3 minutes and 30 seconds from Station 1, first-in unit; 6 minutes from Station 3, second-in unit; and 7 minutes from Station 2, third-in unit. These services would be immediately available.
- B. Pursuant to this Council's adoption of Ordinance No. 2016-16 on June 13, 2016, Petitioners were granted permission to access the city's water and sanitary sewer lines on Perkins Drive.
- C. 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: _____, 2016

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2016

Mayor

Introduced by: Barbara A. Knapic

Resolution

No. 2016-413

Board of Wayne County Commissioners
Ann M. Obrecht Sue A. Smail Scott S. Wiggam

Adopted: August 31, 2016

Subject: **Resolution to Enter Upon the Wayne County Commissioners' Journal
a Regular Petition for Annexation of Real Estate in Wooster Township to the
City of Wooster (2016-A3)**

It was moved by Mrs. Smail 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 at 9:15AM on Wednesday, October 26, 2016, at the Wayne County Administration Bldg., 428 W. Liberty St., Wooster, Ohio in the Commissioners' Meeting Room.

Annexation 2016-A3:

Regular Petition for Annexation filed August 23, 2016

Wooster Twp. to the City of Wooster

Agent for the Petitioner(s): Matthew A. Long, 225 N. Market St., Wooster, OH

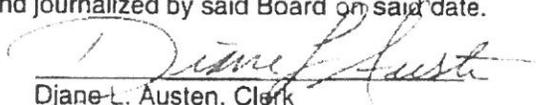
Petitioner(s): Jackie E. Welch and Cynthia G. Welch

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: Ann M. Obrecht yea Sue A. Smail yea Scott S. Wiggam yea

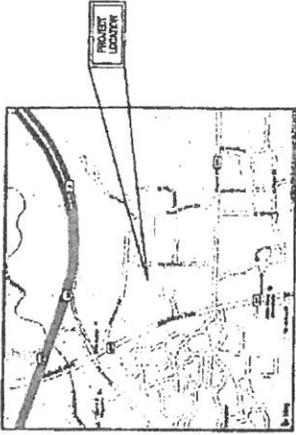
CERTIFICATE

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

ANNEXATION PLAT

FOR A 0.598 ACRES
TO THE CITY OF WOOSTER
S.W. QTR. OF SEC. 10
T-15N R-13W
WOOSTER TOWNSHIP
WAYNE COUNTY, OHIO



Certified by Wayne County Commissioners
this ___ day of ___ 20__

Resolution No. _____

Approved: SCOTT S. WOODMAN ANN M. OREGON

this ___ day of ___ 20__

Ordinance No. _____

Approved for Recordings: _____

this ___ day of ___ 20__

Transferred: _____

this ___ day of ___ 20__

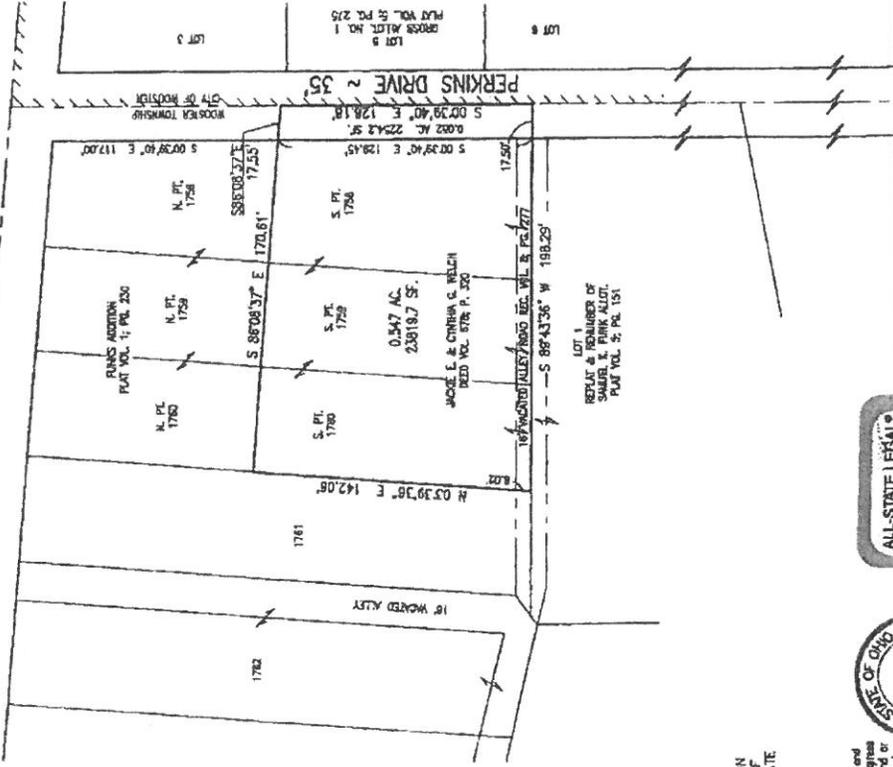
AUTHOR: _____
RECORDED: _____
TOTAL: _____



SHAPIFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
Consulting Engineers & Surveyors
3017 Commerce Parkway, Suite C
Wayne, Ohio 44893
TEL: (330) 246-0377 FAX: (330) 246-0378
www.shapiffers.com

PLAT NO. SW-5877 JOB NO. SW-5877 SHEET 1 OF 1

ROBINSON ROAD ~ 45'



Page 2 (Description of 0.599 ac.)

This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in August of 2016.

Basis of bearing: THE BEARINGS AS SHOWN HEREON ARE RELATIVE TO GRID NORTH OF THE OHIO STATE PLANE COORDINATE SYSTEM, NAD 83 DATUM. See Wayne County Survey Records Volume ____; Page ____ for survey.

4841-0057-6822, v. 1

3477 Commerce Parkway, Suite C □ Wooster, Ohio 44691
Ph. (330) 345-6377 □ Fax (330) 345-6725 □ Email: sjl@sjl-inc.com

**SHAFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS**



Boundary description of a 0.599 acre parcel Job No. SW 5677

Situated in the Township of Wooster, County of Wayne, State of Ohio;

Known as being a part of the Southwest Quarter of Section 10, T-15N; R-13W and further bounded and described as follows:

Commencing at the northeast corner of the N. Pt. of Lot 1758 as recorded in the Funks Addition in Volume 1; Page 230 of Wayne County Plat Records, also being on the westerly right of way line of Perkins Drive;

Thence S 00° 39' 40" E, 117.00 feet along the easterly line of said N. Pt. Lot of 1758 and the westerly right of way line of Perkins Drive to a point and the principal place of beginning of the parcel herein described:

THENCE WITH THE FOLLOWING FIVE (5) COURSES:

- 1) S 86° 08' 37" E, 17.55 feet to a point on the Wooster City corporation line and the centerline of Perkins Drive right of way;
- 2) S 00° 39' 40" E, 128.18 feet along the Wooster City corporation line and the centerline of Perkins Drive right of way to a point;
- 3) S 89° 43' 36" W, 198.29 feet, passing through the northeast corner of Lot 1 in the Replat & Renumber of Samuel K. Funk Allotment as recorded in Volume 5; Page 151 of Wayne County Plat Records at 17.50 feet, continuing along said Lot 1 to a point;
- 4) N 03° 39' 36" E, 142.06 feet, passing through the southeast corner of Lot 1761 in the aforesaid Funks Addition 8.02 feet, continuing along the easterly line of said Lot 1761 to a point at the southwest corner of the N. Pt. of Lot 1760 in said Funks Addition;
- 5) S 86° 08' 37" E, 170.61 feet along the southerly line of the N. Pt. of Lot 1760, the southerly line of the N. Pt. of Lot 1759, and the southerly line of the N. Pt. of Lot 1758 to the principal place of beginning and containing within said bounds 0.599 acre of land, more or less, and subject to all legal highways and easements of record.

Continued on Page 2

3477 Commerce Parkway, Suite C □ Wooster, Ohio 44691
Ph. (330) 345-6377 □ Fax (330) 345-6725 □ Email: sjl@sjl-inc.com





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: 56-00135.000, 56-00137.000, and 56-00139.000.

The three parcels described herein for annexation consist of 0.547 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.

Jackie E. Welch
Jackie E. Welch

Date: August 17, 2016

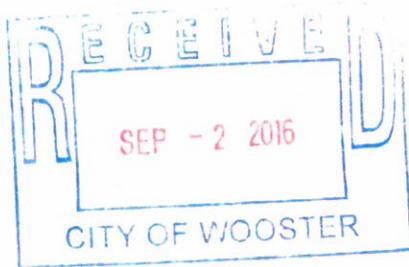
Cynthia G. Welch
Cynthia G. Welch

Date: August 17, 2016

NOTICE OF FILING OF ANNEXATION PETITION

TO: Clerk, Wooster City Council
FROM: Matthew A. Long, Agent for Petitioners
RE: Annexation of 0.599 Acres
DATE: September 2, 2016

Please take notice that an Annexation Petition, a copy of which is attached hereto as *Exhibit A*, was filed with the Wayne County Commissioners on August 23, 2016 at 10:11 a.m. The Wayne County Commissioners have set the hearing to consider this Petition for **October 26, 2016 at 9:15 a.m.** The hearing shall be held at the Wayne County Administration Building, 428 W. Liberty Street, Wooster, Ohio, in the Commissioners' Meeting Room.



RECEIPT

The undersigned hereby acknowledges receipt of this Notice of Filing.

Clerk, Wooster City Council

Date: _____, 2016

ORDINANCE NO. 2016-24

AN ORDINANCE AUTHORIZING THE FIRE CHIEF TO UTILIZE OHIO STATE BID PRICING AND ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW FIRE ENGINE; AND APPROPRIATE FUNDS

WHEREAS, it is necessary to purchase a new fire engine, a fully equipped Class A fire engine, to replace the City's 1990 Pierce fire engine, utilizing state bid pricing and the cost is estimated not to exceed \$620,000.

WHEREAS, it is necessary to appropriate \$620,000 from the General Funds into the Capital Improvement Funds for this project.

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

SECTION 1. That the Fire Chief is authorized to utilize Ohio State bid pricing and enter into a contract for the purchase of a new fire engine in accordance with Ohio State bid pricing provisions.

SECTION 2. The amount of \$620,000 is appropriated from the unappropriated balance in the General Fund and transferred to the Capital Improvements Fund. Such funds are appropriated in the Capital Improvement Fund for the purposes stated above.

SECTION 3. The cost of such contract/project will not exceed the amount appropriated.

SECTION 4. 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 5. This ordinance 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: _____, 2016

Mayor

Introduced by: Mark Cavin

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

Division Fire Division Project Name Fire Engine Replacement Requested Meeting Date 9-19-2016

- Approved for Agenda
 Full Amount is Budgeted

If not, how is purchase to be funded?

Authorization for the Fire Division to purchase a new fire engine for \$620,000, utilizing state bid pricing. As discussed during the 9-5-2016 Infrastructure Committee Meeting.

Description of Purchase

The Fire Division is requesting to purchase a fully equipped Class A fire engine to replace our 1990 Pierce fire engine, to serve the City. The request was discussed in detail at the 9-5-2016 Infrastructure Committee Meeting.

Justifications / Benefits

The purchase will allow us to replace our 1990 fire engine that is past its service life and has been removed from the past two years budget cycles.

The current engine does not meet current NFPA 1901 standards and Emergency Apparatus Technician best practices.

It has mechanical and pump issues and has become unreliable as a reserve engine.

A new engine will ensure three front line engines that are in good operations and can respond in a moment's notice, without delay.

The new engine will also allow us to place engine 137 to a reserve status and extend its useful life.

This purchase will also minimize the compression that has occurred because of the "recession", allow our apparatus replacement schedule to get back on track and eliminate the need to have multiple large (expensive) apparatus purchases back to back.

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

All funds will need to come from the unencumbered general fund, per the discussion at the Infrastructure Committee Meeting (9-5-2016). This project was eliminated in the 2015 & 2016 budget.

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

The alternative is to not replace the fire engine now. This will require us to keep an unreliable piece of emergency equipment in-service and possibly delay our response to emergency incidents. In addition to the operational benefits, the build time of a fire engine is approx. 11 months. If not approved, a new engine would be delayed another 6 months (if approved in 2017 budget) or longer. During this time, our other fire equipment will be getting utilized more frequently and will reduce its useful life.

Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances

We will be able to utilize the Ohio State Bid Contract.

Requesting suspension of the rules?

If Yes, explain reasons.

A fire engine takes a significant amount of time to spec. out and build. Suspending the rules will allow us to proceed with working with the vendors and place an order this year. Placing an order ASAP will allow us to get on the schedule during the manufacturer's "downtime" and should expedite the delivery date of the equipment.

Division Manager

B. Saley

Date

9-12-2016

ORDINANCE NO. 2016-25

AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERTIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY.

WHEREAS, this City Council, with the adoption of Ord. No. 1991-58, granted to providers of electric power within the City of Wooster a non-exclusive franchise for the distribution of electric power and energy to the inhabitants of the city in accordance with each distributor's respective service areas, with such franchise to have a term of ten (10) years; and

WHEREAS, the term of each franchise will expire at the end of 2016, and each of the said distributors has requested that this Council approve the renewal of the existing franchises.

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

SECTION 1. That the Ohio Power Company, its successors, and assigns; the Holmes-Wayne Electric Cooperative, Inc., its successors and assigns; and the Ohio Edison Company, its successors and assigns, and any other existing utility or future electric utility ("Grantees"), are granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as now exist or may be laid out in the future) of the City of Wooster, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in the City and to the inhabitants by supplying electric energy to the City and its inhabitants, and persons or corporations beyond the City limits for power, or any other purposes or purpose for which electric energy is now or may in the future be used, and the transmission and distribution of the same within, through, or across the City of Wooster, State of Ohio.

SECTION 2. the lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

SECTION 3. The rights, privileges, and franchise granted shall be in force and effect for an initial term of ten (10) years from the date of the passage of this Ordinance. Thereafter, this franchise shall continue for successive one-year terms, unless either the City or any of the Grantees provides written notice of its intention not to renew at least one year prior to the term expiration.

ORDINANCE NO. 2016-25 (ALTERNATE VERSION)

AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS; AND THE HOLMES-WAYNE ELECTRIC COOPERTIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY.

WHEREAS, this City Council, with the adoption of Ord. No. 1991-58, granted to providers of electric power within the City of Wooster a non-exclusive franchise for the distribution of electric power and energy to the inhabitants of the city in accordance with each distributor's respective service areas, with such franchise to have a term of twenty-five (25) years; and

WHEREAS, the term of each franchise will expire at the end of 2016, and each of the said distributors has requested that this Council approve the renewal of the existing franchises.

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

SECTION 1. That the Ohio Power Company, its successors, and assigns; the Holmes-Wayne Electric Cooperative, Inc., its successors and assigns; and the Ohio Edison Company, its successors and assigns, and any other existing utility or future electric utility ("Grantees"), are granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as now exist or may be laid out in the future) of the City of Wooster, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in the City and to the inhabitants by supplying electric energy to the City and its inhabitants, and persons or corporations beyond the City limits for power, or any other purposes or purpose for which electric energy is now or may in the future be used, and the transmission and distribution of the same within, through, or across the City of Wooster, State of Ohio; **provided, however, that each Grantee shall provide electric service only within: (1) the area or areas of the City of Wooster in which such Grantee is presently providing electric service, or which are included in said Grantee's Certified Territory, pursuant to Sections 4933.81 through 4933.90 of the Ohio Revised Code, and as shown on the Electric Service Area Maps issued by the Public Utilities Commission of Ohio (PUCO) and certified to be correct by the respective Grantee on _____ (by the Ohio Power Company); on _____ (by the Ohio Edison Company), which maps are on file with the Clerk of Council, or maps verified by the PUCO pursuant to the Ohio Revised Code; or (2) any other area or areas annexed by the City of Wooster, any portion of which is serviced by the Grantee at the time of such annexation, or which is included within the Grantee's Certified Territory.**

SECTION 2. the lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

Requested is Council's authorization to renew and amend the electric service franchise agreement established by City ordinance 25 years ago. This ordinance will expire at the end of 2016, and both AEP and Holmes-Wayne Electric have requested that it be renewed.

The franchise agreement requires electric service providers to provide service to all inhabitants of the City, allows them to construct the needed infrastructure for the distribution of those services within the City R/W, and establishes basic rules for doing so.

The proposed agreement would be for 10 years, with an automatic 1 year renewals if parties agree. The proposed agreement would also take precedent over ORC established Electric Service Area Maps which establish service provider territory and restrict the providers to service within those areas only.

The proposed ordinance allows electric service providers to provide electric service anywhere within the City Corporation limits, now or in the future, without the restriction of the ORC service area territories. You have also been provided a copy of the language would be required to adopt those service area restrictions within the City Corporation limits.

There are currently three electric service providers with the potential to provide service within the Wooster City area: Ohio Power Company (AEP), Wayne-Holmes Electric, and Ohio Edison.

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

The current agreement is set to expire at the end of 2016.

Manager Requesting

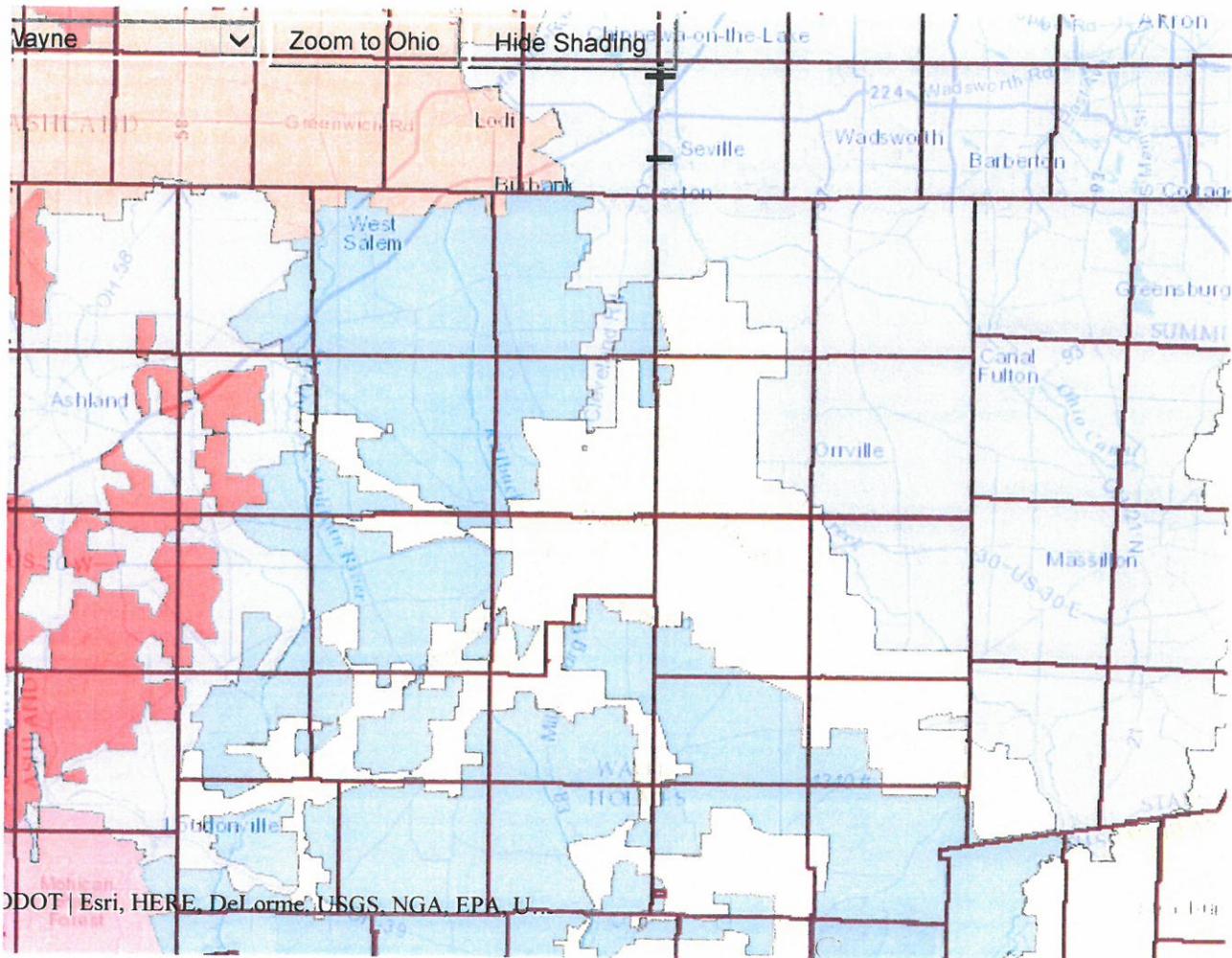
Date

Approved for Agenda

Electric Service Areas of Ohio

The following map depicts electric service areas in Ohio. Electric service areas are regions within which an electric distribution company is authorized and required to provide service. Electric service areas are certified by the Public Utilities Commission of Ohio. Click on an individual service area for more information about it.

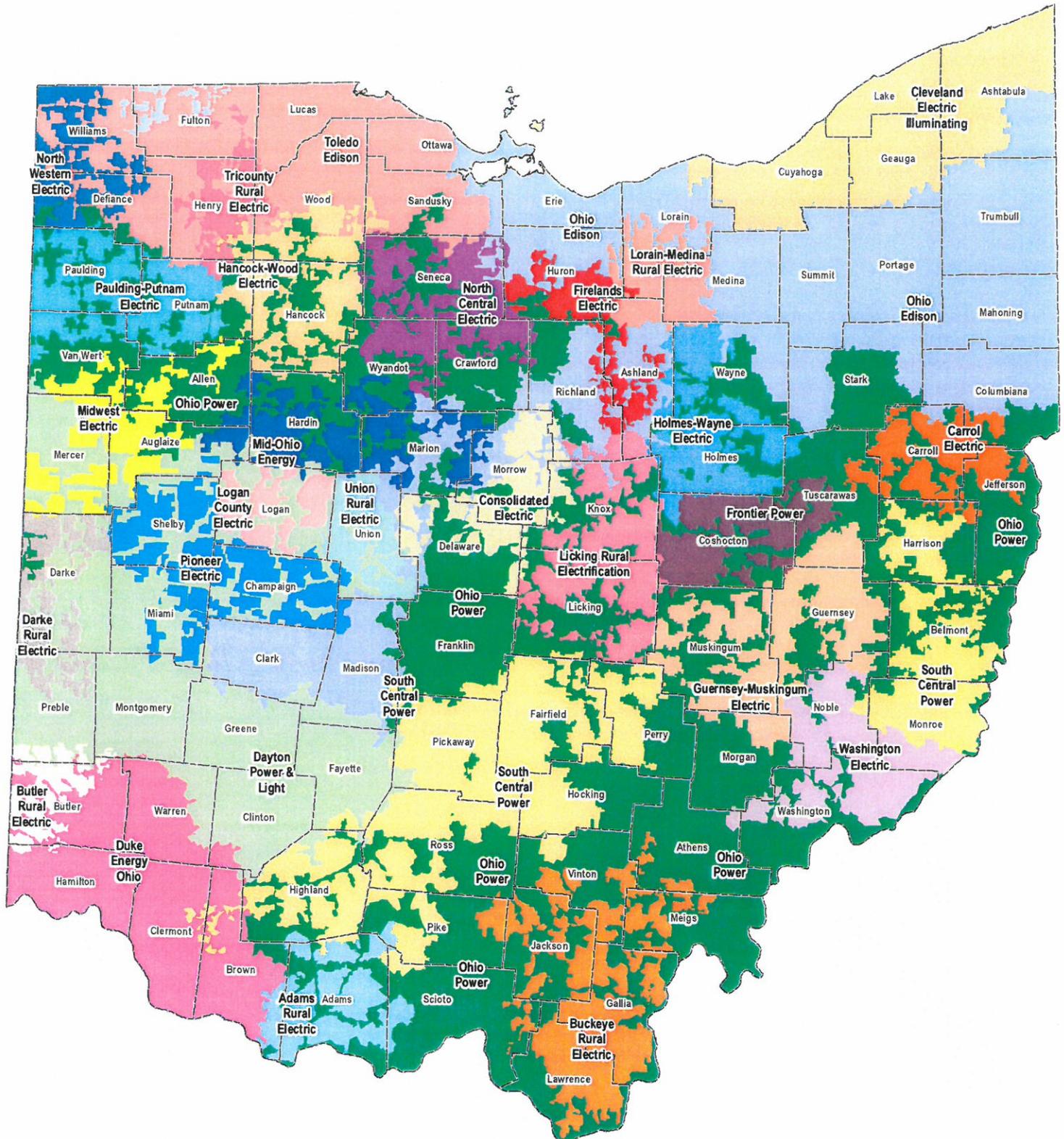
Enter street address with city/state or zip code:



Map Legend:

- Firelands Electric
- Holmes-Wayne Electric
- Licking Rural Electrification
- Lorain-Medina Rural Electric
- Ohio Edison
- Ohio Power

Electric Service Areas of Ohio



- | | | | | |
|---------------------------------|-----------------------------|-------------------------------|----------------------------|--------------------------|
| Adams Rural Electric | Darke Rural Electric | Hancock-Wood Electric | Midwest Electric | Paulding-Putnam Electric |
| Buckeye Rural Electric | Dayton Power & Light | Holmes-Wayne Electric | Midwest Energy Cooperative | Pioneer Electric |
| Butler Rural Electric | Duke Energy Ohio | Licking Rural Electrification | North Central Electric | South Central Power |
| Carroll Electric | Firelands Electric | Logan County Electric | North Western Electric | Toledo Edison |
| Cleveland Electric Illuminating | Frontier Power | Lorain-Medina Rural Electric | Ohio Edison | Tricounty Rural Electric |
| Consolidated Electric | Guernsey-Muskingum Electric | Mid-Ohio Energy | Ohio Power | Union Rural Electric |
| | | | | Washington Electric |