

# **CITY COUNCIL AGENDA**

**March 4, 2019**

**7:30p.m.**

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

## **I. ROLL CALL & ORDERING OF AGENDA**

## **II. APPROVAL OF MINUTES**

## **III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

## **IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

Reading of Petition to Vacate Alley Request

## **V. COMMITTEE REPORTS; PUBLIC HEARINGS**

## **VI. UNFINISHED BUSINESS**

## **VII. NEW BUSINESS**

1. First Reading – ORDINANCE NO. 2019-06  
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE WOOSTER ROTARY FOUNDATION, INC., FOR REAL ESTATE OWNED BY THE CITY AND NOT PRESENTLY NEEDED FOR ANY MUNICIPAL PURPOSE (Sanders)
2. First Reading – RESOLUTION NO. 2019-19  
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT (Silvestri)
3. First Reading – RESOLUTION NO. 2019-20  
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE A DUMP TRUCK IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2019 (Warden)
4. First Reading – RESOLUTION NO. 2019-21  
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER(S) FOR FURNISHING BITUMINOUS MATERIAL (Bostancic)
5. First Reading – RESOLUTION NO. 2019-22  
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH THE WAYNE COUNTY HUMANE SOCIETY FOR CAT CONTROL SERVICES WITHIN THE CITY OF WOOSTER (Myers)

## **VIII. MISCELLANEOUS**

## **IX. ADJOURNMENT**

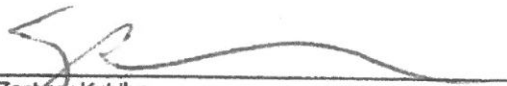
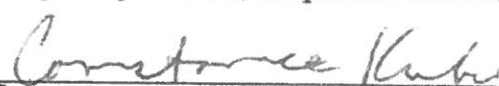
**PLEASE READ THE INFORMATION PRINTED ON THE BACK OF THIS PETITION**

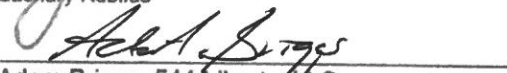
the SE corner of lot 665 and NE corner of lot 652 between lot numbers 667,  
(street name/alley description) (number)

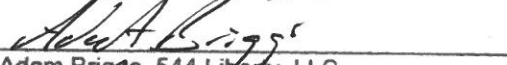
respectfully petition your honorable body that said alley be vacated for the reason that it no longer serves a public purpose, and its vacation is in the public interest. The undersigned do hereby consent to the vacation of said alley as filed within said Council.

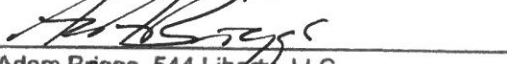
**Owner's signature(s)**

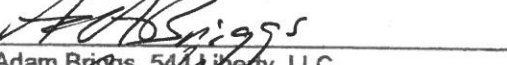
Each owner must sign. If jointly owned, all parties must sign.

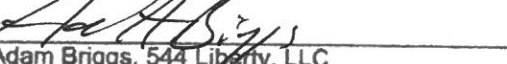
 and   
Zachary Kubilus Constance Kubilus

 and \_\_\_\_\_  
Adam Briggs, 544 Liberty, LLC

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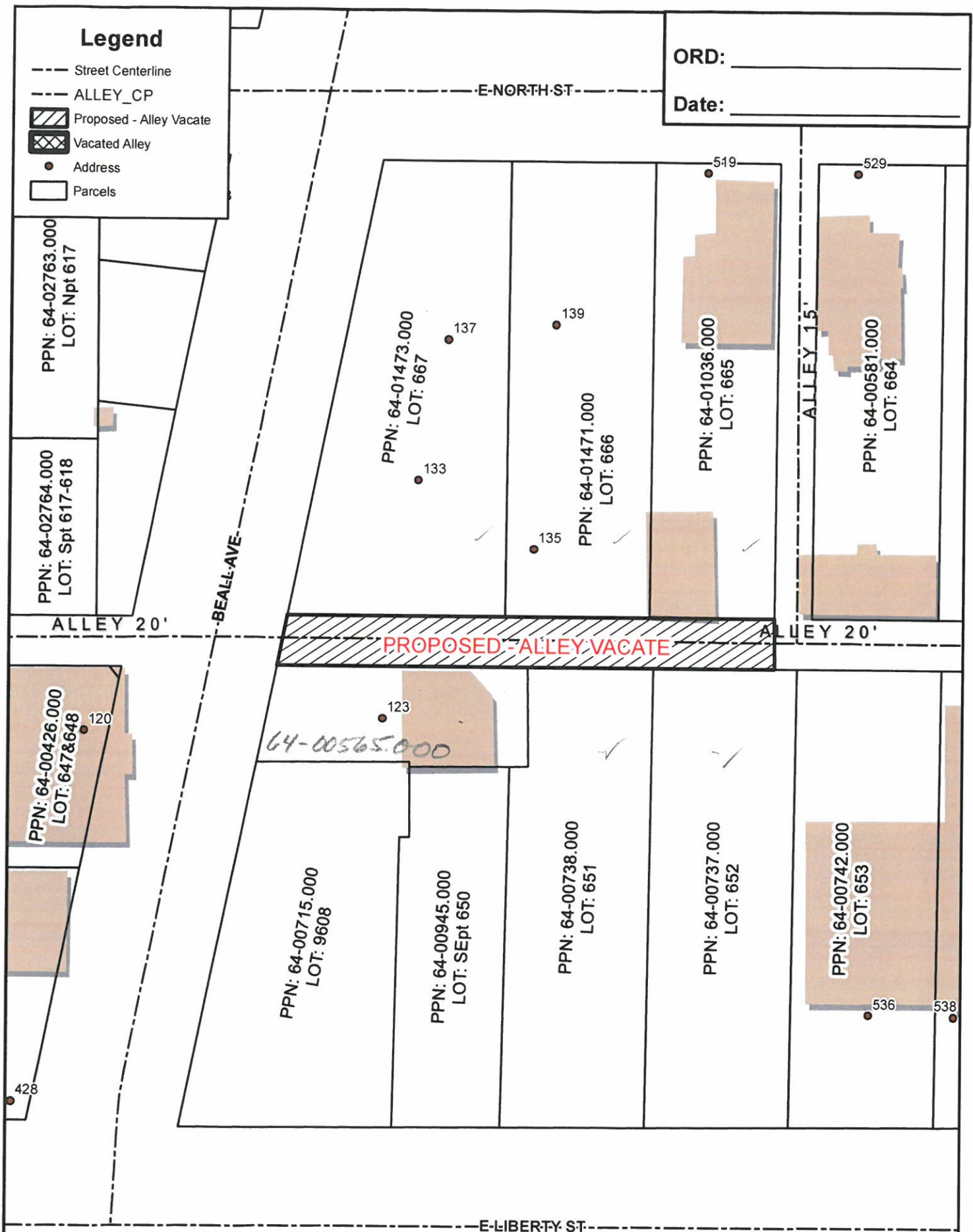
\_\_\_\_\_ and \_\_\_\_\_

# Legend

- Street Centerline
- ALLEY\_CP
-  Proposed - Alley Vacate
-  Vacated Alley
- Address
-  Parcels

ORD: \_\_\_\_\_

Date: \_\_\_\_\_



## ALLEY VACATE PLAN



SCALE: 1"= 50'

Document Path: M:\Engineering\ALLEY-VACATING\2018\RM\_133 Beall Ave Alley Vacation.pdf Date: 6/9/2018



CITY OF WOOSTER  
DIVISION OF ENGINEERING



AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE WOOSTER ROTARY FOUNDATION, INC., FOR REAL ESTATE OWNED BY THE CITY AND NOT PRESENTLY NEEDED FOR ANY MUNICIPAL PURPOSE.

WHEREAS, the City of Wooster owns real property located at 1171 Mechanicsburg Road, Wooster, Ohio 44691, part of which is not presently needed for any municipal purpose and could, otherwise be devoted for use as an assembly, repair, warehouse, and distribution center for the purpose of storing and distributing American flags that are placed throughout the City of Wooster during designated dates. The Wooster Rotary Foundation will be responsible for making improvements to said warehouse space, these improvements will remain with the building and the City is not required to expend any funds as a result of the creation of this lease. The amount of space to be leased is approximately 1615 square feet.

SECTION 1. In order to promote the patriotic spirit of the municipality, the Mayor, acting on behalf of the City of Wooster, is hereby authorized to enter into a lease agreement with the Wooster Rotary Foundation, Inc., for approximately 1615 square feet of real estate owned by the City of Wooster and not presently needed for any municipal purpose, the lease to be in such form as is approved by the Director of Law.

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

Introduced by: Craig Sanders

## Request for Agenda Item

Authorization for Bid

☐

Purchase Capital Item

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Non-Capital

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Division	Meeting Date Requested
Project Name	Estimated Total Funds/Costs
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request	
Justification / Benefits	
Will this Project affect the City's Operating Costs	
What Alternatives Exist and what are the Implications of the Alternatives	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting:	Date:

Approved for Agenda ☐ Yes ☐ No



RESOLUTION NO. 2019-19

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER:

SECTION 1. In accordance with the estimated needs of the City of Wooster for the proper treatment of water in 2019, the Director of Administration is authorized to advertise according to law and enter into a contract(s) with the lowest and best bidder for the purchase of pebble lime for the Water Treatment Plant.

SECTION 2. The cost of said materials shall not exceed the amount appropriated.

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 the 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: \_\_\_\_\_, 2019  
Mayor

Introduced by: David Silvestri

#2

## Request for Agenda Item

Authorization for Bid

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Purchase Capital Item

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Non-Capital

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Division Utilities / Water Production	Meeting Date Requested 3/4/2019
Project Name	Estimated Total Funds/Costs \$223,500.00
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
<b>Description of Request</b> To authorize the Director of Administration to enter into a contract with lowest and best bidder for purchase and delivery of pebble lime. Chemicals are necessary to maintain water quality and ensure the safety of drinking water. Lime is used in the softening process to remove hardness and improve water aesthetics. The cost shall not exceed the budgeted amount of \$223,500.	
<b>Justification / Benefits</b> Chemicals needed for the water treatment process.	
<b>Will this Project affect the City's Operating Costs</b> No	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> No alternatives	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Nathan W. Coey	Date: 2-26-19

Approved for Agenda ☐ Yes ☐ No



RESOLUTION NO. 2019-20

A RESOLUTION AUTHORIZING THE DIRECTOR OF  
ADMINISTRATION TO PURCHASE A DUMP TRUCK IN  
ACCORDANCE WITH THE CAPITAL PLAN FOR 2019

WHEREAS, this City Council adopted an annual budget and capital plan for 2019,  
and such capital plan includes the purchase of a new dump truck.

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

SECTION 1. That in accordance with the capital plan, the Director of Administration  
is authorized to purchase a new dump truck for general maintenance uses (roads, leaf  
collection, snow, and ice removal), with payment to originate from the Capital Improvements  
Fund, Project 3100109, Fund 507.

With respect to such purchase, the Director of Administration will advertise according  
to law and enter into a purchase contract with the lowest and best bidder, except that if the  
item is available through a state-sponsored cooperative purchasing program, or can be  
accomplished through a vendor upon equivalent terms, conditions and specifications, but at a  
price which is equal to or lower than that which is available from the state-sponsored  
program, s/he may make such purchase therefrom if s/he determines that the price and  
availability is more advantageous to the City.

SECTION 2. The cost of such purchase will not exceed the amount budgeted.

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 the 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: \_\_\_\_\_, 2019 \_\_\_\_\_  
Mayor

Introduced by: Jennifer Warden

#3

## Request for Agenda Item

Authorization for Bid

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Purchase Capital Item

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Non-Capital

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<b>Division</b> PPM	<b>Meeting Date Requested</b> 3/4/19
<b>Project Name</b> Capital – Dump Truck Purchase	<b>Estimated Total Funds/Costs</b> \$170,000
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b>  	
<b>Description of Request</b> Purchase of a new dump truck to be used for road maintenance, leaf collection, as well as snow and ice removal throughout the City. The new truck will be equipped with a dump bed, snowplow and salt spreader.  Capital Improvement Fund – 2019 Budget Project: 3100109 Fund: 507 Approximate Cost: \$170,000	
<b>Justification / Benefits</b> With a purchase of a new dump truck, a 1996 International dump truck will be taken off line and sold. The 1996 International dump truck will be sold using GovDeals.com once the new truck is delivered. The auction site that the truck will be sold on is how many City vehicles and equipment have been sold in the past and historically brings the most value back to the City. Currently, the 1996 International dump truck has many deficiencies that would need to be addressed in order to keep it in good operational standards. A few of the major deficiencies include rusted through cab supports, rusted frame rails causing the dump bed to not rest evenly, a worn hydraulic pump in need of replacement and a new dump bed installed to eliminate materials and debris from falling off the truck. The new truck purchase would slightly decrease the age of the truck fleet from an average age of 2006 to an average age of 2007. Keeping the average age of our dump truck fleet between 12-14 years old decreases the amount of maintenance dollars and downtime we spend each year. By replacing some of our older year dump trucks in our fleet at a consistent rate allows the City to budget at a more regular basis.	
<b>Will this Project affect the City's Operating Costs</b> N/A	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> Continue to operate with an aging fleet that will require additional maintenance and potentially more frequent down times.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: We will use the State Bid Contract and/or Sourcewell (formerly NJPA), a nationally cooperative purchasing agency, to receive the best pricing available.	

RESOLUTION NO. 2019-21

A RESOLUTION AUTHORIZING THE DIRECTOR OF  
ADMINISTRATION TO ADVERTISE ACCORDING TO  
LAW AND ENTER INTO A CONTRACT(S) WITH THE  
LOWEST AND BEST BIDDER(S) FOR FURNISHING  
BITUMINOUS MATERIAL

WHEREAS, the Public Properties Maintenance Division, in planning for construction, maintenance and repair needs for municipal infrastructure in the year ahead, has determined that it will need to purchase certain materials, and the cost thereof is included in the budget for 2019.

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

SECTION 1. That in accordance with the estimated needs of the Public Properties Maintenance Division, the Director of Administration is hereby authorized to advertise according to law and enter into a contract(s) with the lowest and best bidder(s) for the purchase of bituminous material, the specifications for which are now on file in the office of the said Director; provided that if the item is available through either the Ohio Department of Administrative Services Cooperative Purchasing Program or the Ohio Department of Transportation Purchasing Program, s/he may make such purchase therefrom without competitive bidding if s/he determines that the price and availability is more advantageous to the City.

SECTION 2. The cost of such contract/project will not exceed the amount budgeted for this purpose.

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 the 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: \_\_\_\_\_, 2019  
Mayor

Introduced by: Bill Bostancic

# 4

## Request for Agenda Item

Authorization for Bid

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Purchase Capital Item

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Non-Capital

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Division <b>PPM</b>	Meeting Date Requested <b>3/4/2019</b>
Project Name <b>Bituminus Asphalt Products Bid</b>	Estimated Total Funds/Costs <b>\$300,000.00</b>
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
<b>Description of Request</b> Approval to go to bid for pricing on the purchase of bituminous asphalt products unless pricing is available through either the Ohio Department of Administrative Services Cooperative Purchasing Program or the Ohio Department of Transportation Purchasing Program.	
<b>Justification / Benefits</b> Materials are needed to make necessary infrastructure improvements and repairs to various roadways and other City owned properties in 2019.  The PPM Division purchased nearly \$250,000.00 (4200 ton) in Bituminus Asphalt products in 2018 and anticipates spending approximately \$300,000.00 (4500 ton) in 2109.	
<b>Will this Project affect the City's Operating Costs</b> Fully budgeted from 100.31.602 (Street Construction and Repair) & 100.32.301 (Public Properties and Parks)	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> By not purchasing these materials (bituminous asphalt products), the condition of the City's infrastructure will worsen causing the City to spend additional monies to make the repairs moving forward.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: <b>Curt Denning</b>	Date: <b>2/27/2019</b>

Approved for Agenda ☐ Yes ☐ No

RESOLUTION NO. 2019-22

A RESOLUTION AUTHORIZING THE DIRECTOR OF  
ADMINISTRATION TO ENTER INTO AN AGREEMENT  
WITH THE WAYNE COUNTY HUMANE SOCIETY FOR  
CAT CONTROL SERVICES WITHIN THE CITY OF  
WOOSTER

WHEREAS, the City has need for technical assistance in providing cat control services within the City of Wooster (i.e. sheltering; adopting; euthanizing); and

WHEREAS, the Wayne County Humane Society, through a contract with the City, operates facilities capable of providing the necessary services; and

WHEREAS, this Council deems that prompt action is necessary in order to promptly facilitate such services, and the cost thereof is budgeted for 2019.

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

SECTION 1. That the Director of Administration is hereby authorized to enter into an agreement with the Wayne County Humane Society for cat control services within the City for the period from January 1, 2019, through December 31, 2019.

SECTION 2. That the cost of said agreement shall not exceed the amount appropriated for this purpose in the General Fund (\$42,500.00).

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 the law.

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

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

Passed \_\_\_\_\_, 2019                      Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2019                      \_\_\_\_\_  
   Mayor

Introduced by: Scott Myers



## Request for Agenda Item

Authorization for Bid

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Purchase Capital Item

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Non-Capital

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<b>Division</b> Admin	<b>Meeting Date Requested</b> 3-4-19
<b>Project Name</b> Humane Society Contract	<b>Estimated Total Funds/Costs</b> \$42,500.00
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b>  	
<b>Description of Request</b> The Wayne County Humane Society provides services to the residents of the City of Wooster in dealing with stray and unwanted cats through their animal shelter. The Humane Society provides shelter, adoption services, spay-and-release programs, etc. The previous contract amount with the Society was \$35,000. The Humane Society has provided information demonstrating that the cost of their services in regard the City of Wooster has increased. Additionally, the Humane Society is requesting a means to be reimbursed up to \$2500 a year in cases where a large (more than 10) cats are surrendered to the shelter from a single seizure (such as a hoarding situation). Such large surrenders (which occur occasionally) are a significant financial burden to the Humane Society.	
<b>Justification / Benefits</b> The issue of feral and stray cats is a constant problem that needs to be dealt with lest it grow out of control. The Humane Society is duly-authorized under state law and provides much needed services that the City would be hard-pressed to obtain from any other vendor or agency.	
<b>Will this Project affect the City's Operating Costs</b> No	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> As Humane Societies are given special authority under state law, the City would likely be required to contract these services to a Humane Society in another county at significant cost.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: See above	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> John Scavelli <span style="float: right;"><b>Date:</b> 2-28-19</span>	

Approved for Agenda ☒ Yes ☐ No