

**CITY COUNCIL AGENDA**  
**July 1, 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**  
Liquor Control – Marc Glassman Inc.  
DBA Marcs Wooster  
1799 Portage Road  
Wooster, Ohio 44691
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**  
Public Hearing – Annexation (Old Mansfield Road)  
Public Hearing – Zoning (Old Mansfield Road)
- VI. UNFINISHED BUSINESS**
  1. Third Reading – ORDINANCE NO. 2019-10  
AN ORDINANCE ESTABLISHING THE SALARY OF CITY COUNCIL MEMBERS AND PRESIDENT FOR THE TERMS BEGINNING ON OR AFTER JANUARY 1, 2020 (Sanders)
  2. Third Reading – ORDINANCE NO. 2019-11  
AN ORDINANCE ESTABLISHING THE SALARY OF THE OFFICE OF MAYOR FOR THE TERM BEGINNING ON OR AFTER JANUARY 1, 2020 (Sanders)
  3. Second Reading – ORDINANCE NO. 2019-14  
AN ORDINANCE ACCEPTING THE ANNEXATION OF TERRITORY LOCATED ON THE NORTH SIDE OF OLD MANSFIELD ROAD (TR 46), EAST OF ITS INTERSECTION WITH MCAFEE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS. (William Anfang III, Esq., Agent for Petitioner GramCord, LLC) (Sanders)
  4. Second Reading – ORDINANCE NO. 2019-15  
AN ORDINANCE TO ZONE ANNEXED LAND AS I-2 (GENERAL INDUSTRIAL), FOR TERRITORY LOCATED ON THE NORTH SIDE OF OLD MANSFIELD ROAD (TR 46), EAST OF ITS INTERSECTION WITH MCAFEE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS PURSUANT TO SECTION 1107.04 OF THE WOOSTER CODIFIED ORDINANCES (Sanders)
- VII. NEW BUSINESS**
  1. First Reading – ORDINANCE NO. 2019-16  
AN ORDINANCE AMENDING CHAPTER 1301, RESIDENTIAL BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND DECLARING AN EMERGENCY (Sanders)
  2. First Reading – RESOLUTION NO. 2019-37  
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH

Revised 7/1/19 11:10 a.m.

THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A SLUDGE TANK, AND DECLARING AN EMERGENCY (Silvestri)

3. First Reading – RESOLUTION NO. 2019-38  
A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED PRIOR TO THE FISCAL OFFICER'S CERTIFICATION OF AVAILABILITY OF FUNDS, AND DECLARING AN EMERGENCY (Ansel)

**VIII. MISCELLANEOUS**

**IX. ADJOURNMENT**



ORDINANCE NO. 2019-11

AN ORDINANCE ESTABLISHING THE SALARY OF THE OFFICE OF MAYOR FOR THE TERM BEGINNING ON OR AFTER JANUARY 1, 2020

WHEREAS, Section 2.03 of the Charter of the City of Wooster requires salaries of elected officials to be set by Ordinance of City Council at least five days prior to the last day for filing for candidacy; and in connection therewith, that a Compensation Commission will be convened every four years to review the compensation of elected officials and make recommendations as to the amounts to be paid thereto; and

WHEREAS, in accordance with Section 2.03 of the Charter a Compensation Commission was impaneled by approval of Wooster City Council on May 6, 2019; and the commission convened soon thereafter to organize and conduct deliberations, as provided in the Charter; and

WHEREAS, such salaries were last established in 2016; and the Compensation Commission has completed its study and submitted its report to this Council (a copy of which is attached hereto and incorporated herein), and hereby recommends that the salary paid to the Mayor of Wooster be increased in order to bring that office in line with the peer cities identified by the commission.

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

SECTION 1. That the salary of the Mayor of the City of Wooster shall be increased as follows:

Beginning on January 1, 2020, the salary of the Mayor of the City of Wooster shall be increased by five thousand dollars (\$5,000.00). Beginning on January 1, 2022, the salary of the Mayor of the City of Wooster shall be increased by an additional five thousand dollars (\$5,000.00). Additionally, on January 1<sup>st</sup> of each calendar year, the salary of the Mayor of the City of Wooster shall be increased by an additional two and a half percent (2.5%) or the average of the increase received the previous year by all three unions, whichever is lower. The percentage increase shall begin on January 1, 2020.

SECTION 2. That the salary of the Mayor of the City of Wooster shall be payable bi-weekly.

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 the law.

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

1st reading 6-3-19 2nd reading 6-17-19 3rd reading \_\_\_\_\_

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

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

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

Introduced by: Craig Sanders



## MEMO

TO: City of Wooster City Council

FROM: 2019 Compensation Commission

RE: Compensation Commission Recommendations

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The 2019 Compensation Commission began its work on May 9, 2019. The 9-member Commission was charged with making recommendations for the compensation of the Mayor, the President of City Council, and the members of City Council for a 4-year period beginning for some elected officials in 2020 and for others in 2022.

Commission members reviewed data provided by city administration and worked to develop a recommendation for compensation for the Mayor's position. The following data formed the basis for the recommendation:

- compensation data for mayors from similar cities in Ohio,
- compensation data for mayors of selected United States (U.S.) cities,
- de-identified historic salary and compensation data for selected Wooster officials and staff from 2008 to 2018,
- cost of living in representative cities in Ohio and the U.S.,
- wage rankings of metropolitan areas in the U.S. compared to Northeast Ohio,
- consideration of the duties of the mayor of Wooster related to Wooster Community Hospital as outlined in the City Charter, and
- a review of rankings of the top 10 micropolitan in the U.S.

The members unanimously agreed that their recommendation(s) would be based on objective information and should not be seen as a performance review of the person currently in the position. The members felt that it was important to keep up with the cost of living and smooth out increases from year to year. Comparison of data showed that the current compensation for mayor was low. The Commission's recommendations aimed to arrive at a more equitable and competitive salary at the end of the 4-year period and eliminate the need for a large bump in the mayor's compensation every 4 years. It would also assure some flexibility in case there was a downturn in economic conditions.

Our working model took out the lows and highs of wages in the data for similar Ohio cities and then took the average of the remaining wage information as a starting point. This formed the basis for the ordinance presented to the Council. The final motion containing the Commission's recommendation passed unanimously. The motion provided an increase in the Mayor's compensation in two, five thousand dollar increments, one in 2020 and another in 2022. In addition, the Mayor would also receive a yearly cost of living increase based on the average cost of living increase of the three unions, or 2.5%, whichever is lower.

Commission members utilized the same rationale to develop a recommendation for compensation for City Council President and City Council members. The commission felt that their compensation was also low. However, the members felt that the compensation for these positions should be increased once in a 4-year period. Again, the resulting motion in the ordinance before the Council passed unanimously. The motion provided an increase in compensation for the City Council President to ninety-five hundred dollars per year and an increase in compensation to City Council Members to eighty-five hundred dollars per year.

ORDINANCE NO. 2019-14

AN ORDINANCE ACCEPTING THE ANNEXATION OF TERRITORY LOCATED ON THE NORTH SIDE OF OLD MANSFIELD ROAD (TR 46), EAST OF ITS INTERSECTION WITH MCAFEE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS. (William Anfang III, Esq., Agent for Petitioner GramCord, LLC)

SECTION 1. That the proposed annexation (consisting of approx. 21.769 ac.), as agreed, and as approved by the City of Wooster and by the Board of County Commissioners of Wayne County on March 6, 2019, is accepted. The territory to be annexed is described in the agreement, a copy of which is hereto and incorporated by reference.

The certified transcript of the proceedings for annexation, together with an accurate map of the territory, the petition for annexation, the annexation agreement and other papers relating to the proceedings of the Wayne County Commissioners, are on file with the Clerk of this Council and have been for more than sixty (60) days.

SECTION 2. The Clerk of Council is directed to make three (3) copies of this Ordinance, to each of which shall be attached a copy of the map accompanying the annexation agreement, a copy of the transcript of proceedings of the Board of County Commissioners of Wayne County, and a certificate as to the correctness. The Clerk shall then deliver one copy to the Wayne County Auditor, one copy to the Wayne County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Wayne County Board of Elections within thirty (30) days after it becomes effective; and the Clerk shall do all other things required by law.

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 the law.

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

1st reading 6-17-19 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

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

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

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

Clerk of Council

\_\_\_\_\_  
President of Council

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

\_\_\_\_\_  
Mayor

Introduced by: Craig Sanders

# Resolution

No. 2019-122

*Board of Wayne County Commissioners*  
*Ron Amstutz    Rebecca S. Foster    Sue A. Smail*

*Adopted:* March 6, 2019

*Subject:* **Granting Annexation of Approximately 21.769 acres of land from Wooster Township to the City of Wooster (Annexation 2018-A4, ORC Section 709.02 – Regular Annexation, GramCord, LLC, Petitioner, William Anfang, III, Agent)**

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

WHEREAS, on December 10, 2018, William Anfang, III, as Agent for the Petitioner, filed a Petition for Annexation on behalf of GramCord, LLC, with the Board of County Commissioners of Wayne County, Ohio; and

WHEREAS, the Petition was filed pursuant to ORC Section 709.02 (Regular Annexation); and

WHEREAS, on December 10, 2018, a Hearing on the Petition was set for February 13, 2019, at 9:00 AM in the Commissioners' Meeting Room, 428 W. Liberty St., Wooster, Ohio 44691; and

WHEREAS, at the Regular Session of the Board held on December 12, 2018, the Petition was entered upon the Journal of Board, via Resolution No. 2018-586; and

WHEREAS, on December 12, 2018, the legal description of the perimeter and the plat of the territory proposed to be annexed contained in the Petition were referred to the Wayne County Engineer for a report upon the accuracy of said documents; and

WHEREAS, on February 6, 2019, the County Engineer filed a written report with the Board indicating that the legal description and plat were accurate and correct; and

WHEREAS, the Board commenced the Hearing on the Petition on February 13, 2019 and concluded said Hearing on February 20, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that:

Section 1. The Board finds it has jurisdiction to render a decision on the following Petition for Annexation:

Title/Description:	Petition for Annexation of Approximately 21.769 acres of land from Wooster Township, Wayne County, Ohio, to the City of Wooster, Wayne County, Ohio (Annexation 2018-A4)
Annexation Type:	Regular [ORC Section 709.02]
Petitioner(s):	GramCord, LLC
Agent for Petitioner(s):	William Anfang, III
Date Filed:	December 10, 2018

Date of Hearing: February 13, 2019 & February 20, 2019

Section 2. The Board finds the Petition for Annexation was validly filed and before the Board at the Hearing, based upon all relevant factors, including:

- A. The Petition for Annexation was signed by Gary Graham, Managing Member, on behalf of GramCord, LLC.
- B. Though not conclusive upon the Board, the Wayne County Engineer filed a written report with the Board indicating that the legal description of the perimeter and the plat of the territory proposed to be annexed contained in the Petition for Annexation were accurate and correct.
- C. The Agent for the Petitioner substantially complied with all procedural requirements related to the notices and filings mandated by ORC Section 709.03. [ORC Section 709.015]. The Agent for the Petitioner also complied with all other requirements related to the notices and filings mandated by ORC Section 709.03.

Section 3. The Board finds that the Petition for Annexation and all related documents substantially comply with all applicable procedural requirements set forth in ORC Sections 709.02 to 709.21. The Board also finds that all actions taken concerning the Petition for Annexation and said related documents substantially complied with all applicable procedural requirements set forth in ORC Sections 709.02 to 709.21. [ORC Section 709.015].

Section 4. In accordance with ORC Section 709.015, the Board shall cure all procedural defects. The Clerk of the Board is instructed to correct all procedural defects in the Petition for Annexation, including:

- A. Strike any and all references to the Petition for Annexation being "Amended" (or any like references).
- B. Strike any and all references to the City of Wooster holding one or more parcels of real estate located in the territory proposed to be annexed.
- C. Insert "December 10, 2018", as the date of the Petitioner's signature.
- D. On the second page of Exhibit A, correct the acreage for Parcel No. 57-00038.000 from "24.049 acres" to "20.409 acres".

Section 5. In accordance with ORC Section 709.033, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that each of the following six (6) conditions have been met. The Board supports its findings with the specific findings of fact included below each condition.

- A. Condition 1: The Petition for Annexation meets all the requirements set forth in, and was filed in the manner provided in, ORC Section 709.02.
  - i. The real estate located in the territory proposed to be annexed is contiguous to the City of Wooster, Ohio and said territory lies within Wayne County, Ohio.



- ii. The Petition for Annexation contains the name and signature of Gary Graham, Managing Member, on behalf of GramCord, LLC. After the correction called for in Section 4(C) above, the Petition for Annexation also contains the date (December 10, 2018) the aforementioned signature was obtained.
  - iii. The Petition for Annexation contains a legal description of the perimeter and a plat of the territory proposed to be annexed.
  - iv. The Petition for Annexation names William Anfang, III, as the Agent for the Petitioner.
  - v. Though not considered part of the Petition for Annexation, and though any error on the list shall not affect the validity of the Petition for Annexation, the Agent for the Petitioner filed the list called for in Division (D) of ORC Section 709.02 at the time of filing the Petition for Annexation.
- B. Condition 2: The person who signed the Petition for Annexation is an owner of real estate located in the territory proposed to be annexed in the Petition for Annexation, and, as of the time the Petition for Annexation was filed with the Board, the number of valid signatures on the Petition for Annexation constituted a majority of owners of real estate in that territory.
- i. The Petition for Annexation was signed by Gary Graham, Managing Member, on behalf of GramCord, LLC. GramCord, LLC, is the sole owner of real estate located in the territory proposed to be annexed in the Petition for Annexation. The aforementioned signature was not obtained more than 180 days before the date the Petition for Annexation was filed, and said signature constitutes a majority (100%) of the owners of the territory proposed to be annexed.
- C. Condition 3: The City of Wooster, Ohio, has complied with Division (D) of ORC Section 709.03.
- i. Wooster City Council adopted Resolution No. 2019-17 on February 19, 2019. Said resolution meets all requirements found in Division (D) of ORC Section 709.03 and was filed with the Board on February 20, 2019. The City of Wooster, Ohio, has also substantially complied with all procedural requirements in Division (D) of ORC Section 709.03. [ORC Section 709.015].
- D. Condition 4: The territory proposed to be annexed is not unreasonably large.
- i. The legal description of the perimeter and the plat of the territory proposed to be annexed contained in the Petition for Annexation, as well as all other relevant documents and facts included in the record, demonstrate that this condition has been met.
- E. Condition 5: On balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the Petition for Annexation is granted.

- i. The legal description of the perimeter and the plat of the territory proposed to be annexed contained in the Petition for Annexation, the statement of services provided by the City of Wooster, Ohio, via Resolution No. 2019-17, and all other relevant documents and facts included in the record demonstrate that this condition has been met.
- F. Condition 6: No street or highway will be divided or segmented by the boundary line between a township and the City of Wooster, Ohio, as to create a road maintenance problem.
- i. The legal description of the perimeter and the plat of the territory proposed to be annexed contained in the Petition for Annexation, as well as all other relevant documents and facts included in the record, demonstrate that this condition has been met. In addition, representatives from the City of Wooster, Ohio, have provided an initial indication to the Board that the City is willing to accept responsibility for and/or ownership of two parcels of real estate located in the territory proposed to be annexed that Wayne County currently owns in fee for right-of-way purposes.

Section 6. The Petition for Annexation is hereby **GRANTED**.

The vote is as follows: Ron Amstutz absent      Rebecca S. Foster yea      Sue A. Smail yea

Absent

Ron Amstutz



Rebecca S. Foster



Sue A. Smail

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





WAYNE COUNTY ENGINEER'S OFFICE  
SCOTT A. MILLER, P.E., P.S.  
WAYNE COUNTY ENGINEER

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February 06, 2019

Wayne County Commissioners  
428 West Liberty Street  
Wooster, Ohio

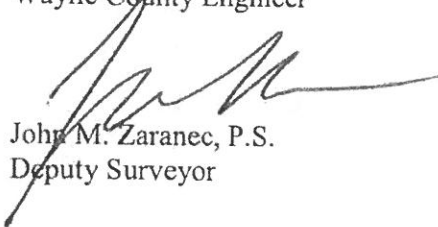
Re: Annexation P.P.N. 57-00038.00 Wooster Township

Honorable Commissioners:

This office has reviewed the annexation plat and legal description of the 21.769 acre parcel currently under consideration for annexation to the City of Wooster. It is accurate and correct pursuant to O. R. C. 709.031.

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,  
Scott Miller, P.E., P.S.  
Wayne County Engineer



John M. Zaranec, P.S.  
Deputy Surveyor

cc: File

3151 WEST OLD LINCOLN WAY WOOSTER, OHIO 44691  
TEL (330) 287-5500 FAX (330) 287-5520  
[www.wayne-county-engineer.com](http://www.wayne-county-engineer.com)



*DA, clerk*

~~AMENDED~~ PETITION FOR ANNEXATION ON APPLICATION OF

OWNERS OF REAL ESTATE

Regular

O.R.C. Sec. 709.02

WAYNE CO COMMISSIONERS  
2018 DEC 10 AM 9:33

TO: Board of County Commissioners of Wayne County, Ohio

The undersigned, being the owner of real estate residing on the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Wooster, Ohio:

Real Estate Situated in the  
State of Ohio  
County of Wayne  
Township of Wooster

I hereby certify this is a true and correct  
copy of the original on file

*Diane L. Auster*

**Wayne County Commissioners**

*Diane L. Auster*

Described as follows:

See "Exhibit A" attached for complete legal description.

The intent of this annexation is to annex the land described above in the Southeast Quarter of Section 6 and the Northwest Quarter of Section 5 of Wooster Township that is now owned by GramCord, LLC.

The above described territory is adjacent to and contiguous to the said City of Wooster.

Petitioners have attached hereto as "Exhibit B" and made a part of this petition, a map showing the accurate boundaries of the territory sought to be annexed.

Petitioners state that there is one (1) owner, who is GramCord, LLC, of real estate in the territory sought to be annexed. The City of Wooster and the board of County Commissioners hold certain parcels of real estate within the territory that comprise of road rights of way, they are not considered owners under Ohio Revised Code Section 709.02(E).

William Anfang, III is hereby appointed agent for the undersigned petitioners as required by O.R.C. Sec. 709.02, 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 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, refiling, substitution, compromise, increase or deletion, or other things or action for the granting of this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

Pursuant to O.R.C. 709.02(D) and attached as "Exhibit C" and made a part hereof is a list of the owner names, addresses and Auditor's parcel numbers for:

- A. The territory proposed for annexation;
- B. The tracts, lots or parcels adjacent to or across the road from the territory to be annexed.

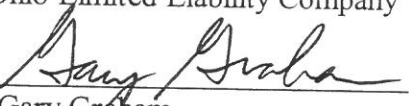
Name:

Address:

GramCord, LLC  
an Ohio Limited Liability Company

6927 NonPariel Road  
Wooster, OH 44691

By:

  
Gary Graham

Its: Managing Member

December 10, 2018



## Exhibit A

Situated in the Township of Wooster, T-15N, R-13W, Southwest Quarter of Section 5 and Southeast Quarter of Section, County of Wayne and State of Ohio:

Known as being a 20.409 acre parcel conveyed to Gramcord, LLC, et al. in O.R. 816, Page 2667 of the Wayne County Official Records, a 0.354 and a 1.006 acre parcel conveyed to the Board of Wayne County Commissioners in Volume 669, Page 544 of the Wayne County Deed Records and further bounded and described as follows:

COMMENCING at the northwest corner of the Southeast Quarter of Section 5, also being on the Wooster City corporation line;

Thence Easterly 337.45 feet along the quarter section line and said corporation line to a point and the PRINCIPAL PLACE OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

Thence with the following 11 courses:

1. Continuing Easterly, 183.89 feet along the quarter section line and said corporation line to a point;
2. Southeasterly, 1471.56 feet along said corporation line to a point;
3. Southeasterly, 34.60 feet along said corporation line to a point in Old Mansfield Road (T.R. 46);
4. Westerly, 134.90 feet along said corporation line and in Old Mansfield Road (T.R. 46) to a point;
5. Southwesterly, 319.76 feet along said corporation line and in Old Mansfield Road (T.R. 46) to a point in McAfee Road (T.R. 192);
6. Northwesterly, 715.86 feet in McAfee Road (T.R. 192) to a point on the section line;
7. Northwesterly, 533.3 feet to a point at the southwest corner of lands conveyed to Richard D. Graham, et al. And Gramcord, LLC in O.R. 355, Page 521 and O.R. 627, Page 274 of the Wayne County Official Records;
8. Northeasterly, 167.77 feet along a southwest line of said Graham and Gramcord lands to a point;
9. Easterly, 260.97 feet along a south line of said Graham and Gramcord lands to a point;
10. Northeasterly, 287.74 feet along a southwest line of said Graham and Gramcord lands to a point at the southeast corner thereof;

11. Northerly, 447.14 feet along an east line of said Graham and Gramcord lands to the PRINCIPAL PLACE OF BEGINNING and containng within said bounds 21.769 acres of land per tax map records.

FOR ANNEXATION ONLY, compiled from record documents.

20.409

Parcel Nos. 57-00038.000 (~~24.049~~ acres)  
57-00038.002 (1.006 acres)  
57-00038.003 (0.354 acre)



ORDINANCE NO. 2019-15

AN ORDINANCE TO ZONE ANNEXED LAND AS I-2 (GENERAL INDUSTRIAL), FOR TERRITORY LOCATED ON THE NORTH SIDE OF OLD MANSFIELD ROAD (TR 46), EAST OF ITS INTERSECTION WITH MCAFEE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS PURSUANT TO SECTION 1107.04 OF THE WOOSTER CODIFIED ORDINANCES

WHEREAS, an application has been duly filed by William Anfang, with the Planning Commission of the City of Wooster requesting the zoning of 21.769 acres of land with PPN 57-00038.000 as I-2 (General Industrial); and

WHEREAS, at its May 22, 2019, meeting, and after a public hearing in accordance with the law, the Planning Commission voted unanimously to recommend to the City Council that the proposed zoning of the property as I-2 (General Industrial) be approved; and

WHEREAS notice of a public hearing by the City Council on this re-zoning has been duly given, and a public hearing has been held, 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 pursuant to Section 1107.04 of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, 21.769 acres of land with PPN 57-00038.000, described as territory located on the north side of Old Mansfield Road (TR 46) east of its intersection with McAfee Road, and contiguous with the corporation limits, shall be zoned I-2 (General Industrial) for property located on East Vine Street as appears on the attached map.

SECTION 2. The Planning Division is directed to include this zoning on the official zoning map to conform to the above-described assignment.

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 the law.

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

1st reading 6-17-19 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

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

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

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

Introduced by: Craig Sanders

*June 17<sup>th</sup>  
agenda*

### Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

<b>Division</b> Planning and Zoning	<b>Meeting Date Requested</b> 6/17/19
<b>Project Name</b> 1699 Old Mansfield Road Zoning Designation	<b>Estimated Total Funds/Costs</b> NA
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>If YES, three readings NOT REQUIRED</b>	
<b>If No, How is the Purchase to be Funded?</b>	
<b>Description of Request</b> William Anfang requesting approval of a Zoning Map Amendment to assign a zoning of I-2 (General Industrial) to 1699 Old Mansfield Road (PN 57-0038.000) upon annexation into the City of Wooster  The Planning Commission held a public hearing on the application on 5/22/19 and voted unanimously (5-0) to recommend approval of the rezoning application to City Council.  The application will also require a public hearing before City Council.	
<b>Justification / Benefits</b> As found by both Planning and Zoning Division Staff and the Planning Commission, the proposed zoning classification is compatible with the area and direct impacts of future development will be sufficiently addressed by the Development Plan process. In addition, the proposed zoning is consistent with the Comprehensive Plan and provides an opportunity for targeted economic development.	
<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> If the property is annexed without an approved zoning classification the property will be zoned R-1 (Suburban Single-Family Residential) by default	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>If Yes, Explain The Circumstances:</b>	
<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 <b>If Yes, Note Reasons</b>	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting: Andrew Dutton</b>	<b>Date: 5/23/19</b>
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	



**PLANNING COMMISSION  
APPLICATION INFORMATION SHEET**

**Application Number**

PC-19-11

**Scheduled Meeting Date**

05-22-2019

**Application Type**

Zoning Amendment - Map

**Property Location**

1699 OLD MANSFIELD RD

**Property Information**

Acreage: 20.41

Zoning: Currently Unincorporated, Proposed I-2

**Property Owner**

GRAMCORD LLC

**Applicant**

WILLIAM ANFANG

**Applicant's Project Description**

GRAMCORD LLC REQUESTS A ZONING DESIGNATION FOR A PARCEL OF LAND WHICH WAS RECENTLY APPROVED BY THE WAYNE COUNTY COMMISSIONERS FOR ANNEXATION TO THE CITY OF WOOSTER.

GRAMCORD WISHES TO HAVE THE PARCEL ZONED I-2 WHICH MIRRORS THE DESIGNATION OF ALL NEIGHBORING PARCELS IN THE CITY. SUCH A DESIGNATION WOULD NOT ALTER THE CURRENT COMPREHENSIVE PLAN. GRAMCORD LLC WOULD LIKE TO ATTRACT A PURCHASER THAT WOULD ESTABLISH A BUSINESS PERMITTED IN AN I-2 ZONE.

**Agenda Text**

William Anfang requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to assign a zoning of I-2 (General Industrial) to 1699 Old Mansfield Road upon annexation into the City of Wooster



**CITY OF WOOSTER**  
**Planning and Zoning Division**  
538 North Market Street Wooster, OH 44691  
Phone: 330-263-5238

May 23, 2019

Dear WILLIAM ANFANG,

At the 05-22-2019 meeting of the City of Wooster Planning Commission, a motion was made to recommend approval of application PC-19-11, William Anfang requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to assign a zoning of I-2 (General Industrial) to 1699 Old Mansfield Road upon annexation into the City of Wooster, to City Council.

The motion received the necessary votes and the application will be forwarded to City Council with a recommendation of approval from the Planning Commission.

Please feel free to contact me at (330) 263-5238 or [adutton@woosteroh.com](mailto:adutton@woosteroh.com) if you have any questions or need any further information.

Sincerely,

Andrew Dutton  
Planning and Zoning Manager



**PC-19-11**  
**Old Mansfield Road Zoning Designation**

Property Owner: Gramcord LLC

Applicant: William Anfang

Location: 1699 Old Mansfield Road

Existing Zoning: None (Unincorporated)

Proposed Zoning: I-2 (General Industrial)

Request: An approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to assign a zoning of I-2 (General Industrial) upon annexation into the City of Wooster

**LOCATION AND SURROUNDING USES**

The subject site consists of 21.77 acres located at the northeast corner of Old Mansfield Road and McAfee Road. Adjacent properties include the following uses and zoning:

- North – Agriculture (Unincorporated) and Undeveloped (I-2)
- East – Industrial (I-2)
- South – Undeveloped (I-2)
- West – Agriculture (Unincorporated)



**PROPOSED APPLICATION/BACKGROUND**

The site is currently progressing through the annexation process into the City of Wooster. The applicant's request is to zone the property I-2 (General Industrial) upon annexation into the City of Wooster.

The subject property currently contains a single family home and agricultural land. No plans have been submitted at this time for development of the site.



**ZONING DISTRICT INTENT**

The I-2 District is established as follows, per Section 1107.05(f)(6)(B.):

The purpose of the I-2 General Industrial District is to provide for industrial and other uses that by virtue of their external effects, noise, glare, fumes, smoke, dust, odors, truck and/or rail traffic, should be isolated from residential and commercial uses. These uses perform essential functions for the City, including employment, and should be provided for in areas that are best suited for industrial development by reason of location, utilities and transportation systems.

**PERMITTED USES AND STANDARDS**

Table 1109-1 includes a list of all Permitted (P), Permitted with Standards (PS), Conditional (C) and Prohibited (X or not included in the table) principal uses in the subject zoning district:

I-2 PRINCIPALLY PERMITTED USES	
Use Type	I-2
<b>Agricultural Uses</b>	
Agriculture (Raising of Crops)	P
Agriculture (Livestock)	X
Community Gardens	PS
Greenhouses and Nurseries	X
<b>Residential Uses</b>	
Cluster Residential Development	X
Convent, Monastery, or Other Housing for Places of Worship	X
Dormitories	X
Dwellings, Multi-Family	X
Dwellings, Single-Family Attached	X
Dwellings, Single-Family Detached	X
Dwellings, Two-Family	X
Dwellings, Two-Family Conversion from a Single-Family Dwelling	X
Fraternities and Sororities	X
Group Homes or Residential Facilities	X
Manufactured Home	X
Mobile Home	X
Skilled Nursing or Personal Care Facilities	X
Transitional Housing	X
<b>Commercial and Offices Uses</b>	
Adult Uses	X
Agriculture/Farm Supplies & Sales	X
Animal Day Care/Animal Grooming	X
Assembly Halls, Membership Clubs, and Conference Centers	X
Automated Teller Machine (Stand-Alone)	X
Automotive Fuel Sales	P
Automotive Repair (Heavy)	PS
Automotive Sales and Leasing	C
Automotive Service Station & Parts Sales	PS
Bars and Taverns	X
Bed and Breakfast Establishments	X
Business and Professional Offices	X
Business Service Establishments	P

I-2 PRINCIPALLY PERMITTED USES	
Use Type	I-2
Campgrounds	C
Financial Institutions	X
Funeral Homes and Mortuaries	X
Hotels or Motels	X
Kennels/Animal Boarding	C
Live/Work Units	X
Medical or Dental Clinics/Offices & 24-Hour Urgent Care	X
Medical Marijuana Dispensaries	X
Microbrewery, Microdistillery, or Microwinery	X
Mixed Use Building (with Residential Uses)	X
Mobile Home, Commercial Truck, & Recreational Vehicle Sales, Leasing, Service, or Storage	C
Parking Garages	X
Parking Lots (Principal Use)	C
Personal Service Establishments	X
Recreation Facilities	C
Restaurants	X
Retail Commercial Uses	X
Service Commercial Uses	X
Theaters	X
Vehicle Washing Establishment	X
Veterinarian Offices/Animal Hospital	P
<b>Industrial Uses</b>	
Bulk Storage of Liquids or Grain	P
Contractor Offices	P
Crematorium	PS
Data Center	P
Machinery & Heavy Equipment Sales, Leasing, and Storage	C
Manufacturing and Production (Heavy or Outdoors)	C
Manufacturing and Production (Indoors)	P
Medical Marijuana Testing & Processing	P
Outdoor Storage and Bulk Sales	C



I-2 PRINCIPALLY PERMITTED USES	
Use Type	I-2
Printing and Publishing	P
Radio and Television Stations	P
Recycling Collection/Processing Fac.	C
Research and Development Facilities	P
Self-Storage Facilities	C
Soil and Mineral Extraction Activities	C
Warehouses	P
Wholesale Sales & Distribution Centers (Indoors)	P
Wholesale Sales & Distribution Centers (Outdoors)	P
Public and Institutional Uses	
Active Recreational Uses	P
Cemeteries	X
Colleges and Higher Educational Institutions	X

I-2 PRINCIPALLY PERMITTED USES	
Use Type	I-2
Community Recreation Facility	X
Cultural Facilities and Structures	X
Educational Institutions (K-12)	X
Essential Services	Exempt per Section 1101.05(b)
Government Facilities	P
Government Offices	P
Hospitals	X
Nursery Schools or Day Care Centers (Children or Adults)	X
Passive Parks, Open Space, & Natural Areas	P
Places of Worship	X
Utility Facilities & Buildings	P
Wireless Telecommunication Facilities	See Section 1109.03(f)(10)

Table 1115-4 includes development standards for the subject zoning district:

TABLE 1115-4: SITE DEVELOPMENT STANDARDS FOR INDUSTRIAL AND SPECIAL ZONING DISTRICTS	
	I-2
Minimum Lot Area	2 acres
Minimum Lot Width at the Building Line	200 ft.
Minimum Front Yard Building Setback	40 ft.
Minimum Side/Rear Yard Building Setback - Nonresidential District	30 ft.
Minimum Side/Rear Yard Building Setback - Residential District	75 ft.
Maximum Lot Coverage by Buildings	50%
Maximum Building Height	60 ft.
[1] Additional setback requirements may also be required to accommodate landscaping and buffers as may be required by Chapter 1123: Landscaping and Buffering.	

**COMPREHENSIVE PLAN (2014)**

**Chapter 3 - Land Use, Demographics and Housing**

**Action LU.7.1**

*Extend the City boundary only when the expansion will result in new targeted economic growth, or serve to accomplish other goals and objectives of the Comprehensive Plan or other City policies.*

The proposed annexation will provide a site suitable for development capable of providing an economic development opportunity to expand the city's industrial base. The site is located on the edge of an existing industrial area, is adjacent to the city on three sides and has reasonable access to utilities.

**Action LU.7.3**

*Ensure new annexations can be served by city utilities.*

City water is located within the public right-of-way on Old Mansfield Road. City sanitary sewer is available to the east of the site on the adjacent property and will need to be extended to service the site.



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**REVIEW CRITERIA**

Recommendations and decisions on zoning map amendment applications shall be based on consideration of the following review criteria. Not all criteria may be applicable in each case, and each case shall be determined on its own facts.

- A. The proposed amendment is consistent with the comprehensive plan, other adopted City plans, and the stated purposes of this code;
- B. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;
- C. The proposed amendment will promote the public health, safety, and general welfare;
- D. The uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity;
- E. The proposed amendment follows lot lines or the centerlines of streets, railroads, or other rights-of-way;
- F. Adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified;
- G. The proposed amendment is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- H. The proposed amendment will not constitute an instance where special treatment is given to a particular property or property owner that would not be applicable to a similar property, under the same circumstances;
- I. The proposed amendment is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- J. The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

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**PLANNING AND ZONING DIVISION STAFF RECOMMENDATION**

Staff recommends approval of application PC-19-11 to assign a zoning of I-2 (General Industrial) to 1699 Old Mansfield Road upon annexation into the City of Wooster, as submitted.

Staff's recommendation is based on the appropriateness of the proposed zoning classification for the property in relation to the subject review criteria and does not include the consideration of any specific use or plan for the site. It is staff's assessment that:

- The proposed zoning is consistent with the Comprehensive Plan and provides an opportunity for targeted economic development.
- The proposed zoning is compatible with the area and would not result in adverse effects.
- Impacts of development in the proposed zoning district would be sufficiently addressed by the Development Plan process.



## **CITY OF WOOSTER**

*Planning and Zoning Division*

538 North Market Street Wooster, OH 44691

Phone: 330-263-5235 Fax: 330-263-5274

May 9, 2019

Dear Property Owner,

You are receiving this notice because you are an owner of property within 200 ft. of an application that has been submitted to The City of Wooster Planning Commission. The Commission will hold a public hearing at their next regular meeting regarding the subject application, as described below. The meeting will take place at City Hall, 1<sup>st</sup> floor Council Chambers, 538 North Market Street and will begin at 5:30 pm on Wednesday, May 22<sup>nd</sup>, 2019.

PC-19-11. William Anfang requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to assign a zoning of I-2 (General Industrial) to 1699 Old Mansfield Road upon annexation into the City of Wooster.

All interested parties are welcome to attend and will be given the opportunity to address the Board during the public hearing portion of the meeting and submit evidence and written comments with respect to the application. Special auxiliary aids for disabled persons are available upon request with at least five days notice prior to the meeting.

For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact:

Andrew Dutton  
Planning and Zoning Manager  
538 North Market Street, Wooster, Ohio  
adutton@woosteroh.com  
(330) 263-5238

<b>Owner Name</b>	<b>Address</b>	<b>City</b>
ASPEN GROVE INVESTMENTS LLC	1000 VENTURE BLVD	WOOSTER OH 44691
BAKER PROPERTIES MOUNT VERNON LTD	1130 RIFFEL RD	WOOSTER OH 44691
WAYNE COUNTY COMMISSIONERS	428 W LIBERTY ST	WOOSTER OH 44691
FRITO LAY INC	PO BOX 565048	DALLAS TX 75356
GRAHAM RICHARD D	1889 SILVER RD	WOOSTER OH 44691
R J CORMAN EQUIPMENT COMPANY LLC	PO BOX 788	NICHOLASVILLE KY 40340
REDEVELOPMENT PROPERTIES	3571 OLD AIRPORT RD	WOOSTER OH 44691

## **PC-19-11 Property Owners List 5-9-19**





## **CITY OF WOOSTER**

*Planning and Zoning Division*

538 North Market Street Wooster, OH 44691  
Phone: 330-263-5235 Fax: 330-263-5274

May 8, 2019

### **DAILY RECORD**

**PLEASE PUBLISH May 12, 2019**

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The City of Wooster Planning Commission will hold their Regular Meeting at 5:30 pm on Wednesday, May 22<sup>nd</sup>, 2019. The meeting will be held at City Hall, 1<sup>st</sup> floor Council Chambers, 538 North Market Street, Wooster, Ohio. At the meeting, the Commission will hold a public hearing for the following application:

PC-19-09. Carmen Alwine requesting Conditional Use approval for a salon use at 290 East Milltown Road in a C-1 (Office/Institutional) District.

PC-19-11. William Anfang requesting an approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to assign a zoning of I-2 (General Industrial) to 1699 Old Mansfield Road upon annexation into the City of Wooster.

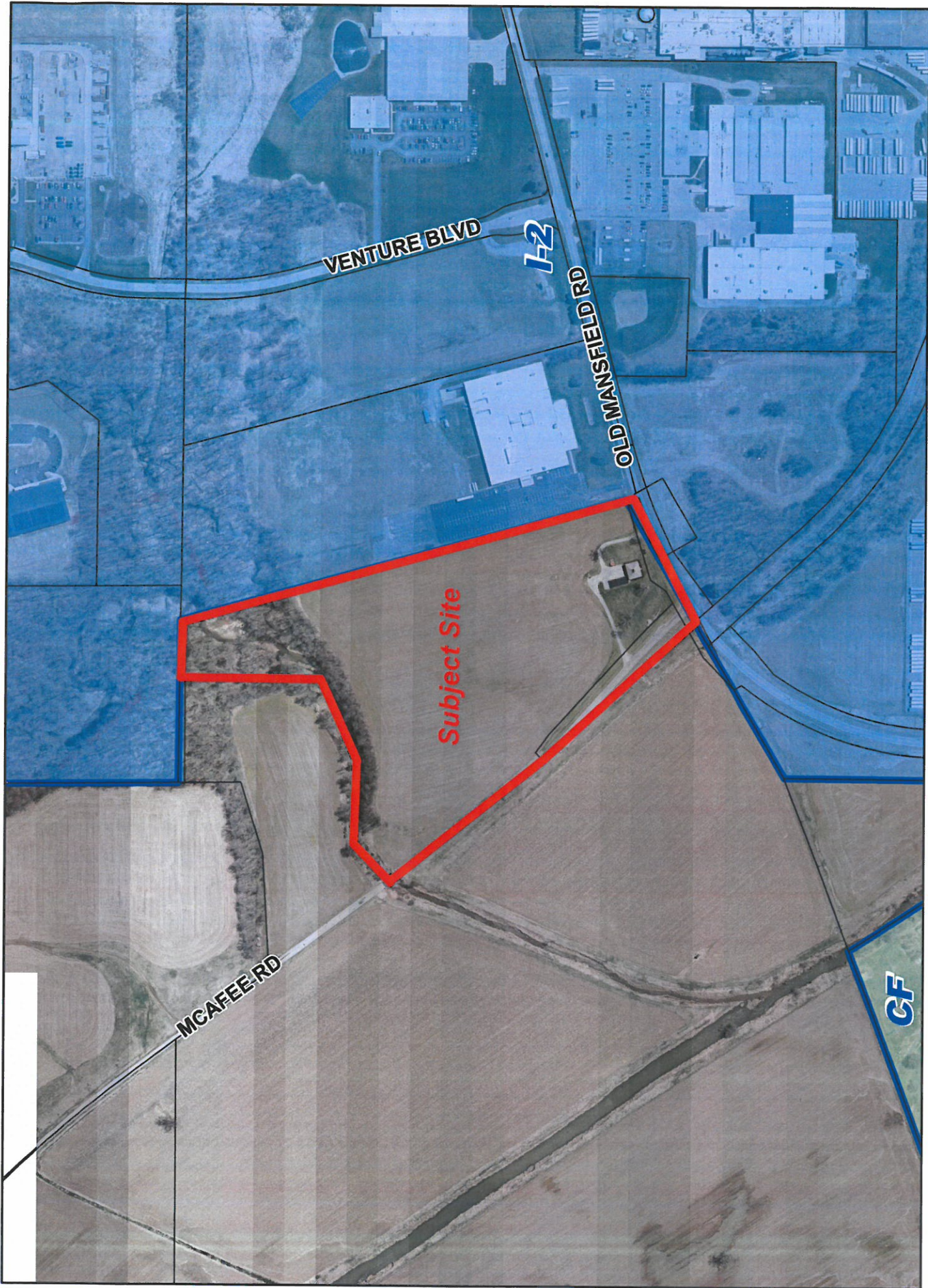
All interested parties are welcome to attend and will be given the opportunity to address the Commission during the public hearing portion of the meeting and submit evidence and written comments with respect to the applications. Special auxiliary aids for disabled persons are available upon request with at least five days notice prior to the meeting. For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact Andrew Dutton, Planning and Zoning Manager, at [adutton@woosteroh.com](mailto:adutton@woosteroh.com), (330) 263-5238 or 538 North Market Street, Wooster, Ohio.











VENTURE BLVD

I-2

OLD MANSFIELD RD

Subject Site

MCAFEE RD

CF



Owner Name	Address	City
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**PC-19-11 Property Owners List 5-9-19**





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ORDINANCE NO. 2019-16

AN ORDINANCE AMENDING CHAPTER 1301,  
RESIDENTIAL BUILDING CODE, OF THE CODIFIED  
ORDINANCES OF THE CITY OF WOOSTER, OHIO AND  
DECLARING AN EMERGENCY

WHEREAS, the City of Wooster desires to maintain compliance with the 2019 Ohio Residential Building Code; and

WHEREAS, the City of Wooster wishes to enforce residential building standards in compliance with the Law of the State of Ohio.

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

SECTION 1. That Chapter 1301.21 of the Codified Ordinances, entitled, RESIDENTIAL CODE OF OHIO shall be amended to read as follows:

1301.21 RESIDENTIAL CODE OF OHIO .

(a) There is hereby adopted the 2019 Residential Code of Ohio for One, Two and Three Family Dwellings, which is the body of regulations formulated, adopted and promulgated by the Ohio Board of Building Standards pursuant to the Ohio Administrative Code Chapters 4101:8-1 to 4101:8-43 and the same is incorporated as if fully rewritten herein, except as may subsequently be amended herein. A copy of such code shall be on file with and available for public inspection in the Division.

(b) The provisions of the Residential Code of Ohio for One, Two and Three Family Dwellings, as adopted herein, and as they may, from time to time, be amended herein, shall supersede any provisions of these Codified Ordinances with which they may be in conflict.

(c) ~~As it pertains to the design and construction of swimming pools, spas and hot tubs at one and two family dwellings, there is hereby adopted, as though fully rewritten herein, Appendix G to the 2003 International Residential Code published by the International Code Council, entitled "Swimming Pools, Spas and Hot Tubs."~~ The provisions of the Residential Code of Ohio for One, Two and Three Family Dwellings, as adopted herein, is herein amended with the following design criteria added to Table 301.2(1). The ground snow load is 20 lbs/sqft, the seismic design category is B, the frost line depth is 38", the winter design temperature is 6 degrees F, the flood hazard NFIP date is 11/5/07, the date of the flood insurance study is 5/3/93, the effective date of panels 39169C0100E, 39169C0202E, 39169C0206E, 39169C0204E, 39169C0208E, 39169C0209E, 39169C0211E, 39169C0212E, 39169C0216E, 39169C0217E, 39169C0214E, 39169C0218E, 39169C03274E is 8/18/09, the air freezing index is 1,362 days, and the mean annual temperature is 49 degrees F.





**TABLE 301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD <sup>a</sup>	WIND DESIGN Speed <sup>a</sup> (mph)	SEISMIC DESIGN CATEGORY <sup>b</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP. <sup>a</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>a</sup>	FLOOD HAZARDS <sup>c</sup>	AIR FREEZING INDEX <sup>d</sup>	MEAN ANNUAL TEMP <sup>e</sup>
			Weathering <sup>a</sup>	Frost line depth <sup>a</sup>	Termite <sup>a</sup>					
20	115	B	severe	38"	Moderate to heavy	6°F	Yes	SEE ATTACHED	1,362	49°

**MANUAL J DESIGN CRITERIA<sup>a</sup>**

*Deleted portion of table – owners shall use manual J when required by this code*

For SI: 1 pound per square foot = 0.0479 kPa. 1 mile per hour = 0.447 m/s.

- Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- Indicates the need for protection depending on whether there has been a history of local subterranean termite damage.
- Wind exposure category shall be determined on a site-specific basis in accordance with Section 301.2.1.4.
- The outdoor design dry-bulb temperature shall be determined from the following table:

STATION	HEATING DEGREE DAYS (Yearly Total)	DESIGN TEMPERATURES	DEGREES NORTH LATITUDE
<u>Akron-Canton</u>	<u>6,037</u>	<u>6°</u>	<u>41°00' - 40°50'</u>
<u>Cincinnati</u>	<u>4,410</u>	<u>6°</u>	<u>39°10'</u>
<u>Cleveland</u>	<u>6,351</u>	<u>5°</u>	<u>41°30'</u>
<u>Columbus</u>	<u>5,660</u>	<u>5°</u>	<u>40°00'</u>
<u>Dayton</u>	<u>5,622</u>	<u>4°</u>	<u>39°50'</u>
<u>Mansfield</u>	<u>6,403</u>	<u>5°</u>	<u>40°50'</u>
<u>Sandusky</u>	<u>5,796</u>	<u>6°</u>	<u>41°30'</u>
<u>Toledo</u>	<u>6,494</u>	<u>1°</u>	<u>41°40'</u>
<u>Youngstown</u>	<u>6,417</u>	<u>4°</u>	<u>41°10'</u>

Deviations from the tabulated temperatures shall be permitted to reflect local climates or local weather experience as documented by the building official.



ORD.  
2019-16

#1

**Request for Agenda Item**

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division</b> Building Standards	<b>Meeting Date Requested</b> July 1, 2019
<b>Project Name</b> Chapter 1301 changes	<b>Estimated Total Funds/Costs</b>
<b>Is Full Amount Budgeted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
<b>If No, How is the Purchase to be Funded?</b> N/A	
<b>Description of Request</b>  The State of Ohio Department of Commerce has adopted the 2019 Ohio Residential Code effective July 1, 2019. The 2019 ORC requires the local jurisdiction complete the design criteria in Table 301.2 (1). The ordinance require updating with new information.  Inspectors have been trained in the new code and a code update meeting has been held with the members of the Wayne/Holme HBA. The new code has been delivered to the WC public library and is available in the lobby of the Building Division.	
<b>Justification / Benefits</b>  The City of Wooster enforces construction standards for residential construction and the Statewide residential code is mandated to be used by all certified building departments.	
<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>  Do not enforce construction standards for residential construction. Safety of residential construction will be reduced.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: N/A	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons The new code becomes effective July 1, 2019	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Tim Monea	<b>Date:</b> 6/14/2019

**Approved for Agenda**  Yes  No

RESOLUTION NO. 2019-37

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A SLUDGE TANK, AND DECLARING AN EMERGENCY

WHEREAS, it is necessary to provide for the storage and processing of sludge from the Water Resource Recovery Facility, and the cost thereof is included in the budget for 2019; and

WHEREAS, because the tank will aid resource recovery with less of an olfactory impact, this City Council deems that prompt action is necessary to authorize the implementation of the contract as soon as possible to improve plant operations.

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

SECTION 1. That the Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for the construction of a sludge tank

SECTION 2. Such contract will not exceed the amounts appropriated in the 2019 Budget.

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 is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary to improve the safe and efficient operation of the facility; 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 Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

\_\_\_\_\_  
President of Council

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

\_\_\_\_\_  
Mayor

Introduced by: David Silvestri

**Request for Agenda Item**

*Lee  
2019-30 #2*

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> July 1, 2019
<b>Project Name</b> WRRF Sludge Storage Tank Project	<b>Estimated Total Funds/Costs</b> \$1,915,200.00 Sanitary Sewer Fund
<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> This is a request to authorize the advertisement for bids and to enter into a contract with the lowest and best bidder for the construction of a 5,000,000 gallon sludge storage tank at the WRRF facility. This is a new tank which will store the sludge produced from the plant and eliminate the use of the lagoons except for emergencies. Engineering construction administration and inspection will be performed in-house by the engineering staff.	
<b>Justification / Benefits</b> The project will construct a storage tank to help minimize the odors which emanate on occasion from the WRRF.	
<b>Will this Project affect the City's Operating Costs</b> This project will have little initial effect on the City's operating and maintenance costs. Long term, hauling and disposal costs should be reduced due to more efficient sludge transfer and truck loading.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> We could do nothing and continue to field odor complaints from downtown businesses and residents.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the rules is not necessary but earlier passage would allow the opportunity to bid this project as early as possible in order to start construction this year.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> June 25, 2019
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

