

**CITY COUNCIL AGENDA**

**August 19, 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 – RAGUJI Inc.  
DBA Sunoco Mart  
209 Beall Avenue  
Wooster, Ohio 44691
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**
- VI. UNFINISHED BUSINESS - None**
- VII. NEW BUSINESS**
  1. First Reading – RESOLUTION NO. 2019-39  
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 (Bostancic)
  2. First Reading – RESOLUTION NO. 2019-40  
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 REPLACEMENT AND CONSTRUCTION OF EXISTING AND NEW STORM SEWERS AND DECLARING AN EMERGENCY (Silvestri)
  3. First Reading – RESOLUTION NO. 2019-41  
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 BIKE PATH, AND DECLARING AN EMERGENCY (Bostancic)
  4. First Reading – RESOLUTION NO. 2019-42  
A RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE TRANSPORTATION PROGRAM (Myers)
- VIII. EXECUTIVE SESSION - ORC. 121.22(G)(2)**  
Property purchase
- IX. MISCELLANEOUS**
- X. ADJOURNMENT**

RESOLUTION NO. 2019-39

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

## PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution # : 2019-39

PID No. : 109334

County/Route/Section : \_\_\_\_\_

The following is a/an Resolution enacted by the CITY OF WOOSTER of WAYNE County, Ohio,  
(Ordinance/Resolution) (Local Public Agency)  
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 routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.*

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. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the LPA. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.*

**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, DIRECTOR OF ADMINISTRATION, of said CITY OF WOOSTER is hereby  
(Contractual Agent) (LPA)

empowered on behalf of the CITY OF WOOSTER to enter into contracts with the Director of Transportation which

(LPA)

is necessary to complete the above described project.

Passed: \_\_\_\_\_, 2019      Vote: \_\_\_\_\_  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
Joel Montgomery, Director of Administration

Attested: \_\_\_\_\_

\_\_\_\_\_  
Michael Buytendyk, President of Council

\_\_\_\_\_  
Robert F. Breneman, Mayor

Resolution 2019-39 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.

Introduced by: Bill Bostancic

### Request for Agenda Item

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> August 19, 2019
<b>Project Name</b> ODOT Bridge Inspection Program	<b>Estimated Total Funds/Costs</b> \$0.00
<b>Is Full Amount Budgeted?</b> <input 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> This is a request to give consent to the Ohio Department of Transportation (ODOT) so they can continue performing yearly bridge inspections on the five bridges for which the City is responsible. The five bridges are located on Palmer Street over the railroad, North Street and Larwill Street over the Christmas Run Creek, the culverts under Saybolt and the bridge at the Christmas Run Park. ODOT has completed their third year of inspections and this legislation will extend their inspection program for another 3 years.	
<b>Justification / Benefits</b> The Ohio Department of Transportation has committed to funding 100% of the next three year inspection costs.	
<b>Will this Project affect the City's Operating Costs</b> This legislation will not affect the operating costs if approved. If it is not approved, it will cost time and effort as described below.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> We do nothing, and forfeit ODOT funds and once again the Engineering Division will need to perform the inspections. In the past Engineering staff spent approximately 100 man hours performing the inspections, filling out paperwork and attending classes.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Explain The Circumstances:</b> This is a request to simply consent and cooperate with ODOT.	
<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 <b>If Yes, Note Reasons</b> Passage on first reading is required since ODOT has requested that signed legislation be returned as soon as possible.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> August 12, 2019
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	



**Request for Agenda Item**

**Authorization for Bid**



**Purchase Capital Item**



**Non-Capital**



<b>Division:</b> Engineering	<b>Meeting Date Requested</b> August 19, 2019
<b>Project Name</b> Ohio Street Storm Sewer Project	<b>Estimated Total Funds/Costs</b> \$175,000 (Storm 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 advertise for bids and to enter into a contract with the lowest and best bidder for the placement of new storm sewer and replacement of existing storm sewer on Ohio Street and Chestnut Street. The existing storm sewer is deteriorated corrugated metal pipe and is ready to fail. There will be some additional new storm catch basins along Ohio Street as part of this project. The project consists of replacing approximately 125 linear feet of deteriorated 36" corrugated metal pipe with new PVC pipe along with 6 new catch basins and 2 new storm manholes. All engineering design, construction administration and inspection will be performed by the engineering staff.	
<b>Justification / Benefits</b> This project will replace an existing deteriorated storm sewer that is past its useful life. The replacement will eliminate the need for any emergency repairs in the future.	
<b>Will this Project affect the City's Operating Costs</b> This project should reduce the City's operating budget by reducing maintenance costs.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> The alternative is to do nothing and continue to make emergency repairs as needed in the future.	
<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.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> August 12, 2019
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2019-41

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 BIKE PATH, AND DECLARING AN EMERGENCY

WHEREAS, it is necessary to continue the construction the City of Wooster bike path system for, and the cost thereof is included in the budget for 2019; and

WHEREAS, the bike path fills the needs noted in the City's Comprehensive Plan comments.

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 bike path along the south side of Oldman Road from the drive to the Oldman Road water tank to Burbank Road, along the west side of Burbank Road from Oldman Road to Friendsville Road, along the west side of Friendsville Road to Milltown Road then along the east side of Friendsville Road to the Health point trail. Additionally, the trail will run on the north side of Portage Road from Melrose Drive to the light at Marcs then along the south side of Portage Road to the trails along SR 585.

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 begin this project as soon as possible; 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: \_\_\_\_\_

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

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

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

Introduced by: Bill Bostancic

### Request for Agenda Item

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division:</b> Engineering	<b>Meeting Date Requested</b> August 19, 2019
<b>Project Name</b> Wooster Loop 2 Bike Path Project	<b>Estimated Total Funds/Costs</b> \$855,000 (\$717,500 ODOT TAP Funds)(\$137,500 Capital Funds)
<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> This is a request to advertise for bids and to enter into a contract with the lowest and best bidder for constructing a bike path along the south side of Oldman Road from the drive to the Oldman Road water tank to Burbank Road, along the west side of Burbank Road from Oldman Road to Friendsville Road, along the west side of Friendsville Road to Milltown Road then along the east side of Friendsville Road to the HealthPoint trail. Additionally, the trail will run on the north side of Portage Road from Melrose Drive to the light at Marcs then along the south side of Portage Road to the trails along SR 585. The project consists of constructing a 10' wide asphalt bike trail connecting the Oldman Road trail to the trail along Burbank Road, Loop1 and the trail along Friendsville Road. Also, the trail along Portage will connect the trail along Melrose Drive and those along SR 585. All construction management and inspection will be performed in-house by the Engineering Division Staff.	
<b>Justification / Benefits</b> During the update process to the City's Comprehensive Plan it was noted from a city-wide survey that there was a need for additional dedicated bike paths throughout the City. This bike path is a result of those comments and the continued effort of the administration to seek out funding for and constructing bike paths.	
<b>Will this Project affect the City's Operating Costs</b> This project should have no effect on the City's operating budget.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> We can do nothing and turn down the grant funds and proceed with the project using other interest accruing financing methods.	
<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Note Reasons</b> Suspension of the rules is not necessary but earlier passage would allow the opportunity to bid this project as early as possible.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Roger Kobilarcsik	<b>Date:</b> August 12, 2019
<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2019-42

A RESOLUTION AUTHORIZING ADDITIONAL FUNDS  
FOR THE TRANSPORTATION PROGRAM

WHEREAS, the City of Wooster wishes to maintain its transportation program; and

WHEREAS, the transportation program benefits the citizens of the City of Wooster and the businesses of the Wooster community; and

WHEREAS, it is necessary to appropriate \$250,000.00 to maintain the program for the remainder of the 2019 calendar year; and

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

SECTION 1. The Recreation Division, through the Director of Administration, is authorized to expend \$250,000.00 necessary for maintaining the transportation program.

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, 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 \_\_\_\_\_ 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

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

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

Clerk of Council

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

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

\_\_\_\_\_  
Mayor

Introduced by: Scott Myers

### Request for Agenda Item Non-Capital

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

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

The Transportation Program was budgeted \$301,064.00 for the year 2019. As of August 1, we had \$76,756.59(that does not include the July invoice) that is left in this account for the Transportation Program. I am anticipating that we will deplete the monies in this account by September 15. We are requesting an additional \$250,000 for the 2019 calendar year in order for this program to remain fully funded. I have included this past year's data and justification for the additional monies.

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

**Manager Requesting**

**Date**

**Approved for Agenda**