

CITY COUNCIL AGENDA

February 18, 2020

7:30p.m.

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

- I. ROLL CALL & ORDERING OF AGENDA**
- II. APPROVAL OF MINUTES**
- III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**
- IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**
- VI. UNFINISHED BUSINESS**
 1. Third Reading – RESOLUTION NO. 2020-09
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH FIVE L FARM LLC FOR THE PURCHASE OF LAND, AND DECLARING AN EMERGENCY (Warden)
- VII. NEW BUSINESS**
 1. First Reading – ORDINANCE NO. 2020-01
AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY. (Sanders)
 2. First Reading – RESOLUTION NO. 2020-10
A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE HIGHLAND ROAD RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY (Bostancic)
 3. First Reading – RESOLUTION NO. 2020-11
A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE SUNSET LANE RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY (Bostancic)
 4. First Reading – RESOLUTION NO. 2020-12
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)
- VIII. EXECUTIVE SESSION - WCO 8.06(e)(3) – Possible litigation**
- IX. MISCELLANEOUS**
- X. ADJOURNMENT**

RESOLUTION NO. 2020-09

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH FIVE L FARM LLC FOR THE PURCHASE OF LAND, AND DECLARING AN EMERGENCY

WHEREAS, it is necessary to enter into an agreement with Five L Farm LLC for the acquisition of 138.6558 acres of land, for the sum of \$2,000,026.00 for future economic development; the costs of which will be provided from funds previously appropriated for 2020; and

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

SECTION 1. The Director of Administration is hereby authorized to enter into a contract for the purchase of 138.6558 acres of land, for the sum of \$2,000,026.00.

SECTION 2. That the amount expended has previously been appropriated for 2020.

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 preserve future opportunities for economic development; 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.

1st: 1-21-20 2nd reading: 2-3-20 3rd reading: _____

Passed: _____, 2020 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2020
Mayor

Introduced by: Jennifer Warden

ORDINANCE NO. 2020-01

AN ORDINANCE TO APPROVE AND ADOPT CURRENT
REPLACEMENT PAGES TO THE CODIFIED ORDINANCES
AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances, and

WHEREAS, certain traffic and misdemeanor provisions should be revised to comply with current State law; and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wooster, Ohio:

SECTION 1. That the ordinances of the City of Wooster, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2019 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections are hereby amended, enacted or repealed as respectively indicated in order to comply with current state law:

Traffic Code

- 301.04 Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
- 301.20 Motor Vehicle. (Amended)
- 301.251 Predicate Motor Vehicle Offense. (Amended)
- 301.361 Shared-Use Path. (Amended)
- 301.51 Vehicle. (Amended)
- 303.06 Freeway Use Restricted. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 331.15 Hand and Arm Signals. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 337.27 Drivers and Passengers Required to Wear Seat Belts. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
- 373.01 Code Application to Bicycles. (Amended)
- 373.02 Riding Upon Seats. (Amended)
- 373.03 Attaching Bicycle to Vehicle. (Amended)
- 373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 373.05 Signal Device on Bicycle. (Amended)

RESOLUTION NO. 2020-10

A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD
FOR THE HIGHLAND ROAD RECONSTRUCTION PROJECT AND
DECLARING AN EMERGENCY

WHEREAS, the City of Wooster, by action of this Council, has declared in Resolution No. 2020-03 adopted January 6, 2020, the necessity to construct certain improvements to the locations detailed and described in that resolution, and a portion of the cost thereof will be assessed to benefited properties as set forth therein; and

WHEREAS, Ohio law provides that owners of property to be assessed for such improvements may make timely objections and have their objections heard by an assessment equalization board;

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

SECTION 1. Robert Kastner, Robert Metze, Jr. and Steve Webster, three disinterested freeholders of the City of Wooster, are appointed to act as an assessment equalization board to hear and determine all written objections filed in accordance with law to the estimated special assessments filed with the Clerk of this Council pursuant to Resolution No. 2020-03 adopted by this Council on January 6, 2020. The board is directed to equalize such assessments as it deems proper to conform to the standards prescribed by law and that resolution.

SECTION 2. The assessment equalization board shall meet in the City Council Chambers of the Municipal Building, 538 North Market Street, Wooster, Ohio, for the purposes aforesaid, and on completion of the hearing and any adjournments thereof, shall report its recommendations, including any changes which should be made in the estimated special assessments, to this Council.

SECTION 3. The Clerk of Council is directed to notify by certified mail, return receipt requested, each person who has timely filed a written objection to the estimated special assessments of the time and place of the meeting of the assessment equalization board. Such notices shall be mailed at least five (5) days prior to the date of the first meeting.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City, and for the further reason that prompt action by the assessment equalization board is necessary in order to ensure that affected property owners will be afforded a mechanism by which to have their objections heard in a timely manner; wherefore, this resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor, provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: _____, 2020

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2020

Mayor

Introduced by: Bill Bostancic

#2

Res 2020-10

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested February 18, 2020
Project Name W. Highland Road Reconstruction Resolution to Appoint Assessment Equalization Board	Estimated Total Funds/Costs \$1,285,000 (\$309,638 OPWC)(\$130,000 Water)(\$100,000 Sanitary)(\$125,000 Storm)(\$504,728 Capital Improvements Fund)(\$115,634 Assessments)
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?	
Description of Request This is a request to appoint an Assessment Equalization Board to hear objections to the W. Highland Road Reconstruction Project.	
Justification / Benefits This is required by the Ohio Revised Code, section 727.16. The proposed members are Bob Metze, Steve Webster, and Rob Kastner.	
Will this Project affect the City's Operating Costs N/A	
What Alternatives Exist and what are the Implications of the Alternatives N/A	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons The assessment process needs to continue to remain on schedule for construction in 2020.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: February 5, 2020
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2020-11

A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE SUNSET LANE RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City of Wooster, by action of this Council, has declared in Resolution No. 2020-04 adopted January 6, 2020, the necessity to construct certain improvements to the locations detailed and described in that resolution, and a portion of the cost thereof will be assessed to benefited properties as set forth therein; and

WHEREAS, Ohio law provides that owners of property to be assessed for such improvements may make timely objections and have their objections heard by an assessment equalization board;

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

SECTION 1. Robert Kastner, Robert Metze, Jr. and Steve Webster, three disinterested freeholders of the City of Wooster, are appointed to act as an assessment equalization board to hear and determine all written objections filed in accordance with law to the estimated special assessments filed with the Clerk of this Council pursuant to Resolution No. 2020-04 adopted by this Council on January 6, 2020. The board is directed to equalize such assessments as it deems proper to conform to the standards prescribed by law and that resolution.

SECTION 2. The assessment equalization board shall meet in the City Council Chambers of the Municipal Building, 538 North Market Street, Wooster, Ohio, for the purposes aforesaid, and on completion of the hearing and any adjournments thereof, shall report its recommendations, including any changes which should be made in the estimated special assessments, to this Council.

SECTION 3. The Clerk of Council is directed to notify by certified mail, return receipt requested, each person who has timely filed a written objection to the estimated special assessments of the time and place of the meeting of the assessment equalization board. Such notices shall be mailed at least five (5) days prior to the date of the first meeting.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City, and for the further reason that prompt action by the assessment equalization board is necessary in order to ensure that affected property owners will be afforded a mechanism by which to have their objections heard in a timely manner; wherefore, this resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor, provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Passed: _____, 2020 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2020
Mayor

Introduced by: Bill Bostancic

#3
Res
2020-11

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested February 18, 2020
Project Name Sunset Lane Reconstruction Resolution to Appoint Assessment Equalization Board	Estimated Total Funds/Costs \$790,000 (\$190,362 OPWC)(\$25,000 Water)(\$125,000 Sanitary)(\$175,000 Storm)(\$211,454 Capital Improvements Fund)(\$63,184 Assessments)
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?	
Description of Request This is a request to appoint an Assessment Equalization Board to hear objections to the Sunset Lane Reconstruction Project. The equalization board will convene if needed.	
Justification / Benefits This is required by the Ohio Revised Code, section 727.16. The proposed members are Bob Metze, Steve Webster, and Rob Kastner.	
Will this Project affect the City's Operating Costs N/A	
What Alternatives Exist and what are the Implications of the Alternatives N/A	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons The assessment process needs to continue to remain on schedule for construction in 2020.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: February 5, 2020
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

Request for Agenda Item

Authorization for Bid



Purchase Capital Item



Non-Capital



Division Utilities / Water Production	Meeting Date Requested 2/18/2020
Project Name Water Plant Soda Ash Contract	Estimated Total Funds/Costs \$51,600.00
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? 	
Description of Request To authorize the Director of Administration to enter into a contract with lowest and best bidder for purchase and delivery of soda ash. Chemicals are necessary to maintain water quality and ensure a consistent quality of drinking water. Soda ash is used in the treatment process to remove elements that cause non-carbonate hardness (anions of sulfate) in the softening process to and improve water aesthetics. 2019 expense totaled \$43,000. Considering the addition of third shift operations and anticipated 2020 pricing an anticipated cost of the budgeted amount of \$51,600. The contract term will be March 15 to December 31, 2020.	
Justification / Benefits Chemicals needed for the water treatment process.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives 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: 2-7-2020

Approved for Agenda Yes No