

CITY COUNCIL AGENDA

April 4, 2022

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**
Liquor Control – SFR X Holdings LLC
DBA Pizza Hut of Ohio
1831 Beall Avenue
Wooster, Ohio 44691
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**
- VI. UNFINISHED BUSINESS**
- VII. NEW BUSINESS**
 1. First Reading – RESOLUTION NO. 2022-13
A RESOLUTION TO ESTABLISH THE ONEOHIO OPIOID SETTLEMENT SPECIAL REVENUE FUND AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)
 2. First Reading – RESOLUTION 2022-14
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF THE WATERLINE ON PALMER STREET AND ALLOWING FOR IMMEDIATE ENACTMENT (Silvestri)
 3. First Reading – RESOLUTION 2022-15
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM, AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)
- VIII. MISCELLANEOUS**
- IX. ADJOURNMENT**

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

80118310005 <small>PERMIT NUMBER</small>			TRFO <small>TYPE</small>	SFR X HOLDINGS LLC DBA PIZZA HUT OF OH 1831 BEALL AV WOOSTER OHIO 44691
02	01	2022 <small>ISSUE DATE</small>		
03	21	2022 <small>FILING DATE</small>		
D1 D2 <small>PERMIT CLASSES</small>				
85	165	B	F27268 <small>RECEIPT NO.</small>	

FROM 03/24/2022

9444498 <small>PERMIT NUMBER</small>				WAYNE PIZZA OF OHIO LLC DBA PIZZA HUT 1831 BEALL AV WOOSTER OHIO 44691
02	01	2022 <small>ISSUE DATE</small>		
03	21	2022 <small>FILING DATE</small>		
D1 D2 <small>PERMIT CLASSES</small>				
85	165			



MAILED 03/24/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/25/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B TRFO 8011831-0005

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF WOOSTER CITY COUNCIL
538 N MARKET ST
PO BOX 1128
WOOSTER OHIO 44691

RESOLUTION NO. 2022-13

A RESOLUTION TO ESTABLISH THE ONEOHIO OPIOID SETTLEMENT SPECIAL REVENUE FUND AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Council of the City of Wooster passed Resolution No. 2021-38 accepting the terms of the OneOhio subdivision settlement pursuant to the OneOhio memorandum of understanding (MOU) consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement;

WHEREAS, Auditor of State Bulletin 2022-003 issued on March 10, 2022, and Ohio Revised Code Section 5705.09(F) indicates that the City's share of the OneOhio Funds shall be placed in a separate special revenue fund and used only for the approved purposes as required by the OneOhio MOU.

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

SECTION 1. That there be established OneOhio Opioid Settlement Fund, a special revenue fund of the City of Wooster.

SECTION 2. That all funds distributed to the City of Wooster, pursuant to the OneOhio subdivision settlement be used only for the approved purposes as required by the OneOhio MOU.

SECTION 2. 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 3. This resolution is declared to be necessary for the immediate preservation of the public peace, health, welfare and safety of the City, 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: _____, 2022

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2022

Mayor

Introduced by: Craig Sanders

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Finance	Meeting Date Requested April 4, 2022
Project Name New Accounting Fund	Estimated Total Funds/Costs \$-0-
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? Not Applicable	
Description of Request In 2021, the City entered into an agreement with OneOhio regarding the National opioid settlement. As such, the City will be receiving funds that can only be used for purposes outlined in the OneOhio Memorium of Understanding (MOU). The Ohio Revised Code and the Auditor of State indicate that a special revenue fund should be established to account for these funds.	
Justification / Benefits To account for and report the proceeds of specific revenue sources that are restricted to expenditures for specified purposes.	
Will this Project affect the City's Operating Costs No	
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 type="checkbox"/> No If Yes, Explain The Circumstances: N/A	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Andrei Dordea	Date: 03/21/2022

Approved for Agenda Yes No

RESOLUTION NO. 2022-14

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF THE WATERLINE ON PALMER STREET AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS it is necessary to replace the waterline on Palmer Street near the railroad bridge, and the cost thereof is budgeted for 2022; and

WHEREAS, this City Council hereby determines that prompt action is necessary to begin the process of implementing this improvement.

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

SECTION 1. The Director of Administration is hereby authorized to advertise for bids and enter into a contract with the lowest and best bidder for the above-described improvements.

SECTION 2. Such contract will not exceed the amount appropriated.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council, in compliance with the law.

SECTION 4. This Resolution is declared to be 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; 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: _____, 2022

Mayor

Introduced by: David Silvestri

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2022-14

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested April 4, 2022
Project Name Palmer Street Waterline Replacement Project	Estimated Total Funds/Costs \$150,000; Water Fund
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 authorize the advertisement for bids and to enter into a contract with the lowest and best bidder for the replacement of the waterline on Palmer Street across the railroad bridge. This project involves the replacement of approximately 240 linear feet of 6" ductile iron W/L that has failed and is attached to the railroad bridge. The replacement pipe shall be 6" ductile iron pipe with new insulation and bridge mounts.	
Justification / Benefits The project will replace a 6" ductile iron waterline and re-establish a loop in the line.	
Will this Project affect the City's Operating Costs This project should have no effect on the operation and maintenance costs.	
What Alternatives Exist and what are the Implications of the Alternatives We could do nothing and continue to be deficient and not have the loop.	
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 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 obtain the best possible bids.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: March 22 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION 2022-15

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the City of Wooster (referred to as the “Political Subdivision”) submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual winter road salt bid in accordance with Ohio Revised Code 5513.01(B) and agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision acknowledges that upon the Director of ODOT’s signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract; and
- d. The Political Subdivision requests through this participation agreement a total of 3,000 tons of Sodium Chloride (Road Salt) in 2023, in order to maintain sufficient reserves depleted throughout the winter season, of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement, it will do so by written, emailed request by no later than Friday, April 29, 2022, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

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

SECTION 1. This participation agreement for the ODOT winter road salt contract is approved with funding that will be authorized for FY 2023, and the Political Subdivision agrees to the above terms and conditions regarding participation in the ODOT winter salt contract.

SECTION 2. The Director of Administration is authorized to agree in the name of the City of Wooster to be bound by all of the foregoing terms and conditions, as well as such other terms and conditions as the Director of Transportation prescribes.

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 declared to be 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 take advantage of this opportunity to procure road salt at a reduced cost by submitting this executed Resolution to ODOT no later than April 29, 2022; 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 reading: _____ 2nd reading: _____ 3rd reading: _____

Passed: _____

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2021

Mayor

Introduced by: Barb Knapic

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Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division PPM	Meeting Date Requested 4/4/2022
Project Name ODOT Winter Salt Contract	Estimated Total Funds/Costs \$225,000.00
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? This purchase will in to budgeted in FY2023	
Description of Request <p>The PPM Division anticipates the need to purchase approximately 3000 ton of salt in 2023 to maintain sufficient reserves depleted throughout the winter season. The funding for the salt to be purchased in 2023 is not funded, but will be requested in the 2023 Budget. The reason this request is coming to Council in such short notice is because the City just recently was notified by ODOT that the City could join them in the Winter Fill Salt Contract (018-23).</p> <p>This past Winter the City Snow and Ice Control spread 3400 ton of salt – this is 1100 ton less than our average of 4500 ton per year. The cost per ton of salt was \$45.28. We currently have 3200 ton of salt in reserves moving into next Winter.</p>	
Justification / Benefits <p>In an unstable salt market it is difficult to predict and budget from year to year what the price of salt will be. So, partnering with the Ohio Department of Transportation (ODOT) will allow the City to purchase a total of 3000 ton of salt and minimize the risk of paying higher prices. The bidding process that ODOT uses keeps the salt vendors prices very competitive.</p>	
Will this Project affect the City's Operating Costs Yes, in FY2023	
What Alternatives Exist and what are the Implications of the Alternatives Purchase in the open market – Risk of paying more for salt	
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 <p>Council will need to suspend the rules and pass this resolution in its final reading because of time constraints. The ODOT contract agreement for the Winter Fill Contract needs to be submitted by April 29, 2022. The resolution can be submitted after the next City of Wooster Council Meeting.</p>	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Curt Denning	Date: 3/31/2022

Approved for Agenda Yes No