

CITY COUNCIL AGENDA

October 3, 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

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. UNFINISHED BUSINESS

1. Second Reading – ORDINANCE NO. 2022-25
CREATING THE OAK HILL TAX INCREMENT FINANCING INCENTIVE DISTRICTS;
DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO
BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE
OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES;
ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT
FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC
INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE
INCENTIVE DISTRICT; AND PROVIDING FOR COMPENSATION PAYMENTS (Reynolds)
2. Second Reading – RESOLUTION NO. 2022-39
A RESOLUTION APPROPRIATING ADDITIONAL CAPITAL FUNDS FOR THE FIRE STATION
ONE RENOVATION AND ALLOWING FOR IMMEDIATE ENACTMENT (Cavin)

VII. NEW BUSINESS

1. First Reading – RESOLUTION NO. 2022-45
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO MODIFY A
CONTRACT WITH MULL AND WEITHMAN ARCHITECTS TO ADD ADDITIONAL SERVICES
AND ALLOWING FOR IMMEDIATE ENACTMENT (Cavin)
2. First Reading – ORDINANCE NO. 2022-23
AN ORDINANCE AMENDING CHAPTER 924.17, CHARGES FOR CONNECTIONS TO CITY
SANITARY SEWERAGE SYSTEM, OF THE CODIFIED ORDINANCES OF THE CITY OF
WOOSTER, OHIO TO ELIMINATE INSTALLMENT PAYMENT PLANS (Ansel)
3. First Reading – RESOLUTION NO. 2022-40
A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR SLUDGE REMOVAL AND
HAULING AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

4. First Reading – RESOLUTION NO. 2022-41
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 AND STORM SEWERS ON ROBINHOOD DRIVE, FRIAR TUCK CIRCLE, AND LITTLE JOHN LANE, AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)
5. First Reading – RESOLUTION NO. 2022-42
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH WEST ERIE REALTY SOLUTIONS LTD. FOR PROFESSIONAL DESIGN SERVICES RELATED TO THE WOOSTER LOOP 3 MULTI-USE PATH AND ALLOWING FOR IMMEDIATE ENACTMENT (Warden)
6. First Reading – RESOLUTION NO. 2022-43
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR PAVEMENT REPAIRS ON CERTAIN CITY STREETS AND ALLOWING FOR IMMEDIATE ENACTMENT (Warden)
7. First Reading – RESOLUTION NO. 2022-44
A RESOLUTION PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY, OHIO, FOR A CHANGE OF TOWNSHIP LINES TO CONFORM WITH THE CORPORATION LIMITS OF THE CITY OF WOOSTER AND ALLOWING FOR IMMEDIATE ENACTMENT (Reynolds)
8. AMENDED RESOLUTION NO. 2022-33
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 ALLOWING FOR IMMEDIATE ENACTMENT (Warden)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2022-25

CREATING THE OAK HILL TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT; AND PROVIDING FOR COMPENSATION PAYMENTS

WHEREAS, the City's Office of Economic Development has studied the Oak Hill area in the City and prepared the Oak Hill Tax Incremental Financing Incentive District Economic Development Plan (the "Economic Development Plan") and this Council adopted the Economic Development Plan in Ordinance No. 2022-02, passed on February 22, 2022; and

WHEREAS, this Council desires to facilitate the development of residential subdivisions within the City in order to increase available housing options within the City as set forth in the Economic Development Plan (the "Project"); and

WHEREAS, in order to develop the Project, it is necessary to construct certain public infrastructure improvements; and

WHEREAS, this Council, pursuant to ORC Sections 5709.40, 5709.42 and 5709.43 (collectively, the "TIF Act"), is authorized to declare improvements to real property to be a public purpose, exempt those improvements from real property taxation, and require owners of the real property to make service payments in lieu of taxes in an amount equal to such exempted taxes; and

WHEREAS, to facilitate the development of the Project and pay the associated costs of the necessary public infrastructure improvements from service payments in lieu of taxes, this Council has determined to create the Oak Hill Incentive District #1, the Oak Hill Incentive District #2, the Oak Incentive District #3, the Oak Hill Incentive District #4, and the Oak Hill Incentive District #5 (each an "Incentive District" and collectively the "Incentive Districts") pursuant to the TIF Act, the boundaries of which shall be coextensive with the boundaries of, and will include, the parcels of real property within each Incentive District specifically identified and depicted in Exhibit A attached hereto (as currently or subsequently configured, the "Parcels", with each of those parcels referred to herein individually as a "Parcel"); and

WHEREAS, notice of this Ordinance has been provided to the (A) Boards of Education of the Wooster City School District and the Wayne County Schools Career Center and (B) the

Wayne County Board of County Commissioners, in accordance with and within the time periods prescribed in ORC Sections 5709.40 and 5709.83; and

WHEREAS, the Board of Education of the Wooster City School District has approved of this Ordinance at their April 26, 2022 meeting and executed a Revenue Sharing Agreement with the City dated as of April 26, 2022 (the "Revenue Sharing Agreement"), which Revenue Sharing Agreement is in the vital and best interest of the City and the School District and will improve the health, safety and welfare of the citizens of the City and the School District.

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

SECTION 1. Incentive District Findings and Determinations; Creation of Incentive Districts. This Council hereby: (i) accepts and adopts the City Engineer's certification to this Council and the City Engineer's findings set forth therein (a) that the public infrastructure serving the Incentive Districts is inadequate to meet the development needs of the Incentive Districts as evidenced by the Economic Development Plan, and (b) that each Incentive District and the related overlay area is less than 300 acres in size and enclosed by a contiguous boundary, (ii) finds and determines that the Project will place additional demand on the Public Infrastructure Improvements, (iii) finds and determines that the City sent written notice of the public hearing regarding this Ordinance by first class mail to each owner of real property within each proposed Incentive District at least 30 days prior to such hearing, which notice included a map of the proposed Incentive District as well as the overlay area required by ORC Section 5709.40(C)(2), (iv) finds and determines that this Council has not received a request from the owner of any real property within any proposed Incentive District to exclude that owner's property from the Incentive District, (v) finds and determines that notice of this Ordinance has been delivered to the (a) Wayne County Schools Career Center and (b) the Wayne County Board of County Commissioners, in accordance with and within the time periods prescribed in ORC Sections 5709.40 and 5709.83, and (vi) finds and determines that the City has not received an objection to this Ordinance from the Wayne County Board of County Commissioners within the time periods prescribed in ORC Section 5709.40. This Council further finds that the sum of the taxable value of real property in the Incentive Districts for tax year 2021 and the taxable value of all real property in the City that would have been taxable in tax year 2021 were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation, does not exceed twenty-five percent of the taxable value of real property within the City for tax year 2021. Pursuant to the TIF Act, this Council creates the Incentive Districts, the boundaries of which are coextensive with the boundaries of, and include, the Parcels as depicted on Exhibit A attached hereto.

SECTION 2. Public Infrastructure Improvements. This Council designates the following public infrastructure improvements, together with any public infrastructure improvements hereafter designated by Ordinance, as public infrastructure improvements made, to be made or in the process of being made by the City that benefit or serve, or that once made will benefit or serve, the Parcels in each Incentive District (the "Public Infrastructure Improvements"): roadway improvements, water system improvements, sanitary sewer improvements, including one or more lift stations, storm drainage improvements, pedestrian

sidewalks, street lights, gas facilities, electrical facilities, and all appurtenances thereto. The costs of the improvements include but are not limited to those costs listed in ORC Section 133.15(B).

SECTION 3. Life of Incentive Districts; Authorization of Tax Exemption. The life of each Incentive District commences with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure would first appear on the tax list and duplicate of real and public utility property for any Parcel within the Incentive District were it not for the exemption granted in this Ordinance and ends on the earlier of (a) 30 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act (the “Incentive District Life”).

Pursuant to and in accordance with the provisions of ORC Section 5709.40(C), this Council hereby declares that the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the “Improvement,” as defined in ORC Section 5709.40(A)) is a public purpose and 100% exempt from taxation for the Incentive District Life for each applicable Incentive District.

SECTION 4. Service Payments and Property Tax Rollback Payments. Pursuant to ORC Section 5709.42, the owner of each Parcel is hereby required to make annual service payments in lieu of taxes with respect to the Improvement to that Parcel to the Wayne County Treasurer (the “County Treasurer”) on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established for real property taxes (collectively, the “Service Payments”), will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 3 of this Ordinance. The Service Payments and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by ORC Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the “Property Tax Rollback Payments”), will be deposited and distributed in accordance with Section 6 of this Ordinance.

SECTION 5. TIF Fund. This Council hereby establishes the Oak Hill Incentive District Municipal Public Improvement Tax Increment Equivalent Fund (the “TIF Fund”). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to the TIF Act shall be used solely for the purposes authorized in the TIF Act and this Ordinance (as it may be amended or supplemented). The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with the TIF Act.

SECTION 6. Distribution of Funds. Pursuant to the TIF Act, during the Incentive District Life for each Incentive District, the County Treasurer is requested to distribute all Service Payments and Property Tax Rollback Payments to the City, for further deposit into the TIF Fund. The City shall use all such amounts deposited into the TIF Fund as follows:

a. To pay each of the Wooster City School District and the Wayne County Schools Career Center an amount equal to 25% of the amount the school district would otherwise receive as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance. The City shall make such payments within 60 days of receiving such amounts from the County.

b. For payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements.

Provided, once the City collects Service Payments, less any payments to the Wooster City School District and the Wayne County Schools Career Center, equal to the Total Cost Certification, as defined in the Revenue Sharing Agreement, plus any cost of issuing bonds and interest expense incurred by the City after the Total Cost Certification, the City shall notify the County Treasurer and request, pursuant to the TIF Act, that during the remainder of the Incentive District Life for each Incentive District the County Treasurer distribute the Service Payments and Property Tax Rollback Payments as follows:

a. To each of the Wooster City School District and the Wayne County Schools Career Center, an amount equal to the amount the school district would otherwise receive as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance.

b. To the City, all remaining amounts for further deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements.

All distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions. The City shall make any distributions to the extent not made by the County Treasurer.

SECTION 7. Further Authorizations. This Council further hereby authorizes and directs the Mayor, the Director of Finance and other appropriate officers of the City to take any other actions as may be appropriate to implement this Ordinance, including, without limitation, executing and delivering the Revenue Sharing Agreement to the Wooster City School District, and to deliver a copy of this Ordinance to the Ohio Department of Development. All previous actions taken by the Mayor and/or any other officer of the City in this regard are hereby ratified.

SECTION 8. Open Meetings. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, 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, all in compliance with the law.

SECTION 9. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st reading 9-19-22 2nd reading _____ 3rd reading _____

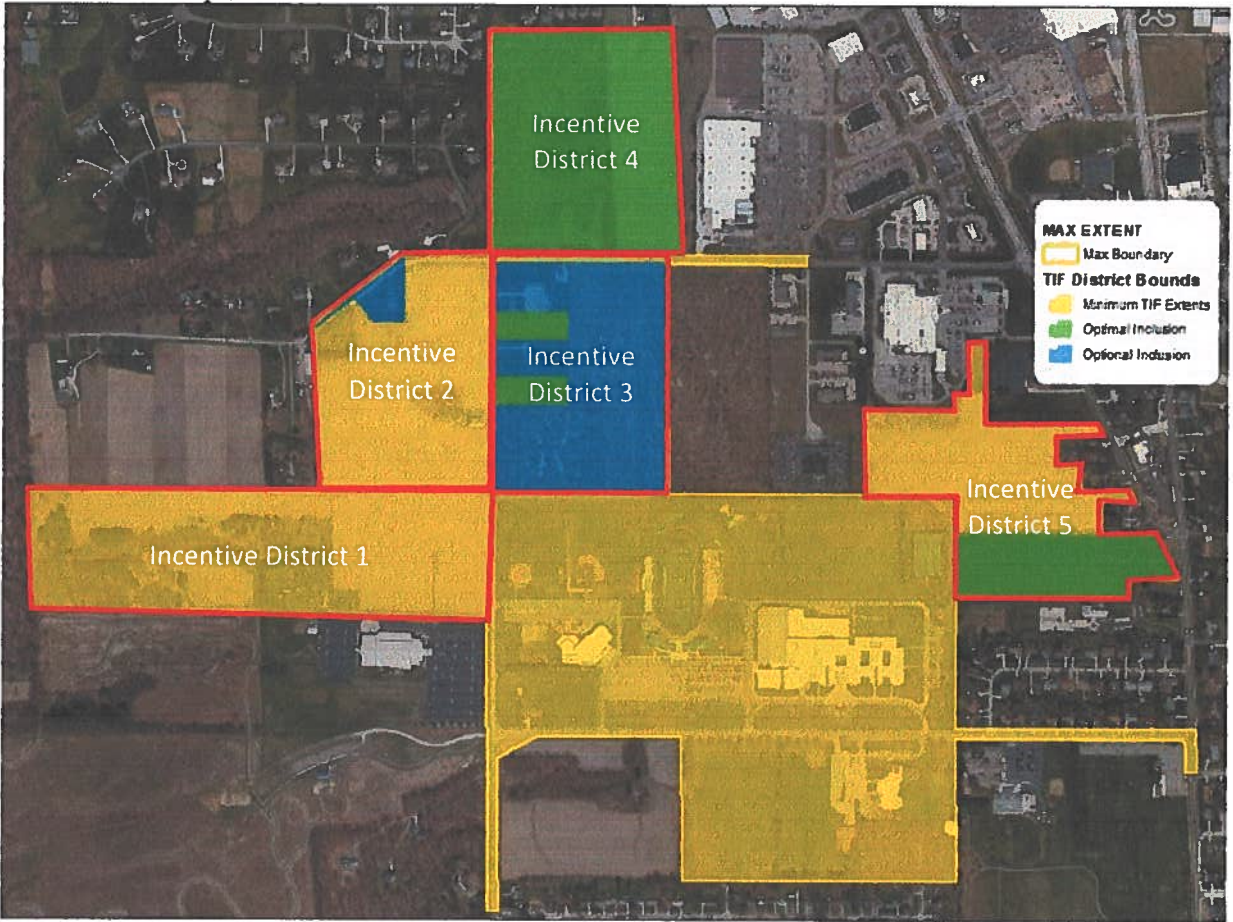
Passed: _____, 2022 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2022
Mayor

Introduced by: Bob Reynolds

EXHIBIT A
Incentive Districts



Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested September 19th, 2022
Project Name Oak Hill TIF Creation	Estimated Total Funds/Costs (\$8.4 MM)
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? Future redirected property tax revenues resulting from new private development within districts.	
Description of Request This request is for the creation of the Oak Hill Tax Increment Financing Incentive Districts (a total of 5) within the previously described area defined in the Economic Development Plan approved by Ord. 2022-02. Specifically, for a 30-year period, 100% new tax revenues created from any future development within the districts, otherwise payable to various taxing entities, will be redirected to a municipal public improvement tax increment equivalent fund. These redirected revenues will be used exclusively to pay for or reimburse the city's infrastructure costs, which include two roundabouts, road widening, and sanitary sewer extension. These improvements are necessary today for safety, and also to support the planned expansion of the Wooster City School Oak Hill campus and anticipated housing development. Also contained in the request is authorization for a compensation agreement with the Wooster City School District, in which the City will compensate the District 25% of the revenues it would have received, and then 100% once the certified costs of the installation of certain infrastructure improvements are recovered. TIF funds are now partly secured with the Spring Run Dev. Agreement.	
Justification / Benefits Staff recommends the proposal as it 1.) enables the creation of public infrastructure required for health and safety at present, 2.) supports an expanding Wooster City Schools campus and future housing development opportunities, with 91 homes and 320 apartments proposed, 3.) enables high-quality infrastructure, such as roundabouts with long-term savings, that could not otherwise be afforded.	
Will this Project affect the City's Operating Costs Redirects +\$7 MM in NEW taxes over time from future private development to fund new city public infrastructure.	
What Alternatives Exist and what are the Implications of the Alternatives The City may pursue bonds to cover the expenses to be paid back through the general fund, reduce the scope of the project (which could result in longer-term costs i.e. signals vs roundabouts), or both.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances: Individual public infrastructure projects at Oak Hill will continue to follow normal approval processes. Individual developers may participate (fee waiver) with Council's approval of a development agreement.	
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 Passage required not before Oct 7, 2022, nor after December 31, 2022	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: 9/15/2022

Approved for Agenda Yes No

The Board of Education of the Wooster City School District met in _____ session on April 26, 2022, commencing at 7:00 o'clock p.m., at Wooster High School, Wooster, Ohio, with the following members present:

Mrs. L. Sue Herman Mrs. Danielle Schantz
Dr. Michael Krapic Mrs. Jody Starcher
Mr. Ryan Kurma

The Treasurer advised the Board that the notice requirements of Section 121.22, Ohio Revised Code, were complied with for the meeting.

Dr. Krapic moved the adoption of the following resolution:

A RESOLUTION APPROVING REAL PROPERTY TAX EXEMPTIONS IN CONNECTION WITH THE PROPOSED DEVELOPMENT OF PROPERTY IN THE AREA KNOWN AS OAK HILL AND LOCATED IN THE CITY OF WOOSTER, AUTHORIZING EXECUTION AND DELIVERY OF A REVENUE SHARING AGREEMENT IN CONNECTION WITH THOSE REAL PROPERTY TAX EXEMPTIONS AND APPROVING CERTAIN RELATED MATTERS.

WHEREAS, the City of Wooster (the "City") desires to enable the development of real property located in the Oak Hill area in the vicinity of the School District's High School Campus as shown on the map attached hereto as Exhibit A (the "Property") and as more fully described in the Oak Hill Tax Incremental Financing Incentive District Economic Development Plan (the "Plan") adopted by the City.

WHEREAS, the City, under the authority of Section 5709.40 of the Ohio Revised Code, expects to adopt one or more ordinances to exempt the Property from 100% of the real property taxes that would be due if not for the exemption provided by the ordinance for a period of 30 years (the "TIF Exemption").

WHEREAS, the City and the School District will derive substantial and significant benefits from the development of the Property and the construction of the public infrastructure improvements contemplated by the Plan (the "Public Infrastructure Improvements").

WHEREAS, the City and the School District have negotiated a Revenue Sharing Agreement in connection with the Property whereby in exchange for the School District's approval of the TIF Exemption, the School District will receive (i) the City's best efforts to construct certain Public Infrastructure Improvements, as defined in the Revenue Sharing Agreement and described in the Plan, (ii) an amount equal to twenty-five percent (25%) of the real property taxes that would have been distributed to the School District but for the TIF

Exemption, which will increase to one hundred percent (100%) upon repayment of the costs of the Public Infrastructure Improvements to the City, and (iii) a waiver of tap fees for sanitary service lines constructed as part of the Public Infrastructure Improvements;

WHEREAS, this Board supports the economic growth of our City and the additional revenue to this School District that will result from the development of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Wooster City School District, Wayne County, State of Ohio, that:

Section 1. This Board hereby (i) waives any notice or certification requirements of Ohio Revised Code Sections 5709.40, 5709.82 or 5709.83 with respect to the TIF Exemption, and the passage of the ordinances approving the TIF Exemption, (ii) subject to the City's execution and delivery of the Revenue Sharing Agreement between the City and the School District substantially in the form now on file with the Treasurer, approves the TIF Exemption, (iii) accepts payment and other consideration pursuant to the terms of the Revenue Sharing Agreement as the sole consideration to be received by the School District in connection with the TIF Exemption, and (iv) waives all other rights to payments in connection with the TIF Exemption, including, without limitation, the requirements of Ohio Revised Code Section 5709.82.

Section 2. The President and Treasurer of this Board and the Superintendent of this School District are each authorized and directed to execute and deliver to the City the Revenue Sharing Agreement in substantially form now on file with the Treasurer, together with any changes to such form as are approved by those officers as being consistent with this resolution and not substantially adverse to the School District, and to execute and deliver any other agreements and to take all other actions and do all other things necessary and consistent with this resolution in order to accomplish the purposes of this resolution.

Section 3. The Treasurer is authorized and directed to promptly certify a copy of this resolution to the City. This Board acknowledges that the City will rely on this resolution when granting the TIF Exemption and this Board agrees it will not repeal or modify this resolution without the prior written approval of the City.

Section 4. This Board hereby finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this resolution were taken in an open meeting of this Board or its committees and that all deliberation of this Board and of any of its committees that resulted in those formal actions were in meeting open to the public, in compliance with law.

Section 5. This resolution shall be in full force and effect from and immediately upon its adoption.

Mrs. Donn Schantz seconded the motion.

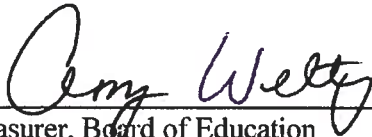
Upon roll call on the adoption of the resolution, the vote was as follows:

Mrs. Herman Yea Ms. Schartz Yea
Dr. Knapic Yea Mrs. Starcher Yea
Mr. Kurma Yea

TREASURER'S CERTIFICATION

The foregoing is a true and correct excerpt from the minutes of the regular meeting on April 26, 2022, of the Board of Education of the Wooster City School District, showing the adoption of the resolution hereinabove set forth.

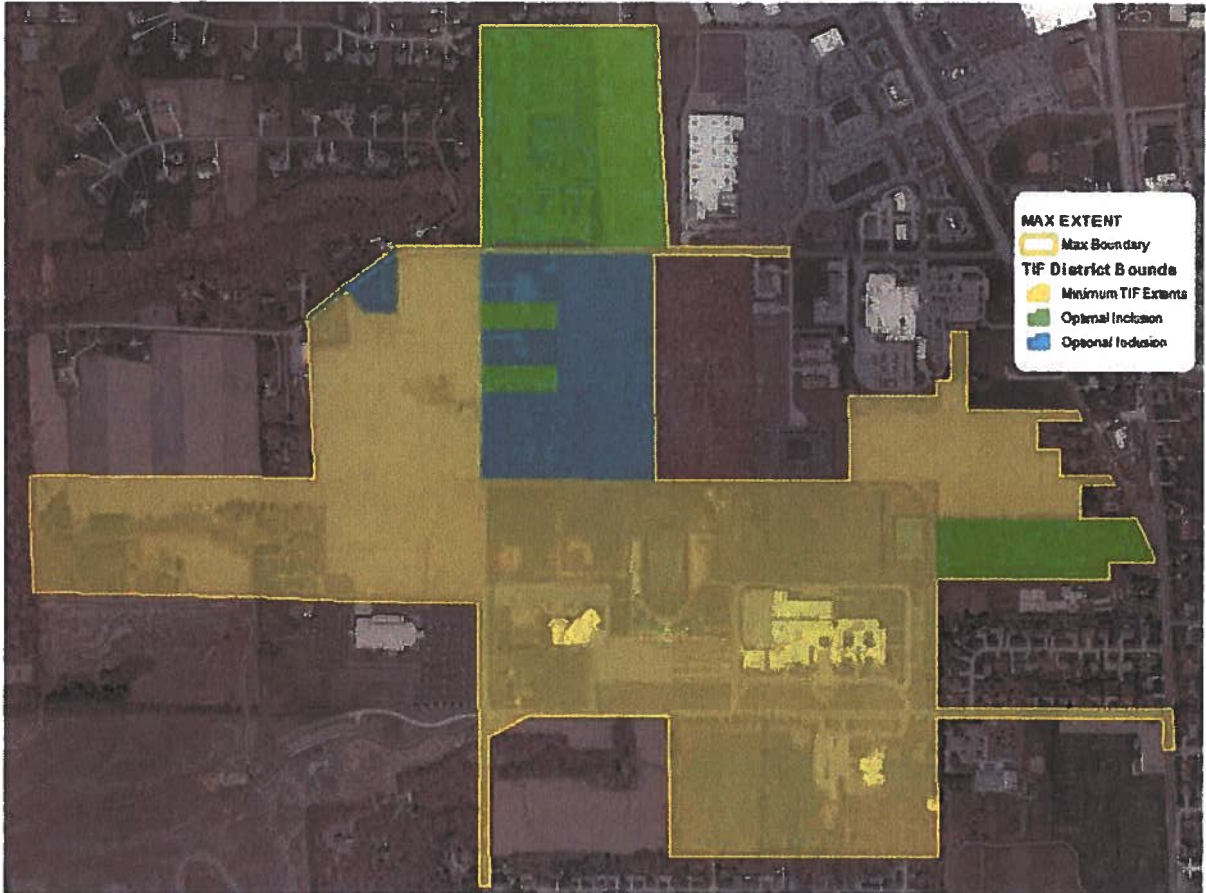
Dated: May 17, 2022



Treasurer, Board of Education
Wooster City School District, Ohio

Exhibit A

The Property consist of the area below outlined in yellow.



In no way limiting the foregoing, on January 19, 2022, the Parcels fully contained the parcels known as 53-00030.000, 53-00030.001, 53-01312.000, 53-01518.000, 53-01859.004, 53-01859.005, 53-01859.006, 53-001859.007, 53-01859.008, 53-01918.000, 53-01918.001, 53-01918.002, 53-01919.000, 67-00234.000, 67-00236.000, 67-02515.000, 67-02873.000, 67-02914.000, 67-02967.000, 73-00013.000, and including right of way, measuring approximately 275.443 acres

RESOLUTION NO. 2022-39

A RESOLUTION APPROPRIATING ADDITIONAL CAPITAL FUNDS FOR THE FIRE STATION ONE RENOVATION AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS it is necessary to renovate Fire Station One; and

WHEREAS, additional funds are necessary for this project and must be appropriated.

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

SECTION 1. The amount of \$2,500,000.00 is appropriated from the unappropriated General Fund (100) balance to the Interfund Cost Center, with a related transfer to the Capital Improvements Fund (301), where it is hereby appropriated.

SECTION 2. 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 3. This Resolution is hereby 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.

1st Reading: 9-19-22 2nd Reading: _____ 3rd Reading: _____

Passed: _____

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2021

Mayor

Introduced by: Mark Cavin

*Wrong info -
John doing
a new
resolution.*

RESOLUTION NO. 2022-45

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO MODIFY A CONTRACT WITH MULL AND WEITHMAN ARCHITECTS TO ADD ADDITIONAL SERVICES AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, it is necessary to modify an existing agreement with Mull and Weithman Architects to include additional design and construction phase services for the Fire Station One renovation project; and

WHEREAS, bidding is not necessary as this is a contract for professional services pursuant to W.C.O. 160.03; 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 modify an existing agreement with Mull and Weithman Architects to include additional design and construction phase services for the Fire Station One renovation project.

SECTION 2. Bidding is not necessary as this is a contract for professional services pursuant to W.C.O. 160.03.

SECTION 3. This modification will not exceed the amount budgeted.

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

SECTION 4. This Resolution is hereby 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: Mark Cavin

#1
 Rec. 202245

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Fire Division	Meeting Date Requested 10-3-22
Project Name Design Contract Modification- St	Estimated Total Funds/Costs \$294,000
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 WFD Requests authorization for additional contract services with Mull & Weithman Architects for expanded design & construction phase services for the fire station 1 renovation project. The request includes the modification of contract to include additional work (expanded scope of project) through the construction document & procurement phases and the addition of construction management phase. * Modification for Design & Construction Phase- \$157,416.00 *Modification for Procurement Services- \$27,256.00 *Addition of Construction Management Phase- \$108,798 Total Modification of Contract- \$293,470 (Project Schedule on the attached document)	
Justification / Benefits The scope of the project increased in sq. footage & cost, resulting in the need for additional services by the architect & engineer team. The cost will allow the team to continue to finalize the design, construction documents, bid packages, and construction management of the project to finalization.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives Not to fund the contract modification and either not finish the project or select and hire another design firm.	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons To allow design team to continue to work and finalize the design phase of the project.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Chief Saley	Date: 9-27-22

Approved for Agenda Yes No



mull & weithman architects, inc.

EXHIBIT A

11 September 2022

City of Wooster
538 N. Market Street
Wooster, Ohio 44691

Attn: Joel Montgomery, P.E. MSM, ICMA-CM

RE: Proposed Contract Modification for Professional Design Services for the
Fire Station #1 Additions & Renovations Project

Joel,

The proposed Contract Modification would amend the Stipulated Sum in our original AIA B101-2017 Contract, dated 7/2/2021 with the City of Wooster. We are requesting this modification to the professional services compensation based on the currently defined project scope, as this will necessitate an increase in the design efforts for the project.

The Contract Modification Services fee listed below assumes typical design circumstances required for all the scope currently defined and reviewed with the Safety Committee on June 21, 2022. The projected Construction Cost reviewed at this meeting was \$ 5,373,088.00 As noted in our discussion on September 1st, based on the Solls Report (received after the estimate was completed) additional construction costs will likely be required, but should not affect the professional fees. The modified fee assumes one bid package and not a phased approach and/or extensive alternates, or separate projects.

We propose to furnish the Additional Services with progress payments billed monthly as percentages of each phase of services provided. The proportion of compensation for each phase of services is described in Article 11.5 of the Original Contract. Please see attached.

Original approved Contract Through Construction Documents	\$ 251,645.00
<u>Requested Contract Modification through Construction Documents</u>	<u>\$ 157,416.00</u>
Total Fee through Construction Documents	\$ 409,061.00
Requested Contract Modification for Procurement Services*	\$ 27,256.00
Total Requested Fee Modification (CD's + Procurement Services)	\$ 184,672.00
Total Fee through Procurement Services	\$ 436,317.00

It is anticipated that the Overall Basic Fee's for the project, based on currently defined project scope, from Programming through Project Completion is \$ 545,115.00. This is projected by the proportion of compensation for each phase, mentioned above. A final Contract Modification will be required for Construction Phase Services prior to the start of construction. These Services are currently estimated at \$ 108,798.00.

*Procurement Services will be billed hourly, based on Mull & Weithman's Standard Hourly Rates established in the Original Contract, and will not exceed this lump sum amount without prior authorization.

PRELIMINARY PROJECT SCHEDULE

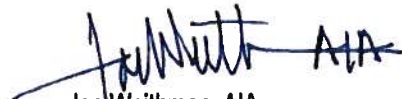
1. Design Development – September 26 - November 28, 2022
2. Owner Review and Sign-off – November 28 - December 5, 2022
3. Construction Documents – December 5 - February 13, 2023
4. Owner Review and Sign-off – February 13 - February 20, 2023
5. Permit Submittal and Approval – February 15 - March 15, 2023
6. Procurement (Bidding) – March 15 - April 5, 2022
7. Contract Award – April 12, 2022
8. Construction – April 26, 2023 - April 26, 2024

Thank you again for this opportunity. We are very excited to see this project through to completion.

Should you have any questions, please feel free to call me to discuss. Thank you in advance.

Please sign and return a copy of this proposal at your earliest convenience, for our records and distribution.

Respectfully submitted,



Joe Weithman, AIA
Mull & Weithman Architects, Inc.

Approved by:

Signature

Date

ORDINANCE NO. 2022-23

AN ORDINANCE AMENDING CHAPTER 924.17, CHARGES FOR CONNECTIONS TO CITY SANITARY SEWERAGE SYSTEM, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO ELIMINATE INSTALLMENT PAYMENT PLANS

WHEREAS, the Director of Administration recommends elimination of installment payment plans to the installment fee structures of sections of Chapters 924.17, Charges for Connections to City Sanitary Sewerage System as it is unduly burdensome for the City to bookkeep these payments over a period of twenty-five years.

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

SECTION 1. That Chapter 924.17, Charges for Connections to City Sanitary Sewerage System of the Codified Ordinances of the City of Wooster, Ohio be amended to read as follows:

924.17 CHARGES FOR CONNECTIONS TO CITY SANITARY SEWERAGE SYSTEM.

(a) (no changes)

(b) (no changes)

(c) ~~In lieu of payment of the one time, up front connection charge provided in subsection (b) hereof, the potential user may file a written request with the City agreeing to pay such connection charge in 300 consecutive installments to be calculated by amortizing that one time, up front connection charge on a monthly basis over a twenty five year period and at an interest rate of 7% per year. Each such monthly installment shall be added to the user's monthly bill rendered under this chapter. A customer who has requested to pay that one time, up front connection charge on a monthly basis may at any time elect to pay the remaining unamortized principal balance of that connection charge as calculated by the Director of Finance, and upon such payment in full the monthly charge provided for in this subsection shall no longer be included in that monthly bill.~~

SECTION 4. 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 law.

SECTION 5. 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: _____, 2022

Mayor

Introduced by: Jon Ansel

#1

ORD
2022-23

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Utilities - Finance	Meeting Date Requested September 6, 2022
Project Name Eliminate Installment Payments	Estimated Total Funds/Costs N/A
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request Currently 924.17(c) allows residents to pay for their sanitary sewer connection through an installment plan (over 25 years) rather than pay the fee up front. This legislation would eliminate what is essentially an unsecured loan for homeowners administered by the City.	
Justification / Benefits It is unduly burdensome for the Finance Department to track these payments over two and a half decades. Most of these loans are under \$3,000. Additionally these loans are unsecured and the City has experienced difficulties in collections, particularly if the homeowner declares bankruptcy. Homeowners have other means available (second mortgage, personal loan, credit card, etc.) to pay this connection fee.	
Will this Project affect the City's Operating Costs No.	
What Alternatives Exist and what are the Implications of the Alternatives Continue the current process and continue to have the City administer these loans	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Dordea	Date: 8/18/22

Approved for Agenda Yes No

Memorandum

To: Wooster City Council
CC: Mayor Breneman, Clerk of Council DePaulo, Director Montgomery, Director Scavelli
From: Andrei Dordea
Date: 9/27/2022
Re: Elimination of WCO Section 927.17 (c) – Sewer Connection Installment Loans

We are asking to eliminate the provision in our Codified Ordinances to provide 25-year financing at 7% on sanitary sewer connection charges.

This provision was put in place in connection with the Madisonburg annexation that occurred in the late 1980's. When I started in January 2003, we had 233 loans on the books. Today, we have 10 loans on the books with an aggregate outstanding balance of \$11,253.03. The average loan balance is \$1,125.30, while the median loan balance is \$1,261.32. The last (or most recent) loan was booked on October 1, 2012. This loan is scheduled to be paid off in September 2037.

We would like to eliminate this provision for a number of reasons. Traditionally the cost of sewer connections are included in the price of building a new home and either financed through a bank/loan company or paid by cash. In addition, we have seen a lack of use (demand) over the last 10 years. Finally, from a philosophical perspective, it may make better sense that if financing is needed, it should be secured through any of our capable local financial institutions. Put another way, other financing mechanisms are available, so does it make sense for us to compete against the banks?

Please feel free to reach out to me if you have any questions or require additional information.

Thank you!!

RESOLUTION NO. 2022-40

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR SLUDGE REMOVAL AND HAULING AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Utility Division has been contracting with Agri Sludge Inc. for many years for sludge dewatering and hauling at the Water Resource Recovery Facility (WRRF) and;

WHEREAS, since January 1, 2022, the WRRF solicited a quote and encumbered funds below the \$50,000 limit for services with Agri Sludge Inc., but the accumulation of expenditures will exceed \$50,000 before the end of the year, requiring legislative authority under WCO 160.03; and

WHEREAS, it is now necessary to seek legislative authority to exceed the \$50,000 threshold, which will come from budgeted funds.

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

SECTION 1. The City is authorized to exceed the \$50,000 threshold with Agri Sludge Inc. for sludge dewatering and hauling at the Wooster Water Resource Recovery Facility.

SECTION 2. 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 3. This Resolution is hereby 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: Jon Ansel

Res
2022-40

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Utility – WRRF	Meeting Date Requested 10/3/22
Project Name Sludge dewatering & hauling services	Estimated Total Funds/Costs \$135,000
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 Agri sludge is currently on site dewatering sludge and hauling sludge from the WRRF. Agr isludge is the only entity willing and able to provide the needed services. Other contractors were not available to complete the job within our time-frame. Non removal of the sludge would result in a failure to meet NPDES permit limits. Services are approaching the \$50,000 contract threshold. Additional sludge handling services are needed. This request is to exceed the threshold and continue with the single vendor, Agri sludge.	
Justification / Benefits Agri sludge has been a reliable sludge hauler for the City for many years. It is necessary to remove the sludge in a timely manner so we do not violate our NPDES permits.	
Will this Project affect the City's Operating Costs - no	
What Alternatives Exist and what are the Implications of the Alternatives Other vendors exist but are not available to haul sludge within our schedule.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons The Department has just about reached the \$50,000 limit and still has a considerable amount of sludge to be removed.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Joel Montgomery	Date: 9/22/22

Approved for Agenda Yes No

#4
Res 2022-41

Request for Agenda Item

Authorization for Bid



Purchase Capital Item



Non-Capital



Division: Engineering	Meeting Date Requested October 3, 2022
Project Name Robinhood, Friar Tuck, Little John Waterlines and Storm Sewer Replacement Project	Estimated Total Funds/Costs \$1,000,000 (\$730,000 Water Fund)(\$245,000 Storm Sewer Fund)(\$25,000 Sanitary Sewer 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 waterlines and storm sewers on Robinhood, Friar Tuck and Little John. This project involves the replacement of approximately 3,440 linear feet of 6" cast iron W/L with a history of breaks. The replacement pipe shall be 8" ductile iron pipe. The project includes replacing 54 water services and 9 fire hydrants. The project also includes the replacement of approximately 1,500 linear feet of failing corrugated metal storm sewer and eliminating 5 shared sanitary laterals. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
Justification / Benefits The project will replace an aging waterline with a history of breaks and help to improve the overall water quality in the area. It will also replace some failing corrugated steel storm sewer conduits and separate a shared sanitary sewer lateral.	
Will this Project affect the City's Operating Costs This project should lower operation and maintenance costs.	
What Alternatives Exist and what are the Implications of the Alternatives We could do nothing and continue to perform maintenance on the aging waterline and storm sewer..	
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 and to order materials..	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: September 23, 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

Amal

RESOLUTION NO. 2022-42

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH WEST ERIE REALTY SOLUTIONS LTD. FOR PROFESSIONAL DESIGN SERVICES RELATED TO THE WOOSTER LOOP 3 MULTI-USE PATH AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, in anticipation of the Wooster Loop 3 Multi-Use Path Project, it is necessary to appraise and acquire the rights-of-way necessary for the 56 properties affected by this project; and

WHEREAS, West Erie Realty Solutions, Ltd. has the qualifications and experience necessary to perform such services and has also been pre-qualified by ODOT to perform the same; and

WHEREAS, bidding is not necessary as this is a contract for professional services pursuant to W.C.O. 160.03 and the cost is budgeted for 2022; 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 with West Erie Realty Solutions Ltd. for appraisal and acquisition services for the Wooster Loop 3 Multi-use Path Project. Such services may include, but not be limited to, property appraisals, negotiations with property owners, utility relocation arrangements, title reports, closings, summary narratives, value findings, and analyses.

SECTION 2. The cost of such services 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 or its committees, in compliance with the law.

SECTION 4. This Resolution is hereby 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: Jennifer Warden

#5
Res. 2022-42

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested October 3, 2022
Project Name Wooster Loop 3 Multi-Use Path Project PID 115364, Right of Way Acquisition Services	Estimated Total Funds/Costs \$266,840 Capital Funds
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 enter into a contract with West Erie Realty Solutions, LTD for professional services related to the Wooster Loop 3 Multi-Use Path. This contract will be for Title Research and Right-of-Way Acquisition Services for the 56 properties affected by this project. West Erie Realty Solutions, LTD is pre-qualified by ODOT to perform R/W services. Council has already passed Resolution 2021-67 on December 6, 2021 authorizing a contract for Engineering Design Services.	
Justification / Benefits This project is scheduled to be bid in November of 2024 and it will take at least 18-24 months to complete negotiations. We have a schedule to meet to use ODOT funds for construction and need to begin the Title Research and R/W acquisition process as soon as possible.	
Will this Project affect the City's Operating Costs This will be a onetime capital expense and will not affect the City's operating budget.	
What Alternatives Exist and what are the Implications of the Alternatives Since this project has ODOT funding a very specific process needs to be followed when negotiating for Right-of-Way. This process is best completed by a pre-qualified consultant.	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: This is a Professional services request and West Erie Realty Solutions, LTD is ranked in the top of the current professional services registry for Right-of-Way acquisition services and was selected based on the current professional; services selection policy.	
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 Authorizing the contract will allow the opportunity to start the title research and acquisition process and to keep the project on schedule for construction in 2025.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: September 23, 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

#6
Res 2023-43

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested October 3, 2022
Project Name W. Larwill, E. Henry, E. South, Geyers Chapel, Back Orrville, Smithville-Western Resurfacing Project PID 115858	Estimated Total Funds/Costs \$1,150,000 (ODOT Large City Funds \$571,735)(Local Funds \$578,265)
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? Funding for this project will be included in the 2023 Appropriation Budget	
Description of Request This is a request to authorize advertisement and award of a contract with the lowest and best bidder for resurfacing and repairing pavement on W. Larwill from Liberty to Market, E. Henry from Market to Bever, E. South from Market to Bever, Geyers Chapel from Long to Benden, Back Orrville from SR 585 to Geyers Chapel and Smithville-Western from SR83 to Cleveland. The project will mill the existing surface, adjust manholes and water valve boxes to grade, and place new asphalt and pavement markings. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
Council has already passed the cooperative agreement with ODOT for this project (Resolution 2022-02)	
Justification / Benefits These roads have been scheduled for resurfacing in 2023. This legislation will allow the City to remain on ODOT's schedule.	
Will this Project affect the City's Operating Costs This project should reduce maintenance costs by repairing deteriorating roads.	
What Alternatives Exist and what are the Implications of the Alternatives Do nothing and continue to patch holes as best as possible.	
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 advertise and 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: September 23, 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2022-44

A RESOLUTION PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY, OHIO, FOR A CHANGE OF TOWNSHIP LINES TO CONFORM WITH THE CORPORATION LIMITS OF THE CITY OF WOOSTER AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the City Council of Wooster, in Ordinance No. 2022-16, a copy of which is attached hereto, has accepted the annexation to the City of Wooster of the area described therein; and

WHEREAS, the said 75.217-acre area so annexed presently extends into portions of Wayne Township; and

WHEREAS, this Council desires to petition the Board of Wayne County Commissioners to include this annexed area as a part of Killbuck Township, thereby making the limits of Killbuck Township identical to and completely contiguous with the present corporation limits of the City of Wooster.

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

SECTION 1. The City Council of Wooster hereby petitions the Board of Wayne County Commissioners, in accordance with ORC 503.07 of the Revised Code, for a change of township lines of the area described in Ordinance No. 2022-16 to make the township lines of Killbuck Township identical to and completely contiguous with the new and present corporation limits of the City of Wooster.

SECTION 2. The Clerk of Council is hereby directed to forthwith deliver to the Board of Wayne County Commissioners a certified copy of this Resolution. A copy of the ordinance, together with a legal description of the annexation, is attached hereto and incorporated herein by reference.

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 law.

SECTION 4. This Resolution is hereby 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 time is of the essence in making a timely application for the funds described above; 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 the Council; otherwise it shall take effect and be in full force from and after the earliest date allowed by law.

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

Passed: _____, 2022 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2022 _____
 Mayor

Introduced by: Bob Reynolds

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested October 3rd, 2022
Project Name Conformity of Boundary	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? N/A	
Description of Request This resolution provides a formal request by Council to the Wayne County Commissioners to conform the boundaries of its recently annexed 75.217-acre Oak Hill site. The newly annexed area exists in both Wayne Township and Wooster City at the same time until boundaries are conformed, meaning that residents in this area pay taxes to each entity and also vote for council members and township trustees at the same time (despite no services being provided by the Township). The resolution instructs the County Commissioners to amend the township boundary, which will remove township millage while adding City millage to properties, overall slightly lowering tax rates (about -1%, of an overall -6% reduction), while simplifying processes for the Board of Elections. Such conformity is necessary to ensure financial stability for the City as it moves forward with the \$8.6 MM Oak Hill TIF project. The previously-passed 15-year revenue sharing agreement will provide Wayne Township with a portion or all of the revenues it would have received absent of annexation.	
Justification / Benefits Economic Development staff RECOMMENDS approval as it 1.) lowers property tax rates for residents in the district to the same level as most other places in the City, 2.) will increase City's property tax revenues by 55% (possibly \$25K annually into perpetuity), and such funding is necessary to help ease the recovery the \$6.9 MM investment in new roadway and sewer planned for this specific area.	
Will this Project affect the City's Operating Costs No direct cost impact anticipated, would improve efficiency of tax exemption portfolio management.	
What Alternatives Exist and what are the Implications of the Alternatives No action, which would leave the territory remaining in Wayne Township and the City of Wooster, with residents paying an elevated tax rate, but contributing less to the City than other households.	
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 Approval no earlier than October 17, no later than November 21.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: 9/28/2022

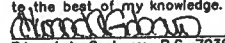
Approved for Agenda Yes No

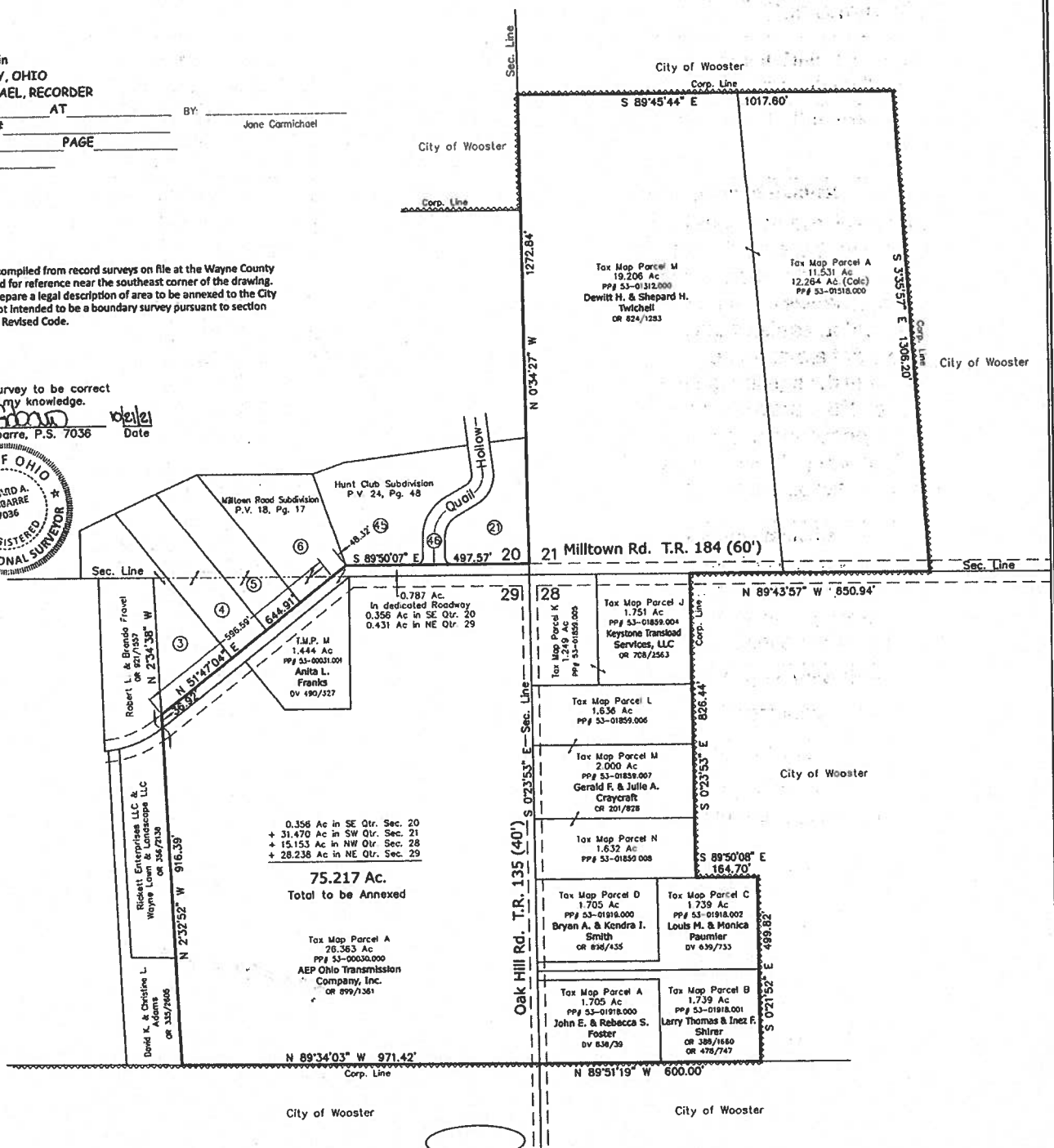
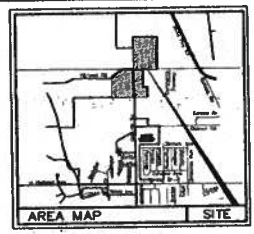
72.217 Ac Total to be Annexed

CERTIFIED THIS ___ DAY OF _____ 2021 BY THE WAYNE COUNTY COMMISSIONERS. RESOLUTION No. _____
 BY: SUE A. SMAL BECKY FOSTER BY: RON ANSTUTZ
 APPROVED THIS ___ DAY OF _____ 2021 BY THE WOOSTER CITY COUNCIL. ORDINANCE No.: _____ BY: _____
 APPROVED THIS ___ DAY OF _____ 2021 BY THE CITY OF WOOSTER BY: ROBERT F. BREMEHAN, MAYOR
 RECEIVED FOR RECORDING THIS ___ DAY OF _____ 2021 BY THE WAYNE COUNTY MAP OFFICE. BY: STACY PEPPARD
 RECEIVED FOR TRANSFER THIS ___ DAY OF _____ 2021 BY THE WAYNE COUNTY AUDITOR. BY: _____
 FEE \$ _____

Filed for record in
WAYNE COUNTY, OHIO
JANE CARMICHAEL, RECORDER
 DATE _____ AT _____ BY: Jane Carmichael
 INSTRUMENT # _____
 PLAT VOL. _____ PAGE _____
 FEE \$ _____

Note:
 This map has been compiled from record surveys on file at the Wayne County Map Office and listed for reference near the southeast corner of the drawing. The purpose is to prepare a legal description of area to be annexed to the City of Wooster and is not intended to be a boundary survey pursuant to section 4733-37 of the Ohio Revised Code.


I believe this survey to be correct
 to the best of my knowledge.

 Edward A. Gasbarre, P.S. 7036 Date 10/21/21



Annexation to the City of Wooster
 Wayne Township
 SE Qtr. Sec. 20, SW Qtr. Sec. 21, NW Qtr. Sec. 28
 & NE Qtr. Sec. 29, T-16N, R-13W
 Wayne County, Ohio

Legend

- set of set previously found
- 5/8" x 3/8" Steel Rod w/Yellow LD Cap
- Marked Gasbarre Wooster, Ohio
- - Iron/Steel monument found
- Described in Drawing
- - Stone monument found
- △ - Spike or magnet set found
- ▲ - Spike or magnet found
- ✱ - Fence Line Evident
- R - Record Dimension
- M - Measured Dimension
- U - Used Record Dimension


 0 100 200
 Scale 1" = 200'

Base of Bearings: East line of the N.E. cor. of Section 29 per W-135
 Ref. Surveys: AA-458, DD-384, FF-322, G-300, PP-757, OO-28, QQ-121, WW-435
 P.V. 18, Pg. 17, P.V. 24, pg. 48
 Drawing 221087 Annexation.dwg
 October 21, 2021

R.W. Gasbarre & Associates, Inc.
 Professional Land Surveyors
 401 South Market St. - P.O. Box 44
 Wooster, Ohio 44691
 PH 330-264-9499

ORDINANCE NO. 2022-16

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON OAK HILL ROAD AND WEST MILLTOWN ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Jonathan Millea, Agent for Petitioners)

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

SECTION 1. That the proposed annexation, consisting of approximately 75.217 acres at the intersection of Milltown Road and Oak Hill Road, with parcel numbers PN: 53-01859.006, 53-01850.008, 53-01918.000, 53-01859.005, 53-01859.004, 53-01859.007, 53-01918.002, 53-01919.000, 53-01312.000, 53-01518.000, 53-01918.001, 53-00030.001 AND 53-00030.000 as applied for in the petition described above, and as approved for annexation to the City of Wooster by the Board of County Commissioners of Wayne County on June 1, 2022, is accepted. The territory to be annexed is described in the petition, a copy of which is attached and incorporated by reference.

The certified transcript of the proceedings for annexation, together with an accurate map of the territory, the petition for annexation 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 petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners of Wayne County relating hereto, and a certificate as to the correctness. The Clerk shall then deliver one copy of these documents 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 9-6-22 2nd reading → 3rd reading 9-6-22

Passed: 9-6, 2022

Vote: 6-0

Attest: Lynne DePaulo
Clerk of Council
Lynne DePaulo

Michael C. Buytendyk
President of Council
Michael Buytendyk

Approved: Sept. 7, 2022

Robert F. Breneman
Mayor Robert F. Breneman

Introduced by: Bob Reynolds

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

Lynne DePaulo
Clerk, Wooster City Council

AMENDED RESOLUTION NO. 2022-33

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 ALLOWING FOR IMMEDIATE ENACTMENT

LEGISLATION CONSENT

Rev. 8/5/2022

Ordinance/Resolution #:2022-33

ODOT Project Title: Municipal Bridge Inspection Program

The following is a Resolution enacted by the City Council of the City of Wooster, Wayne County, Ohio, 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 report, 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 Council of the City of Wooster, Wayne County, Ohio.

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 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 municipality As of 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 – Project Duration and Consent Applicability

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

SECTION VI – Authorization of Project

~~Roger Kobilarcsik of the City of Wooster Engineering Department~~ **Director of Administration, City of Wooster**, is hereby empowered on behalf of the

City of Wooster to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

Passed: _____, 2022.
(Date)

Vote: _____

President of Council Michael Buytendyk

Attest: _____
Clerk of Council Lynne DePaulo

Mayor Robert F. Breneman

Approved: _____

This Resolution is hereby declared to be an emergency measure to expedite the highway project and 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: Jennifer Warden