

CITY COUNCIL AGENDA

October 17, 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. Third 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 (Knapic)
 2. Second 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 (Knapic)
- VII. NEW BUSINESS**
 1. First Reading – ORDINANCE NO. 2022-27
AN ORDINANCE TO ADOPT THE UPDATED 2023 SOLID WASTE MANAGEMENT PLAN FOR
THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT AND
ALLOWING FOR IMMEDIATE ENACTMENT (Myers)
 3. First Reading – ORDINANCE NO. 2022-28
AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF
SIDEWALKS ON PORTIONS OF LIBERTY STREET AND ALLOWING FOR IMMEDIATE
ENACTMENT (Warden)
 4. First Reading – RESOLUTION NO. 2022-46
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A
PROFESSIONAL SERVICES CONTRACT WITH JONES AND HENRY FOR DESIGN SERVICES
AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

5. First Reading – RESOLUTION NO. 2022-47
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR IMPROVEMENTS TO CLARIFIERS AND THE VLR SYSTEM AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)
6. First Reading – RESOLUTION NO. 2022-48
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CYREBRO FOR NETWORK SECURITY SERVICES AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)
7. First Reading – ORDINANCE NO. 2022-29
AN ORDINANCE AMENDING CHAPTER 1351- MINIMUM HOUSING STANDARDS AND PROPERTY MAINTENANCE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO ALLOW THE CITY TO ABATE VIOLATIONS OF THE PROPERTY MAINTENANCE CODE WHEN PROPERTY OWNERS REFUSE TO MAKE NECESSARY REPAIRS TO PROPERTY (Knapic)
8. First Reading - ORDINANCE NO. 2022-30
AN ORDINANCE AMENDING CHAPTER 113, CLERK OF COUNCIL, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO ALLOW THE CLERK TO CORRECT SCRIVENER’S ERRORS IN ORDINANCES, RESOLUTIONS AND MINUTES ADOPTED BY CITY COUNCIL OR OTHER PUBLIC BODIES (Knapic)
9. First Reading – RESOLUTION NO. 2022-49
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE A COMPACT TRACK LOADER AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)

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 10-3-22 3rd reading _____

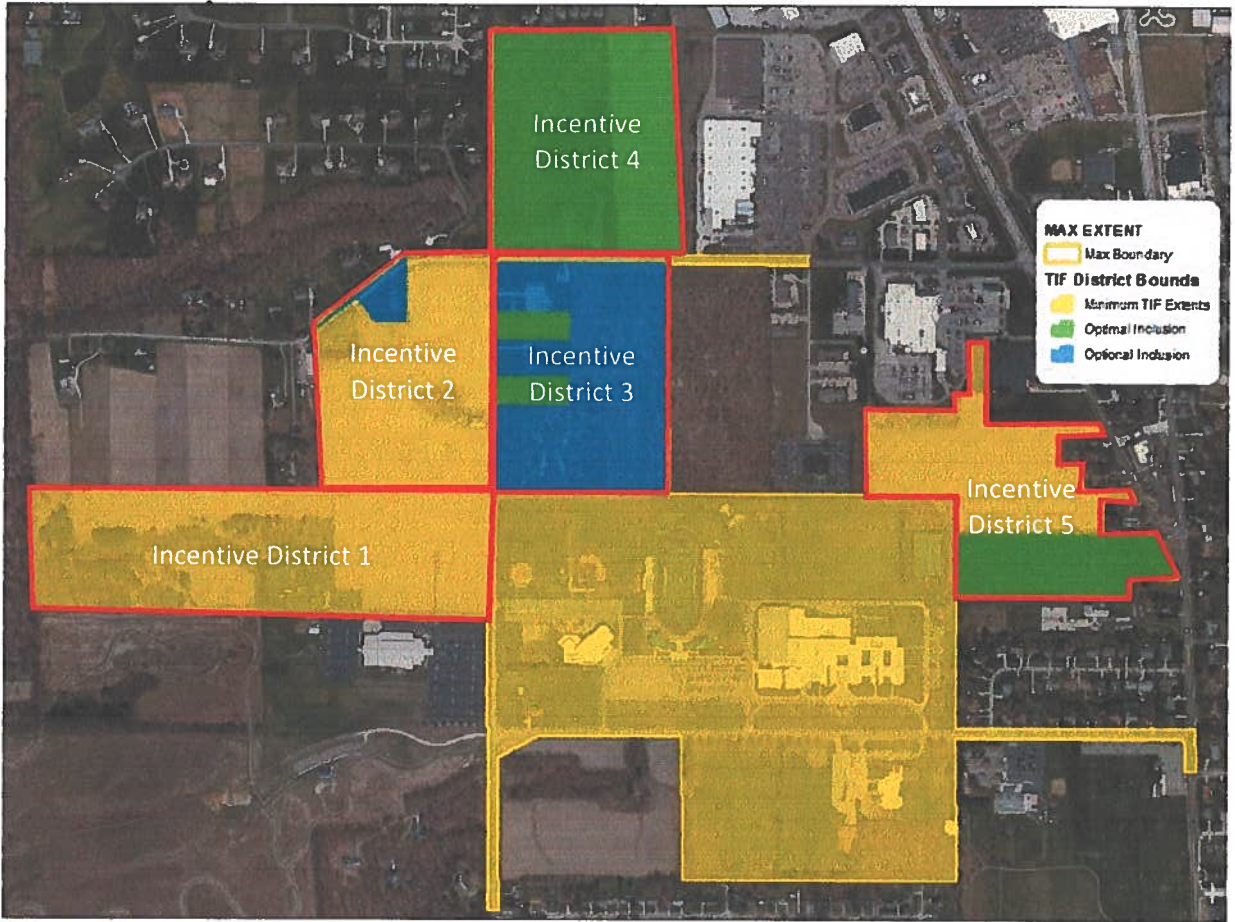
Passed: _____, 2022 Vote: _____

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 Kuzma

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.

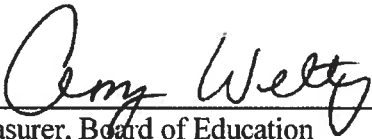
Upon roll call on the adoption of the resolution, the vote was as follows:

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

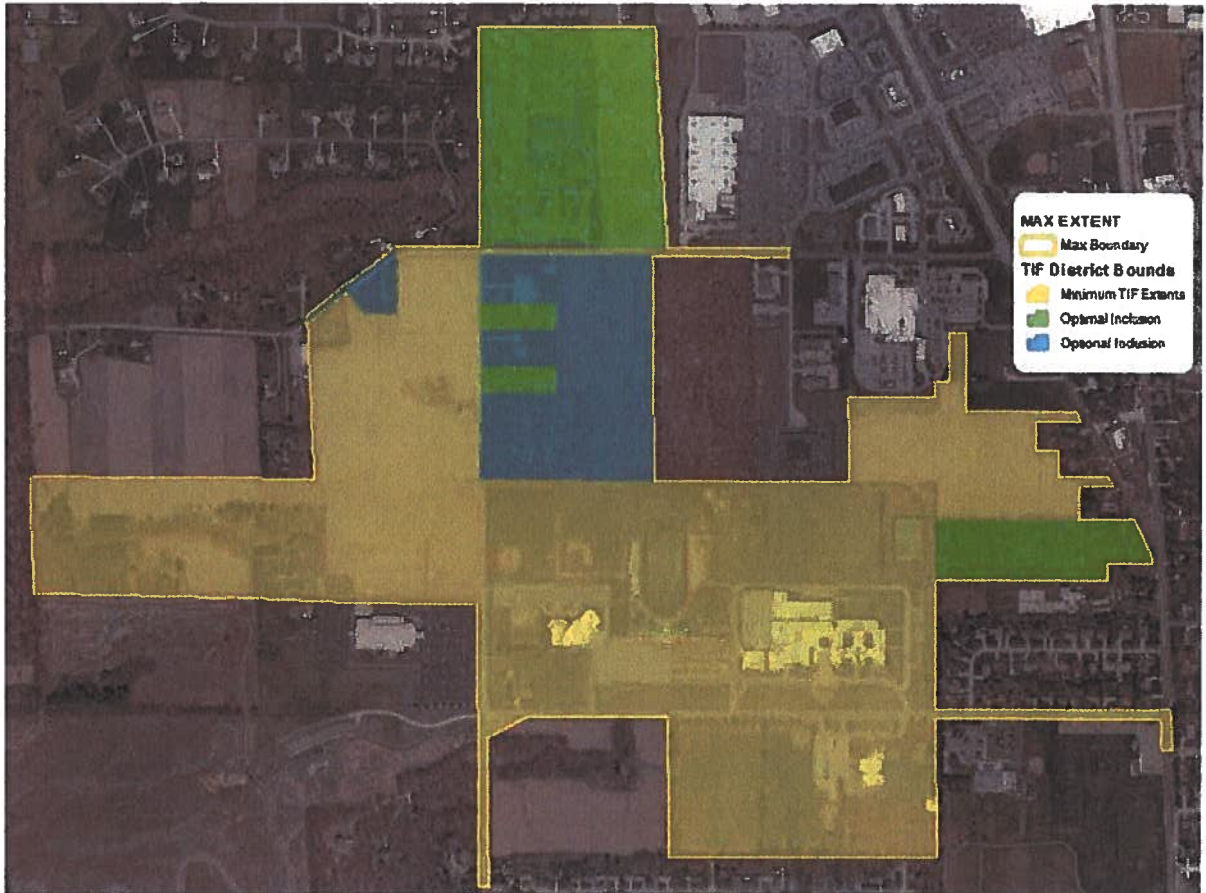
Dated: May 17, 2022



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. 2022-44

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 10-3-22 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

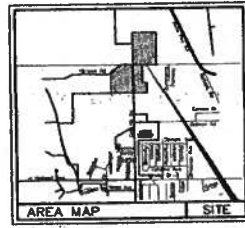
Non-Capital

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 <input type="checkbox"/> Yes <input type="checkbox"/> 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 ROH AMSTUTZ
 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. BREKEMAH, 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 _____



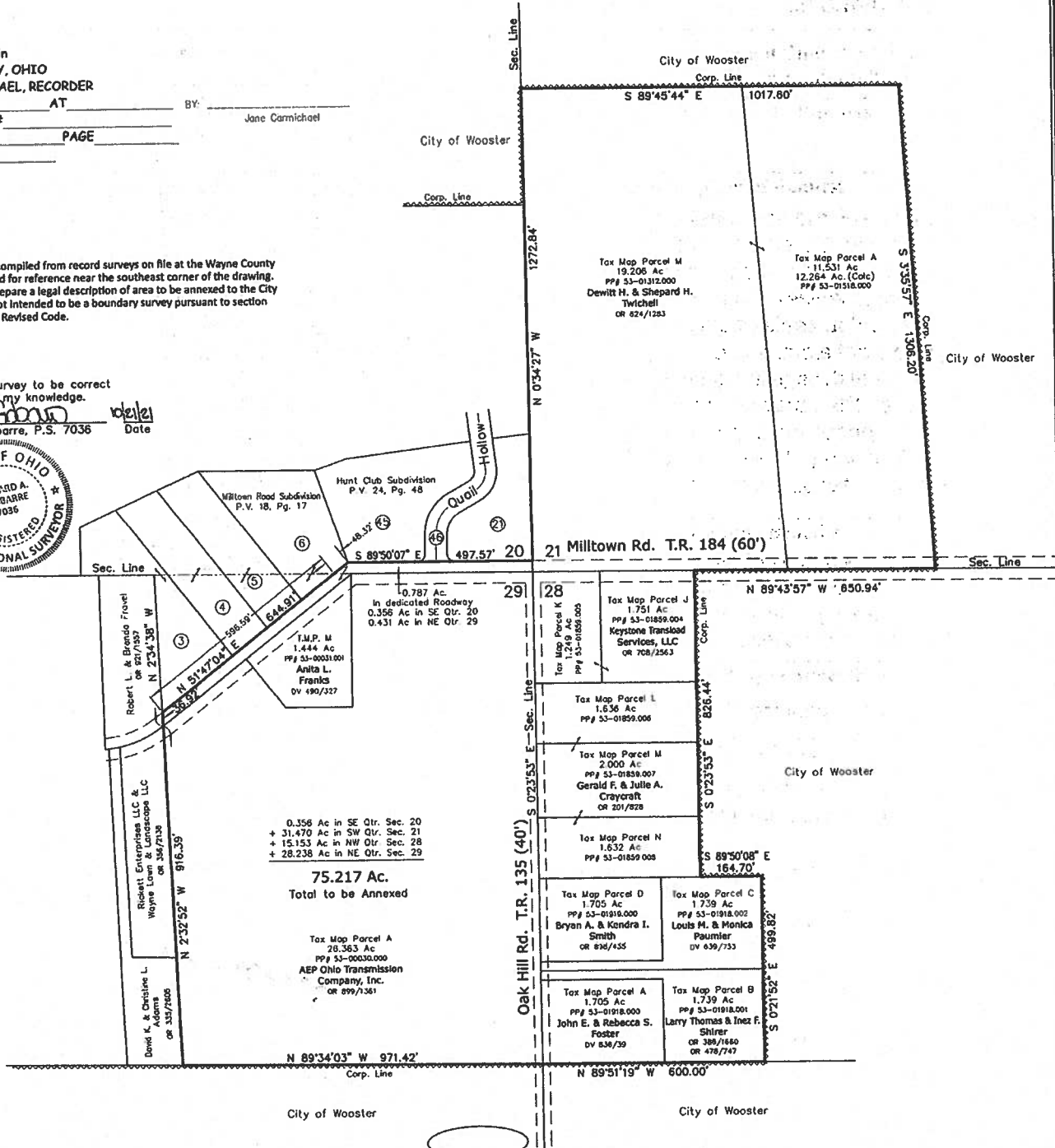
Filed for record in
 WAYNE COUNTY, OHIO
 JANE CARMICHAEL, RECORDER

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 3/32" Steel Rod w/ Yellow LD Cap
- Iron/Steel monument found
- Stone monument found
- △ Spike or maggot set
- ▲ Spike or maggot found
- ✱✱ Fence Line Evident
- R - Record Dimension
- M - Measured Dimension
- U - Utter Record Dimension

Scale 1" = 200'

Basis of Bearings: East line of the N.E. cor. of Section 29 per W-435
 Ref. Surveys: AA-450, 00-384, FF-322, G-260, PP-757, 00-28, 00-121, W-435
 P.V. 10, Pg. 17, P.V. 24, pg. 48
 Drawing 221087 Association.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

ORDINANCE NO. 2022-27

AN ORDINANCE TO ADOPT THE UPDATED 2023 SOLID WASTE MANAGEMENT PLAN FOR THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the City of Wooster is located within the jurisdiction of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District (the "District"); and

WHEREAS, the District Policy Committee prepared and adopted a final draft of the 2023 Solid Waste Management Plan in accordance with ORC Section 3734.50; and

WHEREAS, the District has provided a copy of the 2023 Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities within the District; and

WHEREAS, this legislative authority is required by Ohio law to approve or disapprove the 2023 Draft Final Plan before January 1, 2023.

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

SECTION 1: City Council hereby acknowledges receipt of the amended draft plan.

SECTION 2. The 2023 Draft Final Solid Waste Management Plan is hereby approved in the form submitted to this legislative authority and on file at present with the Clerk of this legislative authority

SECTION 3. The Clerk of this legislative authority is hereby authorized and directed to mail or otherwise deliver a certified copy of this Ordinance promptly to Ms. Rachel Rothacher, Administrative Director, Stark-Tuscarawas-Wayne Joint Solid Waste Management District, 9918 Wilkshire Blvd., Bolivar, Ohio 44612.

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 all legal requirements including Sections 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance 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 Ordinance 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 force from and after the earliest period allowed by law.

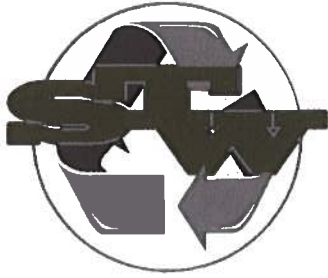
1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2022 Vote: _____

Attest: _____
 Clerk of Council _____
 President of Council

Approved: _____, 2022 _____
 Mayor

Introduced by: Scott Myers



STARK-TUSCARAWAS-WAYNE SOLID WASTE MANAGEMENT DISTRICT

2023 Solid Waste Management Plan Update Summary

INTRODUCTION

As a result of House Bill 592, each Ohio county is required to establish or join other counties to form a solid waste management district. There are 52 solid waste districts in Ohio. Ohio EPA requires that ten waste reduction strategies be implemented that will enable the District to meet the goals established in the 2020 State Plan. The District is required by Ohio state law to develop a solid waste management plan demonstrating access to at least 10 years of landfill capacity to manage all District solid wastes that will be disposed. The solid waste management plan must also show how the District will meet the waste reduction and recycling goals established in Ohio's state solid waste management plan and present a budget for implementing the plan.

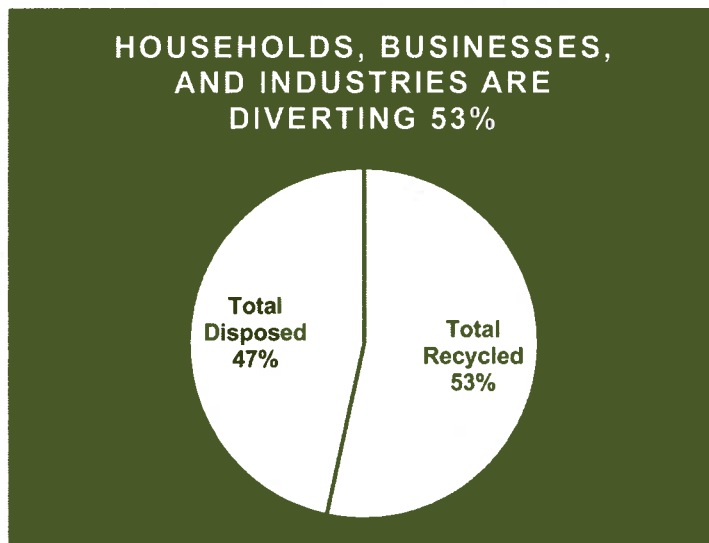
YOUR COMMUNITY'S RESPONSIBILITY



Each community in Stark, Tuscarawas, & Wayne County is asked to approve the 2023 Solid Waste Management Plan Update. Within 90 days (**October 3rd, 2022 to January 1st, 2022**), the District is asking each community to:

- Review a copy of the plan
- Act on the plan within 90 days (**October 3rd, 2022 to January 1st, 2022**)
- Submit a copy of the resolution to the District

Failure to act on the plan is considered by the State of Ohio to be a negative vote.



RECYCLING AND COMPOSTING

50 Curbside Recycling Programs

11,204 TONS RECYCLED

77 Drop-off Recycling Programs

11,616 TONS RECYCLED

40 Yard Waste Management Programs

89,644 TONS COMPOSTED

Scrap Tire Recycling

12,831 TONS RECYCLED

Commercial/Industrial Recycling

1,031,293 TONS RECYCLED

Residential/Commercial Programs

- Curbside Recycling Program
- Drop-Off Recycling Program
- Yard Waste Management Program
- Food Waste Management Program
- Recycling Market Development Promotion
- Education and Awareness Program
- Commercial Technical Assistance
- Industrial Technical Assistance
- Waste Audit Manual



STARK-TUSCARAWAS-WAYNE SOLID WASTE MANAGEMENT DISTRICT

- Household Hazardous Waste (HHW) Management Program
- Scrap Tire Collection Program
- Computer/Electronic Recycling Program
- Lead Acid Battery Collection Program
- Appliance Recycling Program
- County Government Building Recycling
- School Recycling Program
- Pharmaceutical Collection Site
- Audit Committee
- Data Collection and Database of Recycling Processors
- Disaster Debris Management Program
- Other Facilities
- General Plan Implementation

Residential/Commercial/Industrial Grant Programs

- Ohio EPA Market Development Grants
- Ohio EPA Community Development Grants
- Recycling Makes Sense Program
- Recycling & Composting Infrastructure Enhancement Grants
- Program Start-Up Grants Recycling Drop-Off Clean-Ups/Host Community Grants
- Sheriff Department Grants
- Health Department Grants – Solid Waste Inspections & Well Monitoring

SOLID WASTE DISPOSAL CAPACITY - This demonstration is one of the fundamental requirements of the solid waste plan. The District conducted a regional capacity analysis that has demonstrated that there is enough disposal capacity for all of the solid waste generated by residents and businesses for the entire planning period.

GOALS - The District meets the Goals set forth by the Ohio EPA in the 2020 State Plan. The Ohio EPA also requires Districts to maintain a 25% residential/commercial recycling rate, the District recycles 30% of its waste.

FINANCING THE PLAN - The District currently funds plan programs and current operations through Tiered Disposal Fees collected at the landfills in the District. The disposal fees are \$1.00 per ton on every ton of solid waste generated in the District, \$2.00 per ton for solid waste accepted from out of the District but in the State of Ohio and \$1.00 per ton for out of state solid waste.

88% of the District population has the opportunity to recycle - **SURPASSING** Ohio EPA's target of 80%

WHAT IF THE PLAN IS NOT RATIFIED?

If local ratification does not occur, the Director of Ohio EPA is required, by state statute, to prepare a plan for the District and order the District to implement the state's plan. This could negatively affect the District because local control of our plan would be relinquished to Ohio EPA.

The plan you will vote on was developed through a local planning process and contains the recommendations, programs and initiatives from the District's Policy Committee. These programs and initiatives will provide for a cost effective and environmentally safe solid waste system for the District and will expand recycling opportunities and increase recycling participation. The District urges communities to learn more about this plan in order to make an informed decision.

For more information, contact the District at (330) 874-2258 or visit online at www.timetorecycle.org

ORDINANCE NO. 2022-28

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS
FOR THE IMPROVEMENT OF SIDEWALKS ON
PORTIONS OF LIBERTY STREET AND ALLOWING FOR
IMMEDIATE ENACTMENT

WHEREAS, this City Council, in Resolution No. 2019-44, declared the necessity of constructing streetscape features on portions of Liberty Street, between Market Street and the first alley to the east, on both sides of road, and on the Southeast and Southwest Quads, for the safety of pedestrian and vehicular traffic in that area; and declared that a portion of the cost would be assessed upon the owners of land bounding and abutting the improvements; and

WHEREAS, after issuing written notice to all property owners so situated, the city caused the improvements to be constructed, and such construction is now complete and the final cost has been determined.

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

SECTION 1. The list of estimated assessments of the cost of constructing certain streetscape features on portions of Liberty Street, as described above, and as reported to this Council and now on file with the Clerk of Council, is hereby adopted and approved.

SECTION 2. The several amounts of the assessments are hereby assessed and levied on the lots and lands bounding and abutting the improvement.

SECTION 3. It is determined that the assessments do not exceed the special benefits resulting from the improvement and do not exceed any statutory limitation.

SECTION 4. The Clerk of Council is directed to continue on file in her office a list of the assessments and the description of the lots and lands.

SECTION 5. The total assessment against each lot and parcel of land shall be payable in cash at the office of the Finance Director within thirty (30) days after the passage of this Ordinance or, at the option of the property owner assessed, in ten (10) annual installments with interest at the rate of six percent (6%). All assessments and installments which have not been paid at the expiration of the thirty-day period shall be certified by the Clerk of Council to the County Auditor, to be placed on the tax duplicate and collected the same as other taxes, as provided by law.

SECTION 6. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published as provided by law.

V
 CRD
 2022-28

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested October 17, 2022
Project Name Streetscape Phases 2A and 2B Assessments	Estimated Total Funds/Costs:
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 This is a request to levy assessments for the property owner's portion of the improvements related to the Phase 2A and 2B Streetscape Projects (Sidewalks along Liberty Street from Market to first alley east both sides of road and SE and SW Quads) The Resolution of Necessity for both phases (Res. 2019-44) passed by Council on 9-16-2019. Council also passed the Resolution to Appoint an Equalization Board (EQ), (Res. 2019-47, 9-16-2019), Approve EQ report (Res. 2019-64, 11-18-2019), Notice to Proceed SE Quad (Res. 2019-65, 11-18-2019) and Notice to Proceed SW Quad (Res. 2021-07, 1-4-2021). The project costs paid and estimate at the time of the Resolution of Necessity totaled \$1,800,000.00. Actual final expenditures upon project completion totaled \$1,912,137.35 (6% increase). A detailed cost summary is attached.	
Justification / Benefits	
Will this Project affect the City's Operating Costs	
What Alternatives Exist and what are the Implications of the 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Bonds will need to be issued upon finalizing the property owner's unpaid assessment amounts.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: October 5, 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2022-46

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH JONES AND HENRY FOR DESIGN SERVICES AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, it is necessary to procure the design services of Jones and Henry for the filter expansion at the Water Treatment Plant; and

WHEREAS, Jones and Henry possess the expertise to provide such engineering services; and

WHEREAS, this is a professional services contract pursuant to WCO 160.03(c)(3).

WHEREAS, this expenditure is budgeted.

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 professional services contract with Jones and Henry for design services.

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 law.

SECTION 3. This Council finds that competitive bidding is not necessary pursuant to WCO 160.03(c)(3).

SECTION 4. The costs of this project will not exceed the amount budgeted.

SECTION 5. 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: _____, 2022 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2022
Mayor

Introduced by: Jon Ansel

#3
 Res.
 2022-46

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested October 17, 2022
Project Name Water Treatment Plant (WTP) Filter Expansion Project Engineering	Estimated Total Funds/Costs \$488,600 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 Director of Administration to enter into a professional contract with Jones and Henry for the design of the filter expansion at the WTP. Jones and Henry were the original designers of the plant and have an intimate knowledge of its operation. During the initial design and construction of the plant, allowances were built into the design for this expected expansion. See the attached evaluation and description of the project.	
Justification / Benefits This project will allow the City to maintain services with all the new development.	
Will this Project affect the City's Operating Costs This project should have little or no effect on the City's operating budget.	
What Alternatives Exist and what are the Implications of the Alternatives N/A	
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 an Engineering services request and Jones and Henry is ranked in the top of the current engineering services registry.	
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 this contract will allow the project to remain on schedule for starting construction in 2024.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: October 4, 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	



Jones & Henry
ENGINEERS, LTD.

Fluid thinking®

3103 Executive Parkway, Suite 300, Toledo, OH 43606
Phone: 419.473.9611 JHeng.com

August 25, 2022

Mr. Joel Montgomery, Director of Administration
City of Wooster, Ohio

Subject: Proposal for Engineering Services
Water Treatment Plant Filter Expansion Improvements

Dear Mr. Montgomery:

Jones & Henry is please to present the following proposal for design bidding assistance and construction administration for Filter Expansion and Improvements to the current water treatment plant (WTP).

Jones & Henry completed the design and construction administration of the current WTP in the late 1990's. As part of the design and plant layout the header piping was sized and fittings installed to allow for doubling the plant capacity in the future. Currently, there are times that the filtration capacity of the existing cluster filters is pushed to the limit. The City has requested a proposal to double the filter capacity and rehabilitate the existing filters.

Existing Filter Improvements

The four existing filters have been in operation for over 20 years and the media is in need of replacement. With the replacement of the media it may be discovered that some of the collector nozzles on the filter underdrains need replaced too and other miscellaneous upgrades could be considered. Another improvement to the existing system is the addition of a drain line off the filter influent piping to allow cleaning of this pipe and the upstream stripping tower effluent chamber without any debris reaching the filters.

New Filters

Before the existing filters can be rehabilitated, four new filters should be placed online to allow uninterrupted water processing. Equipment required for the new filter building would include a set of four cluster filters identical to the existing filters, media, underdrains, piping, valves, weir chambers, transfer pumps, instrumentation, blower/air piping, HVAC, potable and non-potable water systems, electrical components and controls. The new equipment will be housed in a new building to the southeast of the existing filter room and will match the existing architecture. Site improvements including piping, electrical, grading and drive reconfiguration will be required. Tie-ins to the existing process piping will need to be carefully planned to limit shutdowns of plant operations.

Scope of Services

Our work will include developing the plans and specifications for the bidding of the selected improvements. We will verify the accuracy of the as-built set of drawings through on-site measurements and reviews. We will coordinate a kickoff meeting with plant staff and other City personnel to discuss the proposed improvements and alternatives and finalize goals of the project. Once alternatives are selected, we will develop a project

Page 2

memorandum to define the scope of the design. The memorandum will be updated as the project proceeds to keep everyone informed during the design and bidding process.

During the development of the plans and specifications we will meet with your staff to review and discuss the design and specification development at the preliminary, 30, 60 and 90 percent design stages and incorporate their comments. Following a final design review, we will submit for Ohio EPA Plan Approval for construction of the project and submit for all necessary building permits.

After or during the approval process, we will assist the City with bidding of the project, issue any necessary addendums and answer any questions from Bidders. We assume the City will complete the front-end bid documents, administer contracts and bid/award the project.

We will assist with the Construction Administration. These services will include preparing meeting agenda, meeting minutes and attending construction meetings; reviewing shop drawings; review change order claims; utilizing electronic project management software to save all construction documentation; reviewing and responding to RFI's; completing Record Documents; providing documents required for building permit completion; and assisting with startup and commissioning efforts. We assume the City will review Pay Applications and provide construction inspection/oversight.

We will perform this work under an Engineering Services Agreement similar to the Agreement we have in place for the wastewater treatment plant improvements.

Our fees for these services are as follows:


Design and Bidding:	\$336,850
Construction Administration:	<u>\$151,750</u>
Total:	\$488,600


Invoices for completed work will be based on actual labor hours and expenses consumed to complete the work. Detailed invoices outlining hours and expenses consumed will be provided for review and approval by the Owner.

We appreciate the opportunity to submit our proposal for your project. If you have questions, please contact me.

Sincerely,

JONES & HENRY ENGINEERS, LTD.


Jake Meinerding, PE
Vice President


Brad Lowery, PE
President

Attachment: Fee Summary

PRICE PROPOSAL FORM - DESIGN AND BIDDING

TASK	ESTIMATED TASK HOURS	TOTAL COST
Phase		
Meetings and Site Visits	112	\$20,930.00
Project Management	44	\$8,070.00
Process Design	80	\$11,810.00
Misc. Documents and Drawings	40	\$5,350.00
Site Design	136	\$18,870.00
Architectural Design	232	\$31,660.00
Structural Design	316	\$50,220.00
Piping and Equipment Design	354	\$49,260.00
Plumbing Design	100	\$15,240.00
Mechanical Design	188	\$30,560.00
Electrical and Controls Design	348	\$55,310.00
Specifications	176	\$25,290.00
QA/QC	24	\$5,120.00
Bidding	68	\$9,160.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
Sub Total	2,218	\$336,850.00
Phase		

Total Project Cost

\$336,850.00

Multiplier: Indirect labor

2.286

Multiplier; Profit & Overhead

1.40

Multiplier; Expenses

1.10

Multiplier; Subcontractors

1.10

PRICE PROPOSAL FORM - CONSTRUCTION ADMINISTRATION

TASK	ESTIMATED TASK HOURS	TOTAL COST
Phase - Construction Administration		
Preconstruction Meeting	12	\$2,480.00
Monthly Construction Meetings/Site Visits	256	\$43,030.00
Shop Drawings	372	\$55,430.00
Claim Review	116	\$17,530.00
Startup/Commissioning	16	\$3,240.00
Final Review and Documents	24	\$3,600.00
Answer RFIs	40	\$6,240.00
Record Documents	76	\$9,710.00
Building Permits Assistance	72	\$10,490.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
0	-	\$0.00
Sub Total	984	\$151,750.00
Phase		

Total Project Cost **\$151,750.00**

Multiplier: Indirect labor	<u>2.286</u>
Multiplier; Profit & Overhead	<u>1.40</u>
Multiplier; Expenses	<u>1.10</u>
Multiplier; Subcontractors	<u>1.10</u>

DESIGN MEMORANDUM



To: City of Wooster

Subject: Water Treatment Plant – Filter Expansion

From: Jake Meinerding, PE

Date: September 2, 2022

Need for Filter Expansion and Upgrades

Jones & Henry completed the design and construction administration of the current Water Treatment Plant in the late 1990's. During the planning process, the City anticipated the need to increase capacity in the future. As part of the design and construction, the plant piping, foundation and building were sized and laid out to allow for doubling the plant capacity in the future. The two main process components for adding capacity are the solids contact clarifiers and gravity filters.

For most water treatment facilities, filtration is the most critical component in the treatment process. Currently, there are times when the filtration capacity of the existing cluster filters are pushed to the limit. With all four filters online the plant has a capacity of 6.2 million gallons per day (mgd) based on 3.0 gpm/sf of filter area. Generally, filters are designed to meet plant capacity with one filter out of service. This puts the firm capacity of the filters at 4.65 mgd. There are days when water production nears the firm capacity, leaving a minimal safety factor for operation of the filters. The media in the existing filters is reaching the end of its useful life and should be replaced. Media typically lasts 20 years and is now approaching 25 years of operation.

Description of Improvements

The proposed filtration improvements include four new gravity cluster-filters matching the existing filters in layout, style, controls and all other physical features; and replacing the media in the existing filters.

With the replacement of the media it may be discovered that some of the collector nozzles on the filter underdrains need replaced too and other miscellaneous upgrades could be considered. Another improvement to the existing system that is desirable is the addition of a drain line off the filter influent piping to allow cleaning of this pipe and the upstream stripping tower effluent chamber without any debris reaching the filters. Along with the new and rehabilitated filters other improvements would include:

- New building approximately 70' x 90' dimensions matching the architecture of the existing buildings
- New Transfer Pumps to convey water from the new filters to the clearwells. New chemical feed piping may be necessary as well.
- New Air Blower for filter air scour during backwashing

City of Wooster
WTP - Filtration Project

- New mechanical, plumbing, electrical and controls components
- Site improvements – piping, grading, pavement, etc.

Advantages of Proposed Improvement Plan vs. Other Alternatives

Installing a new set of filters identical to the existing provides several advantages:

- Elements were placed in the original design to efficiently incorporate these filters. This design would complete the plant as originally planned.
- Increases firm filtration capacity to 10.85 mgd, providing the City enhanced reliability for existing customers and room for additional water customers.
- Provides redundant filtration systems; one set of filters can be taken offline for maintenance while the other set treats plant flows. The new set of filters will be placed online before the media in the existing filters is replaced minimizing contractor sequencing and temporary work requirements.
- Allows filtration rate to be lowered as flow is split across more filters, ensuring better filtration of water.
- Allows most operations and hydraulics to remain mostly unchanged from current state.
- Having a mirrored set of filter banks similar to the existing plant makes operation of each half similar and easier for control and operator training.

Two other alternatives are possible, although neither is recommended.

1. Alternative 1 would be to install a smaller set of filters or a different style of filters. However, installing smaller filters or a different style of filters has several drawbacks.
 - This alternative does not fully utilize the elements put in place from the previous water plant design.
 - Controls and hydraulics will be different between the new and existing set of filters. This would make controlling flow between the two sets of filters challenging and additional controls would likely be required.
 - Does not provide needed capacity if the existing set of filters need taken offline.
 - Backwash control sequencing and backwash pumping rate would be different between the two sets of filters, causing additional operational challenges. An additional pump, valves and piping would be necessary.
2. Alternative 2 would be to break the project into two phases to space out the costs of the work. The first phase would consist of rehabilitating the existing filters and addressing other issues associated with piping or filter performance. The second phase would consist of installing the new filters and associated building. There are several risks in play if phasing the project is selected:
 - One filter would be rehabilitated at a time, dropping the capacity of the filters to 4.65 mgd. This flow rate is near the maximum days experienced, leaving the possibility that the water plant could not keep up with system demand.



City of Wooster
WTP - Filtration Project

- Even after the existing filters are rehabilitated the capacity of the plant would not increase. With the rising water usage expected in the City this leaves the possibility of not meeting future water demand.
- Increased costs. If the project is broken into two phases, total construction costs would be significantly higher for several reasons:
 - Additional mobilization, insurance and bonding charges for the general contractor and subcontractors given the two separate projects.
 - Purchasing all equipment in one contract reduces overhead costs.
 - One larger project is more attractive to potential bidders than two smaller projects.
 - Continual rise in construction costs. Costs are escalating rapidly each year. Delaying the needed improvements will increase cost for the work.
 - Engineering costs would also increase as two sets of construction documents would be required for the project.

For these reasons it is recommended to install a set of four new filters identical to the existing set and rehabilitate the existing filters. Costs and a schedule for completing these improvements as a single project follow.

Costs for Improvements

Construction Costs	
Item	Cost
Mobilization, Insurance, Bonding	\$300,000
Building/Site Work	\$2,500,000
Piping/Equipment	\$2,200,000
Plumbing/Mechanical	\$150,000
Electrical/Controls	\$400,000
Misc. Improvements	\$250,000
Contingency (10%)	\$580,000
Total Construction Estimate	\$6,380,000

Our proposal for engineering services is attached. Total costs are \$488,600.

Schedule of Design and Construction

We have assumed a project commencement date of January of next year. We anticipate the Ohio EPA approval process to last 4 months. Equipment lead times have significantly increased in recent years. We anticipate 4 to 6 months for equipment procurement by the Contractor at the beginning of construction before any site work begins.



Jones & Henry
ENGINEERS, LTD.

City of Wooster
WTP - Filtration Project

Begin Design – 1/1/2023
Submit for OEPA Plan Approval – 5/1/2023
Advertise for Bid – 9/1/2023
Begin Construction Contract – 11/1/2023
Equipment Procurement by Contractor – 12/1/2023 thru 4/1/2024
Onsite Construction Work – 4/1/2024 thru 8/1/2025

JONES & HENRY ENGINEERS

A handwritten signature in blue ink that reads "Jake Meinerding".

Jake Meinerding, PE
Vice President

RESOLUTION NO. 2022-47

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR IMPROVEMENTS TO CLARIFIERS AND THE VLR SYSTEM AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, this is a request to authorize advertising and award of a contract to the lowest and best bidder for improvements to clarifier 5 and 6 and VLR 5, the costs of which are budgeted for 2022.

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

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

SECTION 2. The cost of the contract 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: Jon Ansel

#14
2022-47

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested October 17, 2022
Project Name VLR Improvement Project	Estimated Total Funds/Costs \$1,000,000
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 This is a request to authorize the advertisement for bids and to enter into a contract with the lowest and best bidder for the improvements of VLR #5 and Clarifiers 5 and 6. This project involves replacing the rotors in VLR #5 with new fine bubble diffusers and allow wasting sludge from Clarifiers 5 & 6. The improvements will increase the efficiency of the WRRF.	
Justification / Benefits Equipment failures in the VLR system have been common. The upgrade to the VLR's will improve their robustness and limit future failures.	
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 struggle to meet OEPA limits at the WRRF.	
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: October 10, 2022
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	



Joel Montgomery, PE, ICMA-CM
 Director of Administration
 Phone (330) 263-5244
 Fax: (330) 263-5247
 Email: jmontgomery@woosteroh.com

MEMO

To: City Council
From: Joel Montgomery, Director of Administration
CC: Mayor, Finance Director, Law Director, City Engineer, Fire Chief
Date: 06-17-2022
Re: Project & Program Updates

Please find below a summary of a recent project bids that has been previously approved by Council for advertising and award.

	Project Name/Description	Estimate	Low Bid/Award	High Bid	# Bids	Low/Est.	Average	STD Dev
1	Oak Hill Sanitary Sewer Ext.	\$ 1,600,000	\$ 1,759,779	\$ 2,747,580	2	-10.0%	\$ 2,253,680	\$ 698,481
2	Giffin W/L Replacement	\$ 198,000	\$ 201,377	\$ 240,289	4	-1.7%	\$ 224,991	\$ 17,683
		\$ 1,798,000	\$ 1,961,156	-9.1%				
Low Bidder:								
1	Wenger Excavating, Inc.		\$ 3,307,425	Total Bids to Date				
2	Palmer & Son Excavating							

The number of bids received for these projects is low, but not unexpected considering the time of year. Many contractors already have projects booked for the rest of this year.

Overall, we are starting to see the increase in material prices and availability affecting our bids. There was a significant swing in the sewer bid, and both bids were slightly over the estimates. The total award amounts were 9% over the total estimates.

These contracts brings the total, major infrastructure and contracts bid in 2022 to 4, totaling a little over \$3.3M to date.

In addition to project bids, I would also like to share some additional information regarding some planned projects and developments discussed recently.

Zoning and Map Amendments:

After the zoning discussions at the June 6th Council meeting, I asked our Planning & Zoning Manager to summarize some of the issues and answer some of the questions and allegations made during that meeting. A memo from Vince is attached.

Fire Union Negotiations:

As a follow-up to my March 3rd memo, we have had some recent events that are reason for cautious optimism. After failed mediation, we had no activity other than scheduling fact-finding for June 27th. While that date is still on the calendar, we communicated to the union that we would be willing to meet and negotiate anytime up until that date. Jeanette and I were able to meet twice in the last two weeks with the union, and have come to a tentative agreement, substantially the same as what we agreed to in mediation. The union is scheduled to vote on the 21st, and if approved, we will be requesting a special Council meeting in July to consider and hopefully approve the contract.

Wastewater and Utility Projects:

The majority of the Aeration (VLRs) & Clarifier equipment was installed with the 2003-2005 plant upgrades, with the VLR rotors simply at the end of their useful life. The clarifier system needs waste sludge equipment installed to help with the treatment process. Capital improvement plans at the plant anticipated smaller, component replacements' over a several year time frame,

starting in the near future. Recent failures in the system have moved the needed replacements forward, and necessitated a more comprehensive project. Additional component details are attached.

- The estimated cost for Aeration & Clarifier improvements is \$850,000 in total for 2022
- Originally budgeted \$100,000 to \$300,000 per year in future years for various replacements
- Planning for a 2022 bid and construction in 2022 and 2023.
- The Remaining Aeration improvements are estimated at \$865,00, and planned for 2023

The majority of the ADS & digester equipment was installed with the 2012 digester upgrades, and is at the end of its useful life. The conditions on the solids and gas producing side of the plant are harsher and limit the life of components. Many of these items have been planned and included in the 10 year infrastructure plan for the past several years, and included in the budget document. Current codes, regulations and construction costs have resulted in higher project costs than anticipated. Recent failures in some of the system components have moved the needed replacements forward, and necessitated a more comprehensive project.

- High Priority & Digester Components (see attached) estimated at \$3.8M
- Originally budgeted \$2.2M, including \$800K in ARPA funds. Budgeted amount did not anticipate the cost of digester cover replacement.
- Planning for 2022 bid and construction in 2022 and 2023
- Feedstock and Biogas Production Equipment (see attached) estimated at \$1.9M
- Originally budgeted \$2.6M in 2023
- Plan to budget and construct in 2023

Some of the Headworks equipment (see attached) was installed with the 2003-2005 plant upgrades, with some pumps installed in 1997 and 2000, and some concrete being original 1937 construction. These components are at or beyond their useful life. Capital improvement plans at the plant anticipated smaller, component replacements' over a several year time frame, starting in the near future. Recent failures in the system have moved the needed replacements forward, and necessitated a more comprehensive project.

- Originally budgeted \$1M in 2022
- Currently evaluating final needs and costs
- Would anticipate bidding in 2022, with contract award and construction in 2023.

Finding summary and needs for 2022:

- Total projects costs = \$4.65M
- Total budget availability = \$4.0M (\$3.3M Capital + \$1M O&M)
- Funds needed = \$650,000

We are currently in the process of applying for additional ARPA grants and forgivable loan funds for these projects, but would anticipate requesting an additional appropriation in the 2022 budget to move these projects forward. We also recently retired a sewer fund loan, which frees up about \$500,000 per year in debt service costs.

We began detailed studies and evaluations for these projects starting in June, 2021, and only recently had sufficient analysis and results for recommendations and costs. We apologize for the delays in communicating progress and updates. Please let me know if you have additional questions or need further information.

Sincerely,

Joel Montgomery, PE, ICMA-CM

RESOLUTION NO. 2022-48

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CYREBRO FOR NETWORK SECURITY SERVICES AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, it is necessary to procure the network security services of Cyrebro for network security services and a two-year contract will result in significant cost savings; and

WHEREAS, Cyrebro possesses the expertise to provide such services; and

WHEREAS, this is a professional services contract pursuant to WCO 160.03(c)(3).

WHEREAS, this expenditure is budgeted for 2022 and will be included for 2023.

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 professional services contract with Cyrebro for Network Security services.

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 law.

SECTION 3. This Council finds that competitive bidding is not necessary pursuant to WCO 160.03(c)(3).

SECTION 4. The costs of this project will not exceed the amount budgeted.

SECTION 5. 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: _____ 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 IT Division	Meeting Date Requested Oct 17, 2022
Project Name Network Security	Estimated Total Funds/Costs \$33,120 per year for a two year contract that will expire October 2024.
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? 2022 is budgeted, 2023 costs will be included in 2023 budget.	
Description of Request Cyrebro has quoted a two year agreement with a significant discount for a multiple year contract for network security. Rates have been increasing rapidly and IT would like to lock-in costs for the two-year period. Cyrebro has a proven track record within the industry. Current provider quote was an 18% increase over current rates, Cyrebro was the most cost effective provider of the quotes obtained. Cyrebro is the service provider with ARKAY being the distributor.	
Justification / Benefits The cost of network security has been growing each year, and with increased inflation this year, it is believed that the rates will increase significantly next year. Signing an agreement now will lock in the cost for the second year, and gives us the option to renew for a third year at the same price.	
Will this Project affect the City's Operating Costs	
What Alternatives Exist and what are the Implications of the Alternatives We can sign a one year agreement, and then just pay the higher price when it comes time to renew. <div style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></div>	
Is this a Sole Source Bid or Non-Bid Situation Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, Explain The Circumstances: Quotes were obtained from multiple vendors.	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, Note Reasons Our current security monitoring system is expiring.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Robert Eshelman Date: 10/11/22	

Approved for Agenda <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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ORDINANCE NO. 2022-29

AN ORDINANCE AMENDING CHAPTER 1351- MINIMUM HOUSING STANDARDS AND PROPERTY MAINTENANCE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO ALLOW THE CITY TO ABATE VIOLATIONS OF THE PROPERTY MAINTENANCE CODE WHEN PROPERTY OWNERS REFUSE TO MAKE NECESSARY REPAIRS TO PROPERTY

WHEREAS, the Director of Administration recommends adding an abatement provision to Chapter 1351, Minimum Housing Standards and Property Maintenance Code, to allow the City of Wooster to abate violations of the property maintenance code when property owners refuse to make necessary repairs to their property. The City will be able to assess the costs of these abatements to the property owners under the current provisions of Wooster Codified Ordinance 1351.03: Assessment of Costs by Municipality.

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

SECTION 1. That Chapter 1351, 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:

1351.021 NON-COMPLIANCE; ABATEMENT BY MUNICIPALITY.

In the event the owner, occupant or person having the charge or management of any lot or parcel of land situated within the corporate limits fails to comply with the provisions of the International Property Maintenance Code, as adopted by Wooster Codified Ordinance 1351.01, after having received written notice of such noncompliance and a reasonable opportunity to take corrective action (not less than twenty (20) days from the date of the notice) then the Code Official is hereby authorized to enforce the provisions thereof by causing the necessary corrective action to be taken to abate or remove the condition in accordance with the provisions of this section.

SECTION 2. 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 3. 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: _____, 2022

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2022

Mayor

Introduced by: Barb Knapic

ORD
2022-29

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Building Standards	Meeting Date Requested October 17, 2022
Project Name Abatement of Housing Violations	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 only certain City's Ordinances allow the City to abate the violations (Chapter 905.13: Trees, Lawns & Weeds; Chapter 505.08: Animals and Fowl; Chapter 543.03: Storage of Vehicles and Materials: etc.). This amendment to Chapter 1351: Minimum Housing Standards and Property Maintenance Code will allow the City to abate conditions related to property code violations when the usual means of enforcement (notice to violators and prosecution) are ineffective. Additionally this amendment will allow the City to abate situations that need to be resolved as quickly as possible. WCO 1351.03: Assessment of Costs by Municipality already allows the City to certify any unpaid bills related to abatement to the County Auditor for collection.	
Justification / Benefits Most cities in Ohio have an abatement process for property code violations. It is a means for cities to remediate property code violations when a property owner refuses to comply with the normal process for correcting violations. It is expected that this ordinance will only be used for the most drastic cases.	
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 allow these extreme violations to continue.	
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: Monea	Date: 10/10/22

Approved for Agenda Yes No

ORDINANCE NO. 2022-30

AN ORDINANCE AMENDING CHAPTER 113, CLERK OF COUNCIL, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO ALLOW THE CLERK TO CORRECT SCRIVENER'S ERRORS IN ORDINANCES, RESOLUTIONS AND MINUTES ADOPTED BY CITY COUNCIL OR OTHER PUBLIC BODIES

WHEREAS, the Director of Administration recommends adding an amendment to Chapter 113, Clerk of Council, to allow the Clerk to correct scrivener's errors in the Ordinances, Resolutions and Minutes adopted by City Council or other public bodies without the need for re-adoption of the Ordinance, Resolution or Minutes. The Clerk will make a note of the correction on the Ordinance, Resolution or Minutes and will inform City Council within three months of making the correction.

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

SECTION 1. That Chapter 113, Clerk of Council of the Codified Ordinances of the City of Wooster, Ohio be amended to read as follows:

113.02 SCRIVENER'S ERROR

(A) The Clerk of Council is hereby authorized to correct scrivener's errors in the Ordinances, Resolutions and Minutes adopted by the Council or other public body without the need for re-adoption of the Ordinance, Resolution or Minutes.

(B) For the purposes of this section, a scrivener's error includes one or more of the following:

- (1) A misspelling;
- (2) A grammatical error;
- (3) A numbering error;
- (4) A cross-referencing error

(C) A correction to an Ordinance, Resolution or Minutes shall be accompanied by a scrivener's note on or attached to the corrected Ordinance, Resolution or Minutes. Any such correction shall be reported within three months of such correction at a regular meeting of the Council.

SECTION 2. 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 3. 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: _____, 2022 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2022
Mayor

Introduced by: Barb Knapic

ORD
2022-30

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Administration	Meeting Date Requested November 7, 2022
Project Name Scrivener's Error Ordinance	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 A Scrivener's Error is a minor mistake due to a misspelling, grammatical error, numbering error or a cross-referencing error. Currently any of these errors in an ordinance, resolution or minutes can only be corrected by reintroducing the ordinance or resolution to the Council for a formal correction. This Ordinance would allow the Clerk of Council to make documented corrections to ordinances, resolutions and minutes without the burden of reintroducing said documents. This Ordinance would also apply to the City's other public bodies (Board of Building and Zoning Appeals, Traffic Commission, etc.).	
Justification / Benefits This Ordinance provides a simple, but documented means for correcting minor errors without the need to have matters placed before Council.	
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 where corrections have to be approved by the Council in a formal meeting.	
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: Montgomery	Date: 10/24/22

Approved for Agenda Yes No

RESOLUTION NO. 2022-49

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO PURCHASE A COMPACT TRACK
LOADER AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, it is necessary to procure a compact Track loader with a bucket, angle broom, sweeper bucket, and pallet fork for various work; and

WHEREAS, the new compact Track loader is needed to replace aging equipment and

WHEREAS, this purchase can be made pursuant to WCO 160.03(c)(5) or (6).

WHEREAS, this expenditure is budgeted.

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

SECTION 1. The Director of Administration is hereby authorized to purchase a compact track loader.

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 law.

SECTION 3. This Council finds that competitive bidding is not necessary pursuant to WCO 160.03(c)(5) or (6). With respect to such purchase, the Director of Administration will advertise according to law and enter into a purchase contract with the lowest and best bidder, except that if the item is available through a state-sponsored cooperative purchasing program or can be accomplished through a vendor upon equivalent terms, conditions and specifications, but at a price which is equal to or lower than that which is available from the state-sponsored program, s/he may make such purchase therefrom if s/he determines that the price and availability is more advantageous to the City.

SECTION 4. The costs of this project will not exceed the amount budgeted.

SECTION 5. 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: _____, 2022 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2022
Mayor

Introduced by: Barb Knapic

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division	Meeting Date Requested
Project Name	Estimated Total Funds/Costs
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	
Justification / Benefits	
Will this Project affect the City's Operating Costs	
What Alternatives Exist and what are the Implications of the Alternatives	
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 <u>be passed</u>? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting:	Date: