

**CITY COUNCIL AGENDA**

**December 19, 2022**

**7:30p.m.**

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

**I. ROLL CALL & ORDERING OF AGENDA**

**II. APPROVAL OF MINUTES**

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

Finance Committee Report

**VI. UNFINISHED BUSINESS**

1. Third Reading – ORDINANCE NO. 2022-33

AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

2. Second Reading – ORDINANCE NO. 2022-39

AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND ALLOWING FOR IMMEDIATE ENACTMENT (Reynolds)

**VII. NEW BUSINESS**

1. First Reading – ORDINANCE NO. 2022-40

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

2. First Reading – RESOLUTION NO. 2022-62

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE A LADDER TRUCK AND ALLOWING FOR IMMEDIATE ENACTMENT (Cavin)

3. First Reading – ORDINANCE NO. 2022-41

AN ORDINANCE AUTHORIZING ANNEXATION OF MUNICIPALLY-OWNED PROPERTY CONTIGUOUS TO THE EXISTING CORPORATION LIMITS, PURSUANT TO OHIO REVISED CODE CHAPTER 709 AND AUTHORIZING THE DIRECTOR OF LAW TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECT IT AND ALLOWING FOR IMMEDIATE ENACTMENT (Reynolds)

**VIII. MISCELLANEOUS**

**IX. ADJOURNMENT**

ORDINANCE NO. 2022-33

AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Charter of the City of Wooster provides, at §6.04, that no later than the second regular meeting of November the Mayor will prepare and present to the City Council for adoption an annual Appropriation Ordinance providing for the expenses of the municipal government for the coming fiscal year.

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

SECTION 1. To provide for the current expenses and other expenditures of the City of Wooster for the Fiscal Year ending December 31, 2023, the following appropriations (detailed copy attached hereto) are hereby authorized.

SECTION 2. The budget approved by Council and the appropriation of funds to implement the budget represent the estimated expenditures needed to administer programs approved for the coming fiscal year. The budget is a work plan of future estimated needs for a given program as determined by Council when the budget is adopted.

In adopting the budget, Council recognizes that conditions may change during the fiscal year that may call for staff reductions or increases depending upon the facts in each instance.

In recognition of this fluid, constantly changing condition, the Mayor shall review requests for additional positions and for filling vacant positions within the limitations of the budget. After making a study of each request, he shall have the authority to approve, disallow or postpone such requests for additional personnel. In addition, he shall be responsible for resolving questions related to the staffing pattern of each department and division as determined by Council action on the annual budget.

Personnel requests in excess of the annual budget shall be studied and recommendations developed for the consideration of Council.

The Mayor shall be responsible for ascertaining that personnel requirements do not exceed those included or implied in the budget and/or Appropriation Ordinances.

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 law.

SECTION 4. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City; 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 Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading 11-21-22 2nd reading 12-5-22 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2022 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2022  
Mayor

Introduced by: Craig Sanders

ORDINANCE NO. 2022-39

AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Director of Administration has recommended that Section 162.03(g) be amended to help with recruiting efforts for individuals with required skills for management positions, and retention of employees.

WHEREAS, the retention of management employees and increased recruitment efforts are beneficial to the City of Wooster.

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

SECTION 1. That Section 162.03(g) of the Codified Ordinances, entitled Vacation Leave, be amended to read as follows:

**162.03 LEAVES.**

(g) Vacation Leave.

(1) Effective January 1, 2023 and forward, the Mayor or designee, may, at his or her discretion, and taking into consideration all relevant prior experience, set the vacation accrual rate for new Management employees to any of the years of service listed in the schedule included in Section 162.03(g), regardless of actual years of public or private work experience.

~~(1) Effective June 1, 2018 and forward, the Mayor or designee shall permit prior service with any other governmental agencies for any new management employee who is hired from such agency for purposes of computing the amount of the employee's vacation leave. A written statement signed by an appropriate official of such other governmental agency stating the employee's service time shall be provided.~~

(2) Effective January 1, 2023 and forward, the Management employees shall receive vacation based on the following schedule accrual shall be in accordance with the schedule included in Section 162.03(g) based upon actual years of service or the years of service as set pursuant to Section 162.03(g)(1),:

Years of Service		Vacation Days Accrued
At Least	But Less Than	Per Month of Service
0	6	1.250 (annually, 15 days)
6	10	1.670 (annually, 20 days)
10		2.084 (annually, 25 days)

(43) Management employees may not accrue vacation leave in excess of the accrual from three years of employment, as calculated in accordance with Section 162.03(g)(2) or (3), above. Any accumulated vacation exceeding that amount shall be forfeited unless the Mayor, in his/her sole discretion, has granted a waiver to the employee, in which case the employee, solely for the purpose of using such excess vacation leave, may exceed the maximum accrual for the period of the waiver, which shall not exceed six months.

(54) Time spent in military service is to be counted as service with the City when determining vacation leave, provided the employee in question was a City employee for at least 120 calendar days before entering military service.

(65) Upon separation from municipal service, employees are entitled to compensation for any unused vacation leave to their credit upon date of separation, but not in excess of the accrual from his/her last three years of employment preceding separation from employment. This payment shall be in addition to any severance pay which may be due.

(76) In case of the death of an employee, the unused accumulated vacation leave shall be paid to the deceased employee's estate.

(87) Vacation Cash-Out Option. Subject to the approval of the Director of Administration, employees will be permitted to "cash out" unused vacation time of up to one-half of their annual accrual once during any calendar year (January through December), provided that the employee must maintain a minimum balance of ten (10) vacation days. The "cash out" rate will be one-hundred percent (100%) of the employee's daily base rate.

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 the law.

SECTION 3. This Ordinance is declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary to protect the public and the City; 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 12-5-22 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2022 Vote: \_\_\_\_\_

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

Approved: \_\_\_\_\_, 2022  
Mayor

Introduced by: Bob Reynolds

#13

ORD 2022-39

### Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

<b>Division</b> Administration	<b>Meeting Date Requested</b> 12-05-22
<b>Project Name</b> Chapter 162 – Management Benefits	<b>Estimated Total Funds/Costs</b> N/A
<b>Is Full Amount Budgeted?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED N/A	
<b>If No, How is the Purchase to be Funded?</b>	
<b>Description</b>  This is a request to modify the management benefits ordinance to correct an error in the previous update. When updating the vacation portion of management benefits last year in order to offer equitable individual benefits to those offered to all other City employees as defined in their respective collective bargaining agreements (CBAs), the vacation accrual rate for new hires was inadvertently reduced.  The vacation accrual rate for entry level management positions had been the same since 2004, but was changed by mistake with 2021 update. The original changes were proposed in an effort to provide attractive benefits in order to <b>retain</b> current staff and <b>attract</b> new staff to management positions.  This change also removes the limitation of considering only previous governmental service in calculating vacation for new hires. This would allow any relevant time to be considered. This limitation has been a significant detriment to attracting qualified candidates for management positions. The vacation schedule would still be adhered to and provide caps for vacation accrual.	
<b>Justification / Benefits</b> These changes will standardize benefits for all the City employees and conform management employee benefits to those defined by the CBAs, as well as help with recruiting efforts for individuals with required skills for management positions, and retention of current employees.	
<b>Will this Project affect the City's Operating Costs</b> These changes have minimal effect on operating costs as these are encumbered and paid at the current salary rate.	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> Leave the ordinance the same, which will <u>not</u> conform benefits for all employees. Reduced Management benefits will limit the number of staff willing to take promotions from the hourly ranks, will limit our ability to attract outside candidates, and increase the possibility of losing employees to other entities.	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons Immediate passage is not needed, but approving now would allow these provisions to be incorporated into HR processes and plan for implementation by the first of the year.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b> Joel Montgomery	<b>Date:</b> 11-29-22
<b>Approved for Agenda</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

ORDINANCE NO. 2022-40

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION  
ORDINANCE AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Council of the City of Wooster adopted an Annual Appropriation Ordinance No. 2021-37 for Fiscal Year 2022, and from time-to-time it becomes necessary to amend that Ordinance; and

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

SECTION 1. The City was a participant in the OneOhio Opioid Settlement Fund and received approximately \$34,970 during calendar year 2022.

SECTION 2. An eligible use has been identified that will benefit law enforcement and firefighters.

SECTION 3. The amount of \$15,000 is hereby appropriated from the unappropriated balance in the OneOhio Opioid Settlement Fund (126).

SECTION 4. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 5. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City; 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 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

#1

2022-40

### Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Police/Fire	Meeting Date Requested 12-19-22
Project Name Appropriation Opiod Funds	Estimated Total Funds/Costs \$35,000
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? Use of Opiod Settlement Funds	
<b>Description of Request</b> The City of Wooster as part of the Opiod settlement agreement will receive \$35,000 a year for the next 15 years. These funds may only be used for a select set of remediation uses as spelled out in the settlement agreement. One of the uses listed under Part Three, Item I is " Provision of wellness and support services for first responders..." Based on this we would request allocation of these funds and a partial use to be used to purchase the Cordico, First Responder Health and Wellness App for Law Enforcement and Fire through Lexipol. This app provides confidential support, wellness tools, and self-assessments for first responders. In addition, the app provides specific tools, articles and content for the families of these first responders. Our hope is that this health and wellness tool can help our first responders and their families deal with the job related stress and emotional issues that can often occur from dealing with critical events.  Cordico with the 40% discount is 5,999.40 for Law Enforcement and 5,999.40 for Firefighters per year.	
<b>Justification / Benefits</b> Provide specific tools, articles, confidential assessments and content for our first responders and their families. Reduce job related stress and emotional issues and help first responders deal with the effects of dealing with critical events and constant exposure.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: Cordico is part of the Lexipol family that is currently being used by both Police and Fire.	
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 We would like to get this done prior to 2023 to lock in the 40% discount which will be for the life of the product.	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
Manager Requesting: Fisher	Date: 12/8/2022

Approved for Agenda  Yes  No



RESOLUTION NO. 2022-62

A RESOLUTION AUTHORIZING THE DIRECTOR OF  
ADMINISTRATION TO PURCHASE A LADDER TRUCK  
AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the City needs a new ladder truck for the Fire Department for rescue, suppression, and technical rescue throughout the City.

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

SECTION 1. The Director of Administration is authorized to purchase a new ladder truck for Fire Department use.

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 the price and availability is more advantageous to the City.

SECTION 2. The cost of such purchase is included in the 2023 Appropriations Budget.

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

SECTION 4. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City; 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 Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

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

Approved: \_\_\_\_\_, 2022

\_\_\_\_\_  
Mayor

Introduced by: Mark Cavin

#2

2022-62

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Fire Division	Meeting Date Requested 12-19-2022
Project Name Ladder 1 Replacement	Estimated Total Funds/Costs \$1,665,373
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? Funded in the 2023 budget.	
<b>Description of Request</b> <p>WFD requests to enter into a contract for the purchase of one (1) Sutphen SPH100 (100 ft Ladder Truck) on a heavy duty Monarch chassis.</p> <p>The current lead time for a completed build is 24-26 months and the vendor has authorized an extension of current pricing through 12-20-22. The manufacture has implemented a 4% increase on 12/15/22 and estimates another 3-4% increase in Feb. of 2023.</p> <p>The request replaces a 1997 Ladder Truck, that has passed its service life and is mechanically deteriorating. Entering into contract now will ensure continuous service of a 100 ft ladder in the City for rescue, suppression, and technical rescue.</p>	
<b>Justification / Benefits</b> <p>Entering into a contract now, will save the City approx. \$66.614 (Dec. 2022 price). If we wait till after Feb. 2023, it will cost an additional \$69.270.</p> <p>Ladder 1 is the only 100 ft ladder in the county and is used in some capacity on every fire. It provides specialized equipment and tactical advantages that we do not have with our other apparatus.</p>	
<b>Will this Project affect the City's Operating Costs</b> <p>Once placed in-service, we should see a decrease in general repairs and maintenance.</p>	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b> <p>Wait to purchase. Which will result in significant cost increases and additional delays on deliver. Current deliver is over 2 years (2025).</p>	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Explain The Circumstances:</b> <p>Sourcewell Purchasing Contract</p>	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Note Reasons</b> <p>Will be budgeted in 2023 and will allow us to lock in pricing, saving \$66,614.</p>	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
Manager Requesting: Saley	Date: 12-13-2022

Approved for Agenda  Yes  No



# SUTPHEN

## PROPOSAL

TO THE:  
Wooster, OH

DATE: 10/18/22

We hereby propose and agree to furnish the following firefighting equipment upon your acceptance of this proposal:

**One (1) Sutphen SPH100 with Heavy Duty Monarch Chassis Complete and  
Delivered for the Total Sum of .....\$1,665,373.00\***

*\*This price is based payment in full at the time of delivery.*

*\*This price and proposal are based on Sourcewell Contract 113021-SUT*

The unit shall be manufactured completely in accordance to the following proposal and delivered in approximately **24-26 Months** subject to delays from all causes beyond our control.

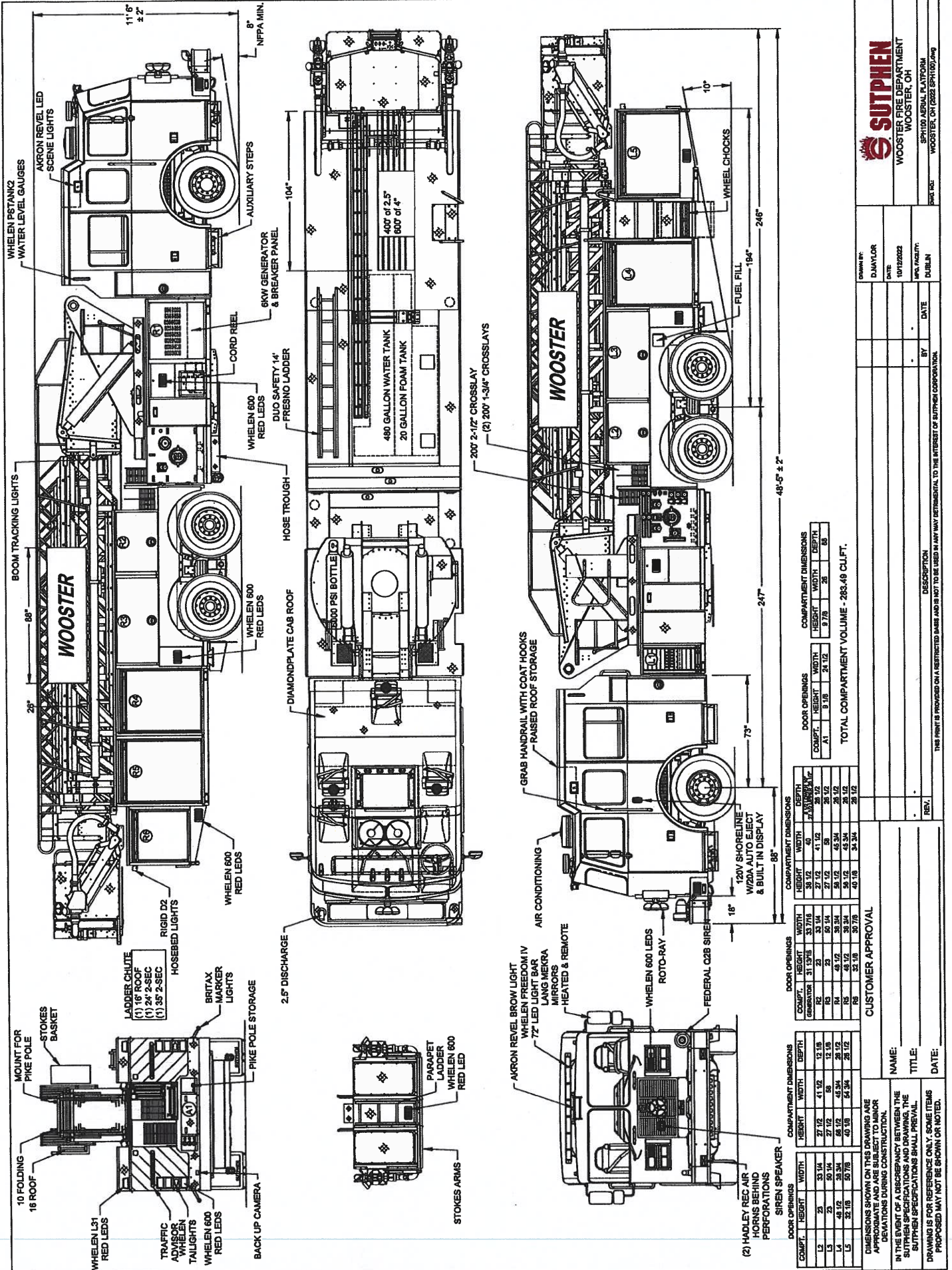
Proposal price and projected lead time quote are good for **45 days**. If the contract or purchase order is not received within this proposed duration, we reserve the right to extend, withdraw, or modify our proposal, including pricing, delivery times, and prepayment discounts as applicable.

Respectfully submitted,



Andy Herb  
Herb Fire Equipment  
Authorized Dealer  
Sutphen Corporation  
614-329-1610





DOOR OPENINGS

COMP.	HEIGHT	WIDTH	HEIGHT	WIDTH	HEIGHT	WIDTH	DEPTH
A1	8 1/8"	24 1/2"	9 7/8"	26"	8 1/8"	26"	8 1/8"

TOTAL COMPARTMENT VOLUME - 283.49 CU.FT.

COMPARTMENT DIMENSIONS

COMP.	HEIGHT	WIDTH	DEPTH
GENERATOR	31 7/8"	33 7/8"	24 3/8"
R2	21"	33 1/4"	26 1/2"
R3	43 1/2"	38 3/4"	26 1/2"
R4	43 1/2"	38 3/4"	26 1/2"
R5	43 1/2"	38 3/4"	26 1/2"
R6	33 1/8"	39 7/8"	34 3/4"

COMPARTMENT DIMENSIONS

COMP.	HEIGHT	WIDTH	DEPTH
L2	27 1/2"	41 1/2"	12 1/8"
L3	50 3/4"	48"	26 1/2"
L4	40 1/8"	54 3/4"	26 1/2"
L5	40 1/8"	54 3/4"	26 1/2"

**SUTPHEN**  
 WOOSTER FIRE DEPARTMENT  
 WOOSTER, OH  
 384100 AERIAL BAY PLATFORM  
 WOOSTER, OH 42223-8700 JAW

DRAWN BY: DJMAYLOR  
 DATE: 10/12/2023  
 MFR. FACILITY: DUBLIN  
 DATE: \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

THIS PRINT IS PROVIDED ON A RESTRICTED BASIS AND IS NOT TO BE USED IN ANY WAY DETRIMENTAL TO THE INTEREST OF SUTPHEN CORPORATION.

CUSTOMER APPROVAL

NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

DIMENSIONS SHOWN ON THIS DRAWING ARE APPROXIMATE AND ARE SUBJECT TO MINOR DEVIATIONS DURING CONSTRUCTION.

IN THE EVENT OF A DISCREPANCY BETWEEN THE SUTPHEN SPECIFICATIONS AND DRAWING, THE SUTPHEN SPECIFICATIONS SHALL PREVAIL.

DRAWING IS FOR REFERENCE ONLY. SOME ITEMS PROPOSED MAY NOT BE SHOWN OR NOTED.

ORDINANCE NO. 2022-41

AN ORDINANCE AUTHORIZING ANNEXATION OF MUNICIPALLY-OWNED PROPERTY CONTIGUOUS TO THE EXISTING CORPORATION LIMITS, PURSUANT TO OHIO REVISED CODE CHAPTER 709 AND AUTHORIZING THE DIRECTOR OF LAW TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECT IT AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, in conjunction with the Melrose Drive Reconstruction Project as authorized by Ordinance No 2021-55, the City of Wooster accepted real estate (approximately .062 acres) on November 23, 2021, located along Melrose Drive in Wayne Township, consisting of permanent parcel numbers 53-01219.002 (0.041 acres) and 53-01219.001 (0.021 acres);

WHEREAS, this Council finds that annexation of said lands to the City of Wooster is in the public interest and the inclusion of these lands would benefit the City as a whole.

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

SECTION 1. The Council hereby declares its desire to annex into the municipal corporation the above-described real property owned by the City and hereby authorizes the annexation of said lands.

SECTION 2. The Council authorizes John A. Scavelli, the Director of Law, to prosecute the proceedings necessary to effectuate the annexation of the above-described real estate into the municipal corporation and designates the Director of Law to be the City’s agent and/or petitioner for such purpose.

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 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 prompt action is necessary to provide for the annexation of these lands; 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: Bob Reynolds

**Request for Agenda Item**

**Authorization for Bid**

**Purchase Capital Item**

**Non-Capital**

<b>Division</b>	<b>Meeting Date Requested</b>
<b>Project Name</b>	<b>Estimated Total Funds/Costs</b>
<b>Is Full Amount Budgeted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If YES, three readings NOT REQUIRED</b>	
<b>If No, How is the Purchase to be Funded?</b>	
<b>Description of Request</b>	
<b>Justification / Benefits</b>	
<b>Will this Project affect the City's Operating Costs</b>	
<b>What Alternatives Exist and what are the Implications of the Alternatives</b>	
<b>Is this a Sole Source Bid or Non-Bid Situation</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Explain The Circumstances:</b>	
<b>Is there a need for Suspension of the Rules or a Time Frame when this must be passed?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, Note Reasons</b>	
<b>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</b>	
<b>Manager Requesting:</b>	<b>Date:</b>

<b>Approved for Agenda</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
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# PETITION FOR ANNEXATION

I, Robert F. Breneman, Mayor of the City of Wooster, being the sole owner of the real estate in the territories hereinafter described, hereby Petition for the annexation of the following described territory to the City of Wooster, Wayne County, Ohio, in the manner provided for by Sections 709.02 to 709.16 of the Revised Code of Ohio.

Petitioner has attached hereto and made a part of this Petition a legal description of the perimeter of the territories sought to be annexed, marked as Exhibit A and B. The described territories are contiguous with the City of Wooster, Ohio.

Petitioner has attached hereto and made a part of this Petition, an accurate map or plat of the territories sought to be annexed, marked Exhibit C.

John A. Scavelli, Jr., is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other things or action for granting of this Petition shall be made In the Petition, description and plat by said agent without further expressed consent of the Petitioner.

Please take notice that, simultaneously with the filing of this Petition, John A. Scavelli, Jr., is also filing a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory, as required by RC 709.02(0).

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John A. Scavelli, Jr.  
538 N. Market Street  
Wooster, OH 44691  
(330) 263-5248  
[jscavelli@woosteroh.com](mailto:jscavelli@woosteroh.com)

**CITY OF WOOSTER**

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

## EXHIBIT A

Real Estate Situated in the State of Ohio, County of Wayne, **Township of Wayne** in the **southwest quarter of Section 23, T-16N, R-13W.**

Being part of the land described in a deed to **Seipp Properties, LLC** recorded in official record volume

926, page 576 of the Wayne County records.

**Described as follows:**

**Commencing** at a one inch diameter steel pin found on the centerline of Melrose Drive marking the northwest corner of the southwest quarter of Section 23.

Thence S 00° 52' 40" E 240.36 feet, along the west line of the quarter section and the centerline of Melrose Drive, to the Point of Beginning for the parcel herein described.

Thence with the following FOUR courses:

- 1) **N 89° 10' 11" E 30.00 feet**, along the south line of Joshua J. Wilson as described in official record volume 772, page 1018, to a capped pin marked "PS 5688" found on the east right-of-way line of Melrose Drive.
- 2) **S 00° 52' 40" E 60.15 feet**, along the east right-of-way line of Melrose Drive, to a 5/8 inch diameter steel pin found on the north line of Glenn R. and Jennifer L. Shipley as described in official record volume 840, page 2046.
- 3) **S 89° 04' 21" W 30.00 feet**, along the north line Shipley, to a point on the west line of the quarter section and the centerline of Melrose Drive.
- 4) **N 00° 52' 40" W 60.20 feet**, along the west line of the quarter section and the centerline of Melrose Drive, to the Point of Beginning.

**This parcel contains 0.041 acres** and lies entirely within the right-of-way of Melrose Drive.

**Prior Instrument: official record volume 926, page 576.**

**Permanent Parcel#: part of 53-01219.000**



## **EXHIBIT B**

Real Estate Situated in the State of Ohio, County of Wayne, **Township of Wayne** in the **southwest quarter of Section 23, T-16N, R-13W.**

Being part of the land described in a deed to **Seipp Properties, LLC** recorded in official record volume 926, page 576 of the Wayne County records.

Described as follows:

**Beginning** at a one inch diameter steel pin found on the centerline of Melrose Drive marking the northwest corner of the southwest quarter of Section 23.

Thence with the following **FOUR** courses:

- 5) **N 89° 18' 19" E 30.00 feet**, along the north line of the quarter section, to a capped pin marked "Lewis Land Professionals" found on the east right-of-way line of Melrose Drive.
- 6) **S 00° 52' 40" E 30.30 feet**, along the east of the right-of-way line of Melrose Drive, to a capped pin marked "Lewis Land Professionals" found on the north line of James H. and Judith A. Vitaro as described in deed volume 693, page 244.
- 7) **S 89° 09' 53" W 30.00 feet**, along the north line Vitaro, to a point on the west line of the quarter section and the centerline of Melrose Drive.
- 8) **N 00° 52' 40" W 30.37 feet**, along the west line of the quarter section and the centerline of Melrose Drive, to the Point of Beginning.

**This parcel contains 0.021 acres** and lies entirely within the right-of-way of Melrose Drive.

**Prior Instrument: official record volume 926, page 576.**

**Permanent Parcel#: part of 53-01219.000**

# EXHIBIT C

XX-089

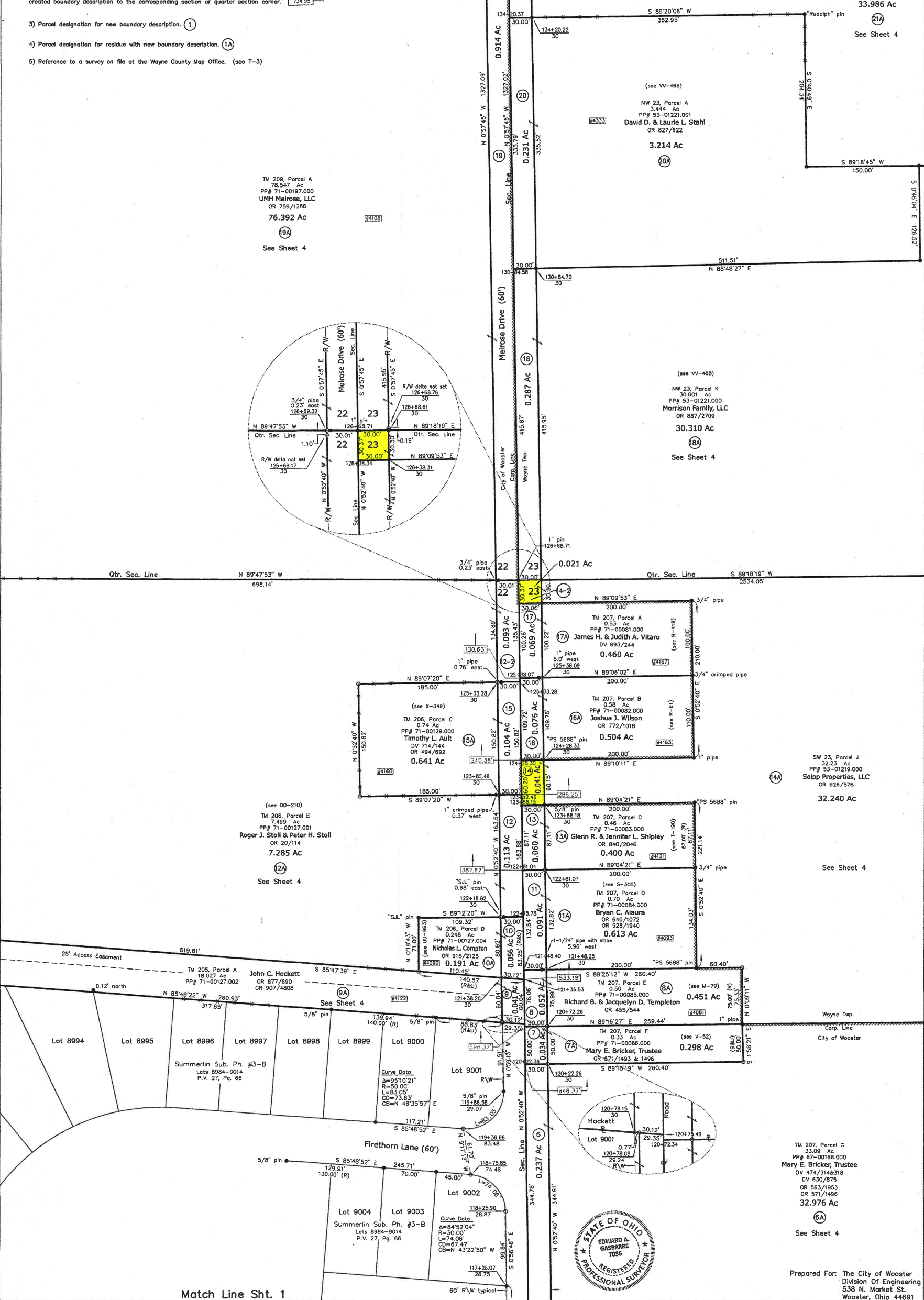
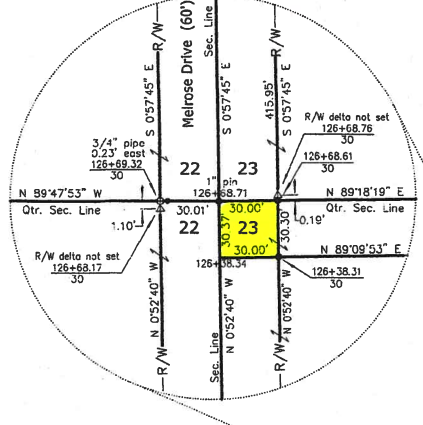
Match Line Sht. 3

Tax Maps 206, 207

- Survey Notes:
- 1) After roadway construction has been completed, all property corners that fall on the road right-of-way will be set with a capped pin. Other corners not falling on the right-of-way have already been set.
  - 2) Indicates the distance and direction from the point of beginning of a newly created boundary description to the corresponding section or quarter section corner.
  - 3) Parcel designation for new boundary description. (1)
  - 4) Parcel designation for residue with new boundary description. (1A)
  - 5) Reference to a survey on file at the Wayne County Map Office. (see T-3)

NW 23, Parcel B  
34.191 Ac  
PP# 53-01221.002  
Tyler H. Stahl  
Erica D. Stahl  
Trustees  
OR 826/2200  
33.986 Ac  
(21A)  
See Sheet 4

TM 209, Parcel A  
78.547 Ac  
PP# 71-00197.000  
UMH Melrose, LLC  
OR 758/1286  
76.392 Ac  
(9A)  
See Sheet 4



Match Line Sht. 1

**Melrose Drive Centerline & Right-of-Way Survey**  
City of Wooster & Wayne Township  
Sections 22 & 23 T-16N, R-13W  
Wayne County, Ohio

**Legend**

- set
- set previously found
- △ - Spike or magnoal set
- 5/8" x 30" Steel Rod w/ Yellow I.D. Cap
- Marked Gasbarre Wooster, Ohio
- Fence Line Evident
- - Lewis Land Professionals pin found
- Record Dimension
- Measure Dimension
- - Stone monument found
- Used Record Dimension

Scale 1" = 60'

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

*Edward A. Gasbarre*  
Edward A. Gasbarre, P.S. 7036

State of Ohio Registered Professional Surveyor  
Edward A. Gasbarre, P.S. 7036

Prepared For: The City of Wooster  
Division of Engineering  
538 N. Market St.  
Wooster, Ohio 44691

Sheet 2 of 4  
August 23, 2021