

CITY COUNCIL AGENDA
April 17, 2023
7:30p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Liquor Control – Bell Stores Inc. DBA Bell Stores 35
220 South Columbus Avenue
Wooster, Ohio 44691

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Finance Committee

Public Hearing #1 – East Vine Street Rezoning (Reynolds)

Public Hearing #2 – Melrose Drive Rezoning & Annexation (Reynolds)

VI. UNFINISHED BUSINESS

1. Second Reading – ORDINANCE NO. 2023-09

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO I-3 (URBAN INDUSTRIAL) FOR PROPERTY LOCATED ON EAST VINE STREET (Reynolds)

2. Second Reading – ORDINANCE NO. 2023-10

AN ORDINANCE TO ZONE ANNEXED LAND AS R-2 (SINGLE- FAMILY RESIDENTIAL), FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, AND CONTIGUOUS TO THE CORPORATION LIMITS PURSUANT TO SECTION 1107.04 OF THE WOOSTER CODIFIED ORDINANCES (Reynolds)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2023-16

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON MELROSE DRIVE, AND CONTIGUOUS TO THE CORPORATION LIMITS (Jonathan Millea, Agent for Petitioners) (Reynolds)

2. First Reading – RESOLUTION NO. 2023-27

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

3. First Reading – RESOLUTION NO. 2023-28
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A SANITARY SEWER FROM THE INTERSECTION OF CHRISTMAS RUN AND BROOKSIDE TO OLDMAN AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

4. First Reading – RESOLUTION NO. 2023-29
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PLACEMENT OF A STORM SEWER ON BEVER STREET AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

5. First Reading – RESOLUTION NO. 2023-30
A RESOLUTION DECLARING IT NECESSARY TO IMPROVE A PORTION OF THE STREETScape ON LIBERTY STREET AND TO DETERMINE ASSESSMENTS FOR AFFECTED PROPERTY OWNERS, AND ALLOWING FOR IMMEDIATE ENACTMENT (Warden)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

**NOTICE TO LEGISLATIVE
AUTHORITY**

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

TO

06047840036		TRFL	BELL STORES INC	
PERMIT NUMBER		TYPE	DBA BELL STORES 35	
02	01	2020		
ISSUE DATE		220 SOUTH COLUMBUS AV		
03	29	2023		
FILING DATE		WOOSTER OH 44691		
C1 C2		PERMIT CLASSES		
85	165	B	F29350	
TAX DISTRICT			RECEIPT NO.	

FROM 03/31/2023 SAFEKEEPING

06047840035			BELL STORES INC	
PERMIT NUMBER		TYPE	DBA BELL STORES 35	
02	01	2020		
ISSUE DATE		7170 LINCOLN WAY E		
03	29	2023		
FILING DATE		EAST UNION TWP		
C1 C2		PERMIT CLASSES		
85	911		RECEIPT NO.	
TAX DISTRICT				



MAILED 03/31/2023

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/01/2023

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES

B TRFL 0604784-0036

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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

ORDINANCE NO. 2023-09

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE
CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO,
TO RE-ZONE LAND TO I-3 (URBAN INDUSTRIAL) FOR
PROPERTY LOCATED ON EAST VINE STREET

WHEREAS, an application has been duly filed by Matthew Long with the Planning Commission of the City of Wooster requesting the re-zoning of .3738 acres of land commonly known as Parcel Number 64-01314.000, 64-01313.000, 64-01423.000, and 64-00997.000, from R-T (Traditional Residential) to I-3 (Urban Industrial); and

WHEREAS, at its March 2, 2023, meeting, and after a public hearing in accordance with law, the Planning Commission voted unanimously to recommend to the City Council that the proposed re-zoning of the property from R-T (Traditional Residential) to I-3 (Urban Industrial) be approved; and

WHEREAS notice of a public hearing by the City Council on this re-zoning has been duly given, and a public hearing has been held, all in accordance with law; and

WHEREAS, this City Council deems that the proposed zoning designation for the land should be approved.

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

SECTION 1. That Part Eleven, Planning and Zoning Code, of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, is amended so as to re-zone .378 acres of land commonly known as Parcel Number 64-01314.000, 64-01313.000, 64-01423.000, and 64-00997.000, from R-T (Traditional Residential) to I-3 (Urban Industrial); as appears on the attached map.

SECTION 2. The Planning Division is directed to change the official zoning map to conform to the above-described amendment.

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 3/3/23 2nd reading _____ 3rd reading _____

Passed: _____, 2023 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2023 _____

Introduced by: Bob Reynolds Mayor

/
020
2023-09

Request for Agenda Item

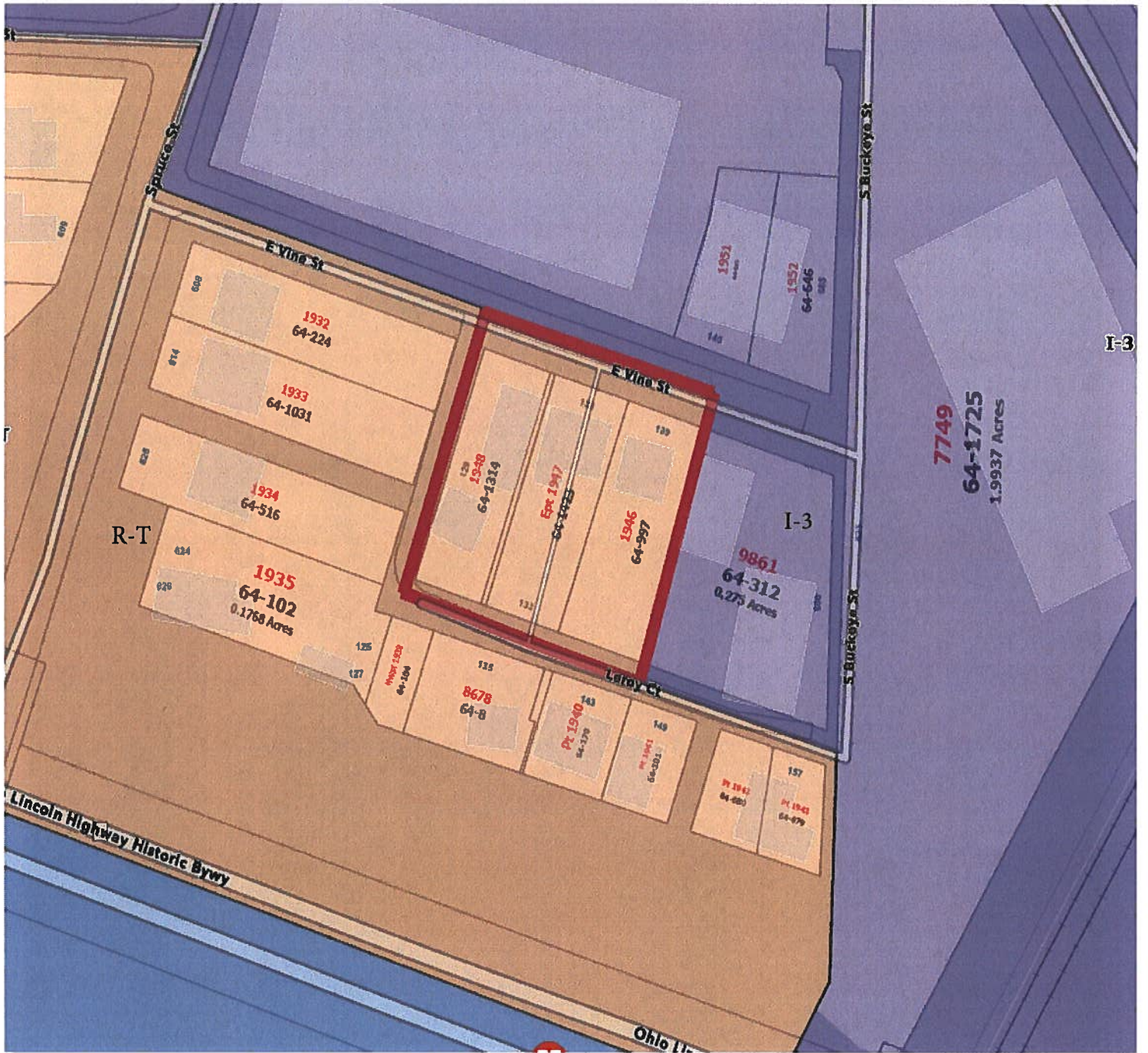
Authorization for Bid

Purchase Capital Item

Non-Capital

Division Planning and Zoning	Meeting Date Requested 1st reading April 3
Project Name E. Vine Street Map Amendment	Estimated Total Funds/Costs NA
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 Matt Long requesting a zoning map amendment from R-T (Traditional Residential) to I-3 (Urban Industrial) of .3738 acres located on the south side of East Vine Street, west of Buckeye and east of Spruce with parcel numbers 64-01314, 64-01313, 64-01423, and 64-00997(139 E Vine St.). The Planning Commission held a public hearing on application PC-23-05 on March 2, 2023 and voted 6-0 to recommend approval of proposed zoning classifications to City Council. A public hearing in front of City Council to be scheduled for April 17, 2023.	
Justification / Benefits Planning Commission members voted 6-0 to recommend approval of application PC-23-05 amending the zoning from R-T to I-3 on .3738 acres located on the south side of East Vine Street, west of Buckeye and east of Spruce with parcel numbers 64-01314, 64-01313, 64-01423, and 64-00997(139 E Vine St.).	
Will this Project affect the City's Operating Costs No.	
What Alternatives Exist and what are the Implications of the Alternatives If no action is taken to establish zoning, the zoning classification will remain R-T (Traditional Residential). This would limit the ability of the contiguous business to expand.	
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: Vince Marion	Date: March 8, 2023

Approved for Agenda Yes No





ORDINANCE NO. 2023-10

AN ORDINANCE TO ZONE ANNEXED LAND AS R-2 (SINGLE-FAMILY RESIDENTIAL), FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, AND CONTIGUOUS TO THE CORPORATION LIMITS PURSUANT TO SECTION 1107.04 OF THE WOOSTER CODIFIED ORDINANCES

WHEREAS, an application has been duly filed by Jonathan Millea, Petitioner for the City of Wooster, with the Planning Commission of the City of Wooster requesting the zoning of 32.24 acres of land with PPN 53-01219.000 as R-2 (Single-Family Residential); and

WHEREAS, at its March 2, 2023, meeting, and after a public hearing in accordance with the law, the Planning Commission voted unanimously to recommend to the City Council that the proposed zoning of the property as R-2 (Single-Family Residential) be approved; and

WHEREAS notice of a public hearing by the City Council on this re-zoning has been duly given, and a public hearing has been held, all in accordance with law; and

WHEREAS, this City Council deems that the proposed zoning designation for the land should be approved.

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

SECTION 1. That pursuant to Section 1107.04 of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, 32.24 acres of land with PPN 53-01219.000, and contiguous with the corporation limits, shall be zoned as R-2 (Single-Family Residential) as appears on the attached map.

SECTION 2. The Planning Division is directed to include this zoning on the official zoning map to conform to the above-described assignment.

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 3/3/23 2nd reading _____ 3rd reading _____

Passed: _____, 2023 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2023
Mayor

Introduced by: Bob Reynolds

Request for Agenda Item

#2
ORD
2023-10

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Planning and Zoning	Meeting Date Requested 1st reading on April 3
Project Name Zoning for 32.24 Annexed	Estimated Total Funds/Costs NA
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 Establish zoning on 32.24 acres of land being annexed into the City of Wooster on the east side of Melrose with parcel number 53-01219.000. The closest cross street is to the south - Firethorn Lane. Proposed zoning is R-2 (Single-Family Residential). The Planning Commission held a public hearing on application PC-23-06 on March 2, 2023 and voted 6-0 to recommend approval of proposed zoning classification to City Council. A public hearing to be scheduled for April 17, 2023.	
Justification / Benefits Planning Commission members voted 6-0 to recommend approval of application PC-23-06 to establish R-2 zoning on 32.24 acres of land on the east side of Melrose with parcel number 53-01219.000. Property is being annexed into the City of Wooster. The R-2 zoning is consistent with adjacent uses and will aide in the development of single-family dwelling units.	
Will this Project affect the City's Operating Costs No.	
What Alternatives Exist and what are the Implications of the Alternatives If no action is taken to establish zoning, the zoning classification will default to R-1 (Suburban Single-Family). This would increase lot sizes and decrease options for residential units.	
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: Vince Marion	Date: March 8, 2023

Approved for Agenda Yes No

LINE	BEARING	DISTANCE
1	N00°05'41"W	63.30
2	N00°52'46"W	271.11
3	S89°04'21"W	200.00
4	N00°52'40"W	60.15
5	N89°10'11"E	200.00
6	S89°09'53"W	200.00
7	N00°52'40"W	30.30

EXHIBIT B
Annexation Petition

PPN: 53-01221.000
MORRISON FAMILY, LLC
O.R. 587; PG. 2105

OTR SEC. LINE
N89°18'19"E 2534.05'

ANNEXATION
32.240 AC.

32.24 AC.
PPN: 53-01718.000
SOP INVESTMENTS, LLC
O.R. 536; PG. 1274

TOWNSHIP OF WAYNE

S89°16'27"W 2276.98'

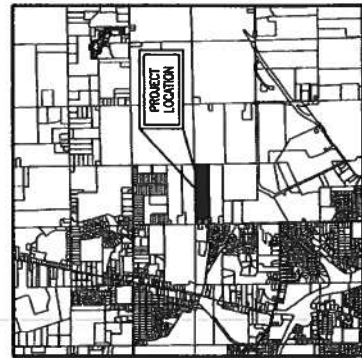
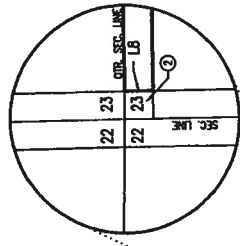
EX. CORP. LIMITS

PPN: 87-00166.000
MARY E. BREWSTER, TRUSTEE
O.R. 371; PG. 1496

CITY OF WOOSTER

① 0.041 AC.
53-01718.002
CITY OF WOOSTER
O.R. 534; PG. 235

② 0.021 AC.
53-01718.001
CITY OF WOOSTER
O.R. 534; PG. 232



32.240 AC.
EXTENSION OF THE CORPORATION
LIMITS OF THE CITY OF WOOSTER
TOWNSHIP OF WAYNE
T-16N ; R-13W
S.W. QTR. OF SEC. 23
COUNTY OF WAYNE
STATE OF OHIO

Approved by Wayne County Commissioners:
this ___ day of ___, 20__

BECKY FOSTER _____ RON AMSTUTZ _____ SUE SWALL _____
Approved by Wayne County Commissioners:
this ___ day of ___, 20__

MAYOR
ROBERT F. BRENNAN _____ Clerk

Approved for Recording:
this ___ day of ___, 20__

Transferred:
this ___ day of ___, 20__

Wayne County Map Office
STACY PEPPARD

Wayne County Auditor's Office

Filed for record in Wayne Co., Ohio

AUDITOR:	DATE:	AT:
RECORDER:	INSTRUMENT #:	
TOTAL:	PLAT VOL:	PAGE:
	FEE \$:	

JANE CARMICHAEL, RECORDER

Distances shown hereon are expressed in feet and decimal parts thereof, bearings are used to express angles only, iron pins or monuments were found or set as indicated hereon. All of which I believe to be correct to the best of my knowledge.

By: *[Signature]*
Mark E. Purdy, P.S. #7307 Date: 1-17-23



SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
Consulting Engineers & Surveyors
3477 Commerce Parkway, Suite C
Wooster, Ohio 44691
TEL (330) 345-6377 FAX (330) 345-6725 EMAIL: jshaffer@shafferinc.com

ORDINANCE NO. 2023-16

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON MELROSE DRIVE, 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 32.24 acres along Melrose Drive, with parcel numbers PN: 53-01219.000, 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 February 8, 2023, 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 _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2023 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2023
Mayor

Introduced by: Bob Reynolds

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested April 17, 2023
Project Name Annexation of 32.24 Acres	Estimated Total Funds/Costs 0.00
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? N/A - Annexation anticipated to result in additional tax revenue for benefit of residents.	
Description of Request SEIPP Properties LLC seeks the annexation of its a 32.24 acre territory at Melrose Drive (Parcel 53-01219.000) to the City of Wooster as an R-2 Zoned property, under ORC 709.022. Previously, on January 17, 2023, Council authorized Ordinance 2023-04 allowing for an annexation agreement between the City of Wooster and Wayne Township Trustees to accommodate this request under ORC 709.022's rules which expedited the procedures process by the Wayne county Commissioners. Jonathan Millea, a City employee, is the agent for the petitioner, as permitted by ORC 709. Annexation would position the territory for a new proposed residential development with the provision of City utilities. Annexation would also provide new property tax revenues. (\$21,000 possibly, assuming 4.2 mills on 50 homes valued at \$285,000, after the initial 12-year revenue sharing period with Wayne Township.)	
Justification / Benefits Annexation enables the opportunity for a new single-family residential neighborhood to support our community, while also producing new tax revenues and potentially lowering resident tax burdens over time.	
Will this Project affect the City's Operating Costs Net millage gain lowered by 1.2 to 2.6 mills (1.8mills) for first 12 yrs, 4.2 thereafter.	
What Alternatives Exist and what are the Implications of the Alternatives Without annexation, the site could only accommodate potentially 6 homes on large lots (an inefficient use of space), while the city may forgo an eventual +50 homes and +\$21K annually.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: N/A	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons A suspension of the rules is recommended to allow for site preparation in 2023.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: 4/13/2023

Approved for Agenda Yes No

Resolution

No. 2023-71

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: February 8, 2023

Subject: **Approval of an Expedited Type 1 Annexation of Approximately 32.24 Acres located in Wayne Township to the City of Wooster**

It was moved by Commissioner Hofstetter and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, a Type 1 Expedited Petition was filed with the Board of Commissioners of Wayne County, Ohio, consisting of approximately 32.24 acres from Wayne Township, Wayne County, Ohio, to the City of Wooster, Ohio, pursuant to Ohio Revised Code Section 709.022; and

WHEREAS, the Petition was signed within 180 days of the filing of the Petition by Doug Stout and Pete Prosser for SEIPP Properties, LLC; and

WHEREAS, the territory proposed for annexation is contiguous to the City of Wooster, Ohio; and

WHEREAS, the Petition includes an Annexation Agreement as provided in Sections 709.022 and 709.192 of the Ohio Revised Code; and

WHEREAS, the Petition complies with all other legal requirements;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Wayne County, Ohio, that:

Section 1: The Petition for the Annexation of Approximately 32.24 Acres from Wayne Township, Wayne County, Ohio to the City of Wooster, Ohio, filed by the aforementioned petitioner on February 1, 2023, is hereby approved.

Section 2: A copy of this Resolution; a copy of the Annexation Petition and any other documents in the annexation file shall be forwarded, by the Clerk of this Board, to the City of Wooster, Ohio.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter yea Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.


Diane L. Austen, Clerk



PETITION FOR ANNEXATION ON APPLICATION OF OWNERS OF REAL ESTATE
Special procedure of annexing land with the consent of all parties
O.R.C. Sec. 709.022

To: Board of County Commissioners of Wayne County, Ohio

Whereas, annexation to the City of Wooster is desired in order to gain access to improved public infrastructure; and

Whereas, a majority of all property in the proposed territory request and authorize annexation from Wayne Township to the City of Wooster, understanding that City boundaries shall be conformed, at which point those residing on the territory to be annexed will no longer be electors of Wayne Township.

We, the undersigned, being a majority of the owners of real estate in the territory 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 709.11 of the Revised Code of Ohio and following the special procedures in the manner provided for by Section 709.022.

Petitioners have attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as Exhibit "A".

The described territory is contiguous with the City of Wooster, Ohio.

Petitioners have attached hereto and made a part of this petition, an accurate map of the territory sought to be annexed, marked Exhibit "B".

Petitioners have attached hereto and made a part of this petition a certified copy of an annexation agreement, as provided for in Section 709.192, between the Township of Wayne and the City of Wooster, marked Exhibit "C".

Jonathan Millea, Development Coordinator for the City of Wooster, is hereby appointed agent for the undersigned Petitioners 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 of deletion of other things of action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners:

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



Wayne County Commissioners

Diane L. Auster, clerk

Signature of Agent:  1/31/23

Printed Name: Jonathan S, Millea

Address: City Administration Bldg., 538 N. Market St.,
Wooster, Ohio 44691

Phone: 330.263.5250

Email: jmillea@woosteroh.com



PETITION FOR ANNEXATION TO THE CITY OF WOOSTER OF 32.2400 ACRES, MORE OR LESS IN THE TOWNSHIP OF WAYNE

Ohio Revised Code 709.022 *Special procedure of annexing land with the consent of all parties*

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Signature for SEIPP PROPERTIES LLC : Parcel 53-01219.000

One of Two Owners of Real Property constituting the 32.24000-acre territory to be annexed:

By:

Signature:  _____

Printed Name: DOUG STOUT

Date: 1/30/2023

PETITION FOR ANNEXATION TO THYE CITY OF WOOSTER OF 32.2400 ACRES, MORE OR LESS IN THE TOWNSHIP OF WAYNE

Ohio Revised Code 709.022 Special procedure of annexing land with the consent of all parties

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Signature for SEIPP PROPERTIES LLC : Parcel 53-01219.000

One of Two Owners of Real Property constituting the 32.24000-acre territory to be annexed:

By:

Signature:  _____

Printed Name: PETE PROSSER

Date: 1/30/2023

EXHIBIT A
Annexation Petition

**SHAFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS**



BOUNDARY DESCRIPTION OF 32.240 ACRE PARCEL

EW-2756

Situated in the Township of Wayne, T-16N; R-13W, Southeast Quarter of Section 23, County of Wayne and State of Ohio:

Known as being part of lands conveyed to Seipp Properties, LLC in O.R. 936; Page 1274 of Wayne County Official Records and further bounded and described as follows;

Beginning at the northeast corner of said Southeast Quarter:

THENCE WITH THE FOLLOWING TWELVE (12) COURSES:

1. **S 01° 06' 23" E, 594.99** feet along the east line of said Quarter Section to City of Wooster corp. limits;
2. **S 89° 16' 27" W, 2276.98** feet along the City of Wooster corp. limits to a point;
3. **N 00° 09' 11" W, 75.33** feet along the City of Wooster corp. limits to a point;
4. **S 89° 25' 12" W, 60.40** feet along the City of Wooster corp. limits to a point;
5. **N 00° 52' 40" W, 221.14** feet along the City of Wooster corp. limits to a point;
6. **S 89° 04' 21" W, 200.00** feet along the City of Wooster corp. limits to the east line of lands conveyed to City of Wooster as recorded in Volume 934; Page 235 of said Official Records and an east right-of-way line of Melrose Drive (60');
7. **N 00° 52' 40" W, 60.15** feet along the east line of said City of Wooster lands and an east right-of-way line of said Melrose Drive to the City of Wooster corp. limits;
8. **N 89° 10' 11" E, 200.00** feet along the City of Wooster corp. limits to a point;

Continued on Page 2

*3477 Commerce Parkway, Suite C □ Wooster, Ohio 44691
Ph. (330) 345-6377 □ Fax (330) 345-6725 □ Email: sjl@sjl-inc.com*

Page 2 (Description 32.240 ac.)

9. **N 00° 52' 40" W, 210.00** feet along the City of Wooster corp. limits to a point;
10. **S 89° 09' 53" W, 200.00** feet along the City of Wooster corp. limits to the east line of lands conveyed to City of Wooster as recorded in Volume 934; Page 232 of said Official Records and an east right-of-way line of said Melrose Drive;
11. **N 00° 52' 40" W, 30.30** feet along the east line of said City of Wooster lands and an east right-of-way line of said Melrose Drive to the north line of said Quarter Section;
12. **S 89° 18' 19" W, 2534.05** feet along the north line of said Quarter Section to the place of beginning and containing within said bounds **32.240** acres of land.

This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2023.

EXHIBIT C
Annexation Petition

Resolution # 23-05
CONFORMED WITH
AGREEMENT

TAS
TDC
MP

Annexation Agreement

THIS ANNEXATION AGREEMENT (the "Agreement") is made and entered into this 10th day of JANUARY, 2023 pursuant to Ohio Revised Code ("ORC") Sections 709.02, 709.021, 709.022, and 709.192 by and between the City of Wooster, Ohio (the "City"); and the Trustees of Wayne Township, Wayne County, Ohio (the "Township"), with reference to the following facts:

I hereby certify this is a true and correct copy of the original on file.
[Signature]
City of Wooster City Council

1. Owners are the owners in fee simple of certain real property described in "Exhibit A" attached hereto and made a part hereof (the "Property"), totaling approximately 32.2400 acres, also known as Wayne County Parcel 53-01219.000 and "13-16-23 NPT SW 32.24A CD 1546". A map of the Property is attached hereto as "Exhibit B" and made a part hereof; and
2. Owners desire to incorporate the Property into the City of Wooster to receive public infrastructure and services and access thereto in accordance with the ordinances of the City; and
3. City wishes to compensate Township with up to one hundred percent (100%) of revenue it would have received if the annexation had not occurred for a period of twelve (12) years, which exceeds the requirements prescribed by the Ohio Revised Code.
4. To support a new single-family subdivision opportunity with city utilities to enable dense development which will support Wayne County's need for community housing while supporting farmland preservation, the parties desire to annex the Property to the City pursuant to and under the authority of the ORC, and especially Sections 709.02, 709.021, 709.022, and 709.192, with intent to follow special annexation procedures under 709.022.
5. The parties desire to enter into a mutual agreement, which outlines their respective rights, duties and obligations with respect to the annexation of the Property into the City.

In consideration of the above recitals and for other good and valuable consideration, the receipt of which is acknowledged, the parties covenant and agree as follows:

1. Annexation of Property:

Effective on or about thirty days after the passage of an ordinance of the City accepting Owners' Petition for Annexation, the Property shall be annexed to the City, and the corporate limits of the City shall be extended to include and encompass the Property. Once annexed to the City, the Property shall no longer be a part of the territory of Wayne Township and shall become a portion of Killbuck Township (generally coterminous with the City) thereby becoming the exclusive territory of the City for all purposes, including but not limited to, allocation of real property and income tax proceeds. Township shall agree to provide full cooperation with City and Owners regarding annexation and shall, by way of example, but without limitation, do the following:

- A. **Agreement to Annex.** Township hereby consents to the annexation of the Property to City, pursuant to ORC 709.912 and in accordance with the special procedures under ORC 709.022. Township further agrees to authorize its designated representative to sign any petitions or other documents prepared by Owners or City or their agents to consent to the annexation of any roadways or other property owned by it within the Property area.

- B. **Appearance at Hearings.** Township further agrees, at the written request of City, to appear at any hearings before the Wayne County Board of Commissioners and assist City in the annexation of the Property, including providing testimony under oath that Township agrees to the Annexation.
- C. **Waiver of Right to Appeal.** Township waives any objections to said annexation and waives any rights it may have to contest such annexation, including rights of appeal or injunctive relief, including but not limited to, any rights it may have under ORC Section 709.07 or Chapter 2506.
- D. **Not Seek Detachment.** Township agrees and covenants that it: (a) will not assist or encourage any person or entity owning all or any portion of the Property to petition for the detachment of all or any portion of the Property from City; and (b) it will not advocate for the detachment of all or any portion of the Property from City before the Wayne County Board of Commissioners or to any individual member of the Board of Commissioners.
- E. **Failure to Annex.** In the event of the failure of the annexation of the property, this Agreement shall be null and void.
- F. **City Serving As Agent for Petitioner.** City agrees it will not serve as an agent for any property owner within the territory proposed for annexation as described in "Exhibit A", excluding its own property holdings, unless such a petition is made under Ohio Revised Code 709.022. In the event the City is already designated as an agent for any property owner within the territory proposed for annexation under another section of Ohio Revised Code Chapter 709 prior to acceptance of this agreement as set forth in Section 1(G), City will make reasonable efforts to withdraw such application.
- G. **Expiration And Acceptance.** This agreement shall remain open for acceptance until 4:00pm, Wooster, Ohio time on January 13, 2023, and a signed copy shall be returned to City upon acceptance.

2. Revenue Sharing on Annexed Territory.

- A. **Revenue Sharing:** The parties agree that the City shall compensate the Township with the equivalent of one hundred (100%) percent of the revenues it would have received from the annexed territory for a period of twelve (12) years from the date of annexation. The estimated financial implications and schedule of this arrangement are shared in attached "Exhibit C", with actual revenues being dependent on the Wayne County Auditor's valuation of the territories described and actual improvements made, over which Parties have no control.
- B. **Term:** City's revenue sharing obligations with regard to the annexation will permanently cease on the thirteenth (13th) anniversary of the annexation.
- C. **Payment:** During the term of this Agreement, within 45 days of receipt of applicable funds from the Wayne County Auditor, City shall provide Township with the Township Tax Payments.
- D. **Disputes:** Any dispute arising out of or related to calculation of Township Tax Payments shall be submitted to the Wayne County Auditor, whose written response shall be binding on the parties.

3. Municipal Services Including Fire Protection. The parties further agree that, during the term of this Agreement, all municipal services for the Property will be provided by the City at the City's sole expense, and the Township shall not receive any millage relating to the Township Fire District relating to the Property.

4. Tax Valuation Changes. The parties agree that any party may object to tax assessments or evaluations or re-evaluations of all or any part of the Property from time to time. The parties shall cooperate with each other such that the party with the legal standing to challenge such assessments or valuations or re-evaluations shall diligently pursue those challenges on behalf of itself and/or another party.

5. Post Annexation Governmental Services. The parties agree that the Property is entitled to standard governmental services by City in the same manner such services are provided to other areas of City.

6. Mediation and Notice of Claimed Breach. In the event the parties have a dispute as to any of the terms or to the applicability of this Agreement, the parties agree to use their best efforts to resolve the dispute through a mutually acceptable mediation process or, if they are unable to agree, to utilize whatever mediation process may then be in existence and used by the Wayne County Common Pleas Court. Each party retains all legal rights available to it under this Agreement and under the law.

If any party to this Agreement believes any other party has failed to perform its part of any provision of this Agreement, including the failure to make any payment of monies due under this Agreement, the complaining party shall give notice to the other party, clearly stating what breach the complaining party alleges has occurred. The party receiving the notice has ninety days from the receipt of that notice to cure the breach. If the breach has not been cured within that ninety day period, then the complaining party may seek remedies under this Agreement, including suit for recovery of the money due under the Agreement and suit for specific enforcement of this Agreement.

7. Liberal Construction. The parties agree that, just as ORC 709.192 is to be liberally construed to allow parties to enter into annexation agreements, this Agreement shall be liberally construed in order to facilitate the desire of both parties to carry out this Agreement by providing government improvements, facilities and services, by promoting and supporting economic development, by creating and preserving employment opportunities, and by allowing the sharing by City, Township, County and State of Ohio in the benefits of economic development, even if such development does not occur in an unincorporated area. Further, each provision of this Agreement shall be construed and interpreted so as to permit maximum advantage to the parties as is allowed by ORC 709.192.

8. Modification. This Agreement may not be modified by the City or Township except by official legislative action of both City and Township. This Agreement may be terminated prior to the expiration of its term by mutual consent of City and Township, as evidenced by official legislative action by each.

9. Legal Construction. In the event that any one or more of the provisions contained in the Agreement are held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not be affected by any other provision of this Agreement. The titles of the paragraphs of this Agreement are descriptive only and are not to be considered substantive provisions of this Agreement. This Agreement is intended to conform to ORC 709.192 in all respects.

10. Governing Law. This Agreement, and all the rights, duties and obligations of City and Township, shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties hereunder are performable in Wayne County, Ohio.

IN WITNESS WHEREOF, the City of Wooster, Ohio, by Robert F. Breneman, its duly-elected Mayor, and pursuant to authority granted by the adoption of Ordinance No. 2023-__, has caused this instrument to be executed this 10th day of JANUARY 2023; and Wayne Township of Wayne County, Ohio, by Tom Buchholz, its Trustee, has caused this instrument to be executed on this 10th day of JANUARY 2023, and , by T.J. Shamp, its Trustee, has caused this instrument to be executed on this 10th day of JANUARY 2023, and by Marlin Questel, its Trustee, has caused this instrument to be executed on this 10th day of JANUARY 2023.

SIGNATORIES:

CITY OF WOOSTER, OHIO

by Robert F. Breneman
Robert F. Breneman, Mayor

WAYNE TOWNSHIP TRUSTEES

by Tom Buchholz -yes
Tom Buchholz, Trustee

by T.J. Shamp -yes
T.J. Shamp, Trustee

by Marlin Questel -yes
Marlin Questel, Trustee

Approved as to form: [Signature]
John Scavelli, Attorney at Law
538 N. Market Street
Wooster, Ohio 44691
Tel. 330.263.5248 / Fax 330.263.5247

Motion - MARLIN QUESTEL
Second - TOM BUCHHOLZ

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:

Beginning at a stone monument found marking the southeast corner of the northwest quarter of Section 23.

Thence with the following TWELVE courses:

- 1) **S 01° 06' 23" E 594.99 feet**, along the east line of the quarter section, to a capped pin set at the northeast corner of Mary E. Bricker, Trustee as described in official record volume 571, page 1496.
- 2) **S 89° 16' 27" W 2276.98 feet**, along a northerly line Bricker, to a one inch diameter steel pipe found at the southeast corner of Richard B. and Jacquelyn D. Templeton as described in official record volume 455, page 5442.
- 3) **N 00° 09' 11" W 75.33 feet**, along the east line of Templeton, to a capped pin set.
- 4) **S 89° 25' 12" W 60.40 feet**, along the north line of Templeton, to a capped pin marked "PS 5688" found at the southeast corner of Bryan C. Alaura as described in official record volume 928, page 1940.
- 5) **N 00° 52' 40" W 221.14 feet**, along the east line of Alaura and the extension thereof, to a capped pin marked "PS 5688" found at the northeast corner of Glenn R. and Jennifer L. Shipley as described in official record volume 840, page 2046.
- 6) **S 89° 04' 21" W 200.00 feet**, along the north line of Shipley, to a 5/8 inch diameter steel pin found on the east right-of-way line of Melrose Drive.
- 7) **N 00° 52' 40" W 60.15 feet**, along the east right-of-way line of Melrose Drive, to a capped pin marked "PS 5688" found on the south line of Joshua J. Wilson as described in official record volume 772, page 1018.
- 8) **N 89° 10' 11" E 200.00 feet**, along the south line of Wilson, to a one inch diameter steel pipe found.
- 9) **N 00° 52' 40" W 210.00 feet**, along the east line of Wilson and the extension thereof, to a 3/4 inch diameter steel pipe found.
- 10) **S 89° 09' 53" W 200.00 feet**, along the north line of James H. and Judith A. Vitaro as described in deed volume 693, page 244, to a capped pin marked "Lewis Land Professionals" found on the east right-of-way line of Melrose Drive.
- 11) **N 00° 52' 40" W 30.30 feet**, along the east right-of-way line of Melrose Drive, to a capped pin marked "Lewis Land Professionals" found on the north line of the quarter section.
- 12) **N 89° 18' 19" E 2534.05 feet**, along the north line of the quarter section, to the Point of Beginning.

This parcel contains 32.240 acres.

Prior Instrument: official record volume 926, page 576.

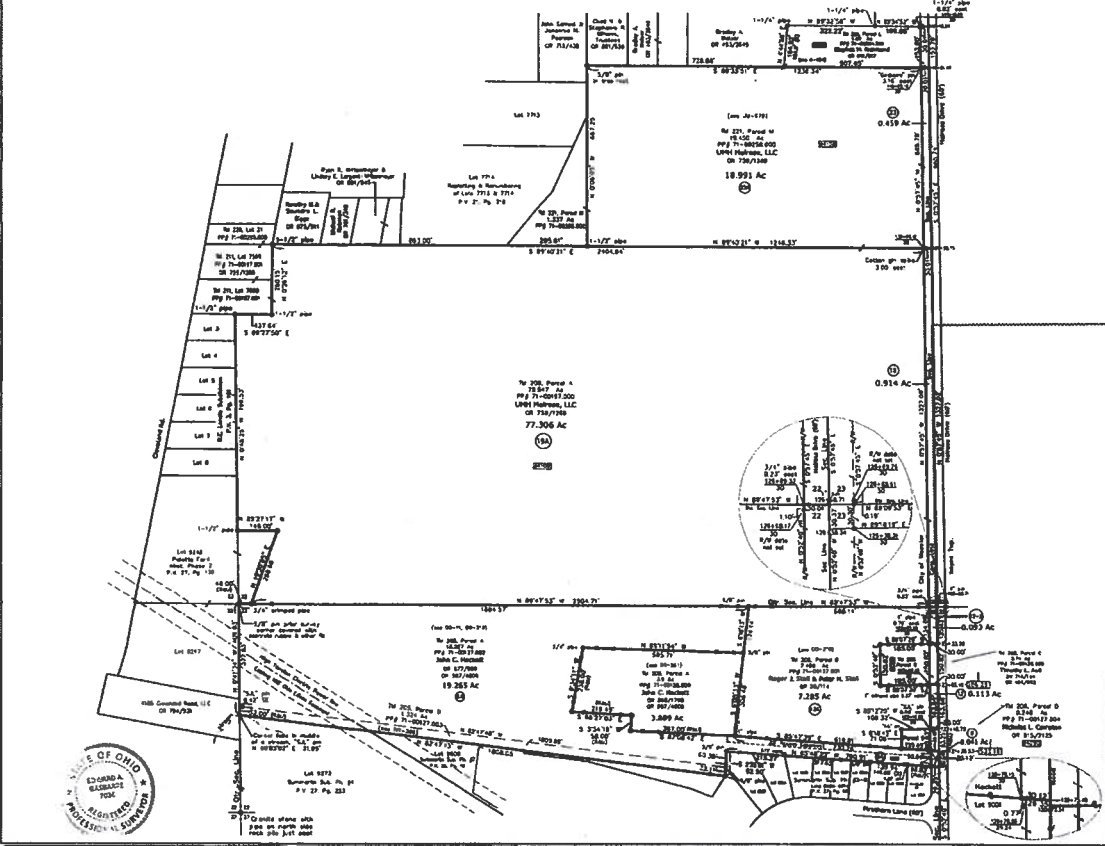
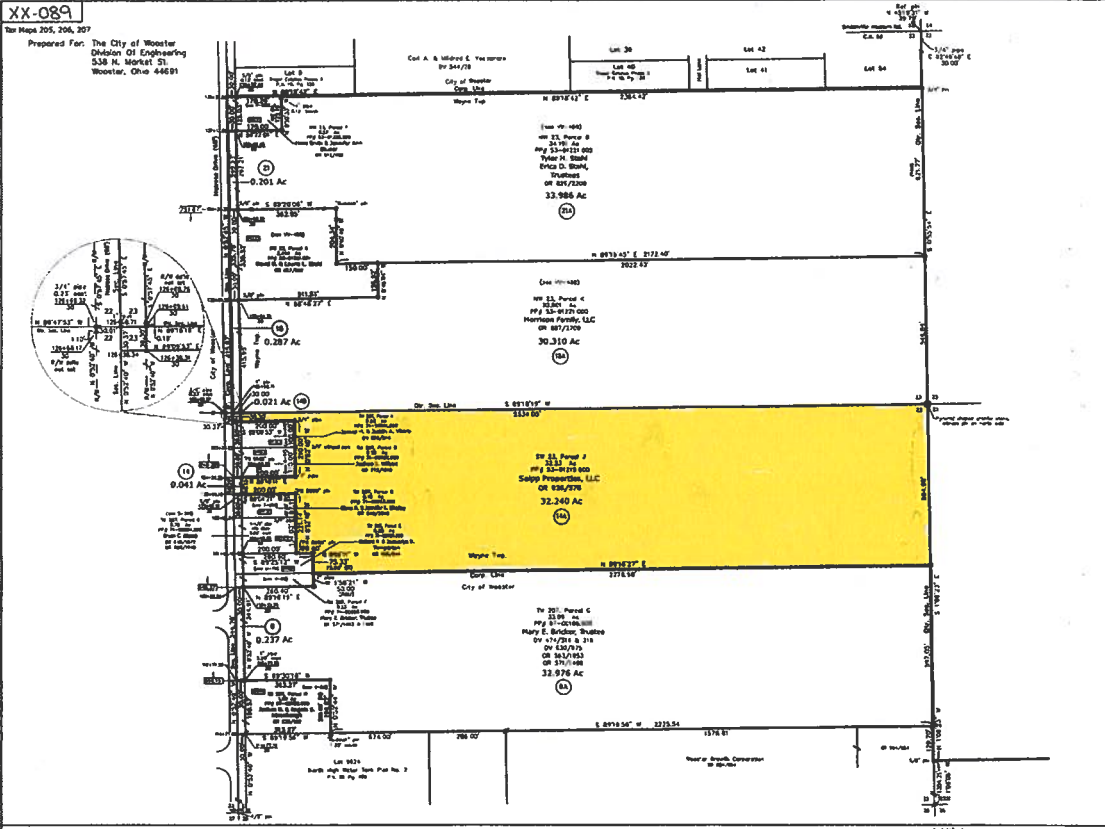
Permanent Parcel#: part of 53-01219.000

EXHIBIT B

XX-089

Map Nos. 205, 206, 207

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



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

Legend

- 1/4" or less primary
- 1/2" or less secondary
- 3/4" or less tertiary
- 1" or less quaternary
- 1 1/2" or less quinary
- 2" or less sextary
- 3" or less septary
- 4" or less octary
- 6" or less nonary
- 8" or less decary
- 10" or less undecary
- 12" or less duodecary
- 15" or less tridecary
- 20" or less quattuordecary
- 24" or less quindecary
- 30" or less sexdecary
- 36" or less septendecary
- 42" or less octodecary
- 48" or less nondecary
- 60" or less vigintary
- 72" or less trigintary
- 84" or less quadragintary
- 96" or less quinquagintary
- 108" or less hexagintary
- 120" or less septuagintary
- 144" or less octogintary
- 168" or less nonagintary
- 180" or less centesimal

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

Gasbarré & Associates, P.C.
Surveyors

Scale of Survey: 1" = 100' (or as shown on the plan)
Drawing: 2/2008.dwg August 11, 2008
Sheet: 4 of 4

Exhibit C: Estimated Revenues (December 13, 2022)

Note: Figures and schedule shown are estimated based on anticipated valuations. Actual revenues will depend on Wayne County Auditor's actual valuation and Owner's actual improvements made within the described territory over time. Anticipated revenues are examples only based on what may be permitted by R-1 or R-2 zoning. City DOES NOT GUARANTEE or suggest that any additional development will occur. Township and City understand that revenues are subject to development appraisals, infrastructure costs, and other factors over which there is no control. Property owner is NOT UNDER ANY AGREEMENT with City for site development, however, annexation would enable such development to occur.

Project Proposal: Parcel: 53-01219.000 Acres: 32.24 Acres Type: Single Family, unattached Total Capacity: 45 to 70 homes total Avg. Price: \$285,000 Current Mills: 3.7 mills Mills w/o Conform: 2.1 mills Mills w/Conform: 2.3 (average over 12 years) Mills w/Agreement: 3.7 (average over 12 years)	Project's Annexation Options: Annexation with conforming boundaries necessary for City's financial ability to support new public infrastructure, avoid voter confusion and need for BOE to create special voting districts, and to lower overall tax burden for homeowners. Because City and Township have a working template in place, City proposes an annexation agreement vs. traditional process. This would shorten the annexation process for developer, quickening opportunity for new housing.
	Opt. A: Regular Annexation 4 to 6 month process, City to follow ORC 709.02
	Opt. B: Expedited & Agreement City to compensated 100%, 709.022 Process

Current State		Development Scenario				Conformed w/o Agreement				Conformed with Agreement			
		53-01219.00 - 32.24 Acres		50 New \$285K homes		Per ORC 709.02		Per Agreement and 709.022					
Year	Present	Revenue	New Homes	New Value Avg. (D7)	Effective Mills	% of Present	Revenue Development	Effective Mills	% of Present	Revenue Development	Effective Mills	% of Present	Revenue Development
1	3.7	\$21	5	\$1,425,000	3.0	80.0%	\$16.80	3.7	100.0%	\$21.00	3.7	100.0%	\$1,845.4
2	3.7	\$21	15	\$4,275,000	3.0	80.0%	\$16.80	3.7	100.0%	\$21.00	3.7	100.0%	\$5,536.1
3	3.7	\$21	25	\$7,125,000	3.0	80.0%	\$16.80	3.7	100.0%	\$21.00	3.7	100.0%	\$9,226.9
4	3.7	\$21	35	\$9,975,000	2.5	67.5%	\$14.18	3.7	100.0%	\$21.00	3.7	100.0%	\$12,917.6
5	3.7	\$21	50	\$14,250,000	2.5	67.5%	\$14.18	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
6	3.7	\$21	50	\$14,250,000	2.3	62.5%	\$13.13	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
7	3.7	\$21	50	\$14,250,000	2.3	62.5%	\$13.13	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
8	3.7	\$21	50	\$14,250,000	2.1	57.5%	\$12.08	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
9	3.7	\$21	50	\$14,250,000	2.1	57.5%	\$12.08	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
10	3.7	\$21	50	\$14,250,000	1.6	42.5%	\$8.93	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
11	3.7	\$21	50	\$14,250,000	1.6	42.5%	\$8.93	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
12	3.7	\$21	50	\$14,250,000	1.6	42.5%	\$8.93	3.7	100.0%	\$21.00	3.7	100.0%	\$18,453.8
12-Yr Revenues:		\$252					\$155.93			\$252.00			\$177,156

RESOLUTION NO. 2023-27

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

WHEREAS it is necessary to replace the waterline on Henry Street from Grant to Walnut, and the cost thereof is budgeted for 2023; and

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

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

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

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

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

SECTION 4. This Resolution is declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2023
Mayor

Introduced by: Jon Ansel

1
Res.
2023-27

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested April 17, 2023
Project Name Henry Street Waterline Replacement Project	Estimated Total Funds/Costs \$90,000; Water Fund
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request This is a request to authorize the advertisement for bids and to enter into a contract with the lowest and best bidder for the replacement of the waterline on Henry Street from Grant to Walnut. This project involves the replacement of approximately 407 linear feet of 4" cast iron W/L with a history of breaks. The replacement pipe shall be 8" ductile iron pipe. The project includes replacing 6 water services and 1 fire hydrants. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
Justification / Benefits The project will replace an aging 4" cast iron waterline with a history of breaks and help to improve the overall water quality in the area.	
Will this Project affect the City's Operating Costs This project should reduce the operation and maintenance costs.	
What Alternatives Exist and what are the Implications of the Alternatives We could do nothing and continue to allow the 4" cast iron waterline.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the rules is not necessary but earlier passage would allow the opportunity to bid this project as early as possible in order to obtain the best possible bids.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: April 4, 2023
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2023-28

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A SANITARY SEWER FROM THE INTERSECTION OF CHRISTMAS RUN AND BROOKSIDE TO OLDMAN AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the City desires to encourage development and expanding sewer service in the City of Wooster encourages further development.

WHEREAS, it is necessary to upsize the sanitary sewer line from the intersection of Christmas Run and Brookside to Oldman Road. This sanitary sewer line will catch the additional flows expected from the TIF developments.

WHEREAS, the funds necessary for this project have been budgeted.

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 project.

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 the 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: _____, 2023
Mayor

Introduced by: Jon Ansel

2
Rev 2023-28

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested April 17, 2023
Project Name Christmas Run Sanitary Sewer Project	Estimated Total Funds/Costs \$1,700,000 TIF Funded
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 construction of a sanitary sewer line from the intersection of Christmas Run and Brookside to Oldman. This project involves replacing approximately 5,150 linear feet of existing 8" clay sanitary sewer pipe and 17 manholes with new 12" PVC to account for additional flows from the developments from the TIF. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
Justification / Benefits The project will provide for additional flows from the current development and future flows from school projects.	
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 N/A	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons 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: April 4, 2023
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2023-29

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PLACEMENT OF A STORM SEWER ON BEVER STREET AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, it is necessary to place a storm sewer to improve drainage on Bever Street from the Wooster Brush parking lot south to Freedlander Road; and;

WHEREAS, the project will provide for collection of storm water from the Wooster Brush parking lot and roadway and direct it to the Apple Creek and not into the sanitary sewer system;

WHEREAS, the funds necessary for this project have been 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 contract with the lowest and best bidder for the installation of a storm sewer.

SECTION 2. The cost shall not exceed the amount appropriated.

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

SECTION 4. This Resolution is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2023

Mayor

Introduced by: Jon Ansel

3
Rec
2023-29

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested April 17, 2023
Project Name Bever Street Storm Sewer Project	Estimated Total Funds/Costs \$225,000 (Storm Sewer)
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 construction of a storm sewer on Bever Street from the Wooster Brush parking lot south to Freedlander Road. This project involves placing approximately 165 linear feet of 12", 146 linear feet of 15", 271 linear feet of 18", 85 linear feet of 21" and 512 linear feet of 24" reinforced concrete and polypropylene storm sewer pipe, 6 storm sewer manholes and 7 curb inlets. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
Justification / Benefits The project will provide for collection of storm water from the Wooster Brush parking lot and roadway and direct it to the Apple Creek and not into the sanitary sewer system.	
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 N/A	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons 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: April 4, 2023
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

RESOLUTION NO. 2023-30

**A RESOLUTION DECLARING IT NECESSARY TO IMPROVE A PORTION
OF THE STREETScape ON LIBERTY STREET AND TO DETERMINE
ASSESSMENTS FOR AFFECTED PROPERTY OWNERS, AND
ALLOWING FOR IMMEDIATE ENACTMENT**

WHEREAS, the Streetscape Project continues the multi-phase downtown streetscape renewal plans initiated in the comprehensive plan; and detailed in the downtown strategic plan.

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

SECTION 1. It is declared necessary to improve the Streetscape along Liberty Street from the PNC drive to Walnut Street and south along Walnut Street to the first alley and begin the process of determining assessments to affected property owners.

SECTION 2. The plans, specifications, profiles and estimate of cost of the improvement, which the City Engineer has prepared and filed in the office of the Clerk of Council, are hereby approved. The improvement shall be constructed in accordance with the plans, specifications and profiles for the improvement.

SECTION 3. This Council finds and determines that (i) the improvement is conducive to the public health, convenience and welfare of this city and its inhabitants, and (ii) the lots and lands to be assessed as described in Section 6 are specially benefited by the improvement.

SECTION 4. This Council finds that the costs are budgeted for 2023.

SECTION 5. The cost of the improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring therefore any required real estate or interests therein, expenses of legal services including obtaining legal opinions, cost of labor and material, and interest on securities issued in anticipation of the levy and collection of the special assessments, or, if securities in anticipation of the levy of the special assessments are not issued, interest at a rate not to exceed 6% per year on monies advanced by this City for the cost of the improvement in anticipation of the levy of the special assessments, together with all other necessary expenditures.

SECTION 6. The City Engineer is authorized and directed to prepare and file in the office of the Clerk of Council the estimated special assessments of the cost of the

(4)
Res.
2023-30

Request for Agenda Item

Authorization for Bid **Purchase Capital Item** **Non-Capital**

Division: Engineering	Meeting Date Requested April 17, 2023
Project Name Downtown Streetscape Phase 4 Resolution of Necessity for Improvements	Estimated Total Funds/Costs \$350,000 (\$302,240 Capital fund)(\$47,760 Assessments)
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request This is a request to declare the necessity of improving the Streetscape along Liberty Street from the PNC drive to Walnut Street and south along Walnut Street to the first alley and begin the process of determining assessments to affected property owners.	
Justification / Benefits The design of this project is nearing completion and we would like to bid this project out this year for construction in 2024. Drawings, cost estimate and assessment roll are on file with the clerk of council. This project continues the multi-phase, downtown streetscape renewal plans initiated in the comprehensive plan; and detailed in the downtown strategic plan.	
Will this Project affect the City's Operating Costs This project should reduce the City's operating budget by reducing ongoing maintenance of the streetscape features.	
What Alternatives Exist and what are the Implications of the Alternatives We do nothing and continue maintenance on the existing streetscape features and not address the safety issues.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons The assessment process needs to begin as soon as possible to remain on schedule for construction in 2024.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: April 4, 2023
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	