

CITY COUNCIL MINUTES
January 20, 2009

I. ROLL CALL & ORDERING OF AGENDA

Acting President David Silvestri called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers by asking everyone to rise and join in the Pledge of Allegiance. The following members were present: Jon Ansel, Mike Buytendyk, Ed Schuch, David Silvestri, Keith Topovski and Jon Ulbright. Jeff Steiner was absent.

A few minor changes to the agenda were noted by Mr. Silvestri: Communications from Mayor/Administration would be at the end of the meeting and Resolution No. 2009-17 had been withdrawn.

II. APPROVAL OF MINUTES

Mr. Ansel moved, seconded by Mr. Topovski, to approve minutes of the January 5, 2009 meeting. Upon voice vote, motion carried unanimously.

III. PETITIONS/COMMUNICATIONS FROM PUBLIC

None.

IV. COMMITTEE REPORTS; PUBLIC HEARINGS

None

V. OLD BUSINESS

None.

VI. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2009-01 AMENDING PART FIFTEEN, FIRE PREVENTION CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF A CERTIFICATION PROVISION FOR THE COLLECTION OF FEES FOR INSPECTIONS AND PERMITS REQUIRED BY THE CODE (Steiner)

Mr. Silvestri noted that in the absence of Mr. Steiner, Mr. Schuch would be sponsoring the legislation. Mr. Schuch stated the legislation was to consider adopting a provision to recoup unpaid fees for inspections and permits required by the Ohio Fire Code. The fees would be certified to the county auditor for placement on the tax duplicate and collection in the same manner as taxes. Seeing as it was not declared an emergency, Mr. Schuch left the ordinance on first reading so Mr. Steiner could introduce it at second reading.

2. First Reading - RESOLUTION NO. 2009-04 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH SUNGARD BI TECH, LLC OF CHICO, CA FOR APPLICATION SERVICE PROVIDER ("ASP") SERVICES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel explained this is an ongoing renewable contract with Sungard Bi Tech that provides all of the city's application service software and technical support. Every year there is a CPI percentage increase, the current month's expenditure is \$6348 per month, annually approximately \$76,000. However, this year the CPI is expected to decrease which would mean less than a 2% annual contract increase. Mr. Ansel indicated this is an issue of service which cannot be disrupted and is not replaceable in the short term as it would require much technical review, evaluation and a re-proposal. The city is satisfied with Sungard Bi Tech's technical support services.

Mr. Ansel moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Schuch, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

3. First Reading - RESOLUTION NO. 2009-05 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH MBI SOLUTIONS OF DAYTON, OHIO FOR BILLING SERVICES RELATED TO THE CITY EMS SERVICE, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel said that approximately four years ago the city contracted with MBI Solutions to assist in the debt securement for billing services related to the city's EMS services. Since that time the collection has steadily increased and Mr. Ansel gave a yearly comparison. He stated this is a contract renewal and MBI's cost for services is 10% of the collection amount. The city has had a very good track record of success with MBI who specializes in this type of work and both the fire chief and city administration gave their endorsement.

Mr. Ansel moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

4. First Reading - RESOLUTION NO. 2009-06 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated this is a routine request for the purchase of lime, soda ash, carbon dioxide and sodium hypochlorite (chlorine), chemicals to be used at the Water Treatment Plant for the coming year. Mr. Silvestri read a list of last year's chemical usage and indicated this year's purchase is a budgeted item.

Mr. Silvestri moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

5. First Reading - RESOLUTION NO. 2009-07 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SOLE SOURCE CONTRACT WITH OHIO DRILLING COMPANY OF MASSILLON, OHIO, FOR SERVICES RELATED TO THE MAINTENANCE AND REPAIR OF CITY WATER WELLS, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri explained this resolution is for well repair services from the Ohio Drilling Company of Massillon, Ohio. They are the sole provider for Deming Pumps, which are the primary pump in service in the city. Ohio Drilling provides emergency repairs, scheduled maintenance and cleaning of the pumps.

Mr. Silvestri moved, seconded by Mr. Schuch, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Ulbright, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

6. First Reading - RESOLUTION NO. 2009-08 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH DUKES, INC. OF SYRACUSE, NEW YORK FOR ROOT TREATMENT FOR THE WASTEWATER SYSTEM, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri indicated this is a semi-annual root treatment program for the wastewater collection system usually done in the spring and fall. This process coats pipes and inhibits the growth of tree roots in the pipes.

Mr. Silvestri moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

7. First Reading - RESOLUTION NO. 2009-09 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SOLE SOURCE CONTRACT WITH LIPTON INDUSTRIAL SALES OF MEDINA, OHIO FOR THE PURCHASE OF VOC MEDIA FOR THE STRIPPING TOWER IN THE SOUTH WELL FIELD, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri explained the VOC media goes in the stripping towers and allows the volatile organic compounds (VOC) to come out of the water. These have to be replaced twice a year. They monitor the performance of the stripping activity and basically the biggest inhibitor to them is iron build up on plastic parts. This would be a sole source contract with Lipton Industrial to replace media in the stripping towers. Mr. Ulbright and Mr. Schuch questioned how the city is doing in their long standing effort to eliminate the pollutant in the south well field and Mr. Borton indicated he believes progress is being made.

Mr. Silvestri moved, seconded by Mr. Schuch, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

8. First Reading - RESOLUTION NO. 2009-10 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE WATER, SEWER AND STORM SEWER REPAIR PARTS FOR THE UTILITIES DIVISION, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated this request for the purchase of water line and sewer repair parts such as repair clamps, fire hydrants and valves for inventory. Last year there were 33 waterline breaks and 11 hydrants replaced or rebuilt. The city does not stock large quantities of repair parts on site because the need varies year to year. Necessary parts are kept on supply in case of an emergency and on an as needed basis. Mr. Ulbright questioned the rationale for dealing with HD Supply of Ashland, Ohio. Mr. Borton indicated there is an established working relationship with them, their prices are competitive and they are located nearby which is important because when parts are needed they are needed immediately.

Mr. Silvestri moved, seconded by Mr. Schuch, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

9. First Reading - RESOLUTION NO. 2009-11 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2009, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri indicated the Water Pollution Control Plant is requesting authorization to purchase a new vehicle to replace the existing 1999 F250 and to upgrade its capabilities by building the replacement truck with a work box and crane. Current estimated cost is \$55,000 not to exceed the budgeted amount.

Mr. Silvestri moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

10. First Reading - RESOLUTION NO. 2009-12 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE WATER METERS FOR THE UTILITIES DIVISION, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated it is necessary to purchase Badger water meters to re-supply the existing stock. These meters are essential for the replacement of older units and for the installation of new units.

Mr. Silvestri moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

11. First Reading - RESOLUTION NO. 2009-13 AUTHORIZING THE PRESIDENT OF CITY COUNCIL TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH MURR PRINTING OF WOOSTER FOR VIDEO SERVICES FOR MEETINGS OF WOOSTER CITY COUNCIL, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated the contract for video taping Wooster City Council sessions needs to be renewed. Last year there was a price increase from the current provider, Murr Printing of Wooster, to \$300 per meeting. While they are doing a very good job and feedback has been favorable regarding the improved quality of audio and visual, the city is committed to opening up this service for competitive review. Rather than putting the contract out for bid, a public notice will be issued for interested parties to submit a proposal. Mr. Ansel indicated he would leave this on first reading.

12. First Reading - RESOLUTION NO. 2009-14 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: HEXAGRAM METER TRANSMITTING UNITS FOR THE UTILITIES DIVISION, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri explained MTU's (meter transmitting units) take data from the Badger water meters, convert it into electric format and send through radio frequency to a collection unit within the city. The one item that affects the life of the MTU's are the batteries which have a 12-year life. The units cannot be rebuilt and therefore it is more cost effective to replace them.

Mr. Silvestri moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

13. First Reading - RESOLUTION NO. 2009-15 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH RVI OF WOOSTER, OHIO FOR THE CLEANING OF THE STRIPPING TOWERS IN THE SOUTH WELL FIELD, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated it is necessary to periodically clean VOC Stripping Towers and replace the media. There are three VOC stripping towers in the south well field and Related Ventures (RVI) of Wooster is the vendor used for this service. RVI was the lowest and best bidder with a quote of \$7,500 per cleaning

Mr. Silvestri moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

14. First Reading - RESOLUTION NO. 2009-16 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR SPECIALIZED TECHNOLOGY SERVICES FOR THE WATER POLLUTION CONTROL PLANT, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri explained both treatment plants utilize similar programmable logic controllers (PLC) and input cards, etc. Many of these items were originally supplied by Allen Bradley through Rexel Sacks of Canton, Ohio and must be serviced and/or periodically replaced. These supplies/services are necessary to maintain certain and critical portions of both the water treatment plants.

Mr. Silvestri moved, seconded by Mr. Schuch, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Ulbright, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

15. First Reading - RESOLUTION NO. 2009-18 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SOLE SOURCE CONTRACT WITH LINDSEY CONCRETE PRODUCTS OF CANAL FULTON, OHIO, FOR THE PURCHASE OF A CONCRETE WATER METER VAULT FOR THE BEALL AVENUE RECONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri indicated this is a request to purchase a precast concrete water meter vault, including all piping, fittings and equipment, to serve the College of Wooster area and is in conjunction with the ongoing Beall Avenue Streetscape Project. The current meter can no longer be calibrated, does not have backflow prevention and is a hazard to access. The new meter vault will not require a permit to access the confined space which will be a cost and time saver.

Mr. Silvestri moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Silvestri moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

16. First Reading - RESOLUTION NO. 2009-19 AUTHORIZING THE MAYOR OF THE CITY OF WOOSTER TO SIGN AND EXECUTE THE MEMORANDDUM OF UNDERSTANDING, THE COOPERATIVE USE AGREEMENT, THE CULTURAL FACILITIES CONTRUCTION ADMINISTRATION AND FUNDING AGREEMENT, AND ANY OTHER NECESASRY LEGAL DOCUMENTS, AND TO TAKE CERTAIN OTHER ACTIONS IN CONJUNCTION THEREWITH, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated this is a funding transition initiative. Approximately \$170,000 of state funding was earmarked for the renovation of South Street which borders the library. The state reallocated the funds and now a different committee, the Cultural Facilities Commission, controls the designation and use of those funds. Therefore the city has to reinitiate the process to request those funds. Mr. Sigg answered several of council's questions indicating South Street would be improved to make it more pedestrian friendly; 100% of the cost will be borne through grants (CDBG and Cultural Affairs monies); the total amount is approximately \$700,000 and includes funding for the Freedlander building and Viola Startzman Free Clinic; CDBG funds being used are for fiscal years 2009 and 2010.

Mr. Ansel moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Schuch, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Topovski-yes and Ulbright-yes).

VII. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city including the recent water pressure problem in the northend. Mayor Breneman also recommended for re-appointment, David Briggs to the Income Tax Board of Review and Lawrence Walker to the Fair Housing Board.

VIII. MISCELLANEOUS

Upon voice vote council approved the re-appointment of David Briggs, 1545 Eden Drive, to the Income Tax Board of Review. Upon voice vote council approved the re-appointment of Lawrence Walker, 1084 Ridgecrest Drive, to the Fair Housing Board.

Mr. Ulbright thanked the mayor for his through explanation of the recent water problem. He also congratulated President Barack Obama and wished him the best of success.

Mr. Ansel highlighted two interoffice memos received from Mr. Dordea regarding financial issues.

Mr. Schuch stated that the Wooster Fire Dept. in conjunction with the Beaverson Foundation is hosting a statewide 2-day seminar on defibrulators at ATI. He also mentioned that a member of the Wooster Fire Dept. participated in the Presidential Inauguration Parade with the Cleveland Fire Department's Drum and Bugle Corp.

Mr. Topovski brought members up to speed on lighting for the Legacy Memorial at Schellin Park. AEP is willing to install a cobra security light if the city will provide a letter of authorization in order to add the light to the city's tariff list.

Mr. Silvestri thanked Mayor Breneman for explaining details of the boil alert and recalled previously looking into a Reverse 911 system which notifies citizens of emergencies. He indicated he will be checking with the Wayne County Emergency Management to see what type of competitive systems are currently being offered. Mr. Silvestri also reminded council members to file their Financial Disclosure Statement with the Ohio Ethics Commission by April 15th.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 8:50 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council