

CITY COUNCIL MINUTES
February 18, 2014

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers. The following members were present: Jon Ansel, Mark Cavin, Barbara Knapic, Scott Myers, Craig Sanders, and Jon Ulbright. David Silvestri was absent.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, and Finance Director Andrei Dordea. Law Director Dick Benson was absent.

II. APPROVAL OF MINUTES

Mr. Myers moved, seconded by Ms. Knapic, to approve the February 3, 2014 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mr. Breneman referred to his just-concluded State of the City address and stated that he had nothing further to add.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

One member of the audience spoke: Addison Goodell, 100 Salter Road (Resolution No. 2014-16)

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ansel announced that he will hold a Finance Committee meeting on Monday, March 3, 2014 at 6:30p.m. in council chambers to go over the changes proposed in Ordinance No. 2014-05.

Mr. Ulbright announced that he was given a check from the Wooster Community Hospital for \$3,000.00 to be used to further efforts to pursue wellness efforts.

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-05 AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that City Administration had worked to put together changes that were needed due to changes in the Federal Affordable Care Act, Family Medical Leave Act, to reduce the liabilities for retirement payouts, to implement recommendations of the 2013 State Performance Audit, and to conform management benefits to those offered to all other employees. Mr. Ansel noted that, due to the significant number of suggested changes, he would leave the legislation on first reading and would hold a Finance Committee meeting on March 3rd to go over the changes in more detail. Mr. Ansel also stated that this legislation must have three full readings due to a change in classification for the Human Resource Specialist position listed in Section 162.09.

2. First Reading – RESOLUTION NO. 2014-13 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ANNUAL BRIDGE INSPECTIONS WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated that the Ohio Department of Transportation has proposed to inspect five bridges in the City of Wooster at no cost to the city. Mr. Ulbright said that the city is required to inspect each bridge within the city limits on an annual basis.

Mr. Ulbright moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. Sanders, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

3. First Reading – RESOLUTION NO. 2014-14 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF MADISON AVENUE AND S. MARKET STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 92617) (Ulbright)

Mr. Ulbright noted that the Ohio Department of Transportation (ODOT) is planning to resurface part of Madison Avenue and South Market Street within the city limits. ODOT will cover \$241,280 (80%) of the project cost with the remaining \$60,320 (20%) to be covered by the city. ODOT will also reimburse 80% of the in-house costs incurred by the Engineering Division up to \$10,853.54.

Mr. Ulbright moved, seconded by Mr. Cavin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. Myers, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

4. First Reading – RESOLUTION NO. 2014-15 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF PITTSBURGH AVENUE AND LIBERTY STREET WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 97514) (Ulbright)

Mr. Ulbright explained that this legislation would allow the city to work with ODOT to resurface part of Pittsburgh Avenue and Liberty Street. The total cost of the project is estimated to be \$478,400.00 of which ODOT will provide 80%, or \$382,720, of the total cost. The city will be responsible to fund the remaining 20%, or \$95,680.00 of which \$65,680 will come from the capital fund and ODOT will also reimburse 80% of the in-house costs incurred by the Engineering Division up to \$14,720.00.

Mr. Ulbright moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. Cavin, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

5. First Reading – RESOLUTION NO. 2014-16 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 WATER STORAGE TANK SERVING THE NORTH HIGH ZONE (Sanders)

Mr. Sanders stated that this resolution will allow the city to advertise and to award a contract to move forward with the plans to construct a water storage tank to serve the north high pressure zone of the city. The city plans to construct a 1.5 million gallon tank to meet EPA regulations and to provide the estimated 1 million gallons per day that Daisy Brands are projected to need. The total cost of the project is \$3.8 million and a \$1.5 million reimbursement from the Wooster Community Hospital will be used to offset part of the cost. Mr. Sanders responded to questions posed earlier during the public comment portion of the meeting. Mr. Sanders stated that accepting funds from the Hospital does not obligate the City to build a tower at both the Melrose property and the former Layton School property. Mr. Sanders also stated that the City has determined it has the capacity to fill the tank and to treat the additional wastewater once the Daisy Brands plant is functional. Mr. Myers added that he spoke with Mr. Montgomery, who assured him that studies had been done to ensure the water table could handle

the demand and much more. Mr. Myers added that the Daisy plant will install a pretreatment system to treat their wastewater before it enters the City system. Mr. Myers further clarified that the \$1.5 million from the Hospital is to remove the water tower, regardless of where the water tower is reconstructed. The money must be spent within the water fund, and the north high water tank is the first need the city has for use of the funds. Mr. Ansel added that additional flow through the city's wastewater plant will actually be beneficial to the wastewater plant function as that water will be cleaner for having been pretreated at the Daisy Brand Plant.

Mr. Sanders moved, seconded by Ms. Knapic, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Sanders moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

6. First Reading – RESOLUTION NO. 2014-17 A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE AKRON ROAD PROJECT – PHASE 2, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright noted that Ohio Law provides that owners of properties to be assessed to improvements who make timely objections to those assessments, to be heard by an assessment equalization board. Mr. Ulbright stated that this legislation will serve to set up the assessment equalization board. The three proposed members of the board are all disinterested parties to the Akron Road – Phase 2 assessments. Mr. Ulbright noted that the total project cost is estimated to be \$3.775 million, of which ODOT is providing \$2.32 million in grant funding.

Mr. Ulbright moved, seconded by Mr. Cavin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. Cavin, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

7. First Reading – RESOLUTION NO. 2014-18 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 REPLACEMENT OF A CULVERT ON GEYERS CHAPEL ROAD (Sanders)

Mr. Sanders stated that the culvert to be replaced is on Geyers Chapel Road just south of Long Road and has a history of complications.

Mr. Sanders moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Sanders moved, seconded by Mr. Ulbright, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

8. First Reading – RESOLUTION NO. 2014-19 A RESOLUTION AMENDING AMENDED RESOLUTION NO. 2012-04 BY CLARIFYING THE FINANCIAL PROVISIONS THEREOF, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright noted that the enabling legislation from 2012 did not include 2014 as part of the appropriation for the three-year contract. The funds for the fuel contract are budgeted for 2014. Mr. Montgomery stated that the 2013 budget had included \$500,000 for fuel, but the city only spent approximately \$300,000. Therefore, the city has budgeted approximately \$400,000 for 2014 fuel costs.

Mr. Ulbright moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

VIII. MISCELLANEOUS

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 8:29 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council