

**CITY COUNCIL MINUTES**  
**February 22, 2011**

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

Acting President David Silvestri called the regular meeting of Wooster City Council to order at 7:35 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, Mark Cavin, Barbara Knapic, David Silvestri, Jeff Steiner and Jon Ulbright.

**II. APPROVAL OF MINUTES**

Mr. Buytendyk moved, seconded by Mr. Ansel, to approve minutes of the February 7, 2011 meeting. Upon voice vote, motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman, updated council on various activities in the city: 1) There was another major snow storm on February 22<sup>nd</sup> and the city road crews once again did a great job clearing the streets. 2) The City has used approximately 3,000 tons of salt this winter, with 2,500 tons left in the salt shed and 1,000 tons still available to purchase through the current contract. 3) On February 8<sup>th</sup> the Mayor presented the annual State of the City address to the Kiwanis Club. He distributed the bullet point information from that speech to council members (attached to minutes). Mr. Cavin asked if the State of the City address would be televised for the public to hear. The Mayor indicated every council meeting he tries to update council and the public on current issues, but if requested, he would be happy to give the entire State of the City address for all to hear.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

Notice was received from the Ohio Division of Liquor Control for the transfer of a C1, C2 and D6 liquor permit to Ohio CVS Stores LLC, DBA CVS Pharmacy 3321, 2284 Back Orrville Rd., Wooster, from Revco Discount Drug Centers, Inc., DBA CVS Pharmacy 3321, 2284 Back Orrville Rd., Wooster. Ms. Knapic moved, seconded by Mr. Steiner, not to request a hearing. Motion carried unanimously.

Following member of the audience spoke: Greg Gehris, 347 N. Grant (general).

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

A Public Infrastructure Committee meeting was held at 6:30 p.m. in Council Chambers at City Hall. Mr. Ulbright thanked Tim Monea for giving a detailed presentation on the vast number of duties the Building and Planning Division handles, particularly property maintenance.

**VI. OLD BUSINESS**

**VII. NEW BUSINESS**

1. First Reading - RESOLUTION NO. 2011-31 APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE AKRON ROAD PROJECT, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright explained the Assessment Equalization Board was appointed by council to hear and determine all objections to the estimated special assessments for the Akron Road improvement project. They heard the objections and have submitted their report to council for approval. Mr. Ulbright reviewed the report and pointed out what was considered and the conclusions. A total of four objections were filed. Two were denied and two were found to have merit. Noble Foundation's parcel was removed from the assessment role as it was not located within the corporation limits. The Village Network's assessment was reduced by 10% as its parcel is located at the northern most part of the project and would not receive the benefit to the same degree as properties located fully within the project area. Mr. Ulbright said in general the board recommended that any other proposed assessment that exceeds the one-third value be conformed to equal but not exceed the one-third value contained therein. Mr. Montgomery further answered questions relating to the assessments.

Mr. Ulbright 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; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

2. First Reading -           **ORDINANCE NO. 2011-05 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF AKRON ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING A TURNING LANE, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY (Ulbright)**

Mr. Ulbright indicated Ordinance No. 2011-05 gives a chronological review of the various steps council has taken in approving Phase 1 of the Akron Road improvement project and it is the final step in getting the Akron Road project underway. There were no further questions.

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; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

3. First Reading -           **RESOLUTION NO. 2011-32 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SEALANT FOR THE REPAIR OF CITY STREETS (Ulbright)**

Mr. Ulbright explained this winter has taken a toll on city streets. Crack sealant seals cracks on asphalt and concrete streets to keep the water from infiltrating the surface and deteriorating the asphalt and concrete. This resolution would authorize the director of administration to enter into a contract to purchase approximately 44,000 pounds of sealant at a cost of \$.49 per pound (\$21,560) plus a shipping charge of \$675, for a total estimated cost of \$22,235. In 2009 the city purchased approximately \$22,000 of sealant and that supply lasted through 2010. Mr. Ulbright said we now need to purchase more sealant which will hopefully last for application into 2012. The price of the crack sealant has fluctuated and Jim Uhler, Public Property Maintenance Manager, explained he would like to purchase the sealant before another expected price increase.

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

4. First Reading -           **RESOLUTION NO. 2011-33 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT WITH BARRETT AND ASSOCIATES FOR CIVIL SERVICE TESTING SERVICES (Steiner)**

Mr. Steiner stated as a result of retirements in the Police and Fire Divisions it is necessary to contract with Barrett and Associates of Cuyahoga Falls, Ohio for civil service testing services for promotions in these divisions. It is a budgeted item and is not expected to exceed the \$15,000 threshold, but in case it does, the administration wanted council approval. Chief Glick answered several of council questions regarding the testing which he said is a multi-faceted process, specifically designed for the requirements of the City of Wooster Police and Fire Divisions. The cost of the testing is estimated at \$6,000, which will cover four separate exams.

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

### **VIII. MISCELLANEOUS**

Ms. Knapic said there has been a lot of discussion regarding salaries of public employees and she expressed her support of compensation received by City of Wooster employees. Since moving to Wooster, Ms. Knapic said she has never been more impressed with the generosity shown by both the public and private sectors of this community.

Mr. Cavin thanked the City of Wooster unions for their consideration in contract negotiations this year.

Mr. Ulbright touched on the topic of Ohio Senate Bill 5 regarding collective bargaining. He asked the reason the Mayor and Robert Fowler visited Columbus last week. Mayor Breneman said as an elected official he is to be as well informed as possible and the purpose of the trip to Columbus was to find out what is being discussed. Senate Bill 5 has a huge impact on everyone in the City of Wooster and he explained the implications of the bill. Mr. Ulbright was under the impression the visit to Columbus was also to discuss proposed cuts in government funding that may result in the City of Wooster losing \$2 million. The Mayor said they did meet with Senator Obhoff and expressed concern about the estate tax being withdrawn along with possible local government funding cuts, in order to get a feel for what our City may be facing. Mr. Ulbright said those were good reasons although he was concerned that a decision might be made on behalf of council, who is the legislation branch of the City of Wooster. Mr. Ulbright feels when the time comes for the City to take a stand on Senate Bill 5 he would hope the City administration would consult City Council members for their opinion.

Mr. Buytendyk agreed with Ms. Knapic's sentiments. He also expressed what a great job the City road crews have done under the most adverse conditions this winter. Mr. Buytendyk also thanked Don Reynolds, Bill Gasbarre and Bob Metze for serving on the Equalization Board.

Mr. Ansel commended the City administration for their involvement at the state level reviewing the potential economic impact that these difficult financial times may have on our City. He feels understanding and hearing it first hand is much more efficient and effective than sometimes getting it third hand through the media's perspective. Also, Mr. Ansel said he thinks its very ironic that we have civil service testing that is customized to the locality, yet we have arbitration handled through a third party reconciliation body with no real specifics in terms of the local economic challenge. Mr. Ansel confirmed a Finance Committee meeting will be held on March 21, 2011 at 6:30 p.m. for the bi-monthly update. He invited the Mayor to give the State of the City address and discuss the economic status of the City of Wooster.

Mr. Silvestri encouraged the City administration to share all the cost saving initiatives being taken as he feels its very informative to council and the public. He said he is always open to hear the public's ideas too. Mr. Silvestri too noted the commendable job the City road crews are doing this winter and said he hasn't received any citizen complaints in that regard.

### **IX. ADJOURNMENT**

Mr. Steiner moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 8:30 p.m.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council