

CITY COUNCIL MINUTES
March 18, 2013

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, Craig Sanders, Jeff Steiner, and Jon Ulbright. David Silvestri was absent.

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

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Ms. Knapic, to approve the March 4, 2013 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

There were none.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Council received a letter from the Ohio EPA that will be discussed at a Public Utilities committee meeting.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Sanders announced that there will be a Public Utilities committee meeting on Monday, April 1, 2013 at 6:30 prior to the start of the regularly scheduled city council meeting.

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2013-11 AN ORDINANCE AMENDING CHAPTER 160, BIDDING PROCEDURES AND CONTRACT REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY INCREASING THE AMOUNT OF THE LIMIT FOR COMPETITIVE BIDDING (Knapic)

Ms. Knapic reiterated that this legislation would increase the bid limit for competitive bidding from \$25,000 to \$50,000. Ms. Knapic stated that she would like to move the legislation to a vote. Mr. Ulbright stated that he had spoken with Mr. Montgomery regarding questions that he received from city residents. The questions concerned the relationship of this legislation to the “right to work” and prevailing wages. Mr. Montgomery confirmed that this legislation would have nothing to do with either of those areas of the law. The second question pertained to how the lack of a bid bond would affect the city should a contractor be unable to perform. Mr. Montgomery responded that a contract bond is what protects the city in the case a contractor is unable to perform. A bid bond would have no effect on the contractor’s performance. Mr. Ulbright asked Ms. Knapic if she would agree to allow the legislation to go to the third and final reading for the next council meeting. Mr. Ansel asked for information regarding how many contracts in the last year would have been affected by this change in competitive bid limit. Mr. Montgomery responded that 12-15 contracts would have been affected. In discussions with contractors, Mr. Montgomery stated that it is possible to see a 10-15% savings on contracts if this change were to be implemented. Ms. Knapic reminded council that contracts would still be subject to council approval either at the beginning of the budget cycle or when the need would arise during the year. Mr. Buytendyk added that this legislation would provide the opportunity to be more selective in the contractors they choose for the work. The ordinance was left on second reading.

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-13 AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF FRIENDSVILLE ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING, REHABILITATING AND OTHERWISE

IMPROVING STORM SEWERS, STORM WATER DRAINAGE FACILITIES, UNDERGROUND CONDUITS, CATCH BASINS, MANHOLES, WATER MAINS, SANITARY SEWERS, 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 noted that this ordinance is the second step in the Friendsville Road improvement project, having passed Resolution No. 2013-18 in February. Mr. Ulbright noted that Mr. Montgomery said that, to his memory, this was the first time in this tenure with the city that no objections have been raised by the property owners.

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

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

2. First Reading – ORDINANCE NO. 2013-14 AN ORDINANCE AMENDING TITLE THIRTEEN, FLOOD DAMAGE REDUCTION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Knapic)

Ms. Knapic stated that this ordinance is to bring our laws into compliance with the state changes to flood plains. Mr. Sanders asked for clarification about what has been done to the state's flood plan laws that necessitate changes to the city's. Mr. Montgomery explained that FEMA has completed mapping of the flood plains of our area so that state records are now complete. The existing ordinance was enacted before the flood plain information was complete so it included language to enable the city to apply rules to areas that had unknown flood plain elevations. This legislation removes that language because it is no longer necessary.

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

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

3. First Reading – RESOLUTION NO. 2013-33 A RESOLUTION REQUESTING THAT THE OHIO DEVELOPMENT SERVICES AGENCY AMEND WAYNE COUNTY'S ENTERPRISE ZONE #115C, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel explained that the City of Wooster is fortunate and rather unique in that it manages its own enterprise zone. However, the area of land related to this legislation falls under the management of Wayne County. The Wayne County Commissioners have agreed to enlarge their enterprise zone to encompass this area of land and to apply the city's enterprise zone policies to this land. Ms. Knapic asked if, at any time in the future, this land could become part of the city's enterprise zone. Mr. Benson explained that current law would not allow for that to occur. Mr. Benson provided a more detailed explanation of the relationship between county and municipal enterprise zones. Ordinarily, the county would govern the enterprise zone, but a brief change in state law that allowed the City of Wooster to re-certify its zone and to gain the authority to make and to apply its own policies. Mr. Ansel emphasized the good will and cooperation of the Wayne County Commissioners on this issue.

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

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

4. First Reading – RESOLUTION NO. 2013-34 A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND, UPON APPROVAL, TO ACCEPT AND APPLY SUCH FUNDS, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that this resolution will allow the city to apply for grant money from the State of Ohio for the CHIP program. Mr. Ansel noted that the city has had great success in securing funds for local housing through this program and encouraged swift passage. Ms. Knapic asked to clarify that this is the follow-up legislation to the resolution passed at a previous meeting that allowed the city to enter a contract with Wayne Metropolitan Housing for preparation of the grant application and the funding allocation should the application be successful. Mr. Ansel confirmed that was correct.

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

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

5. First Reading – RESOLUTION NO. 2013-35 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 PURCHASE OF WATER METERS (Sanders)

Mr. Sanders explained to council that, as the city has been replacing meter transmitting units, they have also been replacing defective water meters. This resolution will allow that process to continue by authorizing the purchase of more meters.

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

6. First Reading – RESOLUTION NO. 2013-36 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013 (Sanders)

Mr. Sanders stated that the Public Properties Maintenance division's backhoe is 15 years old and in need of repair or replacement. The trade-in value is \$15,000 and the repair cost would be \$27,000. Mr. Sanders informed council that this unit is needed to make emergency repairs to water and sewer lines as well as daily maintenance work. The item is on State Bid.

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

7. First Reading – RESOLUTION NO. 2013-37 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED UNDER CONTRACTS WITH VARIOUS VENDORS AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel explained that this resolution is to allow payment for an HVAC expense that exceeds \$3,000. Funds are available to make the payment.

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

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

VIII. MISCELLANEOUS

None.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 8:22 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council