

CITY COUNCIL MINUTES
April 7, 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, Craig Sanders, David Silvestri, and Jon Ulbright. Scott Myers was absent.

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

Mr. Buytendyk noted that, should council members vote to do so, council will hold an executive session to discuss pending litigation after the business portion of the meeting.

II. APPROVAL OF MINUTES

Mr. Silvestri moved, seconded by Ms. Knapic, to approve the March 17, 2014 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman noted that State Senator Frank LaRose toured the city's wastewater treatment facility with quasar and city staff on Thursday of last week. Mr. Breneman added that, once the weather improves, the city will invite council members to tour the plant, as well. Mr. Breneman stated that Mr. LaRose sat in on part of the Wooster-Ashland Council of Governments meeting that was also held on Thursday to discuss a regional dispatch center. Mr. Benson stated that he will provide a brief update on pending litigation in executive session later on in the evening. He also wanted to make council aware that the city is heading to fact-finding with the Wooster Employees' Association (WEA) as the city's last and best offer to the union was rejected. Mr. Benson stated that it will probably be several weeks before a hearing is held with the State Employees Relations Board (SERB). Mr. Benson said that once SERB makes a recommendation, council will quickly need to convene a meeting to consider that recommendation and to vote.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Liquor License notice regarding a request to transfer a D5 and D6 permit from Gastronomie LLC, DBA South Market Bistro, to Beacoup LLC, DBA South Market Bistro, at 151 South Market Street. Ms. Knapic moved, seconded by Mr. Silvestri, not to request a hearing. Motion carried unanimously.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Ms. Knapic stated that she would reschedule the Laws and Ordinances Committee meeting at a later date. Mr. Ulbright stated that he plans to hold a Public Infrastructure meeting within the next month or so. Mr. Ulbright added that the city engineer and the maintenance department would like to meet with council members to go over the process used to determine how street projects are approached.

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2014-09 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,040,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S WATER SYSTEM BY CONSTRUCTING A MUNICIPAL WATER TOWER, TOGETHER WITH THE NECESSARY SITE WORK, FENCING, AND DRIVEWAY APPROACH, AND CONSTRUCTING A WATER PUMP STATION, TOGETHER WITH THE NECESSARY WATERLINE EXTENSIONS AND CURB CONNECTIONS IN CONNECTION THEREWITH, ALL TOGETHER WITH ALL NECESSARY AND RELATED IMPROVEMENTS AND APPURTENANCES THERETO AND

ACQUIRING ANY REAL ESTATE OR INTEREST THEREIN REQUIRED THEREFOR, AND DECLARING AN EMERGENCY. (Ansel)

Mr. Ansel stated that this legislation would allow the city to issue bonds to cover approximately 65% of the cost of building the new water storage facility on Melrose Drive. These bonds would be 20-year bonds and the city would be able to secure a competitive rate due to the city's good credit rating. Mr. Silvestri added that he had spoken with Mr. Dordea about some questions he had, and was satisfied. Mr. Montgomery stated that the city has bid out the water tank portion of the project, and the bids came in about \$800,000 less than projected. Mr. Buytendyk also noted that all funds for these projects come from user fees and do not come from tax dollars or the general fund.

Mr. Ansel 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; Silvestri-yes; and Ulbright-yes).

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

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-10 AN ORDINANCE AUTHORIZING THE CITY OF WOOSTER TO PICK UP A PORTION OF THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR ALL MANAGEMENT EMPLOYEES OF THE CITY PURSUANT TO I.R.C. SECTION 414(H)(2), AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel noted that this and the next two pieces of legislation are related to the city's picking up a portion of the employees PERS contribution, which will serve to create parity between management and non-management employees. This particular piece of legislation concerns the management employees who are not part of the fire or police departments. Mr. Ansel noted that the change the city's portion of the pick-up was approved in a previous piece of legislation, and that this authorizes the city to begin those changes. Ms. Knapic asked if the city would be picking up the tax on the change. Mr. Dordea said no, taxes on these are deferred.

Mr. Ansel 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; Sanders-yes; Silvestri-yes; and Ulbright-yes).

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

2. First Reading – ORDINANCE NO. 2014-11 AN ORDINANCE AUTHORIZING THE CITY OF WOOSTER TO PICK UP A PORTION OF THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO POLICE & FIRE PENSION FUND FOR ADMINISTRATIVE AND SUPERVISORY EMPLOYEES OF THE CITY PURSUANT TO I.R.C. SECTION 414(H)(2), AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that this legislation will allow the city to continue to pick-up 3.5% of the fire chief and assistant fire chief.

Mr. Ansel moved, seconded by Mr. Silvestri, 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; Silvestri-yes; and Ulbright-yes).

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

3. First Reading – ORDINANCE NO. 2014-12 AN ORDINANCE AUTHORIZING THE CITY OF WOOSTER TO PICK UP A PORTION OF THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO POLICE & FIRE PENSION FUND FOR ADMINISTRATIVE AND SUPERVISORY EMPLOYEES OF THE CITY PURSUANT TO I.R.C. SECTION 414(H)(2), AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that this legislation will allow the city to continue to pick-up 3.5% of the police chief and police captain. Mr. Ansel stated that he thinks it is good to have parity and balance amongst all of the managerial level employees of the city.

Mr. Ansel 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; Sanders-yes; Silvestri-yes; and Ulbright-yes).

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; Silvestri-yes; and Ulbright-yes).

4. First Reading – ORDINANCE NO. 2014-13 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel explained that this legislation would authorize the city to work with a company to complete an objective assessment of the road conditions throughout the city to create a five-year comprehensive plan for road repairs and treatment. Mr. Ansel stated that four companies were surveyed. The recommended company will drive every road, assess and come up with a written commentary and plan to prioritize the work that needs done. Mr. Ansel stated that the city does not have the resources to conduct a survey of this scale. Mr. Montgomery confirmed the city has never completed a survey as comprehensive as this one will be. Mr. Ansel stated that he will leave the legislation on first reading. Mr. Ulbright noted that the company will have the information back to the city within 30 days. He believes this is significant so the city can have the data to make needed repairs. Ms. Knapic asked which firm was chosen and what other cities have used their services. Mr. Montgomery said he did not have all of that information in front of him; however, Mr. Ansel added that the firm is INFRAME out of Cincinnati. Mr. Montgomery stated that INFRAME has worked with hundreds of other municipalities. Mr. Ansel added that this survey is more than just for fixing potholes; it will also provide what types of treatments the roads need to restore their surfaces. Mr. Montgomery said that the city could do this in-house, but it would take months and would not be as comprehensive. The city would like to move forward as soon as possible. Mr. Sanders asked why the city would not be able to do this in-house. Mr. Montgomery replied that the city could; however, they could not do it as quickly. Mr. Sanders asked that, with the current workload in engineering, the city could not do this in 30 days. Mr. Montgomery said that all employees are busy more than 40 hours per week designing roads, performing inspections, designing a booster station, etc. Mr. Cavin asked if there was any grant money available for this type of work. Mr. Montgomery stated that he was not aware of any for this particular project, though the city can seek grant funds for the repairs that will be needed. Mr. Cavin asked if ODOT would be able to help with such a project. Mr. Montgomery said that ODOT's availability is very limited and any help they could offer would be minimal. Mr. Cavin added that ODOT would not be as concerned with neighborhoods as they are with main thoroughfares. Mr. Montgomery agreed, and added that there are more factors that the city wants to take into account than what ODOT would be prepared to observe. Mr. Ansel suggested that council members contact Mr. Kobilarcsik with any questions they have about this request.

5. First Reading – RESOLUTION NO. 2014-25 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR RESURFACING LARWILL, LUCCA AND MASSARO STREETS (Ulbright)

Mr. Ulbright stated that the portion of Larwill Street between Market Street and Beall Avenue was slated to be resurfaced in 2013, but had to be postponed until 2014. Mr. Ulbright added that Lucca and Massaro Streets are the second and third worst rated streets in the city, behind Buena Vista.

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

VIII. MISCELLANEOUS

Mr. Ulbright noted that the condition of Melrose Drive between Smithville Western and Milltown Roads has moved it up the list of streets to be repaired.

IX. EXECUTIVE SESSION

Mr. Ansel moved, seconded by Mr. Sanders, to go into executive session to discuss pending litigation. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

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

X. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 8:54 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council