



**WOOSTER CITY COUNCIL MINUTES**  
**May 18, 2015**

**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: Mark Cavin, Barbara Knapic, Craig Sanders, David Silvestri and Jon Ulbright. Jon Ansel and Scott Myers were absent.

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

**II. APPROVAL OF MINUTES**

Mr. Cavin moved, seconded by Mr. Sanders to approve the minutes of the May 4, 2015 regular meeting. Upon voice vote, the motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman informed council members he, Mr. Montgomery, and Mr. Kobilarcsik met with representatives from the Utopia Pipeline project, who propose to bring two 12-inch lines through Wooster near the Prairie Lane area. Mayor Breneman said the pipelines would be carrying ethane and propane or natural gas liquids, and the main concern for the community is for the safety of the pipelines and to make sure there is no danger to the City's well fields located in that area. Mayor Breneman also stated the City has distributed pamphlets to the grade schools and middle school to allow the children to provide input on the new Christmas Run Park Playground, and will be going through those to gather ideas.

Mr. Benson reported the City received word that the court of appeals has reversed the local trial court's decision for summary judgement and has sent the case back to the trial court for further examination. Mr. Benson suggested scheduling a meeting when all members can attend for a thorough discussion of the decision.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

None.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

None.

**VI. OLD BUSINESS**

1. Third Reading – RESOLUTION NO. 2015-38 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO SOLICIT PROPOSALS ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE MOST QUALIFIED DESIGN-BUILD FIRM FOR THE CONSTRUCTION OF A POLICE AND FIRE SAFETY CENTER (Cavin)

Mr. Cavin stated this would be the final reading on this legislation and reiterated the location is proposed to be at the intersection of Burbank and Friendsville Roads and would cost approximately \$7 million. Mr. Cavin noted the funds would come from the Capital Improvements Fund and a bond issuance.

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

## VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2015-16 AN ORDINANCE AMENDING THE TRAFFIC CONTROL FILE TO ENACT THE RECOMMENDATIONS OF THE TRAFFIC COMMISSION, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright said the Traffic Commission met and has several recommendations for council to consider. Mr. Ulbright stated the recommendations are to amend the Traffic Control Map and Traffic Control File to include signage and pavement markings for the Friendsville Road reconstruction project; installing lockable gates at the intersection of Spruce Street and Grosjean Road and just east of the railroad trestle on Grosjean Road; and to install a “Road Closed Ahead” flip-sign at the intersection of Timken Road and Grosjean Road. Mr. Ulbright said he had to leave the legislation on first reading as there were not enough council members present to suspend the rules.

2. First Reading – ORDINANCE NO 2015-17 AN ORDINANCE AMENDING SECTION 905.03, TREE TRIMMING REQUIRED, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY ADDING A LIMITATION FOR WORK TO BE DONE IN THE PUBLIC RIGHT OF WAY (Knapic)

Ms. Knapic said this recommended change comes from the Shade Tree Commission and pertains to permits required for trimming trees in the right-of-way. Mr. Ulbright voiced concern for residents not being allowed to perform minor maintenance of the trees in their tree lawn without seeking a permit. He said he understands the concern for maintaining the beauty of the trees, and suggested there should be a compromise between letting residents carefully trim the trees without a permit and requiring a permit for any and all tree trimming. Mr. Silvestri asked what prompted the requested change. Mr. Montgomery said he would share Council’s concerns with the Shade Tree Commission because that is the group making the recommendation. Mr. Montgomery also mentioned a Shade Tree Manual has been developed by the Commission which is more detailed. Mr. Kobilarcsik stated the Commission was mainly concerned with the power companies that come though and cut back the trees. Mr. Silvestri also mentioned instances in which trees were replaced in residents’ tree lawns with little or no communication to the resident. He would like to see better communication in that regard.

3. First Reading – ORDINANCE NO. 2015-18 AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri said Mr. Montgomery had been working with the Ohio Department of Transportation (ODOT) to possibly purchase a vacant property located at 1514 Lincoln Way West. Mr. Silvestri described the space currently utilized by the Utility Division’s Distribution and Collection crew, and the need for a facility large enough to store all of their equipment, inventory, and offices in one place. Mr. Silvestri also noted the cost of the property would be \$100 and said he would be asking to suspend the rules at the next council meeting to bring the legislation to a vote. Mr. Ulbright said a citizen had called him with concerns relating to mold in the ODOT building as well as an old combustion air furnace and wondered if City Administration was aware of these potential problems. Mr. Montgomery said he is aware of these issues and does not believe they will affect the City employees because they will be using the first floor of the building and not the upper offices where the mold had been previously been a problem. He added the issues would need to be addressed if the City were to lease the office space back to ODOT for construction offices.

4. First Reading – ORDINANCE NO. 2015-19 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$7,000,000 FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING, FURNISHING, AND EQUIPPING A CITY SAFETY CENTER TO HOUSE THE POLICE DEPARTMENT AND THE FIRE

DEPARTMENT, AND OTHERWISE IMPROVING THE SITE THEREFOR,  
TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND  
DECLARING AN EMERGENCY (Cavin)

Mr. Cavin said he did not intend to go into great detail as he would like to allow Mr. Ansel to address this legislation at the next meeting. Mr. Cavin said the City is looking into a 25-year bond with an annual payment of \$446,000 per year at an interest rate of 3.7%. Mr. Cavin said Mr. Dordea has also informed him it might be possible to secure a 20-year 3.56% loan, which would equate to \$63,000 more per year in payments, and would ultimately save \$966,000 off the payments over the life of the loan. Mr. Dordea said it will not be a problem to secure a 20-year bond, the exact interest rate, however, will be unknown until the time the City sells the bonds.

5. First Reading – RESOLUTION NO. 2015-43 A RESOLUTION AMENDING RESOLUTION NO. 2014-14 BY ENLARGING THE SCOPE OF THE PROJECT; AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright explained this resolution would allow the City to use leftover ODOT grant funds and apply them to Spruce Street, North Market Street, and Mechanicsburg Road. Mr. Ulbright said ODOT will no longer allow the City to carryover unspent funds to the next project, so the City will lose the funds if it does not use them.

**X. MISCELLANEOUS**

Mr. Ulbright asked Mayor Breneman who paid for the clean-up of Tent City. Mayor Breneman replied the City provided men and equipment on the day of the main clean-up and again the following morning. He stated the type of debris and materials that were on the site made the heavy equipment necessary to protect health and safety of the clean-up crews and City residents. Mayor Breneman said the City could have waited for the Property Maintenance Code violation process to run its course, but that would have taken months. Mayor Breneman added the City is responsible for maintaining the State of Ohio rights-of-way that are within the City limits.

Mr. Buytendyk said he has received questions regarding staffing a third fire station and though he said he understands it, he hoped Mr. Murphy, the Acing Fire Chief, could explain it to the public. Mr. Murphy said it is just a matter of reallocating staff. He said the minimum number of firefighters working on a shift is 10, and it would be a matter of allocating three at two of the stations and four at another.

**XI. ADJOURNMENT**

Mr. Ulbright moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 8:24 p.m.

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Michael G. Buytendyk  
President of Council

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Amy M. Hamilton  
Clerk of Council