

CITY COUNCIL MINUTES
June 3, 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, David Silvestri, Jeff Steiner, and Jon Ulbright.

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 May 20, 2013 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman informed council that the members of the city administration are all available and should be able to answer any questions related to the legislation on the agenda for the meeting.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

The following member of the audience spoke: Mr. Christopher Pycraft, 225 N. Market St., Wooster (Ord. No. 2013-17).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ansel announced that he would conduct a public hearing at the next regular city council meeting scheduled for June 17, 2013 to discuss the annual tax budget for 2014.

VI. OLD BUSINESS

1. Third Reading – ORDINANCE NO. 2013-17 AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO TITLES ONE, THREE AND FIVE OF THE CODE. (Knapic)

Ms. Knapic noted that council members had been provided with the requested changes to sections 1143.07 and 1171.10(11) and that the legislation was set for its third and final reading. Mr. Ansel asked if it was possible to separate the two new changes from the originally proposed changes. Mr. Benson responded that it was and gave members several different paths by which they could proceed. Mr. Ulbright proposed that council vote on accepting the changes to 1171.10(11) and then consider the changes to 1143.07 at a later time. After a lengthy discussion as to procedure, council decided to amend the original amendments by adding the changes to section 1171.10(11), to remove proposed amendments to section 1143.07, to table the proposed amendments to section 1143.07, and finally, to approve the original.

Mr. Ulbright moved, seconded by Mr. Ansel, to amend the originally proposed amendments to include section 1171.10(11). Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Ms. Knapic moved, seconded by Mr. Silvestri, to split amended changes to separate section 1143.07 into 2013-17-A, and the remaining amendments would be considered 2013-17-B. Upon roll call, motion to split the proposed amendments carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Ms. Knapic moved, seconded by Mr. Ulbright, to table the proposed amendments to section 1143.07. Upon roll call, motion to table carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

2. Second Reading – RESOLUTION NO. 2013-50 A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE PAYMENT TO THE WAYNE ECONOMIC DEVELOPMENT COUNCIL FOR ECONOMIC DEVELOPMENT SERVICES (Ansel)

Mr. Ansel provided council members with information highlighting the accomplishments of the Wayne Economic Development Council (WEDC) for 2012. Mr. Crider also addressed council by explaining a few of the awards that WEDC earned in the last year. Both gentlemen emphasized the importance of the cooperation that goes on between the City, WEDC, the Chamber of Commerce and other local organizations to ensure this success.

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; Steiner-yes and Ulbright-yes).

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-22 AN ORDINANCE AUTHORIZING THE MAYOR TO AMEND THE ENTERPRISE ZONE AGREEMENTS WITH TECHNIGRAPHIC SYSTEMS, INC., TECHNIGRAPHICS, INC., AND TGS HOLDINGS, LLC AUTHORIZED BY ORDINANCE NOS. 2004-26; 2007-12; AND 2008-08, AND DECLARING AN EMERGENCY (Ansel)

Mr. Silvestri recused himself from all discussion of this legislation. Ms. Knapic also disclosed that her son-in-law works for CACI at the Colorado location. She did not need to recuse herself as this did not constitute a conflict of interest. Mr. Ansel stated that through Mr. Benson's communications with the Ohio Development Services Agency, it was determined that the best course of action for the enterprise zone agreements pertaining to Technigraphics, was to leave the agreements in place but to reduce the abatements from 75% to 0%. Mr. Ansel stated this would allow the property to remain marketable to prospective companies and should a company choose to purchase the property, it could apply for an abatement to Wooster Growth, and the application would proceed along the proscribed process.

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. Silvestri was recused.)

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. Mr. Silvestri was recused.)

2. First Reading – RESOLUTION NO. 2013-51 A RESOLUTION PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2014 (Ansel)

Mr. Silvestri returned to join council for consideration of the remaining legislation. Mr. Ansel stated that this legislation would remain on first reading as a public hearing is scheduled for the next council meeting. Mr. Ansel explained that this budget is used by the County Budget Commission to determine property tax rates. Mr. Ansel emphasized that this is simply a forecasted projection for the upcoming year and is not to be considered a final version.

3. First Reading – RESOLUTION NO. 2013-52 A RESOLUTION PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY, OHIO, FOR A CHANGE OF TOWNSHIP LINES TO CONFORM WITH THE CORPORATION LIMITS OF THE CITY OF WOOSTER (Knapic)

Ms. Knapic stated that the city has annexed property next to North Geyers Chapel Road and this resolution will allow the City to request that the County will change the borders of the township to include that property. Ms. Knapic asked Mr. Benson to provide further background on this issue. Mr. Benson stated that this legislation would ask the County Commissioners to make the newly annexed land a part of Killbuck Township and would remove it from Green Township. The taxes would then come to the City and no longer to the township. The City would be required to pay reparations to the Township for the lost revenue. Mr. Benson informed council members that the Wayne County Auditor suggested that the City should ask for this process because the City would be adversely affected by losing its millage if it did not. Ms. Knapic added that the Green Local School District would not be negatively affected by this change.

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; Silvestri-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; Silvestri-yes; Steiner-yes and Ulbright-yes).

4. First Reading – RESOLUTION NO. 2013-53 A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR GRANT MONIES; TO APPLY SUCH FUNDS, IF AWARDED; AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY (Cavin)

Mr. Cavin informed council members that this is a request to apply for a grant that, if awarded, would enable the City to construct a 10 foot wide path connecting the Kinney trail with Oak Hill Park. Mr. Silvestri asked about the material that might be used and if it would have lines as most bike trails do. Mr. Montgomery responded that the project would use the standard materials, which is asphalt and that it would have lines like a bike trail. Mr. Cavin and Mr. Ulbright inquired as to signage. Mr. Montgomery replied that we would use whatever signage is required by ODOT.

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

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

5. First Reading – RESOLUTION NO. 2013-54 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY AND STORM SEWER REHABILITATION WORK AT VARIOUS LOCATIONS IN THE CITY OF WOOSTER (Sanders)

Mr. Sanders informed council that this legislation would allow the City to advertise for contractors to make repairs to several pieces of infrastructure that have been on a list of needed repairs for several years.

Mr. Sanders 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; Steiner-yes and Ulbright-yes).

6. First Reading – RESOLUTION NO. 2013-55 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANDBLASTING AND PAINTING THE MADISON AVENUE WATER STORAGE TANK (Sanders)

Mr. Sanders stated that this would authorize the City to advertise for the project of sandblasting and painting the Madison Avenue water storage tank. Both the interior and exterior of the tank would be completed. Mr. Sanders asked Mr. Montgomery how the water system is affected if the City takes a tank offline for work such as this. Mr. Montgomery responded that it takes careful planning and ensuring that pumps are ready to supply water where it is needed during the maintenance. Mr. Ulbright asked which water tank is next on the list to be repainted. Mr. Montgomery stated that the water tanks on top of the water plant itself are also in need of repainting.

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

7. First Reading – RESOLUTION NO. 2013-56 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PORTAGE ROAD RESURFACING PROJECT (PID 92619) (Ulbright)

Mr. Ulbright stated that this legislation would allow the City to enter into an agreement with ODOT to resurface Portage Road between Highland Park Road and State Route 585. Mr. Ulbright also noted that much of the planning would be done by the City’s Engineering staff. Mr. Montgomery pointed out that this project will be budgeted for 2014, and the reason council is seeing it now is because the process to work with ODOT needs to start well in advance of the project start time. Mr. Knapic asked if it was known when the project would start and end because of the construction that will be going on along State Route 585 and Akron Road. Mr. Montgomery said that he would assume that the City Engineer would have allowed for this and planned accordingly.

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

VIII. MISCELLANEOUS

Mr. Buytendyk announced that CPR training for council members will begin at 5:00p.m. on Monday, June 17, 2013.

Ms. Knapic asked the Laws and Ordinances Committee members to contact her if they would like to meet on the proposed changes to the zoning code that were tabled earlier in the proceedings.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 9:35 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council