

CITY COUNCIL MINUTES
October 6, 2008

I. ROLL CALL & ORDERING OF AGENDA

Acting President David Silvestri called the regular meeting of Wooster City Council to order at 7:30 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, Ed Schuch, David Silvestri, Jeff Steiner, Keith Topovski and Jon Ulbright.

II. APPROVAL OF MINUTES

Mr. Buytendyk moved, seconded by Mr. Silvestri, to approve the minutes of the September 15, 2008 meeting.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city: Odor issue on Bauer Rd. and progress on city hall renovations. Tim Monea explained steps being taken to remediate the odor issue on Bauer Rd as it is a zoning violation and his department will continue to monitor the situation.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

No petitions/communications or public comment.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Steiner reported on the Safety Committee meeting held on Thursday, October 2, 2008 at 5:30 p.m. to discuss a replacement for Fire Station #2. They reviewed how Resolution #2008-84 evolved as well as the strategic study and the proposed master plan for fire protection. Mr. Steiner indicated the committee made a recommendation for the first reading of Resolution #2008-84.

VI. OLD BUSINESS

1. Second Reading - ORDINANCE NO. 2008-27 AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, AND DECLARING AN EMERGENCY (Buytendyk)

A clarified copy of this ordinance was prepared and passed out to council members. Mr. Buytendyk stated the substance remained the same but the proposed changes were easier to read. Mr. Buytendyk made a motion to amend by substitution Ordinance No. 2008-27 which was seconded by Mr. Ulbright. Upon roll call, the motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes). Mr. Buytendyk briefly reiterated the recommended changes, which were discussed at the last meeting. He indicated that unless there was serious discussion or opposition, he would recommend suspending the rules

Mr. Buytendyk 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; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

2. Second Reading - ORDINANCE NO. 2008-28 IDENTIFYING AND AUTHORIZING MANAGEMENT POSITIONS (Buytendyk)

Mr. Buytendyk stated this was part of the salary and management benefits ordinance but it was thought best to sever it and make it a separate ordinance so when changes were made to the management positions, the benefit ordinance wouldn't have to be amended.

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

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

3. Second Reading - RESOLUTION NO. 2008-76 ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT ACT AGREEMENTS, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated this was left on first reading at the last meeting in order to give council members a chance to review the extensive information packet detailing each project, each company, the investment on real property and personal property, the jobs, payroll, etc. There was discussion at the last meeting and concerns voiced regarding two of the companies who were under performing due to experiencing some of the pitfalls in the declining housing market. Mr. Ansel hoped that all members had ample time to review the summaries and were able to get questions answered regarding these issues. Mr. Ulbright indicated he was pleased to know that next year the 2008 TIRC report will be presented to council earlier in the year for review.

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

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

4. Tabled - ORDINANCE NO. 2008-26 VACATING AN ALLEY IN THE CITY OF WOOSTER (VICINITY OF E. HENRY STREET) (Ulbright)

Mr. Ulbright stated this ordinance was tabled at the last meeting as 100% of the adjacent property owners had not signed the petition. A copy of the new petition with all the signatures was circulated to council members. Mr. Ulbright moved, seconded by Mr. Topovski, to remove Ordinance No. 2008-26 from the table. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes). With 100% of the adjacent property owners in agreement to vacate the alley, Mr. Ulbright did not feel a public hearing needed to be held, but entertained comments from the audience. Mr. Mike McClintock, petitioner and owner of property on E. Henry Street, spoke on behalf of the alley vacation. There was no further discussion.

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

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

VII. NEW BUSINESS

1. First Reading - ORDINANCES NO. 2008-29 AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel stated the subsidized taxi program provides transportation within the city to low-income residents through contracted private taxi companies. It is a very unique program as it is the only one of its kind in the state of

Ohio. However, he recalled last year the taxi program was at a deficit and additional funding was approved to get it through the end of the year. The situation is repeating itself this year. There is a budget shortfall projected for November and December 2008 and an additional \$40,000 is being requested to cover the projected usage. Numbers show 51,000 rides in 2007 were based on 500 eligible riders and 61,000 rides in 2008 were based on 550 eligible riders. Mr. Ansel said there will be a future meetings to discuss next year's potential budgeting and a control that might be initiated to better avoid this problem next year. Mr. Ulbright feels these numbers show there is a need for a public transportation system. He recommended waiting until 2009 to hold the meeting and invite the new county commissioners along with other agencies and groups who make use of a transportation system as maybe the needs are beyond what the city of Wooster can provide alone. Mr. Buytendyk said to keep in mind this is a commendable service and not to overlook the fact that the city is not subsidizing 100% of the cost being requested. The tickets sold will be recoup some of the money. Mr. Topovski asked Mr. Malta if there is a system in place to monitor riders from passing their tickets onto others. Mr. Malta indicated they do have a scanner system but it is not in full operation at this point. He acknowledged the system is not full proof and they need to find the best way to manage the program to minimize the potential for abuse. Mr. Malta gave an overview of the taxi program.

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

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

2. First Reading - RESOLUTION NO. 2008-84 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH ARCHITECTURAL RESOURCES CORPORATION OF DAYTON, OHIO FOR PROFESSIONAL DESIGN SERVICES RELATED TO THE SITE SELECTION AND DESIGN OF A NEW FIRE STATION, AND DECLARING AN EMERGENCY (Steiner)

Mr. Steiner stated the December 2007 strategic study and proposed master plan for fire protection in the city was discussed at the October 2, 2008 Safety Committee meeting. Neither fire station #1 or #2 have had changes made since their construction. They are undersized, lack appropriate configurations and neither comply with many of today's building codes. The proposed master plan prioritization recommends replacement of Fire Station #2 which has no redeeming features in terms of location, site or the facility itself. Station #1 does have a good location and has a large enough lot for expansion. The study took into account where the city's growth is happening, response times to these areas and other similar issues. Therefore the committee recommends entering into a contract with Architectural Resources Corporation to provide the services of site selection and design for the replacement of Station #2 project, not to exceed \$80,000 for the year 2008. Mr. Ulbright, Mr. Schuch and Mr. Silvestri all expressed their approval in proceeding with the replacement of Station #2.

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

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

3. First Reading - RESOLUTION NO. 2008-85 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH URS CORPORATION OF AKRON, OHIO FOR A CLARIFIER HIGH RATE STUDY FOR THE UTILITIES DIVISION, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated the clarifiers have the capacity to run at a higher flow rate and clarify more water in a shorter period of time than they are currently operating at. According to EPA regulations the city needs to have the clarifiers officially rated for approval to run at the higher capacity. In addition to being more cost effective, it will also reduce the procedure from a three shift operation to a two shift operation. Mr. Borton explained the process and staffing questions.

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

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

VIII. MISCELLANEOUS

Mr. Ansel reminded everyone of the Finance Committee meeting on Tuesday, October 7, 2008 at 5:30 p.m. to review the 2007 CAFR. He also noted that the efforts and support of the Mayor, council and city administration, in making the Bicentennial celebration and events a success, were acknowledged at the recent Bicentennial Committee meeting. Mr. Ansel also praised the Wayne County Justice Center on their Open House.

Mr. Ulbright stated he was pleased with the ongoing exterior renovations to city hall and said he has received many favorable comments about this. Mr. Ulbright also thanked Murr Printing for their fine job in taping the city council meetings but would like to see the audio portion improved and asked that they recommend options for upgrading the audio system.

Mr. Silvestri stated he has received great feedback and support by citizens who have attended the various Bicentennial events, the most recent being the Cemetery Tour. He indicated he too has received positive feedback on city hall's exterior renovations.

IX. ADJOURNMENT

Mr. Buytendyk moved, seconded by Mr. Topovski, to adjourn. Motion carried and meeting so adjourned at 8:35 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council