



**WOOSTER CITY COUNCIL MINUTES**  
**November 17, 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, Scott Myers, Craig Sanders, David Silvestri and Jon Ulbright.

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

**II. APPROVAL OF MINUTES**

Mr. Silvestri moved, seconded by Ms. Knapic, to approve the minutes of the November 3, 2014 regular meeting. Upon voice vote, the motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman thanked Police Chief, Matt Fisher, and the police department for their handling of a threatening letter that was found last Thursday. Mayor Breneman said the letter threatened harm to the Wooster City Schools, and the police department met with school officials and determined it would be best to cancel school on Friday because of the contents of the letter.

Mayor Breneman also wished to thank the Public Properties Maintenance Division (PPM) employees for switching from leaf pick-up to snow removal mode quickly. Mayor Breneman noted the same dump trucks used for leaf pick-up are used for snow removal and the trucks must be cleaned and the proper equipment attached to do the specific jobs.

Mr. Dordea addressed council to present the budget. Mr. Dordea said the Finance Department has been working hard to present the balanced budget to council.

Mayor Breneman noted an ordinance to accept the donation of land from the E.J. Walter Co. that is on the agenda. He stated he and Mr. Buytendyk had met with Ms. Walter to discuss the land. Mayor Breneman said the land is located behind Miller Field with access from E Highland Avenue and Northview Drive. Mayor Breneman also noted a resolution on the agenda that would allow the water and sewer lines to be built to supply the Daisy plant, as well as a resolution to accept the joint application for bed tax monies.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

None.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

Ms. Knapic reported on the Laws and Ordinances Committee meeting that was held prior to the council meeting. Ms. Knapic said the committee received a presentation from Mr. Tim Monea and Mr. Andrew Dutton regarding the changes going on with the building maintenance code and the enforcement thereof. Ms. Knapic said there has been quite a bit of progress made with enforcing the current code and are currently looking at making changes in the code to give the city more ability to go after people who are not maintaining their properties. Ms. Knapic said she is planning on having a workshop meeting in the near future to go over additional changes.

Mr. Buytendyk reminded council members of a Finance Committee meeting scheduled for 6:00p.m. on Monday, December 1, 2014 to go over the proposed budget for 2015.

## **VI. OLD BUSINESS**

1. Second Reading – ORDINANCE NO. 2014-30 AN ORDINANCE AMENDING CHAPTER 1351, MINIMUM HOUSING STANDARDS AND PROPERTY MAINTENANCE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO UPDATE THE CODE (Knapic)

Ms. Knapic stated she would leave this legislation on second reading. Ms. Knapic also stated she would hold a Laws and Ordinances Committee workshop to discuss additional changes.

2. S Reading – ORDINANCE NO. 2014-31 AN ORDINANCE AMENDING CHAPTER 1311, APPEALS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO UPDATE THE CODE (Knapic)

Ms. Knapic said she would also leave this legislation on second reading.

## **VII. NEW BUSINESS**

1. First Reading – ORDINANCE NO. 2014-33 AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated the Wooster Community Hospital would also be part of the Finance Committee meeting on December 1, 2014. Mr. Ansel said he will prepare an agenda and forward it to all council members prior to the meeting. The legislation was left on first reading.

2. First Reading – ORDINANCE NO. 2014-34 AN ORDINANCE AUTHORIZING THE CITY OF WOOSTER TO ACCEPT A GIFT OF LAND FROM THE E.J. WALTER CO. (Silvestri)

Mr. Silvestri explained the land to be donated is north of E. Highland Avenue, and south of Northview Drive. Mr. Silvestri said he is glad to see additional green space coming into this neighborhood and hopes possibly to see a walking path or a park on this land. Mr. Ulbright asked about access to the property from Highland Avenue. Mayor Breneman replied that the only reasonable access point to the property is where the property abuts Highland Avenue or from Northview Drive. Mr. Buytendyk added the property would be a nice greenspace buffer against encroachment on the city.

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

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

3. First Reading – ORDINANCE NO. 2014-35 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT FOR AN ENCROACHMENT UPON THE PUBLIC RIGHT-OF-WAY, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated Weaver Construction has been renovating a downtown property. During the course of completing a survey of the property, it was discovered there are encroachments into the public right-of-

way. Mr. Ulbright explained the easements for the encroachments have existed for years, but the survey company wished to address them because the property has changed hands. Mr. Ulbright said one encroachment is along the front of the building, the others are along the eastern and the northern alleys. Mr. John Keating, representing Ekho Kole, LLC, addressed council to add the encroachments are minor, have been in place for decades, and will not be expanded by the current project. Mr. Keating also stated he and Mr. Benson have worked out the easement language, including a clause stating in the event the encroachments are removed (due to a fire, for example) then the easement would be dissolved and new construction would have to be built within the original building lines.

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

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

4. First Reading – RESOLUTION NO. 2014-66 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER(S) FOR THE EXTENSION OF WATER AND SANITARY SEWER LINES TO THE DAISY BRAND SITE (Sanders)

Mr. Sanders explained the project involves approximately 3,650 linear feet of sewer line and 4,250 linear feet of water line. The total project cost is estimated to be \$783,000, of which \$500,000 will come from a CDBG grant from the state of Ohio. These lines are to be run to the new Daisy Brand plant to supply city water and sanitary sewer services.

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

5. First Reading – RESOLUTION NO. 2014-67 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 PORTIONS OF E. LIBERTY STREET AND PITTSBURGH AVENUE (Ulbright)

Mr. Ulbright said the total cost of this resurfacing project is \$450,000, of which ODOT will cover \$332,000, Wayne County will contribute \$35,000, and the City will cover the remaining \$83,000. Mr. Ulbright explained the project will resurface and repair the pavement on E. Liberty Street from Bever Street to the railroad tracks at Spink Street and Pittsburgh Avenue, between the railroad tracks at Theodore Street and on to the bridge at Bauer Road. The County is contributing because a small portion of the road is in the County's jurisdiction. Mr. Cavin asked about the timeline for this project. Mayor Breneman replied that if the city goes out for bids now, then it should be early on the list for Spring 2015.

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

6. First Reading – RESOLUTION NO. 2014-68 A RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS APPLICANTS FOR THE USE OF ECONOMIC DEVELOPMENT MONIES (Ansel)

Mr. Ansel thanked the representatives from Main Street Wooster (MSW), the Wooster Chamber of Commerce (Chamber), and the Wayne County Convention and Visitor's Bureau (WCCVB) for submitting their joint request for allocation and sharing of bed tax funds received by the city. Mr. Ansel thanked them for their work. Mr. Ansel highlighted the bed tax receipts for 2014 are projected to exceed \$200,000. Mr. Ansel explained for all bed tax receipts collected in excess of \$100,000, MSW would receive 57.5%, Chamber 37.5%, and the WCCVB 5% of the first \$50,000 of the allocation. For all receipts beyond that point, the percentages would be 50% for MSW, 30% for the Chamber, and 10% for the WCCVB. Mr. Ansel also noted the joint application was the only one received. Ms. Sandra Hull of MSW, Ms. Martha Starkey of WCCVB, and Mr. Justin Starlin of the Chamber each shared some of the accomplishments and goals of their respective organizations. Mr. Myers asked how the percentages are determined for the allocation. Mr. Ansel explained the revenue that comes in from the bed tax is split such that 52% is placed into the City's general fund, and the remaining 48% is available to allocate to parties who have an economic development focus or contribution, and successfully apply for funds. The percentages are agreed upon by the applicants amongst themselves as part of their application. Mr. Ulbright stated council used to make the determination of the percentages, and it was a much more difficult process than it is now.

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

**IX. MISCELLANEOUS**

Mr. Myers thanked the Wooster Police Department for how it handled the threat to the schools and for the department's presence at the Wooster High School during the school play.

Ms. Knapic, Mr. Silvestri, and Mr. Ulbright all thanked Mr. Tim Monea, Mr. Andrew Dutton, and Mr. Justin Reed for their presentation and work on the Property Maintenance Code.

Mr. Montgomery stated each councilperson should now have a copy of the completed Comprehensive Plan and if they would like to have a presentation from city administration, please let him know when would be a good time. Mr. Buytendyk suggested they schedule something after the first of the year.

**X. ADJOURNMENT**

Mr. Ulbright moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 8:43 p.m.

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Michael G. Buytendyk  
President of Council

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Amy M. Hamilton  
Clerk of Council