



WOOSTER CITY COUNCIL MINUTES
December 15, 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, Law Director Dick Benson, Director of Administration Joel Montgomery, and Finance Director Andrei Dordea.

Mr. Buytendyk noted council would hold an executive session before starting the legislative portion of the council meeting.

II. APPROVAL OF MINUTES

Mr. Ansel moved, seconded by Mr. Silvestri, to approve the minutes of the December 1, 2014 regular meeting. Upon voice vote, the motion carried unanimously.

Ms. Knapic moved, seconded by Mr. Cavin, to approve the minutes of the December 10, 2014 special meeting. Upon voice vote, the motion carried unanimously.

III. EXECUTIVE SESSION (discussion of pending or threatened litigation and matters related to a collective bargaining agreement)

Mr. Silvestri moved, seconded by Mr. Sanders, to go into executive session to discuss pending or threatened litigation and matters related to a collective bargaining agreement. 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. Sanders, to reconvene from executive session. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

IV. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman stated city administration is grateful to the firefighters for agreeing to the proposed contract that is before council for consideration later in the meeting.

Mayor Breneman also wished to thank council members for the work they do for Wooster.

V. PETITIONS/COMMUNICATIONS FROM PUBLIC

None.

VI. COMMITTEE REPORTS; PUBLIC HEARINGS

None.

VII. OLD BUSINESS

1. Third 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 said council has spent a lot of time reviewing the proposed budget for 2015. Mr. Ansel wished to compliment Mr. Dordea and Mr. Boyes and their staff for the work they put into preparing the budget documents. Mr. Ansel said the budget is balanced and noted the capital funds for both the city and the hospital will have appropriate capital reimbursements.

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).

VIII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-38 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel stated this legislation is unusual and rare in that it relates to the annexation agreement struck between the city and Wayne Township for the property on which the Village Network is located and the former Technographics facility. Mr. Ansel noted the land totals approximately 227 acres with a 50-year reimbursement agreement which requires the City to pay the township for property taxes that would have been paid to the township if the annexation had not taken place. Mr. Ansel also added the payments are based on the property as it was when annexed and does not include any improvements made since the time of annexation. Mr. Ansel stated the reimbursement payment has not been made from 2006 through 2013, and this legislation includes those back payments as well as the 2014 payment. Future payments will be included in the annual appropriations budget.

Mr. Ansel said the legislation also includes another unusual item in that the City needs to refund a couple of estates for overpayment of estate tax estimates received in prior years. Since the estate tax has been abolished, the former method of deducting the refunds from the County Auditor's remittance is no longer applicable.

Referring to the annexation agreement, Mr. Silvestri asked if the reason behind such an unusual agreement was known. Mr. Ansel replied it is sometimes done as an incentive for townships to allow land to be annexed in a way that both sides gain something from the transaction.

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

2. First Reading – ORDINANCE NO. 2014-39 AN ORDINANCE AMENDING THE TRAFFIC CONTROL FILE TO ENACT THE RECOMMENDATIONS OF THE TRAFFIC COMMISSION, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright described the signage changes proposed by the Traffic Commission.

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

Mr. Ulbright 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).

3. First Reading – ORDINANCE NO. 2014-40 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH REPRESENTATIVES OF THE WOOSTER FIRE FIGHTERS UNION, IAFF LOCAL 764, REGARDING WAGES, BENEFITS AND TERMS AND CONDITIONS OF EMPLOYMENT, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel thanked the Wooster firefighters' union and the city administration for completing an efficient and effective negotiation process. Mr. Ansel stated the proposed contract was in parity with the police union contract and consistent with the Wooster Employee Association. Mr. Ansel briefly touched on some of the points of the contract.

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

Mr. Ansel 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).

4. First Reading – RESOLUTION NO. 2014-72 A RESOLUTION AUTHORIZING THE DIRECTOR OF LAW TO CONTINUE THE ENGAGEMENT OF OUTSIDE COUNSEL FOR REPRESENTATION WITH RESPECT TO ONGOING UNION AND COLLECTIVE BARGAINING ISSUES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel noted the city has utilized outside counsel at the Kastner, Westman, and Wilkins firm to assist with negotiating various labor issues throughout 2014, including the three labor union contracts. Mr. Ansel stated the city is requesting appropriation of an additional \$35,000 to complete the negotiations process and to remit payment for services rendered.

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

5. First Reading – RESOLUTION NO. 2014-73 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF THE MELROSE DRIVE INTERCEPTOR TO SERVE THE DAISY BRAND SITE (Sanders)

Mr. Sanders stated the legislation is to allow the city to proceed with a contract to increase the size of the Melrose Drive Interceptor, which services the northeast section of Wooster as well as the Daisy Brand site. Mr. Sanders said the estimated cost of the project is \$500,000, which will come from the Sanitary Sewer Fund.

Mr. Sanders moved, seconded by Mr. Ulbright, 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. 2014-74 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF THE WATER LINE SERVING NORMAN PLACE (Sanders)

Mr. Sanders stated this project is included in the 2015 budget and will cost \$60,000 from the Water Fund. Mr. Sanders said the line has a history of breaks and the project would include replacing 380 linear feet of 2” cast iron as well as replacing six water services and two fire hydrants.

Mr. Sanders 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. Sanders 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).

7. First Reading – RESOLUTION NO. 2014-75 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED UNDER CONTRACTS WITH VARIOUS VENDORS, AND DECLARING AN EMERGENCY. (Ansel)

Mr. Ansel stated Buchwalter’s Greenhouse maintains the flowerbeds and streetscape in downtown Wooster. Mr. Ansel said Buchwalter’s wanted to get started on the fall work and began before a purchase order was in place. Mr. Ansel said the city received funds on November 7th from the Downtown Beautification Fund, which is held at the Wayne County Community Foundation, and a purchase order was entered on the same day. This legislation will allow the city to pay the invoice since the invoice is over \$3,000 and the purchase order is dated after the invoice.

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; 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).

8. First Reading – RESOLUTION NO. 2014-76 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PURCHASE CONTRACT WITH BAY POINTE TECHNOLOGY OF RICHFIELD, OHIO FOR SPECIALIZED TECHNOLOGY RELATED TO THE CITY’S SERVERS AND DATA STORAGE (Ansel)

Mr. Buytendyk noted council members had received a revised copy of this resolution that clarified the city is seeking to purchase specialized technology and is not entering a contract for services. Mr. Ansel stated one of the city’s data storage hardware has reached the end-of-life and will reach end-of-support at

the end of March 2015. Mr. Ansel also added the city's data storage capacity is running dangerously low on space. He added there are year-end incentives such that the city can obtain a 40% discount if it purchases the equipment before the end of 2014. Mr. Ansel said the funds are already budgeted for 2014. Mr. Ansel said the city is storing records primarily in electronic formats, which is using more storage space than in the past. Mr. Silvestri asked if there was an estimate as to how long the increased storage capacity will last. Mr. Montgomery said it is hoped it would last longer than 10 years, and since this storage is expandable, the city can add on incrementally as needed in the future.

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. Ulbright thanked Mr. Kobilarcsik for providing documentation to council members regarding repairs to Pine Street. Mr. Ulbright said he hopes council members will review the material and ask whatever questions they may have of Mr. Kobilarcsik because he hopes to have a resolution of necessity at either the first or second meeting in 2015. Mr. Ulbright said he would like to have letters sent to the affected property owners and he would have at least two readings of the legislation to ensure adequate time for property owners to attend and provide input.

X. ADJOURNMENT

Mr. Ulbright moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 9:25 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council