

**CITY COUNCIL MINUTES**  
**December 17, 2012**

**The meeting will be held at City Hall, in Council Chambers, 1<sup>st</sup> Floor, 538 N. Market Street, Wooster, Ohio.**

**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. Mr. Buytendyk introduced the new Clerk of Council, Amy Hamilton.

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 Mr. Silvestri, to approve the December 3, 2012 meeting minutes. Upon voice vote, the motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman updated council on the number of City of Wooster retirees from the second half of 2012. He also spoke regarding Ordinance #2012-37, which would authorize the City to accept a gift of money from the Wayne County Community Foundation for the purchase of two parcels of land adjacent to Freedlander Park.

Mr. Montgomery updated council on the progress and scope of the work recently completed by the Public Properties Maintenance department.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

One member of the public spoke: Mary Purvis, 3019 Burbank Road (Ordinance 2012-37.)

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

A Finance Committee meeting was held December 10, 2012 to discuss the 2013 budgets for Wooster Community Hospital and the City of Wooster. Committee Chairman Jon Ansel reported that the primary focus was the financial forecast for Wooster Community Hospital and that projections for 2013 performance are very strong. Mr. Ansel stated that the budget for the City of Wooster was discussed in previous work sessions.

Mr. Buytendyk reminded Council that Ms. Knapic will hold two public hearings at the January 7, 2013 council meeting. The zoning of a .69 acre parcel to a M-2 (General Manufacturing) District for property located on the east side of Geyers Chapel Road, between Long Road and Benden Drive (Brasfond USA Corp) and the zoning of 140.012 acres (being petitioned for annexation) to an M-4 (Open Space/Heavy Manufacturing) District for property located on the west side of State Route 585/Akron Road, between Old Airport Road and Geyers Chapel Road (LUK USA, LLC/The Donald and Alice Noble Foundation) will be discussed.

**VI. OLD BUSINESS**

1. Third Reading - ORDINANCE NO. 2012-32 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, 2013, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel briefly stated that this legislation is the 2013 annual budgets for Wooster Community Hospital and the City of Wooster. He reiterated that Wooster Community Hospital is in good financial standing for 2013 and that the City of Wooster's budget contains a deficit for which the City has plans to address. Mr. Ansel recommended that Council approve the legislation.

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

2. Third Reading - RESOLUTION NO. 2012-104 ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT ACT AGREEMENTS (Ansel)

Mr. Ansel stated that this legislation is the recommendation of the Tax Incentive Review Council with respect to 21 existing agreements. Mr. Ansel reported that the Finance Committee recommends approval of this resolution. Mr. Ansel moved to adopt. Mr. Ulbright then moved to separate the TIRC report into three separate votes: 2012-104(a) to consider El Dorado Stone, 2012-104(b) to consider Technographics Inc., and 2012-104(c) which would include the 19 remaining agreements. Mr. Cavin seconded the motion. The motion failed in a vote of 2-5. (Ansel – no; Cavin – yes; Knapic – no; Sanders – no; Silvestri – no; Steiner – no; Ulbright – yes.) Mr. Steiner seconded Mr. Ansel’s previous motion to adopt. The resolution was approved by a vote of 5-1. Mr. Ulbright abstained from the vote. (Ansel - yes; Cavin - no; Knapic - yes; Sanders - yes; Silvestri - yes; Steiner - yes and Ulbright – abstained)

3. Second Reading - ORDINANCE NO. 2012-36 TO AMEND SECTIONS 1701.03 AND 1701.04 OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, IN ORDER TO PROVIDE FOR A ONE-HALF OF ONE PERCENT INCREASE IN THE CURRENT LEVY ON INCOME, FROM ONE PERCENT TO A RATE OF ONE AND ONE-HALF PERCENT ON AND AFTER JANUARY 1, 2014, FOR THE PURPOSES OF GENERAL MUNICIPAL OPERATIONS, MAINTENANCE, NEW EQUIPMENT, EXTENSION AND ENLARGEMENT OF MUNICIPAL SERVICES AND FACILITIES AND CAPITAL IMPROVEMENTS OF THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that council would leave this legislation on second reading and that council will vote on this ordinance as well as resolution 2012-109 at the January 7, 2013 city council meeting.

4. Second Reading - RESOLUTION NO. 2012-109 DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 1701.03 AND 1701.04 OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, IN ORDER TO PROVIDE FOR A ONE-HALF OF ONE PERCENT INCREASE IN THE CURRENT LEVY ON INCOME, FROM ONE PERCENT TO A RATE OF ONE AND ONE-HALF PERCENT ON AND AFTER JANUARY 1, 2014, FOR THE PURPOSES OF GENERAL MUNICIPAL OPERATIONS, MAINTENANCE, NEW EQUIPMENT, EXTENSION AND ENLARGEMENT OF MUNICIPAL SERVICES AND FACILITIES AND CAPITAL IMPROVEMENTS OF THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that council would leave this legislation on second reading and that council will vote on this resolution as well as ordinance 2012-36 at the January 7, 2013 city council meeting.

## **VII. NEW BUSINESS**

1. First Reading - ORDINANCE NO. 2012-37 AUTHORIZING THE MAYOR TO ACCEPT A GIFT OF MONEY FROM THE WAYNE COUNTY COMMUNITY FOUNDATION FOR THE PURCHASE OF TWO PARCELS OF LAND ON THE SOUTHERN BOUNDARY OF FREEDLANDER PARK, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri reported that a private individual purchased two parcels of land adjacent to Freedlander Park. The Wayne County Community Foundation donated \$50,000 to the City to purchase the parcels from the anonymous individual. Future plans include installing a walking path to connect with the Kinney walking path and Oak Hill Park.

Mr. Silvestri 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; Sanders - yes; Silvestri - yes; Steiner - yes)

and Ulbright – yes.)

Mr. Silvestri 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.)

2. First Reading - ORDINANCE NO. 2012-38 AUTHORIZING THE DIRECTOR OF FINANCE TO ADVANCE MONIES FROM THE GENERAL FUND TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that expenses incurred in 2012 relating to CDBG projects need to be recorded and that funds are needed to pay those obligations before December 31, 2012. Funds from the state agency will not arrive until January 2013, so a transfer from the general fund is needed to remit payment for those expenses.

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

3. First Reading - RESOLUTION NO. 2012-112 IN SUPPORT OF NEFCO'S ECONOMIC DEVELOPMENT PLANNING PROGRAM, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel introduced this legislation by providing a brief background on NEFCO and then asked Mayor Breneman to provide further details. The BioHio Research Park is applying for an Economic Development Administration grant for which the City needs to approve and support NEFCO's application, as well as commit to continued participation in NEFCO. The resolution will remain on first reading.

4. First Reading - RESOLUTION NO. 2012-113 AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR EMERGENCY REPAIRS TO A TRAFFIC SIGNAL, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated that, due to an automobile accident at the intersection of Friendsville and Milltown Roads, an emergency repair was required for the traffic signal at that intersection. This resolution will authorize payment to the contractor for those repairs. The City will later be reimbursed by the insurance company.

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

**VIII. MISCELLANEOUS**  
**IX. EXECUTIVE SESSION**

Mr. Ulbright moved, seconded by Mr. Sanders to go into executive session to discuss litigation or matters that may result in litigation. Upon roll call, motion carried unanimously (Ansel - yes; Cavin - yes; Knapic - yes; Sanders - yes; Silvestri - yes; Steiner - yes and Ulbright - yes).

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

**X. ADJOURNMENT**

Mr. Ulbright moved, seconded by Mr. Sanders to adjourn. Motion carried and meeting so adjourned at 9:22 p.m.

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Michael G. Buytendyk  
President of Council

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Amy M. Hamilton  
Clerk of Council