


WOOSTER CITY COUNCIL MINUTES
August 17, 2015

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. All members of City Council were present.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, Law Director Dick Benson, Finance Director Andrei Dordea, Development Coordinator Jonathan Millea, Chief Building Officer Tim Monea, Public Properties Maintenance Manager Curt Denning, Police Chief Matt Fisher, Fire Chief Barry Saley and Recreation Supervisor Ashley Brillhart.

II. APPROVAL OF MINUTES

Councilman Silvestri moved, seconded by Councilman Sanders to approve the minutes of the July 6, 2015 regular meeting. Upon voice vote the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman offered an update on the ongoing issues at the Larwill Mobile Home Park and extended thanks and appreciation to all the social service organizations and city officials that have and continue to assist in the resolution. Details were given regarding the City of Orrville joining the WARCOG and hiring a Director, Michael Banks. He went on to share details of the Wooster Healthy Living Initiative, different public officials that have visited the city, updates of Water Plant power generation and alternative program grant awarded to the city as well as the new Christmas Run Playground. Lastly the Mayor shared details of the on-going Bike Trail project.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

The following members of the audience spoke: Barb Conley, 512 Saybolt Ave.

I. Liquor Control Hearing Notices

a. KENPR, INC

b. SCHACARR, LLC

c. MUDDY WATERS COFFEE CAFÉ, LLC

Councilman Ulbright motioned to not have any hearings; seconded by Councilwoman Knapic. Upon voice vote the motion carried unanimously.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

I. Public Properties Committee Report

Councilman Silvestri reported details of the discussions that occurred at the committee meeting regarding the impacts to the surrounding neighborhood of the city's new safety center. He highlighted some of the major citizen concerns and how those issues will be addressed/resolved. Mr. Silvestri extended his thanks to the committee members, administration and safety forces and the citizens who attended.

VI. OLD BUSINESS

1. Third Reading – ORDINANCE NO. 2015-17 AN ORDINANCE AMENDING SECTION 905.03, TREE TRIMMING REQUIRED, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY ADDING A LIMITATION FOR WORK TO BE DONE IN THE PUBLIC RIGHT OF WAY (Knapic)

Councilwoman Knapic motioned to bring 2015-17 off the table, seconded by Councilman Cavin. A roll call vote was taken and passed unanimously.

Councilwoman Knapic reminded Council of the deficiencies of the initial piece of legislation and why it had been tabled. Through the efforts of the Shade Tree Commission and City Administration officials the amendment has been amended to read properly. Councilwoman Knapic read the amended sections and communicated her belief the amendment to the codified ordinances is now in a proper and acceptable form to be passed.

Councilwoman Knapic moved to amend the previous purposed amended ordinance to reflect the new changes, seconded by Councilman Silvestri. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

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

1. First Reading – ORDINANCE NO. 2015-25 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CHESTERLAND PRODUCTIONS, PLL, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Myers for Ansel)

Councilman Ansel and Sanders recused themselves from discussion. Councilman Myers reiterated details regarding the EZA. He went on to share that there is not sufficient warehouse facilities inside the city and activity of this sort will be beneficial to the companies that require significant warehousing spaces. Councilman Myers summarized briefly the details regarding the abatement and tax increases that will occur as a result of passage. Due to the lack of a quorum the ordinance was left on second reading.

2. First Reading – ORDINANCE NO. 2015-26 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CHESTERLAND PRODUCTIONS, PLL, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Myers for Ansel)

Councilman Ansel and Sanders recused themselves from discussion. Councilman Myers reiterated the lack of warehousing facilities inside the City of Wooster. The addition of phase three's 90,000 square feet would be beneficial to customers currently using the facility. Councilman Myers summarized briefly the details regarding the abatement and tax increases that will occur as a result of passage. Due to the lack of a quorum the ordinance was left on second reading.

Councilman Ulbright noted some clerical errors in the supporting documentation that need to be correct prior to final passage. Mr. Millea communicated he would make the necessary corrections and resubmit.

VII. NEW BUSINESS

1. First Reading – RESOLUTION NO. 2015-50 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED UNDER CONTRACTS WITH VARIOUS VENDORS, AND DECLARING AN EMERGENCY (Ansel)

Councilman Ansel reviewed emergency repair expenses to sanitary sewer lines and culverts as the result of excessive rains earlier in the summer. He noted there are pending invoices and encourage approval.

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

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

2. First Reading – RESOLUTION NO. 2015-51 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (Ansel)

Councilman Ansel shared details regarding the 2016 Tax Budget and noted it goes along with Resolution 2015-45 which was passed earlier in the year. He noted this resolution sets the millage for the general, fire and police funds for 2016.

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

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

3. First Reading – RESOLUTION NO. 2015-52 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO CONTRACTS WITH THE LOWEST AND BEST BIDDERS FOR THE DEMOLITION OF THE WINTER STREET WATER TANK (Sanders)

Councilman Sanders shared details regarding the plans and bids for removal of the water tank. The lowest bid to remove the tank is \$24,760.00 and the lowest bid for the foundation removal is \$58,150.00. Mr. Sanders has noted this is a move the City has wanted to take for the last year.

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

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

4. First Reading – ORDINANCE NO. 2015-30AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LUK USA, LLC, FOR TAX ABATEMENT, AND DECLARING AN EMERGENCY (Ansel)

Councilman Sander recused himself from discussion and voting. Councilman Ansel shared some of the details surrounding Luk USA's successes and positive contributions to the City of Wooster. He went on to share details regarding their economic impacts and share details regarding the current tax abatement request. Councilman Ansel extended his thanks to Luk USA for their current and continued investment in the City and its citizens.

Councilman Silvestri extended his thanks to Luk USA and mentions to Mr. Millea some number discrepancies on the supporting documentation to be checked and corrected if needed. Councilwoman Knapic echoed the appreciation to Luk USA. Councilman Ulbright shared a personal story about the exit of Rubbermaid and the introduction of Luk USA to Wooster. Councilman Cavin expressed his thanks and appreciation to Luk USA for being an excellent corporate citizen. Councilman Myers expressed his thanks to Luk USA and noted the professionalism he's experienced in working with Luk USA.

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

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

5. First Reading – RESOLUTION NO. 2015-53 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 CONSTRUCTION OF IMPROVEMENTS TO THE COLUMBUS ROAD ENTRANCE TO THE CITY (Ulbright)

Councilman Ulbright shared details about on-going improvements to beautify the City and noted this entrance is among those efforts. He went on to note how impactful presentable city entrances are to those not native to Wooster and their strategic locations serve as a useful marketing tool for the city. President Buytendyk also noted that by beautifying entrances entices passer's to stop and take a look at the city. Councilman Ansel noted it is an investment in the City and tourism and highlighted that a recent Columbus Magazine noted Wooster as a destination city and investing in the entrance from the Columbus area will serve to reinforce that positive press for those visiting.

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

6. First Reading – RESOLUTION NO. 2015-54 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE WATER, SEWER AND STORM SEWER REPAIR PARTS FOR THE UTILITIES DIVISION (Sanders)

Councilman Sanders noted this resolution is necessary to allow these divisions to replenish depleted inventories as a natural course of conducting business. He noted the additional \$25,000 request will ensure these divisions can continue to meet their obligations with respect to necessary repairs.

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

7. First Reading – RESOLUTION NO. 2015-55 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2015 (Ulbright)

Councilman Ulbright noted details regarding the legislation and noted one particular item of note that the city has some vehicles dating back to 1999 and it is time for replacement as opposed to continued maintenance and preservation; some vehicles can no longer perform the functions needed.

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

8. First Reading – RESOLUTION NO. 2015-56 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 CONSTRUCTION OF A NEW PLAYGROUND AT CHRISTMAS RUN PARK (Myers)

Councilman Myers shared details regarding the process of developing/designing a new playground and the length that those involved went through, to obtain the input of a wide range of citizens and children in the development of the designs. Mr. Myers extended the opportunity to Ashley Brillhart to speak about the project. Ms. Brillhart shared details and noted she has the unique position of assisting with this project

from both the Kiwanis and City sides. Councilman Myers noted the current playground has outlived its safety and usefulness; he encouraged passage. Councilman Silvestri and Councilwoman Knapic extended their support and appreciation to those involved in the project.

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

9. First Reading – **ORDINANCE NO. 2015-31 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)**

Councilman Ansel expressed his frustration at the Larwill Mobile Home Park situation and conditions. He noted the current circumstances are a result of failings both by the landlord, city administration and city council. Councilman Ansel communicated that despite the past failings the city must move forward and resolve the present circumstances in the most judicious and expedient way. Councilman Ansel extended his compliments to the Law Director for finding the only viable option to resolve the current circumstances and thus far pursuing it through the courts to success and having a receiver appointed..

Councilman Ulbright expressed his confidence in the receiver being assigned and asked for some clarification regarding the process the receiver will take to resolve the current issue. Mr. Benson communicated details of the process to obtain a receiver and how the receive, the city and other debtors are working together to resolve the current circumstances. Mr. Benson clarified certain points to ensure everyone continues to understand the cities position moving forward and the unlikelihood of recouping current monies owed. Councilwoman Knapic expressed her beliefs of fiscal responsibility but also noted in this particular case the city must move forward and make the investment needed to resolve the current situation. Councilman Cavin echoed the sentiments expressed by Ms. Knapic and noted the city has an obligation at this point to resolve the issue. Councilman Myers noted he initially was against the idea of spending additional funds on the park, but with the appointment of a receiver and a path through the process he now supports it. Councilman Silvestri supports the current measure and the constituents he’s spoken with are supportive of the clean-up efforts.

Bob Reynolds was given the opportunity to speak on behalf of the receiver and clarified what the receivers’ actual purpose is with respect to the property.

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

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

X. MISCELLANEOUS

Councilman Myers extended his thanks and appreciation to city administration for their efforts on the bike path effort. Councilman Sanders noted there will be a Utilities Committee meeting on 09/21/15 at 6:30pm in Council Chambers.

XI. ADJOURNMENT

Councilman Ulbright moved, seconded by Councilman Myers, to adjourn. Motion carried and meeting so adjourned.

Michael G. Buytendyk
President of Council

Tony Ramos
Clerk of Council