

CITY COUNCIL MINUTES
August 15, 2011

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, David Silvestri and Jeff Steiner. Barbara Knapic and Jon Ulbright were not in attendance.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Mr. Cavin, to approve the minutes of the July 5, 2011 meeting. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the City: 1) Oak Hill Park should be completed by the end of September. 2) The city is going to utilize a new and less expensive micro-surfacing paving on several of the streets. This technique is suppose to hold up to the same standards as the regular mill and fill asphalt. 3) SR 585 construction is moving along and should be finished this season. 4) Resurfacing of Portage Road will begin within the next week. 5) Income tax receipts are slightly up. 6) Summer activities are winding down and plans for the Fall season are beginning. 7) Mayor requested council go into executive session to discuss two separate matters, a personnel issue and potential litigation.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

The clerk read two notices that were received from the Ohio Division of Liquor Control:

Dolgen Midwest, DBA Dollar General Store 2894, 1811 Beall Avenue, applied for a new C1 and C2 liquor permit. Mr. Ansel moved, seconded by Mr. Steiner, not to request a hearing. Motion carried unanimously.

Drink on Market Inc., DBA Drink on Market, 234 S. Market Street, 1st and 2nd floor, basement and patio, requested the transfer of a D2, D2X, D3 and D3A liquor permit to their business from Murphys Market Grill Inc., 234 S. Market Street, 1st & 2nd floor, basement & patio. Mr. Buytendyk recused himself. Mr. Steiner moved, seconded by Mr. Ansel, not to request a hearing. Mr. Silvestri commented he has received feedback that the current business is continuing their festivities well into the night and it has been a nuisance to some of the people who live near the back patio of that location. He hopes the new owners will take that into account and be more cognizance of that. Motion carried unanimously.

The following members of the audience spoke: Greg Gehris, 347 N. Grant (attending executive session).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ansel noted the joint Finance and Public Infrastructure Committee meeting that was scheduled for Tuesday, August 30, 2011 at 5:30 p.m. in council chambers, has been postponed until further notice, pending administration's progress update for those two committees.

VI. OLD BUSINESS

1. Third Reading - ORDINANCE NO. 2011-19 AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A C-1 (OFFICE-INSTITUTIONAL) DISTRICT FOR PROPERTY LOCATED AT 238 EAST LARWILL STREET (Buytendyk)

Mr. Buytendyk said this was the third reading of Ordinance No. 2011-19, that a public hearing was held on July 5, 2011 and there was no public feedback received on this issue.

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

EXECUTIVE SESSION

Mr. Steiner moved, seconded by Mr. Buytendyk, to go into executive session at 7:45 p.m.. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Silvestri-yes and Steiner-yes).

Mr. Buytendyk moved, seconded by Mr. Steiner, to come out of executive session at 8:53 p.m. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Silvestri-yes and Steiner-yes).

2. Second Reading - ORDINANCE NO. 2011-21 AMENDING VARIOUS SECTIONS OF CHAPTER 923, SEWERAGE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Buytendyk)

Mr. Buytendyk explained there were not enough members present to pass the ordinance on an emergency basis so it would remain on second reading. He said the proposed changes to the ordinance deal with clarifying language in the management structure and also incorporates regulations and requirements for taking septage from third parties. The ordinance remained on second reading.

VII. NEW BUSINESS

1. First Reading - RESOLUTION NO. 2011-67 ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (Ansel)

Mr. Ansel said this resolution is provided in accordance with the Wayne County Auditor who levies appropriations from the county property tax back to the city, in terms of General Fund allocation, Fireman's Fund and Police Pension Fund. Estimate of the tax rate to be levied is 4.50% for a total amount of \$2,194,700 for the 2012 tax budget funding. The resolution could not be moved to third and final reading as there were not enough members present to suspend the rules. The resolution remained on first reading.

2. First Reading - RESOLUTION NO. 2011-68 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2011 (Steiner)

Mr. Steiner said this request is to purchase a 2011 Ford Crown Vic through the state purchasing program, to replace police cruiser #3 which has 125,000 miles and over 9000 hours on it. Both vehicles are Crown Vics which will allow for the internal equipment to be easily transferred. Mr. Steiner said this is a budgeted item with approximately \$11,000 being provided through a grant from the Ohio Department of Public Safety and the remaining funds will come from unspent monies previously allocated for in-car reporting.

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

3. First Reading - RESOLUTION NO. 2011-69 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE RESURFACING OF LARWILL STREET (Ulbright)

Mr. Ansel said this request is to authorize a contract for the resurfacing of Larwill Street between Market Street and Liberty Street. The estimated total cost of the project is \$84,000 and is a budgeted item. Mayor Breneman said due to the condition of the road the mill and fill asphalt will be used on Larwill Street rather than the new micro-surfacing.

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

4. First Reading - RESOLUTION NO. 2011-70 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION COMPANY FOR THE RESURFACING AND REPAIRING OF VARIOUS STREETS IN THE CITY OF WOOSTER (Ulbright)

Mr. Ansel said the city has a priority list of streets to be resurfaced and a contract for this project needs to be approved as soon as possible in order to take advantage of the remaining good weather this season. Strawser Construction was the low bidder on the state bid for paving and has agreed to perform the same work for less than the state bid price. The estimated total cost of the project is \$188,000 and is a budgeted item.

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

5. First Reading - RESOLUTION NO. 2011-71 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH EMH&T OF COLUMBUS, OHIO FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE CITY'S GEOGRAPHIC INFORMATION SYSTEM (Ulbright)

Mr. Silvestri said this request is to enter into a contract with EMH&T of Columbus, Ohio for technical services and support required to update the city's GIS system and provide a platform for future interdepartmental and public GIS applications, as well as integration with the Wayne County GIS. This is a multiple phase project, with continued application development over the next two years. Phase 1 is currently being finished and this request is for phases 2 and 3. The GIS system supports several city divisions and includes crime mapping, land use planning, utility mapping, mapping of waterline breaks and even accesses the age and risk of infrastructure to allow concentration of efforts on particular areas. It also includes tree inventory with information on age, history and height. The estimated total cost is \$61,700 and is a budgeted item.

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

6. First Reading - RESOLUTION NO. 2011-72 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH URS CORPORATION OF AKRON, OHIO FOR A PLANT EVALUATION AND CAPABILITIES STUDY OF THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri explained that due to EPA's insistence, the city has no other choice but to conduct this study in order to determine the capacity and rates of the waste water plant with the Bio Tower in operation. Mr. Silvestri said the study should satisfy EPA's questioning of the city's numbers and data, as well as provide a baseline for the plant's capacity for future Permit-to-Install approvals for incoming companies or expansion of existing companies within the City of Wooster. Although he is not in favor of any extra spending during these budgetary times, Mr. Silvestri said he feels he has no choice but to support this measure and believes this third party study will leave no room for anyone to question the outcome. Mr. Buytendyk questioned if this was a budgeted item and could be passed without three readings. Mr. Benson confirmed it was budgeted and therefore did not require three readings, as the resolution incorrectly referenced.

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

VIII. MISCELLANEOUS

Mr. Ansel announced there will be a Finance Committee meeting on Tuesday, September 6, 2011, at 7:00 p.m. in Council Chambers at City Hall, to review the City of Wooster's third quarter financials.

Mr. Buytendyk gave kudos to the engineering division on attaining grant funding for roadway projects. He also indicated he had no problem supporting the purchase of a new police cruiser, but noted we need to take care of the ones we have, because in these budgetary times its unknown how many more new vehicles we'll be able to purchase.

Mayor Breneman informed council that former police chief Steve Glick was sworn in today as a reserve police officer with the Wooster Police Division and will be working in that capacity along with his security duties at the College of Wooster.

Mr. Steiner said he hoped everyone had a great summer and he is looking forward to getting back to work during council's regular schedule.

Mr. Silvestri said while on break he met with different residents to hear concerns and he thanked Joel Montgomery for helping to field questions.

IX. ADJOURNMENT

Mr. Steiner moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 9:20 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council