



WOOSTER CITY COUNCIL MINUTES
December 1, 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.

II. APPROVAL OF MINUTES

Ms. Knapic moved, seconded by Mr. Cavin, to approve the minutes of the November 17, 2014 regular meeting. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman shared with council a plaque the city received commemorating the city's designation as a certified local government. Mayor Breneman stated Mr. Andrew Dutton had applied for the designation earlier in the year and it will allow the city to apply for additional grant monies.

Mr. Dordea announced the city had also received its 34th consecutive certificate of achievement for excellence in government reporting. The award is given by the Government Finance Officers' Association of the United States and Canada. Mr. Dordea wished to thank the Finance Department employees for their diligence and hard work.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Liquor License notices:

1. A request for a new D5I class permit from Ginza Restaurant Group, Inc., 3729 Burbank Rd., Suite 10, Wooster, Ohio 44691.

Mr. Silvestri moved, seconded by Ms. Knapic, to waive a hearing on the application. Upon roll call, motion carried unanimously. (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Silvestri-yes; and Ulbright-yes).

2. A request for a new D2, D2X, D3, and D3A class permit from Drink on Market, Inc. dba Drink on Market, 1st and 2nd Fl. Basement and Patio, 234 S. Market St., Wooster, Ohio 44691.

Ms. Knapic moved, seconded by Mr. Silvestri, to waive a hearing on the application. Upon roll call, motion carried unanimously. (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Silvestri-yes; and Ulbright-yes).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ansel held a Finance Committee meeting prior to the regular council meeting and said he will report on that meeting during the second reading of the budget ordinance.

VI. OLD BUSINESS

1. Third 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 noted the Laws and Ordinances Committee held a meeting on the proposed changes prior to the last council meeting, at which there was much discussion. She also noted Mr. Tim Monea and Mr. Andrew Dutton provided a presentation with respect to the proposed changes. Ms. Knapic said she will hold a workshop sometime in January to discuss whether or not it's advisable to make any additional changes.

Ms. Knapic 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).

2. Third 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 this legislation removes redundant language and streamlines what the city is trying to do with the building maintenance code and its implementation and enforcement.

Ms. Knapic 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).

3. Second 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 he would leave this legislation on second reading to allow for the third reading and final vote at the December 15th meeting. Mr. Ansel stated it was good to be out of conservation mode and able to plan for the city's future. Mr. Ansel stated Mr. Scott Boyes, the Wooster Community Hospital (WCH) CFO and Mr. Marlon Taylor, WCH's Human Resources Manager, were on hand to discuss the WCH budget. Mr. Ansel said the WCH financial position is strong. Mr. Ansel said the Finance Committee then discussed the proposed operating budget for the City for 2015. Mr. Ansel said general fund revenues are returning to normalcy and he added the city would be funding the capital fund for the first time in three years thanks to the income tax increase approved by voters. Mr. Ansel also reported the city's rainy day fund is also slowly being replenished after it had been rapidly declining. Mr. Ansel said due to the amount of catching up that needs to be done, the budget is a zero-balance budget.

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-36 AN ORDINANCE REVISING THE AUTHORIZED RANGE OF PAY SCALES AND BENEFITS FOR HOURLY RATED AND SALARIED EMPLOYEES AT WOOSTER COMMUNITY HOSPITAL, AND REPEALING FORMER ORDINANCES (Ansel)

Mr. Ansel said this legislation was also discussed at the Finance Committee meeting, and stated the committee continues to be impressed by the detailed annual wage and salary survey conducted each year by WCH and the Board of Governors. Mr. Ansel said WCH is proposing a 2% wage increase for the WCH employees, which is a total payroll increase of \$679,101. Mr. Ansel stated the recommendation was approved by the Board of Governors.

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. 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).

2. First Reading – RESOLUTION NO. 2014-69 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH THE WAYNE COUNTY COMMISSIONERS FOR THE PROSECUTION OF MUNICIPAL ORDINANCES BY THE WAYNE COUNTY PROSECUTOR AND FOR PAYMENT FOR SUCH SERVICES (Ansel)

Mr. Ansel said the city has had an agreement with the Wayne County Commissioners since 1976 for the county prosecutor to provide prosecution services. The proposed amount of the agreement is an increase over the 2014 amount of \$60,240. Mr. Ansel noted the last increase was in 2011, and the proposed new rate for 2015 is \$66,793. Mr. Ansel said the prosecutor's costs have gone up, which is why the proposed increase in the agreement. Mr. Ansel said he would keep the legislation on first reading since it is tied to the budget, which has not yet been approved. Mr. Silvestri questioned leaving the legislation on first reading due to the fact it did not require three readings. Mr. Benson replied the funds are included in the 2015 budget, so the legislation does not need to have three readings. Mr. Benson further stated if this legislation is passed but the 2015 budget is not, then this legislation has no force. Mr. Silvestri clarified his question was more to the point of procedure, at which point Mr. Benson said council could pass the legislation at this meeting if they chose.

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).

3. First Reading – RESOLUTION NO. 2014-70 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 the city uses the Wayne County Schools Career Center (WCSCC) to provide pre-employment testing for the City of Wooster. Mr. Ansel said the city has done a lot of staffing and hiring, and have exceeded the \$3,000 allocated for these services by \$625.

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 Mr. Myers, to adopt.

Mr. Cavin asked how many people the city tested and hired in the last year. Mr. Montgomery replied he did not know the number off the top of his head, but the testing costs include seasonal employees and those hired to replace retired city employees. Mr. Silvestri asked if the costs included physical tests as well as written ones. Mayor Breneman stated each division has its own testing requirements based on what is needed. Mr. Silvestri asked if the city relies on the WCSCC to design and administer the tests, and Mayor Breneman confirmed that was the case.

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. 2014-71 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR REPAIRS TO A WATER TRANSMISSION LINE, AND DECLARING AN EMERGENCY (Sanders)

Mr. Sanders stated the 16” primary transmission line for filling the Long Road water tank in the city’s low zone. The line was found to be leaking approximately 200 gallons per minute and this legislation is to permit the city to enter into a contract to repair the line on an emergency basis using the lowest of three estimates. Mr. Sanders stated if the city were to bid the job, the water loss would be extensive, though the problem has been temporarily mitigated by installing a valve on Canal Road. The estimated cost to repair the line is \$95,000.

Mr. Sanders 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. Sanders moved, seconded by Ms. Knapic, to adopt.

Mr. Myers said he would like to see council pass the resolution so the repairs can be made as soon as possible. Mr. Sanders agreed, and said he learned from Mr. Roger Kobilarcsik the city had made an emergency repair of installing the additional valve to bypass the leaking line. Ms. Knapic asked if there was an estimate of the cost to the city of losing that amount of water per day. Mayor Breneman said this is a major leak and was found because the city has been hunting for leaks in the system. Mayor Breneman added the leak is located about 26 feet underground and it will definitely save the city money once it is repaired and will cut down on the city’s water loss. Mr. Montgomery added the leak is underneath a stream, and was found while the city was conducting a leak study to proactively search for leaks. Mr. Montgomery said he leak study is working its way around the city and the low zone is where they believe the system has the most leakage. Mr. Myers asked what the procedure would be if there were a dire emergency such that it would not be prudent to wait for council approval. Mr. Montgomery replied the city would do what it had to do to address the emergency and come back to council later. He also added that most items would likely fall under the \$50,000 limit requiring council approval. Mr. Ansel asked how old the leaking water line is, and Mayor Breneman responded it’s one of the older lines in the system. Mr. Montgomery said that since the line is currently shut down, the city is not losing any money, but it is limited in its water transmission ability.

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

VIII. EXECUTIVE SESSION (to discuss pending litigation and collective bargaining issues with legal counsel)

Mr. Ulbright moved, seconded by Mr. Silvestri, to go into executive session to discuss litigation. 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. Ulbright, 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).

IX. MISCELLANEOUS

X. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Silvestri, 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