

**CITY COUNCIL MINUTES
December 6, 2010**

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, Mark Cavin, David Silvestri, Jeff Steiner and Jon Ulbright. Barbara Knapic was absent.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Mr. Ansel, to approve minutes of the November 15, 2010 meeting. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city: 1) Robert Fowler, the city's new Director of Administration, officially took office on this date. 2) Mike Sigg, former Director of Administration, will officially retire on December 31, 2010 and is utilizing vacation leave until then. The Mayor wished Mr. Sigg well in his retirement and thanked him for his 10 years of service with the City of Wooster, listing Mike's many accomplishments. 3) WEA settled their union contract with the city, agreeing to a 15 month wage freeze. The Mayor thanked WEA, as well as the police and fire unions, for working with the city administration during these tough economic times. Dave Case, Vice-President of the WEA, spoke on behalf of the union, thanking the city administration for extending the contract. 4) The 2011 budget is getting closer to completion. 5) All employees who chose the Voluntary Separation Plan will be retired by December 31st. The only position that remains unfilled is the Human Resources position. 6) Mayor acknowledged the loss of another wonderful person and citizen, Alice Noble, who played a very large part in making Wooster a wonderful place. He said she was a very gracious and kind lady who along with her husband Don, took an interest in the community, putting in place the Knights Field swimming pool and the Alice Noble Ice Arena, to name a few. Also, the Noble Foundation is the main benefactor of the Oak Hill Park and the Mayor thanked the Noble Foundation for their many contributions the city.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Following member of the audience spoke: Greg Gehris, 347 N. Grant (Ordinance No. 2010-38).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

A Finance Committee meeting was held at 6:00 p.m. prior to the council meeting. Both the Wooster Community Hospital and the City of Wooster's 2011 Appropriations Budgets were reviewed and Mr. Ansel felt progress was made. He said there will be a follow-up Finance Committee meeting to review details prior to making a recommendation to council on December 20th for the final City of Wooster budget approval. Mr. Ansel commended Scott Boyes, Wooster Community Hospital CFO, and Andrei Dordea, City of Wooster CFO, and their office staff for a very nice job in developing the semi-final draft of the budget projections.

VI. OLD BUSINESS

1. Second Reading - AMENDED ORDINANCE NO. 2010-33 ADOPTING REGULATIONS FOR THE OPERATION OF INDOOR FIRING RANGES WITHIN THE CITY OF WOOSTER (Buytendyk)

Mr. Ulbright recused himself from discussion. Mr. Buytendyk stated he would be leaving this ordinance on second reading and the motion to amend will be taken at the third and final reading. He only received one comment and it was in support of the ordinance. The ordinance remained on second reading.

2. Second Reading - AMENDED ORDINANCE NO. 2010-34 AMENDING THE TRAFFIC CONTROL FILE TO ENACT THE RECOMMENDATIONS OF THE TRAFFIC COMMISSION, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright noted the amended wording in Items #1 “No Jake Brake” to “No engine brake” and #5 “Vacate the alley” to “Close the alley (*utilizing removable bollards*)”. Mr. Ulbright made a motion, seconded by Mr. Steiner, to amend the ordinance by substitution. Upon voice vote, motion carried unanimously.

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

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

3. Second Reading - ORDINANCE NO. 2010-37 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, 2011, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel said this ordinance is to approve the 2011 Appropriation Budget, which will be kept on second reading pending additional committee review and recommendation to council on December 20, 2010.

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2010-38 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 stated every year city council has the responsibility to review the Wooster Community Hospital Board of Governors’ recommendation as it relates to compensation. The hospital had an objective third party company, Management Performance International, review the compensation and step increases for every salary and hourly wage category within the hospital. They noted any deficiencies within the compensation ranges and made a recommendation based on their expertise and knowledge. For 2011 the independent wage consultant has indicated that a 2% increase in the wage compensation and step increase package for all job positions within the Wooster Community Hospital is warranted and the Board of Governors is asking council for approval. The survey and step increases were noted in the package attached to the ordinance. Barring any questions, Mr. Ansel said he was prepared to move to third and final reading. Mr. Ulbright expressed how remarkable it is that the hospital has consistently been able to do major construction projects and major purchases, in order to remain a state of the art facility, without borrowing any funds. He feels the hospital’s leadership deserves a pat on the back. Mr. Ansel dovetailed on Mr. Ulbright’s comments, saying in the financial comparative review it was highlighted that the pricing for the patients at Wooster Community Hospital are in the lower quartile of competitive hospitals. He said the fiscal discipline of the Board of Governors continues to build cash reserves, maintain the hospital’s market competitiveness and most importantly, provide superior services for the patients and clients, not only within Wooster, but in the greater Wayne County and surrounding areas. Mr. Ansel said with all this and still generating a profit, with a capital fund accumulation able to fund their own projects with cash, it is a remarkable accomplishment. When the hospital comes before city council, Mr. Ansel said council can respect the fact that the hospital has done their homework and are making the proper recommendations in order to continue the viability of Wooster Community Hospital.

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; Buytendyk-yes; Cavin-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

2. First Reading - RESOLUTION NO. 2010-84 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT WITH THE OHIO FIRE CHIEFS' ASSOCIATION FOR CIVIL SERVICE TESTING SERVICES, AND DECLARING AN EMERGENCY (Steiner)

Mr. Steiner stated there was a retirement in the fire division and testing to fill a position is a normal course of business and is a budgeted item. Year to date \$13,940 has been spent on testing and an additional \$8,000 is being requested. Mr. Steiner explained that whenever a position opens up, promotional examinations are given for those individuals eligible for the position. Chief Eyler further explained the testing procedure and said the opening is for the position of assistant fire chief.

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; Steiner-yes and Ulbright-yes).

3. First Reading - RESOLUTION NO. 2010-85 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH K.E. MCCARTNEY & ASSOCIATES OF MANSFIELD, OHIO FOR RIGHT OF WAY ACQUISITION SERVICES RELATED TO THE MELROSE DRIVE IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated this contract is for right-of-way acquisition services for the Melrose Drive Improvements project, at a cost of \$50,400 and is a budgeted item. It is a sole source contract as McCartney & Associates of Mansfield is pre-qualified by ODOT to perform these services. The project is scheduled to begin construction by early 2011 and will take at least three months to complete negotiations between McCartney & Associates and the property owners. The city engineering division will be involved in negotiations as well and most likely only a portion of the funds requested will be used. Right-of-Way acquisition requires at least 15 distinct steps/tasks and the city's engineering division will be performing 11 of those under the current proposal in order to allow them to continue doing other projects besides Melrose. Mr. Ulbright said McCartney & Associates will perform the tasks that would take an enormous amount of time for our engineering division. Mr. Montgomery said he did not anticipate spending the entire amount requested and further explained details of the project. Mr. Ulbright noted that services will only be billed based on the services provided.

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

4. First Reading - RESOLUTION NO. 2010-86 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH THE OHIO WATER/WASTEWATER AGENCY RESPONSE NETWORK (WARN) (Silvestri)

Mr. Silvestri explained Ohio Water/Wastewater Agency Response Network (WARN) is a program in which member Utilities can provide mutual aid to other Utilities suffering from natural or man made disasters and it is free to be a member. The only cost to the city will be if we are asked to participate and respond and more than likely those costs will be reimbursed by FEMA. Mr. Silvestri said in September there was a tornado in Wayne County and it became apparent that this type of program would be of value. WARN has 53 members, which Mr. Silvestri said roughly consists of 32 cities, 4 counties, 9 villages and miscellaneous water associations, authorities and districts. Based on his conversation with Jim Borton, Mr. Silvestri thinks this is a great program and sees no downside in being prepared should we find ourselves in the middle of a response and need some personnel backup. Mr. Borton answered several of council's questions saying there is no obligation for us to respond, we just have to indicate we are incapable to do so for whatever reason and they will contact the next member on the list. He said

the closest member municipality is Wadsworth. Mr. Borton further explained the program, again saying it is totally voluntary and that we could opt out of the program at anytime.

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

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; Steiner-yes and Ulbright-yes).

5. First Reading - RESOLUTION NO. 2010-87 STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF FRIENDSVILLE ROAD, SOUTH OF ITS INTERSECTION WITH RIFFEL ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Robert J. Reynolds, Esq., Agent for Petitioners Robert M. Johns, Jr. and Darlene R. Johns) (Buytendyk)

Mr. Buytendyk stated a resolution of services is required for anyone petitioning to annex a piece of property into the City of Wooster. The 3.443 acre parcel is landlocked and Mr. Buytendyk said that is why they are wanting to be annexed as the corporation line is just to the west. The owners own the abutting parcel to the west which is in the city but the 3.443 parcel of course is not and has no frontage. They are petitioning the Wayne County Commissioners for annexation but they first need a resolution from the City of Wooster as to what services might be available. Mr. Buytendyk said the property would ultimately result in commercial usage. He added the resolution of services does not approve the annexation, it just forwards the process along.

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

Mr. Silvestri and Mr. Ulbright questioned the parcel being referred to as an island and Mayor Breneman explained it is county property completely surrounded by city property.

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

VIII. MISCELLANEOUS

Mr. Buytendyk welcomed Mr. Fowler, thanked the WEA Union for settling on a wage freeze and congratulated the hospital for their quality service at a cost that can't be beat. He said all these things are what make the City of Wooster great.

Mr. Ulbright dittoed Mr. Buytendyk's comments and also thanked Mr. Dordea for doing an excellent job with the budget reports.

IX. ADJOURNMENT

Mr. Ansel moved, seconded by Mr. Ulbright, to adjourn. Motion carried and meeting so adjourned at 8:13 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council