


WOOSTER CITY COUNCIL MINUTES
December 7, 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, Finance Director Andrei Dordea, Director of Administration Joel Montgomery, Law Director Richard Benson, Fire Chief Barry Saley, Public Properties Manager Curt Denning, Utilities Manager Kevin Givins and Economic Development Coordinator Jonathan Millea.

II. APPROVAL OF MINUTES

Councilwoman Knapic moved, seconded by Councilman Silvestri to approve the minutes of the November 16th, 2015 regular meeting. Upon voice vote the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman shared the City received a grant from OPWC in the amount of \$500,000 for Burbank Road improvements. The Mayor went on to report about two WARCOG meetings and shared that construction has begun on the dispatching facilities at the Wooster Community Hospital and the anticipated open date remains March 2016. The Mayor also reported on budget and planning updates regarding WCH. The Mayor also shared details regarding a recent transportation planning meeting and upcoming changes. The Mayor shared details regarding a meeting at the WEDC with economist Mark Partridge from OSU and his positive thoughts on Wayne County and Wooster. Lastly he mentioned a groundbreaking ceremony at Tekfor, which will be expanding to accommodate continued growth.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

1. Phillip Taylor: 873 Lois Ave – Spoke regarding Resolution No. 2015-71

V. COMMITTEE REPORTS; PUBLIC HEARINGS

1. Finance Committee Report

-Councilman Ansel reported on a substantive committee meeting. He extended his thanks and appreciation on behalf of the committee to the WCH staff's presentation. He noted there are some outstanding questions for the city's administration, but expects those questions to be answered/resolved at a follow up committee/work session meeting on 12/21/15 at 5:30pm.

VI. OLD BUSINESS

1. Second Reading – **ORDINANCE NO. 2015-37 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, 2016, AND DECLARING AN EMERGENCY (Ansel)**

Councilman Ansel reiterated details shared in his committee report and noted the legislation will be left on second reading. President Buytendyk relayed some clarification regarding balanced vs. deficit budgets and recent news articles regarding the budget; he also noted specifically in the state of Ohio a municipality cannot have a deficit budget per state law. Councilman Ulbright noted there will be a period of adjustment and catch up with respect to capital funds and improvements since during the economic downturn spending was limited to declining revenues. President Buytendyk noted the city will be carrying over \$11 million dollars in unencumbered funds from 2015 to 2016.

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2015-39 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)

Councilman Ansel reviewed details of the Executive Summary of the Wage and Salary Program for 2016. He noted the proposal is a 2% increase in salaries and wages for all positions at WCH, which totals \$908,104.00. Councilman Ansel thanked the Hospital for its competitive and conservative approach to wage increases. President Buytendyk shared with the representatives from WCH that WCH is an amazing facility for a city of Wooster's size and is a competitive regional hospital.

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 Cavin, 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. 2015-71 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE WOOSTER YMCA FOR PROFESSIONAL ADMINISTRATIVE SERVICES RELATED TO THE MANAGEMENT AND OPERATION OF THE CITY OF WOOSTER'S SWIMMING FACILITIES (Myers)

Councilman Myers noted the current measure is a renewal of an existing contract. Jeff Battig of Recreation reported attendance numbers were up in 2015, despite the poor weather in the early summer weeks, and he went on to detail upcoming construction safety improvements at pools in spring 2016. Councilwoman Knapic noted the relationship between the City and YMCA has and continues to be positive and she noted the current contract for 2016 is for \$5000.00 less from 2015.

Councilman Myers moved, seconded by Councilman Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-no; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

3. First Reading – RESOLUTION NO. 2015-72 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 RESURFACING PORTIONS OF MADISON AVENUE, SPRUCE AND MARKET STREETS AND MECHANICSBURG ROAD (Ulbright)

Councilman Ulbright shared details of the proposal which combines the efforts of the City, County and ODOT to improve the aforementioned roadways. Total costs are estimated at \$945,000, \$450,000 from the ODOT, \$475,000 from the City, and \$20,000 from the County. Councilman Ulbright went on to share in depth the actual sections for resurfacing and gave details of the construction process.

Councilman Ulbright moved, seconded by Councilman Ansel, 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).

4. First Reading - RESOLUTION NO. 2015-73 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR REPLACEMENT OF THE IHRIG AVENUE AND SHERMAN DRIVE WATER LINES (Sanders)

Councilman Sanders shared details regarding the need to replace approximately 1400 feet of 2 and 6 inch aging water lines with a history of breaks. The Projected cost is \$320,000.

Councilman Sanders moved, seconded by Councilwoman 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).

5. First Reading - RESOLUTION NO. 2015-74 A RESOLUTION AMENDING RESOLUTION NO. 2015-48 BY AUTHORIZING THE FUNDING OF THE PROJECT: AND DECLARING AN EMERGENCY (Myers)

Councilman Myers noted this is shifting monies from the CDBG funds to the revolving loan fund to accomplish matching. Jonathan Millea shared details of grant applications for traffic signal replacement/repairs and the need to adjust monies to come into compliance with those grants awarded. In total a little over \$400,000 in grant funds were awarded.

Councilman Myers moved, seconded by Councilwoman 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).

6. First Reading - ORDINANCE NO. 2015-40 AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO ADVANCE MONIES FROM THE GENERAL FUND TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND, AND DECLARING AN EMERGENCY (Ansel)

Councilman Ansel described council is authorizing a transfer advance of funds until reimbursement monies from the state are received from CDBG.

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

7. First Reading - RESOLUTION NO. 2015-75 A RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS APPLICANTS FOR THE USE OF ECONOMIC DEVELOPMENT MONIES (Ansel)

Councilman Ansel shared details regarding the collection of bed taxes and its relation to economic development between Main Street Wooster, Wooster Area Chamber of Commerce and the Wayne County Visitors Bureau. Through October 2015 the tax revenue accumulated was \$234,000. The current measure will determine the distribution of those collected funds for economic development within the community. Councilman Ansel went on the share the breakdown of funds and their distribution to each organization. Sandra Hall of Main Street Wooster extended her appreciation to council for their support. Councilman

Ulbright requested the measure be left on first reading to allow council additional time to review the supplemental materials provided. Councilman Ansel agreed and the measure was left on first reading.

8. First Reading - ORDINANCE NO. 2015-41 AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1701 OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, INCOME TAX, IN ORDER TO COMPLY WITH OHIO LAW, AND DECLARING AN EMERGENCY (Knapic/Ansel)

Councilwoman Knapic briefly described the details of house bill 5 that passed the Ohio General Assembly in March of the current year. The law created a uniformed tax base which for all municipalities in Ohio to standardize the income taxing process across the state. All municipalities in Ohio must adopt the changes into their own ordinances prior to January 1, 2016, or they will be unable to collect income taxes.

Councilman Ulbright asked Mr. Benson if the law violates the Charter of Wooster. Mr. Benson said it may be, but the other question is does the city want to litigate the new law or comply and let others litigate it? Councilman Ulbright, asked if there was any communication from “our” state representative or state senator regarding HB 5? Mr. Benson reported “our” state rep was a co-sponsor of the bill and no communication from “our” senator. Councilman Ulbright expressed a high degree of discontent with state level elected representation, the late hour notification of the need to comply and the apparent obvious violation of the charter of Wooster. Councilman Myers asked the administration why council was being notified in December of 2015, when HB 5 passed in March of 2015.

Mr. Benson explained HB 5 was a compromise measure and that it has been under review by outside counsel to determine the best way to fit it within Wooster’s tax code and that was a contributing factor to the delay of presenting legislation before council. Councilman Ulbright again reiterated his discontent with state representation for their lack of respect. Councilman Silvestri expressed his opinion and belief that HB 5 is an infringement on liberty. Councilwoman Knapic asked Mr. Dordea if there are adverse costs associated with implementing the provisions of HB 5. Mr. Dordea reported that, no there will be not but it will require additional work on the part of the finance department, given for a period of time there will be two codes. Mr. Dordea also gave council an in depth rationale explanation for the creation and passage of HB 5. Councilman Silvestri expressed annoyance over several items in the bill in which he believes penalizes the citizens of Wooster. Mayor Breneman noted without passage, Wooster’s government will be unable to function.

Councilwoman Knapic recommended leaving the measure on first reading.

9. First Reading - ORDINANCE NO. 2015-42 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Councilman Ansel explained that at times it becomes necessary to shift monies within funds near the end of the year within departments and divisions. The current measure would give the Mayor’s discretion and authorization to execute these fund transfers. Councilman Silvestri noted it removes oversight from council. Councilman Ansel noted that while that is true, it is approved monies being moved and would occupy significant time for council to review and approve each request. There was general discussion about the provisions of the charter that govern this type of activity and the rationale from the 2010 Charter Review Commission. Mr. Benson noted that this would not be violating the charter given its budgeted and approved funds being moved within departments and divisions. Councilman Silvestri asked to have additional information provided as to why the charter review commission took this authority away. Mayor Breneman and Mr. Montgomery both advocated in favor of giving the Finance Department the authorization to make these transfers. Councilman Ansel recommended leaving the measure on first reading.

10. First Reading - RESOLUTION NO. 2015-76 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE STREET LIGHT LED REPLACEMENT PARTS FOR THE PUBLIC PROPERTIES MAINTENANCE DIVISION (Ulbright)

Councilman Ulbright shared details regarding the public properties maintenance division's efforts to replace downtown's outdated and aging lighting with energy efficient LED lights. He went on to note, making the purchase prior to year-end will allow purchase at a lower price. Converting these lights is a cost savings in to the city in utility expenses. Councilman Cavin expressed his support and noted he has seen some of the new lights and like them more than the old.

Councilman Ulbright moved, seconded by Councilman Silvestri, 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).

11. First Reading - RESOLUTION NO. 2015-77 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR REPAIRS TO THE S-1 WATER WELL, AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders noted this is a continuation of on-going repairs after the discovery of additional needed work. The S-1 Well is a primary well to the City's water system.

Councilman Sanders 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 Sanders moved, seconded by Councilman Ansel, 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).

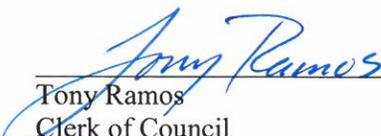
VIII. MISCELLANEOUS

Councilwoman Knapic extended credit to the Safety Services of Wooster and to the College of Wooster for their response to recent incidents at the College. She also extended her appreciation to Jonathan Millea for securing grant funds. Councilman Ulbright thanked the administration for providing dinner, he also noted he enjoyed the night's lively discussions and extended his disappointment with state representation. Councilman Ansel extended his appreciation to administration for their hard work on the 2016 budget; he went on to extend his appreciation to Wooster PD for their efforts to assist D&S Distribution in a recent assault/theft incident. Councilman Myers invited everyone to attend the Wooster High School Pancake Breakfast on December 12th. Councilman Silvestri extended thanks to administration for their efforts to present a good budget. President Buytendyk extended his condolences at the passing of Don Detro who devoted 38 years to the City of Wooster.

IX. ADJOURNMENT

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


Michael G. Buytendyk
President of Council


Tony Ramos
Clerk of Council