

CITY COUNCIL MINUTES
February 4, 2013

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, Craig Sanders, David Silvestri, Jeff Steiner, and Jon Ulbright.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, Finance Director Andrei Dordea, and Law Director Dick Benson.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Ms. Knapic, to approve the January 22, 2013 meeting minutes. Upon voice vote, the motion carried unanimously.

III. AWARDS PRESENTATION

Chief Matt Fisher presented Sergeant Victor Nedoma with the DuPont Kevlar Survivors' Club Award. Sgt. Nedoma was shot accidentally during a training exercise in September 2011. Sgt. Nedoma is preparing to return to active duty. Chief Fisher also presented Officer Brian Waddell with the 2012 Wooster Police Department Officer of the Year Award.

IV. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman spoke briefly stating that if any council members or constituents would like more information on the tax levy, then his office would be more than happy to provide any information requested and to also meet with city residents. Mr. Breneman also announced that he is prepared to give the State of the City address at the March 4, 2013 council meeting.

Mayor Breneman presented council with recommendations of individuals to be appointed to the Shade Tree Commission, which requires council approval:

<u>SHADE TREE COMMISSION</u>			Term - 3 yrs.
Kent Baker	1571 Gasche St.	Ward 2	01/01/13 – 12/31/15
Dan Head	1394 Smith Dr	Ward 3	01/01/13 – 12/31/15
Raymond Leisy	450 N. Bever St.	Ward 1	01/01/13 – 12/31/15
Bob Romig	3511 Clearview Pl	Ward 3	01/01/13 – 12/31/15

Ms. Knapic noted the lack of female volunteers and encouraged the Mayor and others to seek out more women to provide a more diverse membership. Mr. Ulbright asked for clarification that Mr. Romig resides in Ward 3 instead of Ward 4 as was mistakenly typed in the original memo to council. Mayor Breneman confirmed that was correct.

Ms. Knapic moved, seconded by Mr. Steiner, to approve the appointment of these volunteers to the Shade Tree Commission. Upon voice vote, motion carried unanimously.

V. PETITIONS/COMMUNICATIONS FROM PUBLIC

Mr. Stan Popp of the Wayne Metropolitan Housing Authority made a presentation to council prior to the regular meeting during which he and Rodney Mitchell answered questions from council pertaining to the proposed construction of Remington Manor and requesting a letter of recommendation for that project.

Mr. Ulbright moved, seconded by Mr. Cavin, to support the Remington Manor project. Upon roll call, motion to adopt carried by a vote of four to three. (Ansel-yes; Cavin-yes; Knapic-no; Sanders-no; Silvestri-no; Steiner-yes and Ulbright-yes.)

VI. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ulbright reminded council that the Infrastructure Committee will meet at 5:30PM on February 19, 2013 in council chambers to hear a presentation from the Ohio Department of Transportation. ODOT will present information regarding their Transportation and Funding plan, the 5311-F program for federal transit funds, and the Safety funds recently awarded to Wooster.

Mr. Ansel reported on the Joint Township Hospital District Board Meeting with Wooster Community Hospital held in January. He and Mr. Ulbright attended and were pleased to share the achievements of the hospital as well as to thank them for a gift of \$3,000 to be used as council and the city see fit. Mr. Ansel asked Chiefs Eyler and Fisher to make recommendations for the use of these funds. Mr. Ulbright spoke briefly to share some details of Wooster Community Hospital's recent accolades and to applaud them for their excellent work.

VII. OLD BUSINESS

None.

VIII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-08 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CONDOR PACIFIC PROPERTIES, LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Sanders recused himself from discussion and participation on this legislation. Mr. Ansel stated that this ordinance would enable Gomoplast Machinery Inc. (GMI) to proceed with purchasing land, to construct a new showroom and office space, and to provide a 50% real property tax abatement for 10 years. Mr. Ulbright asked about the potential to increase the number of employees after the expansion project. The application does not indicate any new jobs will be created as part of the proposed project. Mr. Ansel offered to keep the legislation on first reading if council wished to obtain more information. Mr. Buytendyk spoke to clarify the difference between income taxes and real property taxes, and that the end-result of this tax abatement request would bring in additional real property tax dollars due to the improvements that will be made to the currently vacant land. Ms. Knapic noted that a showroom would bring other companies to our community and could possibly result in more business opportunities for Wooster. Mr. Cavin noted that the two current locations are not aesthetically pleasing and he is concerned that this new building may be no different. Mr. Silvestri raised questions about the market predictions for the future of the company and stated he believed he would be more comfortable if he would be able to obtain more data over the next few weeks before voting on the measure. Mayor Breneman noted that the applicant has a deadline of February 15, 2013 to make a decision on purchasing the property. The applicant would have to seek to extend his deadline if a vote is postponed until council's next meeting. Mayor Breneman also stated that the city received the application on December 28, 2012 and Wooster Growth approved the application on January 24, 2013. The ordinance remained on first reading.

2. First Reading – ORDINANCE NO. 2013-09 AN ORDINANCE AMENDING CHAPTER 137, SHADE TREE COMMISSION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY MODIFYING THE MEMBERSHIP THEREOF (Knapic)

Ms. Knapic stated that this ordinance provides more flexibility for city representation at commission meetings, reduces the number of required members, and removes the necessity of council approval for membership. Mr. Ulbright inquired as to the reason for removing the requirement for council approval. Mr. Breneman stated that this commission is very similar to other boards and commissions that do not require approval. The Shade Tree commission makes recommendations, so it cannot act without council approving its recommendations. Mr. Silvestri expressed concern with removing council authority to approve of members.

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

Ms. Knapic moved, seconded by Mr. Cavin, to adopt. Upon roll call, motion to adopt passed by a vote of six to one (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-no; Steiner-yes and Ulbright-yes).

3. First Reading – ORDINANCE NO. 2013-10 AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY PROVIDING FOR THE SALE OR OTHER DISPOSITION OF SURPLUS MUNICIPAL OR HOSPITAL PERSONAL PROPERTY BY MEANS OF ELECTRONIC AUCTION (Knapic)

Ms. Knapic stated that this legislation would allow city and hospital administration to dispose of surplus personal property that is less than the new \$10,000 threshold for a capital item and to allow administration to donate these items if they so choose. Mr. Dordea explained that the change from \$3,000 to \$10,000 is a recommendation of best practices from the Government Finance Officers Association. Items valued in excess of \$10,000 must be disposed of in a competitive manner. Council will still be notified when an item is disposed of, but will not be required to approve. Mr. Silvestri expressed concern with removing council authority to approve of the disposal of capital items.

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

Ms. Knapic moved, seconded by Mr. Cavin, to adopt. Upon roll call, motion to adopt passed by a vote of six to one (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-no; Steiner-yes and Ulbright-yes).

4. First Reading – RESOLUTION NO. 2013-16 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ISSUE PAYMENT TO OUTSIDE COUNSEL FOR REPRESENTATION WITH RESPECT TO ONGOING WASTEWATER TREATMENT PLANT ISSUES, AND DECLARING AN EMERGENCY (Sanders)

Mr. Sanders stated that this resolution was to authorize payment for services rendered by the Ice Miller firm for appealing the city's 2007 NPDES permit to the Ohio EPA. Mr. Silvestri inquired as to the total amount that had been authorized. Ms. Knapic asked for the amount that has been paid to this point. Mr. Sanders stated that \$100,000 had initially been authorized to be spent and that this request would allow the city to use up to \$60,000 of that authorized amount. Mr. Ulbright inquired as to the length of the contract with the Ice Miller firm. Mr. Benson responded that there is no set length to the contract, only that the city will use the firm's services until the matter is resolved.

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

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

5. First Reading – RESOLUTION NO. 2013-17 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: VIDEO RECORDING SYSTEMS FOR THE POLICE DIVISION (Steiner)

Mr. Steiner described this resolution as permitting the police department to purchase new in-car video recording systems to replace the ones currently in use that have reached the end of their useful life. Mr. Cavin asked about grant opportunities. Chief Fisher replied that grants are available on a competitive basis in the fall and that the city is not guaranteed to be awarded a grant. Chief Fisher showed pictures to council demonstrating how the current equipment creates blind spots in the police cruisers and is a safety concern. Current equipment is no longer covered

by a warranty because the previous company is no longer in business and the new owner will not honor warranties from the previous company.

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

IX. EXECUTIVE SESSION

Mr. Ulbright moved, seconded by Ms. Knapic, to go into executive session to discuss litigation. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Steiner, to reconvene from executive session. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

X. MISCELLANEOUS

XI. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 9:37 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council