

CITY COUNCIL MINUTES
January 18, 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, Mark Cavin, Barbara Knapic, David Silvestri, Jeff Steiner and Jon Ulbright.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Ms. Knapic, to approve minutes of the January 3, 2011 meeting. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman, updated council on various activities in the city: 1) There have been multiple water main breaks around the city, which is common in cold weather, but the lines are also getting older. 2) Introduced Eileen Benson, the City of Wooster's new Human Resources Professional. 3) Congratulated Roger Brenneman who was promoted to Assistant Fire Chief. 4) Wooster Community Hospital will be recognized as Wooster Area Chamber of Commerce's Business of the Year at the Chamber's annual dinner on Thursday, January 20th.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Following member of the audience spoke: Greg Gehris, 347 N. Grant (cutting expenses).

EXECUTIVE SESSION:

Ms. Knapic moved, seconded by Mr. Ansel, to go into executive session to discuss pending litigation at 7:50 p.m. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes, Steiner-yes and Ulbright-yes).

Mr. Buytendyk moved, seconded by Mr. Steiner, to come out of executive session at 8:23 p.m. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes, Steiner-yes and Ulbright-yes).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ulbright announced a Public Infrastructure Committee meeting will be held on Tuesday, February 22, 2011, at 6:30 p.m. in Council Chambers of City Hall, to review the Building and Planning Division duties with a focus on property maintenance.

Mr. Silvestri stated there would be a Public Utilities Committee meeting held on Monday, January 24, 2011 at 5:00 p.m. in Council Chambers of City Hall, for an update on the Waste Water Treatment Plant and bio tower.

VI. OLD BUSINESS (none)

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2011-01 TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY (Buytendyk)

Mr. Buytendyk said this is an annual ordinance council passes in order to update Wooster's Codified Ordinances with the ordinances council passed in 2010. Also it brings Wooster's Codified Ordinances in congruent with the State of Ohio's traffic and criminal statute changes.

Mr. Buytendyk 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; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

2. First Reading - RESOLUTION NO. 2011-09 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH MBI SOLUTIONS OF DAYTON, OHIO FOR BILLING SERVICES RELATED TO THE CITY EMS SERVICE, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated this legislation is to renew the contract with MBI Solutions of Dayton, Ohio for billing services related to the EMS service. The city has contracted with MBI for these services since 2004. It is budgeted for \$70,000 and the pricing remains consistent to the prior year.

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

3. First Reading - RESOLUTION NO. 2011-10 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR 83 WITHIN THE CITY OF WOOSTER (FROM THE SOUTH CORPORATION LIMIT TO THE INTERSECTION WITH SR 302), AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright noted the cost percentages for this project is 80/20. ODOT will assume and bear 100% of the preliminary engineering costs and 80% of the roadway construction and construction engineering costs. The City's portion of the project funding will be 20% of the paving costs for roadway inside the City corporation limits, which is \$3,500.

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; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

4. First Reading - RESOLUTION NO. 2011-11 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR TECHNICAL LABORATORY SERVICES (Silvestri)

Mr. Silvestri stated the City has contracted with Alloway, Inc. of Lima Ohio for the last 9-10 years to perform the required testing at the Water Pollution Control and Water Production Plants. For part of 2010, Mr. Silvestri said the City did try another company, but they charged extra for the State mandated EPA reporting and therefore the City is renewing their contract with Alloway. The approximate cost will be \$40,000 for the Water Plant and \$20,000 for the Water Pollution Control Plant. Mr. Silvestri outlined the various testing done.

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

5. First Reading - RESOLUTION NO. 2011-12 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR MILLING VARIOUS STREETS (Ulbright)

Mr. Ulbright explained the City has the option of going through either the Ohio Department of Administrative Services Cooperative Purchasing Program or the Ohio Department of Transportation Purchasing Program for these

services, without competitive bidding, if it is determined that the price and availability is more advantageous to the City. In 2010 the City spent \$18,750 on milling approximately 4.058 miles of roadway. Mr. Ulbright indicated a tentative list of the proposed streets to be repaired will be provided to council. This process is done every year and the budgeted amount is yet to be determined. Mr. Ulbright said the cost should be in the same ballpark as last year, but may be slightly more because of the higher transportation costs. Jim Uhler, Public Properties Maintenance Manager, explained milling costs for past years.

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

6. First Reading - RESOLUTION NO. 2011-13 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR PURCHASING ROAD SALT (Ulbright)

Mr. Ulbright stated that in 2010 the City spent \$121,143.03 on 5,000 tons of road salt and of that amount 2,330 tons has been used. When the remaining supply runs out, Mr. Ulbright said this contract will go into effect to purchase another 5,000 ton of salt, which will take the City through the remainder of 2011 and probably into 2012. Mr. Ulbright said there are currently no alternative methods to treat the roadways that does a better job or as cheaply. The State is using less brine for road treatment in this area. The cost for 2011 may increase due to higher transportation costs. Mr. Ulbright added that the City saves quite a bit of money by going through the State purchasing program and buying larger quantities of salt at one time.

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

7. First Reading - RESOLUTION NO. 2011-14 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR FUEL SERVICES FOR CITY VEHICLES (Ansel)

Mr. Ansel stated this is the annual bid solicitation process to purchase fuel for City-owned vehicles and equipment. It is a significant expenditure and cost increases are anticipated due to the rising cost of fuel. Mr. Ansel said that a 20% projected increase was factored into the budget for this service. Jim Uhler said the 2010 contract was 8¢ above the low rack cost of fuel and approximately \$190,000 was spent for the year. Mr. Ansel said there is a baseline of delivered fuel pricing to the bulk distributions points and there is a range for low rack, medium rack, etc., which is based on volumes. The City is receiving the low rack pricing, the lowest baseline, plus 8¢ on top of that. Mr. Ansel said the 8¢ is fixed but the baseline is variable depending on what the contractor buys the fuel for during that purchase period. Jim Uhler answered council's questions and Mayor Breneman said council could be provided with a break down of the City's fuel costs and the variance between the average fuel retail prices within Wooster.

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

8. First Reading - RESOLUTION NO. 2011-15 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER(S) FOR FURNISHING BITUMINOUS MATERIAL AND CONCRETE (Ulbright)

Mr. Ulbright said the resolution states the City will enter into a contract with the lowest and best bidder but this can also be done without competitive bidding if its determined the price and availability is more advantageous to the City through the State purchasing programs. In 2010 the City used approximately 8,200 tons of bituminous material and 2,000 gallons of liquid asphalt, for a cost of \$442,650. In 2010 the City spent \$43,500 for 600 yards of

concrete at \$72.50 a yard. Jim Uhler felt there may be a slight increase in the contract this year due to transportation costs.

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

9. First Reading - RESOLUTION NO. 2011-16 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH BOYLAN & CANNON ELECTRONICS, INC. OF AKRON, OHIO FOR MAINTENANCE SERVICES FOR CITY-OWNED TWO-WAY RADIOS (Ansel)

Mr. Ansel stated Boylan & Cannon is a well respected company and has a long track record with the City for radio service on the City-owned two-way radios. This contract is to proceed with the contract renewal for the technical services for maintenance required when those situations occur. The estimated expenditure exceeds \$15,000 but is under \$25,000. Mr. Ansel said the budgetary range is derived from prior years expenses as the coming year's service repairs are unpredictable. Jim Uhler indicated in 2010 the cost for radio service was \$13,099. The City has contracted with Boylan & Cannon since the late 1980's and Mr. Uhler mentioned the cost of radio service then was \$16,000.

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

10. First Reading - RESOLUTION NO. 2011-17 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH AEROMARK, INC. OF STREETSBORO, OHIO FOR PAVEMENT MARKINGS OF CITY STREETS (Ulbright)

Mr. Ulbright stated this contract exceeds \$15,000 but is less than \$25,000 and is a sole source contract with Aeromark, Inc. of Streetsboro, Ohio. In 2010 costs for pavement markings were \$16,305.69 for approximately 58.7 miles. Mr. Ulbright said the main reason this job is not done in-house is for safety issues due to our equipment. When marking lines down the middle of the street our equipment would go with the traffic flow, but for lines along the sides of the roads, our equipment would have to go against the traffic flow, creating a safety problem. Aeromark has equipment that allows them to apply all pavement markings to city streets while going along with the flow of traffic.

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

11. First Reading - RESOLUTION NO. 2011-18 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR MOWING SERVICES FOR CITY-OWNED PROPERTY (Knapic)

Ms. Knapic explained this legislation is to authorize the City to advertise for assistance in mowing City properties, such as the City water towers, police shooting range, detention basins and other areas in the City. This contract is under \$25,000 but above the \$15,000 required for council approval. Ms. Knapic said this contract supplements mowing done by the City, allowing the work to be done in a timely fashion and more cost effectively.

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

12. First Reading - RESOLUTION NO. 2011-19 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR PROVIDING TREE SERVICE (Knapic)

Ms. Knapic stated this is to enter into a contract for City tree services through the Shade Tree Program and is a budgeted item. The anticipated total cost will exceed \$25,000 for routine and emergency costs, although Ms. Knapic said it is hard to predict what those costs will be due to unknown weather events. This contract augments the City services and is cost effective to outsource as it allows the City to get the work done in a timely manner, especially if an emergency occurs.

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

13. First Reading - RESOLUTION NO. 2011-20 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT WITH THE WOOSTER SOCCER ASSOCIATION FOR SOCCER-RELATED ACTIVITIES SERVICES (Cavin)

Mr. Cavin stated this resolution authorizes the Director of Administration to enter into a contract with the Wooster Soccer Association for technical services. The Recreation Division sponsors a soccer program which requires various services of individuals experienced in serving as score keepers, coaches and managers and the Wooster Soccer Association is able to provide such services. The City takes the program registrations and 70% of the funding is paid to the Wooster Soccer Association and 30% to the City. Mr. Cavin said it is not only a valuable service to our community but a profitable one as well.

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

14. First Reading - RESOLUTION NO. 2011-21 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT FOR THE PROVISION OF TRANSPORTATION SERVICES FOR QUALIFIED PARTICIPANTS (Cavin)

Mr. Cavin stated the City contracts with Miller Cab, Wooster Express and Five Star Transportation, to provide a low cost transportation service for individuals who qualify, according to their income. In 2010 the City paid the taxi providers \$165,153 and received \$115,300 back from customers paying their portion. Susan Kelley, Recreation/Community Center Manager, explained each card for a one-way trip costs \$5, of which \$3 is paid by the customer and \$2 is subsidized by the City. She said the number of total trips decreased from about 45,000 rides in 2009 to approximately 34,000 rides in 2010. She believes this is due to the economy. However Mr. Cavin noted that participating riders increased from 455 in 2009 to 529 in 2010. He said given the lack of transportation alternatives, this is a valuable service the City provides. In looking at the final numbers, Mr. Ansel feels more riders and less trips indicate the participants are becoming more disciplined using their rides. He also pointed out that the cab companies have not increased the ride cost which is a phenomenal accomplishment with the cost of fuel and administrative costs associated with servicing more customers. Mr. Buytendyk said there is no way the City of Wooster could have their own transportation program for anything close to what we're spending on the subsidized cab rides. Mr. Ulbright questioned if all three cab companies are finding it beneficial to participate. Ms. Kelley said they are and that Miller Cab probably has 75% of the business.

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

15. First Reading - RESOLUTION NO. 2011-22 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT WITH WOOSTER SUMMER BASEBALL, INC. FOR OFFICIATING SERVICES (Cavin)

Mr. Cavin said this resolution is to enter into a contract with Wooster Summer Baseball for officiating services and scorekeepers. In 2010 the cost of the contract was \$22,900.50, which also covered the basketball program. Mr. Ulbright confirmed that the city serves as a pass thru, collecting the registration fees, paying Wooster Summer Baseball their costs and then keeping a percentage for the city. Susan Kelley further explained the program.

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

16. First Reading - RESOLUTION NO. 2011-23 AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A COOPERATIVE AGREEMENT WITH ACLARA TO PROVIDE A TEST SITE FOR NEW METER TRANSMITTING UNITS, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated Aclara is the manufacturer of components for Wooster's automated meter reading system. Aclara has offered to donate 500 meter transmitting units (MTU's), 3 data collection units and installation services, to the City in return for the City serving as a test site for a new transmitting unit that Aclara is developing. This would replace 5% of the City's transmitting units. Mr. Silvestri said at the end of the study the units would be the property of the City. The City will still be responsible for paying the cost of the three additional cellular modems, \$143.94 a month, for the data collector units and the City will also need to notify each customer receiving a new transmitting device. Mr. Silvestri said there are some pending issues with legal language to be agreed upon, so the City is not held liable for any outcome of the study. Mr. Silvestri indicated each MTU is valued at \$105, a new data collector roughly \$4,500 and installation is estimated by Aclara to be around \$85 per site. This would result in a donation from Aclara to the City in the amount of approximately \$108,500. Darrell Moser, Accounts Receivable Manager, answered council's questions and further explained the program.

Mr. Silvestri 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; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

VIII. MISCELLANEOUS

Mr. Ulbright said he enjoyed the annual Wooster Community Hospital meeting, which was held at 6:00 p.m., prior to the council meeting. He suggested maybe next year the meeting be held earlier in the evening or on a night when there isn't a council meeting scheduled, so the hospital would not have to rush their presentation.

Mr. Cavin thanked the hospital for their excellent presentation. He congratulated both Mr. Breneman on his new appointment and Ms. Bensen as the City's new Human Resources Professional.

Ms. Knapic welcomed Ms. Bensen as the new HR director and congratulated Mr. Breneman on his new position. She also thanked the City managers for providing excellent information, for all their time and hard work.

Mr. Silvestri thanked Mr. Moser for his thorough explanation regarding the Aclara meter legislation. Regarding the tree service contract passed by council, Mr. Silvestri asked how a resident is suppose to know which utility company is responsible for various tree maintenance. Mayor Breneman said the City owns and is responsible for trees in the tree lawn, which is the space between the sidewalk and the street, which is what tonight's legislation addressed. As far as power line work, he said that would be AEP's responsibility. Also, Mr. Silvestri said he received a note from Murr Printing/Media explaining and apologizing for failing to videotape the January 3, 2010 city council meeting.

Mr. Ansel thanked the hospital for hosting their annual year end review for city council. He too recommended modifying future meeting dates so the meeting is not so rushed. Mr. Ansel congratulated Wooster Community Hospital for being recognized as the Business of the Year by the Wooster Area Chamber of Commerce. He said the

hospital is one of the largest employers in the City of Wooster with over 870 employees, their facility continues to grow and prosper, they have a significant budget and they are an asset to the City of Wooster. Mr. Ansel said one of the things most compelling during the presentation was the cost of services comparison with other hospitals throughout the region and state. Wooster Community Hospital was significantly lower than other regional competitors, nearly half the cost, for services rated as high or higher than the other competitive hospitals providing the same service. Mr. Ansel said that is a remarkable accomplishment. Also, Mr. Ansel congratulated City administration for concluding their staff additions. He too thanked the City's staff for their hard work and contribution during this transition period of doing more with less, which is the City's operating motto for this year and years to come.

Mr. Buytendyk agreed that the hospital meeting is rushed. He gave kudos for the hospital being named Chamber of Commerce's Business of the Year. He welcomed Eileen Bensen and congratulated Roger Brenneman for being named Assistant Fire Chief.

Mr. Silvestri said he had several questions he wished to ask Bill Sheron, CEO of Wooster Community Hospital, and would pass along council's suggestion to move the annual meeting to a more convenient time.

Mr. Ulbright thanked Mr. Uhler for providing all the facts for the legislation.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 9:40 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council