

CITY COUNCIL MINUTES
January 21, 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, Director of Administration Joel Montgomery, Finance Director Andrei Dordea and Law Director Dick Benson.

II. APPROVAL OF MINUTES

Mr. Silvestri moved, seconded by Mr. Sanders, to approve the January 6, 2014 meeting minutes. Upon voice vote, the motion carried unanimously.

Mr. Cavin moved, seconded by Mr. Ansel, to approve the January 9, 2014 special meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mr. Breneman congratulated the Wooster Area Chamber of Commerce for the annual meeting it recently held. Mr. Breneman also acknowledged Richard Seaman and Frito Lay for the awards presented to them at that meeting. Mr. Breneman also noted that the city newsletter was included in the newspaper. Mr. Breneman said that the newsletter was published as a way to communicate with the public. Mr. Breneman also announced that the first public meeting for the comprehensive plan process will be held on Thursday, January 23rd at 6:00 p.m. at the Community Center. The intent of the meeting is to gather public input and opinion. The Mayor informed council the city has hired a Property Maintenance Inspector, who will be focusing on code enforcement. Mr. Breneman also pointed out that Wooster's ISO rating improved due to the fire department's performance. The city's ISO rating affects insurance rates, so individual and business rates may improve due to the ISO rating. Mr. Breneman announced that Rob Eyler, the fire chief, will be retiring as of the end of June. His replacement will be the current assistant chief, Roger Breneman.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Notice was received from the Ohio Department of Liquor Control that Dollar General Store, located at 2222 Gateway Drive, applied for a C2 liquor permit. Ms. Knapic moved, seconded by Mr. Silvestri, not to request a hearing. Motion carried unanimously.

Notice was received from the Ohio Department of Liquor Control that Khurram Shamsi, located at 310 S Market Street, applied for a C1 liquor permit. Mr. Silvestri moved, seconded by Mr. Ansel, not to request a hearing. Motion carried unanimously.

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

Mr. Ulbright moved, seconded by Mr. Myers, 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; Myers-yes; Sanders-no; Silvestri-no; and Ulbright-yes.)

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Public Hearing: East South Street Alley Vacation

Mr. Ulbright opened the public hearing and one member of the audience spoke. Mr. Rod Fought and his brother are the owners of Lot 314 and would like to purchase Lot 313. The lots are divided by an alley that is no longer in use.

Both the Foughts and the owner of Lot 313, Mr. Kent Baker, are in favor of vacating the alley. No one spoke in opposition. Mr. Ulbright closed the hearing.

VI. OLD BUSINESS

1. Third Reading – RESOLUTION NO. 2013-98 A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT ACT AGREEMENTS (Ansel)

Mr. Ansel noted that council had received additional information since the legislation was first introduced and had time to review the recommendation from the Tax Incentive Review Council (TIRC) to continue all Enterprise Zone and Community Reinvestment Act agreements. Mr. Ulbright noted that while he has questions about a specific agreement, he thought those were better to address to the TIRC members. Mr. Ulbright stated that he would support the legislation and would not move to separate the agreements as he had in the past. Discussion ensued as to the calculation of the abatement percentages and performance.

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

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2014-03 AN ORDINANCE VACATING AN UNNAMED NORTH/SOUTH ALLEY IN THE CITY OF WOOSTER (VICINITY OF SOUTH STREET), AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated that some of the alleys in the older parts of Wooster have grown over and this one was unusual in that a house had been built on the alley. That house was recently demolished which left the alley vacant. Mr. Ulbright noted that this legislation would split the alley down the middle and would give 10 feet to the owners of Lot 313 and 10 feet to the owners of Lot 314. All adjacent property owners are in favor of vacating the alley.

Mr. Ulbright 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; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. 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).

2. First Reading – ORDINANCE NO. 2014-04 AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AND EMERGENCY. (Knapic)

Ms. Knapic stated that she would like to have additional time to review the changes to the traffic laws before bringing this legislation to a vote. The ordinance was left on first reading.

3. First Reading – RESOLUTION NO. 2014-05 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT FOR THE PROVISION OF TRANSPORTATION SERVICES FOR QUALIFIED PARTICIPANTS (Myers)

Mr. Myers noted that the funds for this legislation are budgeted and is something the city has been doing for many years. Mr. Myers stated that the though \$90,000.00 is budgeted, it does not mean that the city will need to use all of those funds for the program. The cost of the program is dependent upon the number of participants and how often they use the service. Ms. Ashley Brillhart, the city's Recreation Supervisor, added that participation is limited to city residents and to travel within the city limits. Ms. Brillhart also noted that Thompson Miller Cab accounts for

72% of the \$120,000.00 budgeted for transportation services for 2014. Ms. Brillhart also added that the city spent \$92,000.00 on the contract with Thompson Miller Cabin 2013; however, since a downward trend in usage was noticed in 2013, the amount allocated was reduced for 2014. Ms. Brillhart explained that there are other transportation companies (Wooster Express and Five Star Transportation) that participate in this program, but Thompson Miller Cab is the highest volume provider. There was some discussion about the licensing and enforcement of regulations concerning taxi cabs. Mr. Breneman stated that city administration was aware of the concerns and were looking into the situation.

Mr. Myers moved, seconded by Mr. 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).

4. First Reading – RESOLUTION NO. 2014-06 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 CONSTRUCTION OF SIDEWALKS, CROSSWALK IMPROVEMENTS AND STORM SEWERS ON HIGHLAND AVENUE, BETWEEN CHRISTMAS RUN BOULEVARD AND OAK HILL ROAD (Ulbright)

Mr. Ulbright stated he was pleased to introduce this legislation to authorize the bidding and contract process for sidewalks along West Highland Avenue. He noted that the total project cost is \$220,000. ODOT will provide \$123,000.00, the local funding will provide \$93,000.00, and the remaining \$4,000.00 will be assessed to the affected property owners. Mr. Ulbright said that the funds allocated for sidewalks near Wayne Elementary have been transferred to this project, which will benefit Kean Elementary. Part of the project will include closing in the ditch and installing a storm sewer. Mr. Ulbright explained that the city has plans to improve West Highland Avenue in the next few years, and this project will reduce the amount of work that needs to be done in the later improvement project.

Mr. Ulbright moved, seconded by Mr. 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).

5. First Reading – RESOLUTION NO. 2014-07 A RESOLUTION 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 (Ansel)

Mr. Ansel explained that MBI Solutions has provided EMS billing services for the city for over 10 years. Mr. Ansel stated that the amount paid to MBI Solutions depends upon the revenue collected and administrative fees are billed at six percent of the funds collected. Mr. Ansel added that the city could not perform this service for less than the approximately \$43,000.00 paid to MBI Solutions last year.

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).

6. First Reading – RESOLUTION NO. 2014-08 A RESOLUTION AMENDING AMENDED RESOLUTION NO. 2013-45 BY CLARIFYING THE FINANCIAL PROVISIONS THEREOF, AND DECLARING AN EMERGENCY (Sanders)

Mr. Sanders stated that the way Res. No. 2013-45 was worded, it would require budgeting for the entire project in advance instead of including the annual amount needed in each year's budget throughout the project.

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 Mr. 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).

7. First Reading – RESOLUTION NO. 2014-09 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF US RT 30 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 87745) (Ulbright)

Mr. Ulbright stated that this resolution is from ODOT and is requesting permission to perform pavement resurfacing on US 30, just west of the SR 3 interchange, east to the SR 83 interchange. The work would be done at the expense of ODOT and would not cost the city any money.

Mr. Ulbright 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; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. 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).

8. First Reading – RESOLUTION NO. 2014-10 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR BRIDGE PAINTING/COLLISION REPAIR ON TWO STRUCTURES WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 83453) (Ulbright)

Mr. Ulbright stated that this is another resolution from ODOT and concerns bridge painting and repair the bridges over US 30 at the base of Madison Hill. This repair work will be done at no cost to the city.

Mr. Ulbright 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. Ulbright 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).

VIII. MISCELLANEOUS

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 9:26 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council