

CITY COUNCIL MINUTES
January 3, 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 and Jeff Steiner. Jon Ulbright was not in attendance.

II. APPROVAL OF MINUTES

Mr. Cavin referenced an error in the minutes on Page 6, under Resolution No. 2010-90, showing a unanimous vote. The minutes should be amended to show: "Upon roll call, motion to adopt carried 6-1 (Ansel-yes; Buytendyk-yes; Cavin-no; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes)." Ms. Knapic moved, seconded by Mr. Cavin, to approve the December 20, 2010 meeting minutes as amended. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city: 1) An Open House Reception will be held to honor the VSP retirees on Wednesday, January 5, 2011, 1:30 p.m. at the Community Center. 2) Search for HR Manager still underway and a decision should be made within the next week. 3) December 2010 report from the Building Standards Division show the number of building permits and permit fees up slightly from 2009. 3) Mayor said he is looking forward to working with council in 2011, which will be a challenging year with a lot of changes but a lot of excitement too.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC (none)

V. COMMITTEE REPORTS; PUBLIC HEARINGS (none)

VI. OLD BUSINESS (none)

VII. NEW BUSINESS

EXECUTIVE SESSION

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

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

1. First Reading - RESOLUTION NO. 2011-01 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SOLE SOURCE CONTRACT WITH LIPTON INDUSTRIAL SALES OF MEDINA, OHIO FOR THE PURCHASE OF VOC MEDIA FOR THE STRIPPING TOWERS IN THE SOUTH WELL FIELD (Silvestri)

Mr. Silvestri stated the purchase of VOC media is done on a regular basis. He said the contract is a sole source and the purchase is a budgeted item.

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

2. First Reading - RESOLUTION NO. 2011-02 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT (Silvestri)

Mr. Silvestri said the estimated cost of this contract is \$350,000. He said these chemicals are a necessity in keeping the water treatment plant operating at acceptable levels. Lime and soda ash are used in the softening process, carbon dioxide as pH adjustment for stabilization and sodium hypochlorite for disinfection.

Mr. Silvestri 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 and Steiner-yes).

3. First Reading - RESOLUTION NO. 2011-03 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE WATER, SEWER AND STORM SEWER REPAIR PARTS FOR THE UTILITIES DIVISION (Silvestri)

Mr. Silvestri stated as in past years, this is to provide for the periodic purchase of water line and sewer repair parts such as repair clamps, fire hydrants and valves. These items are needed to provide for the repair of water lines, sewer lines and their appurtenances as the need arises.

Mr. Silvestri 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 and Steiner-yes).

4. First Reading - RESOLUTION NO. 2011-04 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: ACLARA METER TRANSMITTING UNITS FOR THE UTILITIES DIVISION (Silvestri)

Mr. Silvestri said this is to purchase MTU's (meter transmitting units) to re-supply existing stock. The vendor is a sole source supplier and the purchase is budgeted.

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 and Steiner-yes).

5. First Reading - RESOLUTION NO. 2011-05 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SOLE SOURCE CONTRACT WITH OHIO DRILLING COMPANY OF MASSILLON, OHIO, FOR SERVICES RELATED TO THE MAINTENANCE AND REPAIR OF CITY WATER WELLS (Silvestri)

Mr. Silvestri stated Ohio Drilling Company is a sole provider for Deming Pumps, which are the primary pumps in service in the city. The contractor provides maintenance and preventive maintenance on the pumps in order to keep them in good working order so as to provide water to the citizens of Wooster, which is a necessity.

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

6. First Reading - RESOLUTION NO. 2011-06 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH DUKES, INC. OF SYRACUSE, NEW YORK FOR ROOT TREATMENT FOR THE WASTEWATER SYSTEM (Silvestri)

Mr. Silvestri stated roots are attracted to parts of our water system and once they penetrate through, it continues exponentially from there at a great cost. A semi-annual root treatment program stunts the growth of tree roots to maintain proper conveyance of wastewater to the Water Pollution Control Plant. The sole source supplier of this service is Dukes, Inc. of Syracuse, New York. Ms. Knapic questioned if there wasn't a closer or more local company we could use. Mr. Borton said Dukes' corporate headquarters are in Syracuse, NY but they have several field crews that are based all over the United States. He noted that Dukes warrant their work against tree roots.

Mr. Silvestri 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 and Steiner-yes).

7. First Reading - RESOLUTION NO. 2011-07 DECLARING IT NECESSARY TO IMPROVE AKRON ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING A TURNING LANE, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ansel stated the WAY-585-1.54 project, improving Akron Road from Old Airport Road to Gateway Drive, has been a long term process that the city embarked upon in 2007. Council previously passed five pieces of legislation authorizing design, R/W acquisition, ODOT funding applications and ODOT funding agreements. Mr. Ansel said this piece of legislation will begin the process of determining assessments to affected property owners. The estimated cost of the project is \$1,700,000 of which, ODOT is providing \$1,340,000 in grant funding for construction costs. The balance of the 20% will be secured through assessments of the adjacent property owners. Mr. Ansel said this legislation will allow the city to commence that process and issue bond securities to cover the debt for the 15 year period if the property owners do not agree to pay the lump sum at the commencement of the project and want to finance through the 15 year term. This portion of the SR 585 project is Phase I and Mr. Ansel said Phase II will be a northern expansion out of the City of Wooster, which will be a \$2.7 million project creating a four-way corridor with turning lanes, sidewalks, bike trails to the Smithville area. Regarding the passage of this legislation, Mr. Ansel said time is of the essence as the ODOT funding schedule must be followed. For comparison, Mr. Ansel highlighted that property improvements for the Beall Avenue project were \$160 per front footage, whereas this project will be \$65.15 per front footage. Mr. Ansel said this has been a long process, but the funds are there and this project will allow major infrastructure improvements to the city at virtually no cost to the taxpayers. According to Mr. Montgomery, in order to begin construction, assessments must be calculated notices sent, an equalization board hearing set with a recommendation made and an ordinance to proceed approved. The public notice and filing requirements, along with the council meeting schedule, require this legislation to be passed on January 3rd in order to allow for approval of final assessments by March 1st and a March 18th bid opening. Mr. Montgomery further explained the step-by-step process and answered several of council's questions.

Mr. Ansel 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 and Steiner-yes).

Mr. Ansel 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 and Steiner-yes).

8. First Reading - RESOLUTION NO. 2011-08 AUTHORIZING THE MAYOR TO PURSUE APPROPRIATION OF CERTAIN PROPERTY INTERESTS FROM PROPERTY OWNERS ADJACENT TO OR ABUTTING AKRON ROAD FOR PURPOSES OF PROCEEDING WITH THE IMPROVEMENT THEREOF, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ansel stated part of the completion process for the WAY-585-1.54 project, discussed in the prior resolution, is right-of-way acquisitions. Twenty-four properties have been acquired and two remaining parcels have verbal agreements, but not all of the signed documents have been received. The CVS parcel, their contract has been approved by the corporate offices, signed and mailed. The other parcel, Joseph J. Kappus, et. al., 2410 Portage Road, is owned by six different people, four have signed the documents and of the two who have not signed the documents, one passed away. The necessary documents are being processed. If there is a delay in receiving any of these transactions, Mr. Ansel said Resolution No. 2010-08 will give the city the option of eminent domain to

secure the properties at a reasonable value so the project is not delayed. The city does not anticipate that happening, but as a safeguard, this piece of legislation has been initiated.

Mr. Ansel 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 and Steiner-yes).

Mr. Montgomery addressed several of council's questions. Once all documents have been received, Mr. Silvestri requested that Mr. Montgomery send council members an email to make them aware the city will not have to proceed with this process.

Mr. Ansel 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 and Steiner-yes).

VIII. MISCELLANEOUS

Ms. Knapic thanked Joel Montgomery for the hard work put into the SR 585 project. She wished a Happy New Year to everyone.

Mr. Silvestri wished everyone a Happy New Year. He also read an inspirational quote by Thomas Jefferson and shared a personal story to encourage everyone to see a glimmer of hope for the coming year.

IX. ADJOURNMENT

Ms. Knapic moved, seconded by Mr. Ansel, to adjourn. Motion carried and meeting so adjourned at 9:27 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council