

CITY COUNCIL MINUTES
January 3, 2006

President Judi Mitten called the regular meeting of City Council to order at 7:30 p.m. in council chambers and upon roll call, members answered present as follows: Ansel, Breneman, Cavin, Griffin, Silvestri, Topovski, Ulbright.

President Mitten stated that at this time, council needed to reorganize the committee assignments according to the city charter, Section 208 and Chapter 111 of the Codified Ordinances. Mr. Breneman stated that it was the opinion of members of council that the chairs and assignments for the next two years be as follows: Laws & Ordinances – Jon Ansel, Chair; David Silvestri, Keith Topovski; Public Infrastructure – Keith Topovski, Chair; Bob Breneman, David Silvestri; Public Properties – Jon Ulbright, Chair; Jon Ansel, Jeff Griffin; Safety Committee – David Silvestri; Chair; Jon Ansel, Mindy Cavin; Finance Committee – Bob Breneman, Chair; Mindy Cavin, Jeff Griffin, Public Health & Leisure – Mindy Cavin, Chair; Keith Topovski, Jon Ulbright; Public Utilities – Jeff Griffin, Chair; Bob Breneman, Jon Ulbright. Mr. Breneman moved, seconded by Mr. Ansel, to approve these committee assignments. Motion carried.

President Mitten stated that according to the Charter, Section 205, City Council at this time needs to appoint a President Protem. Mr. Silvestri moved, seconded by Mr. Griffin, to appoint Mr. Breneman to that position. Motion carried unanimously.

President Mitten stated that we also must appoint at this time a Clerk of Council for the next two years as specified in Section 205 of the Charter. Mr. Silvestri moved, seconded by Mr. Breneman, that Sheila Stanley be appointed to continue in her capacity as Clerk of Council. Motion carried unanimously.

President Mitten appointed a sergeant of arms in accordance with Section 111.28 of the Codified Ordinances, that being Chief of Police Steve Thornton.

Mr. Griffin moved, seconded by Mr. Silvestri, to approve the minutes of the December 19, 2005 meeting as received. Motion carried unanimously.

Garrett Rucinsky, 868 Park Blvd., addressed council regarding consistent vandalism and other problems in the city parks, particularly Christmas Run Park (which he lives adjacent to).

Kathy Bush, an associate from Gortz & Associates spoke to Council regarding a conversation that began last month at a finance committee meeting with respect to the total compensation for management and supervisory employees.

President Mitten stated that Ordinance No. 2005-46 would be read first under old business.

Ordinance No. 2005-46 amending Chapter 162, Management Benefits, of the Codified ordinances of the City of Wooster, Ohio by clarifying certain holidays and creating a retirement incentive program was read by title, being on third reading. Mr. Breneman moved, seconded by

Mr. Griffin, to adopt the amended Ord. 2005-46. Mr. Breneman stated that at our last meeting in December, we undertook one step in trying to bring our management and supervisory staff into a more comparable line with the other employees of the city by accepting and approving the Gortz report and their recommendations by a unanimous vote. Mr. Breneman stated that this would update the management holiday schedule to include the day of Christmas Eve. At the present time, the union contracts include this day as a paid holiday and the management team is essentially coming in with no one to manage. A short discussion followed and upon roll call, motion to adopt carried unanimously.

Ordinance No. 2005-44 authorizing the City of Wooster to pick up a portion of the statutorily required contribution to the Public Employees retirement System of Ohio for management, supervisors, confidential and administrative support employees of the city pursuant to I.R.C. Section 414(H)(2), and declaring an emergency was read by title being on third reading. Mr. Breneman stated that this ordinance as well as Ord. 2005-47 be withdrawn from consideration by council. What we have done with the two pieces of legislation we passed (one at the last meeting and the one we just passed) has gone a long way to bringing our management level employees into line.

Resolution No. 2005-1 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, and declaring an emergency was read by title, being on first reading. Mr. Ulbright stated that not knowing the committee assignments prior to the meeting, and being the former chair of the infrastructure committee, he had prepared himself for the following resolutions and offered his assistance to Mr. Topovski if needed. Mr. Topovski moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Topovski moved, seconded by Mr. Ulbright, to adopt. Mr. Topovski stated that this was annual purchase where we bid for salt in preparation for the year to come for treating our city streets for ice and snow. Mr. Ulbright stated that he had spoken with Mr. Newman who had noted that they were getting low on salt and this was something we needed to move forward with as we are facing the height of the winter season. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2005-2 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 concrete, and declaring an emergency was read by title, being on first reading. Mr. Topovski moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Topovski moved, seconded by Mr. Griffin, to adopt. Mr. Topovski stated that throughout the year, it's necessary to cut up various sections of the street, sidewalks, and curbs and do necessary repairs and concrete was required to do this. This legislation would allow us to go bid for concrete suppliers so we can take care of these repairs. Mr. Silvestri stated that last year we spent about \$518,000 on concrete and bituminous material and this year, we're at about \$507,000 so we're in about the same ballpark but the year before that we spent only about \$282,000 which was about half. Is there an explanation for that? Mayor Howey said if you remember, we lost three managers in the maintenance division and instead of paving 12,000 ton, we paved about 3,600 ton. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-3 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 declaring an emergency was read by title, being on first reading. Mr. Topovski moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Topovski moved, seconded by Mr. Breneman, to adopt. Mr. Topovski stated that once again, in anticipation of paving and patching roads this coming season, it's necessary to purchase asphalt. Mr. Ulbright stated that in his conversation with Mr. Newman, he indicated that the cost of the bituminous material has increased about \$5.00 a ton, due to fuel costs and transportation. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-4 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, and declaring an emergency was read by title, being on first reading. Mr. Ulbright stated that this was something we do every year; the appropriation for this was \$28,974 and was a budgeted item coming from the Water, Water Pollution Control, Storm Drainage and General Funds. Mr. Ulbright moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Ulbright moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-5 authorizing the Director of Administration to purchase vehicles in accordance with the Capital Plan for 2006, and declaring an emergency was read by title, being on first reading. Mr. Topovski stated that the dump truck has been budgeted for the fiscal year 2006 at a cost of \$100,000 for a dump truck equipped with a snow plow and salt spreader and Mr. Newman is requesting that this be moved to third and final reading. Mr. Topovski moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Topovski moved, seconded by Mr. Silvestri, to adopt. Mr. Topovski asked whether we paid this much for the trucks purchased last year? Mr. Sigg stated that it was slightly under that; we buy them now with spreaders and plows instead of trying to mix and match. This would replace a 1992 vehicle. Mr. Ulbright stated that in conversing with Mr. Houser and Mr. Newman, the dump truck and the bed we can either go to state bid or there is an international dealer in Mansfield who meets the state minimum bid so either way we can get a good deal. The spreader and snowplow were put out for competitive bid and weren't part of the state bid. An additional comment made by Mr. Houser was that this particular vehicle we're not getting much trade-in value because of the rust but purchasing this new vehicle with the stainless steel cab and bed when it does needed traded in, we'll get a better value. Mr. Breneman stated that this was a big ticket item and something we looked at in the capital improvements list during budget talks and all of us though if we could cut this out it would be a huge savings for the City but the administration and Mr. Newman felt very strongly that this was a purchase that needed made this year and would compromise the ability to respond to snow and ice conditions if we didn't purchase the truck. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-6 authorizing the Director of Administration to purchase items of specialized technology, to wit: hardware for the City's network infrastructure, and declaring an emergency was read by title, being on first reading. Mr. Breneman moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion

carried. Mr. Breneman moved, seconded by Mr. Silvestri, to adopt. Mr. Breneman stated that this was IT hardware and was included in the capital plan for 2006 and the IT department felt very strongly about this purchase to keep the city's computers running properly. This was hardware for the city's network infrastructure and would not exceed \$15,300 payable from the capital improvements fund. We are currently out of locations to connect additional network equipment in the server room and without this purchase, we cannot add any equipment to the network and have no excess connection ports for troubleshooting or emergency relocations. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-7 authorizing the Director of Administration to purchase specialized technology, to wit: storage hardware for the backup server, and declaring an emergency was read by title, being on first reading. Mr. Breneman moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Breneman moved, seconded by Mr. Ansel, to adopt. Mr. Breneman stated that this again was computer hardware storage for the back-up server to allow for the back up of the new mail system. It was included in the capital plan for 2006 and was again an item they felt was a necessity for this year's time frame and wouldn't exceed \$15,720. If we do not authorize this, it would leave our mail system with no sound backup solution and would eventually cause the system to have insufficient space to back up all network data. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-8 authorizing the Director of Administration to purchase items of specialized technology, to wit: software, hardware and licenses for the city mail system, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that this was for the building standards division; it replaces and upgrades the city's internal and external mail system. The cost was included in the capital plan for 2006 and the purchase was not to exceed \$65,000. Our current email systems have no support and when there were problems with the inter-operation and any new versions of office products do not support our internal mail system. After a short discussion, Mr. Breneman moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Griffin, to adopt. Upon roll call, motion carried.

Resolution No. 2006-9 authorizing the Director of Administration to purchase vehicles in accordance with the capital plan for 2006, and declaring an emergency was read by title, being on first reading. Mr. Silvestri moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Silvestri moved, seconded by Mr. Breneman, to adopt. Mr. Silvestri stated that this was a scheduled purpose in the capital plan and as we went through the budget, the chief was asking for three Ford Crown Victoria police cars to replace old vehicles and also four Ford Taurus replacement vehicles for the detectives. He has said he would be able to operate with what you see before you, the two replacement police cars and two detective cars. This covers the transfer of equipment from vehicle to vehicle and the city garage mechanics would handle that the installation of that equipment. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-10 authorizing the Director of Administration to advertise according to law and enter into a contract with the lowest and best bidder for the purchase and installation of an HVAC system for the Water Pollution Control Plant, and declaring an emergency was read by

title, being on first reading. Mr. Griffin stated that this project at the water pollution control plant would be going into a building that's relatively unaffected by the massive construction project that we recently approved. How it does relate is that the 1965 vintage boiler that currently heats the building is used for a process that it will no longer be used for and ironically if the boiler is underused, that's when it starts to fail. There were cooling issues as well in that building; it's currently being cooled by seven window units and our theme all along with the plant is to improve the functions and improve the efficiencies. This was a \$75,000 expense that is within the capital plan for 2006 and obviously keeps within the environmental theme of the goal of the Water Pollution Control Plant. Mr. Griffin moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Griffin moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Miscellaneous

Mr. Topovski thanked Mr. Ulbright for his preparedness tonight in anticipation of sponsoring the legislation that he himself had introduced. He hoped to fill the chairmanship of the Infrastructure Committee as well as Mr. Ulbright did.

Mr. Silvestri thanked the administration for the somewhat recent changes to the city website; he's had a lot of positive feedback over time. From a few different residents he had also heard there's quite a lag in updating of the information as far as council agendas and minutes. Was there anything we could do about that; what is the procedure for putting these on the website? Mr. Sigg stated that it was our intention of putting the agenda on the website as soon as the agenda was published and we appreciate your bringing this to our attention. President Mitten stated that in response to that, the minutes could not be put on the website until council has approved them.

Mr. Ulbright stated that we had a very smoothly run meeting tonight but he did want to point out that the only vote tonight that was not 7-0 was the appointment of the chairs to the various committees. He wished to make sure that everybody realized that this was a political party decision and it's been that way since he had been on city council (17 years) so he did not question the majority party making the decisions its made. However, he did want everyone to know that he would have preferred to continue as chair of the Infrastructure Committee but he was very glad Mr. Topovski was taking over. He would ask, however, that since Public Health & Leisure has all three democrats on that committee whether or not Mr. Breneman or Mr. Silvestri would consider going to that committee and allowing him to serve on the public infrastructure committee as he would really like to continue serving on that committee in a subordinate roll. If they would consider that and let him know at some future time, he would appreciate it.

Mr. Ulbright stated that he wished to bring to the administration and Mr. Topovski's attention an email he received from Gail Carter regarding the repair of city sidewalks and the decrease in the budget for repairs. This is an excerpt from the email - "On Wednesday, December 21 on the way to Carol Millhoan White's robbing ceremony, I tripped on an uneven piece of sidewalk at the intersection of North and Grant Street on the side of Ray Crow's dry cleaners. I suffered a

bloody nose, several bruises, scraped knees and very sore muscles the next day. Fortunately, I was not seriously injured but someone older than me might suffer broken bones if they were to fall. Perhaps city council should be made aware of the problems that could arise from broken sidewalks.”

Mr. Ulbright felt this might fall on the bailiwick of the city as it sounded as though it was on public property. He also received an email about a public forum on democratizing the media featuring John Madding from WCTV which was the city-owned television station at Wadsworth, Ohio. Part of it was directed towards how citizens and public officials can gain greater control of cable public access programming, what can specifically can be done to counter the increasing corporate concentration of the media including cable programming and how did the community come to own their own public television. He wished to remind the audience since we decided to go the route we did, that this was a city that since 1990 went the route of owning the own public television and they were ranked #1 in the nation for their programming for their local community. He wished to bring this to council’s attention and he felt that this was something we should take into consideration because in their set-up, training was available in all areas of television production including video camera techniques, editing, studio production, audio and lighting was precise to the kind of training we would have provided had that original proposal not been vetoed.

Mr. Ansel stated that he had received a memo announcing a work session scheduled on January 18 from 6 p.m.– 9 p.m. to review the planning and zoning code revisions and any council member interested should attend. He also wished to compliment Garrett Rucinsky for taking time out of his schedule and preparing such an eloquent message to not only council but also the citizens of Wooster addressing this ongoing problem we have within the community of vandalism and public damage. It’s something we all have to take ownership in and support these types of initiatives; it’s not just a police initiative but also a citizen’s initiative because it is destroying our city from the inside out. Mr. Ansel also wished to share with each council person his excitement and enthusiasm for being involved with such a professional group of individuals and thanking the citizens of Wooster for their support in his election to city council.

Ms. Mitten stated that our yearly meeting with the hospital administration was set for Tuesday, January 17 at 6:00 p.m. at the hospital with a light supper served.

Mr. Silvestri moved, seconded by Mr. Breneman, to adjourn. Motion carried and meeting so adjourned at 8:40 p.m.

Judith Mitten
President of Council

Sheila Stanley
Clerk of Council