

CITY COUNCIL MINUTES

July 1, 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 Mr. Sanders to approve the June 17, 2013 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman informed council that Daisy Brands would be building a production facility in Wooster. Mr. Breneman noted that many groups and individuals worked together over the past year to bring the company to Wooster. Mayor Breneman also noted that the city is starting to see the effects of the budget cuts that were made several years ago. Since the income tax increase will not take effect until January 1, 2014, the city will work to maintain its current levels until additional revenue allows for more. Mr. Breneman also noted that council members would be discussing legislation to create a council of governments and explained the thought process that prompted the legislation.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Mr. Ulbright held a public hearing on the petition to vacate the alley running between parcels owned by 300 Tire and Auto. There were no comments from the audience or council members.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Steiner reported on the Finance Committee meeting held just prior to the council meeting. He stated that Mr. Montgomery provided a presentation to members entailing a review of 2012 operations and also making projections for future budget years.

Mr. Steiner reported to council that the Wooster Police Department will be disposing of two police cruisers that are going to be replaced. Mr. Steiner moved, seconded by Ms. Knapic to allow the Wooster Police Department to dispose of the two police cruisers by selling them to Wayne County. Upon voice vote, the motion carried unanimously.

Mr. Buytendyk also announced that Ms. Knapic will hold a hearing regarding a Planning Commission zoning recommendation on August 19, 2013 at 7:30p.m. Mr. Cavin will be holding a Public Health and Leisure Committee meeting at 6:00 pm, also on August 19, 2013.

VI. OLD BUSINESS

1. Third Reading – *AMENDED* ORDINANCE NO. 2013-17(A) AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS (Knapic)

Ms. Knapic moved, seconded by Mr. Steiner, to remove Ordinance No. 2013-17(A) from the table for discussion. Upon roll call, motion carried unanimously.

Ms. Knapic reminded council that the amendment at issue here was removed from the initial piece of legislation so that property owner concerns could be addressed as well as to determine the impact of the suggested zoning code language. Mr. Dutton reported that a mutually agreeable arrangement had been struck between two affected property owners, so that the originally suggested amendment is acceptable.

Ms. Knapic 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).

1. Second Reading – RESOLUTION NO. 2013-59 A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO JOIN A REGIONAL COUNCIL OF GOVERNMENTS PURSUANT TO CHAPTER 167 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY (Steiner)

Mr. Steiner stated that this resolution permits the City of Wooster to negotiate and form a council of governments with the City of Ashland and does not authorize any further action. Mr. Silvestri stated that he cannot support this legislation due to concerns related to function, funding, geography and infrastructure. Mr. Ansel stated that he supports the exploration of alternatives to see if the city can save money.

Mr. Steiner moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried by a vote of six to one, with Mr. Silvestri opposing (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-no; Steiner-yes and Ulbright-yes).

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

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-25 AN ORDINANCE REVISING THE AUTHORIZED RANGE OF PAY SCALES AND BENEFITS FOR HOURLY RATED AND SALARIED EMPLOYEES AT WOOSTER COMMUNITY HOSPITAL, AND REPEALING FORMER ORDINANCES (Ansel)

Mr. Ansel stated that the original budgeted wage increase for 2013 for Wooster Community Hospital employees was 2% and was not implemented as scheduled on June 1, 2013 due to some technology upgrades at the hospital. Implementation has been delayed until September 8, 2013. The hospital used a third-party company to evaluate wages and compensation. The results of that evaluation indicated the wage increase should be higher. Based on that recommendation the hospital Board of Governors requested the increase be 3%. Mr. Stan Hostetler, Human Resources Manager for Wooster Community Hospital, described the review process for council members.

Mr. Ansel 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; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Steiner, 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).

2. First Reading – ORDINANCE NO. 2013-26 AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF MECHANICSBURG ROAD, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT, AND CONTIGUOUS TO THE CORPORATION LIMITS (Matthew A. Long, Esq., Agent for Petitioner Habitat for Humanity in Wayne County, Inc.) (Knapic)

Ms. Knapic stated that this annexation has been requested to bring a parcel of land into the city corporation limits before Habitat for Humanity builds a home on the land. Mr. Ulbright asked if there was any urgency to this ordinance or could they leave it on first reading and discuss it further at the next meeting. Ms. Knapic added that since no one was there to speak on behalf of the petitioner, she would leave the legislation on first reading. Mr. Dutton added that only one resident spoke against the annexation at the Planning Commission's public hearing and the Planning Commission had recommended zoning the parcel as R-2 to match other homes in the area.

3. First Reading – RESOLUTION NO. 2013-65 A RESOLUTION AUTHORIZING THE CITY OF WOOSTER TO FILE AN APPLICATION TO THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND DECLARING AN EMERGENCY (Sanders)

Mr. Sanders informed council that ODSA has \$500,000 in grant money available for upgrading the water and sanitary sewer facilities to the Geyers Chapel Road north of the intersection with State Route 585. If awarded, the funds would be applied to the upgrades necessary to support the Daisy Brands industrial development in that area. Mr. Ulbright noted that he was informed by Mr. Montgomery that the Daisy plant could use up to one million gallons of water per day, so these upgrades will be needed. Mr. Cavin asked if there would be a strain on the water production or wastewater treatment plants and how that would be handled. Mr. Montgomery replied that both plants have the capacity to handle the additional demand.

Mr. Sanders moved, seconded by Mr. Steiner, 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. Cavin, 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).

4. First Reading – RESOLUTION NO. 2013-66 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO ACCEPT GRANT MONIES FOR IMPROVEMENTS TO GEYERS CHAPEL ROAD (Ulbright)

Mr. Ulbright stated that this resolution will allow for the improvements of Geyers Chapen Road, north of the intersection with State Route 585. The Ohio Department of Transportation (ODOT) will contribute \$500,000 of the project costs. Upgrades to the road are necessary to accommodate the increased number trucks that will accompany the Daisy Brand construction project.

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

Mr. Ulbright 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. 2013-67 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2013 (Ulbright)

Mr. Ulbright noted that the city has two dump trucks that are old and in need of replacement. This legislation would allow the city to replace one of them with a new truck. The old truck would be kept and used for leaf pick up and other duties that are less strenuous. Mr. Silvestri asked about the maintenance and mileage on these types of vehicles. Mr. Daryl Decker, Public Properties and Maintenance Manager, replied that because of the harsh operating

conditions, these types of vehicles do not get as many miles out of them as a passenger vehicle might. They are exposed to the elements and continuous stopping and starting which tends to wear the vehicles faster.

Mr. Ulbright moved, seconded by Mr. Cavin, 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).

6. First Reading – RESOLUTION NO. 2013-68 A RESOLUTION 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. Ulbright informed fellow council members that the city has to meet deadlines put in place by an agreement with ODOT that require the city to resolve a property issue with Ohio Central Telephone Corporation so that the Akron Road project can move forward. The city has tried to negotiate with the company for the past year and made no progress. This resolution would allow the city to move forward using the eminent domain process in the event that further negotiations do not result in agreement between the parties.

Mr. Ulbright moved, seconded by Mr. Silvestri, 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. Ulbright 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).

7. First Reading – RESOLUTION NO. 2013-69 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 A NEW STORM SEWER SERVING THE SPINK STREET AREA AND REPAIRS TO THE EXISTING SANITARY SEWER SERVING THAT AREA, AND DECLARING AN EMERGENCY (Sanders)

Mr. Sanders informed council that this legislation would permit the city to bid for a contractor to work on sanitary and storm sewer separation in the Spink Street area. The Environmental Protection Agency has mandated that sanitary and storm sewers be separated, and this is one of the last of these projects remaining in the city. Ohio Public Works Commission is offering an interest-free loan to cover the cost of the project not already budgeted in the Sanitary Sewer, Storm Sewer and Water Funds. Ms. Knapic asked Mr. Montgomery if he knew the timeframe for the work. Mr. Montgomery replied that the city should be able to advertise for bids within the month and the process would go from there, with actual work taking approximately one year.

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. Ulbright, 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).

VIII. MISCELLANEOUS

Mr. Steiner announced that he will hold a work session on Tuesday, September 3, 2013 for the Council of Governments prior to the council meeting.

IX. ADJOURNMENT

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Mr. Ulbright moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 9:09 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council