

CITY COUNCIL MINUTES

June 4, 2012

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 by asking everyone to rise and join in the Pledge of Allegiance. The following members were present: Jon Ansel, Mark Cavin, Barbara Knapic, Craig Sanders and Jon Ulbright. David Silvestri and Jeff Steiner were absent.

II. APPROVAL OF MINUTES

Mr. Cavin moved, seconded by Mr. Ansel, to approve minutes of the May 21, 2012 meeting. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman, updated council on various activities in the city: 1) Thanked the Wooster Exchange Foundation who raised approximately \$10,000,00 towards Wooster's annual Independence Day Celebration. 2) Thanked the Friends of Wooster Memorial Park for their efforts in raising funds to have a pavilion moved from a site in the woods to a more usable location. 3) Thanked Boy Scout Troop 68 for weeding, mulching and cleaning up Diller Point. Troop 68 volunteered to maintain this area 3 to 4 times a year. 4) The Trowell and Trellis Club, formed in 1953, have decided to dissolve their group. Over the years they donated approximately \$80,000 to the City of Wooster for flowers and plantings, such as the downtown flower planters. All their remaining funds were given to the Wayne County Community Foundation for the City of Wooster's Downtown Beautification Fund. Mayor Breneman offered his sincere thanks to them for their many years of support. 5) A mailer will be enclosed in this week's utilities bills for a voluntary tax deductible donation to the Downtown Beautification Fund. 6) The Impact Group is continuing the telephone survey, inquiring what residents' needs and priorities are for city services. To reach an accuracy level of 95% The Impact Group must have a minimum of 320 calls and at this time they have completed 283 calls. Residents can also take the survey online at the City of Wooster's website.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

A notice was received from the Ohio Division of Liquor Control advising that Son Rise Hotels IV, Inc., DBA Hampton Inn, 4253 Burbank Rd., applied for a new D5A liquor permit. Ms. Knapic moved, seconded by Mr. Sanders, not to request a hearing. Upon voice vote, motion carried unanimously.

Wooster City Planning Commission recommended to City Council the approval of a zoning amendment to the Wooster Planning and Zoning Code, Section 1149.03. A public hearing is set for July 2, 2012 at 7:30 p.m. in Council Chambers at City Hall.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Wooster City Council's Finance Committee met at 6:30 p.m. prior to the council meeting in the Council Chambers. Mr. Ansel gave a brief overview of the two topics reviewed: (1) Resolution No. #2012-60, the 2013 Tax Budget, for which a public hearing will be held on June 18, 2012 at 7:30 p.m. Mr. Ansel said the projections look favorable with revenue improvements from the prior year and continued fiscal conservatism in controlling expenses. (2) The 1st quarter performance review showed a 10% increase in tax based revenues, expenses are being maintained and the Voluntary Separation Plan is yielding huge dividends in expense reductions to prior year comparisons. However, Mr. Ansel emphasized we are still losing ground. In January 2012 the Rainy Day Fund had 168 days and at the end of March 143 days. Mr. Ansel said the real concern isn't the baseline we're operating at today, it is the changes that are coming in 2013 with funding being cut from the state. In 2013 the City of Wooster's Local Government Fund will be reduced by roughly \$400,000 and the Estate Tax Revenues will be reduced by \$500,000, totaling approximately \$900,000 reduction in funding from the State of Ohio. Mr. Ansel said the city is aggressively addressing costs and operating expenses and will continue to have quarterly updates, but the city's current revenue generation will need to be addressed in 2013 and beyond, as there are additional cuts anticipated in 2014. Mr. Ansel said all in all the city is doing a good job operating with lower expenses and less revenue and he gave kudos to the city administration for making sacrifices and for their continued dedication to reducing operating expenses.

PUBLIC HEARING

Mr. Ulbright opened the public hearing regarding two petitions to vacate portions of intersecting public alleys: 1) 380' public alley running in an east/west direction from N. Market Street to N. Buckeye Street. 2) 128.75' alley running in a north/south direction from N. Buckeye to Bowman.

Members of the public who spoke in favor of the alley vacations: Petitioners Lucas and Amanda Gaffey, 438 N. Buckeye Street, and Sherry Grande, 446 N. Buckeye Street, who cited reasons for closing the alleys as criminal activity, littering and speeding traffic.

Members of the public who spoke neither for or against the alley vacations: Debra Winkler, 292 Branstetter, had questions regarding the procedure and how the alley vacation would benefit the entire community. Greg Gehris, 347 N. Grant, questioned why neighbors would change neighborhood for their own needs.

With no others wishing to comment, Mr. Ulbright closed the public hearing.

VI. OLD BUSINESS (none)

VII. NEW BUSINESS

Mr. Buytendyk noted that because only six council members were in attendance, any legislation requiring three readings would not be able to have the rules suspended and would remain on first reading. The only item on the agenda not requiring three readings was Resolution No. 2012-61.

1. First Reading - ORDINANCE NO. 2012-18 VACATING SLOANE COURT IN THE CITY OF WOOSTER (Ulbright)

Mr. Ulbright said Sloane Court is 380' long and 20' wide, running in an east/west direction from N. Market Street to N. Buckeye Street. Mr. Ulbright said it is not a grass covered path or a tree infested area, like most of the alley vacation requests council receives. He could not recall another request quite like this, because usually the alleys are overgrown and non-functioning, but in this case the alleys are open and being used. Mr. Ulbright said although public hearings are not required for alley vacations one was held prior to the council meeting this evening to hear public comment. Law Director Dick Benson confirmed there is no statutory requirement for holding public hearings on alley vacations, however Wooster City Council has always chosen to hold them as a sense of fairness. Notice of the public hearing was published in the local newspaper, but because of the impact this closure may have on the neighborhood and community, Mr. Ulbright requested that 49 surrounding property owners, highlighted on a map he distributed, be notified of the alley vacation requests. Mr. Ulbright added that he would refrain from personal comment until the next meeting other than saying the one issue he feels that needs to be addressed is whether this request is in the best of the entire community. Mr. Buytendyk suggested having the first reading of Ordinance No. 2012-19 and then if council wishes, they could address both ordinances together. Mr. Buytendyk requested that the map distributed by Mr. Ulbright be made a part of the record. The ordinance remained on first reading.

2. First Reading - ORDINANCE NO. 2012-19 VACATING A PORTION OF AN UNNAMED ALLEY IN THE CITY OF WOOSTER (VICINITY OF SLOANE COURT) (Ulbright)

Mr. Ulbright said the unnamed alley is 20' wide and 128.75' wide, running in a north/south direction from N. Buckeye to Bowman, and intersects Sloane Court at a 90 degree angle. Mr. Ulbright said this alley is the same situation as Sloane Court and he detailed the location of the alley. Ms. Knapic asked if council could receive police reports made in this area over the last couple years and also wondered if a traffic study had been done on either of the alleys. Mr. Benson said traffic studies are not typically performed in these situations. He said the police chief, fire chief and city engineer were asked whether or not they had any concerns if the alleys were to be vacated and none of them did. Mr. Buytendyk thought the revised code said council may vacate an alley for good cause. Mr. Benson said this is a very straight forward best interest of the community as a whole type of determination, in other words, does the municipality have a purpose in utilizing these existing rights-of-ways or is there no further municipal purpose. The ordinance remained on first reading.

3. First Reading - ORDINANCE NO. 2012-20 AN ORDINANCE AMENDING CHAPTER 945, COLLECTION AND DISPOSAL OF WASTE MATERIALS AND RECYCLABLES, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE CREATION OF A DOWNTOWN WASTE COLLECTION PROGRAM (Knapic)

Ms. Knapic explained that currently there is no organized refuse collection for the Central Business District and various businesses can have various waste collection contracts. The intent is to create a way that waste collection generated by businesses located in the Central Business District can be collected at designated locations, reducing the number of dumpsters in the downtown area. Some of the collection sites are not properly screened and Ms. Knapic said the city is making this effort to keep up the appearance of the downtown area. Local downtown businesses would be offered an option to belong to a downtown waste collection program which would be run by the city. Justin Starlin gave further details of the program. The ordinance remained on first reading.

4. First Reading - RESOLUTION NO. 2012-60 PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2013 (Ansel)

Mr. Ansel said the city is required by law to yearly provide tax revenue projections to the Wayne County Auditor. A public hearing is scheduled for June 18, 2012 at 7:30 p.m. in Council Chambers at City Hall to further discuss the 2013 Tax Budget. The resolution remained on first reading.

5. First Reading - RESOLUTION NO. 2012-61 AUTHORIZING THE PUBLIC WORKS ADMINISTRATOR TO ENTER INTO A CONTRACT WITH PARADISE LAWN CARE, INC. OF SMITHVILLE, OHIO FOR LEAF COMPOSTING SERVICES (Sanders)

Mr. Sanders said this request is to renew the contract with Paradise Lawn Care for leaf composting services. Estimated cost of the contract is \$4,800 per year for 5 years, or \$24,000 total. Paradise is a licensed, local firm who has provided these services to the city without cost increases for many years. Mr. Sanders said the city has looked at alternative firms and methods, but they have not proven to be as cost effective or as efficient. Mr. Buytendyk pointed out that this is for composting service only and has nothing to do with the collection of the leaves.

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

VIII. MISCELLANEOUS

Ms. Knapic thanked those who attended and were involved with the council meeting. She also thanked the Wooster Exchange Club, Friends of Memorial Park, Trowel and Trellis Club and Boy Scout Troop 68, for their many wonderful volunteers who have given so much to this community.

Mr. Ansel thanked Finance Director Andrei Dordea and the Finance Division for providing a great financial report.

Mr. Sanders reminded everyone there will be a Public Utilities Committee meeting on June 11, 2012 at 6:00 p.m. in Council Chambers at City Hall. The primary topic of conversation will be the findings and conclusions of the URS report. His intent is to limit the conversation to those two areas at this particular juncture, due to the size and scope of the report.

Mr. Ulbright said he duplicated what Ms. Knapic said about the generosity of volunteer groups in Wooster. He thanked everyone who came to the public hearing and he looks forward to more showing up at the next meeting. Mr. Ulbright also commended the finance director for the comprehensible finance report.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Ms. Knapic to adjourn. Motion carried and meeting so adjourned at 8:35 p.m.

Michael G. Buytendyk
President of Council

Cheryl K. Collins
Clerk of Council