

**CITY COUNCIL MINUTES**  
**June 7, 2010**

**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, Jeff Steiner and Jon Ulbright.

**II. APPROVAL OF MINUTES**

Mr. Steiner moved, seconded by Mr. Cavin, to approve minutes of the May 17, 2010 meeting. Upon voice vote, motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman, updated council on various activities in the city: 1) Friends of Christmas Run Pool held a fundraising celebration event. They raised \$85,000 towards their \$100,000 goal.; 2) Wooster Downtown Beautification Fund has received \$4,100 in donations through requests sent via utility bills; 3) City audits are being finished up; and 4) Mayor Breneman asked council to go into executive session at the end of the meeting to discuss personnel matters.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

The Clerk read a notice from the Ohio Division of Liquor Control regarding the request for the transfer of a D5L liquor permit TO: Muddy Waters Coffee Café LLC, DBA Muddy Waters Café & Grille, 116 E. Liberty Street, FROM: Muddy Waters Coffee Café LLC, DBA Muddy Waters Café, Basement Only, 146 E. Liberty Street. Mr. Ulbright moved, seconded by Mr. Steiner, not to request a hearing. Motion carried unanimously.

A letter was received from the Wooster City Planning Commission. At their May 26, 2010 meeting, a motion was made to recommend to council approval of the rezoning of 31.77 acres from an R-1 (Suburban Single Family) District to a PDOD (Planned Development Overlay District) for property located between Vinton Woods and Woodcrest Drives (Tartan Ridge). The motion, however, failed due to a lack of majority vote. A public hearing was set for August 16, 2010 at 7:30 p.m.

A petition to vacate a public alley was submitted from the owners of lots abutting a portion of a 20 foot public alley running in a north/south direction from Stibbs Street to Spring Street between lot numbers 2115, 2116, 2117 and 2118. Ms. Knapic noted Ordinance No. 2010-15 would address the petition.

Following members of the audience spoke: Brenda Boreman, 5719 Stuckey, Creston, OH (vacating alley) and Brigid O'Connor, 907 N. Grant (pet curbing ordinance and parking on N. Grant Street).

**V. COMMITTEE REPORTS; PUBLIC HEARINGS (NONE)**

**VI. OLD BUSINESS (NONE)**

**VII. NEW BUSINESS**

1. First Reading - INFORMAL RESOLUTION IN HONOR OF THE FRIENDS OF CHRISTMAS RUN POOL COMMITTEE (Knapic)

Ms. Knapic stated she was very pleased to present the informal resolution and read the resolution in its entirety. Council members applauded Friends of Christmas Run Pool for their efforts to keep Christmas Run Pool open by raising \$85,000 in donations. Ms. Knapic added there will still be fundraising activities as they have not reached their goal of \$100,000. She urged citizens to donate to the Christmas Run Pool Fund.

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

2. First Reading - ORDINANCE NO. 2010-15 VACATING AN ALLEY IN THE CITY OF WOOSTER (VICINITY OF STIBBS STREET) (Knapic)

Ms. Knapic explained this request is to vacate a portion of an alley that for all intensive purposes has been vacated for years and is an alley on paper only. Brenda Boreman, owner of lots 2115 and 2116, has maintained this piece of the alley for seventeen years in order to have access to her garage. The remainder of the alley is overgrown and has been unused for several decades. Ms. Knapic pointed out that all adjoining property owners have signed the petition and have no objections to vacating this alleyway. Ms. Boreman has the opportunity to sell the house and needs to expedite the vacation of this alley in order for the buyer to proceed with the first time home buyer benefit. Therefore, Ms. Knapic asked to pass the ordinance on first reading so the property sale could move forward. Mr. Silvestri wanted to clarify if a public hearing was necessary and Mr. Benson indicated there was no statutory requirement for a hearing.

Ms. Knapic moved, seconded by Mr. Ulbright, 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; Steiner-yes and Ulbright-yes).

Ms. Knapic 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; Steiner-yes and Ulbright-yes).

3. First Reading - RESOLUTION NO. 2010-50 PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2011 (Ansel)

Mr. Ansel presented the annual tax budget indicating it will have three readings. He explained the review process as being council's tool to access the city's financial condition and if necessary initiate tax levies. Based on the projections, revenues and expenses detailed in Exhibit A, the city will not be requesting any tax levy adjustments for 2011. City administration will have the flexibility to modify the budget in accordance to income or tax revenues and formulate policies and priorities. Mr. Ansel stated the 2011 budget does not include any major expenditure increase projections with the exception of a 3% inflation factor for Personal Services and a 2% inflation factor for Operations and Maintenance. The tax budget resolution must be passed no later than July 15, 2010 as mandated by the City Charter. Mr. Ansel highlighted the projected revenues of \$16.8 million against projected expenses of \$18.6 million for 2011, which are expected to erode the city's rainy day fund by around \$1.8 million. The rainy day fund is projected to end up around \$7 million by the end of 2011, but with encumbrances of \$2.7 million, the effective reserve is projected to be nearer to \$4.3 million. A public hearing on the budget will be held at the next regularly scheduled council meeting, June 21 at 7:30 p.m. at City Hall. The resolution remained on first reading.

4. First Reading - RESOLUTION NO. 2010-51 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF A PORTION OF THE KIEFFER STREET SANITARY SEWER LINE (Silvestri)

Mr. Silvestri stated the purpose of this resolution is to request bids for replacement of an existing sewer line located in a stream bed behind properties on Kieffer and Hedgecliff, which serves over 80 users in the Kieffer Street area. The project will install over 270 feet of new sanitary sewer and 540 feet of sanitary sewer lining. The existing clay sewer tile is exposed in the bottom of the stream bed, causing it to take in rain water. The portion of pipe that is not in the stream will be relined and the portion in the stream will be replaced and relocated outside of the streambed. Easements have been obtained from property owners contiguous to the area. The estimated cost of the project is \$62,500 from the Water Pollution Control Fund, but the city engineer anticipates the project to come in under budget.

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

**VIII. MISCELLANEOUS**

Each council member praised and thanked the Friends of Christmas Run Pool Committee for their cooperative effort in raising funds to keep Christmas Run Pool open for the 2010 summer season.

Mr. Ansel moved, seconded by Ms. Knapic, to adjourn into executive session to discuss personnel matters. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes). Council adjourned into executive session at 8:10 p.m.

Mr. Steiner moved, seconded by Ms. Knapic, to come out of executive session. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes). Meeting was re-adjourned at 9:34 p.m.

**IX. ADJOURNMENT**

Mr. Buytendyk moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 9:35 p.m.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council