

**CITY COUNCIL MINUTES**  
**March 1, 2010**

**I. ROLL CALL & ORDERING OF AGENDA**

Acting President David Silvestri called the regular meeting of Wooster City Council to order at 7:29 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 Ms. Knapic, to approve minutes of the February 16, 2010 meeting. Upon voice vote, motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman updated council on various activities in the city: 1) potential closure of Christmas Run pool for 2010 season and review of 2009 swimming pool statistics; 2) January and February 2010 financials slightly up compared to 2009; 3) all city divisions are conducting internal peer reviews on trimming budgets; 4) results of employment survey for City of Wooster showed number of employees have remained stable since 1980.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

The following members of the audience spoke against closing Christmas Run Pool: Mark Gooch, 1636 Gasche; Jane Bobel, 225 W. Pine; Cheryl Boyer, 6343 W. Old Lincolnway; MacKenzie Haiss, 328 Bloomington; Perky Davis, 647 E. Bowman; Larry Lewis, 900 N. Grant; Jennifer Lewis, 900 N. Grant; Melanie Bishop, 320 W. Bowman; Danny Anderson, 1435 Rumbaugh Circle; Martha Starkey, 4054 Mallard Way; Bridget O'Conner, 907 N. Grant; Ruth MacKenzie, Grant Street; Teresa Board, Quinby Avenue and Latasha Payne, 322 W. Bowman.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

A Public Utilities Committee meeting was held at the Waste Water Treatment Plant at 5:30 p.m. prior to the March 1st city council meeting. Mr. Silvestri, committee chairman, reported that Jim Borton, manager at the Waste Water Treatment Plant, gave a very thorough presentation on the process involved with the new plant, including overloading and EPA violations. Mr. Silvestri explained that approximately 90% of the system is new technology but old components from the old facility were utilized as well. He feels the city got the best of both worlds ending up with the capacity of an \$80 million plant for \$20 million. From 1998 to 2009 there has been a total of \$32 million spent to comply with EPA regulations, but the plant now operates at higher efficiency, can meet future nutrient limits and has been in compliance with EPA as of September 1, 2009. Mr. Silvestri thanked Mr. Borton and his staff for a very informative presentation. Mr. Ulbright thanked Mr. Borton for providing a detailed timeline of expenses which he had requested.

**VI. OLD BUSINESS (none)**

**VII. NEW BUSINESS**

1. First Reading - **ORDINANCE NO. 2010-07 PROVIDING FOR THE ISSUANCE AND SALE OF \$2,480,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF THE REFUNDING ON JUNE 1, 2009 OF ALL OF THE CITY'S WATERWORKS SYSTEM IMPROVEMENT BONDS, SERIES 1996, WHICH WERE ISSUED FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF IMPROVING THE MUNICIPAL WATERWORKS SYSTEM BY CONSTRUCTING, EQUIPPING AND FURNISHING A NEW WATER TREATMENT PLANT AND IMPROVING THE SITE THEREOF, INSTALLING PIPES, VALVES AND PUMPS, AND OTHERWISE IMPROVING THE SAME, AND DECLARING AN EMERGENCY (Ansel)**

Mr. Ansel stated Ordinance No. 2010-07 corresponds with Ordinance No. 2009-04 which city council passed in March 2009, approving a \$2.48 million expenditure associated with the waterworks system improvement bonds. This is a six month refinancing deferral wherein the exact amounts of the expenditures will be finalized and the

city's various tax financing options will be reviewed. Mr. Ansel indicated the six month review period will maximize our net present value savings associated with the refinancing and by dovetailing this bond funding with the next ordinance, the city can secure the most competitive bond financing available through the economies of scale generated by both groups of long term financing. Mr. Silvestri questioned if the deferral is necessary in order to sync up the timing of the two ordinances to which Mr. Dordea indicated it was. A Fiscal Officer's Certificate accompanied the legislation.

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

Mr. Ansel 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. 2010-08 PROVIDING FOR THE ISSUANCE AND SALE OF \$3,500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, AND THE CITY'S PORTION OF THE COST OF IMPROVING BEALL AVENUE FROM LIBERTY STREET TO BLOOMINGTON AVENUE BY GRADING, DRAINING, WIDENING, PAVING, CONSTRUCTING AND REHABILITATING SIDEWALKS, DRIVEWAY APPROACHES, CURBS AND RAMPS, INCLUDING PROVISION OF DECORATIVE STREET AND SIDEWALK DESIGNS AND MATERIALS AND APPURTENANT STREET AND SIDEWALK FURNISHINGS, INSTALLING WALKWAY STYLE LIGHTING FACILITIES AND NECESSARY APPURTENANCES THERETO, INCLUDING THE INSTALLATION OF UNDERGROUND WIRING, RELOCATING OVERHEAD CABLES, WIRES, AND APPURTENANT EQUIPMENT UNDERGROUND, CONSTRUCTING STORM SEWERS, SANITARY SEWERS, WATER MAINS, SERVICE CONNECTIONS AND UTILITY MODIFICATIONS AND INSTALLING AND RELOCATING CATCH BASINS, MANHOLES AND HYDRANTS, AS REQUIRED, CONSTRUCTING RETAINING WALLS, PLANTING SHADE TREES AND PROVIDING RELATED LANDSCAPING, AND INSTALLING STREET AND TRAFFIC CONTROL SIGNS, SIGNALS AND DEVICES, ALL IN CERTAIN DESIGNATED LOCATIONS, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel indicated this ordinance is very similar to the prior ordinance, No. 2010-07, with the exception this is for the financing of the Beall Avenue Streetscape project. There are a couple nuances that separate the timing of this with the first group of funding, which is the collection of the state's participation, the College of Wooster's financing and the assessments of residents. Mr. Ansel stated there are a lot of dynamics in terms of identifying these payments and while all that is being finalized and the final costs come in, the city is delaying the bond funding for six months. As stated, the two notes will be bundled together for refinancing. Mr. Dordea indicated that if in six months the rates are still as variable as they are now he may roll a 2003 bond issue into this as well for additional cost savings. Mr. Silvestri asked how the city gains by delaying this by six months. Mr. Dordea explained that #1) costs are still being finalized for Beall Avenue, #2) if the bonds are bundled together the associated costs with refinancing could be shared and #3) it could be advantageous if a third bond is added. A Fiscal Officer's Certificate accompanied the legislation.

Mr. Ansel 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).

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

3. First Reading - ORDINANCE NO. 2010-09 AMENDING THE ANNUAL APPROPRIATION  
ORDINANCE (Steiner)

Mr. Steiner stated in order to purchase an item costing more than \$5000 it is necessary to transfer \$6,000 from the General Fund of the fire division operating cost center to the General Fund and then to the Capital Improvements Fund. The fire division wishes to purchase a 30# washer/extractor for the purpose of replacing the current home grade washer that is currently being used at Station #1. The extractor is the preferred best practice of washing personal protective equipment used by the firemen. Mr. Steiner indicated this is a budgeted item. Chief Rob Eylar further explained what this piece of equipment does and answered several of council's questions.

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

Mr. Steiner 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).

4. First Reading - RESOLUTION NO. 2010-33 AUTHORIZING THE DIRECTOR OF  
ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE  
CAPITAL PLAN FOR 2010 (Steiner)

Mr. Steiner stated this ordinance is to approve the purchase of a 2010 Chevrolet Colorado 4WD extended cab pick-up truck for the fire division. The vehicle will replace a 1998 Jeep Cherokee which is in need of extensive repairs. This is a budgeted item and will be purchased through the state-sponsored purchasing program or through a local vendor, whichever price and availability is more advantageous to the City. Mr. Ulbright pointed out the money to purchase this vehicle is well spent as the current vehicle has many safety concerns and the fire division has operated it as long as they possibly could. Mr. Buytendyk read a list of the fire division's auxiliary vehicles and their model years and reiterated that these vehicles are well taken care of and used to their maximum life

Mr. Steiner 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).

### **VIII. MISCELLANEOUS**

Mr. Cavin scheduled a Public Health and Leisure Committee meeting for Wednesday, March 10, 2010, at 7:00 p.m. at City Hall to discuss Christmas Run pool.

Ms. Knapic thanked the public who were in attendance this evening to speak about Christmas Run pool. She also thanked city administration for their efforts in trying to make ends meet without having to go back to the citizens for additional money. Looking forward to the committee meeting next week, Ms. Knapic indicated she would like to see what can be done in respect to the Christmas Run pool situation.

Mr. Ansel thanked Jim Borton and staff for a very informative presentation at the Waste Water Treatment Plant. He also thanked the mayor for his summary discussion as a preview to the Finance Committee meeting on Monday, March 15, 2010, at 6:30 p.m. for the state of the city finance update. In terms of potential cutbacks, Mr. Ansel discussed that there are going to be groups of citizens that will not want to forego the services they've become accustomed to over the years and that this is just the beginning. Its not a pleasant thing, but something that is reality. He stated that while the discussion of what can we do, how can we help, is all well and good, its all economically driven and without the funding, without the revenues, cuts have to be made. Something that will need to be reviewed in the coming months, if we want to continue these quality of life issues and don't have the offsetting revenue, is support for a tax increase levy. The voters will decide whether the city will have to make cuts or make the tuff decisions, whether it be Christmas Run pool, safety services or other quality of life issues that we

enjoy in Wooster, because the funds aren't there. He thanked the public for attending the meeting as this issue is just the tip of the iceberg. He also pointed out that he disagreed with one citizen's comment recommending to spend now and worry about it tomorrow. Mr. Ansel indicated that is not the way city council operates as that is not a good conservative fiscal responsible practice.

Mr. Buytendyk stated he appreciated the public's input. Christmas Run Park is special to him as he was a playground supervisor there years ago, but economics are going to dictate and although he did not want to shirk responsibility, he noted that city administration runs the city and council controls the purse strings. Obviously council will help and assist and certainly hear out the citizens of Wooster but ultimately the responsibility will fall on the administration.

Mr. Ulbright too thanked Mr. Borton for a very informative and educational experience at the Waste Water Treatment Plant. He indicated he likes to see a full crowd attending council meetings. Mr. Ulbright stated it does come down to the question, do we want to maintain the quality of life that Wooster has become accustomed to. Other communities are struggling more so than Wooster and their quality of life programs can't even compare to Wooster's parks and recreation programs. Wooster has several jewels and one of those is our parks and recreation program, but again the city needs to either look at scaling down some of these services for the time being or come up with some additional revenue. Mr. Ulbright prefers to come up with additional revenue and if council makes that decision than ultimately that will be a decision the public will have to weigh in on.

Mr. Silvestri expressed what a good committee meeting Mr. Borton hosted. He wanted to mentioned that sewer rates are increasing by 10% and later this year there will be a second 10% increase. To make sure the public understood, Mr. Silvestri explained that a large amount of capital was spent on the Waster Water Treatment Plant in order to bring it into compliance with Ohio EPA which was very necessary. He also pointed out that even with these increases, the sewer rates are still less than they were in 1997. Rates decreased years ago and everyone has been enjoying a discount for over a decade. Wooster's sewer rates are still in the lowest 25<sup>th</sup> percentile in the State of Ohio. Mr. Silvestri thanked the Parks and Recreation Division for providing council with the swimming pool statistics. He noted that for most communities pools are a losing venture and when we are not in these hard economic times we don't hear about it or recognize it. Closing Christmas Run pool would be a savings of approximately \$60,000 and Mr. Silvestri wondered if there was somewhere else that cut could be taken. He urged the public to stay in tune with all the discussions going on with respect to this issue.

Mr. Cavin asked Mr. Benson if there was any news on the EnviroClean lawsuit. Mr. Benson indicated there was and he would be happy to speak to council either individually or in executive session. Mr. Ulbright questioned if the judge might be ready to set a court date soon and Mr. Benson indicated yes. Mr. Ansel moved, seconded by Mr. Cavin, to go into executive session to get a brief summary on the EnviroClean lawsuit. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes). Council went into executive session at 8:57 p.m.

Mr. Ulbright 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; Steiner-yes and Ulbright-yes). Council reconvened at 9:11 p.m.

## **IX. ADJOURNMENT**

Mr. Ulbright moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 9:12 p.m.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council