

## **CITY COUNCIL AGENDA**

**March 19, 2012**

**7:30 p.m.**

The meeting will be held at City Hall, in Council Chambers, 1<sup>st</sup> Floor, 538 N. Market Street, Wooster, Ohio.

- I. ROLL CALL & ORDERING OF AGENDA**
- II. APPROVAL OF MINUTES**
- III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**
- IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**
- VI. OLD BUSINESS**
- VII. NEW BUSINESS**

- 1. First Reading - INFORMAL RESOLUTION-IN OPPOSITION TO THE STATE OF OHIO SEEKING TO ASSUME CONTROL OVER THE COLLECTION OF MUNICIPAL INCOME TAXES
- 2. First Reading - ORDINANCE 2012-07-AMENDING THE ANNUAL APPROPRIATION ORDINANCE
- 3. First Reading - RESOLUTION 2012-37-AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE IMPACT GROUP OF HUDSON, OHIO FOR SERVICES RELATED TO THE PREPARATION AND ADMINISTRATION OF A COMMUNITY SURVEY, AND THE DEVELOPMENT OF COMMUNICATION STRATEGIES RELATED THERETO, AND DECLARING AN EMERGENCY
- 4. First Reading - RESOLUTION 2012-38-AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH EMH&T OF COLUMBUS, OHIO FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE CITY'S GEOGRAPHIC INFORMATION SYSTEM
- 5. First Reading- RESOLUTION 2012-39-AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES PROVIDED TO THE MUNICIPALITY PURSUANT TO AN ENGAGEMENT WITH ICE MILLER, LLP

- VIII. MISCELLANEOUS**
- IX. ADJOURNMENT**

## INFORMAL RESOLUTION

### IN OPPOSITION TO THE STATE OF OHIO SEEKING TO ASSUME CONTROL OVER THE COLLECTION OF MUNICIPAL INCOME TAXES

WHEREAS, Governor John Kasich, Lieutenant Governor Mary Taylor, and Ohio Tax Commissioner Joe Testa have recently proposed that the State Department of Taxation assume control over the collection of municipal income taxes; and

WHEREAS, municipal income tax is the largest source of revenue for most Ohio municipalities, and any disruption or interference with the current collection process will be harmful to the City of Wooster's financial operations; and

WHEREAS, any such financial interference will only further diminish the fiscal operations of the City which have decreased due to reductions of funds received by the City from the State of Ohio; and

WHEREAS, the City of Wooster is home to approximately 26,119 residents and 11,822 housing units and is best positioned to respond to the local needs of its citizens and collect municipal income taxes; and

WHEREAS, the possibility that the State of Ohio will assume control over the collection of municipal income taxes presents many administrative issues including: the enforcement of local tax ordinances, pursuit of delinquent taxpayers, collection and distribution of tax revenue to municipalities, retention of tax records, recording and reporting tax collections to municipalities, and filing tax returns; and

WHEREAS, the Ohio Constitution permits municipalities to adopt a local charter, exercise various local government powers and levy municipal income taxes, and does not prohibit municipalities from collecting taxes which are levied locally; and

WHEREAS, if the State of Ohio assumes control over the collection of municipal income taxes any such system would circumvent the intent of the Ohio Constitution and would diminish the ability of the citizens of the City of Wooster to engage in self government pursuant to the City's adoption of a local charter and local ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That we, the undersigned Mayor of the City of Wooster and members of the Wooster City Council, for ourselves and on behalf of the citizens of Wooster, do hereby oppose any proposal by the State of Ohio which seeks to assume control over the collection of municipal income taxes.

SECTION 2. That the Clerk of this Council is hereby authorized and directed to certify a

copy of this Informal Resolution to Governor John Kasich, Lieutenant Governor Mary Taylor, Ohio Tax Commissioner Joe Testa, State Senator Larry Obhof and State Representative Ron Amstutz.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Resolution shall take effect and be in full force from and after the earliest date allowed by law.

\_\_\_\_\_  
Robert F. Breneman  
Mayor

\_\_\_\_\_  
Michael G. Buytendyk  
President of City Council

\_\_\_\_\_  
Jon E. Ulbright, At-Large

\_\_\_\_\_  
Jon Ansel, At-Large

\_\_\_\_\_  
Craig Sanders, At-Large

\_\_\_\_\_  
Mark Cavin, 1<sup>st</sup> Ward

\_\_\_\_\_  
Barbara A. Knapic-2nd Ward

\_\_\_\_\_  
David Silvestri, 3<sup>rd</sup> Ward

\_\_\_\_\_  
Jeffrey A. Steiner, 4<sup>th</sup> Ward

Passed March \_\_\_\_\_, 2012

Introduced by: Jon Ansel



Request for Agenda Item  
Authorization for Bid or Purchase of Capital Item

Division Police Project Name Justice Center Chiller Requested Meeting Date March 19, 2012

- Approved for Agenda  
 Full Amount is Budgeted

If not, how is purchase to be funded? Unappropriated balance from capital improvements

Description of Purchase This purchase will be made to replace a chiller at the Justice Center that is no longer operational. If this chiller is not replaced before summer the Justice Center will operate with only partial cooling.

Justifications / Benefits Total Cost for the project is 156,563.05  
Since this is a Justice Center Capital Item the City's portion is 29% or \$45,403.28  
To account for overages request is for 50,000.00

How will this project effect the City's operating budget? Funds will be used from the unappropriated balance in capital improvements.

What alternatives exist, and what are the implications of the alternatives? No alternatives.

- Sole Source Bid or Non-Bid Situation?

If Yes, explain the circumstances Items are on GSA contract and bid is below GSA cost. County commissioners have agreed this does not need to be bid.

- Requesting suspension of the rules?

If Yes, explain reasons. This chiller has a six week delivery time. In order to have the chiller installed before summer immediate action is requested.

Division Manager Matt Fisher Date March 13, 2012

RESOLUTION NO. 2012-37

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE IMPACT GROUP OF HUDSON, OHIO FOR SERVICES RELATED TO THE PREPARATION AND ADMINISTRATION OF A COMMUNITY SURVEY, AND THE DEVELOPMENT OF COMMUNICATION STRATEGIES RELATED THERETO, AND DECLARING AN EMERGENCY

WHEREAS, in anticipation of further reductions in municipal services, Mayor Breneman has recommended that the city enter into a contract with The Impact Group of Hudson, Ohio for the preparation and administration of a survey designed to identify and prioritize the delivery of community services, and also to assist in the development of strategies for the communication to the public of budgetary issues facing the municipal government; and

WHEREAS, this City Council deems that prompt action is necessary to facilitate these necessary services at the earliest possible time.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That the Mayor is hereby authorized to enter into a professional services contract with The Impact Group of Hudson, Ohio for the preparation and administration of a community survey, and the development of communication strategies related thereto.

SECTION 2. The cost of such contract will not exceed \$25,000.00, of which amount \$12,000.00 is budgeted in the CDBG ED RLF Fund and \$13,000.00 from the General Fund.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary to facilitate the timely commencement and completion of the proposed services; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading \_\_\_\_\_ 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2012 Vote: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council President of Council

Approved: \_\_\_\_\_, 2012  
Mayor

Introduced by: Jon Ansel



**Request for Agenda Item  
Authorization for Bid or Purchase of Capital Item**

<b>Division</b> Engineering	<b>Meeting Date Requested</b> March 19, 2012
<b>Project Name</b> Geographic Information System Updates – Service Request Center Application	<b>Approved for Agenda</b>
<b>Estimated Total Cost</b> \$30,000	
<b>Is Full Amount Budgeted</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If No, How Is The Purchase To Be Funded?</b> There is \$30,000 budgeted for this project in the Water, Sanitary, Capital and Storm Sewer Funds.	
<b>Description Of Purchase</b> This request is to enter into a contract with EMH&T of Columbus, Ohio to provide technical services & support required to update the City's GIS system and integrate a Service Request Center for tracking work orders, improving citizen access to information, enabling compliance with City ordinances regarding traffic control files and journalization, and enabling compliance with EPA stormwater management mandates. Specific applications include Stormwater NPDES Compliance, Traffic Control File creation and mapping, City Tree Management, and automating the delinquent account process.	
<b>Justification / Benefits</b> The current City GIS application is nearing final completion of the last, approved update and configuration changes. Council approved services to convert to the industry standard software last year, and new software was installed and data was converted. Configuring the application for specific EPA and Traffic Control compliance issues, as well as cost savings applications. The delinquent account application will save us \$3000/year in mailing costs alone.  The City GIS has become an integral part of the planning and design process for several City Departments, including Parks, Utilities, Maintenance, Planning and Building Standards, and this update will provide for easier creation of applications to further increase productivity, data collection and planning efforts. This is a multiple phase project, with continued application development over the next two years. We are currently finishing phase 2, and in the middle of phase 3; this request is for phase 3 completion.	
<b>Will This Project Effect the City's Operating Costs</b> The full amount of this expenditure was budgeted, so there should be no affect on the operating budget. Indirectly, use of a current, up to date GIS should reduce operating costs by providing a tool for efficient planning, design, and information retrieval.	
<b>What Alternatives Exist and What Are The Implications of The Alternatives</b> We could do nothing, and use the software as is without utilizing it for time and cost savings and regulatory compliance. This would hamper efforts to create a truly interactive, useable public GIS. This would also require more time and effort for EPA and Traffic Control compliance.	
<b>Is This A Sole Source Bid or Non-Bid Situation</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If Yes, Explain The Circumstances</b> EMH&T has provided previous development and updates for the GIS and they have an intimate knowledge of both the City GIS. They have also performed similar services for multiple municipal clients using the same software.	
<b>Are You Requesting Suspension Of The Rules</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If Yes, Note Reasons</b> Suspension of the rules is not required at this time, but I would prefer to incorporate these applications into the final update process for efficiency and reduction in effort. Engineering, Planning, Utilities and Police departments are all waiting for the update and conversion for current projects and planning.	
<b>Division Manager</b> Joel Montgomery	<b>Date</b> March 15, 2012

