

CITY COUNCIL MINUTES
March 21, 2011

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.

Mr. Silvestri suggested moving the public hearing between readings of Ordinances No. 2011-06 and No. 2011-07, in order to consider the annexation legislation, hold the public hearing on the zoning and then consider the legislation for zoning. There were no objections.

II. APPROVAL OF MINUTES

Ms. Knapic moved, seconded by Mr. Steiner, to approve minutes of the March 7, 2011 meeting. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the City: 1) Gov. Strickland released the bi-annual budget on April 15, 2011, which will create an additional \$1.6 million expense for the City. Essentially in 2011 the City's general fund expenditures are at a \$1.34 million deficit, less days in cash, along with the \$1.6 million state budget cuts over the next two years. He noted there are some up-ticks in income and is hoping that will continue. The federal budget is on hold as there was another continuing resolution. The state is pushing a lot of decisions down to the local level to determine what is important to them. 2) City crews are still addressing the problem of potholes. The cold patch material being used is a temporary fix until the more permanent hot mix material is available, which should be within the next couple weeks. Any pothole complaints should be reported to the City. 3) The City is getting the parks ready for summertime usage.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

The clerk read two notices received from the Ohio Division of Liquor Control:

Gerold D. Fryman, 120 Beall Avenue applied for a new D5L liquor permit. Mr. Steiner moved, seconded by Mr. Ansel, not to request a hearing. Motion carried unanimously.

JEJOPA Investments LTD, DBA Spoon Market & Deli, 147 S. Market St., applied for a new C1 and C2 permit. Mr. Buytendyk moved, seconded by Mr. Silvestri, not to request a hearing. Motion carried unanimously.

Following members of the audience spoke: Greg Gehris, 347 N. Grant (taxes); Sheryl Knopp, 315 Bardon Street (Stan Miller Park).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

1. Second Reading - ORDINANCE NO. 2011-06 ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON THE EAST SIDE OF FRIENDSVILLE ROAD, SOUTH OF ITS INTERSECTION WITH RIFFEL ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Robert J. Reynolds, Esq., Agent for Petitioners) (Buytendyk)

Mr. Buytendyk said he would move for third and final reading as this request had been discussed quite extensively. The parcel is surrounded on all four sides by the City of Wooster limits. It is part of the Acres of Fun property and would have been annexed with the other parcels, but was delayed due to timing issues. Mr. Reynolds was in attendance for questions. Mr. Ulbright confirmed this annexation would not cause additional strain on city services. He wanted to go on the record saying any future annexations, he would also take this into consideration, as he does not wish to add any more burden on what he feels are already overtaxed fire, police and maintenance divisions.

Mr. Buytendyk moved, seconded by Ms. Knapic, 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. Buytendyk moved, seconded by Mr. Cavin, 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).

Public Hearing - Mr. Buytendyk said the purpose of the public hearing was to change the zoning for the newly annexed property, 3.443 acres on the northeast corner of Lot #7870, east of and adjacent to property located at 3889 Friendsville Road (Acres of Fun), to a C-5 (General Commercial) District. The Planning Commission recommended the C-5 zoning which is in compliance with the surrounding parcels. Mr. Buytendyk feels commercial zoning causes less strain on the public funds as it can generate money in terms of income, as opposed to residential zoning that the City usually breaks even on the revenue produced. Ms. Knapic wanted to know if any comments were received from residents living in that area and Rebecca. Leitschuh, Planning & Zoning Manager, confirmed there were not and she further explained the additional screening required as it is adjacent to a residential property. There were no further comments or objections and the public hearing was closed.

2. Second Reading - ORDINANCE NO. 2011-07 AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO ZONE NEWLY-ANNEXED LAND (3.443 ACRES) TO A C-5 GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF FRIENDSVILLE ROAD, SOUTH OF ITS INTERSECTION WITH RIFFEL ROAD (Buytendyk)

Mr. Buytendyk indicated this was the final piece in the annexation process, to designate the zoning as C-5 General Commercial District. There were no further questions or discussion.

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

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2011-08 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WAYNE COUNTY TO ACCEPT SANITARY SEWERAGE FROM THE HILLCREST SANITARY SEWER DISTRICT (Silvestri)

Mr. Silvestri stated negotiations occurred between the Wayne County Commissioners and the City of Wooster and they agreed to terms and conditions under which the Hillcrest area will be served with sanitary sewer. He explained that a number of properties in the Hillcrest area are outside of the City limits, where there is a small package plant which handles small scale pre-treatment of sewer waste that does not meet the current quality standards. If the County would try to upgrade the system it would cost them over \$1 million, so it was determined the cheapest option for the County was to renovate the Hillcrest plant into a lift station by coming 475 feet and connecting into the City's sewer system. This will provide the City with approximately \$40,000-\$60,000 additional revenue for the Water Pollution Control Fund and also allow for the expansion of service into this region. The Mayor explained this is a straight metered situation and there will be no additional cost to the City. The City will put a master meter at the Hillcrest Plant and everything on the County side is their responsibility. The City will take over responsibility from the connection at the meter and into our system. He said once the Hillcrest sewer is tied into the system, the City will be taking on additional load, but will also be paid for that. He said the City waived the tap-in fee for the County as part of the negotiations.

Mr. Silvestri moved, seconded by Ms. Knapic, 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. Silvestri moved, seconded by Mr. Steiner, 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 - RESOLUTION NO. 2011-38 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND, UPON APPROVAL, TO ACCEPT AND APPLY SUCH FUNDS, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated this is an annual resolution that passes before council authorizing the City to apply to the Ohio Housing Community Partnerships (a division of the Ohio Department of Development), for a Small Cities Community Development Block Grant Community Housing Improvement Program (CHIP) for the purpose of addressing local housing needs for low and moderate income persons. This would include redevelopment, home repair, rehabilitation, home ownership, low interest financing and administration oversight for Tract 6, which is the central downtown area. It is unknown how the state funding cuts will affect these types of funding grants for urban renewal and therefore Mr. Ansel felt we should act quickly to get our application submitted in order to secure \$350,000 in funding.

Mr. Ansel moved, seconded by Mr. Steiner, 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. Silvestri, 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. 2011-39 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WAYNE METROPOLITAN HOUSING AUTHORITY FOR ADMINISTRATIVE CONSULTING SERVICES FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR A COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel said since 2001 the City of Wooster has contracted with the Wayne Metropolitan Housing Authority for consultative administration regarding securing and allocation of the financial management for the Community Housing Improvement Program (CHIP). He also highlighted that since 2002 the City of Wooster has received over \$2.7 million of state and federal funding for support of this program, which have provided investment in the central downtown area. There is an administrative fee for overseeing this program, but Mr. Ansel said it is a lower cost than if done internally by the City. There are technicalities and specifics associated with the ongoing management and loan application and review process, etc. Mr. Ansel said in keeping with tradition and recognizing the value, the City would ask that the Wayne Metropolitan Housing Authority provide this ongoing service for an annual fee of \$50,000.

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 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).

4. First Reading - RESOLUTION NO. 2011-40 AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT TO CLEVELAND STATE UNIVERSITY FOR THE PERFORMANCE OF A FEASIBILITY STUDY; AND APPROPRIATING THE FUNDS FOR PAYMENT THEREOF, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated three entities, the Wayne County Commissioners, the City of Ashland and the City of Wooster have worked together to recognize the opportunity to evaluate how we operate our dispatch centers. When an individual calls 911, that call is routed to a location based on the dispatch location and Mr. Silvestri said the idea is to conserve resources by merging together at least these three entities. He said the feasibility study will determine what it would cost to support one central dispatch. Mr. Fowler further explained that council approved Resolution No. 2010-52, which authorized applying for CDBG monies for the purpose of funding the City of Wooster's portion of a regional dispatch center feasibility study. He said this is a then and now request as the study has commenced and an invoice for services rendered has been submitted to the City of Wooster, who was designated as the fiscal agency to act on behalf of the parties to the study. Mr. Benson said the three entities agreed to retain the Center for Public Management of Cleveland State University to perform the feasibility study, with each party contributing one-third of the total cost of \$46,999. He said this is CDBG money, not general fund money. Mr. Benson said the idea is to combine resources so that more than one government can reap the benefit and reduce the expense without affecting the ultimate product which is prompt dispatching services for emergency services. Fire Chief Eyler addressed questions, further explaining the feasibility study and how a central dispatch center would operate. Police Chief Glick added that there would be some type of buy-in for other entities who wish to join the regional dispatch center at a later time. Mayor Breneman said part of the consideration of the study is how to make the whole thing work and looking at a council of government to actually govern the entity of a regional dispatch center, who would make decisions as how to incorporate other parties into the system.

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

5. First Reading - RESOLUTION NO. 2011-41 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A CONTRACT WITH WASTE MANAGEMENT, INC. FOR RESIDENTIAL COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES (Ansel)

Mr. Ansel explained this is to extend the current contract with Waste Management for a period of four years with no cost increase for the first two years and a 2% increase for the last two years. He said the City has been very satisfied with the services provided by Waste Management and additionally they have agreed to provide recycling bins to all residents to promote recycling. Currently residents place recyclables in blue bags at curbside and there is a cost to purchase those bags. Under the new program recyclables will be placed in the recycling containers for pick up. Also, Waste Management will assist the City in promoting that program by creating higher public awareness.

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).

6. First Reading - RESOLUTION NO. 2011-42 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: IN-CAR REPORTING SOFTWARE MODULE FOR THE POLICE DIVISION (Steiner)

Mr. Steiner said this is a continuation of the process to install software into police cruisers which will allow officers full access to the Records Management System. Officers will be able to directly enter reports into the RMS rather than hand writing the reports, necessitating a clerk to re-write those reports into the RMS. All officers have received

training on the module and are using it on desk top computers. This is a budgeted item and an \$11,000 grant from OCJS will be applied to purchase in-car printers so citations can be printed from the violations entered.

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).

7. First Reading - RESOLUTION NO. 2011-43 TO AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR3 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright explained the funding for this project is split 80/20. The Ohio Department of Transportation will assume 100% on preliminary engineering costs and environmental studies. They will also assume 80% on roadway construction and construction engineering costs and the City will assume 20% of those costs. The project is to resurface SR3 from the bridge over US30 at the south edge of Wooster to Jacobs Lane south of Wooster. A portion of this section of roadway is inside the Wooster Corporation limits and a portion is out. The City will only be responsible for 20% of the construction costs located within the City corporation. The construction will take place in 2011.

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

8. First Reading - RESOLUTION NO. 2011-44 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT WITH WOOSTER COMMUNITY HOSPITAL FOR HEALTH AND WELLNESS SERVICES (Steiner)

Mr. Steiner said this is a budgeted item. In 2009, the City received a grant for a 10% match to implement a firefighter health and wellness program. A supplier from Pennsylvania was going to be used but it was decided to pay a little more money to work with Wooster Community Hospital to ensure a smoother process. The total amount of the grant is \$54,270. Fire Chief Eyley answered council's questions and indicated cost per firefighter would be \$1000.

Mr. Steiner moved, seconded by Mr. Silvestri, 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

Mayor Breneman asked to make a public comment. He said he has become increasingly concerned over the last few council meetings that council and the public are being provided false information and he wanted to correct that. Comments being made about the College of Wooster, during the public communications portion of the meeting, are totally false. The Mayor said the College of Wooster is a great part of our City. They are one of our top eight employers, are a great partner in many things the City does and are a public identity for Wooster to the outside world. Over the weekend they were No. 2 in the nation for basketball in their division, to which the Mayor congratulated them. The Mayor said the College of Wooster is a great community partner. As far as charging the college a bed tax, it is against state law to do so. Misleading information is being presented every meeting and the Mayor said he plans on speaking up against any false information as it is a total disservice to this community.

Ms. Knapic congratulated the College of Wooster basketball team for their successful season. She said it was great fun to follow them and it provided a positive vibe within the community.

Mr. Cavin reminded residents not to place trash at the curbside before 6 p.m. the night before trash pickup. There has been instances of residents putting trash out on Saturdays, Fridays, etc. and it's a real blight on the City. He asked if there was any type of enforcement for these issues. Mayor indicated the City has a code enforcement officer, Mark Nussbaum, and to contact him if these cases are seen around town.

Mr. Ulbright said with the nice weather approaching, he would urge citizens to take a look around and if they see property maintenance violations to bring them to the attention of their neighbor and if that doesn't work, to contact Mark Nussbaum at the City. He also congratulated the College of Wooster on their basketball season.

Mr. Buytendyk congratulated the College of Wooster for their successful season. He said the College of Wooster is the type of business a City wants to have. They bring out of county and out of state dollars into the community, they are a major employer and the general fund reaps the benefit from that. Also, Mr. Buytendyk suggested a proclamation be presented to the Wooster Brush Company in recognition of their 160th year business anniversary.

Mr. Ansel wanted to touch on some positive happenings: College of Wooster's basketball team going to the level they did is nothing short of remarkable; to have the technology, new business development, innovation and leading edge changes going on at the ATI and OARDC; and being recognized as the No. 1 micropolitan in terms of growth and investment within the State of Ohio and No. 2 in the nation, is also nothing short of remarkable. He said we have a lot to be thankful for in the City of Wooster. Mr. Ansel also recapped the Finance Committee meeting which was held prior to the council meeting. Year-to-date the revenues are up 4% and expenses are down 12 ½ %. He feels this type of initiative and forward thinking is what makes Wooster a great community. The City will get through these tough times but not without hard work or maintaining self sufficiency. Mr. Ansel feels we need to be concerned with our own community, making sure we can sustain our own growth and momentum without expecting handouts. We are seeing reduction in those handouts because the state doesn't have the revenue to continue giving those funds out, but the City of Wooster will get through it.

Mr. Silvestri said he appreciates the College of Wooster's presence in our City, noting he is an alumni. Mr. Silvestri suggested council look at all the facts and ideas to see what is possible. He wanted to commend any member of the public who brings ideas before council, but challenges them to bring ideas that are possible and proven successful, otherwise they do not give council much to work with or implement. Mr. Silvestri said the College of Wooster wrote the City a \$4 million check for the beautification of Beall Avenue, a street the City would have had to improve the infrastructure on anyways. He feels the college is a wonderful community partner.

Mr. Steiner said as a College of Wooster graduate, "Go Scots", it was a very exciting season.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Buytendyk, to adjourn. Motion carried and meeting so adjourned at 9:05 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council