

CITY COUNCIL MINUTES
March 3, 2014

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. The following members were present: Jon Ansel, Scott Myers, Craig Sanders, David Silvestri, and Jon Ulbright. Mark Cavin and Barbara Knapic were absent.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, and Finance Director Andrei Dordea, and Law Director Dick Benson.

Mr. Buytendyk noted that council would consider Resolution No. 2014-20 as the second item under New Business as it needs to be approved before council may consider Ordinance No. 2014-07. Mr. Buytendyk also noted that, as there were only five council members in attendance, no legislation could be passed on an emergency basis. Mr. Buytendyk added that council may choose to hold a special council meeting on Tuesday, March 4, 2015 at 5:15 p.m. in council chambers to consider Ordinance No. 2014-06, Resolution No. 2014-20, and Ordinance No. 2014-07. All of these matters are time-sensitive in nature.

II. APPROVAL OF MINUTES

Mr. Ansel moved, seconded by Mr. Myers, to approve the February 18, 2014 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mr. Breneman informed council that city crews have been out every day working on filling potholes around the city, and will continue to do so. Mr. Breneman also added that city administration has been working with Mr. and Mrs. Wellert, whose CRA application is the first item of New Business on tonight's agenda. City administration has been working on and discussing the application with the school board and have attended three school board meetings along with Sandra Hull of Main Street Wooster and Justin Starlin of the Wooster Area Chamber of Commerce. Mr. Breneman also expressed thanks to Bob Metze, Sarah Baker, and Steve Webster for serving on the Assessment Equalization Board to hear the objections to the Akron Road-Phase 2 estimated assessments.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ansel announced stated that he will comment on the Finance Committee meeting during discussion on Ordinance No. 2014-05.

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2014-05 AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that the Finance Committee had a productive meeting and thanked Mr. Montgomery and Ms. Wagner for talking about the proposed modifications. Mr. Ansel stated that the language changes are very minor, with the most significant relating to FMLA and new healthcare regulations. Mr. Ansel stated that the committee did not have a consensus recommendation on the ordinance and will have another Finance Committee meeting on Monday, March 17, 2014 at 6:30 p.m. in council chambers to further discuss the proposed changes. Mr. Ansel said that the discussion will cover the changes relating to accumulated sick leave and vacation leave carryover, timing of implementation, incentive for unused sick leave, bonuses for end of retirement years of service. Mr. Ansel stated that typical entitlement type of programs was the topic of discussion during the committee meeting and that those types of programs are changing and being minimized in both the private and public sector, and vacation cash out options were also discussed. Mr. Ansel noted that the committee was in agreement on the other

proposed changes. Mr. Ansel added that the goal is to create parity between management compensation and hourly employee compensation programs.

VII. NEW BUSINESS

- 1. First Reading – ORDINANCE NO. 2014-06 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH C&C WELLERT PROPERTIES, LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated that small businesses should be commended for taking the risk and having the vision to make modifications to beautify the downtown and to transform a 90-year old building into a more productive asset. Mr. Ansel wished to compliment Mr. Millea for his work in preparing the CRA and the Community Development Block Grant documents that will help to fund the proposed renovations. Mr. Ansel also noted the cooperation between the city, the school board, Main Street Wooster, and the Chamber of Commerce for the support each entity gave to this process as well as the Daily Record for publishing an article about these types of projects. Mr. and Mrs. Wellert thanked council for considering their application and Mr. Millea for working with them on the process. The legislation was left on first reading.

- 2. First Reading – RESOLUTION NO. 2014-20 A RESOLUTION APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE AKRON ROAD PROJECT, PHASE 2, AND DECLARING AN EMERGENCY. (Ulbright)

Mr. Ulbright noted that the Assessment Equalization Board (AEB) met and he wished to highlight a few of their comments. Mr. Ulbright noted that of the three objections originally received, one was withdrawn prior to the meeting and the board considered the other two. The first objection resulted in a 12% decrease in the assessment. The second objection considered was due to a claim of hardship. The AEB reported that they were not permitted to consider claims of hardship, and that resident will need to come before council at the time it considers the final assessment amounts to make their case. The legislation was left on first reading.

- 3. First Reading – ORDINANCE NO. 2014-07 AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF AKRON ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING A TURNING LANE, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Ulbright)

Mr. Ulbright explained that this legislation will be the next step in the Akron Road – Phase 2 project after council votes to accept the report of the equalization board. Mr. Ulbright stated that the total cost is \$3,775,000.00, of which 80% will be paid by the Ohio Department of Transportation (ODOT.) The city will pay the remaining 20% of the cost. Mr. Ulbright stated that the purpose of this legislation is to allow the city to advertise and enter into a contract to proceed with the project. Mr. Ulbright also noted that all necessary rights-of-way have been secured. The legislation was left on first reading.

- 4. First Reading – ORDINANCE NO. 2014-08 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel stated that the city was able to secure an extension for the downtown discretionary grant and the formula grant through the State of Ohio. Mr. Ansel explained that the discretionary grant is used to reimburse

small business owners in the downtown area up to 50% of the cost of the repairs to their downtown buildings. This legislation would appropriate the grant funds to allow the city to disburse funds to reimburse the small business owners and the city will then be reimbursed by the CDBG funds. As for the formula grant, Mr. Ansel explained that it is a carry-over from 2013 and will allow the city to finalize the East Liberty Parking lot project.

5. First Reading – RESOLUTION NO. 2014-21 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER(S) FOR FURNISHING BITUMINOUS MATERIAL AND CONCRETE (Ulbright)

Mr. Ulbright stated that he spoke with Mr. Daryl Decker and found that the city spent \$81,500.00 on bituminous materials in 2013 and \$70,000.00 on concrete. Mr. Ulbright noted that the city did a lot of paving last year in trying to make up for previous years in which the city did not have the funds to do so. Mr. Decker has budgeted \$220,000.00 to be used solely on streets. Mr. Ulbright said that discussion are still ongoing as to whether city employees or outside contractors will do which projects. Ultimately, the city will do whichever allows them more bang for the buck.

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

VIII. EXECUTIVE SESSION (BRIEF)

Mr. Ansel moved, seconded by Mr. Myers, to go into executive session to discuss litigation. Upon roll call, motion carried unanimously (Ansel-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Mr. Sanders moved, seconded by Mr. Ulbright, to reconvene from executive session. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

VIII. MISCELLANEOUS

Mr. Ulbright and Mr. Myers requested that council hold a special council meeting on Tuesday, March 4, 2014 at 5:15 p.m. in council chambers. Upon voice vote, the motion carried unanimously.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Ansel, to adjourn. Motion carried and meeting so adjourned at 8:58 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council