

**CITY COUNCIL MINUTES**  
**March 4, 2013**

**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, Mark Cavin, Barbara Knapic, Craig Sanders, David Silvestri, Jeff Steiner, and Jon Ulbright.

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

**II. APPROVAL OF MINUTES**

Mr. Steiner moved, seconded by Ms. Knapic, to approve the February 19, 2013 meeting minutes. Upon voice vote, the motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mr. Montgomery informed council members that the due date for the annual reports from city divisions was March 1, 2013 and that he will be consolidating the information for a future council meeting. Specifically, Mr. Montgomery will be reporting on performance measures from the various divisions. Mr. Montgomery reported that the city received several responses to the request for proposals for the city's electric accounts. The city will realize even greater savings than originally estimated.

Police Chief Matt Fisher stated that he had distributed the police department's annual report to council members. Chief Fisher also informed council that on April 8<sup>th</sup> of this year, the police department will conduct a critical incident simulation training exercise at Wooster High School. Information will be sent to parents to inform them of the procedure.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

City Council received two notices from the Ohio Division of Liquor Control. The first notice was of a transfer of a liquor license from Tulsi LLC to Ty Gy Inc (Convenient Food Mart, 337 W Liberty St.) Ms. Knapic moved, second by Mr. Ulbright, to waive the hearing. Upon voice vote, the motion carried unanimously.

The second was an application for a new D5L liquor license for Bedre Bus LLC DBA The First Amendment located at 150 W Liberty Street. Ms. Knapic informed council that she had spoken with the owner, and the owner was willing to come before council to answer any questions they wish to ask. Ms. Knapic moved, second by Mr. Ansel, to waive the hearing. Upon voice vote, the motion carried unanimously.

The following members of the audience spoke: Mr. Matthew Long, 225 N. Market St. (Resolution No. 2013-27); Mr. Chris Pycraft, 225 N. Market St. (Ordinance 2013-12); Mr. Justin Starlin, 377 W Liberty St. (Ordinance 2013-12); and Mr. Brian Shuford, Coalition Against Bigger Trucks, Tampa, Florida (Resolution 2013-30.)

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

Ms. Knapic reported on the Laws & Ordinances Committee meeting that was held on Monday, February 25, 2013. The committee discussed increasing the amount required for competitive bidding. The committee also discussed changing the dog ordinance to make it non-breed specific. Ms. Knapic stated that legislation for that change should be ready for the next council meeting on March 18, 2013.

**VI. OLD BUSINESS**

None.

## **VII. NEW BUSINESS**

1. First Reading – ORDINANCE NO. 2013-11 AN ORDINANCE AMENDING CHAPTER 160, BIDDING PROCEDURES AND CONTRACT REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY INCREASING THE AMOUNT OF THE LIMIT FOR COMPETITIVE BIDDING (Knapic)

Ms. Knapic informed council that due to the increase in prices of items the city needs to purchase and also to reflect changes in the amount at the state level, Mr. Montgomery has requested an increase in the bid limit threshold from \$25,000 to \$50,000. Mr. Montgomery provided several examples of situations in which the city could have saved both time and money if the limit for competitive bidding was higher. He also stated that changing the limit would have no affect on how projects were budgeted and the projects would still come before council for approval as they have always done. Ms. Knapic also added that projects would not be allowed to be “parceled out” in order to avoid bringing the items before council for consideration. Ms. Knapic stated that she would leave this legislation on first reading to allow for further comments at the next council meeting.

2. First Reading – ORDINANCE NO. 2013-12 AN ORDINANCE AMENDING ORDINANCE NO. 2012-10 BY INCREASING THE TERMS OF THE COMMUNITY REINVESTMENT AREA COMMITMENT, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel informed council that Brasfond would like to amend their initial CRA agreement to allow the company to expand their operations, add an additional \$750,000 investment, retain the eight current jobs as well as to add at least three new jobs. Mr. Ansel reiterated that the company is asking for a 10-year abatement instead of the maximum of 12 years. Mr. Pycraft, representing Brasfond, spoke briefly stating how pleased Brasfond has been with their investment in Wooster and expressed their desire to expand their operations here. Mr. Starlin, speaking on behalf of the Chamber of Commerce, stated that the president of Brasfond has traveled here from Brazil and is very pleased with the arrangement and determined that his company needs to expand to accommodate the business.

Mr. Ansel moved, seconded by Mr. Sanders, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

3. First Reading – RESOLUTION NO. 2013-27 A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE EAST SIDE OF MECHANICSBURG ROAD, NORTH OF ITS INTERSECTION WITH CROSSWIND COURT, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (Matthew A. Long, Esq., Agent for Petitioners Habitat for Humanity in Wayne County, Inc.) (Knapic)

Mr. Long, agent for Petitioners, spoke briefly stating that this resolution on behalf of his client is simply to state what services the city of Wooster would provide for this parcel of land. Ms. Knapic reiterated that this resolution is, essentially, to inform the Wayne County Commissioners of the services the city of Wooster would provide to the parcels in question. Approval of the legislation would allow the Commissioners to proceed in the annexation process.

Ms. Knapic moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

4. First Reading – RESOLUTION NO. 2013-28 A RESOLUTION 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 stated that Wayne Metropolitan Housing Authority has the experience and staff necessary to assist the city in applying for and administering the CDBG grants from the State of Ohio. This legislation would enable the city to partner with the agency for the 2013 CDBG funds. Total budget allocation, to come from the state grant, is \$44,500.

Mr. Ansel moved, seconded by Ms. Knapic, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-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; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

5. First Reading – RESOLUTION NO. 2013-29 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR MICROSURFACING NORTH STREET (Ulbright)

Mr. Ulbright stated that the microsurfacing along North Street will take place between Bever Street and Beall Avenue and that ODOT would be contributing 80% of the cost of the project. The city of Wooster would be responsible for approximately \$40,000.

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

6. First Reading – RESOLUTION NO. 2013-30 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PROCEED WITH A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR PAVEMENT REPAIR, DIAMOND GRINDING AND PAVEMENT MARKINGS ON SR 83 WITHIN THE CITY OF WOOSTER; AND AUTHORIZING THE ISSUANCE OF PAYMENT FOR THE CITY'S PORTION OF THE PROJECT EXPENSE, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated that this is a budgeted item and that council is aware that the Dix highway is in need of repair. This project would have 80% of the cost covered by ODOT and the city's 20% portion would amount to \$112,000. Mr. Ulbright reminded council that they had already approved and funded the project at a prior council meeting and that this legislation would allow the project to move forward.

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

7. First Reading – RESOLUTION NO. 2013-31 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND APPLY GRANT MONIES FROM THE DEPARTMENT OF HOMELAND SECURITY, AND DECLARING AN EMERGENCY (Steiner)

Mr. Steiner advised council members that Chief Eyler applied for and the city was awarded a grant from the Department of Homeland Security for 90% of the funding requested of the purchase price for the replacement of a jaws-of-life set and other vehicle extraction equipment as well as three defibrillator monitors.

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; Cavin-yes; Knapic-yes; Sanders-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; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

8. First Reading – RESOLUTION NO. 2013-32 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE LIBERTY STREET RESURFACING PROJECT (PID 92623) (Ulbright)

Mr. Ulbright stated this legislation is for an ODOT project for paving Liberty Street between Larwill Street and Oak Hill Road. ODOT will provide 80% and the city 20% (\$186,450) of the cost. Approval of this legislation will allow the city engineer to accept the grant money already awarded.

Mr. Ulbright moved, seconded by Ms. Knapic, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

### **VIII. EXECUTIVE SESSION**

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

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

### **IX. MISCELLANEOUS**

### **X. ADJOURNMENT**

Mr. Ulbright moved, seconded by Ms. Knapic, to adjourn. Motion carried and meeting so adjourned at 9:28 p.m.

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Michael G. Buytendyk  
President of Council

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Amy M. Hamilton  
Clerk of Council