

CITY COUNCIL MINUTES
May 16, 2005

President Judith Mitten called the regular meeting of Council to order at 7:30 p.m. in the council chambers and upon roll call, members answered present as follows: Breneman, Buytendyk, Cavin, Griffin, Silvestri, Topovski.

Mr. Buytendyk moved, seconded by Mr. Silvestri, to approve the minutes of the May 2, 2005 meeting as received. Motion carried unanimously.

Susan Urang read a letter regarding her opposition to the mass euthanasia of Wooster's cat population and asked the city to institute the licensing and registration ordinance for all cats and to require collars and i.d. tags. She also was in favor of the city giving financial aid to the Humane Society to deal with this problem.

Eric Nadeau representing the Humane Society explained the services that were provided by the Humane Society and stated that they have been very successful in reducing the number of animals euthanized and increasing the number of animals adopted. Mr. Nadeau encouraged City Council to support the humane society by passing the resolution on their agenda tonight.

Mr. Breneman stated that a finance committee meeting had been held last Friday at noon at which time the budget was discussed and where we stand financially at this time. Mr. Dordea had provided a spreadsheet for the first quarter as of April 30 and the good news was that we were on budget and staying within the parameters we projected last December. The bad news was that our income tax receipts were down 1% but we had planned on that. Our EMS billing was up this year as well as estate tax receipts. All in all, we're in sound fiscal shape according to our plan.

Mr. Griffin stated that prior to the finance committee meeting, a public utilities committee meeting was held. One issue discussed was construction of a water line under Route 30 and the committee was in support of this project. The second item discussed was the water line serving the Boys Village/Noble Drive area which was on the agenda this evening (reviewed by Mr. Breneman in light of Mr. Griffin's association with Boys Village).

Resolution No. 2005-42 authorizing the Director of Administration to enter into an agreement with Wayne County for animal control services within the City of Wooster, and declaring an emergency was read by title, being on second reading. Mr. Topovski stated that he had spoken with Chief Thornton about the scenario if we didn't have the humane society to help out with stray cats and dogs and it would put more of a burden on the staff of the police and fire department when calls come in to them to dispose of or pick up stray cats and dogs. The city needs to step up here and participate in the funding of the humane society. Mr. Breneman stated that he had received one phone call regarding this from residents who weren't opposed to this funding and had dealt with the feral cats in their neighborhood by using traps provided by the humane society. However, the last time the resident went for a trap, it cost \$40.00, which was a lot of money, and he hoped they would lower the cost so that more people could take advantage of using the traps.

Mr. Buytendyk had spoken with a resident who agreed that the city couldn't provide this service for less than what we're proposing to give the humane society.

Mr. Topovski moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Topovski moved, seconded by Mr. Breneman, to adopt.

Ms. Cavin stated that she had received a lot of comments regarding this issue and most were in favor, although some had the same concern as what Ms. Urang had earlier said about the number of cats being euthanised and that they'd rather see an alternative which would, of course, take more money.

Upon roll call, motion to adopt the resolution carried unanimously.

President Mitten stated that Mr. Ulbright had informed her that he would be late for the meeting, so in order to accommodate him, we will delay those pieces of legislation under his sponsorship until he arrives.

Ordinance No. 2005-18 amending the Annual Appropriation Ordinance was read by title, being on first reading. Mr. Breneman moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Buytendyk, to adopt. Mr. Breneman stated that this was in relation to the Wooster Community Hospital and a charitable fund set up by Audrey Beaverson. This request was to transfer a donation amount of \$61,000 for EMS activities. This was to transfer monies from one fund to another. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2005-19 amending the Annual Appropriation Ordinance was read by title, being on first reading. Mr. Breneman stated that this was to appropriate \$4,000 to the capital improvements fund from the engineering division for the purchase of a copier, scanner and fax unit. There being no further comments or questions, Mr. Breneman moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2005-20 authorizing the City of Wooster to pick up a portion of the statutorily required contribution to the public employees retirement system of Ohio for administrative and supervisory employees of the city pursuant to I.R.C. Section 414(H)(2), and declaring an emergency was read by title, being on first reading. Mr. Buytendyk stated that in light of the fact that there had been no pay raises for those in the administrative and supervisory positions, in order to keep on the same level as what the hourly employees receive, it was intended that this pick up of a portion of PERS would at least be something to show they were valued and to also level the playing field. At the moment in some of the supervisory levels, it's to the point where the hourly employees are making more money than the supervisors and this was one way to give them a benefit. Mr. Sigg stated that he had sent a memo explaining exactly how this worked. A lengthy discussion followed and it was decided to leave this on first reading.

Resolution No. 2005-49 authorizing the Director of Administration to advertise according to law and enter into a contract with the lowest and best bidder for the replacement of a sanitary sewer line serving the Montclair/Catalina/Skylark area, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that this was a planned and budgeted project; we have a pump station that is in disrepair and our choices are to replace it at a cost of \$250,000 or to execute this plan at a much lesser cost. This would replace a pump station that requires routine maintenance and was subject to breakdown with a gravity system and this was in the best interest of public utilities in the future. Mr. Griffin moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Griffin moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2005-50 authorizing the Director of Administration to enter into a contract with Ruhlin Construction of Sharon Center, Ohio for installation of a casing pipe and water line under US30, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that a map of this project had been provided which clearly outlines the work; this was a topic of discussion at our public utilities meeting last Friday. The opportunity to put this water line in presents itself because of the construction on Route 30, so when the highway is dug up, the plan is to place this 28" steel casing pipe with a 16" water line through the pipe, to cap the ends and to use it at a later date. Mr. Silvestri was pleased to see this type of planning; it was a great idea and a great way to save taxpayer's money and hats off to the engineering department on catching that one. There being no objections, Mr. Griffin moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Griffin moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt the resolution carried unanimously.

President Mitten asked Mr. Buytendyk, as a member of the infrastructure committee, to sponsor Mr. Ulbright's legislation until he arrived.

Ordinance No. 2005-17 authorizing the Mayor to execute an easement for an encroachment upon the public right-of-way, and declaring an emergency was read by title, being on first reading. Mr. Buytendyk stated that this had to do with the replacement of the bridge along North Street, and as a result we need an easement to be able to go onto the property to build the retaining wall and at the same time, the property owner required to have six parking spaces. It was kind of a quid pro quo as we get the easement and he gets to keep the six parking spaces. There being no objections, Mr. Buytendyk moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Buytendyk moved, seconded by Mr. Griffin, to adopt. Upon roll call, motion to adopt the ordinance carried unanimously.

Resolution No. 2005-47 authorizing the Director of Administration to purchase a pneumatic roller for the Maintenance Division, and declaring an emergency was read by title, being on first reading. Mr. Buytendyk stated that our existing pneumatic roller was a 1957 machine with 48 years of service, which is pretty good, but we now need to replace this unit. Mr. Gilbert stated that this was used for paving and for our chip and seal program. Mr. Buytendyk stated that the estimated cost was \$18,500 and as Mr. Gilbert was prudent with our money, it was a previously owned machine. Mr. Buytendyk moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Buytendyk moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt the resolution carried unanimously.

Resolution No. 2005-48 authorizing the Director of Administration to enter into a contract with Timco, Inc. of Wooster, Ohio for traffic markings of city streets, and declaring an emergency was read by title, being on first reading. Mr. Buytendyk stated that this was a safety measure to allow us to effectively mark the streets to allow traffic flow. We have found over the years that it's less expensive to use a third party contractor to provide this service than do it ourselves. Mr. Buytendyk moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Buytendyk moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt the resolution carried unanimously.

Mr. Griffin recused himself from discussion and voting on this issue.

Resolution No. 2005-51 authorizing the Director of Administration to issue payment to Boys Village of Ohio, Inc. for construction of a water line serving the Boys Village/Noble Drive area, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that this had been discussed at the public utilities committee meeting on Friday and you all should have received a map this evening

showing what this entails. We presently have a 12” water line that ends on Old Airport Road which is served by a water tower located behind the veterinary clinic. Taking Boys Village into the city this past fall, they have the right to tie into city water and sewer and this was an extension of that water system. The EPA doesn’t like to see closed systems on water lines where a water line would extend into a dead end spur and the water could become a stagnant source; they were uncomfortable granting the right to extend lines in that situation. That’s what would happen if we just took a line and extended it to Boys Village. There is another water line that runs up the Back Orrville Road and it was proposed to loop this water line starting on Old Airport Road coming down and going northeast on Route 585 through Boys Village to the Back Orrville Road, coming back west and tying in to the existing line. This makes good planning sense because it is a loop system which means water will flow either direction to the Boys Village site, which should please the EPA. The city and Boys Village had come to an agreement on the cost of the line (Mr. Breneman explained the rationale and breakdown of costs). A short discussion followed. Mr. Ulbright arrived at 8:30 p.m., allowing this to move forward. Mr. Breneman stated that when Boys Village annexed into the city, they brought their employees with them, being taxpaying citizens. Prior to annexing, their employees who resided within the city paid \$17,000; now all the employees will contribute for a total of approximately \$56,000. They will, of course, become a consumer of our water and will pay the water/sewer rates; the city will benefit from this.

Mr. Breneman moved, seconded by Mr. Buytendyk, to amend Res. 2005-51 in Section 2, where it states “the cost of such payment will not exceed \$140,000” – the amount should read \$150,000. Upon roll call, motion to amend the resolution carried unanimously. Mr. Breneman moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Ulbright, to adopt. Upon roll call, motion to adopt the resolution as amended carried unanimously.

Miscellaneous

Mr. Griffin stated that it’s been his observation in working with public utilities and private engineering firms, that they make big money in private industry. The government does pay well and he felt we should continue to pay well so that we can keep attracting professional folks to do the job right. He had been impressed with the city managers and we need to keep them here.

Mr. Ulbright apologized for arriving late this evening and thanked Mr. Buytendyk for taking care of his legislation. Mr. Ulbright congratulated the humane society; he felt it was a wise move on the part of council to help them out and hoped we could take a look at next year’s budget and could possibly fund them for their important service to the community. Mr. Ulbright reminded his committee and all members of council that he was holding an infrastructure committee meeting on Wednesday, May 25 at 5:30 p.m. The three topics of that meeting are sidewalk gaps in our present system, particularly on main thoroughfares; the possible improvement of the Elm/Ihrig/Blair Street neighborhood; and the E. Milltown Road improvement project.

Mr. Buytendyk moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 8:45 p.m.

Judith K. Mitten
President of Council

Sheila Stanley
Clerk of Council

