

**CITY COUNCIL MINUTES**  
**May 3, 2010**

**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.

**II. APPROVAL OF MINUTES**

Mr. Buytendyk moved, seconded by Ms. Knapic, to approve minutes of the April 19, 2010 meeting. Upon voice vote, motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman updated council on various activities in the city: 1) Administration visited the Solid Waste District's recycling center in Oakwood, Ohio on April 23, 2010 and saw how Wooster's separated waste stream is being efficiently recycled; Mayor's staff attended a conference on the state budget in Canton, Ohio on April 20, 2010; City's peer review committee have completed their work and will be bringing their recommendations forward; Enviro Clean court hearing was held on April 27, 2010 which was continued until May 4, 2010; and the City participated in the Scarlet, Gray and Green Day Fair at the OARDC.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

The clerk read a notice from the Ohio Division of Liquor Control indicating Eagle Foodmart Inc., 1530 Beall Avenue, applied for a new C1 and C2 liquor permit. Mr. Ansel moved, seconded by Mr. Steiner, not to request a hearing. Motion carried unanimously.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

Mr. Silvestri reported on the Public Utilities Committee meeting held at 6:30 p.m. prior to the council meeting in council chambers. In attendance was Dr. Bob Ross, member of the Wayne County Sustainable Energy Network, who facilitated the initial meeting held in Bowling Green, Ohio on April 9<sup>th</sup> to discuss wind turbine power. The meeting was a follow-up to continue the fact finding process and determine the next steps in renewable energy development. Also in attendance was Brian Gwin, Wayne Economic Development Council, who gave input on Wayne County's assets in terms of renewable energy resources, distributing mapping studies done on wind and biogas energy sources. Mr. Ulbright will follow-up with AMP Ohio to discuss wind power. Mr. Silvestri indicated he will continue discussions with Brian Gwin to further pursue potential biogas energy options.

**VI. OLD BUSINESS (none)**

**VII. NEW BUSINESS**

1. First Reading - ORDINANCE NO. 2010-13 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY PROVIDING FOR THE SALE OR OTHER DISPOSITION OF SURPLUS MUNICIPAL OR HOSPITAL PERSONAL PROPERTY BY MEANS OF ELECTRONIC AUCTION (Buytendyk)

Mr. Buytendyk stated from time-to-time the city or the hospital has items they no longer need. Most of these items have exceeded their useful life and do not have much value and are put up for auction on Woobid, the city's auction site. However at times there are items worth over \$3000 and the city's only options are to sale these items by means of sealed bids, public auction or Woobid. This amendment will change the codified ordinance to allow city-owned items to be sold on public online auction sites, allowing a wider audience to bid on the items, hopefully generating more money. Mr. Buytendyk said he was informed notification could be put on the city's website to advise interested parties when and what sites items will be posted for sale.

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. 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).

2. First Reading - RESOLUTION NO. 2010-46 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH THE WAYNE COUNTY PROSECUTING ATTORNEY FOR THE PROSECUTION OF FORFEITURE CASES (Ansel)

Mr. Ansel explained that from time-to-time property is recovered in conjunction with criminal prosecutions, or property is recovered that is abandoned and unclaimed, and the property is capable of being forfeited and the value of the forfeiture returned to the Police Division. The Wayne County Prosecuting Attorney already handles prosecutions within the municipality, and is capable of and willing to prosecute forfeiture matters in exchange for a percentage of the forfeiture. This resolution would authorize the Director of Administration to enter into an agreement with the Wayne County Prosecuting Attorney for the prosecution of forfeiture cases within the municipality, in return for thirty percent (30%) of the sale or the forfeited value of that asset or tangible cash, with the remainder being returned to the Police Division Law Enforcement Trust Fund. Chief Glick provided statistics of funds generated through forfeitures over the last four years: 2009/\$6,037; 2008/\$4,086; 2007/\$15,781 and 2006/\$2,492. The current balance of the fund is approximately \$40,000 and is used at the discretion of the police chief for law enforcement purposes as approved by council. Mr. Benson commented in terms of the fairness of the 30% reimbursement, which is the same amount the prosecutor charges all political subdivisions who contract with his office for this service. Mr. Benson explained that thirty percent (30%) is the baseline, but the larger the item and greater the value, the more inclined the prosecutor will be to reduce the percent down for a more favorable amount for the city. Chief Glick responded to several of council's questions explaining common ways the police division seizes assets and examples or types of property seized. Mr. Buytendyk didn't feel the city could afford to do this in-house for less and the prosecutor's office has all the necessary information needed to proceed.

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 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).

3. There was an issue of mileage reimbursement to be discussed. Dr. Bob Ross, of the Wayne County Sustainable Energy Network, drove two council members to the Public Utilities Committee meeting held in Bowling Green, Ohio on April 9, 2010. The total mileage for the trip was 275 miles and Mr. Silvestri indicated Dr. Ross was advised he would be reimbursed for his mileage. Mr. Silvestri made a motion to reimburse Dr. Ross for the fuel for that trip at the current IRS mileage rate and Mr. Cavin seconded the motion. Mr. Buytendyk stated the reimbursement under the IRS is more than just fuel, it includes depreciation and insurance. He was not opposed to paying for the gas used, but thought that rate seemed to be fairly extravagant. Mr. Ulbright questioned if we had a bill showing how much Mr. Ross actually paid for the gas and Mr. Benson indicated all that was received from Dr. Ross was a statement that he traveled 275 miles and a map showing the route traveled. Mr. Ulbright suggested tabling the request so he could obtain an actual gas receipt(s) from Dr. Ross for gas consumed. Mr. Buytendyk suggested finding out from Dr. Ross how many miles his vehicle gets per gallon and base the reimbursement on that.

Mr. Ulbright moved, seconded by Mr. Steiner, to table this business until the next council meeting and he will get information from Dr. Ross. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

**VIII. MISCELLANEOUS**

Ms. Knapic reminded everyone to vote on May 4<sup>th</sup>.

Mr. Steiner indicated sitting in on the peer review committee meetings was fabulous. All the division heads did an excellent job in trying to determine different ways to save money and they are really committed to the City of Wooster. It was great to see.

Mr. Ansel reiterated that the peer review process was very enlightening and that it was handled very professionally and very thoroughly. He commended the city administration and division heads for their participation and creativity in terms of coming up with proposed cost reductions for the operating expenses for the City of Wooster. City Administration now has the hard work, once these ideas have been identified, to make the decisions that will best serve our city. It was a lot of time, but time well spent and he commended everyone for their participation. Mr. Ansel also asked everyone to go vote.

Mr. Buytendyk thanked Mr. Silvestri and Mr. Ulbright for having the Public Utilities Commission meeting and bringing in Dr. Ross and Mr. Gwin. He was fascinated to learn about the potential biogas has in Wayne County and is where his thoughts are with alternate energy as opposed to wind power. If Mr. Silvestri and Mr. Ulbright had not initiated their trip to Bowling Green we wouldn't have this information.

Mr. Ulbright thanked Bob Ross and Brian Gwin for attending the meeting and for presenting their very educational information. He will pursue, along with Dr. Ross, a meeting with AMP Ohio to see what they can do for the city in the area of wind energy and he will then report back to council.

**IX. ADJOURNMENT**

Mr. Ansel moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council