

CITY COUNCIL MINUTES
May 6, 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, Craig Sanders, David Silvestri, Jeff Steiner, and Jon Ulbright. Mark Cavin and Barbara Knapic were absent.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, Finance Director Andrei Dordea. Law Director Dick Benson was out-of-town.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Mr. Sanders, to approve the April 15, 2013 meeting minutes. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman addressed the council to provide a review of the efforts made to inform city residents about the need for the income tax levy. Mr. Breneman reminded council and the audience that the polls are open from 6:30am until 7:30pm on Tuesday, May 7, 2013. He encouraged everyone to vote.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Council received a notice from the Ohio Division of Liquor Control that Wooster Hospitality Group LLC would like to transfer its D1, D2, D3, and D6 permit to City Square Steakhouse LLC. Mr. Ansel moved, seconded by Mr. Ulbright, not to request a hearing. Motion carried unanimously.

President Buytendyk noted that council members had received a copy of the letter and NPDES permit from the Ohio EPA in their council packets.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Sanders reported on the Public Utilities Committee, which met earlier in the evening at 6:30pm. The committee discussed the contract for biosolids management for the Wastewater Treatment Plant. The committee also discussed improvements to the water system, specifically the Schellin Road water tower and future needs. Mr. Sanders said the committee also discussed consolidating the natural gas provider accounts for the city and the potential savings of doing so. Finally, the committee discussed the overall state of the city's infrastructure.

Mr. Silvestri conducted a public hearing on the proposed Zoning Code amendments. No one had any comments on the proposed amendments.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2013-17 AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO TITLES ONE, THREE AND FIVE OF THE CODE. (Knapic)

Mr. Silvestri introduced this legislation on behalf of Ms. Knapic. Mr. Silvestri noted that the Planning Commission has worked with the Planning and Zoning Manager to determine what changes were needed in the zoning code. Mr. Silvestri stated that there are numerous updates to the code included in the description included in the council packets. Mr. Silvestri added that Ms. Knapic is planning on conducting a Laws and Ordinances Committee meeting at 6:30pm on May 20, 2013 to discuss the zoning code amendments. Mr. Ulbright asked Mr. Dutton if there were any particularly significant items in the amendments that council should focus on when considering the amendments. Mr. Dutton noted a few points, specifically relating to garage sales and signage, that are new to the

code. Mayor Breneman took a moment to introduce Mr. Dutton as the new Planning and Zoning Manager. Mr. Sanders asked Mr. Dutton if there were any plans to create a zoning code for outdoor and indoor sports facilities. Mr. Dutton said that was part of what the previous manager had drawn up for this set of amendments, but that he could add it to the list of items to bring forward at a future time. Mr. Ulbright asked for clarification about whether or not “rooming houses” were not part of the code. Mr. Dutton responded that the code does include a definition for “boarding houses,” which are very similar. Mr. Silvestri asked if there were any events that precipitated the addition of the garage sale regulations. Mr. Dutton responded that the regulations are intended to prevent “continuous garage sales.” The city has received complaints about those situations and these changes would address those concerns.

2. First Reading – ORDINANCE NO. 2013-18 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ACCESS AGREEMENT FOR THE PLACEMENT OF A TEMPORARY CELL TOWER FACILITY AT GERSTENSLAGER-MARTIN PARK, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri informed council that this legislation would allow Sprint to bring in a “cell on wheels,” which is a term for a temporary cell tower, and would replace the tower that will be removed from the College of Wooster power plant. The term of the contract would not exceed two years and Mr. Montgomery added that Sprint is willing to pay the first year lump sum lease payment up front, which would be \$14,400.00. The second year would include \$1,200.00 lease payments each month.

3. First Reading – ORDINANCE NO. 2013-19 AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO TO CONFORM TO A RECENT DECISION OF THE STATE EMPLOYMENT RELATIONS BOARD (Knapic)

Mr. Silvestri, on behalf of Ms. Knapic, stated that this ordinance would remove the Accountant position from the bargaining unit and place it as an unclassified position. There will be an Accountant I and Account II position in the Finance Department. Mr. Buytendyk noted that this currently affects two employees, both of whom are in favor of this change. Mr. Ulbright noted that he will be glad to resolve the conflict of interest that exists when an employee is both a bargaining unit member and also the custodian of data that is sometimes needed for collective bargaining purposes.

4. First Reading – RESOLUTION NO. 2013-44 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A TECHNICAL SERVICES CONTRACT FOR THE PROVISION OF NATURAL GAS SERVICE TO CITY-OWNED FACILITIES (Ansel)

Mr. Ansel noted that the annual amount paid for the natural gas services is below \$25,000, which removes the need for a bid process. Secondly, he thanked Administration to allow council to review this contract and proposal. Mr. Ansel noted that the city has 19 different natural gas accounts, the majority of which are through the same company. Those accounts are billed both distribution and mcf of natural gas charges. Mr. Montgomery created a request for proposal and, using the Public Utilities Commission of Ohio data, was able to select a provider to bid on the contract. The city will have the option to monitor the weekly rates per mcf and lock-in a rate at any time the city believes the lowest rate has been reached.

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

5. First Reading – RESOLUTION NO. 2013-45 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH quasar energy group, DBA WOOSTER RENEWABLE ENERGY, LLC FOR THE CONSTRUCTION AND OPERATION OF IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT (Sanders)

Mr. Sanders noted that this is a contract with quasar to manage the biosolids produced at the wastewater treatment plant. The contract length is 15 years with an option for extensions as well as a buy-out clause. All sludge processing will be done and handled by quasar, so that the city will no longer have to coordinate sludge-hauling. Mr. Sanders, Mr. Silvestri, Mr. Ansel, and Mr. Ulbright all thanked city administration for all of the work that has gone into this project. All expressed their appreciation for the pursuit of a company using time-tested technology. Mr. Montgomery added that Kevin Givins and Steve Carathers were crucial to developing the contract and process requirements.

VIII. MISCELLANEOUS

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 8:31 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council