

## CITY COUNCIL MINUTES

November 17, 2008

7:30 p.m.

### 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: Mike Buytendyk, Ed Schuch, David Silvestri, Jeff Steiner, Keith Topovski and Jon Ulbright. Mr. Ansel was not in attendance.

### II. APPROVAL OF MINUTES

Mr. Buytendyk moved, seconded by Mr. Steiner, to approve the minutes of the November 3, 2008 regular meeting.

### III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city: Overview of 2009 budget and announced community City Hall Open House set for December 2, 2008, 4PM-7PM.

### IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Notification was received from the Ohio Division of Liquor Control that all liquor permits will expire on February 1, 2009 and will need to be renewed. The legislative authority has the right to object to any of the liquor permit renewals and request a hearing.

### V. COMMITTEE REPORTS; PUBLIC HEARINGS

In Mr. Ansel's absence, Mr. Steiner reported on the Finance Committee meeting held prior to council meeting, November 17, 2008 at 7:00 p.m., to review the sole bed tax fund application submitted. The applicants, a joint group consisting of Main Street Wooster, Wayne County Convention & Visitors Bureau and Wooster Area Chamber of Commerce, gave a presentation regarding their allocation and use of the bed tax money.

Mr. Ulbright set a Public Infrastructure Committee for Monday, December 1, 2008 at 5:30 p.m. in council chambers of City Hall to discuss the possibility of a 2009 sidewalk project in the general area of Melrose School.

### VI. OLD BUSINESS

#### VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2008-32 APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2009, AND DECLARING AN EMERGENCY (Ansel)

Council members received the 2009 Appropriation Budget which was compiled by the city administration. Due to the complexity of the budget, Mr. Steiner proposed leaving the ordinance on first reading so council members could begin to digest the information.

2. First Reading - ORDINANCE NO. 2008-33 VACATING AN ALLEY IN THE CITY OF WOOSTER (Ulbright)

Mr. Ulbright stated a public hearing was held at the last council meeting, November 3, 2008, to hear public comment on the alley vacation and that no one spoke for or against it. The two petitioners, Joseph Smith of Santa Marie Home Company, Inc. and Stephen Sun of Sun Investment Group Ltd., represent 100% of the property owners adjacent to the alley. Seeing there were no objections and 100% of the property owners signed the petition, Mr. Ulbright felt this could be placed on third and final reading.

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

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

3. First Reading - RESOLUTION NO. 2008-94 AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTIVE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated the Engineering Division was looking at projects for the year and decided the best use of funds would be to apply for these grant monies in order to fund the secondary transmission main project. He also noted that this will push the Burbank Road waterline project back to 2010, but with all things being considered, these grant monies are available and that this legislation would give authorization to apply for the grant. Mr. Ulbright questioned if this would be the second waterline running under Rt. 30 and Mr. Montgomery indicated it would and agreed this was a very important project as it would give the city a secondary transmission waterline. Mr. Silvestri indicated the waterline would run from the city's water plant, under Rt. 30, along the fairground area and to Larwill/Liberty.

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

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

4. First Reading - RESOLUTION NO. 2008-95 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT WITH THE CENTRAL FIRE DISTRICT TRUSTEES FOR THE FURNISHING OF EMERGENCY AMBULANCE SERVICES TO A PORTION OF WAYNE TOWNSHIP, AND DECLARING AN EMERGENCY (Steiner)

Mr. Steiner stated the renewal of the contract with the Central Fire District Trustees was to provide emergency ambulance service for a portion of Wayne Township adjacent to the municipality. The only change in the contract is a small area where the city's Fire Division will no longer be first responder. Chief Eyler indicated the current contract expires December 31, 2008 and would like to see the legislation passed on first reading in order to give them time to process the paperwork. In response to Mr. Ulbright's question, Chief Eyler stated the current contract amount is \$3,750.00 and that the cost would remain the same in the new contract.

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

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

5. First Reading - RESOLUTION NO. 2008-96 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO PROGRAM; TO APPLY SUCH FUNDS, IF AWARDED; TO APPROPRIATE MATCHING MONIES; AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY (Topovski)

Mr. Topovski stated Ordinance No. 2006-58 authorized the City of Wooster to accept a gift of land from the Donald E. and Alice M. Noble Foundation, approximately 100 acres of undeveloped real estate bounded by Oak Hill Rd., Highland Ave. and Mechanicsburg Rd. Mr. Topovski recalled discussions from the December 4, 2006

City Council meeting regarding funding for the park development and Mr. Noble making it clear the city was accepting the land with an obligation to develop it into the park as planned within three years, otherwise the Noble Foundation would hold onto the land. Mr. Topovski indicated that deadline is approaching, with approximately one year to develop a program for the development of the land. To show the city's commitment, the Parks and Recreation Division would like the mayor to submit an application to the Ohio Public Works Commission Clean Ohio Program for funds to purchase the 100 acre parcel. If the grant is awarded, Ordinance No. 2006-58 would be superseded and the \$500,000 grant money would be used to purchase the land from the Noble Foundation, as guidelines for the grant state the money can only be used for land acquisition. The Noble Foundation would place that money with the Wayne County Community Foundation to be re-used for park development. In addition, \$100,000 would be appropriated from the 2009 Capital Improvement Fund for the park's development, along with \$100,000 committed by Mr. Noble, bringing the approximate cost of the project to \$700,000. Mr. Topovski noted the parcel is currently appraised at approximately \$1.5 million and would be a great asset for the city to own. The deadline for the grant application is December 4, 2008 and the Parks & Recreation Division would like to have as much time as possible to fully develop this grant for submission.

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

Mr. Buytendyk expressed his approval of this project. Mr. Ulbright asked Mr. Malta to clarify funding in which Mr. Mata indicated the cost to the city will be \$100,000 plus some in-kind assistance. Mr. Topovski further stated the park wouldn't be the traditional park with playground equipment, but rather it will have bike paths, jogging paths, transition of colors throughout the seasons, along with areas called pollination fields to improve the pollination of the area to help the local agricultural economy. Also future plans will be to connect the bike paths to other areas in the city to establish an approximate 8 ½ mile trail. Mr. Topovski indicated he is looking forward to this project and feels applying for the grant will show the city's commitment in moving forward. Mr. Silvestri also recalled discussions at past meetings and feels the park will be a great community asset.

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

6. First Reading - RESOLUTION NO. 2008-97 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH ENTERPRISE CORPORATION OF TWINSBURG, OHIO FOR UPGRADES TO THE MUNICIPAL BUILDING HVAC SYSTEM, AND DECLARING AN EMERGENCY (Topovski)

Mr. Topovski stated the upgrade to the Municipal Building HVAC system is for software to make the system run smoother. The Building Standards Division conducted an extensive analysis of the operation of the Municipal Building's HVAC system, concluding that work was necessary for the following reasons: to reduce the number of service calls related to the control system, to increase the efficiency of the equipment and conserve energy, and increase the comfort and safety of employees. Once this was determined, proposals were solicited and Enterprise Corporation was selected. They will provide software allowing city staff to control the operation of the building automation system more efficiently. Mr. Topovski explained in detail the adjustment of the automation system that is needed. The Building Division asked for a suspension of rules on the legislation in order to improve the heating efficiency this winter season. Mr. Monea answered several of council's questions on reducing energy and operating costs. Mr. Topovski indicated the HVAC inspector in the Building Standards Division will help maintain and control the adjustments.

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

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

7. First Reading - RESOLUTION NO. 2008-98 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH COORDINATED HEALTH/CARE FOR HEALTH CARE MANAGEMENT SERVICES, AND DECLARING AN EMERGENCY (Ansel)

In Mr. Ansel's absence, Mr. Steiner introduced the legislation. He stated this is to renew a contract with Coordinated Health/Care for health care management services related to the group health plan for city employees. The process and care management services they have provided the past five years have produced excellent results. They are paid based on lowering costs and if they do not lower costs, they do not get paid.

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

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

**VIII. MISCELLANEOUS**

Mr. Ulbright commented on a communication council received from the mayor regarding the hospital and the cost of health care in our city. He congratulated the staff at Wooster Community Hospital for maintaining a quality facility. He also expressed appreciation to the mayor for summarizing the proposed budget and pointing out Wooster is one of three cities in Ohio that have managed to keep their income tax at 1%. The city has a 100% tax credit, which is something Mr. Ulbright would like to explore as a possible change to acquire more income in the future. He also hopes the city can keep the spirit of progress moving forward and not allow a temporary downturn in the economy to discourage us from moving forward with capital improvements we can afford.

**IX. ADJOURNMENT**

Mr. Topovski moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 8:30 p.m.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council