

**CITY COUNCIL MINUTES**  
**November 2, 2009**

**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, Bob Henery, Ed Schuch, David Silvestri, Jeff Steiner and Jon Ulbright.

**II. APPROVAL OF MINUTES**

Mr. Steiner moved, seconded by Mr. Silvestri, to approve minutes of the October 19, 2009 meeting. Upon voice vote, motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman updated council on various activities in the city: 1) Freedlander demolition schedule; 2) Beall Avenue Streetscape project; 3) Secrest Road project is technically completed and first piece of BiOhio Park is under construction; 4) Administration is working on 2010 budgets and hope to bring before council at November 16<sup>th</sup> meeting; 5) Requested council adjourn to executive session at the end of the meeting to discuss the purchase of property.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC - None**

**V. COMMITTEE REPORTS; PUBLIC HEARINGS - None**

**VI. OLD BUSINESS - None**

**VII. NEW BUSINESS**

1. First Reading - ORDINANCE NO. 2009-30 AUTHORIZING THE TRANSFER OF OWNERSHIP OF THE FORMER FREEDLANDER'S PROPERTY TO THE WOOSTER GROWTH CORPORATION, AND DECLARING AN EMERGENCY (Ansel)

A brief background of the Freedlander property was provided by Mr. Ansel. At the transition of the Freedlander business, the Freedlander family transferred the property to the City of Wooster. The city retained control and leased it back to a private investment holding company for \$1 a year to manage the business. When that business concluded, the city was able to secure state financing for the demolition of the Freedlander Building in order to initiate economic development in the downtown area. The state constitution prohibits municipalities from becoming involved with commercial development ventures. Therefore the city would like to transfer ownership of the Freedlander property to the Wooster Growth Corporation (WGC), the city's economic and development holding entity, to utilize the property for the creation of new business ventures and construction of facilities that will have an economic benefit to the citizens of Wooster. This transfer will allow the final negotiations and commitment on behalf of the city through WGC to be completed with Mike Rose and the Merchants Block project. This is a very important step as nothing can be done until ownership of the Freedlander property is transferred to the WGC. Based on the timeline of the project Mr. Ansel motioned to move the ordinance to third and final reading. Mr. Benson asked Mr. Ansel if he objected to leaving the ordinance on first reading as city administration would like to verify something before council votes on it. The ordinance was left on first reading.

2. First Reading - RESOLUTION NO. 2009-79 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH THE WAYNE COUNTY COMMISSIONERS FOR THE PROSECUTION OF MUNICIPAL ORDINANCES BY THE WAYNE COUNTY PROSECUTOR AND FOR PAYMENT FOR SUCH SERVICES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel indicated this has been an ongoing contract renewal every year. Since 1976 the city has contracted with the Wayne County Commissioners to provide prosecution services through the office of the Wayne County Prosecuting Attorney. In 2009 the contract amount was \$56,760, a 3% increase from 2008. A similar increase of 3% is being proposed for 2010.

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

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

3. First Reading - RESOLUTION NO. 2009-80 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR SPECIALIZED TECHNOLOGY SERVICES FOR THE WATER TREATMENT PLANT, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri gave a description of how the telemetry radio system works. The radio frequency signals monitor water usage and also allows the flow of water to be controlled at large distribution points, such as a water tower or a booster station. The existing radios were purchased in 1997 and after 10 years their signal strength has weakened and their frequency is starting to drift. There have been significant signs of problems and replacing the radios will restore system reliability and eliminate overtime of plant staff. The full amount of the purchase is budgeted.

Mr. Silvestri 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; Henery-yes; Schuch-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

4. First Reading - RESOLUTION NO. 2009-81 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH KUCERA INTERNATIONAL, INC., OF WILLOUGHBY, OHIO FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE GIS, AND DECLARING AN EMERGENCY (Ulbright)

The City's existing Geographic Information System (GIS), planimetric mapping and orthophotos, were prepared from aerial photos taken in 2004. Mr. Ulbright stated the normal schedule for updating the GIS information is 3 to 5 years and the city has changed considerably since that time. It is important to have updated information for the engineering department and all other departments who use the GIS system. Of the \$61,000 total cost, \$32,000 is for the planimetric updates and \$29,000 is for the color orthophotos. In addition, the Wayne County Auditor's office is currently planning to enter into a contract for the same services as well, which has the potential to save up to \$2000 in city costs if the projects are completed at the same time. Mr. Ulbright noted this is a budgeted item. Mr. Montgomery, city engineer, added that Kucera International submitted the lowest quote and is the company who has done the last couple updates to the city's system.

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

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

5. First Reading - RESOLUTION NO. 2009-82 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE DEMOLITION OF THE HIGHLAND AVENUE WATER STORAGE TANK, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated this is a request to enter into a contract for demolition and removal of the existing water tank located behind fire station #2 on Highland Avenue. The new tank on Oldman was constructed with capacity to replace this tank. The Highland Avenue tank has several structural flaws and the cost to repair it would be equivalent to constructing a new tank. Liability is also a concern as the water tower is empty which actually makes it more unstable. Mr. Ulbright asked if plans are to level the water tank and plant grass on the property. Mr. Sigg stated as part of this contract the tower will be taken down but the foundation will not be removed as the work would require two different types of contractors. Future plans are to eliminate Station #2 and at that time it would make sense to take the foundation down. Mayor Breneman added that in preliminary discussions for a new fire station the city is exploring any potential uses of Station #2 and the existing foundations. While discussing a public utility issue, Mayor Breneman took the opportunity to introduce Kevin Givens, the city's new assistant utilities manager, who was in attendance. Mr. Schuch recalled there were at least 2 or 3 radio antennas located on top of the Highland Avenue water tower, one which he believed provided radio contact for Station #2. He questioned if the antennas would be relocated. Mr. Montgomery was not aware of any current antennas on the tower, but if there were, provisions were made for antennas to be located on the new tower.

Mr. Silvestri 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; Henery-yes; Schuch-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

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

6. EXECUTIVE SESSION

Mr. Steiner moved, seconded by Mr. Henery, to go into executive session to discuss the possible purchase of real estate. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Henery-yes; Schuch –yes; Silvestri-yes; Steiner-yes and Ulbright-yes). Council adjourned to executive session at 8:55 p.m.

Mr. Steiner moved, seconded by Mr. Ulbright, to adjourn from executive session. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Henery-yes; Schuch-yes; Silvestri-yes; Steiner-yes and Ulbright-yes). Council adjourned from executive session at 8:30 p.m.

**VIII. MISCELLANEOUS**

Mr. Ansel announced there will be a Finance Committee meeting on Tuesday, November 10, 2009 at 5:30 p.m. in the 2<sup>nd</sup> floor Administrative Conference Room at City Hall to discuss the Economic Development Fund application request (bed tax) and to review the 2010 budget.

Mr. Steiner and Mr. Ulbright urged citizens to vote on November 3<sup>rd</sup>.

**IX. ADJOURNMENT**

Mr. Ulbright moved, seconded by Mr. Ansel, to adjourn. Motion carried and meeting so adjourned at 8:35 p.m.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council