

CITY COUNCIL MINUTES
October 1, 2012

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 by asking everyone to rise and join in the Pledge of Allegiance. The following members were present: Jon Ansel, Mark Cavin, Barbara Knapic, Craig Sanders, David Silvestri and Jon Ulbright. Jeff Steiner was absent.

Mr. Buytendyk announced a change in the agenda, with an executive session to follow new business.

II. APPROVAL OF MINUTES

Ms. Knapic moved, seconded by Mr. Silvestri, to approve the September 17, 2012 meeting minutes. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city: 1) Four ward meetings, scheduled to inform the community of issues the City of Wooster will be facing in 2013, are set for:

October 2 ND	@ Wooster Community Center Community Room	7:00-8:30 p.m.
October 9 TH	@ Wooster Community Hospital Auditorium	7:00-8:30 p.m.
October 16 TH	@ Edgewood Middle School Cafeteria	7:00-8:30 p.m.
October 23 RD	@ Parkview Elementary School Cafeteria	7:00-8:30 p.m.

2) The Joint Service Club Project was awarded to the Friends of Christmas Run Pool Improvement Project.
3) Wooster Area Chamber of Commerce had a successful Woosterfest event in downtown Wooster over the past weekend. 4) The State Auditor certified the City of Wooster's 2011 CAFR. An electronic copy will be posted on the city's website.

The Information Technology Division requested council's approval to donate an obsolete server to the Wayne County Justice Center, valued at less than \$3000. The City Charter requires Wooster City Council's approval in order for the donation to occur. Mr. Buytendyk moved, seconded by Mr. Silvestri, to donate the piece of equipment to the Wayne County Emergency Management Director. Upon voice vote, motion carried unanimously.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

A notice was received from the Ohio Division of Liquor Control indicating Lindy, DBA The Shack, 437 E. Pine Street, applied for the transfer of a D1 liquor permit from Americas Pizza Company, DBA Pizza Hut, 24865 USRR23, Circleville, Ohio. Mr. Ulbright moved, seconded by Ms. Knapic, not to request a hearing on the transfer of the liquor permit. Motion carried unanimously.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ansel reminded council of the Finance Committee meeting scheduled for Monday, October 15, 2012, at 6:30 p.m. to review the city's financial update.

VI. OLD BUSINESS (none)

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2012-25 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH G&G PROPERTIES OF OHIO, LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel said G&G Properties of Ohio applied for a CRA tax incentive for the ongoing renovations of their property located at 144 West Liberty Street, formerly Timbuktu Furniture, currently Wooster Floral and Boutique. A significant amount of capital has already been invested in the property, including the removal of an outdoor

Quonset hut which is being replaced by a landscaped parking lot. G&G Properties plan to continue renovating the entire building, which will house their business on the first floor, commercial space on the second floor and two loft apartments on the third floor. Total project cost is \$320,000, for which a 100% abatement for 12 years is being requested. The project meets all CRA requirements and the application was accepted unanimously by the Wooster Growth Corporation and forwarded to Wooster City Council for their approval. The Wooster City School Board was notified and approved the abatement request. Council members expressed their appreciation for the continued improvements to the downtown area and the quality of businesses and residential housing that are located there. Mr. Cavin said he would like to see the same enthusiasm spread into the downtown neighborhoods as well.

Mr. Ansel moved, seconded by Ms. Knapic, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

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

2. First Reading - **INFORMAL RESOLUTION EXTENDING AN INVITATION TO THE VILLAGE OF COLLEPIETRO, ITALY TO JOIN WITH THE CITY OF WOOSTER, OHIO USA IN DECLARING A SISTER CITY RELATIONSHIP**

A number of Wooster residents will be traveling to Collepietro, Italy, where they have traced their family roots, in the Abruzzo region. They asked to take with them an Informal Resolution from the City of Wooster inviting Collepietro to establish a sister city relationship that will foster a greater understanding and a lasting friendship between the people of Collepietro and the people of Wooster.

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

3. First Reading - **RESOLUTION NO. 2012-93 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2012 (Ulbright)**

Mr. Ulbright said the Public Properties Maintenance Division would like to purchase a new dump truck to be used for snow removal, spreading salt and various other road repair and maintenance projects. The purchase will be bid through the State of Ohio's cooperative buying plan and the total estimated cost is \$150,000. Mr. Ulbright said the city currently has 10 dump trucks and would like to have 12. Over the years the city has grown, as have the 6 plowing routes, doubling in size from approximately 9.8 square miles to 17.8 square miles. PPM would like to have 2 trucks per plow route to clear snow and spread salt in a quicker time frame and also in the event of a break down. PPM plans to keep all their existing dump trucks, the oldest in the fleet being a 1992 with approximately 153,000 miles and the newest truck a 2005. Mr. Montgomery further answered council's questions.

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

4. First Reading - **RESOLUTION NO. 2012-94 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT(S) FOR SEASONAL TEMPORARY SERVICES (Ansel)**

Mr. Ansel said every fall season this supplemental funding legislation comes before council to authorize the PPM Division to hire supplemental temporary seasonal services for leaf collection, on an as needed basis. The budgeted cost will not exceed \$25,000 from the operating budgets of the Public Properties Maintenance and Recreation/Community Center Divisions. Last year's cost was approximately \$5000, which Mr. Ansel noted is much less than \$25,000, but the funding is there and the PPM group will manage the amount needed accordingly. Mr. Montgomery answered council's questions and explained a multi-year contract was established earlier in the year for disposal of the leaf debris from the leaf collection. He said the contractor does not have crews or

equipment to collect or haul the leaf waste, as that is not the business they are in, and it would cost the city more to contract out for that service than to do it in-house.

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

5. First Reading - RESOLUTION NO. 2012-95 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR PROPERTY AND GENERAL LIABILITY INSURANCE FOR THE MUNICIPAL GOVERNMENT (Ansel)

Mr. Ansel said this contract is budgeted from the General Fund, Water Fund and Water Pollution Control Fund, and will not exceed \$200,000. The current general liability insurance agreement is a three-year contract with a local agency, Whitaker Myers Insurance. A request for proposal has been solicited from another company in our region to verify the competitiveness of our current plan. Mr. Ansel said there are only a couple underwriters for municipalities, the Ohio Plan and the Public Entities Pool. Though the city has dealt with both, our current plan is with the Ohio Plan. Mr. Ansel said the competitive proposals will be submitted and a decision will be made by October 15th. On behalf of the Finance Committee, Mr. Ansel offered calling a special committee meeting to assist city administration in reviewing the proposals, if necessary.

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

VIII. EXECUTIVE SESSION

Mr. Ansel moved, seconded by Mr. Silvestri, to go into executive session to discuss a matter involving the foreclosure of a property in which the city has a lien for unpaid water and sewer bills. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes and Ulbright-yes). Council went into executive session at 8:20 p.m.

Mr. Ulbright moved, seconded by Mr. Knapic, to reconvene from executive session at 9:05 p.m. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

IX. MISCELLANEOUS

Mr. Silvestri wanted to make a point of clarification on a question he asked earlier regarding leaf collection. He assumed that even though there may be a company that has the equipment to pick up the leaves, chances are the cost for that crew might be less than what we pay our city employees, but more than what we pay for seasonal employees. Nonetheless, he feels the company receiving the leaf debris should be approached and asked to bear some of the cost of collecting the leaves, if it's a profitable venture for them to compost the leaves. Also, regarding the liquor permit approval for The Shack, which is located near the College of Wooster, Mr. Silvestri hoped the laws are being upheld and only those of drinking age are being sold the alcohol. Past incidents involving the surrounding neighborhoods and the college, resulted from some of the alcohol related activity that goes on, such as leaving trash on front lawns, etc. He did not want to create a negative issue, but for the sake of the citizens, he wanted to make sure there is responsible activity going on in that area. Mr. Buytendyk mentioned that The Shack is owned by a private entity.

Ms. Knapic congratulated Friends of Christmas Run Pool on being chosen for the Joint Service Club Project, as they've put in many hours of hard work and much of their own personal money to improving the pool and keeping it running. She said the other applicants for the Joint Service Club Project were absolutely just as worthy.

Mr. Cavin asked the citizens at the southeast corner of town to please be patient as the city is diligently working to provide relief to the odor problem that permeates their everyday lives. He has received several complaints and has made calls to the Enviro Clean hotline number. Mr. Benson said tests continue to be taken and calls recorded, and a Discovery Request was filed in the courts today in regards to the litigation. Mr. Benson said the city is working the best it can and he remains optimistic about the outcome of the case. However, if council wanted to discuss the case further, Mr. Benson said they would need to go into executive session.

Mr. Ulbright suggested going into executive session, possibly at the next meeting, to discuss and be updated on the Enviro Clean lawsuit. Mr. Ulbright also asked how successful the city has been in getting Moving Ohio Forward funds from the Attorney General's Office and wanted to know when the demolition process of the condemned houses in Wooster will begin. Mayor Breneman said the committee met in September, but were unable to take action as they did not have a quorum, and plan to meet again next month. At this point no money has been designated or disbursed and Mayor Breneman said the city is anxious to proceed with the process. Mr. Ulbright requested council be updated on the status of the progress that has been made. Mr. Benson added there is a link on the Ohio Attorney General's website for Moving Ohio Forward which show the requirements and process for utilizing the funds. Mr. Benson said he has received title reports on seventeen properties for which title work must be done. He also explained that property owners must sign off on the demolition process, and in the event they can't or won't, a legal opinion must be written, explaining why the city's demolition policy is sufficient to proceed.

Mr. Sanders scheduled a Public Utilities Committee meeting for November 5, 2012, at 6:00 p.m., in Council Chambers, to discuss options for improvements to the Waste Water Treatment Plant. Mr. Sanders asked that members of the Finance Committee attend the meeting as well.

Mr. Ansel too has recently received calls regarding the odor issue on the south end of town. He thought the cool air may be intensifying the smell, which is unbelievable and he can't imagine what the residents have gone through over the years in dealing with this. Mr. Ansel said it is truly unfortunate and assured residents that the city is doing everything it can through the legal process, though long and enduring, to take action and end this problem. Mr. Ansel again reminded council of the October 15th Finance Committee meeting at 6:30 p.m. in Council Chambers for the City of Wooster's financial update.

X. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Silvestri to adjourn. Motion carried and meeting so adjourned.

Michael G. Buytendyk
President of Council

Cheryl K. Collins
Clerk of Council