

**CITY COUNCIL MINUTES**  
**September 6, 2011**

**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 Mr. Ansel, to approve minutes of the August 15, 2011 meeting. Upon voice vote, motion carried unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman updated council on various activities in the city: 1) A meeting was held earlier in the day with city administration, Ms. Knapic, Chief Fisher and Steve Glick from College of Wooster Security, regarding parking and traffic issues that occurred during the college's September 1st evening football game. Solutions were identified and will be put into place at future events. 2) The Oak Hill Park bike trail received a coat of asphalt. 3) Portage Road is now paved. 4) Mayor Breneman gave the State of the City address at the Wooster Area Chamber of Commerce annual breakfast, along with Wayne County Commissioner Scott Wiggam who gave the State of the County address. Mayor Breneman recapped by saying the city is running a structural deficit in 2011 of approximately \$1.3 million, which means there is money in the rainy day fund to cover the expenditure. In addition, the city is facing a loss of \$1.8 million in funding from the State of Ohio: \$600,000 in Local Government Funds, \$276,000 Tangible Personal Property Tax and approximately \$1 million Estate Tax. In total, the City of Wooster will have a \$3.1 million projected shortfall by 2013. 5) Wooster Fire Fighters Union, IAFF Local 764 agreed to a 3 year, 0% wage increase, contract from 11/1/11 thru 10/31/14, which is an extension of their current 1 year 0% wage increase collective bargaining agreement. Mayor Breneman commended the union for being partners with the City of Wooster in moving forward in this difficult budgetary time. The matter is before council for approval, Resolution No. #2011-22.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

The following members of the audience spoke: Joel Elwood, 932 Washington Street (College of Wooster parking issues) and Greg Gehris, 347 N. Grant Street (EPA fines).

Ms. Knapic said earlier in the day a meeting was held to address problems encountered during the Thursday night College of Wooster football game. Several solutions were put in place and Ms. Knapic is hopeful the problem(s) will be corrected. The College of Wooster Security and Wooster Police will have higher visibility and will strictly enforce the no parking restrictions, for residents and visitors alike, as well as the open container and tailgating issues. The college is looking in to a shuttle service for overflow parking and is also requesting bands performing on campus commit to proper conduct and noise control.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

The Finance Committee met at 7:00 p.m., prior to the council meeting, to review the city's 3<sup>rd</sup> quarter financials. Mr. Ansel detailed aspects of the meeting and reinforced that the finance committee is staying involved with the bi-monthly reviews of the city's finances. He said the city has seen a 12% positive improvement year to date with revenues thru June 2011, up by 4.99% (\$350,000) and a 7.3% expenditure reduction (June 2010/\$8.2 million compared to June 2011/\$7.6 million). Mr. Ansel pointed out the three areas of significant expense reductions were salaries, operations and maintenance, and street repair. He feels the city is doing a remarkable job and thanked everyone for their hard work and willingness to collaborate effectively as a team. Mr. Ansel also brought clarity to the impending changes and the potential impact state funding cuts will have on the city. He stressed that only so much can be cut out of the overhead, which the city has done and will continue to do, but it is becoming more difficult. Mr. Ansel said there will be continued emphasis placed on the city's structural deficit, as the city is seeing a depletion of its rainy day fund. At some point and time it will be inevitable for the city to bring forth the income

tax issue and Mr. Ansel said the question is going to be what the timing of that initiative is going to be to generate more revenue for the City of Wooster. Mr. Ansel thanked the fire fighters for being proactive and making the sacrifice for the cause.

## **NEW BUSINESS**

In recognition of the fire fighters in attendance, Mr. Buytendyk asked to yield the floor to Mr. Steiner to present the first reading of Ordinance No. 2011-22. There were no objections.

1. First Reading - ORDINANCE NO. 2011-22 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH REPRESENTATIVES OF THE WOOSTER FIRE FIGHTERS UNION, IAFF LOCAL 764, REGARDING WAGES, BENEFITS AND TERMS AND CONDITIONS OF EMPLOYMENT, AND DECLARING AN EMERGENCY (Steiner)

Mr. Steiner said the agreement before council was between the Wooster Fire Fighters Union and the City of Wooster for a 3 year wage freeze beginning in November 2011 thru October 2014. All other parts of the existing contract would remain in effect without any changes. Mr. Steiner expressed appreciation to the fire fighters for their willingness to negotiate this offer.

Mr. Steiner 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; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Steiner moved, seconded by Mr. Ulbright, 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).

## **VI. OLD BUSINESS**

1. Third Reading - ORDINANCE NO. 2011-21 AMENDING VARIOUS SECTIONS OF CHAPTER 923, SEWERAGE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Buytendyk)

Mr. Buytendyk said this ordinance was receiving its third and final reading with an amendment to Exhibit A under 923.01 Definitions, item 47.

Mr. Buytendyk moved, seconded by Mr. Steiner, 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. Second Reading - RESOLUTION NO. 2011-67 ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (Ansel)

Mr. Ansel said this is the projected allocation from the Wayne County Auditor in terms of General Fund, Fireman Fund and Police Pension Fund allocation, based on their General Tax Receipt Fund. Estimate of the tax rate to be levied is 4.50% for a total amount of \$2,194,700 for the 2012 tax budget funding.

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; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Steiner, 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).

## **VII. NEW BUSINESS**

2. First Reading - RESOLUTION NO. 2011-73 APPOINTING AN ASSESSMENT EQUALIZATION BOARD FOR THE MELROSE DRIVE PROJECT, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright said on July 5, 2011, city council passed Resolution No. 2011-65 authorizing improvements to Melrose Drive, with a portion of the costs being assessed. Three disinterested freeholders of the City of Wooster have been chosen to serve on an assessment equalization board to hear and determine all written objections filed in accordance with law to the estimated special assessments. If council approves members of the assessment equalization board, they plan to meet at 6:00 p.m. on Tuesday, September 12, 2011. Mr. Ulbright said City Engineer Joel Montgomery and Councilman Silvestri met with various residents affected by this improvement and Mr. Montgomery also sent out a courtesy letter reminding them of the deadline to file a complaint. Due to the timeframe of scheduled dates, Mr. Ulbright felt it was imperative the resolution be passed so the process could move forward.

Mr. Ulbright moved, seconded by Mr. Silvestri, 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. Ulbright moved, seconded by Mr. Ansel, 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. First Reading - RESOLUTION NO. 2011-74 AUTHORIZING THE CITY OF WOOSTER TO ENTER INTO A COOPERATIVE AGREEMENT WITH WAYNE COUNTY FOR IMPROVEMENTS TO THE BACK ORRVILLE ROAD (CR 23) (Ulbright)

Mr. Ulbright said this is to approve payment for resurfacing a portion of Back Orrville Road from the intersection of SR 585 to the city limits at Geyers Chapel Road. The total project cost is over \$418,000, of which Wayne County is responsible for \$392,100. The initial estimate for the city's participation was \$10,000, but was revised to \$15,000 late last year and in June of this year was revised again to \$25,904. The county will bid and administer the project which will save the city money and free up our maintenance department to do other activities. Mr. Ulbright hopes these infrastructure improvements to Back Orrville Road and SR 585 will entice businesses to revitalize this area in the near future.

Mr. Ulbright moved, seconded by Mr. Steiner, 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).

4. First Reading - RESOLUTION NO. 2011-75 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: GIS DATA INTERFACE FOR THE EMERGITECH DATABASE FOR THE POLICE DIVISION (Steiner)

Mr. Steiner said this is another excellent example of the city's effective use of funds to improve our efficiency within the police department. This software will link the engineering division's GIS mapping software with all of the crime data within the police department's Emergitech database. This will allow the police department to more effectively and spontaneously respond to potential problem areas or hot spots of criminal activity. Funds will be transferred from the police and engineering division operating budgets into the interfund transfer cost center and then to the capital improvements fund for purchase.

Mr. Steiner moved, seconded by Mr. Buytendyk, 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).

## **VIII. MISCELLANEOUS**

Mr. Steiner said the third quarter finance report looked better and he hopes the trend will continue. Though dreary to see the state government cuts, Mr. Steiner said at least we know what we're going to be dealing with in moving forward from here.

Mr. Silvestri said he is glad to see we are reaping the benefits of the Voluntary Separation Plan through savings in personnel costs. Unfortunately we are getting bad news from the state, but Mr. Silvestri said he is glad we acted when we did and applauded the administration for making those moves, putting the city in a much better position than if no action had been taken. Mr. Silvestri thanked Chief Fisher and Ms. Knapic for their work on issues regarding neighborhoods surrounding the College of Wooster.

Mr. Buytendyk thanked Mr. Dordea for providing details of the city's finances, thanked members of the equalization board who opted to serve, thanked those who brought to council's attention the problems with the college community, thanked Chief Fisher and Ms. Knapic for their hard work on those issues and thanked the Wooster Fire Fighters Union, IAFF Local 764, for looking at the city's situation and doing something bold. He said it was very generous for them to come to the city with the offer and they should be commended for that.

Mr. Ulbright thanked Ms. Knapic and Chief Fisher, he felt they did an excellent job in moving ahead in dealing with the problems during the college football game. He also thanked the fire fighters for their unselfishness over the last several years, as they've stepped up to the plate on many occasions in the past and this is just one more example of their service to the citizens of Wooster. Mr. Ulbright brought up two issues: 1) Letter from Diana Thomas, 1782 Gasche Street, Tree Top Apartments, regarding condition of roof, leaking water, mold and possible unhealthy living conditions. Mr. Buytendyk indicated this is a civil matter. According to the Wayne County Court's website, Mr. Buytendyk said Ms. Thomas hadn't filed to put her rent into escrow, but there was an eviction action filed by the landlord on August 11, 2011 for non-payment of rent. Mr. Buytendyk speculated if Ms. Thomas' motives were in retaliation and was curious if any other tenants in the apartments had the same complaints. Mr. Benson agreed that it is a civil matter and said Ms. Thomas does have remedies under the law. He indicated that city administration did not see the letter as it was addressed only to council. Mr. Ulbright asked that Mr. Benson look into it and refer the matter to Mark Nussbaum in the property maintenance division. 2) Mr. Ulbright applauded Mr. Fowler for his letter in response to an email received from a citizen regarding observing the violation of a dog defecating on property and not cleaning up afterwards, in violation of Section 505.08 of the Codified Ordinance. Mr. Ulbright read aloud sections of 505.08 of the Codified Ordinances.

Ms. Knapic added her thanks to the fire fighters for their generosity. In listening to the finance report she realizes things are going to be very difficult with the state takeaways. She said we are lucky to have a city administration that has been proactive and has done a great job controlling funds. In order for the city to keep up the services it offers, she feels we are going to have to look elsewhere for revenue at some point and she thinks people need to be aware of that. Ms. Knapic also thanked those who met with her today regarding the College of Wooster parking situation. Ms. Knapic said Chief Fisher and Chief Glick have made a great commitment and she hopes some awesome changes are coming along that way.

## **IX. ADJOURNMENT**

Mr. Ulbright moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 9:10 p.m.

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David J. Silvestri  
Acting President of Council

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Cheryl K. Collins  
Clerk of Council