

WOOSTER CITY COUNCIL MINUTES

4/3/2023

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. Clerk Lynne DePaulo called roll with the following members present; Craig Sanders, Scott Myers, Bob Reynolds, Mark Cavin, Jon Ansel, Jen Warden and Barb Knapic. City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery and Deputy Law Director Kevin Gibbons.

II. APPROVAL OF MINUTES

Councilman Ansel moved to approve the minutes of the March 20, 2023 regular meeting, seconded by Councilwoman Knapic. Upon voice vote, the minutes were approved.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman thanked the Wooster Chamber of Commerce for hosting a well-attended annual dinner and congratulated all the winners.

The Comprehensive Plan Steering Committee met for the second time and are planning the steps to begin collecting community input.

The Oak Hill/Oldman Road roundabout bid opening is April 5th. Construction is anticipated to be completed by November 2023.

April 17th at 6:30 p.m., Joel Montgomery will present his 2022 Operations presentation and Andrei Dordea will give his update on the first quarter 2023 finances.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Councilwoman Warden motioned to waive the hearing for the Liquor Control permit for HC Pizza LLC/DBA East of Chicago Pizza Co.; seconded by Councilwoman Knapic.

Upon roll call, the motion to waive the hearing passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilman Ansel reported that the Public Utility Committee had met this evening and heard a presentation by Palmer Energy regarding electrical aggregation. Palmer Energy is a vetted organization and is endorsed by the Ohio Municipal League and has worked with Wayne County and other local government entities to reduce utility costs for their citizens. With electrical costs expected to double in the next few months, this seems like an opportune time to have discussion on potentially saving 30% to 40% on electricity. The committee is hopeful that this option will be placed on the November 2023 ballot for the voters to decide.

VI. UNFINISHED BUSINESS - NONE

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2023-09

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO I-3 (URBAN INDUSTRIAL) FOR PROPERTY LOCATED ON EAST VINE STREET (Reynolds)

Councilman Reynolds said this is a request for rezoning on property on E. Vine. There will be a public hearing on April 17th. This legislation has had its first reading.

2. First Reading – ORDINANCE NO. 2023-10
AN ORDINANCE TO ZONE ANNEXED LAND AS R-2 (SINGLE- FAMILY RESIDENTIAL), FOR TERRITORY LOCATED ON THE EAST SIDE OF MELROSE DRIVE, AND CONTIGUOUS TO THE CORPORATION LIMITS PURSUANT TO SECTION 1107.04 OF THE WOOSTER CODIFIED ORDINANCES (Reynolds)

Councilman Reynolds said this property is slated to have annexation legislation presented on April 17th to go with this request for rezoning on Melrose Drive. A public hearing will be done on that date too. This legislation has had its first reading.

3. First Reading – RESOLUTION NO. 2023-20
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER TO REPLACE THE VERTICAL LOOP REACTOR AERATION EQUIPMENT AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Councilman Ansel said this is a request to bid for new and improved aeration equipment. It is budgeted. However, the current estimate for construction has increased by \$900,000 over the 2022 estimate. Councilwoman Knapic is not happy with the increased costs. She wanted to be clear that even though she has stated her displeasure, she would still vote for the improvements because they are necessary. The Administration was shocked by such a large cost increase also. Mr. Montgomery stated that there is some grant funding and credits that will be used to offset the increase.

Councilman Ansel moved to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

4. First Reading – RESOLUTION NO. 2023-21
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM, AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)

Councilwoman Knapic said that the city has been purchasing salt through ODOT for the past eight years. For 2024, we are requesting purchasing 2000 ton of salt through the program.

Councilwoman Knapic moved to suspend the rules, seconded by Councilman Sanders. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilwoman Knapic moved to adopt, seconded by Councilwoman Warden. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

5. First Reading – RESOLUTION NO. 2023-22
A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SUBDIVISION PARTICIPATION AGREEMENT FOR THE ALLERGAN OPIOID SETTLEMENT PURSUANT TO THE TERMS OF THE NOVEMBER 2022 SETTLEMENT AGREEMENT AND PROVIDING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said that as part of the 2022 National Opioid Settlement the next few pieces of legislation are all similar but have been separated for each entity that is liable for settlement money. Councilman Ansel explained it as there being co-defendants in the settlement; manufacturers and distributors are both involved in the class action lawsuit.

Councilman Sanders moved to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

6. First Reading – RESOLUTION NO. 2023-23
A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SUBDIVISION PARTICIPATION AGREEMENT FOR THE CVS OPIOID SETTLEMENT PURSUANT TO THE TERMS OF THE DECEMBER 2022 SETTLEMENT AGREEMENT AND PROVIDING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this legislation is basically the same as the previous just with CVS.

Councilman Sanders moved to suspend the rules, seconded by Councilwoman Knapic. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

7. First Reading – Resolution No. 2023-24
A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SUBDIVISION PARTICIPATION AGREEMENT FOR THE TEVA OPIOID SETTLEMENT PURSUANT TO THE TERMS OF THE NOVEMBER 2022 SETTLEMENT AGREEMENT AND PROVIDING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this is the same as the previous, but with TEVA.

Councilman Sanders moved to suspend the rules, seconded by Councilman Myers. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilman Cavin. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

8. First Reading – RESOLUTION NO. 2023-25
A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SUBDIVISION PARTICIPATION AGREEMENT FOR THE WALGREENS OPIOID SETTLEMENT PURSUANT TO THE TERMS OF THE DECEMBER 2022 SETTLEMENT AGREEMENT AND PROVIDING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this is the same as the previous, but with Walgreens.

Councilman Sanders moved to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

9. First Reading – RESOLUTION NO. 2023-26
A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A SUBDIVISION PARTICIPATION AGREEMENT FOR THE WALMART OPIOID SETTLEMENT PURSUANT TO THE TERMS OF THE NOVEMBER 2022 SETTLEMENT AGREEMENT AND PROVIDING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this is the same as the previous, but with Walmart.

Councilman Sanders moved to suspend the rules, seconded by Councilwoman Warden. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilman Cavin. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

10. First Reading – ORDINANCE NO. 2023-11

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,435,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING, EXPANDING, RECONSTRUCTING, FURNISHING AND EQUIPPING THE CITY'S FIRE STATION #1, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this bond will be used to finance the improvements to Fire Station #1. Councilman Sanders asked if these next few pieces of financial legislation needed to be passed today. Mr. Montgomery relayed that Mr. Dordea said it was not necessary; Mayor Breneman encouraged council to go ahead and pass this evening.

Councilman Sanders moved to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilman Cavin. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

11. First Reading – ORDINANCE NO. 2023-12

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,595,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING AND EXPANDING THE CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING AND RECONSTRUCTING SANITARY SEWERS, FORCE MAINS AND LIFT STATIONS, AND MAKING IMPROVEMENTS AT THE SANITARY SEWERAGE SYSTEM PLANT INCLUDING TO THE ULTRAVIOLET, HEADWORKS, DIGESTER, FEEDSTOCK RECEIVING AND GENERATOR SYSTEMS, TOGETHER WITH ALL NECESSARY IMPROVEMENTS AND APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT. (Sanders)

Councilman Sanders said this bond will be used for improvements to the WRRF and the sewer system.

Councilman Sanders moved to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

12. First Reading – ORDINANCE NO. 2023-13

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$580,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, OF THE COSTS OF IMPROVING MELROSE DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, A MULTI-USE PATH, SIDEWALKS AND DRIVEWAY APPROACHES, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT. (Sanders)

Councilman Sanders said this note will be used for the Melrose Drive Improvement project which is currently under construction.

Councilman Sanders moved to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

13. First Reading – ORDINANCE NO. 2023-14

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$175,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING STREETS AND ROADS IN THE CITY INCLUDING OAK HILL ROAD, MILLTOWN ROAD AND COMMERCE PARKWAY BY PURCHASING A RIGHT OF WAY, CONSTRUCTING, RECONSTRUCTING, WIDENING, GRADING, DRAINING, PAVING, CREATING A ROUNDABOUT AND OTHERWISE IMPROVING, TOGETHER WITH ALL NECESSARY RELATED IMPROVEMENTS AND APPURTENANCES THERETO, AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND ALLOWING FOR IMMEDIATE ENACTMENT. (Sanders)

Councilman Sanders said this note will be used for Oak Hill Road Reconstruction, Milltown Road Reconstruction and the Oakhill/Milltown Roundabout projects which are all using TIF funds.

Councilman Sanders moved to suspend the rules, seconded by Councilman Myers. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

14. First Reading – ORDINANCE NO. 2023-15

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,055,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING AND EXPANDING THE CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING AND RECONSTRUCTING SANITARY SEWERS, FORCE MAINS AND LIFT STATIONS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT. (Sanders)

Councilman Sanders said this note will be used for improvements to the sanitary system and lift stations. He reviewed the terms and details of the note.

Councilman Sanders moved to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 7-0. (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Myers – yes, Cavin – yes, Warden - yes)

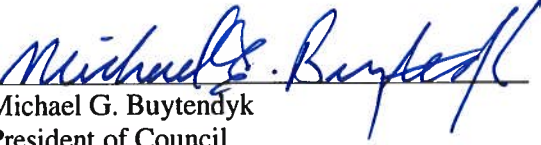
VIII. MISCELLANEOUS

Councilman Ansel noted that council had approved the issuance of over \$18,000,000 in debt service to fund capital improvements.

Councilman Myers wanted to thank AEP and their workers for the timely clean-up and electric restoration after the last two weekend windstorms.

IX. ADJOURNMENT

Councilman Ansel motioned to adjourn, seconded by Councilwoman Warden. Upon voice vote, the motion passed. The meeting adjourned at 8:50 p.m.



Michael G. Buytendyk
President of Council



Lynne DePaulo
Clerk of Council