

CITY COUNCL MINUTES
Special Meeting- July 13, 2006

Council President Judi Mitten called the special meeting of City Council to order at 7:00 p.m. in council chambers and upon roll call, members answered present as follows: Ansel, Cavin, Griffin, Silvestri, Topovski, Ulbright.

The Clerk read a memo to City Council recommending the reappointment of Mary Alice Streeter to the Hospital Board of Governors for the term ending 12/31/08. Mr. Silvestri moved, seconded by Mr. Griffin, to confirm this appointment. Upon roll call, motion carried unanimously.

Ordinance No. 2006-22 amending Chapter 509, Disorderly Conduct and Peace Disturbance, of the Codified Ordinances of the City of Wooster, Ohio, by the adoption of regulations pertaining to drug premises and loitering in a public place for the purpose of engaging in drug-related activity was read by title, being on third reading. Mr. Ansel moved, seconded by Mr. Topovski, to adopt. Mr. Ansel stated that the feedback he had received had been overwhelmingly positive regarding the support of this amendment to get tough on drugs and it's a great vote of confidence for our community. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-24 accepting application for annexation of territory located east of Cleveland Road, between Gola Drive and Schellin Road (CR 226), and contiguous to the present corporation limits (Attorney John T. Keating, Agent for Petitioner, Loral Investments, LLC) was read by title, being on second reading. Mr. Ansel stated that we had a very enlightening committee meeting earlier this week and reviewed all the specifics regarding this proposed annexation. Mr. Topovski recused himself from any discussion on this matter.

Ordinance No. 2006-25 amending Title Eleven, Zoning, of the Codified Ordinances of the City of Wooster, Ohio, so as to zone newly-annexed land (48.062 acres) to an R-1 (Low Density Residential) District for property located east of Cleveland Road, between Gola Drive and Schellin Road (CR 226) was read by title, being on second reading. Mr. Ansel stated that this was a dovetail of the former ordinance and was to zone the land, if annexed, to a low density residential district. In order for these two pieces of legislation to remain in tandem, this would also remain on second reading.

Ordinance No. 2006-26 authorizing the Mayor to enter into an agreement with Eldorado Stone, LLC, dba Stonecraft Industries, and Chesterland Productions, PLL for tax abatement, and declaring an emergency was read by title, being on second reading. Mr. Griffin stated that Mr. Starlin has put together quite a package that everyone should have received in the mail or electronically and questions can be addressed to him. Discussion followed and Mr. Griffin moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Griffin moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion carried unanimously.

Ordinance No. 2006-27 amending the Annual Appropriation Ordinance was read by title, being on second reading. Ms. Cavin stated that Mr. Breneman had gone over this to some extent at the last meeting and if anyone has questions, she would refer them to Mr. Dordea. Ms. Cavin moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Ms. Cavin moved, seconded by Mr. Griffin, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-28 establishing an Economic Development Fund; and providing for the funding thereof, and authorizing an agreement with the Wooster Growth Corporation for the management thereof was read by title, being on second reading. Mr. Griffin stated that he really didn't know what the timeline was for this and he really didn't have an update on this. Mayor Howey stated that he didn't know that there really was any deadline for this.

Resolution No. 2006-53 authorizing the Director of Administration to enter into a contract with Lafayette Electric, Inc. of Medina, Ohio for the purchase and installation of loop detectors for certain intersections in the city, and declaring an emergency was read by title, being on second reading. Mr. Topovski stated that this would authorize the installation of three traffic loop detectors. The locations of these new detectors were the intersections of University/Beall; Madison/S. Market and Portage/Cleveland. The necessity of the Portage/Cleveland was due in large part to the new Rite Aid going in at that corner. Mr. Topovski moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Topovski moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-29 amending the Annual Appropriation Ordinance was read by title, being on first reading. Ms. Cavin stated that this was pretty self explanatory; as everyone knows, we had a very nasty storm with lots of tree damage and we need to pay for some cleanup. The charges were itemized on the back of the legislation and were pretty straightforward. Ms. Cavin moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Ms. Cavin moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-30 authorizing the purchase of real estate, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that about 18 months ago we found out that our swirl concentrator and skate park in the Schellin Park area was located not on state property as we thought but on someone's private property. City Council authorized the administration to pursue an eminent domain against the property owners. The property owners had long since passed away and the estate had to be reopened to find the heirs to the property and what we're left with is the \$28,000 purchase price, attorney's fees and closing of the estate so we can acquire the property on which our swirl concentrator resides. Mr. Griffin moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried.

Mr. Griffin moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-31 prohibiting, for a limited period of time, the construction and/or installation of solid fuel-fired outdoor heating devices within the corporation limits, and declaring an emergency was read by title, being on first reading. Mr. Ansel stated that this had been a “hot” topic for several months and we have two open issues with the proposed legislation that has currently been tabled. We have a draft ordinance which would legislate outdoor wood burning commercial heat generating sources and the two issues were the chimney height and the setbacks. We need to have better input and a better understanding before we come to council and ask for a vote to put the ordinance into effect so with that in mind and at the request of Mr. Griffin, we felt we should act to prevent further installations of these furnaces while we decide what’s best for the city of Wooster from occurring. So rather than allowing people to install these and dealing with litigation and conflict and controversy, we decided to propose this legislation to prohibit any new installations. Mr. Griffin expressed his thanks for the professionalism and willingness to put something into place to address this issue. Mr. Griffin stated that the date listed in the legislation was incorrect. Mr. Griffin moved, seconded by Mr. Ulbright, to amend the legislation in Section 1 to state “from the date of adoption and implementation of this ordinance until *January 1, 2007*. . .” Upon roll call, the amendment was adopted. Mr. Ansel moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Ansel moved, seconded by Mr. Griffin, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-54 authorizing the Mayor to accept and apply grant monies from the Federal Emergency Management Agency, and declaring an emergency was read by title, being on first reading. Mr. Silvestri stated that this was for equipment to improve our portable radio communications for the fire department. These were actually a number of repeaters that we will put in the fire vehicles and this boosts the signal into the justice center which will greatly improve the communications with the fire department. This has been in the works for some time and the price of these has actually gone down from the estimated \$28,477 to between \$22-24,000. Mr. Silvestri moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Silvestri moved, seconded by Mr. Griffin, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-55 authorizing the Director of Administration to increase the amount of a contract with the Center for Occupational Medicine for medical testing and screening services, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that by using this center for preemployment and random testing and accidents we save a ton of money in our worker’s compensation fund. They do a nice job for us and are a necessary benefit. He wasn’t sure whether we under budgeted for this or were just getting to the \$15,000 level. Mr. Sigg said we were getting to that \$15,000 cap; the money comes from all operating divisions and we also use the facility for a return to work employee to see that they get back to work as quickly as possible after an injury or

accident. We've used them all year and are approaching the cap at which time Council would need to approve the increase. A short discussion followed. Mr. Griffin moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Griffin moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-56 authorizing the Director of Administration to enter into contracts for emergency storm clean-up services, and declaring an emergency was read by title, being on first reading. Mr. Ulbright moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Ulbright moved, seconded by Mr. Ansel, to adopt. Mr. Ulbright stated that council just approved legislation that would move funds in the amount of \$110,000 to pay for the cleanup from storm damage and we're all very grateful for all the help received. The majority of the funds would go to the three contractors as listed on the opposite side of the legislation (Asplunde, Davey Tree and JBS Grinding). Upon roll call, motion to adopt carried unanimously.

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

Judith Mitten
President of Council

Sheila Stanley
Clerk of Council