

CITY COUNCIL MINUTES  
April 3, 2006

President Judi Mitten called the regular meeting of City Council to order at 7:30 p.m. in council chambers and upon roll call, members answered present as follows: Ansel, Breneman, Cavin, Griffin, Silvestri, Topovski, Ulbright.

Mr. Silvestri moved, seconded by Mr. Breneman, to approve the minutes of the March 20, 2006 minutes. Motion carried.

The Clerk read a notice from the Ohio Division of Liquor Control for a new C-1 permit to Best Price, LLC, dba Best Price Cigarettes, 516 Beall Avenue. (C-1 is for the sale of wine) Mr. Breneman moved, seconded by Mr. Griffin, not to request a hearing. Motion carried.

Council President Mitten announced that we had celebrities in the audience this evening and that the city and council would like to honor them tonight. President Mitten asked the speech and debate team to please stand and she read an informal resolution in honor of the Wooster High School Speech and Debate Team.

Mr. Breneman stated that a finance committee meeting had been held earlier this evening with a number of council members present. We discussed our economic development fund and he was pleased with the way things were developing; we don't have an ordinance to bring forward yet as we are still trying to put all the pieces together. Any input you might have or any suggestions from the community, please bring them forward and we will try to incorporate them. Hopefully, we'll have something within the next month or so to present to council to enact legislation.

Mr. Ulbright reminded council members that a public properties committee meeting was scheduled for Wednesday, April 5 at 5:30 here in council chambers.

Ordinance No. 2006-7 amending Chapter 923, Prohibited Discharges, Pretreatment, of the Codified Ordinances of the City of Wooster, Ohio was read by title, being on third reading. Mr. Ansel moved, seconded by Mr. Breneman, to adopt. Mr. Ansel stated that the intent of this amendment was not to penalize those restaurants operating in compliance with the grease interceptors. It's being initiated so that we can effectively manage those restaurants not in compliance, as currently there was no methodology in place for effectively managing those restaurants not in compliance. We all have the report Mr. Borton prepared listing a priority summary alphabetically of those operations that have monthly scheduled clean-outs as well as quarterly schedules. A short discussion followed and upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-11 amending the Traffic Control File to enact the recommendations of the Traffic Commission, and declaring an emergency was read by title, being on first reading. Mr. Topovski stated that periodically the traffic commission makes recommendations to city council regarding new traffic signs, etc and this particular ordinance involves three signs as listed in the legislation. This legislation would keep our ordinances and traffic control file up to date. Mr.

Topovski moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Silvestri moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-35 authorizing the Director of Administration to enter into an agreement with the Wayne County Fair Board for the billing of utility services to the fairgrounds; and for the waiver of certain penalty charges was read by title, being on first reading. Mr. Breneman stated that this was something that the administration had negotiated and he deferred to them to explain this legislation. Mr. Sigg stated that the fair board has water meters and some of the water goes into the sewers and some doesn't and they don't feel they should pay for water not going into the stream. The situation had existed for many many years and we found there was no agreement, so we decided some time back to sit down with the fair board and make sure we have a written agreement as to what they actually pay and for what. Jim Borton and Bob Nitzsche actually negotiated with the fair board, went through meter by meter and came up with calculations and Mr. Borton can explain that a little better. Mr. Borton stated that essentially what you have in front of you represents the agreement we came up with which was a fair way to address sewer billing with the fair board. Mr. Borton explained the process used by the fair board during the county fair in September and how they were billed for the usage and the problems that have brought us to the negotiation process. A lengthy discussion followed and Mr. Breneman moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Breneman moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-35 authorizing the Director of Administration to enter into a contract with Rick T. Evans Custom Mowing of Hillsboro, Ohio for mowing services for state highway rights-of-way within the corporation limits, and declaring an emergency was read by title, being on first reading. Ms. Cavin stated that obviously this would be to contract an outside vendor to mow the state routes, which would consist of State Route 83, 3, 30 and 250 inside the city limits. The city had been doing this all along but the major change being that it had been under the maintenance division and the mowing has now been taken over by the parks division, along with Mr. Yarnell. One of the other biggest differences was that it was usually under \$15,000; however, with the increasing fuel costs and using a different company, the rates have been increased. We do need to advance this to third, as the mowing season will soon be upon us. Mr. Silvestri asked if we had a percentage of what the city might save in contracting this out? Mr. Decker stated that we really haven't put together a cost savings; it's simply at this point a lack of manpower to complete it any other way. With this transition to parks, we picked up Dan Yarnell and one seasonal employee, which brings the entire shade tree/urban forestry program, and all the mowing contracts for the city directed to the parks department and away from maintenance. Mr. Decker stated that since he had joined the city, in the past five years, we have grown in responsibility from about 450 total acres to just shy of 1,000 acres and we're taking care of that with five employees. Ms. Cavin moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Ms. Cavin moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-37 authorizing the Mayor to submit an application to participate in the United States Environmental Protection Agency (USEPA) State and Tribal Assistance Grants

(STAG/Special Appropriations (SAP) Program(s), to execute contracts as required, and declaring an emergency was read by title, being on first reading. Mr. Topovski stated that this goes back to our Streetscape III project; when we were looking for potential funding for the project, we approached these government entities and our representative in congress came up with \$2 million dollars to help us fund the project. This money was available to us through a grant for sewer separation and would come from these various entities. 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. Ansel, to adopt. Upon roll call, motion carried unanimously.

Resolution No. 2006-38 authorizing the Director of Administration to advertise according to law and enter into a contract with the lowest and best bidder for construction of a storm sewer on North Street, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that we're getting into construction season and this project was part of our 10-year plan to separate the sanitary and storm sewers to stay within the EPA's CSO mandates and our schedule. We can align this project with the North Street Bridge project to coordinate the closing of North Street at one time. Mr. Griffin moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Griffin moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-39 authorizing the Director of Administration to advertise according to law and enter into a contract with the lowest and best bidder for the replacement of the Christmas Run Water Line, and declaring an emergency was read by title being on first reading. Mr. Griffin stated that this was a scheduled project with funds coming out of the Water Fund and not only a replacement but upgrade of a huge water line from 6" to 12" from Wayne Avenue all the way up to Oldman Road and the benefits to pressure and distribution throughout this area of our city will be enormous. Mr. Ulbright stated that there was an error in Section 1 where it read "replacement of *Beechwood* water line." Mr. Ulbright moved, seconded by Mr. Breneman, to amend the resolution in Section 1 to read "replacement of the *Christmas Run* water line." Upon roll call, motion to amend carried unanimously. 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 to adopt carried unanimously.

### Miscellaneous

Mr. Silvestri stated that as you may be aware as of late, there has been a series of advancements in law enforcement of the laws against substance abuse here in the community; he was glad to see those advancements. Medway and the City of Wooster law enforcement work hard to enforce our laws and keep our community free of problems that cause continued degradation of the environment here. It's great to hear that drug abuse is on the decline in the area and the tools were available to do the proper law enforcement effectively. On another note, specifically alcohol abuse, he knew there were a number of businesses in town that have a high occurrence of police calls per year. He would be keeping his eye on those and would like to see a decrease in

those calls and he wanted to call on business owners to be responsible in their dealings with the public and dispensing of alcoholic beverages.

Mr. Ulbright stated that he was pleased to see the new sidewalks on the west side of North Bever Street and thanked Mr. Montgomery and his department for their work and his question would be what's next? He had laid out a plan last year that he hoped would be implemented and he urged Mr. Topovski to take up the gauntlet on continuing the sidewalk replacement program. Mr. Ulbright stated that we all should have received a letter from Mr. Weidner in which he brought some pretty serious criticisms of the Poggemeyer study regarding economic development. He asked if the administration would care to comment on any part or several parts of this gentleman's letter. Earlier tonight, we honored students from Wooster High School and the quality of the speech and debate team and something that he learned when he first came to teach in Wooster was that we are honored to have a reputation that transcends our community and state and reaches across the country. He had highlighted Mr. Reidner's letter on page 3 where he stated an observation in the Poggemeyer report that our school system received an average rating of 3.4 on a scale of 1 to 5. As a former teacher and for all the people he had got to know as students and other teachers throughout all his years of teaching, he was offended by these comments especially in lieu of the students tonight who stood and received our congratulations for their achievements. How could we possibly be a community with an average school system and produce this quality speech and debate team for all these years and tolerate such a statement about the average quality of our school system? Mr. Ulbright felt the comment was bogus.

Mr. Breneman stated that he wished to schedule another finance committee meeting to wrap up discussion on the economic development fund. He asked council to come to the next council meeting prepared with available dates and he would set a committee meeting at that time.

Mr. Ansel stated that we all received a memo from Tim Monea in response to our challenges and concerns on the enforcement of trash placement/collection and he wished to thank Tim and the administration for their proactive summary of the procedures and protocol for trash placement, violation, notification, enforcement and subsequent penalties for improper procedures. He asked that the residents on High Street please receive a copy of this report so that they would know this was responded to in a professional and thorough fashion. President Mitten stated that Ms. Cavin had planned to drop off a copy of the memo to the resident on High Street.

Mr. Silvestri moved, seconded by Mr. Ansel, to adjourn. Motion carried and meeting so adjourned at 8:30 p.m.

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Judith Mitten  
President of Council

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Sheila Stanley  
Clerk of Council