

CITY COUNCIL MINUTES
July 7, 2008

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, Ed Schuch, David Silvestri, Jeff Steiner, Keith Topovski and Jon Ulbright.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Mr. Buytendyk, to approve the minutes of the June 16, 2008 meeting.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman updated council on various activities in the city.

Mr. Silvestri indicated Council had received a copy of the Community Matrix in May. It was developed by the City administration in collaboration with the Wayne Economic Development Council and Chamber of Commerce. It lays out the various rules and duties of the organizations involved in economic development and community development. Mr. Silvestri asked for a voice vote to affirm the understanding of these rules and duties. Voice vote passed 6 – 1 with Mr. Ulbright standing opposed.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

A letter was received from the Wooster City Planning Commission recommending the rezoning of a .3271 acre lot (WPT 1882) from an R-2 (Single Family) District to a CF (Community Facilities) District for property located at 807 College Avenue. An August 18, 2008, 7:30 p.m. public hearing was set to discuss the rezoning.

The following members of the audience spoke regarding Resolution #2008-60: Gordon Shull (824 Northwestern); John Vimmerstedt (215 Reed Rd.); Joel Chupp (157 Park Ave.); Daniel Flory (4407 Deer Creek); Kevin Breeden (620 Arlington); Don Williams (537 Memory Lane); Julia Bogner (4047 Stone Creek); Carolyn Kearney (4405 Honeytown Rd.) and Lud Huck (225 W. Wayne Ave.)

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Ulbright reported on the Public Infrastructure Committee meeting which was held at 6:30 p.m., July 7, 2008, to discuss proposed sidewalks on Normandy Drive. Mr. Ulbright stated the committee reached a consensus and would like a resolution of necessity for constructing sidewalks on Normandy Drive be placed on the next council agenda, August 18, 2008.

Mr. Topovski reported on the Public Properties Committee meeting which was held at 5:30 p.m., July 7, 2008, to discuss possible funding for renovations and updates to the exterior of City Hall. He indicated the committee came to a consensus to move forward with this project.

Mr. Steiner reported on the Safety Committee meeting which was held at 4:30 p.m., July 7, 2008, to discuss Resolution #2008-60, the request for available services for property located at the northeaster corner of SR 83 and Smithville Western Road. He indicated many questions and responses were given regarding various issues. Both police and fire chiefs gave presentations on the current staffing levels, response times and coverage areas. Discussed were possible effects this proposed annexation would have on safety forces and the infrastructure.

VI. OLD BUSINESS

1. Third Reading - RESOLUTION NO. 2008-60 STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED AT THE NORTHEAST CORNER OF SR 83 AND SMITHVILLE WESTERN ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY (John Keating, Esq., Agent for Petitioners) (Buytendyk)

Mr. Buytendyk stated this legislation does not deal with the approval of the annexation. Ohio Revised Code 709.03 states when there is a proposed annexation the municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will be able to provide upon annexation of the territory proposed for annexation. Mr. Buytendyk believes council is obligated by the ORC to at least provide a resolution as to what services may be available. There have been several committee meetings to discuss this issue and from his understanding, police, fire, water and sewer services could be provided to this area. Based on that, he recommended approving the resolution and stated the debate on the annexation could continue, assuming the county commissioners approve the annexation. Mr. Topovski shared his concern that if the resolution was not passed, the city would lose control of what could happen outside the city boundaries and therefore was in support of the resolution in order for the city to keep a seat at the table. Mr. Ansel expounded by explaining the four areas of services which are being voted upon. Although Mr. Ulbright feels being involved in future negotiations is important, he still has concerns about stretching the limits of city services to the maximum limit and therefore stated he could not support the legislation.

Mr. Buytendyk moved, seconded by Mr. Schuch, to adopt. Upon roll call, motion to adopt carried 6-1 (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-no).

2. Second Reading - ORDINANCE NO. 2008-19 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MCCLINTOCK ELECTRIC, INC., FOR TAX ABATEMENT, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated this request was covered in great detail at the last council meeting and was left on first reading in case there were any additional questions. He further noted that McClintock Electric has had many years of dedicated service and growth in the city. They have requested a 75%, 10-year Enterprise Zone abatement which has been approved by the Wooster City School Board and the Wooster Growth Corporation. There will be 38 jobs retained and all of the fast track criteria have been met with the exception of job creation and expansion. They propose to invest approximately \$500,000 to construct a new warehouse facility in a community reinvestment area.

Mr. Ansel moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

3. Second Reading - ORDINANCE NO. 2008-20 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AUTOWORKS COLLISION CENTER, INC. FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated this ordinance was left on first reading so council members had time to review the 50%, 12-year CRA abatement for Autoworks Collision Center of Holmesville, OH who propose to expand their business into Wooster. Mr. Ansel indicated that there has been resounding opposition based on the competitive nature of this proposed CRA request. Though it does meet qualifications, input from the competitive arena must be considered, as it is felt this company is coming into the market and potentially cannibalizing the existing volumes within the Wooster automobile repair market. Mr. Ansel noted collision repair statistics show work has declined consistently over the last five years and though competition is welcome, it is felt a business should not be given a competitive advantage within the same market. Mr. Topovski indicated he did not support this ordinance. Mr. Ulbright questioned if this company would come to Wooster without the tax abatement and also indicated he was not in favor of hurting existing businesses.

Mr. Ansel moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried 6-1 (Ansel-yes; Buytendyk-yes; Schuch-no; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Steiner, to adopt. Upon roll call, motion to adopt failed unanimously (Ansel-no; Buytendyk-no; Schuch-no; Silvestri-no; Steiner-no; Topovski-no and Ulbright-no).

VII. NEW BUSINESS

1. Informal Resolution - **INFORMAL RESOLUTION TO URGE THE NATIONAL CREDIT UNION ADMINISTRATION, THE FEDERAL RESERVE BOARD AND THE OFFICE OF THRIFT SUPERVISION TO ADOPT THE REFORMS PROPOSED FOR THE FEDERAL TRADE COMMISSION ACT, TRUTH IN SAVINGS ACT, AND TRUTH IN LENDING ACT TO PROTECT CONSUMERS FROM UNFAIR AND ABUSIVE PRACTICES BY THE CREDIT CARD INDUSTRY (Silvestri)**

Mr. Silvestri stated council members received a letter from Richard Cordray, Treasurer of the State of Ohio, asking for their support on this issue. There have been three groups, National Credit Union Administration, Federal Reserve Board and Office of Thrift Supervision, that have seen a number of transactions on the part of credit card companies that they believe are unethical and need to be curbed. Mr. Silvestri asked for a voice vote for all those in favor of approving the Informal Resolution. All were in favor.

2. First Reading - **ORDINANCE NO. 2008-21 AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)**

Mr. Ansel stated additional allocation of funds are being requested due to the success of the Bicentennial events. The original budget was to spend \$60,000 and raise \$20,000 resulting in a net cost to the city of \$40,000. The revised budget request is \$93,200. Approximately \$53,200 is expected to be raised/collected, with the net cost to the City remaining the same at \$40,000. The amount of \$33,200 is requested to be appropriated from the unappropriated balance in the general fund for the Bicentennial budget. The breakdown by event for the additional budget is: Merchandise \$8,000; Chautauqua \$1,000; Dogwood dance \$19,500 and Advertising/Other \$4,700.

Mr. Ansel moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

3. First Reading - **ORDINANCE NO. 2008-22 AUTHORIZING THE MAYOR TO WAIVE A SPECIAL ASSESSMENT FOR THE DEMOLITION OF A HAZARDOUS STRUCTURE, AND DECLARING AN EMERGENCY (Steiner)**

Mr. Steiner stated this property, in accordance with city ordinances, was razed in 2001 due to being uninhabitable and was foreclosed upon due to back real estate taxes with the county. The county has tried to sell the property but has been unable to do so. Therefore the county is going to waive the back taxes on the property and have requested the city lift the lien of \$6,195 for the razing so they can market the property and get it back on the tax roles.

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; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

4. First Reading - RESOLUTION NO. 2008-62 AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH SUNGARD PUBLIC SECTOR BI-TECH, LLC FOR TECHNICAL SUPPORT SERVICES FOR FINANCE DEPARTMENT AND HUMAN RESOURCES DIVISION SOFTWARE, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated last year there was a review process for a technical service and back-up supplier contract and at the recommendation of the city a contract was established with Sungard Public Sector Bi-Tech, LLC. This is the annual contract support agreement renewal for the amount of \$39,400 and is a budgeted item. The contract runs through 7/1/08 and therefore needs to be extended before then. Mr. Dordea explained what components of finance this deals with and indicated it was the 10th year working with this company.

Mr. Ansel moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-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; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

5. First Reading - RESOLUTION NO. 2008-63 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH GGJ ENGINEERS OF EASTLAKE, OHIO FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF A NEW SECONDARY WATER TRANSMISSION MAIN, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri indicated this contract is for professional design engineering services associated with the design and construction of a new secondary water transmission main, from Old Columbus Road to an existing main at Larwill and Liberty Streets. The city will tap into the waterline that was installed under US30 during the highway reconstruction project.

Mr. Silvestri moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

6. First Reading - RESOLUTION NO. 2008-64 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH GGJ ENGINEERS OF EASTLAKE, OHIO FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF A NEW BOOSTER PUMP STATION AND ASSOCIATED WATER MAINS, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri thanked Mr. Montgomery for the detailed summary of the project and asked if anyone had any further questions. There were none.

Mr. Silvestri moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

7. First Reading - RESOLUTION NO. 2008-65 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR VARIOUS IMPROVEMENTS TO THE MUNICIPAL BUILDING, AND DECLARING AN EMERGENCY (Topovski)

Mr. Topovski indicated this issue was discussed at the Public Properties committee meeting held prior to council meeting. City administration explained their proposal for improvements to the municipal building by redesigning the front entrance, re-landscaping and cosmetically changing the exterior of the building. A plan of the project was on display. The Legacy project at Schellin Park project has had funding proposed by various grants. These projects are being done in conjunction with the Bicentennial celebration.

Mr. Topovski 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; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

8. First Reading - RESOLUTION NO. 2008-66 AUTHORIZING THE MAYOR TO PURSUE APPROPRIATION OF CERTAIN RIGHTS-OF-WAY FROM PROPERTY OWNERS ADJACENT TO OR ABUTTING THE SECREST ROAD AREA FOR PURPOSES OF PROCEEDING WITH THE IMPROVEMENT THEREOF, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright recognized what an important part of our community OARDC is and the BioHio project. The city has been the recipient of a special grant called Jobs Ready Site Program. This resolution gives the city an opportunity, if necessary, to use the tool of eminent domain to secure certain properties on the north side of Secrest Road between Madison Avenue and the eastern Corporation limits as part of the BioHio project. This road widening project would also include sidewalks on the north side and a bikeway on the south side. All but three of the affected property owners have committed to allowing the city a permanent right-of-way and a temporary easement, which is only needed during the construction phase. Mr. Montgomery believes the other property owners will eventually come to terms with the city. With a funding deadline, this resolution will prevent the project from getting bogged down in time constraints and endangering the state grant which was awarded in order complete this project. Mr. Montgomery expanded on the project. Mr. Topovski had administration confirm that there would be no assessments to the property owners since grant money was being used. Mr. Benson further clarified the eminent domain procedure and its possible use so the project can proceed as scheduled.

Mr. Ulbright moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

9. First Reading - RESOLUTION NO. 2008-67 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT(S) FOR THE CONNECTION OF TWO CITY SWIMMING POOLS INTO THE SANITARY SEWER SYSTEM, AND DECLARING AN EMERGENCY (Schuch)

Mr. Schuch stated this allows for the connection of sewer lines for both city pools into the city sanitary sewer. On June 27, 2008 there was a sodium hypochlorite leak from the Christmas Run pool filter room drain into Christmas

Run Creek which resulted in killing fish. In order to continue operations of both city pools, EPA has ordered the city to permanently close the drains and tie into the sanitary sewer located near Blessing Avenue.

Mr. Schuch moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

10. First Reading - RESOLUTION NO. 2008-68 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE PURCHASE OF CHEMICALS FOR THE OPERATION OF THE WATER POLLUTION CONTROL PLANT, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri stated these chemicals are needed to be purchased for the balancing of chemicals levels and to stabilize the biological activities associated with the plant. There is much formality associated with this purchase of coagulants and flocculants, two chemical agents that lead solids to settle out of liquids. Jim Borton, Water Pollution Control Plant manager, answered several of council's questions and explained the chemical process. Mayor Breneman indicated the city has been aware of these problems and has been working diligently to solve them.

Mr. Silvestri moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

11. First Reading - RESOLUTION NO. 2008-69 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT, AND, UPON APPROVAL, TO ACCEPT A BLOCK GRANT THERE FROM, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel stated the Ohio Department of Development has allocated \$95,000 to the city of Wooster for the Small Cities Community Development Block Grant (CDBG). In order to receive these funds there is an application process that must be completed and this resolution allows the mayor to initiate that process. Once grant funds are received the money will be allocated as follows: Viola Startzman Free Clinic (\$14,200); sidewalk improvement repairs surrounding the new Main Branch of the Wayne County Public library (\$54,300); assistance to STEPS at Liberty Center for the purchase of a generator system for the Lorson rehabilitation project (\$23,000); and Fair Housing program implementation (\$3,500).

Mr. Ansel moved, seconded by Mr. Ulbright, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

12. First Reading - RESOLUTION NO. 2008-70 AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED UNDER CONTRACT(S) WITH VENDORS OR FOR SERVICES PROVIDED TO THE MUNICIPALITY, AND DECLARING AN EMERGENCY (Topovski)

Mr. Topovski stated this is to authorize the payment of \$3,409.45 to Schmid Mechanical for replacement of a temperature control on the Municipal Building boiler. The problem needed to be taken care of immediately and therefore a purchase order was not entered prior to the services being performed.

Mr. Topovski moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

13. First Reading - RESOLUTION NO. 2008-71 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE RECONSTRUCTION OF SECREST ROAD, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated the purpose of this resolution is to put the Secrest Road project out to bid. Costs will not exceed \$3,100,000, of which amount \$1,270,000 was previously appropriated for this project, and an additional \$1,640,000 appropriated from the state capital grants fund and the remainder will be taken from currently budgeted projects. Several property owners on Secrest Road will be the beneficiaries of an improved street along with sidewalks on the north side and a bike path on the south side. This construction project will install approximately 200 feet of new waterline, 300 feet of new sewer and 4000 feet of roadway widening and storm sewer. Mr. Ulbright stated this is a wonderful project in connection with the BioHio project. Mr. Montgomery answered questions regarding funding and grant monies.

Mr. Ulbright moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Schuch-yes; Silvestri-yes; Steiner-yes; Topovski-yes and Ulbright-yes).

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

VIII. MISCELLANEOUS

Mr. Schuch again asked that tall grass beyond the bridge on Madison Avenue be mowed. Mayor Breneman indicated they will contact the state regarding this as it is believed to be state property.

Mr. Topovski read a statement indicating the Ohio Ethics Commission found him free of charges levied against him by former council member Mindy Cavin.

Mr. Silvestri felt a great series of meetings was held throughout the evening and appreciated all the discussion regarding Res. #2008-60, for which he indicated he voted to the issue at hand, not with respect to the details of another piece of legislation that may be seen in the future.

Mr. Ansel complimented the council and city administration for accomplishing a lot during the last meeting of council before the summer break.

Mr. Ulbright stated he enjoyed being part of the Bicentennial parade and the DiGiacomo Green dedication. He asked administration if they'd heard back from the electric company regarding the tree cutting on Rebecca Street and what plans are for replacement. Mr. Ulbright thanked the City of Orrville for recognizing Wooster's Bicentennial celebration with blue and gold fireworks at the beginning of their fireworks display. He also explained his position on the Community Matrix at the beginning of the meeting. Mr. Ulbright expressed his appreciation for having the opportunity to attend a conference in Minnesota on Family, Friends, Neighbor Care.

IX. ADJOURNMENT

Mr. Topovski moved, seconded by Mr. Steiner, to adjourn. Motion carried and meeting so adjourned at 9:45 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council