

CITY COUNCIL MINUTES
June 19, 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, Cavin, Griffin, Silvestri, Topovski, Ulbright.

Mr. Ansel moved, seconded by Mr. Silvestri, to approve the minutes of the June 5, 2006 meeting as received. Motion carried unanimously.

Mr. Sigg announced that the new website rolled out this afternoon after a tremendous amount of work by the staff who has been writing links for about two weeks. I think you'll be pleased and pleasantly surprised with the results.

The following people addressed city council on the issue of the recently adopted legislation regarding exotic animals: Lee Kern, 1123 Quinby; Victoria Riggs, Normandy Drive; Matt Perkins, 630 ½ High Street; Steve France, Smithville; Bonita Bowman, owner of Critters Pet Shop, 328 E. Liberty Street; Robert Edwards, Buckeye Street; Judith Earnest-Yoder, Shreve Road (works for Critters Pet Shop).

Mr. Ulbright stated that on June 14 at 7:00 p.m. the Public Properties Committee met and we had a lively discussion based on the community action points that were distributed to council members at the previous council meeting. What we concluded as our next step was to take these eight action points, revise or add to them and send that proposal to the members of the larger committee that we met with a month ago and ask them for feedback on the proposal. After getting their input, to come to Council with a proposal.

In Mr. Dordea's absence, Mr. Benson opened the public hearing regarding the 2007 tax budget, as advertised. Mr. Benson stated that this was on council's agenda tonight for adoption and all members should have received copies of the actual tax budget. There were not questions or comments and the public hearing was closed.

Mr. Topovski stated that he had attended the Township Trustees meeting last Monday to address the issue that's been brought to our attention regarding the residence on Portage Road that keeps accumulating debris, automobiles and yard sale items which looks very unsightly. They were concerned as well and frustrated that since there was no zoning in the township, their hands were tied. They have referred it to the county health department, environmental division and that's where it sits at the moment.

Mr. Topovski moved, seconded by Mr. Ulbright, to adopt Resolution No. 2006-43 (which was on third reading at the last council meeting). Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-21 amending Chapter 1325, Heating and Ventilating Code, of the Codified Ordinances of the City of Wooster, Ohio, by the adoption of regulations

pertaining to solid fuel-fired outdoor heating devices was read by title, being on second reading. Mr. Ansel moved, seconded by Mr. Silvestri, to table the ordinance. Upon roll call, motion to table 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 first reading. Mr. Ansel stated that this was a very exciting and important ordinance and he complimented Chief Thornton and Medway officials for initiating this and the positive coverage received last night in the Daily Record. This was an ordinance that would make it more difficult to traffic drugs in the City of Wooster and it was our commitment on council to make this a priority agenda item and we have accomplished that through this proposed legislation. There were two components of this; occupying drug premises and loitering or remaining in a public place for the purpose of engaging in drug related activity as well as specific criteria allowing law enforcement to bust these people and make arrests associated with a drug activity. Chief Thornton gave a lengthy explanation of how this came about and gave an overview of what this legislation would allow law enforcement officers to do in enforcing the law.

Ordinance No. 2006-23 amending the Annual Appropriation Ordinance was read by title, being on first reading. Ms. Cavin stated that as we all know, we share the Justice Center with the County and we also share the maintenance costs. The air conditioning unit broke down and we have to pay our share to repair it and the money was in the budget under the police division's operating expenses. We need to transfer funds to the capital improvements fund and that's what this ordinance would do. This was pretty straightforward; this was a necessary expense and we need to pay our share. Mr. Ansel stated that he had attended the Justice Center Board meeting last Thursday and this was an upgrade that was long delayed and it was getting to the point of a high level of criticalness because if that unit shuts down, there wasn't a back-up unit for HVAC throughout the entire Justice Center. This was a \$200,000 expenditure with the city contributing \$57-58,000 mark but for public record, we participate in all expenses; 71% was budgeted by the sheriff and county and we are responsible for 29%. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-47 authorizing the Director of Administration to enter into a contract with the Finley Fire Equipment Company of McConnelsville, Ohio for the purchase of a Hurst Rescue tool, and declaring an emergency was read by title, being on first reading. Mr. Silvestri stated that this was in reference to a Jaws of Life unit, a rescue tool used by the fire division. This was to replace an old unit from the early 1990's and the maintenance costs on this unit had increased significantly in the last couple years so the fire chief is recommending that we replace it. This old unit will be used in the emergency squad response vehicle as a third back-up unit which means that all three vehicles will be equipped with the Jaws of Life units. Mr. Silvestri moved, seconded by Mr. Griffin, 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. 2006-48 providing fore the Annual Tax Budget for 2007 was read by title, being on first reading. Mr. Griffin stated that this was an annual requirement by the O.R.C. whereby we must submit to the county auditor our proposed 2007 tax budget as to where we would be in terms of tax revenues. Mr. Sigg stated that the budget was submitted to the county auditor for review to make sure the voted tax levies were not in excess of the amount needed by the local subdivisions. This does not in any way impact the city's appropriation budget. 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.

Resolution No. 2006-49 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 a water line serving the East Liberty Street area, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that this was the replacement of a six inch water line with a 12 inch water line in an area of the city near Pittsburgh and South Streets. This would include 687 ft. of 12" water line which would increase services to the citizens in terms of water pressure and availability but the timing was right because we're going to be ahead of the ODOT paving project of late 2007/early 2008. This was a budgeted item for a planned improvement. 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. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-50 authorizing the Director of Administration to advertise according to law and enter into a contract with the lowest and best bidder for the construction of a new storm sewer serving the Grant, Clark and Walnut Street area, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that the funds for this \$591,000 project would be allocated from the water fund, sewer fund and storm fund and was again a planned capital improvement for 2006 and was another step in our 10 year plan to separate all sewer and sanitary lines which was an EPA mandate. This was 3,000 ft. of new storm sewer and this also installed 300 ft. of new water line on Clark Street. We are receiving some grant money from the Ohio Public Works Commission in the amount of \$225,000. 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. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Miscellaneous

David Troyer, Apple Creek, who works for a company that makes the fuel-fired outdoor heating devices, and had spoken to city council on previous occasions regarding the outdoor furnaces, reported to council on a national convention he attended in North

Dakota last week. Mr. Troyer brought council up-to-date on the latest rules and regulations that would be mandated by the companies who installed the devices.

Ms. Cavin thanked the people who came down to speak regarding the exotic animal ordinance; she wasn't at the last council meeting and didn't vote on the issue but she would have supported it had she been present. She was willing to revisit this if council decided that's what they wished to do but she had to go on record saying that the situation that spurred this was in her ward and she felt it was a dangerous situation. As she and Mr. France had discussed on the phone, there were no incidents of alligators attacking anyone in the state of Ohio but she didn't wish a child in Wooster to be the first example. The situation was that there were two alligators being kept outdoors with very little if any restraint in a very very closely packed populated area. Ms. Cavin stated that when she ran for her position as council representative, she did it to try to make a difference especially for the people in her ward but for everyone in Wooster if she could. It's been brought to her attention several times over the past couple years by different people that there were a number of people in Wooster who feel we have a public transportation problem and whether or not that's true, she didn't know. Ms. Cavin gave several instances, however, that indicated to her that this was indeed a perceived problem by part of the population here in Wooster. Taking that into consideration and trying to get information, she spoke to a gentleman in Washington, DC who directed her to ODOT and she was getting a lot of red tape to wade through to find some help. She decided to start asking people who might have information about public transportation and one of the people she approached was Mr. Ulbright because he was an old Navarre boy and Stark County has SARTA, so his suggestion was that we take a field trip and we did that. She learned a lot from a gentleman named Charles Odemwae, Executive Director of SARTA who came here from Nigeria in the early 80's and began driving a bus in Portland, Oregon who is now running the program in Stark County. He was a very dynamic individual, very informed and very capable. That said, she wasn't sure this was a specifically Wooster city issue because it seemed to be a county transportation issue also. The only slight regret she had about this was that while she realized that Mr. Odemwae would probably tell his board that we had been there, she did not expect it to be newsworthy in Canton, but it did make the Saturday edition of the Canton Repository and she would like to apologize to anyone who got blind sighted by the Canton media. For that she did apologize as she fully intended to discuss this with the council president at some point.

Mr. Griffin stated that regarding the outdoor wood burning furnaces, he really didn't know what we could actually hang our hats on with this. We looked to the EPA for guidance for a lot of things and there were emission standards for cars and so forth. He hoped this didn't stay on the table too long and he didn't think we could go wrong by doing something similar in getting a ban on them until we get it sorted out much like we've done with the exotic animals.

Mr. Silvestri thanked the administration for their announcement on the new web site; thank you.

Ms. Mitten thanked Ms. Cavin for her apology; she was the first one called by the Canton reporter but was able to give him some background information on why the bus service had to be discontinued here in Wooster as well as information on bus transportation that was currently being provided to people in this area.

Mr. Ulbright stated that he had enjoyed his visit with Mr. Odemwae; he had seen SARTA grow from a system that served the three major cities to one that now served his tiny hometown of Navarre. We went to this gentleman for information and we got a lot of information from him and wondered when and where and how to share that information with others. We'd like to set something up so that Mr. Odemwae could come to our city and county to share his story of SARTA with our citizens, business people and public officials. One thing that Mr. Odemwae said that was most inspiring was that the main driving force behind the success of SARTA was economic development. Each of the mayors from Canton, Massillon and Alliance were concerned first with economic development – getting people to jobs so they can work. SARTA works with the legal system, the social services system and the judicial system. What Mr. Odemwae would be discussing with us was an extension of the SARTA program. When he hears the stories about what people have to pay for taxi service here in town, that wasn't public transportation. He would like to see a group of people from Wooster, from Dalton and along route 30 and anyone affected to get together for a town meeting with Mr. Odemwae so that he could explain what SARTA had done for the citizens of Stark County and what an extension might be able to do for the citizens of Wayne County.

Mr. Ansel complimented council in a bi-partisan initiative to pass a legislation (the exotic animal ordinance) that could have had a potential negative outcome. The situation in the trailer park called for immediate action and the unfortunate thing is that we had no law governing these types of exemptions or exceptions. Now we have a law that can be modified or amended and fine tuned as needed so the majority was best served. We do not wish to penalize anyone or the industry or stores involved with that type of cultural activity. Mr. Ansel stated that there was a Laws & Ordinances committee meeting scheduled for July 11 at 5:30 here in council chambers.

Mr. Silvestri moved, seconded by Mr. Topovski, to adjourn. Motion carried and meeting so adjourned at 8:55 p.m.

Judith Mitten
President of Council

Sheila Stanley
Clerk of Council