

CITY COUNCIL MINUTES
March 6, 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. Ansel moved, seconded by Mr. Breneman, to approve the minutes of the February 21, 2006 meeting as received. Motion carried.

Irwin Riedner, 904 Forest Drive, stated that when driving into Wooster from Madison Hill (down Route 250) and driving north up Bever Street, the railroad bridge there is very unsightly. He wondered if something couldn't be done to enhance that entrance to the city. President Mitten stated that the city administration would need to look into that and Mayor Howey was making a note of this.

Mr. Breneman reported on his finance committee meeting held February 27.

Ordinance No. 2006-1 amending Ordinance No. 2004-33 by expanding the boundaries of Wooster Community Reinvestment Area #1 was read by title, being on third reading. Mr. Topovski stated that some council members had questioned what the school board thought about this expansion in regards to abatements. Mr. Topovski stated that his committee had met and Dr. Good had been in attendance but he wasn't free to discuss the board's feelings at the time. He had spoken with a couple other school board members and had received an email from Mike Baus which read - "The school board is very interested in tax abatement issues. We are kind of looking at the big picture of how to handle all requests. I forwarded you the notice for the meeting so the board can familiarize the procedure. We won't be there tonight due to the need to organize ourselves until this procedure meeting will get us there. Hopefully, we'll go to third reading which gives us time for the tax abatement procedure meeting." Mr. Topovski stated that their meeting is scheduled for this Wednesday, March 8 at which time they will discuss their tax abatement procedures. In order to allow them to talk to us about this issue, I plan to table this ordinance. Mr. Topovski moved, seconded by Mr. Ulbright, to table this ordinance until the next regular council meeting. Upon roll call, motion to table carried unanimously.

Resolution No. 2006-22 authorizing the Director of Administration to purchase items of specialized technology for the Information Technology Division, and declaring an emergency was read by title, being on second reading. Mr. Breneman stated that this was to upgrade our computer systems; the cost of these purchases was all included in the IT division budget for 2006 and it shouldn't come as a surprise to any of us. The cost of these improvements will not exceed the amount budgeted in the capital improvements fund. The city's software packages are over six years old and have fallen out of support with the vendors and we have an increasing number of documents being emailed that our current version of the operating system cannot open. The legislation contains an itemized list of the various components of this IT upgrade. Mr. Breneman moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon

roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-4 amending Chapter 943, Wooster Community Hospital, of the Codified Ordinances of the City of Wooster, Ohio was read by title, being on first reading. Mr. Ansel stated that this would remain on first reading; there was a lot of substance to the changes and revisions. Since receiving this information on Friday, we did have a meeting attended by Mr. Benson, Mr. Dordea and Mr. Boyes from the hospital to answer questions in preparation of our discussion this evening. Mr. Ansel stated that he had emailed and provided copies for all council members and city administration a synopsis of the major items of this amendment. Mr. Ansel reviewed some of those points. A short discussion followed.

Ordinance No. 2006-5 amending the Annual Appropriation Ordinance was read by title, being on first reading. Mr. Breneman stated that from time to time it was necessary to amend our annual appropriation ordinance (our budget). The sewer system serving the Wayne County Justice Center partially failed and had to be repaired. We are responsible for a 29% share of the total cost of the repairs and the funds come from the police division's operating budget for 2006. However, these funds (\$17,440) need to be transferred from the police division to the capital improvements fund and that's what this legislation will do. 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. Griffin, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-6 amending Chapter 161, Financial Procedures, of the Codified Ordinances of the City of Wooster, Ohio was read by title, being on first reading. Mr. Ansel stated that while this was a straightforward revision and expands upon an existing financial ordinance, at the direction of our subcommittee, we're going to keep this on first reading. This was expanding upon an existing ordinance that now allows for marketable securities to be added to the cash reference within the issuance by department of insurance proceeds. A short discussion followed.

Ordinance No. 2006-7 amending Chapter 923, Prohibited Discharges, Pretreatment, of the Codified Ordinances was read by title, being on first reading. Mr. Ansel stated that after a good discussion with Mr. Borton today, he felt that this was a very important issue to discuss and review our existing ordinances and look at potential upgrades and revisions. Because of the extensive revisions and changes to this ordinance, he would leave this on first reading. Mr. Ansel stated that what this really detailed was for restaurants to have proper documentation and control of their grease interceptors to prevent the grease, oils and fats going into the water pollution control system creating backups and problems with people's basements and sewer systems. Mr. Ansel reviewed some of the pertinent changes to this ordinance. A short discussion followed.

Resolution No. 2006-23 authorizing the Director of Administration to purchase items of specialized technology, to wit: survey equipment for the engineering division, and declaring an emergency was read by title, being on first reading. Mr. Topovski commended the engineering department for being so specific on their detailed explanation of this request, which was attached to this resolution. Last year, we purchased a robotical station and that piece of equipment has

paid for itself many times over; the equipment being proposed here completes the whole system and would allow us to do GPS surveying. A short discussion followed. Mr. Topovski moved, seconded by Mr. Silvestri, 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.

Resolution No. 2006-24 authorizing the Director of Administration to enter into a professional or technical services contract with Wooster Summer Baseball, Inc. for officiating services, and declaring an emergency was read by title, being on first reading. Ms. Cavin stated that this is something that we do on a yearly basis and was the cost to have Wooster Summer Baseball hire scorekeepers for basketball and volleyball as well as the people who do the officiating for those two programs. Ms. Cavin stated that the resolution doesn't list the cost but Mr. Malta had told her it would not exceed \$25,000. Ms. Cavin moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Ms. Cavin moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-25 authorizing the Director of Administration to enter into a professional or technical services contract with the Wooster Soccer Association for soccer-related activities services, and declaring an emergency was read by title, being on first reading. Ms. Cavin stated that this was for our soccer program and was pretty inclusive of everything. She had spoken with Mr. Malta about the cost of this and he had assured her that it would not exceed \$40,000. This was also another yearly contract. Ms. Cavin moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Ms. Cavin moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-26 authorizing the Director of Administration to enter into a contract with The Ohio State University for mutual aid for law enforcement services at the OARDC/ATI facilities, and declaring an emergency was read by title, being on first reading. Mr. Silvestri stated that not too long ago, this body voted on legislation to annex the property for the OARDC and ATI facilities into the City of Wooster. As a result of that, obviously we will extend our services to that area and a real benefit to us is that they will maintain their security forces as it exists today. Because of this being a state facility, we would actually be the third response team; first would be the ATI/OSU police department, second would be the State Highway Patrol and we would be third to respond. 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. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-27 authorizing the Director of Administration to contract with Acres of Fun for the rental of facilities for the recreation division's indoor soccer program, and declaring an emergency was read by title, being on first reading. Ms. Cavin stated that this was to rent the skating rink at Acres of Fun for our indoor soccer program. We were using the Alice Noble ice arena but they have a lot of demand for the ice and weren't interested in renewing the contract with us. This was a pretty big increase in the cost (\$6,000 for AN and \$24,000 for AOF); however, the demand was up, the program has increased and we will have more participants resulting in more fees. Ms. Cavin moved, seconded by Mr. Silvestri, to suspend the rules and

place on third and final reading. Upon roll call, motion carried. Ms. Cavin moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-28 authorizing the Director of Administration to purchase vehicles in accordance with the Capital Plan for 2006, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that this was for the purchase of a 2006 Ford F250 truck or equivalent from the state sponsored cooperative purchasing program. This would replace a 1998 Dodge that has had two transmission replacements and our maintenance garage manager suggested replacing it. This was in the 2006 budget coming from the water fund. A short discussion followed. Mr. Griffin moved, seconded by Mr. Breneman, 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. 2006-29 accepting the recommendation of the Wooster Tax Incentive Review Council with respect to existing enterprise zone and community reinvestment act agreements, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that we have a group called the Tax Incentive Review Council that is charged with reviewing our enterprise zone agreements and our community reinvestment act agreements on an annual basis. There was a recent amendment in the state's enterprise zone laws that states that the legislative authority, upon receipt of written recommendations from this council must vote to accept, reject, or modify all or any part of the TRIC's recommendation as to the existing enterprise zone and CRA agreements. The TRIC met on February 28 reviewing all these agreements and has recommended that all such agreements presently in place be continued in effect. Mr. Breneman advised council of the members of the TRIC. Mr. Breneman reviewed those companies that fell into one or the other of the two categories. Mr. Breneman moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously.

Miscellaneous

Mr. Ulbright stated that he wanted to schedule another committee meeting to further discuss the vandalism problem throughout the city. The date of April 5 at 5:30 p.m. in council chambers was set and he will contact Mr. Decker to confirm the date with him and then email council with a firm date.

Mr. Ulbright stated that he appreciated the report from Main Street Wooster and he was particularly interested in point #3 on the front page which had to do with the property on E. Liberty Street that was donated to the city by Mike Pallotta and the meeting that was being scheduled for the next morning. He couldn't attend tomorrow's meeting but he did call Sandra Hall asking her to include him, as Public Properties chair, in any future meetings and she assured him that would happen.

Mr. Breneman scheduled a finance committee meeting for 6:30 p.m. March 20 (prior to the council meeting).

Mr. Breneman stated that he had received a concern about the new lights at Williams Point that they were a bit confusing. He had received a couple concerns that the positioning of the lights made them a little tough to read. Mayor Howey said they would check it out to make sure the calibrations were correct.

Mr. Ansel thanked Main Street Wooster for the Board packet update included in our council packet; it was most informative. Mr. Ansel said that he had received a lot of favorable feedback regarding the video taping of council meetings and the progressive improvement of that process.

Ms. Cavin stated that this past Saturday, there were some rather large and unfriendly dogs running the neighborhood and there were quite a few kids out playing and several of the neighbors expressed their concern about that. What is the procedure if you have dogs running loose in your neighborhood, especially over the weekend when the Humane Society wasn't open? Mayor Howey said to call the police. Ms. Cavin said they were told that the police didn't handle that. Mr. Benson stated that dogs weren't covered by our agreement with the Humane Society; at this point, the only thing you can do is call the police and ask them to do something about it. We can take this complaint and ask Chief Thornton if they are aware of the problem and how it should be handled.

Mr. Griffin stated that he was glad to see AEP trimming trees around the power lines and hoped that the city crews would be able to do the same with city owned land. Hopefully, we'll be planting more low growing trees. He also had received some complaints about the way the trees were being trimmed but hopefully, this would alleviate future problems when we have another ice storm.

Mr. Silvestri stated that while we're on the subject of tree lawns and trimming, he had received a call today about the finishing up of Melrose Drive with sidewalks, curbs and gutters, etc. He assumed it would also have to be widened and he had been asked how much larger the width would be. Mr. Montgomery stated that it would vary; was there a particular portion of the road he was asking about? Mr. Silvestri stated that the area around Wildwood Drive where the utility fence was. Mr. Montgomery said it would vary from a couple feet to probably six or seven feet.

Mr. Ansel moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 9:15 p.m.

Judith Mitten
President of Council

Sheila Stanley
Clerk of Council