

CITY COUNCIL MINUTES
May 15, 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. Ansel, to approve the minutes of the May 1, 2006 meeting as received. Motion carried.

The following people spoke to city council: Loren Ruffener, 994 Akron Rd., Rittman, Ohio (regarding outdoor woodburning furnaces); Pat O'Brien (regarding the Peace City informal resolution); Howard Zuercher, 510 Beechwood (regarding the cat control legislation).

Ms. Cavin stated that her committee (Public Health & Leisure) met on May 11 at 6:30 p.m. and present were Keith Topovski, Jon Ulbright, Andrei Dordea, Lydia Gehring and Pat Neyhart representing the Humane Society. Ms. Cavin summarized the proceedings and results of that meeting.

Mr. Ansel stated that the Laws & Ordinances committee held a meeting on Monday, May 8 at 5:30 in council chambers and attending were committee members Mr. Topovski and Mr. Silvestri; along with Mr. Ulbright, Ms. Cavin, Mr. Griffin and Ms. Mitten. We had a productive meeting with several items on the agenda for discussion. Mr. Ansel reviewed the highlights of that meeting and also provided a summary report of the proceedings.

Resolution No. 2006-43 authorizing the Director of Administration to enter into an agreement with the Wayne County Humane Society for cat control services within the City of Wooster, and declaring an emergency was read by title, being on second reading. Mr. Topovski thanked Ms. Cavin for the figures she brought forward during committee reports and the amended resolution in front of us tonight includes the cost of the agreement which will not exceed \$30,000 budgeted in 2006 for cat control. Mr. Topovski stated that a few people had asked that this remain on second reading in order to receive further input and comments from residents. Mr. Ulbright stated that he agreed with Ms. Cavin's suggestion that the City should move toward the licensing of cats in order to help the Humane Society generate some income and also to urge the Humane Society to have mandatory neutering of all cats in the City and not leave it up to the option of those adopting cats. A short discussion followed.

Ordinance No. 2006-17 amending Part 17, Taxation Code, of the Codified Ordinances of the City of Wooster, Ohio was read by title, being on first reading. Mr. Ansel stated that due to the complexity of the revisions to the codified ordinance, this will remain on first reading. Mr. Ansel stated that first and foremost this was a result of our recent laws and ordinances committee meeting and the most important thing to emphasize regarding this minor change to an existing ordinance was that the tax and tax rate does not change; it was based on earned income and will remain at 1%. By a small language change, the deletion of sentence one with a revision in sentence two changes it from an "except as herein provided" to a "mandated city income tax

filing.” Two sentence changes in this ordinance now require a voluntary filing for an employer initiated filing into a personal filing mandated requirement for your 1% city income tax. Through this enforcement and this initiative, it will ensure that those people that are earning incomes and living in the City of Wooster and enjoying the benefits of this great city of ours are paying their obligation. This type of initiative in other comparable cities based on projections from Andrei Dordea’s department will generate an additional incremental increase of \$250,000 - \$400,000. Those were unfiled income tax revenues that we do not have or enjoy as a city from our financial responsibility role. A short discussion followed.

Ordinance No. 2006-18 authorizing the Mayor to enter into a third amended enterprise zone agreement with The Gerstenslager Company and Gerstenslager Co., and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that this was an enterprise zone agreement that we entered into with The Gerstenslager Company back in 1999 and the reason this request was before us was that the personal property subject to the abatement apparently has always been property owned by Gerstenslager Co. The Gerstenslager Company was the entity that sits out on Bowman Street; they have a separate group they’ve placed their land holdings in which is called Gerstenslager Co. The whole thing was owned by Worthington Industries and essentially what they’d like to do was to correct this to show all the entities involved. For us, it gives us another safety net as we’re adding another entity that, if for some reason they would default on this enterprise zone agreement, it gives us another entity to go back to and recoup the abated monies. This does not change in any way, shape or form the tax abated monies; this was a 10 year abatement of 50% of the personal property taxes which had been amended in 2002 to extend the time for the improvements. It was again amended in 2004 to clarify the construction of a die storage facility which was never constructed and they wished to correct the agreement to reflect that. 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. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-44 authorizing the Director of Administration to enter into a contract with Timco, Inc. of Wooster, Ohio for traffic markings of city streets, and declaring an emergency was read by title, being on first reading. Mr. Topovski stated that from year to year, the streets need to be repainted with directional signs, crosswalk signs, etc. for the purpose of controlling traffic. Mr. Topovski stated that the cost of this was \$20,000 which was a budgeted item and they would like to proceed with this contract as soon as possible. Mr. Topovski moved, seconded by Mr. Griffin, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Topovski moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Miscellaneous

President Mitten thanked Lydia Gehring for attending the city council meetings these past few years; Lydia was moving on and this was her last meeting of Wooster City Council. We wish you good luck and hope you come back and see us.

Ms. Cavin scheduled another committee meeting for Monday, May 22 at 5:30 p.m. to continue a short discussion on the cat issue. Ms. Cavin stated that it seemed that about an eighth of the

people in this city were not cutting their grass for some reason. She has had numerous complaints and she would be forwarding a list of addresses to Mark Nussbaum. The only other thing she wished to mention was that she had been speaking with Mr. Thornton and she had some follow up to do with him and also Mr. Sigg was aware of it but there seems to be a problem with an excessive amount of noise in the 500 block of Buckeye Street on the west side of the street that is disturbing the Bever Street neighborhood. It seems to be ongoing so she wanted to make council aware of that.

Mr. Silvestri wished to say that he was happy to be part of a community where there are a lot of benevolent people who have contributed a lot over the years. It's easy to forget all that's been donated to the City of Wooster in the form of land and financial support; it's a breath of fresh air to hear someone who is not even gainfully employed who wants to try to do their part to be involved in what goes on here in the City of Wooster and help to bear some of that burden. We're up here doing the best we can with what we have and it's great when someone comes forward and gives over and above.

Mr. Topovski stated that we've all talked about the ongoing truck traffic problem down in the Palmer Street area; he was involved today twice with a similar situation -- once taking his car to the area for service and then again picking it up. This morning coming back onto Palmer and turning right on Bowman, he was stopped at the crossbar when it says to stop and the truck tried to make a left hand turn south on Palmer and he was caught as there were people behind him and it was illegal to turn right. The truck was a flatbed full size semi rig with nothing on it so he couldn't imagine that he was delivering anything. The same thing happened at 4:30 when he was picking up his car and the same thing happened again; twice in the same day tells him that there is more of a problem than what was perceived in the truck traffic survey that we had done. He wanted to make sure that the letter has been written to the local businesses and operators of trucks in that area and whether we have received any kind of response from them. The other issue was the same lady who called wanting to make sure she paid her fair share of taxes was also concerned that there were many areas in the city that do not have sidewalks. He hoped to have an infrastructure committee meeting in the future to discuss these areas.

Mr. Silvestri moved, seconded by Mr. Griffin, to adjourn. Motion carried and meeting so adjourned at 8:35 p.m.

Judith Mitten
President of Council

Sheila Stanley
Clerk of Council