

CITY COUNCIL MINUTES
November 20, 2006

President Judi Mitten called the regular meeting of Wooster City Council to order and upon roll call, members answered present as follows: Ansel, Breneman, Cavin, Silvestri, Topovski, Ulbright.

The following people spoke to council during public input: Erwin Riedner, 904 Forest Drive (regarding putting up the Christmas decorations downtown prior to Thanksgiving); Pat Neyhart (regarding the Humane Society and the cat control issue).

The clerk read a notice from the Ohio Division of Liquor Control regarding a new C-2 permit (wine) for Rite Aid, dba Rite Aid 1955 Cleveland Road. Mr. Ulbright moved, seconded by Mr. Ansel, not to request a hearing. Motion carried.

Mr. Breneman stated that the Finance Committee met last week with the three entities who submitted an application for economic development funds (bed tax monies). The application booklet is on file in the clerk's office and he urged everyone to take the time to review it. The committee voted unanimously to bring this forward to council as submitted with recommendation for approval.

Mr. Ansel stated that the Laws & Ordinances Committee met this afternoon from 4 p.m. to 7:15 p.m. and covered numerous topics and most of council participated. Mr. Ansel summarized in detail what was discussed at the work session.

Resolution No. 2006-77 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 stated that it was his intention to leave this on second reading in order to give Ms. Cavin an opportunity to have a committee meeting to discuss this.

Resolution No. 2006-82 authorizing agreements with various applicants for the use of Economic Development monies was read by title, being on second reading. Mr. Breneman stated that this was an annual process whereby we receive bed tax funding from an occupancy tax at local hotels of 3% for the city. Essentially, 48% of the money collected each year goes into the general fund and 4% of that goes toward the administration of the fund. The other 48% has historically been given to entities that provide economic development for the City of Wooster as an impetus to continue with that development. Each year we advertise the first or second week in September requesting applications to be submitted by October 15 to be reviewed by the finance committee and taken into account. We did that again this year and we did receive just one application from the three entities (Main Street Wooster, Chamber of Commerce and Wayne County CVB). This was discussed at the finance committee meeting and we were all pleased with what we are seeing in the downtown; good things are happening in economic development and in preserving our downtown sector, helping it to expand and improve and these three entities are to be congratulated for being a driver in making that happen. It is the committee's recommendation that we approve this application as submitted. Mr. Ulbright stated that in the past, he had excused himself from voting on this issue as he has a minor business (CJ trains) which benefits

by some advertising with the WCCVB and he was on the notice of upcoming events put out by the Chamber, so he would once again excuse himself. Ms. Mitten stated that that being the case, a vote could not be taken tonight on this issue as there wouldn't be enough votes to suspend the rules.

Ordinance No. 2006-54 amending the Annual Appropriation Ordinance was read by title, being on first reading. Mr. Breneman stated that this concerned our contract with Waste Management for refuse hauling services. This was an enterprise fund for the city or "business-type" funds. These funds were set up to take money in for the refuse hauling services and when it's balanced out at the end of the year, the money taken in and that expended needs to match. Our current contract runs from 7/1/06 to 6/30/08 and we have incurred a rate increase and because of that, we are slightly under budget for this year. Mr. Ulbright asked if Waste Management had given a reason for the increase. Mr. Sigg stated that it was based on labor and fuel costs. A short discussion followed. Mr. Breneman moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Breneman moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-55 appropriating from various funds to individual accounts for the current expenses and other expenditures for the City of Wooster for the Fiscal Year ending December 31, 2007, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that it was budget time; we will leave this on first reading and plan to go a full three readings and pass it the second meeting in December so that we will have a budget in place prior to the end of the year. He would like to have three finance committee meetings, the first one focusing on the business type activities; the second meeting we will focus on the general fund; the third meeting will be to look at the hospital's portion of the budget. You should have all received a booklet this evening from Mr. Dordea and essentially for 2007, our general fund budget is \$19,306,776 which was an increase over the 2006 budget of \$1,097,886 or a 6% increase. A short discussion followed.

Resolution No. 2006-83 authorizing the Director of Administration to enter into an agreement with Wooster township for the housing operation and maintenance of a fire truck at Wooster Fire Station #1; and for firefighting assistance in the vicinity of Prairie Lane, and declaring an emergency was read by title, being on first reading. Mr. Silvestri stated that this was a continuation of an agreement between the Wooster Township fire department and the Wooster City Fire Department. We've had these agreements since 1954 with the housing, operation and maintenance of a truck at our facility so basically the city administration and city fire division has worked with the township to adjust some of the details of this agreement with response to transit and actual number of calls. So this is a renewal of the agreement with some minor changes. Mr. Silvestri moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Silvestri moved, seconded by Mr. Breneman, to adopt. Upon roll call, motion to adopt carried unanimously.

Miscellaneous

Mr. Ulbright stated that he had received a couple phone calls regarding the matter he had brought up at the last council meeting, that being the letter from John and Kathy Cook on Pine Cove Drive stating their concern with the development on Route 585 by Chesterland. The concern

now by several of the residents in that area was the construction of a connection road (Merit Drive) that connects Enterprise Parkway with Route 585. From the phone calls he had received, it seems like there were a series of meetings between the developer and the folks at Pine Cove about what would or wouldn't happen with regards to a secondary access to Route 585 in addition to Long Road and he was curious as to whether the administration was ever told about any kind of promises made by the developer to those folks that this Merit Drive would not be part of the project. Mr. Sigg said that in fact, Merit Drive was required to be put in by the city because of the zoning regulations with regard to ingress and egress.

Mr. Breneman scheduled a finance committee meeting for Monday, December 4 at 5:30 p.m. (prior to city council meeting).

Mr. Ansel stated that he received a complaint from Ken Speece regarding some debris on Route 83 and the highway sign for Route 585 on the Dix Expressway. Apparently, there was storm damage in this area and he wondered if that would be a city repair or state highway repair? Mr. Ansel stated that he would give the administration a copy of the email from Mr. Speece. Mr. Ansel stated that council also received a packet from Mr. Dan Starcher, 426 Barrett Circle regarding the outdoor wood burning furnaces and he has attached letters and testimonies from his neighbors regarding this issue as well as a video that shows the smoke generated from one of these furnaces.

Ms. Cavin scheduled a Public Health & Leisure committee meeting for Monday, November 27 at 5:30 p.m. to discuss the cat control issue. Ms. Cavin also stated that at the last council meeting, she shared some information with this council and the community about some concerns she had about a council colleague's vote on the last tax abatement that came before us. It was not her intention to put a burden on this council to make a decision pertaining to something that not everyone has a lot of information about. She did, however, feel that an independent investigation was in order and it was of no cost to council to do so, so she felt it was in the best interests of the community and this council as a body to proceed. She has done some additional research in the last couple weeks and has taken the first step towards requesting an independent investigation form a state level agency. It was a responsibility she needed to carry out to be fair to everyone involved including the other members of council.

Ms. Mitten read a prepared statement regarding an award given by Main Street Wooster to Joseph Marotti of Newell Rubbermaid. The statement is attached as part of these minutes.

Ms. Cavin moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 8:25 p.m.

Judith Mitten
President of Council

Sheila Stanley
Clerk of Council