

CITY COUNCIL MINUTES
October 1, 2007

I. ROLL CALL & ORDERING OF AGENDA

President Pro Tem Bob Breneman called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers. The following members were present: Jon Ansel, Bob Breneman, Mindy Cavin, Jeff Griffin, Keith Topovski and Jon Ulbright. David Silvestri was absent.

II. APPROVAL OF MINUTES

Mr. Ulbright moved, seconded by Mr. Topovski to approve the minutes of the September 17, 2007 meeting.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Mitten updated council on various projects and activities in the city, featuring the Parks and Recreation Department.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

A letter was received from Virginia Stephenson, Chairman of the Wooster City Planning Commission, recommending zoning for the Frontz property, being petitioned for annexation, located on Canal Road. Mr. Ansel set a public hearing for November 5, 2007 at 7:30 p.m. to hear any public feedback regarding this proposed annexation.

The following member of the audience spoke: Steve Griffin, 4539 Mel Lane (parking).

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Mr. Breneman indicated he wanted to schedule a Finance Committee meeting for review of the 2006 Comprehensive Annual Financial Report (CAFR).

VI. OLD BUSINESS

1. Second Reading - ORDINANCE NO. 2007-53 AMENDING CHAPTER 357, PARKING VIOLATIONS BUREAU, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO.
(Ansel)

Mr. Ansel indicated the progressive penalty portion of the parking update was previously discussed and this would be the second step in updating parking issues within the city. The current system does not have much of a penalty portion and this change would add more impact for repetitive violators, forcing them not to abuse the system. He indicated other long term solutions may need to be pursued, but the current problems need to be addressed and this would be the first phase in attempting to free up more parking spaces downtown. Mr. Ulbright was interested in knowing the statistics showing the number of repeat offenders in order to justify increasing the fees. Mr. Ansel stated there is a two-fold purpose for the amendment, to eliminate the first-time offender and the repeat offenders. Mr. Ansel held the ordinance on second reading until the requested information could be provided.

2. Second Reading - ORDINANCE NO. 2007-54 AMENDING ORDINANCE NO. 2004-33 BY EXPANDING THE BOUNDARIES OF WOOSTER COMMUNITY REINVESTMENT AREA #1. (Topovski)

Mr. Topovski and Mr. Ansel recused themselves from the discussion. Mr. Breneman introduced the legislation and indicated that council members should have received an email from Mr. Sigg further explaining the CRA policy. Mr. Breneman then reviewed the CRA district and the proposed expansion which extends south of town on Secrest Road and north along SR 585. Mayor Mitten requested that if council decided to amend the proposed CRA expansion to let administration know in advance so the written description could be prepared. Mr. Ulbright indicated he would like to see an amendment cutting off the northern extension of the proposed CRA district at Long Road, as he can see the CRA being applied to the former Rubbermaid building and Hawkins Plaza, however the open land in between those points, he has a difficult time applying the term reinvestment, although he realizes the CRA district must be contiguous. Mr. Griffin too felt the CRA was initially meant for the downtown area and

did not think of it as applying to undeveloped land, but feels reinvestment could apply to once agricultural land now being reinvested into. If the CRA accomplishes basically the same thing as an EZ and if council has the final approval on each project, he doesn't know why the CRA shouldn't be expanded to add incentive for growth. Mr. Ulbright indicated if the amendment he proposed were adopted Mr. Topovski may reconsider being recused as the property he owns would no longer be affected. Mr. Breneman suggested that Mr. Ulbright talk with administration regarding the amendment and choose whether to introduce it at the next meeting. The ordinance remained on second reading.

3. Second Reading - ORDINANCE NO. 2007-55 AMENDING CHAPTER 1512, EMERGENCY AMBULANCE SERVICE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY CLARIFYING THE DUTIES OF THE CHIEF OF THE DIVISION WITH RESPECT TO CONTRACTS WITH OTHER GOVERNMENTS FOR MUTUAL AID. (Ansel)

Mr. Ansel stated at the request of Mr. Silvestri, who would like to be able to vote on this particular issue, the ordinance would remain on second reading. This ordinance allows better definition in providing the fire chief authority to enter into support services contracts where he deems appropriate to best serve the residents within the vicinities being reviewed. Mr. Ulbright questioned if the fire chief did in fact have the authority to enter into a previous agreement with the Wooster Township Fire Department. Mr. Benson explained the chief did have that authority and that the purpose of this ordinance is to harmonize two existing ordinances to read consistently and alleviate any misunderstandings. The ordinance remained on second reading.

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2007-56 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MRR PROPERTIES, LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY. (Breneman)

Mr. Breneman indicated this is another CRA request for a landmark property in downtown Wooster. MRR Properties propose to revitalize the building located at 140 S. Market Street with extensive interior and exterior renovations, the first floor to house retail space and the second floor residential living space. The original brick façade will also be restored and the building brought up to Ohio Building Code Standards. The cost of the restoration is approximately \$500,000 and they are requesting a CRA tax abatement of 100% for 12 years. Mr. Ulbright and Mr. Ansel expressed their approval of the project which will make the downtown more attractive. Mr. Breneman moved, seconded by Mr. Ulbright, 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.

2. First Reading - ORDINANCE NO. 2007-57 AMENDING THE TRAFFIC CONTROL FILE TO ENACT THE RECOMMENDATIONS OF THE TRAFFIC COMMISSION, AND DECLARING AN EMERGENCY. (Topovski)

Mr. Topovski stated these are the recommendations of the Traffic Commission for the second and third quarter of 2007 for changing traffic control devices at various locations in the city. He received a request to keep the ordinance on first reading so the proposed changes can be reviewed. There being no questions, the ordinance remained on first reading.

3. First Reading - RESOLUTION NO. 2007-83 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A BACK-UP POOL CIRCULATION PUMP FOR THE FREEDLANDER PARK SWIMMING POOL, AND DECLARING AN EMERGENCY. (Cavin)

Ms. Cavin recalled that four years ago the pump at Freedlander Pool was replaced and because it was new, a back-up pump was not needed. Now there is concern that the current pump will need maintenance and could possibly go

down for short periods of time and therefore it is necessary to look at a back-up pump. Christmas Run and the Natatorium pools both have back-up pumps, but the Sprayground does not, although it is a new pump and should be dependable for several years. The new pump will be alternated with the current pump at Freedlander Pool reducing wear and tear on both pumps. Money which was going to be used for a brush chipper, plus an additional \$1000 from the Sprayground Fund, will be used to purchase the \$20,000 back-up pump. Mr. Malta further explained the reasoning for having a back-up pump and the pool filtration operations. Ms. Cavin moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Ms. Cavin moved, seconded by Mr. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously

4. First Reading - RESOLUTION NO. 2007-84 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 legislation is to certify bonds for the funding of the Streetscape III project. The city has hired Squires, Sanders and Dempsey to review these documents as we cannot issue bonds without a boiler plate stamp stating they've been reviewed by a certified bond company which is done regularly. There were no further comments. 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. Ulbright, to adopt. Upon roll call, motion to adopt carried unanimously

5. First Reading - RESOLUTION NO. 2007-85 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2007, AND DECLARING AN EMERGENCY. (Topovski)

Mr. Topovski stated the Maintenance Division would like to replace a 1995 Ford F-250 truck with a 2008 Ford F-250. Normally vehicles are kept for a 10 year period, which this vehicle has exceeded and therefore will be auctioned off. 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. Ansel, to adopt. Mr. Breneman noted a correction in Section 4 of the resolution and requested an amendment, striking the wording "Fire" and changing it to read "Maintenance". All were in favor with a voice vote. Upon roll call, motion to adopt carried unanimously.

VIII. MISCELLANEOUS

The following member of the audience spoke: Greg Gehris, 347 N. Grant (general comments).

Mr. Breneman discussed dates for a Finance Committee Meeting to review the CAFR. He will let council members know when a date has been set.

Mr. Ulbright requested administration prepare an update on the sewer plant project to be given to council within the next month.

IX. ADJOURNMENT

Mr. Topovski moved, seconded by Mr. Ansel, to adjourn. Motion carried and meeting so adjourned at 8:34 p.m.

Robert F. Breneman
President Pro Tem of Council

Cheryl K. Collins
Acting Clerk of Council