

WOOSTER CITY COUNCIL MINUTES
September 21, 2015

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers. All members of City Council were present.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, Law Director Dick Benson, Finance Director Andrei Dordea, Development Coordinator Jonathan Millea, Public Properties Maintenance Manager Curt Denning, and Fire Chief Barry Saley.

II. APPROVAL OF MINUTES

Councilman Ansel moved, seconded by Councilman Cavin to approve the minutes of the September 8, 2015 regular meeting. Upon voice vote the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman shared details about different celebratory events that recently occurred and that will occur in Wooster over the next few weeks. Mayor Breneman offered his support of the tabled ordinances 2015-25 and 2015-26 should they be brought off the table. He expressed the need for warehousing space in Wooster and requested Council give full positive consideration of these items if brought off the table.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

1. Justin Starlin, Director of Wooster Area Chamber of Commerce, 377 W. Liberty St.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

1. Public Utilities Committee Report
 - Chairman Sanders shared details of the meeting which covered pending litigation, amendments to flood plain regulations and additional regulations on toxic chemicals.

VI. OLD BUSINESS

*Councilman Myers motioned to have Ordinance No. 2015-25 removed from the table to be given consideration; Seconded by Councilwoman Knapic. Councilmen Sanders and Ansel recused themselves from discussion and voting on this Ordinance and Ordinance No. 2015-26 if brought off the table. Upon roll call, motion carried unanimously to remove from table (Cavin-yes; Myers-yes; Knapic-yes; Silvestri-yes and Ulbright-yes).

1. Third Reading –
ORDINANCE NO. 2015-25 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CHESTERLAND PRODUCTIONS, PLL, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Myers)

Councilman Myers gave a brief overview of the specifics of the pending legislation. He also offered his support for the ordinance and encouraged a positive yes vote from council to approve. Councilwoman Knapic noted this economic development would occur in her ward and encouraged her support and asked fellow council members to give a yes vote for passage.

Councilman Myers recognized Mr. Millea from the audience to speak. Mr. Millea shared details regarding the city's Enterprise Zone program and provided council an illustrated map showing the area in which the development will occur. The map provided illustrated details of each parcels current tax revenue

generation and its possible revenue generation with development. Mr. Millea went on to detail how successful the EZ and tax abatement programs have been at attracting business to Wooster and spurring economic development/expansion from existing business in Wooster. Councilman Myers recognized Gregory Gehris. Mr. Gehris expressed his concern about not scrutinizing tax abatements, and ensuring the jobs created provide living wages and those employees are proven to be U.S. citizens. Council Myers recognized Jerry Baker. Mr. Baker shared details of his economic success in Wooster and detailed his goals and intentions with the current project if given the abatement. He asked that council vote yes to approve the EZ agreement.

Councilman Ulbright reminded council he has always supported tax abatements, but expressed the difficulty he has experienced with reaching a decision on the current ordinance. He went on to describe several meetings with city officials and others as he sought information in order to make a decision. Councilman Ulbright expressed a lack of confidence in Chesterland Productions as a result of a previous tax abatement not meeting its requirements as it related to StoneCraft. Councilman Ulbright noted his surprise and displeasure at there not being a lease agreement in the application showing a firm business relationship between Artiflex and Chesterland Productions. Councilman Ulbright expressed numerous times his desire to see a long term commitment from the customers who will use this facility in the form of a lease. Councilwoman Knapic noted a lease is not a guarantee, but that the pros of the current measure outweigh the cons. Councilman Silvestri agreed with Council Ulbright that the current EZ is lacking with firm proof of a long term commitment. Councilman Silvestri, did express his support of local business to foster more economic development and he sees the need for more warehouse space.

Councilman Myers recognized Mr. Baker. Mr. Baker responded to several of the claims of Councilman Ulbright put forth. He went on to explain that it is difficult to secure a long term commitment from a company given it must be listed on their financial statement, and given the current climate of tight banking a company is hesitant to do so. Mr. Millea added details of how the city can proceed if the abatement requirements are not fulfilled and noted Wooster is one of a few who has actually taken money back.

Councilman Ulbright posed to Mr. Baker if he could obtain a five year commitment from Artiflex? Mr. Baker explained the difficulty in this and why. Councilman Myers recognized Mr. Starlin. Mr Starlin reiterated the need for warehouse space in Wooster and asked Mr. Ulbright to please vote yes on this ordinance. Councilman Ulbright reiterated his earlier frustration and disappointment at Chesterland's StoneCraft failure and asked again for a five year lease to show to citizens as proof of the business relationship. Councilman Myers recognized Mr. Gehris. Mr. Gehris expressed his desire to see consistency in the application of EZ's and not to make exceptions for some companies. Councilman Ulbright asked if the current ordinance did not pass tonight, could Chesterland Productions secure a lease commitment and reapply for the EZ? Mr. Benson answered by communicating yes, but the process starts completely over from the beginning. Councilman Myers recognized Mr. Baker. Mr. Baker expressed his frustration at the slow process and expressed his need to start construction now in order to get the building up before winter. He went on to express he is putting up six million of his own money and ultimately he is responsible for meeting the EZ and supporting his customers.

Councilwoman Knapic spoke to Mr. Ulbright and said she would be in favor of clawing back money if Chesterland failed in its obligations. Councilman Myers recognized Rob Crider of the Wayne Economic Council. Mr. Crider reiterated the need for warehouse space in Wooster and how such expansion would positively impact Wooster business. Councilman Ulbright asked Mr. Baker directly if he would be willing to wait to obtain a stronger letter from Artiflex? Mr. Baker explained he cannot wait any longer, and needs to move dirt now. Mr. Baker asked for an up or down vote.

Councilman Myers motioned to adopt, seconded Councilwoman Knapic. Upon roll call, motion failed. (Cavin-no; Myers-yes; Knapic-yes; Silvestri-yes and Ulbright-no).

*Councilman Myers motioned to have Ordinance No. 2015-26 removed from the table to be given consideration; Seconded by Councilman Silvestri. Councilmen Sanders and Ansel recused themselves from discussion and voting on this Ordinance. Upon roll call, motion carried unanimously to remove from table (Cavin-yes; Myers-yes; Knapic-no; Silvestri-yes and Ulbright-yes).

2. Third Reading – ORDINANCE NO. 2015-26 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CHESTERLAND PRODUCTIONS, PLL, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Myers)

Councilman Myers gave a brief overview of the specifics of the pending legislation. He also offered his support for the ordinance and encouraged a positive yes vote from council to approve. Councilman Ulbright expressed his frustration that Chesterland Productions was not amenable to reaching a compromise and that the Chesterland representatives had left the room. Council Ulbright wants to know why tax abatement is needed for this second addition, when one was not used on the first addition.

Councilman Myers recognized Greg Gehris. Mr. Gehris expressed his pleasure and admiration with Councilman Ulbright's no vote on the last measure. Councilman Ulbright asked if this ordinance could be tabled again to allow Chesterland representatives to be present when the vote takes place. Councilwoman Knapic noted that Chesterland was being held to a higher standard and the concerns expressed could have been raised at an earlier date. Councilman Silvestri noted we are in America, and people's speech should be respected even when it is not a majority opinion; he expressed confidence that someone will expand warehouse space in Wooster.

Councilman Myers motioned to adopt, seconded Councilwoman Knapic. Upon roll call, motion passed. (Cavin-no; Myers-yes; Knapic-yes; Silvestri-yes and Ulbright-yes).

3. Second Reading – ORDINANCE NO. 2015-33 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WOOSTER GROWTH CORPORATION AND TEKFOR USA, INC., FOR TAX ABATEMENT, AND DECLARING AN EMERGENCY (Ansel)

Councilman Sanders recused himself from discussion and voting.

Councilman Ansel gave a brief overview of the ordinance and recognized TEKFOR USA representatives in the audience and shared details of the economic success. Councilman Ansel moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-Yes; Myers-yes; Silvestri-yes and Ulbright-yes).

Councilman Ansel moved, seconded by Councilman Ulbright, to adopt. Upon roll call, motion to adopt carried (Ansel-yes; Cavin-yes; Knapic-Yes; Myers-yes; Silvestri-yes and Ulbright-yes).

4. Second Reading – RESOLUTION NO. 2015-59 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: RADIOS FOR THE POLICE DIVISION, AND DECLARING AN EMERGENCY (Cavin)

Councilman Cavin detailed the measure which would allow for the purchase of 45 portable and 25 mobile units, of the MARCS Brand. Councilman Cavin went on to detail the urgency of passage to take advantage of a 15% discount off state bid prices and asked for comment from Fire Chief Saley on behalf of Police Chief Fisher. Chief Saley detailed the durability and advanced capabilities of having these new radios and

the extreme benefit to officers in the field. Councilman Silvestri commented he wanted service personnel to be aware of the high cost of this new equipment and to treat it with extreme care.

Councilman Cavin moved to suspend the rules and place on third and final reading, seconded by Councilman Ansel. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-Yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

Councilman Cavin moved, seconded by Councilman Ulbright, to adopt. Upon roll call, motion to adopt carried (Ansel-yes; Cavin-yes; Knapic-Yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

VII. NEW BUSINESS

1. First Reading – RESOLUTION NO. 2015-47 A RESOLUTION 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 CERTAIN WATER LINES WITHIN THE CITY (Sanders)

Councilman Sanders detailed this measure amends the previous version and expands the scope of the work of the original legislation.

Councilman Sanders moved, seconded by Councilman Myers, to adopt. Upon roll call, motion to adopt carried (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

2. First Reading – RESOLUTION NO. 2015-60 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VEHICLES IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2015 (Sanders)

Councilman Sanders detailed the Water Plant needs a new forklift with a telescopic arm. Due to use and terrain changes the older vehicle's lift capacity is not meeting needs, and a new vehicle will allow for continued operations. Councilman Sanders noted the current vehicle in use is over 10 years and is still operable. Councilman Ansel asked Kevin Givins if JLG, which is a local company was looked at to purchase as opposed to JCB? Mr. Givins explained this purchase is through state bid and JLG was not an option.

Councilman Sanders moved, seconded by Councilwoman Knapic, to adopt. Upon roll call, motion to adopt carried (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

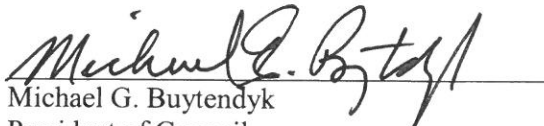
3. First Reading – ORDINANCE NO. 2015-34 AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A TECHNICAL SERVICES CONTRACT WITH SKYWAY TOWERS, LLC FOR THE CONSTRUCTION AND MAINTENANCE OF A COMMUNICATIONS TOWER AND RELATED FACILITIES ON CITY-OWNED PROPERTY; AND DECLARING AN EMERGENCY (Cavin)

Councilman Cavin shared technical details regarding the tower and the city departments it would serve, as well as removal of the exiting tower. A new tower will generate \$1500.00 per month for the City of Wooster. Councilman Cavin noted a public hearing is scheduled for this at the 10/05/15 Council meeting for public comment and asked this be held on first reading.

VIII. MISCELLANEOUS

IX. ADJOURNMENT

Councilman Ulbright moved, seconded by Councilman Silvestri, to adjourn. Motion carried and meeting so adjourned.



Michael G. Buytendyk
President of Council



Tony Ramos
Clerk of Council