

CITY COUNCIL MINUTES  
September 5, 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.

Mr. Silvestri moved, seconded by Mr. Ansel, to approve the minutes of the August 21, 2006 meeting. Motion carried.

The following people spoke to city council during communications from the public: Ken Kohlmeyer, 2721 Christmas Run (re: water tower); Thomas Maurer (re: Ord. 2006-44); Rick Monaghan, 222 N. Grant (re: incident with city police/county sheriff's deputy); Jerry Baker, 1220 Riffel Road (re: Ord. 2006-42).

Mr. Breneman stated that a finance committee meeting had been held August 31 discussing the economic development fund; all members of council were present for the meeting. It went well and we will be convening another work session with members of the Wooster Growth Corporation to discuss the agreement. It was his intention to bring the legislation off the table at the next regular meeting.

Mr. Griffin stated that the public utilities committee met August 28 behind Ida Sue School underneath the gazebo to observe the site planned for the water tower. Mr. Montgomery was there and he gave a very detailed presentation of how his department arrived at that location and committee members all support that choice of location.

Mr. Ansel stated that the laws and ordinance committee met this evening at 5:30 and the first and foremost priority was amending the enterprise zone policy which was roughly seven years old. We made great progress and we will have a nice draft documents on the 18<sup>th</sup> of this month. They also reviewed the city of peace proposal and disposition on the proposed proclamation and how the city would handle future requests and finally, the leniency provisions in the wild animal ordinance which will be updated and finalized very soon. We'll also be meeting in the next few weeks to discuss the outdoor wood burning furnaces firsthand.

Mr. Topovski stated that the public infrastructure committee met on August 29 at 7 p.m. to discuss continuing to plug the gaps for safety sake to provide sidewalks where none currently exist. One area we discussed was the block area on E. Highland between Burbank and Graustark Path on the north side of the street.

Ordinance No. 2006-36 levying special assessments for the construction of sidewalk and curb ramps on portions of Quinby Avenue and North Bever Street; and declaring an emergency was read by title, being on first reading. Mr. Topovski stated that the sidewalk project for N. Bever/Quinby had been completed and the assessments for that area need to be levied to the property owners. The payment options are outlined in the

ordinance and their costs can be paid up front within 30 days or they may be added to their real estate taxes over a 10-year period at 6% interest. 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.

Ordinance No. 2006-37 amending the Annual Appropriation Ordinance was read by title, being on first reading. Mr. Breneman stated that this was regarding the taxi program offered by the city that was run through the Parks and Recreation division. It's a subsidized program that allows low-income, elderly and disabled citizens who have no other means of transportation, to use the cab services in town at a reasonable cost. This was the ninth year of operation for the taxi program and Mr. Malta has provided to each of us a report of the transactions for the past year including transports, and revenues. Mr. Breneman stated that it cost \$3.50 per person to ride the taxi anywhere within the city. If a rider qualified, they can purchase a pass whereby they only pay \$2.00 per ride. The city picks up that \$1.50 subsidy. This year, we came in slightly under our budgeted means by approximately \$25,000 so we need to move some money from the general fund to the appropriate fund. A short discussion followed. Mr. Breneman moved, seconded by Mr. Griffin, 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. Motion carried unanimously and the ordinance was adopted.

Ordinance No. 2006-38 authorizing the Mayor to enter into an agreement with the Coyote Group, LLC for Community Reinvestment Area Tax Incentives, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that he was very excited about this as well as the next few pieces of legislation. This is what we want to see happening in our city – these all deal with our community reinvestment area that we created about a year and a half ago. It's working and we're seeing people who believe that reinvesting in the downtown area is worthwhile. The location of these buildings was on the southeast quadrant of the square, just north of the building that houses Tulipan. This has gone through Wooster Growth Corporation and received unanimous approval as well as receiving approval from the school board. This was a capital investment up to \$480,000 which would include the renovation of all three floors in two buildings, restoration of the building façade, creation of four residential units on the upper floors and they are requesting a tax abatement as an incentive to get this done. Mr. Breneman reviewed the terms of the agreement, the renovation plans and 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. Mr. Breneman moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-39 authorizing the Mayor to enter into an agreement with Scott A. Glasgo, dba S Properties, for Community Reinvestment Area Tax Incentives, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that this was another downtown building (portion of the building just east of Matsos Restaurant). Mr. Breneman explained what the community reinvestment area tax incentive was and the area involved for those who were unaware of the program and what

it offered. This request was a capital investment of \$325,000 for the renovation of the second and third floors of the building, restoration of the building façade, creation of three residential units on the upper floors. Wooster Growth and school board have both given their approval of this abatement request. Mr. Breneman reviewed the terms of the abatement. Mr. Breneman moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Breneman moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-40 authorizing the Mayor to enter into an agreement with Gerold D. Fryman, dba Haynn Construction, Inc. for Community Reinvestment Area Tax Incentives, and declaring an emergency was read by title, being on first reading. Mr. Breneman moved, seconded by Mr. Ansel, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Breneman moved, seconded by Mr. Silvestri, to adopt. Mr. Breneman stated that this was to refurbish the building last known as a Napa Auto Parts store/combustion cycle shop at the corner of Beall and Liberty. The building was over 100 years old and Mr. Fryman was asking for this tax abatement for a capital investment of \$348,000 for the renovation of the building, restoration of the façade and creation of retail space. Wooster Growth and Wooster city schools have both approved the request. Mr. Breneman stated that they wished to restore the building to its original condition. This would coincide nicely with the Beall Avenue Streetscape program scheduled to begin next year. A short discussion followed. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-41 authorizing the Mayor to enter into an agreement with Westerman, Inc. for tax abatement, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that this was a little different from the CRA; the enterprise zone was started back in 1989 was used as an economic development tool. All of the city within the corporation limits was included in the enterprise zone and was a tax abatement vehicle to attract businesses and retain those here. Mr. Breneman explained the requirements to receive the EZ abatements. This company is located on Kemrow Street and has been in business here for decades. They wish to relocate their operation onto Venture Boulevard and expand their business. They have a capital investment of a minimum of \$4.6 million dollars in new construction and machinery/equipment, the creation of 25 new full-time jobs over three years and the retention of the existing 44 jobs presently on site. Wooster Growth and the school board have both given their approval of this. Mr. Breneman explained the details of the abatement and a short discussion followed. Mr. Breneman moved, seconded by Mr. Topovski, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Breneman moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-42 authorizing the Mayor to enter into an agreement with Compak, Inc. for tax abatement, and declaring an emergency was read by title, being on first reading. President Mitten stated that Mr. Ansel has recused himself from any discussion on this ordinance. Mr. Breneman stated that this as our last economic development piece to bring before council. We've done real well tonight and our finance director advised me that the total average investment of all five of these requests total over \$11 million

dollars of new investment in Wooster. This company, Compak, has requested enterprise zone tax abatement to construct a new facility in Wooster with a capital investment of a minimum of \$3.6 million dollars in construction, machinery and equipment and the creation of 15 new full-time jobs over three years. Wooster Growth and the school board have reviewed the request and have given their approval. Mr. Breneman reviewed the details of the abatement. Compak was currently located in Ashland and looked to expand to Wooster; however, they would retain their operation there. They would like to move forward with this to take advantage of the building season. A short discussion followed and as there were not enough voting members present, this was left on first reading.

Ordinance No. 2006-43 authorizing the Mayor to enter into an amended agreement with Tekfor USA, Inc, for tax abatement, and declaring an emergency was read by title, being on first reading. Mr. Breneman stated that this was a request to change the terms due to the project being delayed by construction and the company making some changes in thought process to how they were setting things up. The change was not to the terms of the agreement; they are asking that the term change from starting in 2009 tax year to a year after that commencing in the tax *year 2010*. That's the only change being requested, to delay by one year. 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. Ansel, to adopt. Upon roll call, motion to adopt carried unanimously.

Ordinance No. 2006-44 amending Section 549.02, Discharging Firearms, of the Codified ordinances of the City of Wooster, Ohio, by the adoption of an exception under which firearms may be discharged in connection with the Wayne County Fair and declaring an emergency was read by title, being on first reading. Mr. Ansel moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously. Mr. Ansel moved, seconded by Mr. Griffin, to adopt. Mr. Ansel stated that interestingly enough, we deleted this supervised firing range use terminology from the initial ordinance two weeks ago at Mr. Griffin's request; however, we have qualified it now to specialized use at the Wayne County Fair only. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-58 authorizing the Mayor to pursue appropriation of certain property interests from property owners adjacent to or abutting the Oldman Road area for purposes of proceeding with the improvement thereof, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that the intermediate water pressure zone in our city was in great need of increased water for storage capacity and water pressure. The intermediate zone's northern boundary was Oldman Road so Mr. Montgomery set out to find a spot for the water tower and he did some computer modeling and some spots popped up within the Kinney property that would be desirable locations for this million gallon water tower. Mr. Griffin stated that the modeling was based on the elevation, topography and location to the existing loop water line to enhance the water pressure and distribution in that zone. People who live in this area know what the lack of pressure was like and it's more than just having a sprinkling of water coming

out of your shower, it was a true safety concern to allow our safety services the ability to fight fires and so forth when the need presents and to meet EPA standards for proper water flow and distribution of clean water throughout the city. Mr. Griffin reviewed what had transpired thus far between the city, county commissioners and the school board and had brought us to this point and resulted in this action. A lengthy discussion followed and Mr. Griffin moved, seconded by Mr. Breneman, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Griffin moved, seconded by Mr. Topovski, to adopt. Upon roll call, motion to adopt carried unanimously.

Resolution No. 2006-59 authorizing the Director of Administration to purchase items of specialized technology, to wit: mass flow meters for the Water Pollution Control Division, and declaring an emergency was read by title, being on first reading. Mr. Griffin stated that he had spoken with Mr. Borton this afternoon and these mass flow meters were always included in the water pollution control plant upgrade and they monitor air flow through two different processes within the plant; the digestion and aeration processes. There were currently four units and this would authorize the purchase of eight more units. Mr. Griffin moved, seconded by Mr. Silvestri, to suspend the rules and place on third and final reading. Upon roll call, motion carried. Mr. Griffin moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously.

#### Miscellaneous

Erwin Riedner, 904 Forest Drive, stated that the term “full-time equivalent” had been used and he wondered if Mr. Breneman could explain that term. Mr. Breneman stated that it was a 40-hour per week job. Mr. Sigg stated that in all tax abatement agreements, they count the full-time equivalent so that if they were creating two part-time jobs or four 30-hour week jobs, they would get credit for that. Mr. Riedner stated the newspaper had stated that the per hour rate was \$13.00; they did not mention that it was an average and he felt that was confusing. Do some people make \$5.00 per hour and some make \$30 and it all averages out? Mr. Breneman stated that he would try to get that information from the applicant. Mr. Sigg said it was typically monitored based on total payroll divided by jobs.

Mayor Howey asked if council members would be available for a special city council meeting either Thursday or Friday morning? A special meeting was scheduled for Friday, September 8, 2006 at 7:20 a.m.

Mr. Breneman stated that he would try to set a finance committee meeting sometime next week with members of the Wooster Growth Corporation. He also thanked Justin Starlin and Mike Sigg for the hard work put into the CRA’s and enterprise zone applications and the information provided to council. This was an amazing night and it was a good one for the city; we’re heading in the right direction and making much progress.

Mr. Ansel echoed Mr. Breneman’s comments regarding the economic development direction and growth we are seeing; well done city administration!

Ms. Cavin stated that she would direct Mr. Riedner to discuss the railroad bridges with Sandra Hull as she's had some success talking to them about the corner of Spink/Liberty Street where the park was to be developed; she might have some insight in dealing with the railroad. She wanted to thank Mr. Kohlmeyer; she appreciated the comments and concerns of the neighborhood up in the Christmas Run area. There are a lot of people in that area that this affects as far as water pressure and safety issues and we need to keep that in mind.

Mr. Topovski stated that he had a very informative meeting with Dr. Good last Friday regarding the school board's criteria for granting tax abatements and he educated me very well. He wished to thank Dr. Good for all the good information provided him.

Mr. Silvestri thanked all the members of the community who weighed in on the location of the water tower; these weren't easy decisions and for some people they weren't very exciting decisions but there was a lot of community involvement and a lot of communication and he appreciated and encouraged the residents to let council know how they felt. Mr. Silvestri stated that with the CRA's, it was nice to see people taking advantage of that and it's great to hear of projects that the developers felt would not have been possible without the tax abatements. It's great to see these go forward.

Mr. Silvestri moved, seconded by Mr. Ansel, to adjourn. Motion carried and the meeting so adjourned at 9:45 p.m.

---

Judith Mitten  
President of Council

---

Sheila Stanley  
Clerk of Council