

**WOOSTER CITY COUNCIL MINUTES**  
**April 16, 2018**

**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. Lynne DePaulo, Council Clerk, called roll with the following members present; Jon Ansel, Mark Cavin, Scott Myers, Craig Sanders, Dave Silvestri, Jennifer Warden and Bill Bostancic. City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, Director of Law Linda Applebaum, City Engineer Roger Kobilarcsik, Planning & Zoning Manager Andrew Dutton, and Chief Matt Fisher.

**II. APPROVAL OF MINUTES**

Councilman Silvestri moved to approve the minutes of the April 2, 2018, meeting, seconded by Councilman Ansel. By voice vote, the motion passed unanimously.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman congratulated Fire Chief Barry Saley and Asst. Fire Chief Nathan Murphy for their recent graduation from the Ohio Fire Executive Program. He also congratulated Victor Nedoma and Anthony Lemmon on their recent promotions to Police Captain.

Mayor Breneman spoke on his participation with the College of Wooster program, Bridging Beall. It was a great program that had citizens interacting with college students.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

Councilman Cavin recused himself from the discussion and the vote for the liquor control request. Councilman Ansel motioned to waive the Ohio Liquor Control Hearing for Styx Acquisition LLC, seconded by Councilman Bostancic. Upon roll call, motion to waive hearing carried 6-0 (Ansel-yes; Cavin-recused; Bostancic-yes; Myers-yes; Sanders-yes; Warden-yes; and Silvestri – yes)

Janice Gallagher, 241 E. Beverly, spoke on the language for the new fencing code.

Greg Gehris, 347 N. Grant, spoke on the liquor control notice and Ordinance 2018-027.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

Craig Sanders opened the public hearing for the Planning and Zone Code amendments and map. Andrew Dutton gave a brief presentation that hit on the highlights of the code changes that have been in review for the past year. The proposed code is 71 pages less than the previous code.

Major changes included changes to the Design & Review Board, Sign Chapter, Planned Districts, Medical Marijuana, Fencing, and Industrial Districts.

Bryan Barnard, 418 N. Walnut, presented Councilman Sanders with a petition signed by approximately 49 households requesting that the current fencing code remain. There are many that are concerned that the new wording will create unsightly fencing and problems amongst neighbors.

Various citizens stated their concerns regarding the new proposed wording and requested the current wording remain.

Councilman Sanders replied that the code change has been in the works for over a year. The City had contracted with a consultant to help with the process. The change in wording for the fencing was done to allow the homeowner to have more flexibility and provide a consistent street view.

Consultant Wendy Moeller stated that the fencing change began in November/December of 2017. It was based on a general discussion and Wooster is the only community she has run across to have the current language. The review board had decided that the view from the street was the important issue and not what was behind the home.

Councilman Ansel stated that there was no conspiracy going on with the fencing code. He said that with the removal of 12 words, the code could be rewritten and revert back to the original code.

Joel Montgomery stated he would like to have Moeller and Dutton review the entire document before removing the words to ensure no other section is compromised.

Councilman Sanders closed the hearing. He stated that perhaps there would be a Laws & Ordinances committee meeting before the May 21<sup>st</sup> council meeting.

President Buytendyk thanked the citizens for their opinions and invited them to get involved and volunteer to sit on a board.

## **VI. OLD BUSINESS – NONE**

## **VII. NEW BUSINESS**

### **1. First Reading – ORDINANCE NO. 2018-008**

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF BURBANK ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES, CONSTRUCTING A TURNING LANE, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY (Bostancic)

Councilman Bostancic said that the assessment process began in 2016, has been through the Equalization Board, construction is completed and now it is time to assess the property owners. This is the last piece of the project.

Councilman Bostancic moved, seconded by Councilwoman Warden, to suspend the rules. Upon roll call, motion to suspend carried 6-1 (Ansel-yes; Cavin-yes; Myers-no; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes). Councilman Bostancic moved, seconded by Councilwoman Warden to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes).

### **2. First Reading – ORDINANCE NO. 2018-009**

AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Sanders)

Councilman Sanders said he thought there had been ample discussion on this legislation already.

Dutton reviewed the changes to the RT district for council. Councilwoman Warden asked if Dutton couldn't put a hyperlink in wherever it says "zoning map" so they could click on it easily and the map would be there. Dutton didn't think that would be a problem.

Councilman Ansel made a motion to amend the Planning and Zoning Code to reflect the wording change and eliminate the twelve words in question. After further discussion, it was decided to have the existing code wording be kept in place; the proposed wording will not go into effect.

Motion seconded by Councilman Myers. Upon roll call, motion to amend carried unanimously (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes).

The amended code will be presented at the next council meeting, and the legislation will go to second reading.

3. First Reading – RESOLUTION NO. 2018-027

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH THE WAYNE COUNTY COMMISSIONERS FOR THE PROSECUTION OF MUNICIPAL ORDINANCES BY THE WAYNE COUNTY PROSECUTOR AND FOR PAYMENT FOR SUCH SERVICES (Ansel)

Councilman Ansel thanked Linda Applebaum for the extra graphics and information regarding the prosecutors' services for 2017. He stated that information justified the requested increase. It is a budgeted item.

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

**VIII. MISCELLANEOUS**

Various councilpersons expressed their appreciation and congratulations to both the Fire and Police Divisions for their recent accomplishments.

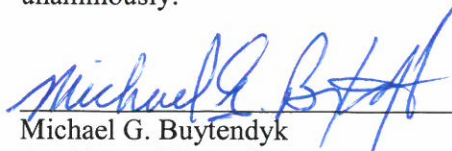
Councilman Sanders will hold off on the Laws & Ordinance Committee Meeting since there was a motion to change the fencing wording in the zoning code amendment.


Joel Montgomery and Andrei Dordea will give a presentation on May 7<sup>th</sup> at 6:30 to discuss the first quarter financials and an update on operations.

President Buytendyk requested that next year's cat contract be placed before the Finance Committee and would like it to come before council after the committee's review.

**IX. ADJOURNMENT**

Councilman Ansel moved to adjourn, seconded by Councilman Myers. By voice vote, the motion passed unanimously.

  
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Michael G. Buytendyk  
President of Council

  
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Lynne DePaulo  
Clerk of Council