

WOOSTER CITY COUNCIL MINUTES
April 3, 2017

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, Finance Director Andrei Dordea, Director of Administration Joel Montgomery, Law Director Richard Benson, Chief Matt Fisher, Development Coordinator Jonathan Millea, and City Engineer Roger Kobilarcsik.

II. APPROVAL OF MINUTES

Councilman Silvestri moved to approve the minutes of the March 20, 2017 meeting, seconded by Councilman Ansel. By voice vote, the motion passed unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman began with the medical marijuana issue and his concern about the timeline for adopting the resolution placed before City Council. The State of Ohio has not developed their rules and guidelines as yet for this issue; their timeline is September, 2017. The operational portion is scheduled for September 8, 2018.

Joel Montgomery stated the City's concerns regarding the cell phone tower issue. So far 90 cities have filed against the State of Ohio utilizing the district court system. Joel was called to testify on Friday, March 31st at the Akron District Office.

Linda Applebaum said that these filings are a coordinated effort between the cities to get rulings on the district level and if necessary, will proceed to the Supreme Court. This legislation creates a lot of home rule issues.

The Mayor praised the Building Standards Division for the North Bever Street demolition recently completed.

Mayor Breneman wanted to let Council know about the recent article in the Kiwanis Magazine. It contained a very nice article on the Christmas Run Playground renovation along with a full page of pictures.

Lastly, the Mayor introduced Brian Barth, representing Daisy Brand, and Alan Ratliff, representing Loral Properties. Both gentlemen were in attendance for their respective tax incentives ordinances.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Greg Gehris spoke on the medical marijuana resolution.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilperson Ulbright gave a brief report on the upcoming 2017 paving projects.

Councilperson Knapic introduced the West Highland Annexation Public Hearing. She reviewed the area being affected and opened the floor to questions from all parties. There were no questions, and the public hearing was closed.

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2017-10

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY
LOCATED ON WEST HIGHLAND AVENUE AND CONTIGUOUS TO THE
CORPORATION LIMITS (Knapic)

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

2. Second Reading – RESOLUTION NO. 2017-16

A RESOLUTION IMPOSING A MORATORIUM ON THE GRANTING OR PROCESSING OF PERMITS FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA WITHIN THE CITY OF WOOSTER FOR A PERIOD NOT TO EXCEED TWELVE MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, AND DECLARING AN EMERGENCY (Knapic)

Councilperson Knapic reviewed the issue, spoke on the State of Ohio procedures, and stated that the City of Wooster does have control within their jurisdiction to create the rules and procedures necessary to regulate the medical marijuana issue. This resolution gives the City the opportunity to wait and see what the State decides.

Council decided to let this resolution go to third and final reading for the April 17, 2017 meeting.

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2017- 13

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO AMEND THE ZONING MAP AT CERTAIN PARCELS ON WEST HIGHLAND AVENUE (Knapic)

President Buytendyk opened the floor to questions and comments. A discussion was had as to whether this ordinance should be allowed to be suspended for three readings. Based on insight provided by the Law Director, Mayor and Council it was decided to allow the request.

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

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

2. First Reading – ORDINANCE NO. 2017-14

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH DAISY BRAND, LLC, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Councilperson Ansel spoke on the job creation and site expansion to the Daisy facility and the benefit to the City with this improvement. Brian Barth, Daisy Representative, stated he was happy with Wooster.

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

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

3. First Reading – ORDINANCE NO. 2017-15
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LORAL PROPERTIES LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Councilperson Ansel spoke on the job creation and site improvement to the Loral Properties project.

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

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

4. First Reading – RESOLUTION NO. 2017-19
A RESOLUTION ADOPTING AN UPDATE TO THE CITY OF WOOSTER'S CITIZEN PARTICIPATION PLAN IN CONNECTION WITH COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITIES IN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ansel)

Council decided to keep this resolution on first reading. Second reading will be April 17, 2017.

5. First Reading – RESOLUTION NO. 2017-20
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF BEVER STREET, OAK HILL AND SMITHVILLE-WESTERN ROADS WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (PID 105353) (Ulbright)

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

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

6. First Reading – ORDINANCE NO. 2017-16
AN ORDINANCE AUTHORIZING THE MAYOR TO ALLOW FOR AN ENCROACHMENT UPON THE PUBLIC STANDARD HIGHWAY EASEMENT AS PART OF THE WOOSTER LOOP PHASE 1 PROJECT, AND DECLARING AN EMERGENCY (Ulbright)

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

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

7. First Reading – ORDINANCE NO. 2017-17

AN ORDINANCE AMENDING THE TRAFFIC CONTROL FILE TO ENACT THE RECOMMENDATIONS OF THE TRAFFIC COMMISSION, AND DECLARING AN EMERGENCY (Cavin)

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

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

8. First Reading – ORDINANCE NO. 2017-18

AN ORDINANCE AMENDING CHAPTER 331, OPERATION GENERALLY, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY AMENDING A PROHIBITION AGAINST ENGINE BRAKING (Knapic)

Councilperson Knapic moved to suspend the rules and place on third and final reading, seconded by Councilperson Ansel. Upon roll call, motion carried 6-1. (Knapic-yes; Myers-no; Sanders-yes; Silvestri – yes; Ulbright – yes; Ansel – yes; and Cavin - yes)

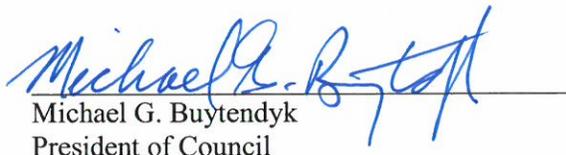
Councilperson Knapic moved, and Councilperson Silvestri seconded to adopt the motion. Upon roll call, motion to adopt carried unanimously. (Knapic-yes; Myers-yes; Sanders-yes; Silvestri – yes; Ulbright – yes; Ansel – yes; and Cavin - yes)

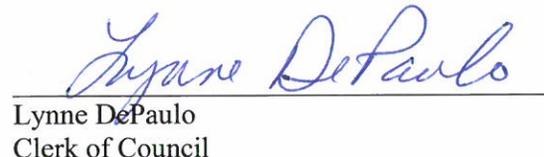
VIII. MISCELLANEOUS

Various Councilpersons thanked Daisy Brand and Loral Properties for their contributions and interest in continuing their business endeavors with the City of Wooster along with congratulating Building Standards and Justin Reed on their continued efforts to enforce the City’s building and nuisance code.

IX. ADJOURNMENT

Councilperson Ulbright moved to adjourn, seconded by Councilperson Knapic. By voice vote, the motion passed unanimously.


Michael G. Buytendyk
President of Council


Lynne DePaulo
Clerk of Council