

WOOSTER CITY COUNCIL MINUTES

January 17, 2017

7:30p.m.

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at a little after 7:30 p.m. in council chambers. The following members were present: Jon Ansel, Mark Cavin, Barbara Knapic, Scott Myers, Craig Sanders, David Silvestri, and Jon Ulbright.

City Administration present: Mayor Bob Breneman, Director of Administration, Joel Montgomery, and Law Director, Linda Applebaum.

II. AEP PRESENTATION

Mr. Mike La Scola and Mr. David Wheeler, from AEP, presented a check to the City for \$25,000 for earning 665 points earned during the AEP Money Savor Program.

III. APPROVAL OF MINUTES

Councilman Ansel moved, seconded by Councilman Silvestri to approve the minutes of the January 3, 2017, regular meeting. Upon voice vote, the motion carried unanimously.

IV. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

The Mayor sincerely thanked AEP and the City of Wooster's team for their hard work to help get people energized to sign up for the program. It was a group effort and it will pay off in possible up lighting projects in the downtown area and City parks. The Mayor congratulated the Boys and Girls Club of Wooster for their new building. Last week was the ribbon cutting and the opening for the new facility at Edgewood Middle School. He also congratulated the Wooster School District and their joint partnership with the club. It will be a great addition to the community, and he wished them well. The City met with Scott Miller last week, the new County Engineer, and Sue Smail, County Commissioner concerning joint roadways. It was a good discussion, and the Mayor stated that it is nice to have Scott on board and a part of the County team. The City looks forward to having a nice working relationship with them. The Mayor announced that leaf pick up is officially done and gave the floor to Mr. Joel Montgomery.

Mr. Montgomery congratulated the Public Properties Maintenance Department (PPM) for their ability to switch back and forth from leaf pick up to snow removal. It was a challenge, and they did a nice job. There were over 900 loads of leaves.

Mr. Curt Denning, PPM Manager, stated that it was a challenge and thanked everyone for their support. Mr. Montgomery added that the PPM team has also been maintaining the 60 traffic signals in Wooster. They have been working hard to update them. They also planted over 90 trees in 2016 in various areas around the City. Mr. Denning reported that they keep track of the trees that have been removed so they can replace them with new ones. He thanked Davey Tree, the contractor that assisted the City of Wooster on the project.

Mayor Breneman announced that the State of City presentation will be held at 6:30pm, Tuesday, February 21, 2017 in Council Chambers. He again thanked AEP and all their efforts.

A memorandum from the Mayor was received and he requested two reappointments to the Hospital Board of Governors:

1. Yvonne Williams
2. Gary Thompson

Councilman Ulbright moved, seconded by Councilwoman Knapic to approve the reappointments to the Hospital Board of Governors. Upon voice vote, both nominations were approved unanimously.

V. PETITIONS/COMMUNICATIONS FROM PUBLIC

Council received a liquor license notice regarding a request for a new B class permit from DolGen Midwest LLC, dba Dollar General Store #3324, 3541 E Lincoln Way, Wooster, Ohio 44691.

Councilman Ansel moved, seconded by Councilman Silvestri, not to request a hearing. Motion carried unanimously

VI. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilwoman Knapic stated the committee discussed proposed amendments to Ordinance 2016-29 and Ordinance 2017-02. Mr. Andrew Dutton, City Planner, advised the Committee that the building code would be due this year for its 10 year review. Councilwoman Knapic notified council that they could expect updated legislation regarding the building code throughout the upcoming year.

Ordinance 2016-27 will continue to be tabled to allow time for Council to review the traffic study that Meijer had commissioned. There will be a Laws and Ordinances Committee meeting for next Monday, January 23, 2017 at 6:30pm in Council Chambers. Meijer's will give a presentation and discuss the study. The public will have an opportunity to give their opinion and ask questions. The matter will be voted on at the next council meeting on February 6, 2017.

Councilman Ulbright announced there will be a Public Infrastructure Committee meeting on Monday, January 23, 2017 at 5:30pm in Council Chambers. The topic of discussion will be to review the OHM project for the northeast quadrant of the Downtown Square. There are four building options and two parking lot designs.

PUBLIC HEARING: The City of Wooster is requesting approval from City Council for amendments to Section 1169.05 of the Planning and Zoning Code regarding reduced off street parking requirements in the C-4 (Central Business) District and Matt Long of Critchfield, Critchfield, & Johnston, Ltd., representing Jackie and Cynthia Welch, is requesting approval from City Council for a zoning map amendment to designate 0.651 acres at 1039 Perkins Avenue with Parcel Numbers 56-00135.000, 56-00137.00, and 56-00139.00 to an R-2 (Single Family Residential) zoning district upon annexation into the City of Wooster.

Councilwoman Knapic opened the Public Hearing for the zoning map amendment (Ordinance No. 2017-03) for the purpose of an annexation. Mayor Breneman stated that the owners of the property had a failing septic system and requested annexation to the City. Councilwoman Knapic stated that this is the final piece of legislation for annexation. President Buytendyk added that notification will be sent to the secretary of state showing that the boundaries of Wooster have changed. The attorney representing this annexation was not able to be present during the public hearing. Councilwoman Knapic kept the legislation on first reading and assumed that Council will pass it on February 6th. President Buytendyk asked the audience if anyone was opposed or in favor of the annexation. Seeing none, he considered that the public hearing had been executed and he thanked Councilwoman Knapic.

VII. OLD BUSINESS

1. Tabled- ORDINANCE NO. 2016-27

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A C-5 (GENERAL COMMERCIAL) DISTRICT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF WEST MILLTOWN ROAD, BETWEEN COMMERCE PARKWAY AND OAK HILL ROAD (Knapic)

2. Tabled- ORDINANCE NO. 2016-29
AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF VARIOUS TEXT AMENDMENTS TO CHAPTERS 1103, 1149, AND 1171 (Knapic)

Councilwoman Knapic moved to take from the table Ordinance No. 2016-29 that was discussed earlier in the evening at the Laws and Ordinances Committee meeting, seconded by Councilman Sanders. Upon roll call, motion carried unanimously (Ansel-yes; Knapic-yes; Myers-yes; Cavin-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes)

Councilwoman Knapic stated the committee agreed to change the language in the current statute on electronic signs from changing every fifteen seconds to every three seconds. In addition, the word “moving” will be removed from the code section. Section 1171 -09 A3 shall be amended to state, “signs shall not include flashing, rotating, blinking animation or intermittent lighting in which any part of the message is changed at a rate of more than once every three seconds.” The second amendment would be, Section 1171.10 B1, “Electronic message center signs shall not include flashing, rotating, blinking animation or intermittent lighting.” The final proposed amendment would be, Section 1171.10 B2, where the words “fifteen seconds” will be changed to “three seconds”. Councilman Myers agreed that three seconds was more reasonable and seemed to be in kind with most of the signage in Wooster and asked if there were any signs currently in violation of the law as it has been proposed. Mr. Dutton answered that the three seconds was just discussed at the Laws and Ordinances committee earlier in the evening and that currently, signs must stay static for fifteen seconds.

Councilman Knapic moved to adopt Ordinance No. 2016-29, as amended, seconded by Councilman Cavin. Upon roll call, motion carried unanimously (Ansel-yes; Knapic-yes; Myers-yes; Cavin-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

VIII. NEW BUSINESS

1. First Reading – RESOLUTION 2017-01
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT WITH THE WOOSTER SOCCER ASSOCIATION FOR SOCCER-RELATED ACTIVITIES SERVICES (Myers)

Mr. Battig stated this is the 22nd year of the partnership between the City and the Wooster Soccer Association (WSA). The WSA provides soccer for all ages and in 2016 it brought between 1,800 and 2,000 kids through the program each week during the soccer season. The WSA purchased a \$14,000 golf cart for the City to use. It also helped to finance the concession stand, field maintenance, and payment of referees. Councilwoman Knapic commented that it has been an amazing partnership and a productive program. People from all over northeast Ohio comment on the nice soccer fields, facilities and program. It does not go unrecognized. The City and the WSA have done an outstanding job.

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

2. First Reading – ORDINANCE 2017-02

AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF A TEXT AMENDMENT TO CHAPTER 1169 (Knapic)

Councilwoman Knapic stated that the proposed Ordinance is based on the 2016 Downtown parking study and other information to create changes to the zoning ordinance that would extend the exemption area. This would exempt businesses from providing a specific number of off street parking. It extends the exemption area to properties east of Bever Street in the C4 zoning district. This was part of the discussion at the Committee meeting. The committee had the opportunity to review the parking study. Councilwoman supported the exemption area be extended. It will help develop Downtown businesses. Council will plan to suspend the rules and vote on it at the February 6, 2017 meeting.

Councilwoman Knapic reopened the Public Hearing regarding the reduced parking. Seeing no comments or questions from the Public, the hearing was closed.

3. First Reading – ORDINANCE 2017-03

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO AMEND THE ZONING MAP AT 1039 PERKINS AVENUE (Knapic)

Councilwoman Knapic stated that the legislation involved a piece of property where the property owners have requested to be annexed into the City of Wooster. Councilwoman Knapic left it on first reading to allow time to confirm with the petitioners that nothing had changed.

4. First Reading – RESOLUTION NO. 2017-02

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 PART OF THE WATERLINE ON NORTHVIEW DRIVE (Sanders)

The legislation is a request to authorize advertisement and award of a contract to the lowest and best bidder for the replacement of the waterline on Northview Drive. The project will include replacement of approximately 1,300 lineal feet of six inch waterline. The line has a history of breaks; the project includes replacing 32 water services, three fire hydrants, and replaces the six inch line with an eight inch line. The estimated project cost is \$190,000 and will come out of the water fund.

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

5. First Reading – ORDINANCE 2017-04

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF SIDEWALKS AND DRIVEWAY APPROACHES FOR THE EAST PINE STREET RECONSTRUCTION PROJECT; AND DECLARING AN EMERGENCY (Ulbright)

The assessment to the residents of Pine Street for the sidewalks and drive approaches was \$29,643.34. The average amount the 16 property owners will pay was \$1,850 and ranged from \$624 to \$5,336. Property owners can choose to make a lump sum payment or pay in 15 annual installments at six percent interest. If they do not respond within 30 days the amount will be reported to the county tax authority. Council discussed the history of the project.

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

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

6. First Reading – RESOLUTION 2017-03

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 SECTIONS OF THE WATERLINES ON SKYLARK AND CATALINA AVENUE (Sanders)

Councilman Sanders stated that the waterline project will involve 300 feet of six inch waterline with a history of breaks. It will be replaced with an eight inch line and will have approximately 30 water services and six fire hydrants. It is a budgeted item and is estimated to cost \$400,000.

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

7. First Reading - RESOLUTION NO. 2017-04 - A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT (Sanders)

Councilman Sanders stated this is for the annual purchase of lime, soda ash, and sodium hypochlorite. Last year \$225,000 was spent on the material and the same amount should be spent this year.

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

8. First Reading - RESOLUTION NO. 2017-05 - A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE ITEMS OF SPECIALIZED TECHNOLOGY, TO WIT: REPLACEMENT SEWER CAMERA FOR THE UTILITIES DIVISION, AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders stated that the equipment was originally purchased in 2003 and in early 2016 it began to have issues. It is an obsolete item. Mr. Givins stated that the equipment he is requesting the City to purchase will work with their current camera truck and existing software. This will save the City hundreds of thousands of dollars. Council discussed the camera and cost.

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

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

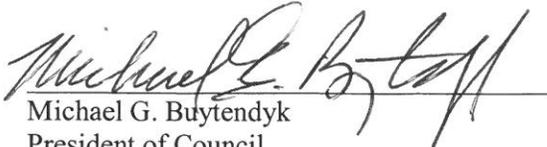
9. MISCELLANEOUS

Councilman Silvestri said the Pine Street is new and re-improved. He thanked Mr. Givins for coming and staying through the meeting. He thanked him for his foresight and for all the work he and his team do reclaiming the City's water. Councilwoman Knapic congratulated everyone who participated in the program with AEP to bring \$25,000 dollars to the City of Wooster. It was outstanding. She extended her

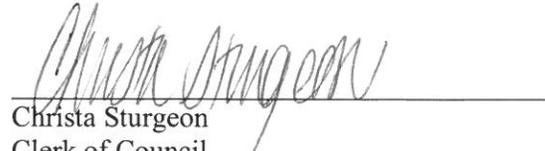
thanks to the reappointed members of the hospital board of governors. She said it makes a big difference to have people who are willing to serve on the City's boards and commissions. President Buytendyk reminded council that they will be dining at the hospital before the next meeting at 5:30pm.

10. ADJOURNMENT

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



Michael G. Buytendyk
President of Council



Christa Sturgeon
Clerk of Council