


WOOSTER CITY COUNCIL MINUTES
July 2, 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; Scott Myers, Craig Sanders, Dave Silvestri, Jennifer Warden, Jon Ansel, Mark Cavin and Bill Bostancic. City Administration present: Director of Administration Joel Montgomery, Deputy Law Director Kevin Gibbons, Mayor Bob Breneman, Planning & Zoning Manager Andrew Dutton, Human Resource Manager Jeanette Wagner, Development Coordinator Jonathan Millea and Chief Matt Fisher.

II. APPROVAL OF MINUTES

Councilman Ansel moved to approve the minutes of the June 18, 2018, meeting, seconded by Councilman Silvestri. By voice vote, the motion passed unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman introduced Attorney John Scavelli to City Council and requested they approve Mr. Scavelli as the new Law Director for the City.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

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

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilman Bostancic made a motion to accept the Mayor’s recommendation to hire John Scavelli, seconded by Councilman Ansel. Upon voice vote, the motion passed unanimously.

VI. UNFINISHED BUSINESS

None

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2018-010

AN ORDINANCE STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.023, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR A SINGLE PARCEL SITE KNOWN AS 4430 FRIENDSVILLE ROAD, WOOSTER, OHIO (PARCEL 53-00456.000) WHICH IS BOUND BY THE WOOSTER CITY LIMITS TO ITS EAST, SOUTH AND WEST AND WHICH IS BISECTED BY FRIENDSVILLE ROAD, AND DECLARING AN EMERGENCY. (J. Alex Quay, Esq., Agent for Petitioners James R. Richard, Dale D. Richard, Suzanne M. Short, and Sally J. Schreck) (Sanders)

Councilman Sanders reviewed the annexation legislation and that this is a request for city services. Councilman Myers stated he thought this was a great opportunity for the city to grow. Councilman Sanders agreed and said the land is in the perfect location. Councilman Ansel wanted to make sure the public was aware that although the term “expedited” has been frequently used to describe this particular annexation process, it still follows the Ohio Revised Code and is actually a more streamline method of doing the annexation. Councilman Bostancic expressed his desire for the petitioners to have used the “normal” method of annexation so there would have been public hearings and zoning approvals. He did not care for the process they used.

Councilman Sanders moved, seconded by Councilman Myers, to suspend the rules. Upon roll call, motion to suspend carried 7-0 (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes). Councilman Sanders moved, seconded by Councilman Myers 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. 2018-011
AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT EASEMENT FOR AN ENCROACHMENT UPON THE PUBLIC RIGHT-OF-WAY, AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders stated that the encroachment issues arose after a survey of the property had been conducted. The easement is necessary in order for the sale of the property to proceed.

Councilman Sanders moved, seconded by Councilman Myers, to suspend the rules. Upon roll call, motion to suspend carried 7-0 (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes). Councilman Sanders moved, seconded by Councilman Myers to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes).

3. First Reading – ORDINANCE NO. 2018-012
AN ORDINANCE AMENDING CHAPTER 162, MANAGEMENT BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders said this legislation is needed to bring the management benefits for vacation time in line with the Ohio Revised Code. The vacation cash out portion will be changed from 90% to 100%. Councilwoman Warden wanted to know if this would be applied to out-of-state government individuals if hired by the city. Attorney Gibbons stated all public employees get service credit for vacation accrual, full pay and credit under the constitution, it would be covered.

Councilman Sanders moved, seconded by Councilman Ansel, to suspend the rules. Upon roll call, motion to suspend carried 7-0 (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes). Councilman Sanders 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).

4. First Reading – RESOLUTION NO. 2018-044
A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION, PURSUANT TO WOOSTER CODIFIED ORDINANCE SECTION 1105.03, REVIEW AND CONSIDER PROPOSED TEXT AMENDMENT TO THE PLANNING AND ZONING CODE SECTION 1113.01 (Sanders)

Councilman Sanders said this was a request for the Planning and Zoning Committee to take another look at the fencing code and revise. This code change would say that all fencing on the property should be the same color. Councilman Myers stated the current code is difficult to enforce. This request will go to the committee and they will recommend the change or not, giving City Council to accept or veto their recommendation.

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

roll call, motion to adopt carried 6-1 (Ansel-yes; Cavin-no; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes).

5. First Reading – ORDINANCE NO. 2018-013

AN ORDINANCE AMENDING CHAPTER 949 OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, WIRELESS COMMUNICATION FACILITIES IN THE PUBLIC WAY AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders said it was necessary to revise Chapter 949 due to changes that happened at the State of Ohio level. This current version is a simplified version with the technical requirements being included in the City's Design Guidelines. Councilman Sanders asked Mr. Montgomery how many permit applications have been submitted so far. Mr. Montgomery said he knew Verizon had submitted one application that was for six locations.

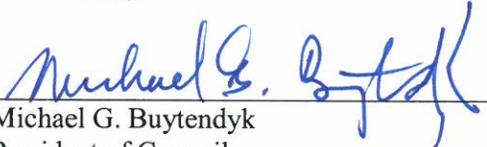
Councilman Sanders moved, seconded by Councilman Ansel, to suspend the rules. Upon roll call, motion to suspend carried 7-0 (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes). Councilman Sanders moved, seconded by Councilman Silvestri to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; Bostancic-yes; Silvestri - yes).

VII. MISCELLANEOUS

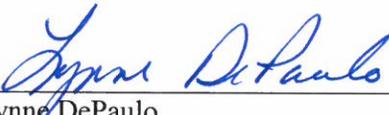
Several council members expressed their wishes for a Happy 4th of July and welcomed Mr. Scavelli as the new Law Director.

VII. ADJOURNMENT

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



Michael G. Buytendyk
President of Council



Lynne DePaulo
Clerk of Council