


WOOSTER CITY COUNCIL MINUTES
March 19, 2018

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:35 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 and Zoning Manager Andrew Dutton, Development Coordinator Jonathan Millea and Assistant Police Chief Scott Rotolo.

II. APPROVAL OF MINUTES

Councilwoman Warden moved to approve the minutes of the March 5, 2018, meeting, seconded by Councilman Myers. By voice vote, the motion passed unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman said that the City intends to work out an agreement with the Humane Society for 2018.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Raj Chandat spoke regarding the rezoning of 50 Riffel Road. He gave a summary of what he envisions for the hotel and his history as a business owner in the hotel industry. Betty Stine, owner of the property at 50 Riffel Road, reminded council that the conditional use for the property will expire twelve months after the close of business and rezoning it now to C-3 would be beneficial for any future use.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS –

1. Third Reading – ORDINANCE NO. 2018-006

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-3 (COMMUNITY COMMERCIAL) DISTRICT FOR PROPERTY LOCATED AT 50 RIFFEL ROAD (Sanders)

Councilman Sanders welcomed and thanked the speakers for their input on the rezoning issue. He reminded council that their job tonight was to decide if it was appropriate to make the requested change. He also confirmed the conditional use 12-month time-frame is approaching.

Councilman Myers did not know about the 12-month termination, is it new? Sanders stated it was not new, but this was the first meeting it has been brought up. Councilman Cavin wanted the termination date clarified. Ms. Stine said her business had closed June 2017. The conditional use of the building will expire June 2018.

Councilman Silvestri stated the passage of this ordinance would solve the problem for both Ms. Stine and Mr. Chandat. Andrew Dutton reminded council that they have the ability to reinitiate an application for rezoning if the project would not proceed. The application would go through the usual process of planning commission, public hearing and legislation.

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

VII. NEW BUSINESS

1. First Reading – RESOLUTION NO. 2018-021

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 CONSTRUCTION OF A BIKE PATH ALONG CERTAIN CITY ROADS(Bostancic)

Councilman Bostancic introduced the legislation and stated that the project is funded by ODOT in the amount of \$712,500 with the city portion being \$112,500 for a total project cost of \$825,000. This is Phase I of the bike loop project and will connect the College of Wooster to the existing Kinney Trail.

Roger Kobilarcsik said that the preliminary work for the project has been substantially completed with the utilities in the process of being moved. It is a budgeted item.

Councilman Bostancic 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).

2. First Reading – ORDINANCE NO. 2018-007
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BAKER PROPERTIES, MT. VERNON, LLC, AND COMPAK INC. FOR CERTAIN TAX INCENTIVES (Myers)

Councilman Ansel recused himself from this piece of legislation.

Councilman Myers introduced the ordinance and stated that the application has met all the requirements and has the school board approval. Justin Starlin spoke in support of the project and stated that when a project meets the program requirements, it should be approved and asked for council's approval on this matter.

Jonathan Millea reviewed the financial impact of the project including the revenue generated for the Wooster City school district.

Councilman Bostancic was not convinced on the benefit of tax abatements and questioned whether this abatement was necessary or whether it was just on a wish list. Myers reminded Bostancic that the application meets the requirements and has the school board approval. Councilman Silvestri said he always considers "how can I ease the tax burden for the developer and project to lessen the risks."

A lengthy discussion ensued on the pros and cons of tax abatement and the requirements necessary to keep the tax abatement in effect if it would get approved.

Councilman Myers moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, the motion failed 5-1 (Ansel-recused; Bostancic – no; Cavin-yes; Myers-yes; Sanders-yes; Warden-yes; and Silvestri - yes). The legislation will go to second reading on April 2, 2018. Ansel rejoined the council after the vote.

3. First Reading – AMENDED 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, AND DECLARING AN EMERGENCY(Sanders)

Councilman Sanders stated this is a request to amend the original resolutions end date to coincide with the passing of the planning and zoning code which is in the process of being updated. The new code is anticipated to be finalized before the summer break.

Councilman Myers said that the application deadlines for the state have closed, why is this amendment necessary? Sanders said the state has changed the rules midstream before and he isn't going to assume they will not do it again; this changing of the end date for the moratorium will put our ducks in a row.

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

VII. MISCELLANEOUS

Councilman Myers supports the hotel and the rezoning and is pleased the legislation passed. He congratulated Millea and Kobilarcsik for their work on obtaining the ODOT grant for the bike loop. Myers gave a review of the Wooster Transit program for 2018 and announced that the transit system was promoting a free ride day on Friday, March 23rd.

Councilwoman Warden thanked everyone for the Humane Society meeting and hopes that we can come to a resolution on the agreement and the need for a humane agent to serve the county. Councilman Silvestri is wondering if the city could utilize police or fire perhaps on a volunteer basis to act as a humane agent.

IX. ADJOURNMENT

Councilman Sanders 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