



WOOSTER CITY COUNCIL MINUTES
February 2, 2015

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. The following members were present: Jon Ansel, Mark Cavin, Scott Myers, Craig Sanders, David Silvestri and Jon Ulbright. Barbara Knapic was absent.

City Administration present: Mayor Bob Breneman, Law Director Dick Benson, Director of Administration Joel Montgomery, and Finance Director Andrei Dordea.

II. APPROVAL OF MINUTES

Mr. Buytendyk asked the clerk to correct the date in the header of the minutes to read February 2, 2015. Mr. Ulbright moved, seconded by Mr. Silvestri, to approve the minutes of the January 20, 2015 regular meeting. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman stated he is seeking council members' approval to reappoint David Briggs to the Income Tax Board of Review. Mayor Breneman said Mr. Briggs has proven to be a knowledgeable and helpful member of that Board. Mayor Breneman added the Public Properties Maintenance Division is working hard to plow snow from the streets and to patch potholes.

Council received a memorandum from the Mayor requesting the re-appointment of David Briggs to the Income Tax Board of Review for a three-year term ending December 31, 2017. Upon voice vote, the nomination was approved unanimously.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Council received a liquor license notice regarding a request for new C1 and C2 class permits from DolGen Midwest LLC, dba Dollar General Store #15127, 5310 Cleveland Road, Wooster, Ohio 44691.

Mr. Ansel moved, seconded by Mr. Sanders, not to request a hearing. Motion carried unanimously

The following members of the audience spoke: Brian Boyer, 1915 Eddy Way, (Res. No. 2015-19); Melissa Schultz, 578 Oakley Rd., (Res. No. 2015-19); and Greg Gehris, 347 N. Grant St. (Res. No. 2015-03)

V. COMMITTEE REPORTS; PUBLIC HEARINGS

PUBLIC HEARING: Proposed amendments to City of Wooster's Planning and Zoning Code: Section 1105.05(f), Board of Building and Zoning Appeals – Powers and Duties; Chapter 1171, Sign Regulations; and Chapter 1103, Definitions; Chapter 1109, Subdivision Procedures; Chapter 1133, Single-Family Residential Districts; Chapter 1135, Multi-Family Residential Districts; Chapter 1143, Manufacturing Districts; Chapter 1149, Non-conforming Uses, Lots, and Structures; and Chapter 1165, Landscaping Use Buffers.

Mr. Silvestri opened the public hearing and asked if the clerk would read the sections that are proposed to be amended. Council discussed the difference between deed restrictions, zoning ordinances, and maintenance codes. Mr. Ulbright asked Mr. Dutton to briefly explain the various recommended amendments. Mr. Dutton also responded to questions regarding setbacks and parking in residential districts.

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2015-01 AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Buytendyk stated this ordinance not only incorporates the ordinances passed by city council in 2014, but it also includes changes to the traffic code that were made at the state level and need to be made part of the Wooster codified ordinances.

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

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

2. Second Reading – RESOLUTION NO. 2015-13 A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE OHIO STATE HISTORIC PRESERVATION OFFICE FOR GRANT MONIES; TO APPLY SUCH FUNDS, IF AWARDED; AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY (Sanders)

Mr. Sanders stated the grant for which the City would like to apply would cover approximately 60% of the cost of drafting an update to the City of Wooster Design Guidelines. Mr. Myers voiced concerns as to the overall cost of drafting a new document and expressed a desire for the City to seek out a lesser cost way of updating the guidelines. Mr. Sanders asked Mr. Dutton if he had looked into Mr. Myers' concerns to see if there was a lower cost option. Mr. Dutton replied it is a highly specialized document that requires an architect, who is also a preservation expert, to create the document. Mr. Dutton said the current document is 16 years old and barely used because it is so out-of-date. Mr. Dutton said new and improved preservation techniques have developed since the last document was created. Mr. Ansel asked if the Historic Preservation Office had general guidelines for all communities, or if the document required a cataloging and examination of the actual buildings to develop the document. Mr. Dutton said every city has their own guidelines based on their unique history and while the Secretary of the Interior has guidelines, they are very general and broad. Mr. Dutton also said the City's share would be less than \$8,000 because you can include staff hours towards the City's portion of the cost. Mayor Breneman stated until last summer the City of Wooster was not a Certified Local Government (CLG) and was not able to apply for these funds. Mr. Dutton worked to obtain the CLG certification for Wooster, and the City now has the opportunity to update the Design Guidelines using these grant funds. Mr. Dutton also added the Design and Review Board has been asking him for the last two years for an update to this document. In addition, funds are not always available for these types of grants, so he would like to take advantage of it while it is being offered. Mr. Sanders stated while he is sympathetic to concerns regarding the cost, he believes the document need to be brought up to current standards and does not see the expense as a huge issue.

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

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

3. Second Reading – RESOLUTION NO. 2015-15 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A CONTRACT WITH THE CENTRAL FIRE DISTRICT TRUSTEES FOR THE FURNISHING OF EMERGENCY AMBULANCE SERVICES TO A PORTION OF WAYNE TOWNSHIP, AND DECLARING AN EMERGENCY (Cavin)

Mr. Cavin stated this is a mutual aid agreement and Wayne Township would man Station #2 in times of shortages or training and it is a long-standing agreement.

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

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

4. Second Reading – RESOLUTION NO. 2015-16 A RESOLUTION AMENDING RESOLUTION NO. 2013-96 BY EXTENDING THE TERMS OF THE CONTRACT; AND DECLARING AN EMERGENCY (Cavin)

Mr. Cavin noted this is another mutual aid agreement and allows Wooster Township to house and maintain a township fire truck at Station #1 and provide two firefighters to operate the truck. Wooster Township then provides EMS and fire protection services in the vicinity of Prairie Lane Road. Mr. Cavin also added this legislation is to correct a typographical error in that the agreement was to be a three-year term but the legislation passed in 2013 only stated it was for one year.

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

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

5. Second Reading – RESOLUTION NO. 2015-17 A RESOLUTION DECLARING THE NECESSITY OF RECONSTRUCTING SIDEWALKS AND CURB RAMPS ON EAST PINE STREET, AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright stated an amended version of the legislation has been drafted which adds the phrase “and driveway approaches” to the title and to Section 1, as well as a reference to Section 903.09 of the Codified Ordinances of the City of Wooster.

Mr. Ulbright moved, seconded by Mr. Silvestri, to substitute Amended Resolution No. 2015-17. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

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

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

6. Second Reading – RESOLUTION NO. 2015-18 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 RECONSTRUCTION OF A PORTION OF EAST PINE STREET (Ulbright)

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

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

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2015-02 AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY THE ADOPTION OF CERTAIN TEXT AMENDMENTS TO SECTION 1105.05, BOARD OF BUILDING AND ZONING APPEALS (Knapic)

Mr. Silvestri introduced the legislation in Ms. Knapic's absence. Mr. Silvestri explained this legislation would relocate the text formerly found in the Building Appeals chapter to Section 1150.05(f)(5).

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

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

2. First Reading – ORDINANCE NO. 2015-03 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 CHAPTER 1171, SIGN REGULATIONS (Knapic)

Mr. Silvestri stated he intended to leave the legislation on first reading.

3. First Reading – ORDINANCE NO. 2015-04 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 TITLES ONE, THREE AND FIVE OF THE CODE (Knapic)

Mr. Silvestri stated he also intended to leave this legislation on first reading.

4. First Reading – ORDINANCE NO. 2015-05 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel stated a Wooster Police Department cruiser was involved in an accident in late November 2014 and the vehicle was a total loss. Mr. Ansel explained the City received \$21,197.17 from the insurance company, kept the vehicle for parts, and will be able to transfer the equipment to a new cruiser. This legislation is to appropriate \$29,000 for the purchase of a replacement. Police Chief Matt Fisher explained to council members that the dash camera of the police cruiser recorded the collision, and showed a box

truck did not stop at a red light and the police officer could not stop in time before colliding with the rear of the truck. Mr. Ulbright asked how well the cruiser withstood the impact. Chief Fisher replied the officer walked away with no injuries, all airbags deployed, and they were pleased with how well the car protected the officer.

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

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

5. First Reading – RESOLUTION NO. 2015-19 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A LEASE AGREEMENT WITH THE WAYNE COUNTY HUMANE SOCIETY, AND DECLARING AN EMERGENCY (Silvestri)

Mr. Silvestri said he appreciates the services provided by the Wayne County Humane Society (WCHS) and this legislation would renew the long-standing lease of the property on which the WCHS sits. The land is owned by the City.

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

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

6. First Reading – RESOLUTION NO. 2015-20 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER FUNDS TO THE WOOSTER – ASHLAND REGIONAL COUNCIL OF GOVERNMENTS, AND DECLARING AN EMERGENCY (Cavin; Ansel)

Mr. Ansel stated he would leave the legislation on first reading, and both he and Mr. Cavin would be speaking to the resolution since it deals with both safety services and finances. Mr. Cavin explained the legislation is to authorize the transfer of start-up cost funds for the Wooster Ashland Regional Council of Governments (WARCOG) Regional Dispatch Center. Mr. Cavin said the goal is to provide better services at a decreased cost and the more entities that join, the more savings can be had. Mr. Ansel briefly went over the financial details for the dispatch center and also stated he would hold a Finance Committee meeting on Tuesday, February 17, 2015 at 5:30 pm in council chambers to go over the information in more detail. Mr. Ansel noted the Cleveland State University (CSU) study, conducted in 2011, which indicated a substantial savings if services were consolidated. Mr. Ansel stated council makes decisions based on hard budget projections, and have come in under budget for at least the last 10 years. He has no reason to believe the dispatch center projections will be any different. Mr. Ansel also stated the funds to be transferred to the WARCOG would come from the Law Enforcement Trust Fund, which are funds that come from the sale of forfeited property, and are set aside for the improvement of law enforcement within the city. Mr. Ulbright noted the Wooster-Ashland grant application was scored very highly at the state level because they were impressed with that the WARCOG is trying to accomplish. Mr. Ansel added the CSU study sat for a long time without action until the cities of Wooster and Ashland decided to proceed with the recommendations.

VIII. MISCELLANEOUS

Mr. Ulbright stated the Wooster Community Hospital Joint Township Board met on January 21, 2015 to receive a presentation from the hospital. Mr. Ulbright was asked to bring a donation check to the City.

IX. ADJOURNMENT

Mr. Ulbright moved, seconded by Mr. Silvestri, to adjourn. Motion carried and meeting so adjourned at 9:41 p.m.

Michael G. Buytendyk
President of Council

Amy M. Hamilton
Clerk of Council