

WOOSTER CITY COUNCIL MINUTES
November 7, 2016

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, Barbara Knapic, Scott Myers, Craig Sanders, David Silvestri and Jon Ulbright.

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

II. APPROVAL OF MINUTES

Councilman Silvestri moved, seconded by Councilman Myers to approve the minutes of the October 17, 2016 regular meeting. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman stated the College of Wooster recently celebrated the inauguration of Sarah Bolton as well as their 150th anniversary. The Wooster citizens donated \$100,000 and one of Wooster's founders, Ephron Quinby, donated 26 acres to help the college get their start. Maintstreet Wooster and Ms. Sandra Hull celebrated their 29th anniversary. The Mayor thanked Ms. Hull for her many years of service. City Hall hosted a Business After Hours and the Mayor thanked the Wooster Area Chamber of Commerce for their help in organizing the event. The Chamber also hosted their economic forum. The WARCOG Dispatch center had their monthly meeting and the WCGLA (Wooster Citizens Government Leadership Academy) met at the Water Treatment plant to learn about utilities. The CAFR (Comprehensive Annual Financial Report) is out and available. Fire Station #3 and RAMTEC had their ribbon cuttings.

Law Director, Linda Applebaum stated that she would be attending public records training on behalf of Council on November 17, 2016. A copy of the completed certificate will be shared with Council.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Zoning change of 32.38 acres from a C-1 (Office and Institutional) District to a C-5 (General Commercial) District on West Milltown Road (PIC #67-02964.00 and 67-02967.00).

Mr. Ed Butdorf, 1701 Saunders Drive, stated that the infrastructure for the proposed Meijers site needs addressed. He supports the creation of jobs and further development of the city of Wooster.

Mr. Greg Gehris, 347 N. Grant Street, had questions for the Meijers representatives.

Mr. Rick Rottman, 3594 Triway Lane, stated he is proud to be a Wooster area resident and supports the proposed zoning change and the potential for job creation. It will be important for the city to understand any future traffic studies of the area.

Mr. Steve Armstrong, 3640 Quail Hollow, stated he is against the zoning change and the potential of a big box store placed near the Wooster High School.

Mr. Crisman Jones, Meijers Representative, 2929 Walker Ave, Grand Rapids, MI, stated that the Meijers company has its own unique dairies and food processing facilities in Ohio. The company supports local growers and farms by buying local. They were 2015 retailer of the year for Certified Angus Beef. The company will complete a traffic study before any ground is broken if the proposed zoning change is passed.

Mr. Matt Kilbourne, 8179 S. Jefferson Street, is pro-growth as rising tides lift all boats; however, he is concerned with the duplication of types of retailers at the North End of Wooster. He is concerned that if the proposed zoning change is passed that it could be an over build if Meijers were to build at that location. He is also concerned about the limited ingress and egress of the proposed site. All other Meijers locations that he has visited have multiple lanes or points of access.

Mr. Paul Slack, 3711 Quail Hallow, stated he joined Rubbermaid in the 1970s, he has been a 40 year resident of the city and has lived in the Hunt Club subdivision since 2000. He does not believe the zoning should be changed from a C-1 to a C-5 at the proposed location as it currently acts as a buffer zone. He is not against Meijers coming to Wooster, just against their possible proposed location.

Ms. Jeanette Robison, 1525 Smith Drive, has lived in Wooster her entire life. She supports the proposed zoning change, Meijers coming to Wooster, the potential jobs, additional tax revenue for the schools, and proposed road improvements.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilwoman Knapic thanked everyone who attended the Laws and Ordinances meeting and appreciated everyone's comments. The group discussed the proposed zoning change on Milltown Road (the proposed Meijers site) as well as the code amendment for electronic signage and the zoning changes and the expansion of the downtown revitalization district to include Smoke the Burger Joint. It was a very productive meeting. Ordinance No. 2016-29 will stay on second reading to allow for the notification of those affected by the electronic sign changes.

VI. OLD BUSINESS

1. Second Reading- 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)

Councilman Cavin recused himself from the discussion. Councilwoman Knapic stated that this is for a zoning change of a piece of property located on Milltown Road and proposed Meijers site. This will be held on second reading. Councilman Ulbright stated that traffic surrounding this area was an issue many years ago and still remains one today. He has heard people say, "not in my backyard." Council will look at the proposed rezoning as a whole and make a decision based on what is best for the entire city. He thanked everyone for their comments. Councilman Silvestri asked if any traffic data would be available prior to the November 21st council meeting. Mayor Breneman answered that it is not a requirement for re-zoning. Traffic studies come after a zoning change has been approved.

2. Second Reading – ORDINANCE NO. 2016-28
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-4 (CENTRAL BUSINESS) DISTRICT FOR PROPERTY LOCATED AT 206 BEALL AVENUE (Knapic)

Councilman Cavin returned Councilman Myers welcomed Smoke The Burger Joint to Wooster and stated that he is excited to have them in town. The business will open to the public on Tuesday, November 8th at 11am. Their grand opening is Friday and the ribbon cutting ceremony is scheduled for 4:30pm that same day.

Councilwoman Knapic moved, seconded by Councilman Cavin, 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).

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

3. Second Reading- 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 stated the Ordinance will remain on second reading to allow those affected by the change to be notified.

4. Second Reading- ORDINANCE NO. 2016-30
AN ORDINANCE RE-DESIGNATING A REVITALIZATION DISTRICT WITHIN THE CITY OF WOOSTER (Knapic)

Councilwoman Knapic stated this Ordinance is to add 206 Beall Ave, Smoke, The Burger Joint, to the downtown revitalization district. Councilman Cavin is excited to see this great addition to Downtown Wooster.

Councilwoman Knapic moved, seconded by Councilman Cavin, 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).

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

VII. NEW BUSINESS

1. First Reading- RESOLUTION NO. 2016-54
A RESOLUTION DECLARING IT NECESSARY TO IMPROVE BURBANK ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING REHABILITATING AND OTHERWISE IMPROVING STORM SEWERS, STORM WATER DRAINAGE FACILITIES, UNDERGROUND CONDUITS, CATCH BASINS, MANHOLES, WATER MAINS, SANITARY SEWERS, FIRE HYDRANTS, CURBS AND GUTTERS, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY (Ulbright)

Councilman Ulbright stated he was happy to introduce the Resolution as it had been a much needed improvement. The total estimated cost is \$2,228,000. It will be an expensive improvement. The Ohio Public Works Commission provided \$500,000 for the project. The assessment to the areas property owners will be limited to \$44 per foot front. They can pay in 15 annual installments plus interest or in one lump sum. Councilman Cavin spoke in support of the road improvements.

Councilman Ulbright moved, seconded by Councilman Cavin, 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).

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

2. First Reading- RESOLUTION NO. 2016-55
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 REHABILITATION OF A CULVERT RUNNING UNDER THE DIX. (Sanders)

Councilman Sanders stated the culvert needs to be replaced or repaired to avoid sudden failure. The ramp in the area of the culvert may be closed and the highway will remain open. When asked, Mr. Kobilarcsik stated the lining to be installed can last a minimum of 50 years. President Buytendyk asked that bid proposals to be sent to council once received.

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

3. First Reading- ORDINANCE NO. 2016-32
AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF SIDEWALKS AND OTHER IMPROVEMENTS FOR THE D03 SRTS PARKVIEW ELEMENTARY SIDEWALK PROJECT; AND DECLARING AN EMERGENCY (Ulbright)

Councilman Ulbright stated ODOT's safe route to schools program paid for 90% of the cost of the improvements. The final assessment amount (10% of the total cost) was \$17,649.83. The average payment by property owner would be \$276.00.

Councilman Ulbright moved, seconded by Councilman 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).

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

4. First Reading- RESOLUTION NO. 2016-56
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR RESURFACING AND REPAIRING PORTIONS OF BURBANK ROAD, FRIENDSVILLE ROAD, MILLTOWN ROAD, AND BOWMAN STREET (Ulbright)

The above listed roads are scheduled for resurfacing in 2017. The Resolution will allow the city to bid early and to remain on schedule with the Ohio Department of Transportation.

Councilman Ulbright moved, seconded by Councilwoman Knapic, 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).

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

5. First Reading- RESOLUTION NO. 2016-57
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR FUEL SERVICES FOR CITY VEHICLES (Ansel)

The Resolution will allow the city to enter into a contract to purchase fuel for the city's fleet and equipment for the next three years. The cost of such fuel services shall not exceed the amount appropriated in the operating budget.

Councilman Ansel moved, seconded by Councilman 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).

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

6. First Reading- RESOLUTION NO. 2016-58
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE VARIOUS EQUIPMENT AND SERVICES IN ACCORDANCE WITH THE CAPITAL PLAN; AND DECLARING AN EMERGENCY (Cavin)

The Wooster Police Department requested the approval of Council to purchase equipment with 2016 capital monies already designated for the Safety Center for lockers. This will allow the city to take advantage of below state bid discount pricing and utilize current equipment in the new facility. This will provide for current and future needs of the department.

Councilman Cavin moved, seconded by Councilman 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).

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

First Reading- ORDINANCE NO. 2016-33
AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE
(Ansel)

Councilman Ansel stated the amount of \$2,500,000 will be appropriated from the unappropriated balance in the Hospital Operating fund to the Hospital Plant Fund.

Councilman Ansel moved, seconded by Councilman 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).

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

IX. MISCELLANEOUS

Councilman Ansel stated there will be a Finance Committee meeting on December 5th at 6:30pm. He thanked Finance Director, Mr. Andrei Dordea for compiling and distributing the CAFR (Comprehensive Annual Finance Report). Councilwoman Knapic thanked everyone who attended the Laws and Ordinances meeting held earlier in the evening. She appreciated the additional information from Meijer and understands this is a significant issue for the city. A decision will be made at the next regularly scheduled council meeting. Councilman Myers stated he will remain open with the proposed zoning changed on Milltown Road. He felt that the city is unprepared and has a lack of C5 zoning available for commercial development. He is not prepared to make a decision without understand the impact the change would make on the public infrastructure and traffic. He stated the city should do its homework and be pro-business. He appreciated the consideration to update the code for electronic signage and for notifying businesses in advance of the change. He congratulated the county as the courthouse project was featured in a recent Public Properties magazine. Councilman Silvestri agreed with Councilman Myers and stated that every other community has data at their fingertips such as traffic studies. The rezoning of the Milltown Road property will make a huge impact on the Wooster Community and he felt that council needs more information in order to make a decision. Councilman Ulbright stated that as the Public Infrastructure Committee Chair he would have liked to have seen the City change their procedure and pay to have a traffic study completed for the zoning change proposal on Milltown Road. President Buytendyk added that a zoning change does not give a business permission to build that there are still many hoops to go through before than can happen. Councilman Ulbright stated he will make a vote with the information he has been given. He appreciated the gentleman that spoke earlier who visited the various Meijer sites in Ohio and stated they were all on major highways. Councilwoman Knapic stated she is concerned the City does not have enough C5 areas to allow for companies like Meijers to come to Wooster. Mayor Breneman clarified that the City is not pushing Council to make a decision to change the zoning. There are C5 areas in the City of Wooster and Meijers has visited the sites, but did not like the demographics in those areas. Councilman Ulbright was not aware Meijer had looked at other sites and was glad to hear they had been shown other options. Councilman Ansel stated that first and foremost the request is for rezoning. The particular parcel in question has unusual controversy and debate which is healthy and positive. He felt that with limited traffic exposure the city should conduct a traffic impact analysis as it would be a nominal investment for an important decision. He also stated that if Meijers was committed to Wooster and the potential 20 million dollar investment, that \$30 or \$40 thousand for a traffic study would be a small price for them seal the deal. The rezoning proposal issue is not about competition, it is about proper land use and how it best serves Wooster. Councilwoman Knapic added that she would like to know how the city could develop in West or East, what it would entail, and what the long term impact would be for the city. Mayor Breneman concluded that he will forward tonight's comments and concerns to Meijer.

X. ADJOURNMENT

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

Michael G. Buytendyk
President of Council

Christa Sturgeon
Clerk of Council