

WOOSTER CITY COUNCIL MINUTES
October 17, 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, 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 3, 2016 regular meeting. Upon voice vote, the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman stated that he, Mr. Joe Kanfer (CEO Gojo), Congressman Jim Renacci, and Councilwoman Knapic toured the Gojo plant and were able to see the amazing things at the old Rubbermaid facility. They are making great strides and he is looking forward to the future. Prentke Romich recently celebrated their 50th anniversary. They are approximately 120 employees strong and are really doing some great things. Mr. and Mrs. Greg Long were this year's 2016 Friend of Philanthropy recipients and were honored at the Wayne County Community Foundations annual dinner. Hartzler Dairy announced that they are the first dairy in the state of Ohio to be non-GMO certified and they also announced an expansion of their operations on Cleveland Road. Mr. Andrei Dordea announced the official release of city's Comprehensive Annual financial Report (CAFR) and that the city is waiting to hear from the Government Finance Officers Association on their 36th annual achievement for Excellence in Financial Reporting. The Mayor welcomed everyone to the Public hearing and was glad to see citizens showing interest. He planned to listen intently to better further discussions at the future commission meeting.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

PUBLIC HEARING: 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).

Councilwoman Knapic stated that there were several matters scheduled for public hearing. She stated that she will be holding a Laws and Ordinances Committee meeting prior to the next regularly scheduled Council meeting on Monday, November 7th at 6:30pm in Council Chambers. All of the public hearing issues will be on the agenda and will be open to the public. She announced that all items would stay on first reading. The Milltown re-zoning is scheduled for three readings and will allow everyone to have input and for Council to have all of the information necessary to make a proper decision on that matter. As chair of the Public Meeting, Councilwoman Knapic asked that everyone who signed up to speak to keep their comments brief and respectful, as there will be three more opportunities to voice their concerns.

Mr. Cris Jones of 2929 Walker, Grand Rapids, MI was the first to speak regarding the E. Milltown re-zoning issue. Mr. Jones is a representative of the Meijers corporation. He stated he and his team were there to listen to concerns so that they could return at the next committee meeting to make those concerns more palatable. He gave a brief history of the Meijers 3rd generation family company. The company has had 25 straight quarters of positive retail growth. They are a philanthropic company and support many

areas of a community. The proposed Wooster store location would provide approximately 270 jobs, include a multimillion dollar investment, and would benefit the city and the school district with added tax revenues. Ms. Lanie Wess of 4454 Idea Center Blvd, Dayton, spoke next. She was also a representative of the Meijers corporation. She stated that Meijers is cognizant of the residential areas around the proposed site and will be building 250 feet from the property line instead of the 50 feet required by the current zoning code. She answered questions regarding the zoning change application and assured the public and council that the company would adequately address their concerns of light and noise pollution, additional traffic congestion, and burden to current utility services.

Mr. Steve Armstrong from 3640 Quail Hollow Drive asked Council in reference to the city's comprehensive plan 1) what changed? 2) what's more valuable? He stated that he has a different interpretation of the city's comprehensive plan than the Meijers representatives. He took a quick look at it from a strategic, visionary perspective as stated in the plan, "how do we make Wooster continue to be a more prosperous, well-balanced community"? Two years ago, the city's priority development areas were the downtown, hospital, south highway gateway, and east Wooster. The re-zoning of E. Milltown road would be a significant deviation from the comprehensive plan. The crown jewel of the Wooster community is the Wooster High School Campus. Two years ago over a million dollars was spent on a new football field surface which would be less than a football field length from the south end proposed Meijers complex. Competition is great, however the proposed location devalues the investment the tax payers have made into the Wooster High School and is a much more valuable asset than another grocery store.

Mr. Matthew Long, 225 N. Market Street, spoke on behalf of the Hunt Club subdivision as their counsel and had a few items for Council's consideration, what wrong is this rezoning application trying to fix and how does this application follow the intent of the city's comprehensive plan.

Mr. Jack Gant, 246 W. Liberty Street, spoke on behalf of the owners of the property and stated he could answer any questions Council may have for him.

Mr. Jack Baxstrom, of 660 Beechwood Ave, stated that Wooster needs a more diverse work force and believes that the 270 new jobs Meijers would create would fit that need.

Ms. Becky Foster, 3355 Oak Hill Road, built outside of the City in 1997 and believed that the C1 zoning located near her property would stay as a buffer and if the E. Milltown re-zoning were to pass, there would never be dark in her neighborhood again.

Mark Gooch, 8179 Jefferson Road, supported Mr. Matt Long's statements and stated that he served on the comprehensive plan committee. He does not agree with the location that Meijers is proposing. The C1 zoning was meant as a buffer between the residential and commercial areas. He asked how the county will address the road issues needing to be addressed if the rezoning were to take place. He is concerned about the young drivers with the increased traffic so near to the Wooster High School.

Ms. Carol Eberhart, 145 Cannon Drive, is concerned about increased traffic and light pollution, increased competition straining current businesses, and Wooster losing its sense of Community.

Mr. Michael Serro, 4606 Country Lane, spoke in support of the re-zoning of E. Milltown Road. He has 25 years of retail experience and believed Meijer's would be good for Wooster.

Mr. Don Gingery, 1188 Hunt Club Drive, stated the traffic on E. Milltown Road has been a disaster for quite some time and needs to be addressed. He does not feel three lanes of road will fix the issue. The traffic goes all the way down to Mechanicsburg Road. He is concerned about the traffic and safety issues if the rezoning would be approved for E. Milltown Road.

Mr. Larry Shirer, 3363 Oak Hill Road, stated that his home adjoins the proposed Meijers site and he is concerned about light, noise, and traffic pollution. The traffic in that area is already intolerable. He has the right to quiet enjoyment of his property. He is also concerned with possible drug deals that could occur in the future parking lot.

Ms. Judith Elwell, 512 Forest Creek Drive, is concerned about the Meijers Company forcing other competition out and requesting a lower tax assessment in the future as they have done in other cities.

Mr. Greg Gehris, 347 N. Grant Street, believes in competition and wondered if jobs are created through Meijers if they will meet an Aldi's type wage. He asked if more full-time jobs will be created or if they will be mostly part-time and if the company will offer affordable health care coverage. He feels that there are enough grocery stores in Wooster and is concerned that increased competition may cause the current Downtown grocery store to close.

Mr. Ron Holtman, 5216 Lattasburg Road, asked Council to do their due diligence and not to accept any golden promises. He stated that Meijers is an aggressive retailer and uses the dark box concept to lower real estate value. He said there are two ways to build value in customers, bring in new customers or claw customers from existing retailers.

Zoning change of .5709 acres from a C-2 (Neighborhood Business District) District to a C-4 (Central Business) District at 206 Beall Avenue (PIC #64-00922.000). Expansion of the City of Wooster's Downtown Revitalization District by approximately 0.60 acres so as to incorporate the applicant's commercial property known as 206 Beall Avenue, Wooster, Ohio 44691 (PPN: 64-00922). The Revitalization District allows qualifying businesses the ability to purchase D5L liquor licenses.

Mr. Jonathan Millea spoke on the proposed zoning change for 206 Beall Avenue. Because all areas of the current Revitalization District are zoned under C-4 and its unique set of rules, including oversight by the Design and Review Board, the Mayor had recommended that the proposed site first be rezoned to C-4 prior to expanding the Revitalization District. The rezoning expansion of the Revitalization District will allow Smokes, the Burger Joint, to apply for a special liquor license and to become a part of the downtown revitalization district and the business will be a contributing force for additional activity downtown.

Mr. Kevin Medved, one of three members of the business, stated that the business is primarily a restaurant. It will be open 11am through 9pm, Monday through Thursday and 11am through 10pm Friday through Sunday. No late hours. This is their third location in Ohio

Text Code Amendment: the City of Wooster is requesting approval from City Council for amendments to Chapter 1103 (Definitions), Chapter 1149 (Nonconforming Uses, Lots, and Structures) and Chapter 1171 (Sign Regulations) of the Planning and Zoning Code regarding requirements for electronic message center signs.

Mr. Andrew Dutton stated the proposed changes to Chapter 1103 were to address electronic signage. The signage is restricted to C3, C5, and CF districts, properties with institutional land uses, and gas stations. It added restrictions for gas stations that they cannot change more than twice a day when located outside a C-3, C-5, or CF district. Signs cannot be in operation between the hours of 12pm and 6am when located in a residential district. The changes also address standards on brightness and size. Electronic signage cannot be temporary.

VI. OLD BUSINESS

1. Third Reading – ORDINANCE NO. 2016-25

AN ORDINANCE GRANTING TO EACH OF THE FOLLOWING PROVIDERS OF ELECTRIC ENERGY: THE OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS;

AND THE HOLMES-WAYNE ELECTRIC COOPERTIVE, INC., ITS SUCCESSORS AND ASSIGNS; AND THE OHIO EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ANY OTHER EXISTING OR FUTURE ELECTRIC UTILITY, A NON-EXCLUSIVE FRANCHISE FOR ELECTRIC POWER AND OTHER PURPOSES TO THE CITY OF WOOSTER AND RESIDENTS, RIGHT TO ACQUIRE, OPERATE, CONSTRUCT AND MAINTAIN IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES IN THE CITY OF WOOSTER, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY (Sanders)

Councilman Sanders moved to un-table, seconded by Councilman Ansel, the legislation to allow for discussion. Upon voice vote, motion carried unanimously.

The group discussed the proposed legislation at length and Councilman Sanders moved to table, seconded by Councilman Ulbright to allow for council to further clarify the existing franchise agreement.

Councilwoman Knapic moved, seconded by Councilman Silvestri, to adopt. Upon roll call, motion to table passed 5-2. (Ansel-no; Cavin-yes; Knapic-yes; Myers-no; Sanders-yes; Silvestri-yes; and Ulbright-yes).

VII. NEW BUSINESS

1. First 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 opened up the floor for questions. Councilman Ulbright and Silvestri submitted questions, mirroring those that were brought up by the public during the public hearing, to the Meijer representatives. Such areas of concern were Wooster High School, traffic, leakage, tax abatements, dark stores, and location. The rezoning proposal was discussed at length and will be further discussed at the Laws and Ordinances Committee scheduled for November 7th at 6:30pm.

2. First 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 Councilwoman Knapic stated further discussion will be made during the Laws and Ordinances meeting on November 7th at 6:30pm.

3. First 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 further discussion will be made during the Laws and Ordinances meeting on November 7th at 6:30pm.

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

Councilwoman Knapic stated further discussion will be made during the Laws and Ordinances meeting on November 7th at 6:30pm and plans to vote on it at the next Council meeting.

5. First Reading- RESOLUTION NO. 2016-52
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 AN ADDITION TO
THE PROPERTY AT 1514 WEST OLD LINCOLN WAY FOR THE DISTRIBUTION/
COLLECTION SUBDIVISION OF UTILITIES (Sanders)

This request is for authorization to bid and award the contract to construct an addition to the property at 1514 West Old Lincoln Way, a former ODOT Facility. This property was purchased by the City in 2014 for \$100. The facility is used to store parts, equipment and vehicles out of the elements to extend their useable life. While the structure is physically sound, it lacks adequate restrooms, locker, meeting and lunch rooms and office space for personnel. The design estimate is \$430,000.

The continuing growth of the City along with the decline of the aging infrastructure, the workload of the Distribution/Collection Subdivision (D&C) of Utilities has steadily increased since its formation in 2002. As a result the D&C has outgrown its current facility due to the increased need of manpower, equipment and parts storage. The D&C currently has personnel housed in two different locations and stores equipment, parts, and materials in four separate locations within the City. The building addition would allow for the relocation of all the personnel and related materials to be housed together at one site thus reducing the amount of time to gather equipment, parts, and manpower to complete tasks, especially in emergency response.

Councilwoman Knapic moved, seconded by Councilman Silvestri, 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. 2016-53
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER
INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION TO PERFORM SYSTEMATIC SIGN REPLACEMENT ON STATE
ROUTE 3, FROM 0.15 MILES SOUTH OF STATE ROUTE 226 TO US 30, IN THE CITY
OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)

Councilman Ulbright stated this is a resolution allowing ODOT to have permission to replace signs on State Route 3 at no cost to the city.

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 Myers, 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).

7. First Reading- ORDINANCE NO. 2016-31
AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE
(Ansel)

Councilman Ansel stated that Council's authorization is requested to appropriate an additional \$163,000 to the Community Development Block Grant (CDBG) for project completion carryover from the prior year. Forty-one homes have been repaired, 18 homes in the city of Wooster.

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).

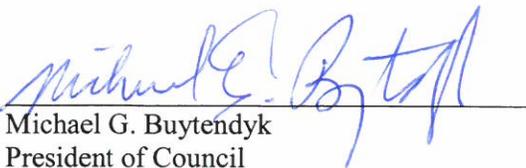
Councilwoman Ansel moved, seconded by Councilman Myers, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

IX. MISCELLANEOUS

Councilman Ansel thanked Mr. Dordea for the comprehensive plan he provided and stated if there are any questions they can be addressed at the next council meeting. Councilwoman Knapic thanked the citizens that spoke during the public hearing held earlier in the evening. She also reminded everyone that the Laws and Ordinances Committee meeting will be held on November 7th at 6:30pm. Councilman Myers was grateful for those that spoke and agreed that the city failed to plan appropriately for the proposed E. Milltown zoning. Councilman Silvestri is excited for the new Utility building. Councilman Ulbright thanked the city administration on the information provided on the topics discussed on the E. Milltown and 206 Beall avenue rezoning and appreciated all the citizens that came and spoke tonight.

X. ADJOURNMENT

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



Michael G. Buytendyk
President of Council



Christa Sturgeon
Clerk of Council