

WOOSTER CITY COUNCIL MINUTES
August 17, 2020

Due to the Stay at Home order, this city council meeting was held via a Zoom conference call. The recorded video of the meeting is available on the City of Wooster YouTube channel.

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the teleconference meeting of Wooster City Council to order at 7:30 p.m. Lynne DePaulo, Council Clerk, called roll with the following members present; Craig Sanders, Bill Bostancic, Jennifer Warden, David Silvestri, Jon Ansel, and Scott Myers. Mark Cavin was absent. City Administration present: Mayor Bob Breneman, Finance Director Andrei Dordea, Director of Administration Joel Montgomery, and Law Director John Scavelli.

II. APPROVAL OF MINUTES

Councilman Silvestri moved to approve the minutes of the July 6, 2020 meeting, seconded by Councilman Myers. Upon voice vote, the minutes were approved unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman stated Freedlander Pool and Knight's Field Sprayground had closed on August 15th. The pools served over 11, 000 during its shortened season.

The Mayor provided council with the first half of the city's 2020 financial status. The city is currently operating in the black.

Mayor Breneman shared a police award ceremony video honoring Officers Hartzler, Koch and Egbert with the Life-Saving Award. Officer Koch was given the Award of Merit for his effort in saving a young autistic boys life.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Mr. Scavelli read comments from the public received on YouTube. The comments concerned Resolution 2020-41 and Ordinance 2020-34.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilman Sanders opened a Public Hearing for the DORA legislation. The legislation states that open carry restrictions do not apply during certain hours. Councilman Sanders asked for comments. Shannon Waller, Main Street Wooster, said that DORAs have been a focus of Heritage Ohio and is a tool for restaurants suffering from the COVID-19 lockdown. The law has been around for around 5 years and has been very successful in other communities.

Justin Starlin, Wooster Chamber, said that this was a collaboration between Main Street Wooster, the Chamber, and the restaurant owners along with the City of Wooster.

Mike Mariola, Mike Mariola Restaurants, said this is a challenging time for the restaurants. This legislation will help with tourism, will tie in with events and gives them the ability to serve guests in a different way.

Councilman Sanders asked what additional policing is needed. Ms. Waller said smaller communities did not have to add personnel. Chief Fisher said there will be one dedicated officer to the area. If a group gets out of control the rest of the shift patrol will be available.

Councilman Myers wanted to know if there would be special containers. Mr. Mariola stated the beverage will have to be sold by a licensed retailer in a special cup. Main Street and the Chamber will be the supplier of the cups. It is anticipated the cup will be dated to make police enforcement easier.

Councilwoman Warden wanted to know if more recyclable bins would be made available downtown for cup disposal. Mr. Montgomery stated there were already some downtown, plus there are more in storage that can be used.

Councilman Bostancic asked about the hours of operation. Is this a 365 day a year program or can we limit it to summer? Mr. Starlin said it is year-round and the hours were expanded to Sunday to include the businesses that serve brunch. City Council has the opportunity to review the program every five years. Chief Fisher said there is a police officer in the downtown zone anyway, these are routine responsibilities.

Mayor Brenneman said the administration has talked with everyone involved and he supports it, he thinks it could help with the downtown businesses.

No one spoke against the proposed legislation. Councilman Sanders closed the public hearing.

VI. UNFINISHED BUSINESS - NONE

VII. NEW BUSINESS

First Reading – RESOLUTION NO. 2020-37

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 CURB RAMPS, AND DECLARING AN EMERGENCY (Bostancic)

Councilman Bostancic reviewed the project; it's a requirement for acceptance of the City's Large City money from ODOT. It is a budgeted item.

Councilman Bostancic motioned to adopt, seconded by Councilman Silvestri. Upon roll call motion to adopt carried unanimously 6-0. (Sanders – yes; Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Cavin-absent)

2. First Reading – RESOLUTION NO. 2020-38

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO ACCEPT AND APPLY SUCH FUNDS, IF AWARDED, AND TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY (Bostancic)

Councilman Bostancic said this a request to make an application for an OPWC grant to provide funding for the Melrose Drive reconstruction project slated for 2022. The project estimate is \$3,000,000 and the funding being applied for is \$500,000.

Councilman Bostancic motioned to suspend the rules, seconded by Councilman Silvestri. Upon roll call motion to suspend passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

Councilman Bostancic motioned to adopt, seconded by Councilman Myers. Upon roll call motion to adopt passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

3. First Reading – ORDINANCE NO. 2020-29

AN ORDINANCE APPROVING AN APPLICATION FOR A “DESIGNATED OUTDOOR REFRESHMENT AREA” AND ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA IN THE CITY OF WOOSTER, OHIO AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders said the public hearing had been held for the DORA and council has been given an updated boundary map. Councilman Sanders asked if the five year review time could be changed? Mr. Scavelli said it’s in the Ohio Revised Code as five years; the city can always rescind the ordinance.

Councilman Sanders motioned to suspend the rules, seconded by Councilman Ansel. Upon roll call, motion to suspend passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

Councilman Sanders motioned to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

4. First Reading – RESOLUTION NO. 2020-39

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED PRIOR TO THE FISCAL OFFICER’S CERTIFICATION OF AVAILABILITY OF FUNDS, AND DECLARING AN EMERGENCY (Ansel)

Councilman Ansel said this is a straight forward compliance matter. It was an emergency purchase and needs to be certified by council due to the cost.

Councilman Ansel motioned to adopt, seconded by Councilwoman Warden. Upon roll call, motion to adopt passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

5. First Reading – RESOLUTION NO. 2020-41

A RESOLUTION APPROPRIATING THE FUNDS RECEIVED FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND, AMENDING THE ANNUAL APPROPRIATION ORDINANCE AND DECLARING AN EMERGENCY (Ansel)

Councilman Ansel stated that council had approved 2020-36 to receive the funding from the county, now it is time to appropriate the funding.

Councilman Ansel motioned to suspend the rules, seconded by Councilman Bostancic. Upon roll call, motion to suspend passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

Councilman Ansel motioned to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

6 First Reading – ORDINANCE NO. 2020-31

AN ORDINANCE AMENDING CHAPTER 351, PARKING GENERALLY, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY ADOPTING A PROHIBITION AGAINST PARKING, OR ABANDONING UPON ANY STREET A RECREATIONAL OR COMMERCIAL VEHICLE. (Sanders)

Councilman Sanders stated that this seems to have become a greater issue in the city. He thinks it has become an RV armageddon. Councilwoman Warden said she has had several complaints particularly on the President's streets. Councilman Silvestri is concerned that this will create a hardship for some residents. He is also concerned with having large dumpsters in the streets. Mr. Dutton said this ordinance deals with valid licensed vehicles in the streets, a dumpster would fall under something else. Councilman Myers would like to see if any nearby communities have a similar ordinance.

The ordinance has had its first reading.

7. First Reading - ORDINANCE NO. 2020-32

AN ORDINANCE AMENDING CHAPTER 539, PARK REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND DECLARING AN EMERGENCY (Sanders)

Councilman Sanders said this is a request that would allow alcohol to be permitted in the Freedlander Chalet. Councilman Sanders asked if this would help us rent space and whether it is competing with other similar facilities. Mr. Battig said the alcohol permit would help with wedding receptions and special events reservations and does not feel it will affect competing businesses.

Councilman Silvestri said that the Freedlander Chalet was a do-it-yourself venue. He doesn't think it's competitive with other like businesses because it is not catered, everything is brought in. Councilman Myers wants to have a conversation with other banquet rooms to discuss the competitive issue. He thinks it will be a challenge to keep people inside the Chalet with their beverages.

The ordinance has had its first reading.

8. First Reading – RESOLUTION NO. 2020-42

A RESOLUTION PURSUANT TO SECTION 1724.10(A)(2) OF THE OHIO REVISED CODE DESIGNATING THE WAYNE COUNTY LAND REUTILIZATION CORPORATION AS THE AGENCY FOR THE RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT, ABANDONED, TAX-FORECLOSED AND OTHER REAL PROPERTY IN THE COUNTY, DIRECTING THE CORPORATION TO ACT ON BEHALF OF AND IN COOPERATION WITH THE CITY OF WOOSTER IN EXERCISING THE POWERS AND PERFORMING THE DUTIES OF THE CITY OF WOOSTER UNDER CHAPTER 5722 OF THE OHIO REVISED CODE; DIRECTING THE PREPARATION OF AN AGREEMENT AND PLAN IN FURTHERANCE OF THESE MATTERS; AND AUTHORIZING RELATED MATTERS, AND DECLARING AN EMERGENCY (Warden)

Councilwoman Warden reviewed the details behind the legislation. Wayne County is creating a Land Bank and would like the City of Wooster to be included. Mr. Dutton has been appointed the city representative with the Mayor being the alternate. There are 55 other counties within the State that have created Land Banks.

Councilman Sanders stated he had talked with the county commissioners in the fall. He has a problem with government taking control of private property. He does not support the legislation.

Councilman Silvestri has received a number of complaints on certain properties that have been neglected. One of the powers of the Land Bank is to waive the tax liens on the property which can have an impact on repurposing the property. He supports the issue.

Councilman Bostancic said this is an exciting piece of legislation. Once the property comes into the Land Bank, the abandoned property is improved and creates a new tax base and alieve part of the housing problem.

Councilwoman Warden said she has received several calls in her precinct regarding neglected homes. Bad homes bring down the value in the neighborhood. She reminded council that the Land Bank can not use eminent domain to acquire property and it has to meet certain criteria per ORC.

Councilman Myers likes the idea of the Land Bank. He is concerned with there only being one representative for the city on the board. The county has control over the group. Mayor Breneman said only counties are allowed to create a Land Bank.

Councilwoman Warden motioned to suspend the rules, seconded by Councilman Silvestri. Upon roll call, motion to suspend passed 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

Councilwoman Warden motioned to adopt, seconded by Councilman Bostancic. Upon roll call, motion to adopt passed 5-1. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – no; Cavin-absent)

VIII. EXECUTIVE SESSION 121.22(G)(2)(4)

To discuss purchase of property and union negotiations

Councilwoman Warden motioned to enter into executive session, seconded by Councilman Silvestri. Upon roll call, motion to enter passed unanimously (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders –yes; Cavin-absent)

Councilman Bostancic motioned to exit executive session, seconded by Councilman Ansel. Upon roll call, motion to exit passed unanimously (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders –yes; Cavin-absent)

IX. NEW BUSINESS (CONTINUED)

9. First Reading – ORDINANCE NO. 2020-30
AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE AND DECLARING AN EMERGENCY (Warden)

Councilwoman Warden stated this 5.64 acres is additional acreage available that would be in the primary industry sector. The cost to purchase the property is \$280,000 with some outside funding a possibility. The owners are looking for an answer by the end of September.

The ordinance has had its first reading.

10. First Reading – ORDINANCE NO. 2020-33
AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT EXTENDING THE COLLECTIVE BARGAINING AGREEMENT FOR ONE YEAR WITH REPRESENTATIVES OF THE WOOSTER FIRE FIGHTERS UNION, IAFF LOCAL 764, AND DECLARING AN EMERGENCY
(Ansel)

Councilman Ansel stated this ordinance and ORD. No. 2020-34 are timely and reassuring ordinances for the safety services bargaining units that have come to a mutual agreement with administration to extend the contract period for one year and provide a 2.5% increase with a \$1500 stipend.

Councilman Myers motioned to amend the stipend to be raised to \$2500. There was no second of the motion, the motion fails.

Councilman Ansel motioned to suspend the rules, seconded by Councilman Silvestri. Upon roll call, motion to suspend passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

Councilman Ansel motioned to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

11. First Reading – ORDINANCE NO. 2020 - 34

AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT EXTENDING THE COLLECTIVE BARGAINING AGREEMENT FOR ONE YEAR WITH REPRESENTATIVES OF THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, AND DECLARING AN EMERGENCY

(Ansel)

Councilman Ansel said this is the same as the previous ordinance just a different union contract.

Councilman Myers motioned to amend the stipend to be raised to \$2500. There was no second of the motion, the motion fails.

Councilman Ansel motioned to suspend the rules, seconded by Councilwoman Warden. Upon roll call, motion to suspend passed 5-1. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – no Sanders – yes; Cavin-absent)

Councilman Ansel motioned to adopt, seconded by Councilman Myers. Upon roll call, motion to adopt passed unanimously 6-0. (Bostancic-yes; Warden – yes; Silvestri – yes; Ansel – yes; Myers – yes; Sanders – yes; Cavin-absent)

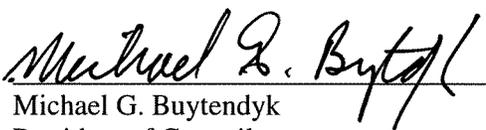
VIII. MISCELLANEOUS

President Buytendyk thanked the safety services for their efforts with Councilmen Myers and Silvestri echoing the same.

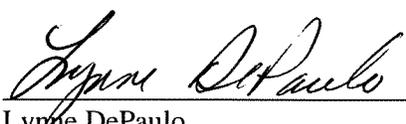
Councilwoman Warden thanked Officer Matt Cruise, Shannon Waller, Everything Rubbermaid and the many volunteers that are helping to keep the downtown square clean. She then spoke regarding the petition on racial injustice. She wanted to let the petitioners know city council has received it and she then read it for the record.

IX. ADJOURNMENT

Councilwoman Warden moved to adjourn, seconded by Councilman Ansel. By voice vote, the motion passed unanimously. Meeting adjourned at 11:03 p.m.



Michael G. Buytendyk
President of Council



Lynne DePaulo
Clerk of Council