

WOOSTER CITY COUNCIL MINUTES

9/6/2022

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. Clerk Lynne DePaulo called roll with the following members present; Craig Sanders, Barb Knapic, Bob Reynolds, Mark Cavin, Jon Ansel and Jennifer Warden. Scott Myers was absent. President Buytendyk announced that Jon Ansel had been sworn in before the City Council meeting to replace David Silvestri as Ward 3 representative. City Administration present: Mayor Bob Breneman, Finance Director Andrei Dordea, Director of Administration Joel Montgomery and Law Director John Scavelli.

II. APPROVAL OF MINUTES

There were three sets of minutes to be approved; June 21st – regular meeting, June 27th – special meeting and August 22nd – special meeting.

Councilwoman Warden moved to approve the minutes of the June 21, 2022 regular meeting, seconded by Councilwoman Knapic. Upon voice vote, the minutes were approved.

Councilwoman Knapic moved to approve the minutes of the June 27, 2022 special meeting, seconded by Councilman Sanders. Upon voice vote, the minutes were approved.

Councilman Sanders moved to approve the minutes of the August 22, 2022 special meeting, seconded by Councilwoman Knapic. Upon voice vote, the minutes were approved.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman announced that Wooster Community Hospital was awarded the Top 100 Hospitals by Fortune/Merative for the eighth time.

Main Street has been programming Music on the Square this summer that has been well received. The downtown area has benefited.

Housing development is moving forward. Property is being developed along Melrose Drive and Oak Hill.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Jim Pike, 3936 Stone Creek, Wooster OH requested more information on Ordinance 2022-16. Councilman Reynolds said a public hearing was being held on the rezoning issue and Mr. Pike's questions would be answered during that portion.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Councilman Reynolds stated that there were two public hearing being held. One for the annexation and rezoning of property along Oak Hill and Milltown, and the second hearing is for the Oak Hill Tax Increment Financing Incentive. Councilman Reynolds said that property comes into the city when annexed as R1, which is the default; immediately after that legislation, a request to rezone the newly annexed property is done. In this case, the property comes in as R1 and then the rezoning request is to have some parcels go to R2 (Single-family Residential) and some to R4 (Multi-family Residential).

Councilman Reynolds opened the public hearing for the annexation and rezoning. Mr. Millea, Development Coordinator for the City of Wooster spoke first. Mr. Millea said an analysis of the property showed that R4 was the proper zoning for the Twitchell property. Twitchell's also agreed to the annexation based on the agreement that their property would then be zoned R4.

Inverness was constructed with the intention of connecting to Milltown Road. A connection to Milltown would be necessary if the Twitchell property is zoned R1 or R2. The R4 zoning offers protection for the residents of Inverness from becoming a thru street. The R4 designation maintains exclusivity for both the multi-family development and the single-family development. The R4 zoning allows Inverness to stay a cul-de-sac.

The R2 zoning is the same as the Spring Hill development going in on Oak Hill Road.

Mr. Pike is concerned about what is going in on the property and will the drainage be disrupted. Mr. Montgomery stated that the zoning is done first. Development plans are not considered until the zoning is finalized. That way, the developer can design plans that fit the zoning and city standards for development and stormwater management. Mr. Millea explained the planning application procedure. Councilman Reynolds closed the public hearing for the rezoning.

Councilman Reynolds opened the public hearing for the Oak Hill Tax Increment Financing Incentive District Public Hearing. He explained that all the property discussed in the rezoning hearing will be added to the TIF.

Mr. Millea stated that he is excited to present to council at their October 17th meeting the creation of five separate districts within the Oak Hill TIF. Work on infrastructure is already underway. The TIF redirects future tax revenue up to thirty years to both the Wooster City Schools and to infrastructure. Residents within the TIF can opt-out, at this time, no one has done so. Being a part of a TIF district does not change the resident's tax rate.

Councilman Reynolds closed the public hearing for the TIF.

VI. UNFINISHED BUSINESS

1. Second Reading - ORDINANCE NO. 2022-14 (Amended)

AN ORDINANCE AMENDING CHAPTER 351, PARKING GENERALLY, CHAPTER 355, OFF-STREET PARKING FACILITIES AND REPEALING CHAPTER 357, PARKING VIOLATIONS BUREAU OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY ESTABLISHING A CIVIL PARKING VIOLATIONS BUREAU UNDER THE AUTHORITY OF OHIO REVISED CODE SECTION 4521 DECRIMINALIZING MOST PARKING VIOLATIONS. (Reynolds)

Councilman Reynolds stated Section 351.16 had been amended as requested. This legislation changes parking violations from criminal to an administrative matter. Councilwoman Knapic said that council is aware this isn't the end all on commercial vehicles on streets. The matter is still being discussed and modifications may be coming. Councilman Reynolds would like to suspend the rules and vote on the Ordinance this evening.

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

Councilman Reynolds moved to adopt, seconded by Councilman Sanders. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2022-16

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON OAK HILL ROAD AND WEST MILLTOWN ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS (Jonathan Millea, Agent for Petitioners) (Reynolds)

Councilman Reynolds said this is a standard annexation request that has gone through the necessary process.

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

Councilman Reynolds moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

2. First Reading – ORDINANCE NO. 2022-17

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO REZONE LAND TO R-2 (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND R-4 ((MULTI-FAMILY RESIDENTIAL DISTRICT) FOR PROPERTY LOCATED AT THE INTERSECTION OF MILLTOWN AND OAK HILL ROAD (Reynolds)

Councilman Reynolds stated the public hearing had been held.

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

Councilman Reynolds moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

3. First Reading – ORDINANCE NO. 2022-22

AN ORDINANCE AUTHORIZING THE CITY OF WOOSTER TO ACCEPT A TRANSFER OF LAND FROM THE BOARD OF WAYNE COUNTY COMMISSIONERS (Knapic)

Councilwoman Knapic motioned to amend Section 1 of the legislation to read Wayne County Commissioners not Wooster City School; seconded by Councilman Cavin. Upon roll call, motion to amend passed 6-0 ((Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

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

Councilwoman Knapic moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

4. First Reading – RESOLUTION NO. 2022-27

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AND CONTINUE A CONTRACT FOR PROPERTY AND GENERAL LIABILITY INSURANCE FOR THE MUNICIPAL GOVERNMENT AND ALLOWING FOR IMMEDIATE ENACTMENT (Reynolds)

Councilman Reynolds said this is for the insurance renewal and continued use of the Ohio Plan coverage.

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

Councilman Reynolds moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

5. First Reading – RESOLUTION NO. 2022-28

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (Sanders)

Councilman Sanders said this legislation is required and is done every year. The Schedule A included in the legislation has been accepted by the County Budget Commission and it is now the City's turn to accept the Schedule A.

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

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

6. First Reading – RESOLUTION NO. 2022-29

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AGREEMENTS (Sanders)

Councilman Sanders said the minutes from the Tax Incentive Review Council were included with the legislation and explains what is happening the rest of the evening and the actions necessary.

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

Councilman Sanders moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

7. First Reading – RESOLUTION NO. 2022-30

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING COMMUNITY REINVESTMENT ACT AGREEMENTS (Sanders)

Councilman Sanders said this legislation is to accept the recommendation that the TIRC made for the CRA areas.

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

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

8. First Reading – RESOLUTION NO. 2022-31

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER A MUTUAL TERMINATION AGREEMENT WITH XCESS LIMITED FOR CRA INCENTIVES PERMITTED THROUGH ORDINANCE NO. 2013-40, FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this is a mutual termination between the City and XCESS Limited.

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

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

9. First Reading – RESOLUTION NO. 2022-32

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER A MUTUAL TERMINATION AGREEMENT WITH COYOTE GROUP LLC FOR CRA INCENTIVES PERMITTED THROUGH ORDINANCE NO. 2019-12 FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this is a mutual termination between the City and Coyote Group LLC.

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

Councilman Sanders moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

10. First Reading – ORDINANCE NO. 2022-18

AN ORDINANCE AMENDING ORDINANCE NO. 2014-06 BY AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO AMEND AN AGREEMENT ADDING PURPLE MARTIN PICTURES LLC TO THE COMMUNITY REINVESTMENT AREA AGREEMENT WITH ATO LLC AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this legislation is to add a member to the agreement. Mayor Breneman will not be signing the legislation due to a personal connection with entities. The Ordinance becomes effective in the same manner as if it had been signed per Section 3.04 of the Charter of the City of Wooster, Ohio.

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

Councilman Sanders moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

11. First Reading – ORDINANCE NO. 2022-19

AN ORDINANCE AUTHORIZING THE MAYOR TO AMEND THE CITY'S AGREEMENT WITH CM PROPERTIES LLC AS PERMITTED THROUGH ORDINANCE NO. 2011-11, FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders said this request is to modify the job requirements and payroll.

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

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

12. First Reading – ORDINANCE NO. 2022-20

AN ORDINANCE AMENDING ORDINANCE NO. 2010-24 BY AUTHORIZING THE MAYOR AFFIRM AUTHORIZATION OF CRA EXEMPTION TO RESIDENTIAL UNITS AT PROJECT SITE, AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders asked Mr. Millea to explain the legislation. The residential units within Merchants Block will have ownership transferred from Ed Howman to the individual unit owners per a request from the Wayne County Auditor.

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

Councilman Sanders moved to adopt, seconded by Councilman Ansel. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

13. First Reading - ORDINANCE NO. 2022-21

AN ORDINANCE AMENDING ORDINANCE NO. 2014-18 BY AUTHORIZING THE MAYOR TO JOIN GRAM HOLDINGS LLC TO THE COMMUNITY REINVESTMENT AREA AGREEMENT WITH EKHO KOLE, ALLOW TENANTS AS PARTY TO AGREEMENT, AND TO AFFIRM AUTHORIZATION OF CRA EXEMPTION TO RESIDENTIAL UNITS AT THE PROJECT SITE, AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

Councilman Sanders asked Mr. Millea to explain the legislation. This is similar to the previous legislation entailing transfer of ownership to the individual unit owners and adding Weaver Custom Homes and Fingerprint Homes LLC as tenants in the agreement. Along with adding Gram Holdings LLC to the agreement as a co-enterprise.

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

Councilman Sanders moved to adopt, seconded by Councilwoman Knapic. Upon roll call, motion to adopt passed 6-0 (Knapic-yes; Ansel – yes; Reynolds – yes; Sanders – yes, Warden – yes, Cavin-yes; Myers absent)

IX. MISCELLANEOUS

Council members were grateful to be back and welcomed Jon Ansel as the representative of Ward 3.

X. ADJOURNMENT

Councilman Ansel motioned to adjourn, seconded by Councilman Sanders. Upon voice vote, the motion passed. The meeting adjourned at 9:30 p.m.



Michael G. Buytendyk
President of Council



Lynne DePaulo
Clerk of Council