

**WOOSTER CITY COUNCIL MINUTES**  
**11/20/2023**

**I. ROLL CALL & ORDERING OF AGENDA**

President Mike Buytendyk called the regular meeting of Wooster City Council to order shortly after 7:30 p.m. Clerk Amy Hamilton called the roll with the following members present: Jon Ansel, Mark Cavin, Mike Buytendyk, Barb Knapic, Scott Myers, Bob Reynolds, Craig Sanders, and Jen Warden.

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

**II. APPROVAL OF MINUTES**

Ms. Warden moved to approve the minutes of the November 6, 2023 regular meeting, seconded by Mr. Sanders. Upon voice vote, the minutes were approved.

**III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

Mayor Breneman reported that Window Wonderland was a success and praised the volunteers for their hard work in putting together the event. The Mayor also reported that a group of seven residents have agreed to serve on the 2023 Compensation Commission, and council members were given a memo with the list of names to approve. Mayor Breneman said the city will be presenting the proposed 2024 appropriations budget and a Finance Committee meeting has been scheduled for Monday, December 4<sup>th</sup> at 5:30 p.m.

Director Dordea stated that the Public Properties Maintenance Manager, Curt Denning, had compiled a list of the costs (\$26,934.94) for repairing the damage from the derecho storm that struck the city during the past summer. The City should be receiving funds from the state's disaster relief program to reimburse those expenses.

Director Montgomery noted there are several large projects in the proposed 2024 budget, including a roundabout at Oak Hill and Milltown Roads, Christmas Run Pool, and various sanitary sewer projects. Director Montgomery also shared that the City has scheduled two public hearings for electric and natural gas aggregation. Those meetings are open to the public and scheduled for Monday, December 18<sup>th</sup> at noon and 6:00 p.m. He also said the process of getting the aggregation plan ready to enroll city residents will take approximately four months. Director Montgomery emphasized that the City is not and would not go door-to-door to enroll residents in the aggregation program.

President Buytendyk asked council members if they had any comments regarding the nominees for the 2023 Compensation Commission. There were no objections, Mr. Myers moved to accept the list of nominees as presented, seconded by Mr. Ansel. Upon voice vote, the Compensation Commission nominees were unanimously approved.

**IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

Mr. Jason Carrick spoke on behalf of the CRA application from 585 Partners, LLC. Mr. Carrick stated his plan is to build a new retail facility on Akron Road, move the current Everything Surplus operations to the new facility from its current location, and create a discount grocery store at the former location. Mr. Carrick also stated that he has not spoken to Freeman Construction, Dan Freeman, or Craig Sanders about the project.

**V. COMMITTEE REPORTS; PUBLIC HEARINGS**

Public Hearing - Noble Drive Rezoning

Mr. Reynolds opened the public hearing on the request to re-zone two parcels of land on Noble Drive and asked if anyone would like to speak in favor of the request. Mr. Chad Knupp, representing The Village Network (TVN),

said the request was made because TVN would like to convert existing space into a daycare facility, and current zoning does not allow for that type of use. Mr. Chad Boreman also spoke in support, stating he serves on the Board of TVN, and the daycare and early childhood facilities would be created for those who really need those services.

No one spoke against the proposal, and Mr. Reynolds concluded the public hearing.

## **VI. UNFINISHED BUSINESS**

1. Brought from Table – ORDINANCE NO. 2023-24 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH 585 PARTNERS LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES (Reynolds)

Mr. Reynolds announced he would like to move to bring Ordinance No. 2023-24 from the table. Mr. Sanders recused himself immediately and sat down in the audience.

Mr. Reynolds moved to bring the legislation from the table, seconded by Mr. Myers. Upon roll call, motion to bring from the table passed 6-0. (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds – yes, and Warden – yes.)

Mr. Reynolds noted that council had three previous readings of this legislation and heard from both the business partners and city administration on the subject. He stated Wooster Growth had not recommended approval and Wooster City School District received notice and did not register an opinion on the matter.

Ms. Knapic praised Mr. Carrick for the good he has done for the community. She stated her main concerns for this project relate to the rezoning of the property and the existing and potential traffic volume. Ms. Knapic said while she believes it is a good project, she will not support the application due to her concerns about traffic volume on a road controlled by the state, that retail CRAs have previously only been granted in the downtown area, and treating business owners, residents, and the community fairly.

Ms. Warden said that while she agrees with much of what Ms. Knapic said, she believes it is better for a project such as the one proposed to go through than to wait for another project that may have a more negative impact in the area.

Mr. Myers said the zoning issue has already been decided and stated he believed the amount of business brought into town from outside the city limits makes the proposed retail business more like a basic sector business. He also said he does not believe Wooster Growth has the authority to review CRA applications and would like to remove Wooster Growth from the process.

Mr. Reynolds said he appreciates the businesses Mr. Carrick operates and his contributions to the community. Mr. Reynolds stated his opposition to this CRA application is that tax incentives are not entitlements and council can and should exercise discretion on each application. He said he understands business owners want as much certainty as possible, but when asking for taxpayer assistance the process is not automatic.

President Buytendyk stated he believed the application met all of the requirements, he supported the application when it was presented to Wooster Growth, and he would cast an affirmative vote to break the tie and pass the legislation.

Mr. Reynolds moved to adopt, seconded by Mr. Myers. Upon roll call, motion to adopt passed 4-3. (Ansel – yes, Buytendyk – yes, Cavin – no, Knapic – no, Myers – yes, Reynolds – no, and Warden – yes)

Mr. Sanders returned to his seat with council members.

Mayor Breneman exercised the Mayor's Veto Power in accordance with Section 3.04 of the codified ordinances by submitting a letter to the Clerk explaining why he would not sign this legislation. The Clerk received the notice at 4:30 p.m. on Tuesday, November 21, 2023 and she forwarded the letter to council members to inform them of the Mayor's decision.

2. Second Reading – ORDINANCE NO. 2023-26 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Sanders)

Mr. Sanders noted several employees have needed to change their healthcare situation and costs have increased beyond the budgeted amount.

President Buytendyk asked if the increased costs in 2023 meant an increase in 2024. Director Dordea replied there will be approximately a 14% increase in premiums for 2024. The 2023 increases were caused by virtually full employment and at least 12 employees went from a lower priced plan to a higher one based on a life event such as marriage or having a child.

Ms. Warden asked if the city has a policy in place such that if an employee's spouse is offered coverage through their employer, then that spouse cannot enroll in the city's plan. Director Dordea said the city does not have that type of policy.

Mr. Sanders moved to suspend the rules, seconded by Ms. Warden. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Myers moved to adopt, seconded by Mr. Ansel. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

3. Second Reading - ORDINANCE NO. 2023-27 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Sanders)

Mr. Sanders noted that the requested funds would provide a special blood panel for first responders and look for things typical blood work does not detect.

Ms. Knapic reiterated information from the previous meeting that this would be a one-time expenditure, and then the first responders could use the results of the blood panel to follow up with their primary care doctors using regular insurance.

Mr. Sanders moved to suspend the rules, seconded by Ms. Warden. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Sanders moved to adopt, seconded by Mr. Ansel. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

4. Second Reading - RESOLUTION NO. 2023-68 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND BEST BIDDER(S) FOR THE PURCHASE OF CERTAIN MATERIALS FOR THE WATER TREATMENT PLANT, AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Mr. Ansel stated the legislation to solicit bids is an annual process to procure chemicals to treat the city's water and the costs are budgeted.

Mr. Ansel moved to suspend the rules, seconded by Mr. Sanders. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Ansel moved to adopt, seconded by Ms. Warden. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

5. Second Reading - RESOLUTION NO. 2023-70 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO CONTRACT TO PURCHASE REPLACEMENT PARTS AND IMPROVEMENTS FOR THE CITY'S ANAEROBIC DIGESTER SYSTEM AND BIOGAS GENERATOR, AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Mr. Ansel stated this legislation would allow the bidding process to begin for a contract for the necessary parts and improvements. He noted the total expenditures would be approximately \$4,750,000 and is very critical since most of the system is currently not in operation due to unrepairable failures. Mr. Ansel said the improvements and repairs would allow the system to resume accepting high-strength waste to process, which would generate revenue for the city. He added \$800,000 of the cost will be covered by ARPA grant funds.

Mr. Cavin asked if accepting the high-strength waste will cause issues with smells. Mr. Mike Fritz, Utilities Manager, said it should not.

Ms. Knapic noted other businesses rely on the city's ability to accept waste for processing and their costs have increased while the city's system has been out of operation.

Mr. Ansel moved to suspend the rules, seconded by Ms. Knapic. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Ansel moved to adopt, seconded by Mr. Sanders. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

6. Second Reading - RESOLUTION NO. 2023-71 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF WATER METER REPLACEMENTS AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Mr. Ansel said this is an annual and recurring expenditure that will be in the 2024 budget. He said the contract would not be competitively bid because Badger Water Meters have specialized technology required for the city's water system.

Mr. Sanders asked why there was a rush to approve the legislation. Mr. Fritz replied there have been supply chain problems in the past and the city has gone several months without shipments. The sooner purchase orders and agreements can be put into place, the smoother the process will be.

Mr. Ansel moved to suspend the rules, seconded by Ms. Warden. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Ansel moved to adopt, seconded by Mr. Myers. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

7. Second Reading - RESOLUTION NO. 2023-72 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF METER TRANSMITTING UNITS AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Mr. Ansel explained that the meter transmitting units from Aclara provide the technology needed to read water meters for billing purposes.

Mr. Ansel moved to suspend the rules, seconded by Mr. Sanders. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Ansel moved to adopt, seconded by Mr. Cavin. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

## VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2023-28 AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

Mr. Sanders explained this ordinance is the appropriations budget for 2024. Director Dordea said both the hospital's and the city's budgets will be presented in detail at the Finance Committee meeting scheduled for 5:30 p.m. on Monday, December 4, 2023. Director Montgomery asked council members to please reach out to city administration if they have any questions. The ordinance was left on first reading.

2. First Reading – ORDINANCE NO. 2023-29 AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO C-1 (OFFICE/INSTITUTIONAL) FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF BENDEN DRIVE AND NOBLE DRIVE (Reynolds)

Mr. Reynolds noted the zoning request was discussed earlier in the meeting during the public hearing. Since there is no urgency to the legislation, he left the item on first reading.

3. First Reading – RESOLUTION NO. 2023-73 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 INSTALLATION OF A NATURAL GAS GENERATOR FOR THE WATER TREATMENT PLANT AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Mr. Ansel stated the legislation is a request to allow city administration to solicit bids for a natural gas backup generator for the Well S-3 and noted it is a budgeted item.

Ms. Knapic asked if there currently was a backup generator. Mr. Fritz replied there is a plug-in portable electric backup generator. In the case of flooding, the city might not be able to get the portable generator to the well to maintain power. Mr. Fritz said the natural gas generator would be a permanent generator, and should allow for uninterrupted power.

Mr. Ansel moved to adopt, seconded by Mr. Cavin. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

4. First Reading – RESOLUTION NO. 2023-74 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 INSTALLATION OF CITY HALL CHILLER EQUIPMENT AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)

Ms. Knapic stated funds for the chiller equipment will be included in the 2024 budget and she will leave the item on first reading.

5. First Reading – ORDINANCE NO. 2023-30 AN ORDINANCE AMENDING CHAPTER 1705.02 RATE OF TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Sanders)

Mr. Sanders said this resolution is related to bed tax money and what percentages are to be used for the city's oversight and administrative costs and what percentage will be used for economic development. He said the city is reducing the administrative percentage from 4% to 2%, and the remaining 98% will be utilized for promoting economic development.

Director Dordea explained, in the past, the city would take 4% for administrative fees and the remaining 96% was split 50/50, with half going to the city's general fund and the other half doing to the economic development fund.

Mr. Sanders moved to suspend the rules, seconded by Ms. Knapic. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Sanders moved to adopt, seconded by Ms. Knapic. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

6. First Reading – RESOLUTION NO. 2023-75 A RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS APPLICANTS FOR THE USE OF ECONOMIC DEVELOPMENT MONIES (Sanders)

Mr. Sanders said there had been a lot of discussion over the summer related to the bed tax. He said this legislation allows for a direct fund allocation of about 77% of funds to several entities and the remaining 23% will be split between competitive grant funds (16.27%) and direct fund projects (6.78%). Mr. Sanders said he hoped all parties were satisfied with the result of the new allocations.

Mr. Myers said he looks forward to seeing simplified applications for the competitive grant portion of the funds.

Mr. Reynolds noted the city administration was looking to have some competitive opportunities for entities beyond the standard partners and this new allocation arrangement holds the standard partners harmless while still allowing for competitive opportunities.

Mr. Sanders moved to suspend the rules, seconded by Ms. Knapic. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

Mr. Sanders moved to adopt, seconded by Mr. Myers. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

7. First Reading – RESOLUTION NO. 2023-76 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO CONTRACT WITH SEIFERT TECHNOLOGY FOR NEW PROCESSORS FOR REMOTE SITES AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)

Mr. Ansel said this legislation will allow the city to update remote sites in advance of the new fiber optic network. He said the existing processors are 15-20 years old. Mr. Ansel said the seven sites include the North Wellfield, Wells S1, S2, and S3, and the Madison, Mechanicsburg, and Buckeye Booster Stations.

Mr. Ansel moved to adopt, seconded by Mr. Sanders. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

8. First Reading – RESOLUTION NO. 2023-77 A RESOLUTION TO ADOPT THE 2023 WAYNE COUNTY HAZARD MITIGATION PLAN (Cavin)

Mr. Cavin said FEMA requires an updated hazard mitigation plan every five years. Director Montgomery said having this plan in place allows the city to apply for funding.

Mr. Cavin moved to suspend the rules, seconded by Ms. Warden. Upon roll call, motion to suspend the rules passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

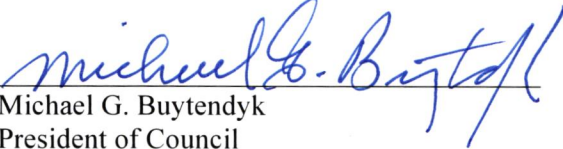
Mr. Cavin moved to adopt, seconded by Ms. Warden. Upon roll call, motion to adopt passed 7-0 (Ansel- yes, Cavin – yes, Knapic – yes, Myers – yes, Reynolds-yes, Sanders – yes, and Warden – yes)

### VIII. MISCELLANEOUS

Ms. Linda Smith, 3108 Bayberry Cove, shared information regarding the severe weather shelter at the Salvation Army.

### IX. ADJOURNMENT

Mr. Ansel moved to adjourn, seconded by Mr. Myers. Upon voice vote, the motion passed. The meeting adjourned at 9:29 p.m.

  
Michael G. Buytendyk  
President of Council

  
Amy Hamilton  
Clerk of Council