

City of Wildwood
Council Planning/Parks Committee
“Planning Tomorrow Today”
November 17, 2020 Meeting

The Council Planning/Parks Committee meeting was called to order by Chair McCutchen, at 6:30 p.m., on November 17, 2020, **in a virtual format (Zoom Webinar).**

I. Welcome and Roll Call:

The roll call was taken, with the following results:

PRESENT – (8)

ABSENT – (0)

Council Member Clark
Council Member Bartoni
Council Member Nyhan
Council Member Dodwell
Council Member Rambaud
Council Member Flaschar
Council Member Garritano
Chair McCutchen

Other City Officials present:

Joe Vujnich, Director of Planning and Parks
Kathy Arnett, Assistant Director of Planning and Parks
Gary Crews, Superintendent of Parks and Recreation

II. Approval of Minutes from the Committee’s Meeting of October 20, 2020

A motion was made by Council Member Rambaud, seconded by Council Member Dodwell, to approve the minutes of the October 20, 2020 meeting. A voice vote was taken to approve the motion, with affirmative result. Council Member Flaschar abstained from the vote. The motion was declared approved by Chair McCutchen.

III. Public Input (opportunity for the public to speak to any Action Item on Tonight’s Agenda)

Nancy Fischer: expressed her disappointment with decisions made about the ordinance relating to the constant emitters of noise. Ms. Fischer stressed her doubt about the motors causing the noise at the aquaculture farm having really been replaced and the current reduction in noise is temporary at best. She ask the Committee how the situation will be handled, when the noise level at the aquaculture farm once again reaches intolerable levels and whether Dr. Thunder

will be called back to Wildwood to investigate the violation again. Ms. Fischer made it know that neighborhood patience is running thin and does not understand why no charges have ever been issued to the aquaculture owner. She wanted to make sure the Committee understood that none of the neighbors surrounding the aquaculture have ever said they want the farm to go out of business, they just want the noise to go away.

Michael Lisk: submitted a letter to the Committee expressing concern the nighttime sound levels being discussed/considered would not be tolerable/acceptable to the operation of the aquaculture farm.

IV. Action Items

a.) Planning Matters – Four (4) Items Ready for Consideration

1. Work Plan for Review of Previous Changes to the Zoning Ordinance and Noise Code for Constant Emitters of Noise (Wards - All)

Director of Planning and Parks Vujnich provided an extensive review/history of the Noise Code and Zoning Ordinance's treatment of sound, examining each component of it, and explaining why the process was necessary. He noted that, while much of the reasoning for the systematic review involved the aquaculture topic, a special effort was made to address other areas of concern also. Director of Planning and Parks Vujnich reminded the Committee of six (6) areas of ordinance review it had agreed to address: Define, Restore, Modify, Create, Retain, and Introduce. These six (6) items were identified for further study in an attempt to create a better network of regulations to ensure appropriate standards are in place to address constant emitters of sound, regardless of type and nature. He advised the Committee the Department believes the Committee can consider immediate actions on three (3) of these six (6) items:

Define A Nighttime Ambient Level: It was recommended the nighttime ambient background level of noise for all rural areas of Wildwood be set at thirty-nine (39) decibels (a standard set by the American National Standards Institute).

Restore Permitted Use Rights: It was recommended to restore the allowable permitted uses to the NU Non-Urban Residence District zoned property that has and existing aquaculture operation in place, without the benefit of the Conditional Use Permit (CUP).

Retain Current Hours: It was recommended to keep the current daytime and nighttime hours as already defined, which are typically more restrictive than national standards.

Discussion among Committee Members included the following: the fact that, when the pond construction began at the site of the existing aquaculture, the City was not aware that an aquaculture operation in it was planned; the fact that, when the aquaculture was made operational, excessive noise was noticeable, but the noise levels did not violate ordinance; the question of how Dr. Thunder came to the determination of 39 decibels for the nighttime sound requirement; the opinion the 3% plus/minus to the 39 decibel nighttime requirement be included in the ordinance; a request to check with other cities to determine if any have a 39 decibel nighttime requirement; the opinion the transition from 50 decibels (the current City limitations for nighttime sound) to 39 decibels is drastic; the fact that Dr. Thunder definitely believes 50 decibels is inappropriate; the question of whether the revisions to the *Zoning Ordinance and Noise Code for Constant Emitters of Noise* will address large water features; whether the revised ordinance will address the entire City or just the rural areas; and the opinion the City has an obligation to restore the property rights to the owner of the current aquaculture.

2.) Location of the 11th Historic Community Marker in Orrville Historic Area (Ward – One)

Assistant Director of Planning and Parks Arnett provided an overview of the three (3) locations in the Orrville Area for the City's 11th Historical Marker. She noted that, with the completion of the City's latest bridge project on Eatherton Road, more adequate right-of-way became available for the installation of the marker. Assistant Director of Planning and Parks Arnett identified these potential locations for the installation along Eatherton Road, with a cost between seven thousand five hundred dollars (\$7,500.00) to fifteen thousand dollars (\$15,000.00), depending on which site is selected. The following items were noted:

Site Option #1 is near a private driveway, but may offer sufficient space for the sign. Site Option #2 would be the most expensive, needing the relocation of a guard rail. Site Option #3 is near a private driveway, but it might be problematic to install the sign.

Assistant Director of Planning and Parks Arnett noted the goal is to place the historic marker in an area where people could safely walk to it to read the information and/or park their cars nearby.

A motion was made by Council Member Dodwell, seconded by Council Member Flaschar, to develop concept plans for the installation of the 11th Historic Community Marker on Eatherton Road at the areas designated as Options #1 and #3. A voice vote was taken to approve the motion, with unanimous, affirmative result. The motion was declared approved by Chair McCutchen.

3.) Update on Rural Internet Access Responses to the Request for Proposals (RFP) Wards – All)

Director of Planning and Parks Vujnich provided an overview/summary of the efforts to bring high speed internet services to the western portion of the City of Wildwood since 2007. The effort of the City of Wildwood and the Rural Internet Access Committee (RIAC) to bring high speed internet to the western portion of Wildwood has proven frustrating with regards to a solution. He noted that currently, after a Request for Proposals (RFP) was issued at the start of 2020, three (3) companies remain competitive with proposals to serve the rural areas of Wildwood: Bays ET, MetroNet, and Spectrum. All three (3) companies have significant differences associated with their proposals, but each do include a significant cost. Director of Planning and Parks Vujnich advised the City has currently budgeted/allocated \$280,000.00 for this essential service, but the actual cost could be from five (5) to ten (10) million dollars. He noted the Department, and the Rural Internet Access Committee, have been working closely with a consultant on this matter and the issue will be presented to the City Council's Work Session for its first discussion there. Director of Planning and Parks Vujnich identified at least ten (10) factors the Rural Internet Access Committee and the Department has been trying to address since 2007. He advised the Committee it would receive information to review before the City Council Work Session at the November 23, 2020 meeting.

4.) Discussion Regarding the Installation of Landscaping and other Sound Mitigation Considerations along State Route 100 (Ward – Five)

Director of Planning and Parks Vujnich reminded the Committee of past discussion regarding sound mitigation along State Route 100. He advised, as a result of these discussions, the Department included funding in its proposed 2021 Fiscal Year budget to cover this cost. Unfortunately, this funding was necessarily removed during subsequent budget discussions, so no funding exists in the 2020 or 2021 budgets to address the sound mitigation issue. Director of Planning and Parks Vujnich advised the Department will continue to research funding opportunities to address the sound mitigation issue/needs along State Route 100.

b.) Parks Matters – Three (3) Items for Consideration

1.) List of Priority Projects for 5-Year Capital Improvements Plan (Wards – All)

Director of Planning and Parks Vujnich explained the 5-Year Capital Improvements Plan and how it is a *planning tool* for the Department of Planning and Parks and Public Works. He noted it is a very important tool for the City Council too, which must manage expenditures of collected tax dollars. Director of Planning and Parks Vujnich advised the Committee the current *List of Priority Projects for the 5-Year Capital Improvements Program* is being presented for its review, discussion and prioritization.

Discussion among Committee Members included the following: the fact the City has significantly altered the budget for 2021; the suggestion to move any plans for Community Park from its position at #9 on the list to #13; the suggestion to remove #11, Property Acquisitions, from the list entirely; the question of why the development of Woodcliff Heights Park, #5 on the list, was being considered as a priority; the question of why \$500,000.00 was put aside for Poertner Park (#6 on the list); the question of whether there is still a way athletic courts (Pickle Ball and/or basketball) could be considered for Community Park, even though it was suggested to eliminate funding for this facility; the question of whether the budgeted monies for property acquisition was actual, or just a *place holder*; the suggestion to cut back budgeted funds for the proposed Village Green, since Community Park is available; the suggestion to limit development of Woodcliff Heights Park to the clearing of Honeysuckle, creation of nature trails, and the planting of a few bushes; the suggestion to reduce the budget provision for Poertner Park for several years; and if efforts could be made to expediate the final decisions on the house located in Poertner Park.

2.) Update on Virtual Recreation Programs and Events (Wards – All)

Assistant Director of Planning and Parks Arnett summarized the virtual recreation programs and events that have taken place, since the October meeting, and those activities planned for the coming months.

3.) Update Report on Facility Reservations, Event Registrations, and Ongoing and Long-Term Maintenance Costs for Parks and Trail Facilities (Wards – All)

The Committee was advised to contact Assistant Director of Planning and Parks Arnett with any questions or comments.

c.) Executive Session Matters – One (1) Item Ready for Consideration

1.) Executive Session Pursuant to RSMO 610.021 (2) Lease, Purchase, or Sale of Real Estate.

A motion was made by Council Member Bartoni, seconded by Council Member Dodwell, to enter Executive Session with regard to the lease, sale, or purchase of real estate (RSMO 610.021(2)).

A roll call vote was taken, with the following results:

Ayes: Council Members Clark, Bartoni, Nyhan, Dodwell, Rambaud, Flaschar, Garritano, and Chair McCutchen.

Nays: None

Absent: None

The motion was declared approved by Chair McCutchen.

Time: 8:11 p.m.

A motion was made by Council Member Clark, seconded by Council Member Bartoni, to adjourn the Executive Session regarding the lease, sale, or purchase of real estate (RSMO 610.021(2)).

A roll call vote was taken, with the following results:

Ayes: Council Members Clark, Bartoni, Nyhan, Dodwell, Rambaud, Flaschar, Garritano, and Chair McCutchen.

Nays: None

Absent: None

The motion was declared approved by Chair McCutchen.

Time: 8:21 p.m.

V. Not Ready for Action – Planning and Parks Matters – Four (4) Items

Nothing ready for discussion.

VI. Other Matters for Consideration

None

VII. Closing Remarks and Adjournment.

Director of Planning and Parks Vujnich and Chair McCutchen summarized the evening's meeting and **a motion was made by Council Member Flaschar, seconded by Council Member Bartoni, to adjourn. A voice vote was taken to approve the motion, with unanimous, affirmative result, and it was declared approved by Chair McCutchen at 8:22 p.m.**