

**City of Waterville**  
**Minutes of Regular Council Meeting of:**  
**January 12, 2015**

The regular meeting of the Waterville Council was called to order by Mayor Lori Brodie at 6:30 p.m. in the Council Chambers of the Waterville Municipal Building.

A prayer was offered by Mrs. Bruno. The Pledge of Allegiance was recited.

Present at roll call were Mr. Rozic, Mr. Valtin, Mrs. Krise, Mayor Brodie, Mrs. Bruno, and Mr. Larkins.

Mayor Brodie made a motion to excuse the absence of Mr. Pedro. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Also present were Jim Bagdonas, Administrator; Phil Dombey, Law Director; Steve Schult, Treasurer; and Melissa Cook, Recording Secretary.

**Staff Present:**

Dale Knepper – Director of Finance and Administration, Clerk of Council  
David LaGrange – Police Chief  
Patrick Wambo – Fire Chief  
Ken Blair – Public Works Director

**Citizens Present:**

Please see Citizens' Sign-In Sheet, Exhibit A, Page 1 for a list of people present.

**Approval of Minutes:**

Mr. Rozic moved to approve the minutes of the December 8, 2014 Regular Council meeting. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

**Citizen's Comments:**

None

**Staff Reports:**

Administration: Mr. Bagdonas –

- Stated that he didn't have anything to add to his report that wasn't agenda specific.

Law Director: Mr. Dombey – No report.

Finance Director: Mr. Knepper –

- Wished everyone a Happy New Year.
- Reported that the September, 3<sup>rd</sup> Quarter Report was sent out previously to both the Finance Committee and Council. He is scheduling the October and November reports for the next Council meeting and will have the year-end report ready in February. Our consultants for the GAAP Report will be here in February to start the 2014 Financial Reports.

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- Stated that included in Council's packet was a flier insert announcing that RITA will be at the City of Waterville Municipal Building/Council Chamber on February 26 from 1:00 p.m. to 7:00 p.m. to offer free Municipal Income Tax return preparation. Tax Auditors and Preparers will be here to meet with residents and assist them with RITA municipal income tax return preparation.
- Reported that included in Council's packet was the Summary of Revisions to the Proposed FY2015 Five-Year Capital Planning Program which will be covered later in the meeting.

Treasurer: Mr. Schult –

- Explained to Council that he made some changes to the Monthly Treasurer's Report in order to make it more "informational." He then briefly went over those changes.

Police Chief: David LaGrange

- Stated that Council members received a copy of the Police Department's Year End Report. He added that nothing really stands out. It was an average year but added that his officer's stayed very busy.
- Took receipt of the new police vehicles.
- Mentioned that Waterville was recently named the 'Most Safest Small City in Ohio.'

Mayor Brodie congratulated the Chief and his department, city staff, committee members and the Waterville community.

Fire Chief: Patrick Wambo

- Reported that on January 2<sup>nd</sup> our Medic Unit was involved in a crash on the east bound SR24 on-ramp. No one was injured and repairs to the vehicle will be handled by Waterville Bodyworks.
- Stated that the run volume for December was 61. This number is 20 above our normal monthly average.

Public Works Director: Ken Blair

- Wished everyone a Happy New Year.
- Reported that salt usage is down significantly from this time last year.
- Stated that he has extended the Christmas tree collection to the end of this week.

**Communications from Council Members/Committees:**

Mayor Brodie –

- Stated that Council received an additional list of proposed appointments to Various Commissions, Boards and Committees for 2015. She added that Jeff Marty has requested that he be reappointed to the Civil Service Commission for a three-year term and Diane Durbin has asked to serve another three-year term on

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the Tree Commission.

Mr. Larkins made a motion to approve the list of appointments. Mrs. Krise seconded the motion, which passed by unanimous voice vote.

Mr. Larkins – No report.

Mrs. Bruno – No report.

Mrs. Krise – No report.

Mr. Valtin – No report.

Mr. Rozic –

- Wished everyone a Happy New Year.
- Reported that he, along with Mrs. Krise and Mr. Larkins, just finished their first year as a Council Member. He added that it has been a very enjoyable and enlightening year.

**OLD BUSINESS:**

- A. **7:30 PM – PUBLIC HEARING - ORDINANCE 30-14** - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERTVILLE TO GRANT A CONDITIONAL USE PERMIT TO MICHAEL KOZLOWSKI TO OPERATE A VEHICLE SALES ESTABLISHMENT AT 445 ANTHONY WAYNE TRAIL

*Public Hearing and Legislative Action*

In Section 1137.03(t) of the Planning and Zoning Code, the sale of vehicles is listed as a Conditional Use in the C-1 Neighborhood Commercial District. The City has received an Application for a Conditional Use permit as described above. At the October 13 meeting, Council referred this matter to the Planning Commission for a recommendation. At the December 1 meeting, the Planning Commission voted 4 to 0 with one member absent to recommend that Council approve the Conditional Use, subject to the standard site plan review requirements applicable to this location.

Mayor Brodie stated since this evening's meeting began at 6:30 p.m. this agenda item would be put on hold and that the Public Hearing, discussion and action would take place after 7:30 p.m.

Mayor Brodie opened the Public Hearing for Ordinance 30-14 at 7:32 p.m.

Elaine Sabin, 422 Overlook Dr., stated that her property is directly behind the lot that is requesting the change in zoning. She then voiced her concerns regarding the noise that

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would be generated, lighting at night that could possibly shine into her home, the use of a trailer on the property vs. a structure if it isn't approved and the buffer or fencing between his business and the residential property behind. She then requested that they use the same fencing that is used by Dollar General next door so that it looks uniform.

Mayor Brodie thanked Ms. Sabin for coming to this evening's meeting. She stated that we have many Ordinances that address most of her concerns and also agreed with the request for the same fencing behind the property that was used by Dollar General.

Mr. Bagdonas stated a couple of Ms. Sabin's concerns will be addressed but what is before Council tonight is only the beginning of this process. There will be a detailed sight plans that the Planning Commission will review as part of the Commercial Overlay District. Details such as the buffer, lighting and what the building will look like will be addressed by them. He added that we also have Ordinances in our Code that pertain to noise in general that would apply in this instance.

Discussion continued.

Michael Kozlowski, owner of the property, stated that he sent a letter to all the neighbors explaining his intentions. He then stated that he is planning on closing his business between 6:00 – 6:30 p.m. and wasn't planning on keeping the lights on after that. He will utilize night vision cameras and doesn't feel the need to have lighting on after that time. He stated that he will not have a mechanic on site and that there will not be a service shop. He added that as far as the fencing/buffer he is completely open and will listen to any suggestions from the neighbors. He then briefly went over a rendering of the proposed building that was provided to Council.

Mayor Brodie closed the Public Hearing at 7:43 p.m.

Mrs. Krise moved to adopt Ordinance 30-14. Mr. Larkins seconded the motion.

Roll Call: Mrs. Krise – yes, Mr. Valtin – yes, Mayor Brodie – yes, Mr. Larkins – yes, Mrs. Bruno – yes, Mr. Rozic – yes. The motion passed unanimously.

**B. RESOLUTION 41-14 - A RESOLUTION APPROVING AND ADOPTING  
THE CITY OF WATERVILLE FY2015 FIVE-YEAR CAPITAL PLANNING  
PROGRAM FOR ALL MUNICIPAL FUNDS AND DEPARTMENTS**

This is the annual 5-Year Capital Planning Program. The Finance Committee discussed and recommended approval of the program at a meeting on October 24. This item is for ongoing discussion throughout the budget preparation process. According to the typical annual budget schedule, Council action to approve this Resolution would not be taken until the second Council meeting in January.

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Mayor Brodie stated that Council received a replacement page for the Capital Budget in their packets. She stated that she along with Mr. Valtin met with Mr. Bagdonas and the Department Heads to discuss potential changes, the possibility of shifting around items in the Capital Budgets and ideas on utilizing assets and not financing some of the bigger purchases. She added that Mr. Bagdonas made the changes that were discussed for us and then asked him to go over the revisions.

Mr. Bagdonas went over the 11 items that are listed on the Summary of Revisions to the Proposed FY 2015 Five-Year Capital Planning Program and Proposed FY 2015 Annual Appropriations that he prepared. These items include: moving the purchase of the Fire Chief's vehicle from 2017 to 2019, increasing appropriations in accounts 100-203-54100 and 100-203-54200 by \$1,500 each for a pickup truck cap and/or lockable cabinets for the Fire Chief's pickup truck, increasing appropriations in account 100-201-53860 by \$2,000 for repairs to the Police Chief's car in anticipation of the vehicle's use by the Deputy Fire Chief, moving the Fire Engine from 2019 to 2020 but begin \$20,000 per year of prefunding during the next five years (\$100,000 total) for this equipment. A \$400,000 note would be issued in 2020 for the balance needed with the expectation that a significant reduction in the principal of the note would not begin until 2027 after the full retirement of the Fire Station Bond in 2026, reduce the purchase of Police Cruisers from two to one in both 2018 & 2019, move the replacement of the Toro Mowing Tractor from 2017 to 2018 and the 5510 John Deere Tractor from 2018 to 2019, eliminate the \$60,000 Rescue Squad Note in 2018, move the \$400,000 Fire Engine Note from 2019 to 2020, reduce the transfer from General Fund to Five-Year Capital Fund from \$50,000 to \$35,000 in 2018 and eliminate the \$25,000 transfer from General Fund to Five-Year Capital Fund in 2019.

Mayor Brodie stated that we made these changes in the Capital side but the budget will not be approved until future meetings so there is still time if Council has further thoughts or ideas that would like to discuss. She added that she felt that they were able to come up with ways to resolve some of our issues. She added that she feels we need to look at the Capital and Operating sides as much as we can before we ask residents for money. Mayor Brodie and Mr. Valtin also explained to Council how they came up with the potential changes.

A lengthy discussion began with members of Council addressing questions to the Administrator and the Department Heads regarding the rescue boats and trailers, the SR64/River Road Intersection project, the new dump truck and salt spreader, Baer Park path lighting and ball diamond lighting at Waterworks Park.

- C. **7:30 PM – PUBLIC HEARING – ORDINANCE 34-14** - AN ORDINANCE ADOPTING THE ANNUAL APPROPRIATIONS FOR THE MUNICIPALITY OF WATERVILLE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND REPEALING ORDINANCE NO. 35-14, AND DECLARING AN EMERGENCY

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*Second Reading and Public Hearing*

A copy of the proposed FY 2015 Appropriations was included in the December 8 Council packet. The Finance Committee reviewed the budget at their November 21 meeting and unanimously recommends approval. Replacement pages for the FY 2015 Annual Appropriations Document, reflecting modifications resulting from Mayor Brodie and Council Member Valtin's recent meetings with the Municipal Administrator and Department Heads and a summary was included in Council's packet.

Mayor Brodie stated since this evening's meeting began at 6:30 p.m. this agenda item would be put on hold and that the Public Hearing, discussion and action would take place after 7:30 p.m.

Mayor Brodie opened and closed the Public Hearing at 7:44 p.m.

Mr. Bagdonas briefly reviewed the FY 2015 Appropriation Notes on pages three through five of the document.

**D. DISCUSSION – POTENTIAL CITY REVENUE ENHANCEMENTS**

1. Street Light Assessment
2. Tree Maintenance Assessment
3. Reducing City Income Tax Credit from 1.50% to 1.25%
4. Property Tax Levy for Construction, Reconstruction, Resurfacing, Maintenance and Repair of City Streets
5. Project Specific Special Assessments to Adjacent Property Owners for Street Repairs
6. Other

The Finance Committee has discussed recent trends in the City's General Fund income and a number of potential revenue enhancements to offset losses and to provide locally controlled revenue sources. The Committee has recommended that Council discuss and consider instituting one or more of the listed enhancements. Each Council member has previously received detailed information related to this issue. Additional information regarding road levies was included in the October 13 Council packet. Council has asked that this issue remain on the agenda for ongoing discussion.

A copy of Thomas Yurysta's April 4, 2014 Street Inventory Review was included in the October 27 Council packet. This review recommends the rehabilitation of 30 streets over a 10-year period. Excluding Fourth St., which will be done this year, and Fifth St., which will be done in 2015, the total cost of the remaining 28 streets is estimated to be \$2,122,000. The average cost of that total over the remaining eight years of the 10-year program is \$265,250 (2016 through 2023). At the City's current valuation, a 2.3-mil property tax levy would produce the annual amount needed to fund the program. The annual tax on a property with a market value of \$182,200 (Waterville median house

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price per 2010 census) would be \$144.56 for a 2.3 mill levy. A levy in this amount would allow up to approximately \$125,000 of income tax revenue per year to remain in the General Fund for City operations. Additional information on a page titled “Lost Revenue and What It Takes to Make It Up” prepared by Tom Titus was included in the December 8 Council packet.

Council did not have anything to add to this item for discussion this evening but Mr. Bagdonas wanted to point out that if Council has any desire to put a levy on the May 5<sup>th</sup> Ballot the deadline is February 4<sup>th</sup>. We would need some advance notice to prepare legislation.

**NEW BUSINESS:**

- A. **ORDINANCE 01-15** - AN ORDINANCE AMENDING SECTIONS 931.03(a) AND (b) OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE REGARDING WATER RATES

*First Reading*

Effective October 11, 2014, the City of Toledo’s water rates paid by Waterville increased approximately 68-percent, in accordance with the provisions of the Toledo-Lucas County Water Contract. Waterville was not informed of this pending increase at the time the 2014 through 2016 Water and Sanitary Sewer Rate Study was prepared, therefore, Waterville’s current water rates are not sufficient to cover this increased expense. A copy of the update of the Rate Study prepared by Proudfoot Associates is attached to the Ordinance. The update recommends a 33-percent increase in 2015 instead of a 3.5-percent increase in 2016. The recommended rates that would take effect with the water bills rendered on April 2, 2015 are contained in the Ordinance.

Mrs. Krise stated that the rate increase is mostly coming from the need to upgrade the City of Toledo’s facilities.

Mr. Bagdonas stated that the rate increase is not due to their upgrade needs. The last time Toledo/Lucas County entered into a new contract the structure of the rates changed. Previously there was a 50% surcharge paid over and above inside Toledo rates and also Toledo has what is referred to as a Declining Block Rate structure. In effect, the more water you use the less the cost per gallon for that water. Waterville, having a master meter, is a large water user so we were always in the lowest price per gallon per water. Besides increasing the surcharge from 50% to 75% we now pay the highest unit price block rate for every drop of water. The increase is the result of this combination. He added that we are not alone and that everyone else in this area covered by the City of Toledo contract has the same rate in effect now.

Mr. Rozic asked Mr. Bagdonas if the average increase per customer would be \$7.00 - \$9.00 per month in which he responded yes.

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- B. **ORDINANCE 02-15** - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A SPECIAL USE PERMIT TO CONSTRUCT A BUILDING ON AN 11.494 ACRE PARCEL OF LAND ON THE WEST SIDE OF PRAY BLVD. NORTH OF STATE ROUTE 64 ZONED C-3 WHERE THE IMPERVIOUS AREA LOT COVERAGE WILL EXCEED 75,000 SQUARE FEET AND DECLARING AN EMERGENCY

*First Reading*

The City received an Application for a Special use Permit as described in the title of the Ordinance. The property is zoned C-3. At the January 5 meeting, the Planning Commission unanimously approved a motion to recommend the granting of this Special Use Permit. The Planning Commission also approved the site plan for this project, subject to the comments noted in the December 31, 2014 letter from Thomas Yurysta and the approval by the Board of Zoning Appeals of variances for a landscaping issue and a parking issue. The Board of Zoning Appeals is scheduled to consider these variances on January 13.

- C. **RESOLUTION 01-15** - A RESOLUTION REQUESTING THE AUDITOR OF LUCAS COUNTY, OHIO TO ISSUE ADVANCE PAYMENTS ON THE CURRENT COLLECTION OF TAXES DUE THE CITY OF WATERVILLE

This Resolution is the City's annual request of the County Auditor to release property taxes collected to the City of Waterville in advance, instead of holding taxes until the collection process is complete at the county level. This allows us to receive our property tax revenue sooner.

Mayor Brodie moved to adopt Resolution 01-15. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

- D. **RESOLUTION 02-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO APPROVE CHANGE ORDER NUMBER TWO TO A CONTRACT WITH HENRY W. BERGMAN, INC. FOR THE 2014 PAVING PROGRAM

After the existing asphalt surface of North Fourth St. was milled off, the underlying concrete pavement, roadway base and subgrade were determined to be in very poor condition. The pavement core samples that were taken during the design of the project did not reveal this situation. It was necessary to replace the roadway base and subgrade with a new stone base to stabilize the pavement. This extra work was not included in the original bid for this project. Change Order Number Two includes the cost for the work.

Mr. Larkins moved to adopt Resolution 02-15. Mr. Valtin seconded the motion, which passed by unanimous voice vote. Mrs. Krise abstained from voting.

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- E. **RESOLUTION 03-15** - A RESOLUTION APPROVING THE PLAT OF COMMERCE VILLAGE AT WATERVILLE LANDING PLAT THREE AND AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO SIGN SAID PLAT

A Preliminary Plat for this property was approved by City Council on December 8, 2014. Midland Title Agency of Northwest Ohio, Inc., as Trustee for Devonshire REIT has now submitted a final plat for this subdivision. The City Engineer and the Planning Commission have reviewed the proposed plat and have recommended that it be approved. A copy of the deed restrictions for the plat in accordance with §1117.04(c)(1) has not yet been received and documentation that all taxes have been paid in accordance with §1117.04(c)(5) has not yet been received. Both of these items have approval conditions specified in the Resolution. This property is the site of the proposed Meijer store.

Mr. Larkins moved to adopt Resolution 03-15. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

- F. **RESOLUTION 04-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PROUDFOOT ASSOCIATES INC. FOR ENGINEERING SERVICES TO PREPARE PLANS, SPECIFICATIONS AND BID DOCUMENTS FOR THE MICHIGAN AVENUE WATERLINE REPLACEMENT – PHASE ONE

The Ohio Public Works Commission has approved a \$15,900 grant and 0-percent interest loan of \$143,100 for this 468,000 project through the State Capital Improvement Program (SCIP) administered by the Ohio Public Works Commission. In order to meet the schedule specified in the loan agreement, design work should begin at this time. This Resolution authorizes an Agreement with Proudfoot Associates for this work. A copy of their proposal is attached to the Resolution.

Mr. Rozic moved to adopt Resolution 04-15. Mr. Valtin seconded the motion which passed by unanimous voice vote.

- G. **RESOLUTION 05-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AMEND THE PROGRAMMATIC AGREEMENT FOR COORDINATION WITH THE OHIO HISTORIC PRESERVATION OFFICE FOR THE ADMINISTRATION OF PROGRAMS USING HUD ALLOCATED FUNDS WITH DELEGATED REVIEW RESPONSIBILITIES AUTHORIZED UNDER 24 CFR PART 58

Any private rehabilitation work undertaken as part of Downtown Revitalization grants funded through HUD is subject to regulations administered by the Ohio Historic

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Preservation Office (OHPO). For our past Downtown Revitalization grant projects, we operated under a Programmatic Agreement that has been a useful tool in working with the building owners and eliminating some of the paperwork associated with OHPO coordination. OHPO has requested an amendment to the Programmatic Agreement that would extend the Agreement for an additional five years to December 31, 2019, clarify existing exempt activities, add more exempt activities and include additional administrative provisions recommended by the Advisory Council on Historic Preservation. Having a Programmatic Agreement in place would be a helpful tool if the City would receive another Downtown revitalization grant during the next five years. This resolution would authorize the amendment.

Mr. Rozic asked if there would be any cost associated with extending the agreement in which Mr. Bagdonas responded no.

Mayor Brodie moved to adopt Resolution 05-15. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

**Other Information/Unscheduled Business:**

None

**Executive Session:**

Mr. Larkins made a motion to move into Executive Session at 7:53 p.m. Mr. Rozic seconded the motion.

Roll Call: Mrs. Krise – yes, Mr. Valtin – yes, Mayor Brodie – yes, Mr. Rozic – yes, Mrs. Bruno – yes, Mr. Larkins - yes. The motion passed unanimously.

**Return to Regular Session:**

Mrs. Bruno made a motion to come out of Executive Session and resume the regular Council meeting at 8:54 p.m. Mrs. Krise seconded the motion, which carried by unanimous voice vote.

**Adjournment:**

There being no further business to come before Council, Mrs. Bruno made a motion to close the meeting at 8:54 p.m. Mrs. Krise seconded the motion, which carried by unanimous voice vote.

*Dale D Knepper*  
Clerk of Council

*Lori Brodie*  
Mayor