

**City of Waterville**  
**Minutes of Regular Council Meeting of:**  
**February 9, 2015**

The regular meeting of the Waterville Council was called to order by Mayor Lori Brodie at 7:30 p.m. in the Council Chambers of the Waterville Municipal Building.

Mayor Brodie asked for a moment of silence to honor the late Toledo Mayor D. Michael Collins who passed away last Friday.

A prayer was offered by Mayor Brodie. The Pledge of Allegiance was recited.

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

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:**

Mrs. Krise moved to approve the minutes of the January 26, 2015 Regular Council meeting. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

**Citizen's Comments:**

Mary Duncan stated that once again they will be attempting to raise the funds necessary to have the fireworks on July 4<sup>th</sup>. She then gave Council a brief update on the fundraising efforts of the "Red, White and Boom Committee" stating that they will be publishing the "Boom Book" which is full of Waterville information and happenings. The book will come out in May and will list events that take place from June through September. She encouraged everyone to visit the businesses that are listed in the book and added that donations can be sent to P.O. Box 347 in Waterville.

**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 –

- Stated that he will present the year-end report at the February 23<sup>rd</sup> Council

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Meeting.

- Reminded Council and residents that RITA will be at the City of Waterville Municipal Building/Council Chamber on February 26<sup>th</sup> 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.
- Reminded Council that the Ohio Ethics Commission Financial Disclosure Statement must be completed and submitted to the State of Ohio by Wednesday, April 15<sup>th</sup>.

Treasurer: Mr. Schult –

- Reviewed details of the monthly Treasurer's Report for the month of November 2014.

Police Chief: David LaGrange

- Commended Mr. Blair and the Public Works Department for the great job they did with snow removal during the recent Level Three Snow Emergency. He added that they did have to have one car towed.

Fire Chief: Patrick Wambo

- Reported that the total run volume for January was 50.
- Reviewed details of the Waterville Fire Department's 2014 Annual Operational Report.

Public Works Director: Ken Blair

- Gave kudos to the Public Works & Police Department for the great job that they did during the recent Level 3 Snow Emergency.
- Reported that we are currently at normal road salt usage. He added that we have 300 tons in reserve.
- Stated that last Thursday evening the Public Works Department removed all the snow from the downtown business area on Third St.
- Stated that the installation of the Pedestrian HAWK beacon at S. River and Waterville-Monclova Rd. is currently underway. It is scheduled to be operational by early spring.
- Reported that he attended the Tree Commission Academy graduation program. He then congratulated three members of the Waterville Tree Commission; Pam Blewett, Laura Nilsson & Win Sturgeon, and three employees of the Public Works Department; Mac McCann, Jeff Strayer & Rick Meiring for successfully completing this training course. He added this training will benefit the city for years to come.

**Communications from Council Members/Committees:**

Mr. Pedro –

- Thanked the Public Works and Police Departments for the great job they did in

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keeping the streets in Waterville safe during the recent Snow Emergency.

Mr. Larkins – No report.

Mrs. Bruno – No report.

Mrs. Krise – No report.

Mr. Valtin – No report.

Mr. Rozic – No report.

**OLD 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

*Third Reading and Legislative Action*

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 the previously scheduled increases of 3.5-percent in 2015 and 3.5-percent in 2016. The recommended rates that would take effect with the water bills rendered on April 2, 2015 are contained in the Ordinance.

Mr. Larkins moved to adopt Ordinance 01-15. Mr. Rozic seconded the motion.

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

- B. **PUBLIC HEARING - 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

*Third Reading, Public Hearing and Legislative Action*

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

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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 approved these variances on January 13.

Mayor Brodie opened the Public Hearing at 7:53 p.m.

Bill Bostleman, Senior Vice-President of Devonshire REIT, stated that they are proposing a unique 58,700 sq. ft. four-story office building on the 11 ½ acre site that is north of Kroger on Pray Blvd. He then showed Council a rendering of the building stating that it is going to be a modern, Class A+ office building which they believe will be the nicest in the Northwest Ohio area. He then entertained and answered questions regarding the project from Council.

Mayor Brodie closed the Public Hearing at 8:04 p.m.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 02-15 as an emergency measure. Mr. Rozic seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinance 02-15 as an emergency measure. Mr. Rozic seconded the motion.

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

**C. 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. Council has asked that

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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-mill 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 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 also provided to Council.

Mayor Brodie suggested that they hold off on further discussion of this agenda item until after Mr. Knepper closes the year and they receive the final numbers.

**NEW BUSINESS:**

- A. **ORDINANCE 03-15** - AN ORDINANCE AMENDING SECTIONS 1501.15 AND 1519.02(c) OF THE FIRE PREVENTION CODE WITH RESPECT TO PERMIT FEES

*First Reading*

The Village/City over time has removed specific dollar amounts from Codified Ordinance Sections that authorize fines, fees and deposits. The specific amounts have been changed to language such as "a permit fee as determined from time to time by Council." This allows a more streamlined process to adjust the amounts of fine, fees and deposits by allowing changes to be made by a single Resolution rather than multiple Ordinances and also avoiding the cost of adding more pages to the annual Codified Ordinance updates when changes are made. Sections 1501.15 and 1519.02(c) of the Fire Prevention Code currently contain several \$5 fees and a \$25 permit fee. This Ordinance would remove the specific dollar amounts and replace them with the "fee as determined from time to time by Council" language.

- B. **RESOLUTION 07-15** - A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION – SERGEANTS UNIT AND AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO SAID COLLECTIVE BARGAINING AGREEMENT

- C. **RESOLUTION 08-15** - A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION – PATROL UNIT AND AUTHORIZING

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THE MUNICIPAL ADMINISTRATOR TO ENTER INTO SAID  
COLLECTIVE BARGAINING AGREEMENT

The collective bargaining agreements for the Sergeants Unit and the Patrol Unit are attached to the Resolutions for City Council's authorization. These tentative agreements have been ratified by each bargaining unit.

Mr. Bagdonas stated that he would like to thank all of the individuals who were directly involved in the negotiations on both sides for the professional manner in which they conducted the negotiating sessions. The parties were able to reach these agreements without going to fact finding or conciliation. He then stated that he wanted to commend Mr. Knepper, Chief LaGrange and legal counsel Dave Smigelski for their diligence in handling this process.

Mayor Brodie also thanked those involved for all of their hard work.

Mr. Pedro moved to adopt Resolution 07-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

Mr. Larkins moved to adopt Resolution 08-15. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

D. **RESOLUTION 09-15** - A RESOLUTION AMENDING THE SCHEDULE OF  
FEES AND DEPOSITS CHARGED BY THE CITY OF WATERVILLE FOR  
VARIOUS SERVICES

This Resolution would authorize a change in a number of fees currently collected by the City and add the fees provided in Ordinance 03-15. The modifications to the Fine, Fee and Deposit Schedule are incorporated in the Ordinance. A separate schedule showing the current fees and proposed changes is attached to the Ordinance for information.

Mrs. Krise moved to adopt Resolution 09-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

E. **RESOLUTION 10-15** - A RESOLUTION APPROVING THE PRELIMINARY  
PLAT FOR WATERVILLE MEADOWS PLATS NINE THROUGH  
FOURTEEN SUBDIVISIONS

MB Investments, NWO, LLC has submitted a preliminary plat for the Waterville Meadows Plats Nine through Fourteen subdivisions. The City Engineer and the Planning Commission have reviewed the proposed preliminary plat and have recommended that it be approved, subject to the conditions stated in the January 28, 2015 review letter from City Engineer Proudfoot Associates. The Resolution also contains a provision that the open space requirement described in Chapter 1114 of the Waterville Planning and Zoning Code shall be met through the payment of a fee by the

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developer with respect to Waterville-Meadows Plats Nine through Fourteen.

Walt Opaczewski, representing Steven Miller/MB Investments, NWO, LLC, was in attendance at this evening's meeting to answer any questions from Council regarding the preliminary plat.

Mr. Rozic asked Mr. Bagdonas if we know what the open space requirement fee will be in which he responded that we don't know the exact dollar amount but our code provides that it will be 5% of the pre-development value of the land. Mr. Rozic then asked if we will need to worry about the amount of traffic this will generate in which he responded that Independence, Wilkshire and the existing streets in Waterville Meadows were stubbed and intended to be connected to this area. He added that our Comprehensive Plan does provide for Wilkshire to be extended up through the city owned property and connect to Choctaw Dr.

Mrs. Krise asked Mr. Opaczewski if he knew the timeline for the project in which he responded that if this is approved tonight the engineering plans will be started tomorrow. He added that the pavement will probably go in early summer and the developer will begin to sell lots. He added that they will start on plats nine & ten right away.

Mrs. Bruno then asked questions regarding deed restrictions and the open space requirement.

After further discussion, Mrs. Krise moved to adopt Resolution 10-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

- F. **RESOLUTION 11-15** - A RESOLUTION DECLARING THE INTENT AND AUTHORIZING THE SALE OF MUNICIPALLY OWNED PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES, ROAD MACHINERY, EQUIPMENT, TOOLS OR SUPPLIES, WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, DURING THE CALENDAR YEAR 2015 BY INTERNET AUCTION, PURSUANT TO OHIO REVISED CODE SECTION 721.15(D)

The Ohio Revised Code, specifically Section 721.15(D), requires a yearly resolution of intent to sell municipally owned personal property when sold by internet auction. In November of 2008, Council approved Resolution 54-08 authorizing a contract with GovDeals, Inc. to conduct internet auctions to sell municipally owned personal property on behalf of the City. Due to the yearly requirement, this Resolution is one of our annual legislative "housekeeping" items.

Mr. Pedro moved to adopt Resolution 11-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

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**G. RESOLUTION 12-15 – A RESOLUTION AUTHORIZING THE TRANSFER OF CASH FUNDS FROM THE GENERAL FUND (100) TO THE STREETS, CONSTRUCTION, MAINTENANCE & REPAIR (SCMR) FUND (210)**

Although this inter-fund transfer was authorized by the 2014 appropriations as amended, the State Auditor has issued a bulletin requiring specific legislative action to ratify such actions. This Resolution would meet that requirement.

Mrs. Bruno moved to adopt Resolution 12-15. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

**Other Information/Unscheduled Business:**

None

**Adjournment:**

There being no further business to come before Council, Mr. Larkins made a motion to close the meeting at 8:26 p.m. Mr. Rozic seconded the motion, which carried by unanimous voice vote.

*Dale D Knepper*  
Clerk of Council

*Lori Brodie*  
Mayor