

City of Waterville
Minutes of Regular Council Meeting of:
May 11, 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.

A prayer was offered by Mrs. Krise. 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.

Presentations:

- A. Waterville Fire Association
 - 1. Waterville Fire Association Scholarships
 - Andrew Puppos
 - Sarah Wood
 - 2. Carl Conrad Memorial Scholarship
 - Josephine Wielinski

David Beakas, Randy King, Keith Moosman and Chief Patrick Wambo, members of the Waterville Fire Association, presented the Waterville Fire Association Scholarships as well as the Carl Conrad Memorial Scholarship to the selected recipients.

Approval of Minutes:

Mr. Pedro moved to approve the minutes of the April 27, 2015 Regular Council meeting. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Proclamation:

Mayor Brodie read a proclamation declaring June 26, 2015 as Surface Combustion Day in the City of Waterville. The proclamation urged all residents to join in recognition of their 100th year as a leader in designing and building thermal processing equipment.

William Bernard Jr., President and CEO of Surface Combustion, gave a presentation on the company, which was formed in New York in 1915. The company is headquartered in Maumee, but manufacturing moved to Waterville in 1991.

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Citizen's Comments:

Mary Duncan and Deb Sniderhan, representing the "Red, White & Boom" Committee, came to tonight's meeting to give Council an update on their fundraising efforts. Mrs. Duncan stated that she is happy to announce that they have succeeded in raising the necessary funds for the 2015 fireworks display as well as the festival. She added that the "Boom Book" is at the printer and will be distributed by the Boy Scouts this week and next.

Staff Reports:

Administration: Mr. Bagdonas

- Noted that the next regular schedule Council Meeting will be held on Monday, June 1 at 7:30 p.m. due to the Memorial Day holiday.

Law Director: Mr. Dombey – No report.

Finance Director: Mr. Knepper –

- Thanked the Fireworks Committee for all of their hard work.
- Reviewed details of the April 2015 Month End Finance Report highlighting Fund Balances, Investments and Income Tax Revenues.

Treasurer: Mr. Schult –

- Reviewed details of the monthly Treasurer's Report for the month of April 2015.

Police Chief: David LaGrange

- Stated that he received a letter from Lt. Morrison announcing his retirement from the Police Department in June.
- Reported that the department took receipt of the new police vehicle that was on order and it is in service. He added that the Toyota that he was driving has been cleaned and detailed and is ready for the Fire Department to utilize.

Mayor Brodie asked the Chief how many body cameras the Police Department has in which he responded that they have six, which are used daily, along with a six bay docking station. He then entertained questions from Council regarding the use and the functionality of the cameras.

Fire Chief: Patrick Wambo

- Reported that they had 48 runs in the month of April. The current total run volume for 2015 is 195.
- Announced that the new full-time Deputy Fire Chief is Doug Meyer. He will be sworn in on at the City of Waterville Council meeting on June 1st and will begin work on June 2nd.

Public Works Director: Ken Blair

- Noted that next Thursday they will hold the final walk through and punch list for

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the Waterville-Monclova Rd. project.

- Stated that we are currently in the plan design for the Waterline Replacement Project on Michigan Ave. between Waterville-Monclova Rd. to Edgerton/Wilkshire Blvd. This project should start construction this year.
- Stated that there is legislation on tonight's agenda to enter into a contract for engineering services for the 2015 Paving Program. He added that a list of the top 14 streets in need of the most work is attached to the legislation.
- Reported that there is legislation on tonight's agenda that would allow the city to file an application for a CDBG Formula Grant for the installation of a handicap opener for the outside door to Council Chambers and curb ramps at various locations in the area east of the primary school.
- Attended the Civil Service Commission meeting last week.
- Recognized the Waterville Rotary Club for their help in cleaning roadway litter from the Anthony Wayne Trail and Girl Scout/Brownie Troop 10875 for their help in cleaning up Baer Park.

Communications from Council Members/Committees:

Mr. Pedro –

- Reminded Council that the next meeting of the Waterville Economic Development Corporation will be held at Fallen Timbers on Thursday, May 14th from 11:30 a.m. to 1:00 p.m.

Mr. Larkins –

- Announced that the City of Waterville was named in The Culture Trip's list of the 10 most beautiful towns in Ohio.

Mrs. Bruno – No report.

Mrs. Krise – No report.

Mr. Valtin –

- Reported that the Parks and Recreation Committee met last on Tuesday, May 5th. He added that the major projects that will be seen in our parks this year are perimeter path lighting at Baer Park and an open air shelter house at Prairie Trail Park.
- Attended the Public Safety Committee meeting on Thursday, May 7th.

Mr. Rozic – No report.

OLD BUSINESS:

- A. **ORDINANCE 07-15** - AN ORDINANCE LEVYING ASSESSMENTS PURSUANT TO THE OHIO REVISED CODE, SECTIONS 729.01 THROUGH 729.10, FOR THE 2014 SIDEWALK REPAIR AND CONSTRUCTION PROGRAM

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Third Reading and Legislative Action

This Ordinance is the final step in the 2014 Sidewalk Repair and Construction Program and will approve the assessments to the property owners as previously listed in the Resolution of Necessity.

Mr. Larkins moved to adopt Ordinance 07-15. Mrs. Krise 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. ORDINANCE 09-15 - AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP OF THE CITY OF WATERVILLE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND KNOWN AS KENSINGTON GARDEN FROM R-1 RESIDENCE DISTRICT TO R-3 RESIDENCE DISTRICT**

Second Reading

Council previously referred this rezoning request to the Planning Commission for a recommendation. At the May 4 Planning Commission meeting, the Commission voted 3 to 1 with one member absent to recommend disapproval of the rezoning request. The Public Hearing and third reading will occur at the June 1 Council meeting.

NEW BUSINESS:

- A. PUBLIC HEARING – RESIDENTIAL OVERLAY DISTRICT ZONING PERMIT – THE COLONY AT WATERVILLE LANDING – APPLICATION FOR ZONING PERMIT #2383 – PROPOSED 27 BUILDING/108 UNIT RESIDENTIAL DEVELOPMENT LOCATED ON THE SOUTH SIDE OF PRAY BOULEVARD DIRECTLY WEST OF FARNSWORTH DITCH (MOTION)**

Documents relative to this application were included in the Council packet. At the April 6 meeting, the Planning Commission voted 5 to 0 to recommend that Council approve this Zoning Permit. In accordance with Section 1136B.04 (b) of the Planning and Zoning Code, a Public Hearing on this issue has been scheduled for this meeting.

Mayor Brodie opened the Public Hearing at 8:21 p.m.

Doug Howard of Doug Howard Builders and Don Feller of Feller, Finch & Associates answered questions from Council about the proposed 27 Building/108 unit residential development. Each unit will be 1,264 square ft. and would rent for approximately \$1,300 a month. The exterior will include vinyl siding and stone, with up to four different color schemes and will have a two-car garage. Mr. Howard also mentioned to Council that a residential manager and maintenance worker will live on-site.

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Mayor Brodie closed the Public Hearing at 8:28 p.m.

Mrs. Krise made a motion to approve the zoning permit. Mayor Brodie seconded the motion, which passed by unanimous voice vote.

- B. **ORDINANCE 12-15** - AN ORDINANCE AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH MB INVESTMENTS OF NWO LLC TO SELL CERTAIN REAL ESTATE KNOWN AS TAX PARCELS 96-25965, 96-25973, 96-25974 AND 96-25977 AND TO COMPLETE SUCH SALE AND DECLARING AN EMERGENCY

In 2013, Alan Properties, Inc., the original developer of the Waterville Meadows plats, donated several small residual parcels of land located to the east of Waterville Meadows to the City. Two parcels have already been sold by the City to the adjacent lot owners. This Resolution would authorize the sale of the remaining parcels to MB Investments of NOW, LLC for their use in developing future Waterville Meadows plats.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 12-15 as an emergency measure. Mr. Rozic seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinance 12-15 as an emergency measure. Mr. Rozic seconded the motion.

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

- C. **RESOLUTION 22-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A WHOLESALE WATER SUPPLY CONTRACT BETWEEN THE CITY OF BOWLING GREEN AND THE CITY OF WATERVILLE

This topic was thoroughly discussed at the April 13 City Council meeting including a presentation by the City of Bowling Green's Public Utilities Director. Waterville City Council members were given a tour of the Bowling Green Water Treatment Plant on April 27.

At the May 4 meeting, the Bowling Green City Council authorized a Wholesale Water Supply Contract with Waterville. A Memo containing a financial analysis of the Bowling Green water connection and an Engineer's Estimate of Probably Construction Cost were included in the Council packet.

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After a short discussion regarding paragraphs 11 and 12 of the contract, Mr. Rozic moved to adopt Resolution 22-15. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

- D. **RESOLUTION 23-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH JONES & HENRY ENGINEERS, LTD. FOR ENGINEERING SERVICES ASSOCIATED WITH THE DESIGN OF A WATER TRANSMISSION MAIN CONNECTION TO THE BOWLING GREEN WATER SYSTEM

Jones & Henry Engineers, Ltd. Prepared the City's 2014 Water Distribution System Master Plan and they are therefore very familiar with the City's water system. They also have been involved in the preliminary investigation of a connection to the Bowling Green water system. This Resolution would authorize an agreement with this firm to perform the engineering services associated with the design of a water main connection to the Bowling Green water system.

Ted Bennett, the Project Manager with Jones & Henry was in attendance this evening to answer any questions from Council.

Mr. Pedro moved to adopt Resolution 23-15. Mrs. Krise seconded the motion, which passed by unanimous voice vote.

- E. **RESOLUTION 24-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO AMERICAN FIREWORKS COMPANY IN THE AMOUNT OF \$17,500.00 FOR PROFESSIONAL SERVICES RELATING TO A DISPLAY OF FIREWORKS ON JULY 4, 2015 FOR THE CITY OF WATERVILLE

One company submitted a proposal to provide a fireworks display on July 4. The proposal has a cost of \$17,500. A contract with American Fireworks Company, the same vendor that provided the City's 2014 fireworks display is recommended.

Mr. Larkins moved to adopt Resolution 24-15. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

- F. **RESOLUTION 25-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO FILE AN APPLICATION WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS, OFFICE OF MANAGEMENT AND BUDGET TO PARTICIPATE IN THE FY 2015 COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA PROGRAM AND TO ENTER INTO AN AGREEMENT WITH LUCAS COUNTY

This Resolution authorizes an application for a CDBG Formula Grant for the installation of a handicap opener for the outside door to the City Council Chamber and curb ramps

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at various locations in the area east of the Waterville Primary School. The grant would cover 100% of the project costs (\$15,000).

Mrs. Bruno moved to adopt Resolution 25-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

- G. **RESOLUTION 26-15** - 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 2015-PAVING PROGRAM INCLUDING PORTIONS OF FIFTH STREET, SIXTH STREET, ROYALTON ROAD AND AVALON ROAD

The Public Works Director and the City Engineer have completed their annual update of the City's Pavement Inventory. As listed in the March 11, 2015 letter from City Engineer Thomas Yurysta, fourteen streets were recommended for work within the next five years. This Resolution would authorize the engineering work to prepare plans, specifications and bid documents for this year's project, which has been selected to conform to the amended appropriations for this work.

Mr. Valtin moved to adopt Resolution 26-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

- H. **RESOLUTION 27-15** - A RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX OUTSIDE THE 10 MILL LIMITATION FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, REPAIR AND APPURTENANT WORK TO STREETS, ROADS AND ALLEYS IN THE CITY OF WATERVILLE OR ACQUIRING OWNERSHIP INTEREST IN LAND NECESSARY FOR THE FOREGOING IMPROVEMENTS, AND REQUESTING THAT THE QUESTION OF THE ADDITIONAL TAX LEVY BE SUBMITTED TO THE ELECTORS AT THE GENERAL ELECTION TO BE HELD NOVEMBER 3, 2015

This Resolution is the second and final step in placing a 1.90 mill levy for street improvements on the November 2015 ballot. The language in the previous Resolution referencing sidewalks, walkways, etc. has been removed as Council requested. The County Auditor has certified that a 1.90 mill levy will produce annual revenue of \$229,846. According to the Ohio Revised Code, this Resolution will require an affirmative vote by two-thirds of the members of Council (5 votes) for passage.

After further discussion, Mr. Pedro made a motion to table the vote until Council's next scheduled meeting on June 1st in order to have more time to study this issue. Mrs. Krise seconded the motion, which passed by unanimous voice vote.

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I. **RESOLUTION 28-15** - A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR COLUMBIAN VILLAGE AT WATERVILLE LANDING PLAT ONE SUBDIVISION

Farnsworth Investors, LLC has submitted a preliminary plat for the Columbian Village at Waterville Landing Plat One subdivision. At the May 4 Planning Commission meeting, the Commission voted 4 to 0 with one member absent to recommend the approval of the Preliminary Plat, subject to the conditions stated in the April 21, 2015 review letter from City Engineer Proudfoot Associates, except for the three items as stated in Resolution 28-15. The City Administrator and Engineer are not in favor of the waivers contained in exception items one and two. In fact, as a part of the new US 24 construction, sidewalks have already been installed on both sides of Dutch Road under the bridge carrying US 24 over Dutch Rd.

Council began a lengthy discussion on the approval of the preliminary plat and the Planning Commission's recommendation to not require the developer to extend the sanitary sewer line north from Pray Blvd to Dutch Rd., install a sidewalk along Dutch Rd. or require a traffic study for this plat. The sidewalk would connect to an existing sidewalk installed by ODOT under the US 24 bridge.

Mr. Bagdonas stated that there will be sufficient right of way dedicated as part of this plat for a future left turn lane on Waterville-Monclova Rd. The traffic study would be deferred until a future plat when it is determined that the density of lots coming out to Waterville-Monclova Rd. through this plat would generate the volume to justify a left turn lane. He added that as long as the right of way is accommodated he doesn't see an issue with that. He added that as far as the sanitary sewer line and the sidewalk, his recommendation would continue to be that those be requirements as part of the plat.

A lengthy discussion continued on the extension of the sanitary sewer as well as the necessity to install a sidewalk/shared use path on Dutch Rd.

Mr. Valtin made a motion to amend Resolution 28-15 to require the developer to extend the sanitary sewer line north to Dutch Road and install a 10 ft. shared use path along Dutch Rd. Mrs. Bruno seconded the motion.

Don Feller, Feller, Finch & Associates, urged Council to consider expenses when looking at Plat 1 for Columbian Village. He added that we are trying to bring new residents to the city and all of these things add substantially to the cost of the project and could potentially kill it.

Discussion continued on the motion and whether it should be withdrawn.

Mr. Dombey stated that if the motion is withdrawn, this resolution will come back before Council but it will give the administration the opportunity to answer all their questions and concerns. It will also give Mr. Bagdonas time to talk to the City Engineer,

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Mr. Yurysta, who was in attendance at the last Planning Commission meeting on his behalf and also the developer. He added that an informed decision is better for everyone involved.

After further discussion, Mr. Valtin withdrew his motion to amend Resolution 28-15. Mrs. Bruno then withdrew her second.

Mr. Larkins then moved to table this discussion until the next Council meeting. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Other Information/Unscheduled Business:

Mayor Brodie stated that as Council is aware we held the Administrator's review. She then made a motion that he receive a 3.5% base raise and a .75% merit raise. Mr. Rozic seconded, which passed by unanimous voice vote.

Executive Session:

Mr. Rozic made a motion to move into Executive Session for a Conference with the Law Director concerning ORC 121.22(G)(2), Purchase or Sale of Property for Public Purposes and for Consideration of a Matter per ORC 121.22(G)(1): To Consider the Appointment of a Public Employee at 9:21 p.m. Mr. Pedro seconded the motion.

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

Return to Regular Session:

Mr. Larkins made a motion to come out of Executive Session and resume the regular Council meeting at 10:03 p.m. Mrs. Krise seconded the motion which passed by unanimous voice vote.

Adjournment:

There being no further business to come before Council, Mrs. Bruno made a motion to close the meeting at 10:03 p.m. Mayor Brodie seconded the motion, which passed by unanimous voice vote.

Dale D Knepper
Clerk of Council

Lori Brodie
Mayor