

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 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. Bruno. The Pledge of Allegiance was recited.

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

Mayor Brodie moved to excuse the absence of Mr. Rozic. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

Also present were Jim Bagdonas, Administrator; Phil Dombey, Law Director; Steve Schult, Treasurer; Tom Yurysta, City Engineer 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. David R. Morrison – Retiring from Police Department with 36 Years of Service.

Lt. Morrison was given a Certificate of Commendation and the City's Carruth presentation piece from Mayor Brodie. Chief LaGrange then presented him with his service weapon and a retired police officer's badge. Lt. Morrison then wanted to thank retired Police Chief Lance Martin and retired Sergeant Mark Hearndon because it was their inspiration and passion that gave him the urge to go further and start a career in law enforcement. He then thanked the staff of Waterville – from the Administration, Police, Fire and Public Works Departments past and present, for working with him over the years. He also wanted to thank his wife Pat and daughters Amanda and Jennifer for their support and for dealing with his afternoon, weekend and overnight shifts.

Approval of Minutes:

Mr. Larkins moved to approve the minutes of the June 1, 2015 Regular Council meeting. Mrs. Krise seconded the motion, which passed by unanimous voice vote.

Citizen's Comments:

Jimmie Perry, 1008 Waterville-Monclova Rd, came to this evening's meeting to encourage Council to reject Mr. Mercurio's proposal and vote no on Ordinance 09-15 which would amend the Municipal Zoning Map to change the zoning of Kensington Garden from R-1 Residence District to R-3 Residence District.

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

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 –

- Reviewed details of the May 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 May 2015.

Police Chief: David LaGrange

- Stated that the 2015 Safety City started today with 30 children enrolled in the morning session and 18 in the afternoon.
- Reported that with Lt. Morrison's retirement, the Police Department now has a vacancy to fill. He added that the position was advertised and the deadline to submit applications ended this past Friday. We have received 27 applications of which all are certified officers.

Fire Chief: Patrick Wambo

- Received a call and had to leave the meeting due to the report of an overturned canoe on the Maumee River.

Public Works Director: Ken Blair

- Congratulated Lt. Morrison on his retirement after 36 years of service. He added that it has been a pleasure working with him.
- Reported that the Waterville-Monclova Rd. project from S. River Rd. to Farnsworth Rd. has been completed. The project included roadway improvements and a shared-use path.
- Stated that the plan design for the waterline replacement project on Michigan Ave. between Waterville-Monclova Rd. to Edgerton/Wilshire Blvd. has been completed. The project will go out to bid in July.
- Reported that the 2015 Paving Program is on tonight's agenda. Gerken Paving presented the lowest bid.
- Recognized the Countryside Garden Club for planting and taking care of all the flowers in Pioneer Point and Sherry Hill & Company for planting and taking care of the flowers at the Farnsworth Rd. & Michigan Ave. point.
- Reported that the 10th Annual Family Fun & Fishing Derby will be held at Waterworks Park on Saturday, September 19th.

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

Communications from Council Members/Committees:

Mr. Pedro –

- Attended the Kaufman Engineered Systems Open House last week.

Mr. Larkins – No report.

Mrs. Bruno – No report.

Mrs. Krise – No report.

Mr. Valtin – No report.

Executive Session:

Mr. Pedro made a motion to move into Executive Session for a Conference with the Law Director concerning ORC 121.22(G) (3), Imminent Court Action at 7:53 p.m. Mr. Valtin seconded the motion.

Roll Call: Mr. Pedro – yes, Mrs. Krise – yes, Mr. Valtin – yes, Mayor Brodie – yes, Mr. Larkins – yes, Mrs. Bruno - 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 8:15 p.m. Mrs. Krise seconded the motion.

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

OLD BUSINESS:

- A. **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

Tabled from June 1, 2015 Meeting

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. A number of written comments the City has received on this issue were included in the June 1 Council packet. The Resolution was tabled at the June 1 Council meeting.

Mr. Valtin wanted to reiterate that the voters decided two years ago to change the zoning to R-1. He added that the voters should decide if they want it changed back to R-3 and that he believes that this is not Council's decision to make.

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

Mr. Pedro stated that he offered to hold a meeting and have a healthy discussion on this issue but was not able to get everyone together at the same time. He added that he is still in favor of having further discussion but feels that we need to move forward so that this issue isn't held up. He stated that he regrets not being able to meet with all the interested parties at the same time to have direct dialog.

Mrs. Krise stated that she believes that the property is best suited as R-3 and will vote tonight in favor of this change.

Mayor Brodie moved to adopt Ordinance 09-15. Mrs. Bruno seconded the motion.

Mr. Larkins expressed that he has a problem with overturning a vote of the people and nullify an election. He added that the voters did speak and that this issue can be put back on the ballot by petition so that the voters can decide again what they would like the zoning to be.

Mayor Brodie stated that a super-majority or six votes is needed to approve the Ordinance.

Roll Call: Mayor Brodie – yes, Mr. Valtin – no, Mr. Larkins – no, Mrs. Krise – yes, Mr. Pedro – no, Mrs. Bruno – yes. The motion failed.

B. ORDINANCE 13-15 - AN ORDINANCE AMENDING PART THREE OF THE CODIFIED ORDINANCES OF THE CITY OF WATERVILLE SCHEDULE V OF THE TRAFFIC SCHEDULES, RESTRICTED OR PROHIBITED PARKING (PRAY BOULEVARD)

Second Reading

Police Officers have observed semi-trucks parking along the curb of Pray Boulevard, especially south of SR 64. This creates problems for the drivers of other trucks when entering or leaving nearby driveways. This Ordinance would prohibit all on-street parking on both sides of Pray Boulevard from the southerly end of the pavement south of State Route 64 to a point 1,500-feet north of the northeasterly corner of Commerce Village at Waterville Landing Plat One Lot 2 (Farmers & Merchants Bank parcel). This would prohibit on-street parking on Pray Boulevard north to a point approximately midway between the two curves north of SR 64. This action was unanimously recommended to Council by the Public Safety Committee at the May meeting.

NEW BUSINESS:

A. ORDINANCE 14-15 - AN ORDINANCE PURSUANT TO CHARTER SECTION 5.02 ADOPTING PERSONNEL RULES; ENACTING SECTION 5.04-5. OF THE WATERVILLE PERSONNEL POLICY AND PROCEDURE MANUAL REGARDING PAY FOR WORK ON A HOLIDAY AND DECLARING AN EMERGENCY

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

In the City's three collective bargaining unit agreements, the rate of pay for employees working on a designated holiday is established at 1 ½ times the employee's straight time rate. As we have done with other issues, this Ordinance would make the City's Personnel Policy and Procedure Manual consistent with the collective bargaining agreements.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 14-15 as an emergency measure. Mr. Valtin seconded the motion.

Roll Call: 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 14-15 as an emergency measure. Mr. Valtin seconded the motion.

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

B. RESOLUTION 31-15 - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH SUDSINA & ASSOCIATES, LLC FOR MUNICIPAL ADVISOR SERVICES TO ASSIST THE CITY WITH THE ISSUANCE OF NOTES AND BONDS FOR 2015

Effective within the last two years, the Securities Exchange Act definition of the term "municipal advisor" includes a person that provides advice to or on behalf of a municipal entity or obligated person with respect to municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, and other similar matters concerning such financial products or issues. Rules for municipal advisors have been adopted to avoid potential conflicts of interest. Mr. Stephen Szanto of Sudsina & Associates LLC Registered Municipal Advisors worked with the City on the 2014 note issue. This Resolution would authorize an agreement with that firm to assist the City with the 2015 note and bond issue.

Mr. Valtin moved to adopt Resolution 31-15. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Ordinances 15-15 through 23-15 are related to the FY 2014 bond anticipation note issue retirement, the issuance of new one-year Bond Anticipation Notes, the conversion of two note issues to bonds and the issuance of bonds for the Bowling Green water transmission main project. The 2014 notes mature July 29, 2015 and will be replaced by a new one-year note issue and bonds. The \$1,927,000 2015 note issue reflects a decrease of \$433,917 for the SR 64 West Waterline Extension (moved to bonds in 2015), a decrease of \$363,266 for the SR 64 West Sanitary Sewer Extension (moved to bonds in 2015) and an increase of \$87,096 for the Michigan Avenue Waterline

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

Replacement that replaced the Dutch Rd./Choctaw Dr. second water source project. All of the foregoing actions have been recommended by the Finance Committee. Ordinance 15-15 through 19-15 may be voted on as a group. The vote on Ordinance 20-15 should be taken separately. Similarly, Ordinances 21-15 and 22-15 may be voted on together. The vote on Ordinance 23-15 should be taken separately.

- C. **ORDINANCE 15-15** - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$257,204 FIRE EQUIPMENT ACQUISITION BOND ANTICIPATION NOTES, TENTH (2015) RENEWAL, BY THE CITY OF WATERVILLE, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING FIRE EQUIPMENT, AND DECLARING AN EMERGENCY

- D. **ORDINANCE 16-15** - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$821,035 PUBLIC INFRASTRUCTURE IMPROVEMENT BOND ANTICIPATION NOTES, TENTH (2015) RENEWAL, BY THE CITY OF WATERVILLE, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF CONSTRUCTING PUBLIC INFRASTRUCTURE IMPROVEMENTS IN THE AREA OF FALLEN TIMBERS BUSINESS PARK, AND DECLARING AN EMERGENCY

- E. **ORDINANCE 17-15** - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$115,482 WATER LINE IMPROVEMENT BOND ANTICIPATION NOTES, NINTH (2015) RENEWAL, BY THE CITY OF WATERVILLE, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF CONSTRUCTING WATER LINE IMPROVEMENTS IN THE MUNICIPALITY, AND DECLARING AN EMERGENCY

- F. **ORDINANCE 18-15** - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$493,279 WATER TOWER RESTORATION BOND ANTICIPATION NOTES, SEVENTH (2015) RENEWAL, BY THE CITY OF WATERVILLE, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF RESTORING WATER TOWERS IN THE MUNICIPALITY, AND DECLARING AN EMERGENCY

- G. **ORDINANCE 19-15** - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$240,000 WATER SYSTEM IMPROVEMENT BOND ANTICIPATION NOTES, FIRST (2015) RENEWAL, BY THE CITY OF WATERVILLE, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF CONSTRUCTING WATER SYSTEM IMPROVEMENTS, AND DECLARING AN EMERGENCY

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinances 15-15 through 19-15 as an emergency measure. Mr. Larkins seconded the motion.

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

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

Mayor Brodie made a motion to move for the passage of Ordinances 15-15 through 19-15 as an emergency measure. Mrs. Krise seconded the motion.

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

H. ORDINANCE 20-15 - AN ORDINANCE CONSOLIDATING FIVE BOND ANTICIPATION NOTES ISSUES OF THE CITY OF WATERVILLE, OHIO AND DECLARING AN EMERGENCY

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 20-15 as an emergency measure. Mr. Valtin seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinance 20-15 as an emergency measure. Mrs. Bruno seconded the motion.

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

I. ORDINANCE 21-15 - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,480,000 WATER MAIN CONSTRUCTION BONDS AND DECLARING AN EMERGENCY

J. ORDINANCE 22-15 - AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$820,000 STATE ROUTE 64 WEST WATER AND SEWER LINE EXTENSION BONDS AND DECLARING AN EMERGENCY

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinances 21-15 and 22-15 as an emergency measure. Mrs. Bruno seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinances 21-15 and 22-15 as an emergency measure. Mrs. Bruno seconded the motion.

Roll Call: Mrs. Bruno – yes, Mr. Larkins – yes, Mayor Brodie – yes, Mr. Valtin – yes,

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

Mrs. Krise – yes, Mr. Pedro - yes. The motion passed unanimously.

K. ORDINANCE 23-15 - AN ORDINANCE PROVIDING FOR THE CONSOLIDATION OF TWO BOND ISSUES OF THE CITY OF WATERVILLE, OHIO AND DECLARING AN EMERGENCY

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 23-15 as an emergency measure. Mr. Valtin seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinance 23-15 as an emergency measure. Mrs. Bruno seconded the motion.

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

L. RESOLUTION 29-15 - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO GERKEN PAVING, INC. FOR THE 2015 PAVING PROGRAM

This Resolution would authorize a contract with Gerken Paving, Inc. for the roadway/pavement improvements on Fifth Street, Sixth Street, Royalton Road and Avalon Road. This construction project was advertised and we received two competitive bids, which were opened on June 18. It was determined by the City Engineer and administrative staff that Gerken Paving, Inc. submitted the best and most responsive bid, therefore the recommendation to award them the contract.

Mayor Brodie moved to adopt Resolution 29-15. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

M. RESOLUTION 30-15 - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PROUDFOOT ASSOCIATES INC. FOR ENGINEERING SERVICES TO PREPARE PLANS, SPECIFICATIONS, COST ESTIMATES AND BID PACKAGE FOR THE IMPROVEMENT OF THE ANTHONY WAYNE TRAIL AND SOUTH RIVER ROAD BETWEEN WATERVILLE-MONCLOVA ROAD AND SOUTH STREET

The City has secured \$1,448,000 in Federal funds toward the total estimated project cost of \$1,920,000 for this project along the Anthony Wayne Trail and South River Road, which includes a left turn lane at various locations, a right turn lane at the main entrance to the quarry and a shared use path along the west side of the roadway for the entire length of the project. The project originally was programmed to include a left turn lane

City of Waterville
Minutes of Regular Council Meeting of:
June 22, 2015

for its entire length, but that has been scaled back in view of the reduced traffic volume as a result of the relocation of the US 24 designation. We are also planning to apply for a grant and a loan from the Ohio Public Works Commission to offset a portion of the local share of the project. In order to meet the schedule that anticipates construction in 2017, design work should begin at this time. This Resolution authorizes an agreement with Proudfoot Associates for this work.

Mr. Yurysta, Proudfoot Associates and City Engineer, was in attendance at tonight's meeting to answer any questions presented by Council. After a lengthy discussion, Council questioned the need to approve \$110,000 in design and engineering work for this project. They then directed the administration to provide alternatives to the original scope of the project along the Anthony Wayne Trail and S. River Rd. between Waterville-Monclova Rd. and South Ave. that may or not include the shared use path. The Administrator was also directed to look at dropping some of the left turn lanes along the route on the Anthony Wayne Trail, provide traffic counts and inquire as to whether scaling back the project would impact federal funding.

Mr. Larkins moved to adopt Resolution 30-15. Mrs. Bruno seconded the motion. The motion failed, with Mr. Pedro and Mr. Larkins voting "yay" and Mr. Valtin, Mrs. Krise, Mrs. Bruno and Mayor Brodie voting "nay".

N. **RESOLUTION 32-15** - A RESOLUTION AUTHORIZING THE TRANSFER OF CASH FUNDS FROM THE GENERAL FUND (100) TO THE FIVE-YEAR CAPITAL/DEBT FUND (325)

Although various inter-fund transfers were authorized by the 2015 appropriations as amended, the State Auditor has issued a bulletin requiring specific legislative action to ratify such actions. This Resolution would meet that requirement.

Mayor Brodie moved to adopt Resolution 32-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

Other Information/Unscheduled Business:

Mary Duncan, representing the "Red, White & Boom" Committee, came to tonight's meeting to give Council an update on this year's Fourth of July Celebration. She stated that the festival will take place at the Waterville Primary School from 5:30 p.m. to 9:30 p.m. with the fireworks following at 10:00 p.m.

Adjournment:

There being no further business to come before Council, Mr. Larkins made a motion to close the meeting at 8:56 p.m. Mrs. Krise seconded the motion, which passed by unanimous voice vote.

Dale D Knepper
Clerk of Council

Lori Brodie
Mayor