

City of Waterville
Minutes of Regular Council Meeting of:
August 24, 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; and Shellie McCann, Recording Secretary.

Staff Present:

Dale Knepper – Director of Finance and Administration, Clerk of Council
Jon Gochenour – 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. Larkins moved to approve the minutes of the July 27, 2015 Regular Council meeting. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

Citizen's Comments

None

Staff Reports

Administration: Mr. Bagdonas

- Reported that a representative from the Fair Housing Center will make a special presentation, which will be open to the public, at 7:00 p.m. on Monday, September 14 in Council Chambers. This will precede the regularly scheduled Council Meeting.
- Stated that unless there are any objections from Council, Trick or Treat in the City of Waterville will be held on Saturday, October 31st from 6:00 p.m. to 8:00 p.m.

Law Director: Mr. Dombey – No report.

Finance Director: Mr. Knepper –

- Reminded Council that they received the June Finance Report at the last Council meeting in July.
- Reviewed some of the details from the 2015 Second Quarter Budget Report

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highlighting General Fund Revenues and Expenses of the General Fund and Five-Year Capital Water and Sewer Funds.

Police Chief: David LaGrange

- Reported that even though the department is down two officers at this time they have been able to stay on top of things. He added that he and the Administrator have posted a position announcement to replace the Lieutenant who recently retired. When that position is filled it will then open up a Sergeant's position.

Mr. Pedro stated that he wanted to recognize the Police Department on the great job that they did with assisting a family in finding a missing child. He also asked the Chief if there have been any issues since school has been back in session.

Chief LaGrange stated that the missing child was an eleven year old who went for a bike ride and ended up Levis Commons. He was then picked up by the Perrysburg Police. He then stated that we have not had any issues since school has been back in session.

Mrs. Krise wanted to praise the department for the lack of any bad activity at Baer Park this summer.

Fire Chief: Patrick Wambo

- Stated that August has been a steady month for the Fire Department.
- Reported that last November he applied for a Federal Emergency Management Agency Department of Homeland Security Assistance to Firefighters Grant. He stated that last week we learned that we were awarded an \$11,143 grant. He then stated that this grant money will be used to provide Firefighter Level I training for the four volunteers who only have the minimum 36-hour volunteer firefighter certification. The 120-hour transition course will be held during regular evening meetings and some weekends over an eight-month period. An extra fire instructor from Four County Career Center's fire training program will assist with the teaching. He added that a portion of the grant will also boost five firefighters from Level I to Level II with an additional 120 hours of training.
- Stated that he has been working with Lucas County to obtain an EMA grant to install another emergency siren for the other side of US 24.

Public Works Director: Ken Blair

- Reported that the Waterline Replacement Project on Michigan Ave. between Waterville-Monclova Rd. to Edgerton/Wilkshire Blvd. has started and will last until the middle of November.
- Stated that the 2015 Paving Program began today and includes: Fifth Street from Michigan Ave. to Elm St., Sixth Street from Michigan Ave. to Farnsworth Rd., Sixth Street from Farnsworth Rd. to the dead end and Royalton and Avalon Roads.
- Attended a pre-construction meeting for Waterville Meadows Plat 9.

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- Reported that tree removal and pruning is in progress. We have been utilizing Lucas County's chipper.

Communications from Council Members/Committees

Mayor Brodie –

- Introduced Spencer Kale from Notre Dame Academy who attended this evening's meeting to work on a project for her Government Class.

Mr. Pedro –

- Attended the Brats and Blues event held by the Rotary Club this past weekend.
- Congratulated Chief Wambo for receiving the Homeland Security Grant and thanked him for his hard work.
- Attended a program, at the request of the Mayor, at the Browning Complex.
- Stated the he sat in front of Council members a flyer about a program being put on by the Waterville Economic Development Corporation in conjunction with some other partners regarding the Local, State & Federal Reserve Resources to Redevelop Blighted Properties. This is an EPA Grant Program and will be held on September 17th. He added that it is open to the public but is geared toward NWO Communities and where they can find Brownfield Grants.

Mr. Larkins – No report.

Mrs. Bruno – No report.

Mrs. Krise –

- Attended the Brats and Blues event held in Downtown Waterville this past weekend.

Mr. Valtin – No Report.

Mr. Rozic – No Report.

OLD BUSINESS:

- A. **ORDINANCE 24-15 -** AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE TO GRANT A CONDITIONAL USE PERMIT TO THIRD STREET ODDFELLOWS LLC TO USE THE SECOND FLOOR OF THE PREMISES AT 16 NORTH THIRD STREET AS A RESIDENTIAL APARTMENT

Second Reading

An Application has been received requesting the approval of a Conditional Use Permit to use the second floor of the building at 16 North Third St. as an apartment. At their August 3 meeting, by a vote of 5 to 0, the Planning Commission recommended approval of this request. The Public Hearing and third reading of this Ordinance are scheduled

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for the September 14 Council meeting.

B. YMCA DISCUSSION

Mayor Brodie stated that she was informed by YMCA President Brad Toft that the board approved the move to the former Rite Aid building and that a lease with the Waterville Plaza will be signed soon. She then informed Council that the representatives from the YMCA also presented to the Waterville Economic Development Corporation at their last meeting. She added that a lot of businesses were present that are interested in seeing the YMCA stay in Waterville and expand.

Mrs. Krise asked what the City will do with the old fire station once they vacate the building.

Mayor Brodie stated that the old fire station doesn't have any historical value. The YMCA currently pays all the utilities and taxes and leases the building from the city for \$1.00 per year.

Mr. Valtin stated that there is no immediate need to do something with the building.

NEW BUSINESS:

A. LEOPOLDOS LLC TRANSFER OF ALCOHOL PERMIT FROM TOLEDO TO WATERVILLE (MOTION)

Leopoldos LLC is planning to operate a Mexican style restaurant at 1095 Pray Blvd. in Devonshire commercial building near Kroger. They are requesting the City's endorsement of the transfer of D-5 and D-6 Liquor Permits to this location from Toledo and the City's designation of the new restaurant in Waterville as an "economic development project" as provided in Section 4303.29(B)(2)(b) of the Ohio Revised Code as an "economic development project" as provided in Section 4303.29(B)(2)(b) of the Ohio Revised Code. A motion by Council is needed to authorize the execution of the documents related to these requests.

David Raber, representing Leopoldos, LLC explained that a D-5 Liquor Permit would allow beer, wine and liquor to be sold Monday – Saturday from 5:30 a.m. to 2:30 a.m. and the D-6 Liquor Permit would give privileges on Sunday.

Mr. Rozic asked what the seating capacity of the new restaurant would be in which Mr. Lopez, also representing Leopoldos, LLC, responded 145 to 185.

Mr. Bagdonas stated that this process is identical to what we went through for the Speedway Gas Station.

Mr. Rozic asked the Police Chief if he had any objections in which he answered no and that this sounds like it is going to be a family friendly restaurant.

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Mayor Brodie moved to approve the transfer of the alcohol permit from Toledo to Waterville. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

B. FOR DISCUSSION – VILLAGE OF WHITEHOUSE LETTER OF INTEREST TO PURCHASE POTABLE WATER/JONES & HENRY ENGINEERS, LTD. PROPOSAL TO EVALUATE THE ISSUE

A letter was received from the Village of Whitehouse expressing interest in purchasing water from Waterville after the new connection to Bowling Green is put into service. This issue should be evaluated from both technical and financial points of view. Jones & Henry Engineers, Ltd. has provided a proposal to perform the technical and financial evaluations. Direction from City Council regarding Waterville's response to Whitehouse is needed.

Mr. Bagdonas stated that Council received the letter from the Village of Whitehouse in their packet. There are two areas that we would need to evaluate. The first being the technical side and whether our water system can deliver the quantity of water at the proper pressure and the second being the financial side and what rate we would charge for passing the water through our system. Jones & Henry, who is providing the engineering for the waterline, has stated that it would cost the city approximately \$15,000 for them to evaluate the technical and financial issues involved. He added that at this point the Staff is looking for direction from Council on how they would like us to proceed.

Mayor Brodie stated that she feels that \$15,000 is a lot of money when we were not looking for customers. She added that if the Village of Whitehouse is interested in pursuing this they should be liable for this cost.

Mr. Valtin stated that he agrees with the Mayor and asked if Whitehouse would agree, if we don't come to an agreement, to pay for the cost of the engineering study?

Mr. Dombey stated that we should get the money up front.

Mr. Bagdonas stated that he did speak with representatives from Bowling Green and they stated that there will not be a direct relationship between Whitehouse and Bowling Green. If we are passing the water through what we would need to do is request an amendment to the contract that we currently have with Bowling Green to expand our service area to include Whitehouse. Bowling Green was less certain about this a few months ago but have since stated that they have enough capacity to supply water to both Waterville and Whitehouse. Bowling Green has given us the green light to explore this.

Council members agreed and directed Mr. Bagdonas to contact the Village of Whitehouse Administration to discuss Waterville's intention to charge them for the cost to perform the technical and financial evaluation by Jones & Henry.

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**C. FOR DISCUSSION – CITY OF SYLVANIA WATER SUPPLY
FEASIBILITY STUDY**

A letter was received from the City of Sylvania regarding a study to investigate regional alternative water sources. They are seeking a financial contribution from area communities toward the cost of such as study. Direction from City Council regarding Waterville's response to Sylvania is needed.

Mayor Brodie stated that the City of Sylvania is suggesting that the city donate \$5,000 or whatever dollar amount we deem appropriate.

Mr. Valtin stated that he does not see a benefit for our residents that warrant a \$5,000 cost.

Mr. Bagdonas stated that the only advantage that he sees is for a backup source of water. He added that he also feels that it doesn't warrant the same \$5,000 level as others. He then stated that maybe \$1,000 or less would be more appropriate to stay involved and informed.

Mr. Valtin agreed that we should contribute something in order to keep us at the table.

After further discussion, Council authorized Mr. Bagdonas to donate up to \$1,000 toward Sylvania's regional alternative water source study.

D. ORDINANCE 25-15 - AN ORDINANCE AMENDING ORDINANCE NO. 08-15, THE AMENDED FY 2015 ANNUAL APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY

This Ordinance would authorize the third amendment to the 2015 appropriations. Significant items included in this amendment are: additional revenue in the Five Year Capital Fund to reflect the receipt of Federal Highway money (\$645,360) and an Ohio Public Works Commission grant (\$33,070) that were budgeted in 2014 but received in 2015 for the Waterville-Monclova Rd. project, an additional temporary advance and repayment involving the Water Debt Fund and the Water Fund (\$100,000) to address a cash flow issue in the Water Fund, additional revenue in the Water Debt Fund to reflect the note issued for the Michigan Ave. Waterline Replacement project (\$87,096) and the bond issued for the Bowling Green Waterline project (\$2,327,817), an additional appropriation in the Water Debt Fund related to the Bowling Green Waterline project (\$2,430,244) and an additional appropriation in the Water Debt Fund for the issuing expenses related to the issuance of the notes and bonds (\$63,900). Detailed information on this amendment is attached to the Ordinance.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 25-15 as an emergency measure. Mrs. Bruno seconded the motion.

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Roll Call: Mr. Larkins – yes, Mr. Valtin – yes, Mayor Brodie – 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 25-15 as an emergency measure. Mr. Rozic seconded the motion.

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

- E. **RESOLUTION 37-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PROUDFOOT ASSOCIATES INC. FOR THE 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 approximately \$712,000 in Federal funds toward the total estimated project cost of \$975,000 for this project along the Anthony Wayne Trail and South River Road, which includes right and left turn lanes at the two quarry driveways, a shared-use path along the west side of the roadway for the entire length of the project and an activated, lighted crosswalk at Overlook Drive along with related drainage facilities, signage and pavement markings. The project originally was programmed to include a left turn lane for its entire length, but in accordance with previous discussions with City Council, 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.

Mayor Brodie moved to adopt Resolution 37-15. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

- F. **RESOLUTION 38-15** - A RESOLUTION APPOINTING JON D. GOCHENOUR AS CLERK OF COUNCIL OF THE CITY OF WATERVILLE AND ESTABLISHING THE EFFECTIVE DATE OF APPOINTMENT

With Dale Knepper's retirement on September 30, 2015, the Clerk of Council position will be vacant. This Resolution would appoint Jon Gochenour to fill the position effective October 2, 2015. Having the Director of Finance and Administration also serve as the Clerk of Council has worked very well for the past six years.

Mr. Valtin moved to adopt Resolution 38-15. Mrs. Krise seconded the motion, which

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passed by unanimous voice vote.

- G. **RESOLUTION 39-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A CONTRACT WITH HYLANT ADMINISTRATIVE SERVICES, INC., ADMINISTRATOR OF THE OHIO GOVERNMENT RISK MANAGEMENT PLAN, FOR COMPREHENSIVE PROPERTY, CASUALTY AND LIABILITY INSURANCE COVERAGES

The Village/City has had contracts for comprehensive property, casualty and liability insurance coverages with Hylant Administrative Services since 1988. We have again received a very favorable proposal from Hylant Administrative Services, using the Ohio Plan of Government Risk Management, for the renewal of our insurance coverages for the September 1, 2015 to August 31, 2016 period. This Resolution would authorize a contract for the renewal for the one-year term at a reduction in the total premium from \$46,040 to \$42,995 including adjustments due to property and equipment that have been added or deleted during the past year and claims history.

Mr. Pedro moved to adopt Resolution 39-15. Mrs. Krise seconded the motion, which passed by unanimous voice vote.

- H. **RESOLUTION 40-15** - A RESOLUTION AUTHORIZING THE MUNICIPAL FINANCE DIRECTOR TO WRITE-OFF UNCOLLECTABLE UTILITY ACCOUNTS FOR THE CITY OF WATERVILLE, OHIO

During the normal course of billing and collecting for water and sanitary sewer services, a number of accounts incur relatively small outstanding balances due after the customer has sold the property and/or moved. Despite efforts to collect payments on these delinquent customer utility accounts, some accounts appear to be uncollectible. In those cases where the cost to collect such debts exceeds the revenue which is due, it is the recommendation of the Ohio Auditor of State to "write-off" such delinquent utility accounts as uncollectable to the City. This Resolution would authorize the Finance Director to write-off delinquent utility account debt in the amount of \$2,843.68 from the years 2001-2014 as detailed in the form attached to the Resolution.

After discussion, Mr. Valtin moved to adopt Resolution 40-15. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

- I. **RESOLUTION 41-15** - A RESOLUTION AUTHORIZING THE ADVANCE OF CASH FUNDS FROM THE WATER CAPITAL/DEBT FUND (640) TO THE WATER OPERATING FUND (610)
- J. **RESOLUTION 42-15** - A RESOLUTION AUTHORIZING THE TRANSFER OF CASH FUNDS FROM THE GENERAL FUND (100) TO THE FIVE-YEAR CAPITAL FUND (325) AND THE STORM SEWER FUND (660)

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Although inter-fund advances and transfers are authorized by the 2015 appropriations as amended, the State Auditor has issued a bulletin requiring specific legislative action to ratify such actions. These Resolutions would meet that requirement.

Mr. Larkins moved to adopt Resolution 41-15. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Mr. Larkins moved to adopt Resolution 42-15. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

- K. **PUBLIC HEARING** – RESIDENTIAL OVERLAY DISTRICT ZONING PERMIT – THE VILLAGE AT MILL CREEK FARMS LOT 9 – APPLICATION FOR ZONING PERMIT #2403 – PROPOSED PATIO DECK TO BE LOCATED ON LOT 9 OF THE VILLAGE AT MILL CREEK FARMS (8208 FARNSWORTH RD.) AT THE NORTHWEST CORNER OF THE FARNSWORTH ROAD/WATERVILLE-MONCLOVA ROAD INTERSECTION (MOTION)

Mayor Brodie opened and closed the Public Hearing at 8:52 p.m.

Mrs. Bruno moved to approve Zoning Permit #2402 for the patio deck at 8208 Farnsworth Rd. Mr. Larkins seconded the motion, 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 ORC 121.22(G)(3), Imminent Court Action at 8:54 p.m. Mr. Valtin 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 9:47 p.m. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Adjournment

There being no further business to come before Council, Mr. Larkins made a motion to close the meeting at 9:47 p.m. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Dale D Knepper
Clerk of Council

Lori Brodie
Mayor