

Regular Council

February 8

16

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. 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:

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. Pedro moved to approve the minutes of the January 25, 2016 Regular Council meeting. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

Presentation

Certificates of Commendation - Michalina Tefft, Sandy Tripp, Kadi Sosnowicz; Outstanding Community Service

Mayor Brodie presented Certificates of Commendation to Michalina Tefft, Sandy Tripp and Kadi Sosnowicz for their role in the timely apprehension of the two suspects in the recent Dollar General armed robbery.

Citizen's Comments

Council welcomed two students from Notre Dame Academy who were in attendance at this evening's meeting to work on getting hours required for their Government class. Each student then introduced themselves to Council.

Staff Reports

Administration: Mr. Bagdonas

- Reported that he attended the TMACOG General Assembly where he was reappointed to the TMACOG Board of Trustees and the Transportation Council.
- Stated that he is planning to attend the State Attorney General's Training Seminar on Ohio's Public Records law at TMACOG on April 8. Attendance at one of these three-hour sessions is required by ORC Section 149.43(E) for all elected officials or their "appropriate designees" during each term of office. He then stated that if Council members are not planning to attend one of these future training seminars he would suggest that they designate the Municipal Administrator by motion as the designee of the Council members for the purpose of this training.

Mayor Brodie made a motion to appoint the Municipal Administrator as Council's designee. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

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- Stated that with Council's approval, he would like to schedule this year's summer Council meetings on the fourth Mondays of June, July and August (June 27, July 25 and August 22). This schedule works well with the timing of the legislation needed for our annual note issue in late July.

Mr. Rozic moved to set the summer meeting schedule as recommended by the Administrator. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

Law Director: Mr. Dombey – No report.

Finance Director: Mr. Gochenour

- Stated that Council received a copy of the November 2015-Month End Finance Report in their Council packet. He added that he is working on closing out the month of December 2015 and the year 2015.
- Reported that the first Finance Committee meeting of 2016 will be held on February 18 at 7:30 a.m. where we typically go over year-end budget information.

Treasurer: Steve Schult

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

Police Chief: David LaGrange

- Introduced new Patrol Officer Kyle Whited to Council stating that prior to coming to Waterville he worked part-time for Waterville Township. He then stated that his training has progressed very well.
- Briefly went over the events that led to the arrest of two suspects at the Dollar General on January 16.

Fire Chief: Patrick Wambo

- Stated that Council received his monthly report for January and the 2015 Annual Fire Department Operational Report in their Council packet.
- Reported that there were 631 incidents in 2015. This number is 132 incidents higher than in 2014, a 79.08% increase. This increase is attributed to two basic activities: an increase in EMS incidents and the automatic mutual-aid responses to other jurisdictions for both fire and EMS.

Mrs. Bruno stated that on the back of the Annual Operations Report there was a run sheet with personnel listed with many of the names listed as no longer being employees. She asked the Chief if there was a reason for this in which he responded that there are a variety of reasons but mostly because that these individuals are working now for other fire departments, many on a full time basis.

Public Works Director: Ken Blair

- Reported that the perimeter fence at the Public Works facility is currently being installed and should be completed by the end of the week.
- Stated that as of January 19, the city has used 276 tons of salt which is down from the 1,000 tons used at this time last year. He also added that overtime costs for snow removal are down significantly as well.
- Reported that this year the city collected 2,591 total cubic yards of leaves during its collection program. The total man hours combined was 516 hours.
- Stated that in the next two weeks he will be meeting with the city engineer to discuss reprioritizing the pavement resurfacing inventory and to develop a preventative maintenance plan for streets.

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Communications from Council Members/Committees

Discussion – Raising Legal Purchase Age of Tobacco Products from 18 to 21

Council members asked to have this item placed on the agenda for further discussion of this matter.

Mr. Larkins –

- Reported that he attended the first meeting of the Parks and Recreation Committee for 2016 on February 2 where he was elected Chairman. He stated that the Committee has decided to take a comprehensive look at all of the parks in Waterville. He added that they will be meeting on Saturday, April 16 to take a tour of the parks and then discuss usage and issues at each one. He then added that if anyone has any feedback on the parks in Waterville, please get in touch with any of the committee members to let them know. The committee is also going to have to take a look at how the parks are going to serve the residents in the new part of the city in the future.

Mrs. Bruno – No report.

Mr. Valtin –

- Attended the February 2 Parks and Recreation Committee meeting where they had a great discussion on what the Committee wants to accomplish this year. He added that he thinks they will work well together as a group.

Mr. Rozic – No report.

Mr. Pedro –

- Attended his first Public Safety Committee Meeting on February 4.
- Attended the Waterville Economic Development Committee meeting.

Mrs. Krise – No report.

OLD BUSINESS:

- A. ORDINANCE 37-15 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY AMENDING THE SPECIAL USE PERMIT OF THE BROWNING MASONIC COMMUNITY, INC. TO ALLOW THE CONSTRUCTION OF THE COMMUNITY VILLAS PHASE 1 ON THE PROPERTY LOCATED AT 8883 BROWNING DRIVE

Legislative Action scheduled for March 14, 2016

An Application has been received from the Browning Masonic Community, Inc. for an amendment to their Special Use Permit to construct 14 villa units on their property at 8883 Browning Drive. The Planning Commission members discussed this amendment at their January 4 and February 1 meetings. Additional information from the applicant's consultant as requested at the January meeting has not yet been received. Discussion on the proposed amendment will continue at the next Planning Commission meeting that is scheduled for March 7. Final legislative action is now scheduled for the March 14 Council meeting which will occur after Council receives the Planning Commission's recommendation.

- B. ORDINANCE 38-15 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY AMENDING CONDITIONAL USE PERMIT GRANTED TO THE KROGER CO. TO OPERATE A SUPERMARKET GREATER THAN 75,000 SQUARE FEET IN THE VILLAGES AT WATERVILLE LANDING DEVELOPMENT AND LOCATED AT 8730 WATERVILLE-SWANTON ROAD.

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Legislative Action scheduled for March 14, 2016

An Application has been received from the Kroger Co. for an amendment to their Conditional Use Permit to construct a 43,000 square foot addition to their supermarket at 8730 Waterville-Swanton Road. The Planning Commission members discussed this amendment at their January 4 meeting but requested additional information from the applicant. The additional information was not received by the closing date for the February 1 Planning Commission meeting. Discussion on the proposed amendment will continue at the March 7 Planning Commission, assuming the information is received by February 22. Final legislative action is scheduled for the March 14 Council meeting which will occur after Council receives the Planning Commission's recommendation.

- C. ORDINANCE 01-16 AN ORDINANCE AMENDING SECTION 907.04 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE WITH RESPECT TO STREET TREES IN NEW SUBDIVISIONS

Second Reading

- D. ORDINANCE 02-16 AN ORDINANCE AMENDING SECTION 1117.02(b)(5) AND REPEALING SECTION 1117.05 OF THE PLANNING AND ZONING CODE WITH RESPECT TO FINAL PLATS

Second Reading

- E. ORDINANCE 03-16 AN ORDINANCE ENACTING SECTIONS 1119.10(1) AND 1147.03(f) OF THE PLANNING AND ZONING CODE WITH RESPECT TO STREET TREES

Second Reading

Currently, the planting of street trees in new subdivisions is handled in the same way as other public improvements (street, water lines, sewers) in the subdivision. Any of these items that are not completed at the time of the final plat approval are covered by a bond or escrow agreement until their completion. In most subdivisions, this becomes difficult with respect to street trees since the tree planting is not typically done all at once, but in a piecemeal fashion adjacent to each lot as a structure is built. There have also been problems with the quality of the trees and the planting methods.

The Tree Commission has recommended a new procedure to handle the planting of street trees in connection with the issuance of a zoning permit. This procedure would require the applicant for a zoning permit to pay the City a fee in an amount as determined by City Council for each street tree adjacent to the frontage of the building site. The City would then plant the trees at an appropriate time, giving consideration to weather conditions and nearby construction activities. Ordinances 01, 02 and 03-16 would implement the new procedure. A Resolution to establish the fee would be considered for passage by Council at the February 22 meeting.

NEW BUSINESS:

- A. RESOLUTION 03-16 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 2016 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

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on behalf of the City. Due to the yearly requirement, this Resolution is one of our annual legislative “housekeeping” items.

Mr. Larkins moved to adopt Resolution 03-16. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

Other Business

Mr. Pedro stated that he attended a meeting on Saturday, February 6, held at the Conrad Park Rec Building, which was hosted by a law firm out of Columbus, OH regarding the Nexus Pipeline. They represent property owners who are affected by the pipeline by ensuring they are compensated for easements and that their rights are protected. He added that he felt that the meeting was very informative and well organized.

Executive Session

Mr. Pedro made a motion to move into Executive Session for a Conference with the Law Director concerning ORC 121.22(G)(1), Compensation of Public Employees or Officials, ORC 121.22(G)(2), Purchase or Sale of Property for Public Purposes and ORC 121.22(G)(3), Imminent Court action at 8:06 p.m. Mrs. Krise 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.

Return to Regular Session

Mr. Pedro made a motion to come out of Executive Session and resume the regular Council meeting at 8:55 p.m. Mrs. Bruno seconded the motion which carried by unanimous voice vote.

Mr. Valtin made a motion to increase the Municipal Administrator’s salary by 3.75% retroactive to January 1, 2016. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

Adjournment

There being no further business to come before Council, Mrs. Krise made a motion to close the meeting at 8:55 p.m. Mayor Brodie seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor