

Regular Council

May 9

16

The regular meeting of the Waterville Council was called to order by Mayor Lori Brodie at 5:00 p.m. in the Council Chambers of the Waterville Municipal Building.

Present at roll call were Mr. Pedro, Mr. Valtin, Mayor Brodie, Mr. Rozic, Mrs. Bruno and Mr. Larkins. One City Council seat is currently vacant.

Executive Session

Mr. Larkins made a motion to move into Executive Session for Consideration of a Personnel Issue - ORC 121.22(G)(1), Appointment of a Public Employee or Official at 5:00 p.m. Mr. Pedro seconded the motion.

Roll Call: Mr. Pedro – yes, Mr. Valtin – yes, Mayor Brodie – yes, Mr. Rozic – yes, Mrs. Bruno – yes, Mr. Larkins - 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 7:32 p.m. Mr. Rozic seconded the motion which carried by unanimous voice vote.

A prayer was offered by Mrs. Bruno. The Pledge of Allegiance was recited.

Also present this evening 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.

Appointment of Vacant Council Seat

Mayor Brodie stated that Council met earlier in an Executive Session and interviewed applicants for the Council seat vacated by Mrs. Krise. She then stated that she and members of Council would like to thank the 12 citizens who applied for the vacant Council seat. She added that it was a very tough decision because they had a great group of people to choose from.

Mr. Larkins made a motion to appoint Mary Duncan to Council. Mr. Valtin seconded the motion.

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

Mayor Brodie stated that Council will take a brief recess in order to meet with the newly appointed Council Member. After a five minute recess Council reconvened.

Oath of Office

Mr. Dombey administered the Oath of Office to Mrs. Duncan.

Approval of Minutes

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

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Citizen's Comments

Bob Brannan, 7134 Jeffers Rd., Whitehouse, OH, representing P.A.W. (Protecting Air in Waterville) came to this evening's meeting to give Council an update on their initiative to write, petition and collect signatures to place a referendum on the November 2016 ballot to ban the Nexus Pipeline and compressor station. He stated that they have drafted what they believe is close to a final version of the petition and would like to present a sample draft to Council, which will be attached to tonight's minutes. He added that their next meeting will be held this Wednesday, May 11 at 6:30 p.m. at the Waterville Branch Library. He then stated that the deadline to submit the petition is the middle of July and their goal is to collect 300 signatures.

Mrs. Bruno stated that she appreciates the citizens coming together to fight this and added that she will sign their petition.

Staff Reports

Administration: Jim Bagdonas

- Reported that he attended the bid opening for the Bowling Green Water Transmission Line Project. Three bids were received and are currently being reviewed by the consultant. It is anticipated that a recommendation to Council will be ready for the May 23 Council meeting. He added that they will be discussing the project with the Finance Committee at their meeting next week.

Law Director: Phil Dombey – No report.

Finance Director: Jon Gochenour

- Congratulated Mrs. Duncan on her appointment to Council. Reviewed details from the RITA Income Tax Report for April 2016.

Treasurer: Steve Schult

- Reported that the Waterville Community Foundation, which was started with seed money provided by Waterville Village Council 10 years ago, recently received a \$1 million donation from an estate.

Police Chief: David LaGrange

- Congratulated Mrs. Duncan on her appointment to Council.
- Reported that this year's Safety City will be held July 11 – 15. Registration forms are now being accepted.
- Stated that all of our officers are now trained and certified to carry and administer Narcan for the emergency treatment of opioid overdoses.
- Reported the Waterville Police Department's MedReturn box had 169 lbs. of medication that was turned in on April 30 for the Drug Take Back Day.

Fire Chief: Patrick Wambo

- Congratulated Mrs. Duncan on her appointment to Council.
- Reported that last Saturday the Firefighter One Transition Level One Training Class, which started this past November, was completed. He added that three individuals from his department, Jeff Dorner, Randy King and Alan Huber completed the course and will take the state test next week.

Public Works Director: Ken Blair

- Congratulated Mrs. Duncan on her appointment to Council.
- Reported that Council has legislation in front of them for this year's crack and joint repair project. The successful bidder was Buck Pavement Restoration.
- Stated that Council also has legislation in front of them this evening to authorize participation in ODOT's Winter Contract for road salt for the winter season of 2016-17.

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- Reported that we are currently working on the 2016 Sidewalk Repair Program. We are hoping to have that completed by the end of the week and to Council at the May 23 meeting.
- Stated that we are working hard to catch up on grass mowing and that we have been getting the street sweeper out more frequently.

Communications from Council Members/Committees

Mr. Larkins – No report

Mrs. Bruno – No report.

Mr. Valtin –

- Congratulated Mrs. Duncan on her appointment to Council.

Mr. Rozic – No report.

Mr. Pedro –

- Reminded Council and residents that the Waterville Economic Development Corporation will hold its annual meeting and luncheon on May 12, 2016 at 11:30 a.m. at the Browning Complex.
- Attended the May 5 Public Safety Committee meeting.
- Welcomed Mary Duncan to Council.

Mrs. Duncan –

- Thanked Council members for their vote of confidence.

OLD BUSINESS:

A. ORDINANCE 06-16 ENACT CHAPTER 939 – SEDIMENT and EROSION CONTROL

Third Reading and Legislative Action

Federal law requires communities such as the City of Waterville to develop and implement a Storm Water Management Program to address erosion and sediment control, among other components, during soil disturbing activities. Ordinance 06-16 was developed after meetings with representatives of the Ohio EPA, the Lucas County Engineer's Office and subdivision developers and is based on input from those sources and existing programs from several Ohio local governments, including Lucas County, Wood County, Maumee and Perrysburg.

Administration of the City's Storm Water Management Program will be handled by the Lucas County Engineer's Office. Resolution 15-16 passed on April 11 authorized a Memorandum of Understanding with the Lucas County Engineer's Office for the management activities.

Fees to cover the expenses of the Storm Water Management Program are addressed in proposed Section 939.11, "fees as determined from time to time by Council." These fees would be established by Resolution 21-16. A fee equal to the actual cost of the work plus 5-percent, the same as the City's charges for plan review and the inspection of public improvements, is recommended.

Mr. Pedro moved to adopt Ordinance 06-16. Mr. Larkins seconded the motion.

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

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- B. PUBLIC HEARING - ORDINANCE 07-16 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

Third Reading, Public Hearing and Legislative Action

Council previously referred this rezoning request to the Planning Commission for a recommendation. At the April 4 Planning Commission meeting, the Commission voted 3 to 0 with two members absent to recommend approval of the rezoning request.

Mayor Brodie opened the Public Hearing at 8:07 p.m.

Mr. Valtin stated that he has struggled with this request because the voters decided years ago to change the zoning to R-1. He added that he hasn't received any comments from residents that are opposed to Council changing the zoning back to its original R-3 classification. He then stated that since no one is present at the Public Hearing to speak either for or against the change, then he is left to conclude that voters are not opposed to changing the zoning back to R-3 from R-1.

Mayor Brodie closed the Public Hearing at 8:09 p.m.

Mr. Valtin moved to adopt Ordinance 07-16. Mrs. Bruno seconded the motion.

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

NEW BUSINESS:

- A. REFERRAL TO PLANNING COMMISSION – REZONING OF 708 SOUTH RIVER ROAD FROM R-1 TO C-1 (*MOTION*)

An Application has been received from Trisun Land Services LLC, Trustee to rezone this property from R-1 to C-1. A referral by Council to the Planning Commission for a recommendation is necessary at this time to begin the rezoning process. The next Planning Commission meeting is scheduled for June 6.

Mayor Brodie made a motion to refer this to the Planning Commission. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

- B. ORDINANCE 08-16 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A SPECIAL USE PERMIT TO CONSTRUCT A BUILDING ON A 14.846 ACRE PARCEL OF LAND ON THE SOUTHEAST SIDE OF PRAY BLVD. NORTH OF STATE ROUTE 64 ZONED R-4 FOR A SENIOR LIVING COMMUNITY AND DECLARING AN EMERGENCY

First Reading

The City received an Application for a Special Use Permit as described above. The property is zoned R-4. At the May 2 meeting, the Planning Commission approved a motion by a vote of 4-0 with one member absent to recommend the granting of this Special Use Permit including three variances as described in the Ordinance and approval of the site plan for this project, subject to the comments noted in the April 28, 2016 letter from Thomas Yurysta, City Engineer.

Don Feller, Feller Finch and Associates, along with Mike Simko from StoryPoint, came to this evening's meeting to give a brief description of the project and to answer any questions from Council.

C. ORDINANCE 09-16 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 708 SOUTH RIVER ROAD (PARCEL NO. 96-03277) FROM R-1 RESIDENCE DISTRICT TO C-1 COMMERCIAL DISTRICT

First Reading

In an earlier agenda item, Council was to consider referring this rezoning request to the Planning Commission for a recommendation. The next Planning Commission meeting is scheduled for June 6. Assuming the referral is approved, a first reading of the Ordinance has been scheduled for this meeting. The Public Hearing and third reading would occur at the June 27 Council meeting after Council receives the Planning Commission's recommendation.

D. RESOLUTION 19-16 A RESOLUTION APPROVING THE PLAT OF WATERVILLE MEADOWS PLAT TEN AND AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO SIGN SAID PLAT

A Preliminary Plat for this property was approved by City Council on April 13, 2015. MB Investments of NWO, LLC has now submitted a final plat for this subdivision. The City Engineer and the Planning Commission have reviewed the proposed plan and have recommended that it be approved with conditions, as specified in the Resolution. A signed original of the Final Plat will not be released by the City until these conditions are met.

Mr. Larkins moved to adopt Resolution 19-16. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

E. RESOLUTION 20-16 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO PYROTECHNICO FIREWORKS IN THE AMOUNT OF \$18,000.00 FOR PROFESSIONAL SERVICES RELATING TO A DISPLAY OF FIREWORKS ON JULY 2, 2016 FOR THE CITY OF WATERVILLE

Two companies submitted proposals to provide a fireworks display on July 4 (since revised to July 2). Each of the proposals has a cost of \$18,000. Based on an evaluation of the fireworks displays proposed, a contract with Pyrotechnico Fireworks is recommended.

Mrs. Bruno moved to adopt Resolution 20-16. Mr. Larkins seconded the motion, which passed by unanimous voice vote.

F. RESOLUTION 21-16 A RESOLUTION AMENDING THE SCHEDULE OF FEES AND DEPOSITS CHARGED BY THE CITY OF WATERVILLE FOR VARIOUS SERVICES BY ADDING A FEE FOR ALL WORK RELATED TO A STORM WATER POLLUTION PREVENTION PLAN (SWP3)

Since Ordinance 06-16 was passed by Council, Section 939.11(a) enacted thereby provides for a fee for the review, filing, inspection, administration and all other work related to a Stormwater Pollution Prevention Plan "as determined from time to time by Council." This Resolution would add such a fee to the City's fee schedule in an amount equal to the City's actual cost plus 5%.

Mr. Rozic moved to adopt Resolution 21-16. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

G. RESOLUTION 22-16 A RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT (018-17) FOR ROAD SALT FOR THE WINTER SEASON 2016-2017

The Village/City has participated in the Ohio Department of Transportation's Cooperative Purchasing Program for the purchase of road salt for the past six winters. This arrangement has worked very well for the City by minimizing the unit price paid for the road salt and by providing a degree of stability to the availability of the salt. This year, ODOT has modified the program and now characterizes it as local participation in the ODOT purchase contract rather than the Cooperative Purchasing Program. At ODOT's request, the legislation required for local participation in the contract has been modified to reflect this change. This Resolution would authorize participation in the ODOT contract for the 2016- 2017 winter season.

Mr. Larkins moved to adopt Resolution 22-16. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

H. RESOLUTION 23-16 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO BUCK PAVEMENT RESTORATION, LLC, FOR THE 2016 CRACK SEALING PROGRAM

As discussed earlier this year, the City planned to include crack sealing in the 2016 street maintenance program. This Resolution would authorize a contract with Buck Pavement Restoration, LLC for crack sealing on 31 streets. Five bids were received by the May 4 deadline. It was determined by the City Engineer and administrative staff that Buck Pavement Restoration, LLC submitted the best and most responsive bid, therefore the recommendation is to award them the contract. The engineer's letter of the bid summary and recommendation is included with the copy of the legislation.

Mr. Pedro moved to adopt Resolution 23-16. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

Other 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.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor