

Regular Council

June 26

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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 Mr. Larkins. The Pledge of Allegiance was recited.

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

Also present this evening were Jim Bagdonas, Administrator; Phil Dombey, Law Director; Steve Schult, Treasurer; and Shellie McCann, Recording Secretary.

Citizens Present:

Please see Citizens' Sign-In Sheet, Exhibit A, Page 1 for a list of people present.

Presentations:

- A. Jerry Hannewald - Retiring from the Zoning office after 10 years of service.

Mayor Brodie presented Mr. Hannewald a Certificate of Commendation and a Carruth piece for his 10 years of service.

Approval of Minutes

Mr. Bagdonas stated that the March 13, 2017 minutes were missing the motion to grant a 120 calendar day extension for the final completion of the Bowling Green Water Transmission Line project with the contractor Hank's Plumbing and Heating. Mr. Pedro moved to approve the correction to the minutes of the March 13, 2017 Regular Council meeting. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

Mr. Larkins moved to approve the minutes of the May 22, 2017 Regular Council meeting. Mrs. Duncan seconded the motion, which passed by a voice vote with Mr. Pedro abstaining.

Citizens Comments

Mr. James Gee, TARTA General Manager, was present and gave a presentation regarding TARTA's Sales Tax Funding Proposal. Mr. Gee stated that TARTA is currently funded through a 2.5 mill property tax. The proposal would replace this funding mechanism with a new ½% sales tax. As a part of this plan, TARTA would rebate 1/3 of what is collected to all the communities in Lucas County which would have to be used for some form of transportation improvement or enhancement, such as snow plowing, road or sidewalk repairs for that community. For the City of Waterville, the estimated reimbursement would be \$135,893.11 per year. TARTA would like to put this issue on the November ballot for voter approval and requires a resolution from each TARTA community stating their approval to place it on the ballot.

Mayor Brodie stated this Lucas County sales tax will affect everyone whether you own property, rent or are visiting the area. The sales tax would cover 100% of Lucas County plus the City of Rossford and not just the areas currently covered by TARTA. It was the consensus of Council to have a resolution of support prepared for the next council meeting on July 24, 2017.

Staff Reports

Administration: Mr. Bagdonas

- Stated that he didn't have anything to add to his report that wasn't agenda specific.

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Mayor Brodie asked if there is a time line for the sidewalk on Waterville-Monclova Road where the church is being built to be repaired. Mr. Bagdonas stated he has spoken with the property owner and they have a contractor lined up to repair the sidewalk.

Law Director: Mr. Dombey – No report.

Finance Director: Mr. Gochenour

- Reviewed details from the May 2017 Month End Finance Report highlighting fund balances, investments, income tax revenues and the schedule for the upcoming sale of notes.

Treasurer: Mr. Schult

- Reviewed details of the Treasurer's Report for the month of May 2017.

Police Chief: Mr. LaGrange

- Reported that Safety City is the week of July 10 and all morning sessions are full. The afternoon sessions are also nearly full as well.

Fire Chief: Mr. Wambo

- Reported that the Fire Department is up 60 runs from this date last year.
- Stated the new emergency siren at St. Rt. 64 west of US 24 is up and waiting for connection by Toledo Edison. A grant from Lucas County paid for 100% of the cost.

Public Works Director: Mr. Blair

- Reported that the S. River Rd. /Anthony Wayne Trail turn lane project/shared use path is scheduled to start July 5, 2017 and run thru mid-August. Traffic delays are to be expected. Delay warnings are on the website, Channel 5 and the Pray Park sign.

Mr. Larkins stated he received complaints regarding a drinking fountain not working and ropes missing on playground equipment at Baer Park. He was wondering if these items have been fixed or could be looked at by Public Works.

Mr. Blair stated that the drinking fountain currently does work and replacement ropes have been ordered.

Communications from Council Members/Committees

Mr. Larkins

- Stated he wanted to thank the third graders for their thank you letters regarding the recent "Mock Council" meeting and the Historical Society for their successful Waterville historical home tour/walk.

Mrs. Bruno

- Stated that activities of the Red, White and Boom Committee are underway and Vision Church is putting on the Fourth of July festival this year at the school.

Mr. Valtin – No report.

Mr. Rozic

- Stated he enjoyed the Mock Council meeting and thanked the third graders for their thank you letters.

Mr. Pedro

- Stated he also wanted to thank the Third Graders and all the volunteers that put on the Rock the Block program which he thought was very successful.

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Mrs. Duncan – No report.

OLD BUSINESS:

- A. ORDINANCE 06-17 AN ORDINANCE APPROVING A ROADWAY DEDICATION PLAT FOR ADDITIONAL RIGHT-OF-WAY ON MECHANIC STREET (SR 64) AND AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO SIGN SAID PLAT

Third Reading and Legislative Action

Since the replacement of the State Route 64 Bridge over the Maumee River will be located just upstream from the existing bridge, the alignment of Mechanic Street will be permanently shifted to the south of its current location. The new alignment will occupy approximately one-third of an acre of land that is owned by the City of Waterville but is not dedicated public right-of-way. The process of converting the land from simple City ownership to public right-of-way is through the recording of a roadway dedication plat. This Ordinance would approve such a plat. The plat was approved by the Planning Commission on May 1.

Mrs. Duncan moved to adopt Ordinance 06-17. Mrs. Bruno 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.

- B. ORDINANCE 08-17 AN ORDINANCE ACCEPTING THE ANNEXATION OF THE TERRITORY PROPOSED FOR ANNEXATION BY THE PETITION FILED BY PHILIP L. DOMBEY, AGENT (ANTHONY WAYNE TRAIL/DUTCH ROAD AREA), ON SEPTEMBER 21, 2016 WITH THE LUCAS COUNTY BOARD OF COMMISSIONERS

Second Reading

On September 21, 2016, a petition was filed for the annexation of 19.8 acres in the vicinity of the Anthony Wayne Trail and Dutch Road. The Lucas County Commissioners approved the petition on December 6, 2016. The City Clerk received the written notice of the Commissioners' approval on May 3, 2017. The City must accept the annexation not less than 60 nor more than 120 days from the day the written notice was received. The July 24 City Council meeting will be the first meeting after the 60 days have elapsed. This Ordinance would formally accept the annexation as approved by the Commissioners.

- C. RESOLUTION 27-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO EXECUTE A LICENSE AGREEMENT WITH METRO FC OF TOLEDO LLC, A DOMESTIC FOR-PROFIT LIMITED LIABILITY COMPANY, REGARDING THE USE OF A CERTAIN PORTION OF PRAIRIE TRAIL PARK

This item was tabled at the last Council meeting. Mr. Larkins moved to take this item off the table. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Metro FC of Toledo made a proposal to continue the use of soccer fields in a portion of Prairie Trail Park for practices and games. The Parks and Recreation Committee recommended approval of that proposal. After the discussion at the May 22 Council meeting, the License Agreement now attached to this Resolution has been modified from the original proposal by changing the term to one-year and limiting the use of all three fields to practices only. Other provisions of the Agreement are the same as in the current Agreement that will expire on July 31, 2017.

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Mr. Larkins moved to adopt Resolution 27-17. Mrs. Bruno seconded the motion, which passed by voice vote with Mr. Rozic abstaining.

NEW BUSINESS:

- A. ORDINANCE 09-17 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$80,000 FIRE EQUIPMENT ACQUISITION BOND ANTICIPATION NOTES, TWELFTH (2017) 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

- B. ORDINANCE 10-17 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$427,300 PUBLIC INFRASTRUCTURE IMPROVEMENT BOND ANTICIPATION NOTES, TWELFTH (2017) 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 THE FALLEN TIMBERS BUSINESS PARK, AND DECLARING AN EMERGENCY

- C. ORDINANCE 11-17 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$430,900 WATER TOWER RESTORATION BOND ANTICIPATION NOTES, NINTH (2017) 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

- D. ORDINANCE 12-17 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$586,800 WATER SYSTEM IMPROVEMENT BOND ANTICIPATION NOTES, THIRD (2017) 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

Ordinances 09-17 through 13-17 are related to the FY 2016 Bond Anticipation Note Issue retirement and the issuance of new one-year Bond Anticipation Notes. The 2016 notes mature July 26, 2017 and will be replaced by a new one-year note issue, the details of which are provided in the spreadsheet included with the Finance Director's report in the Council packet. The \$1,525,000 note issue for 2017 reflects a decrease of \$235,000 from the 2016 note issue. The issuance of notes allows maximum flexibility in reducing the debt more quickly than if this debt was in the form of bonds. All of the foregoing actions have been recommended by the Finance Committee. Ordinances 09-17 through 12-17 may be voted on as a group. The vote on Ordinance 13-17 should be taken separately.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinances 09-17, 10-17, 11-17 and 12-17 as emergency measures. Mr. Pedro 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.

Mayor Brodie made a motion to move for passage of Ordinances 09-17, 10-17, 11-17 and 12-17 as emergency measures. Mr. Valtin seconded the motion.

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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.

E. ORDINANCE 13-17 AN ORDINANCE CONSOLIDATING FOUR 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 13-17 as an emergency measure. Mr. Rozic 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.

Mayor Brodie made a motion to move for passage of Ordinance 13-17 as an emergency measure. Mr. Pedro 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.

F. ORDINANCE 14-17 AN ORDINANCE ENACTING SECTION 331.45 OF THE TRAFFIC CODE WITH RESPECT TO PERMITTING THE USE OF GOLF CARTS AND OTHER LOW SPEED VEHICLES ON PUBLIC STREETS WITHIN THE CITY OF WATERVILLE AND DECLARING AN EMERGENCY.

In 2013, the Ohio General Assembly passed legislation with an effective date of January 1, 2017 allowing golf carts and other low speed vehicles to operate on public streets within certain criteria if the local authority has granted permission for such operation. The criteria established by the City may be more restrictive than the State's, but cannot be less restrictive. This Ordinance would allow the use of golf carts and other low speed vehicles on City streets if they are operated in accordance with the State requirements and with two additional City requirements. The additional requirements are that the vehicles cannot travel on any City street where the speed limit is higher than 25 miles per hour (the state requirement is 35 mph) and that the vehicles shall display lighted headlights and tail lights at all times when operating on a City street. This action was unanimously recommended to Council by the members of the Public Safety Committee at the June 22 meeting.

Mr. Valtin stated that he does not feel this should be passed as an emergency. He feels that emergency measures are passed for immediate health, safety, property or financial purposes.

Mr. Pedro and Mrs. Bruno stated that the ordinance was requested as an emergency measure in order to take advance of the summer weather.

Chief LaGrange stated that the golf carts must be street legal which includes a windshield, headlights, tail lights, seat belts, mirrors and turn signals. The carts must be inspected by the police department to verify that they are street legal. A local vendor that converts regular carts to street legal carts estimates the conversion cost to be between \$1,500 and \$1,700.

Mrs. Bruno made a motion to suspend the rules to allow for the passage of Ordinance 14-17 as an emergency measure. Mr. Larkins seconded the motion.

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Roll Call: Mr. Rozic – no, Mayor Brodie – no, Mrs. Duncan – yes, Mr. Larkins – yes, Mr. Pedro – yes, Mr. Valtin – no, Mrs. Bruno – yes. The motion to suspend the rules did not pass; 5 votes are required to suspend the rules for passage as an emergency measure. The measure passed as a first reading only.

Mr. Bagdonas asked for clarification from Council that Ordinance 14-17 would be taken off the next Council agenda as an emergency measure. Mayor Brodie stated that was correct.

G. RESOLUTION 31-17 A RESOLUTION ACCEPTING A WATERLINE EASEMENT AND THE OWNERSHIP OF THE WATERLINE CONTAINED THEREIN FROM WATERVILLE COLONY INVESTORS, LLC

The Colony at Waterville Landing is a 108-unit multi-family development with a U-shaped private roadway (East Colony Drive and West Colony Drive) with two access points on the south side of Pray Boulevard. There is a waterline along this roadway that connects to the City's waterline on Pray Boulevard at two locations. This waterline was built to City standards and inspected by the City during construction. Individual customers will be tapped into the waterline and fire hydrants connected to the waterline serve the development. The City's policy is to assume ownership of waterlines that directly serve customers as in this case. This Resolution would accept a utility easement associated with this waterline and the ownership of the line.

Mr. Larkins moved to adopt Resolution 31-17. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

H. RESOLUTION 32-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE COUNTY OF LUCAS AND THE CITY OF WATERVILLE TO CONVEY THE OWNERSHIP OF A 16" DIAMETER WATERLINE ALONG WATERVILLE-MONCLOVA ROAD AND WATERVILLE-SWANTON ROAD TO THE CITY

The transfer of a 16-inch waterline along Waterville-Monclova Rd. and State Route 64 from Lucas County to the City as a part of the water source transition was discussed at several Council meetings approximately six months ago and Council indicated a desire to proceed with this transfer. This Resolution would authorize an Agreement between the County and the City to accomplish the conveyance of ownership of the waterline.

Mr. Larkins moved to adopt Resolution 32-17. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

I. RESOLUTION 33-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO ZEE CONSTRUCTION CO., INC. FOR THE WATER SUPPLY TRANSITION IMPROVEMENTS

In order to integrate the waterline described in Resolution 32-17 into the City's water distribution system, certain water supply improvements are necessary, including an emergency connection between the Waterville and the Lucas County water systems. Resolution 33-17 would authorize a contract with Zee Construction Co., Inc. for this work. This construction project was advertised and we received seven competitive bids, which were opened on June 19. It was determined by the consultant and administrative staff that Zee Construction Co., Inc. submitted the best and most responsive bid, therefore the recommendation to award them the contract. E. R. Zeiler Excavating made an error in completing the bid form resulting in the unusually high

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amount of their bid. Although we are not able to correct the error, if the error had not been made, their bid would have been the sixth highest of the seven. The engineer's letter of the bid summary and recommendation is included with the copy of the legislation.

Mr. Larkins moved to adopt Resolution 33-17. Mrs. Bruno seconded the motion, which passed by a voice vote with Mr. Rozic abstaining.

J. RESOLUTION 34-17 A RESOLUTION AMENDING THE SCHEDULE OF FEES AND DEPOSITS CHARGED BY THE CITY OF WATERVILLE FOR VARIOUS SERVICES

Effective July 1, 2017, credit cards will be accepted for the payment of the various fees and deposits authorized in the Codified Ordinances. The credit card user's payment of the associated credit card processing charges and a minimum purchase amount for credit card use need to be addressed in the fee and deposit schedule. This Resolution would authorize the credit card convenience fee with a minimum purchase amount, a fee for the inspection of golf carts and other low-speed vehicles as authorized in Ordinance 14-17, and a change in a number of fees currently collected by the City. The modifications to the Fine, Fee and Deposit Schedule are incorporated in the Ordinance. A separate schedule showing the current fees and proposed changes is attached to the Ordinance for information.

Mr. Valtin moved to adopt Resolution 34-17. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

K. RESOLUTION 35-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO EXECUTE A LICENSE AGREEMENT WITH THE WATERVILLE GAS & OIL COMPANY, AN OHIO CORPORATION, REGARDING A NATURAL GAS REGULATOR STATION TO BE LOCATED IN THE ANTHONY WAYNE TRAIL RIGHT-OF-WAY

The replacement of the Waterville Bridge will require Waterville Gas to make changes to their distribution system in the downtown and adjacent areas. As a part of these changes, Waterville Gas determined that a new natural gas regulator station will be needed along the Anthony Wayne Trail just south of South Sixth Street. This will involve the installation of equipment above ground surrounded by a fence. This Resolution would authorize the installation and maintenance of the regulator station within the public right-of-way. The City authorized a similar regulator station in November 2016 on North St. just east of the Anthony Wayne Trail.

Mrs. Duncan moved to adopt Resolution 35-17. Mr. Larkins seconded the motion, which passed unanimous voice vote.

L. RESOLUTION 36-17 A RESOLUTION ACCEPTING TWO WATERLINE EASEMENTS FROM THE BROWNING MASONIC COMMUNITY, INC.

The Browning Masonic Community has installed a waterline within the area of the new villas that have recently been constructed. The original waterline through the Browning property completes a loop within the City's water distribution system. These waterlines were built to City standards and inspected by the City during construction. Individual customers are and will be tapped into these waterlines and fire hydrants connected to the waterlines serve the area. The City's policy is to assume ownership of waterlines that directly serve customers as in these cases. This Resolution would accept the utility easements associated with the waterlines and the ownership of the lines.

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Mr. Valtin moved to adopt Resolution 36-17. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

M. RESOLUTION 37-17 A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WATERTVILLE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF WATERTVILLE REGARDING APPOINTED BOARDS AND COMMISSIONS, FINANCIAL PROCEDURES, NOMINATIONS AND ELECTIONS, AND GENERAL PROVISIONS

Section 10.03 of the City Charter requires the formation of a Charter Review Commission every five years. Resolution 37-17 reflects proposed Charter amendments as recommended by the Charter Review Commission.

A five-page document “Proposed Changes to the Waterville Municipal Charter as Recommended by the Waterville Charter Review Commission June 6, 2017” which describes each of the proposed changes is included in your packet.

Mr. Larkins stated that he would like to look into changing the term limits for Council from two terms to three terms. Mr. Bagdonas stated he would create another resolution regarding term limits for Council for the next Council meeting. Resolution 37-17 and the proposed new resolution would be placed on the next meeting agenda together for consideration by Council. No action was taken on Resolution 37-17.

N. RESOLUTION 38-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO GERKEN PAVING, INC. FOR THE 2017 PAVING PROGRAM

Resolution 38-17 would authorize a contract with Gerken Paving, Inc. for the roadway/pavement improvements on portions of Karyl Street, School Court, Hickory Court, and Orchard Drive. This construction project was advertised and we received three competitive bids, which were opened on June 22. 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. The engineer’s letter of the bid summary and recommendation is included with the copy of the legislation.

Mr. Pedro moved to adopt Resolution 38-17. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

Other Business

None

Executive Session

Mrs. Duncan made a motion to move into Executive Session for Conference with the Law Director concerning ORC 121.22(G) (2), Purchase or Sale of Property for Public Purposes, at 9:10 p.m. Mr. Rozic 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.

Return to Regular Session

Mrs. Bruno made a motion to come out of Executive Session and resume the regular Council meeting at 9:25 p.m. Mr. Larkins seconded the motion which carried by unanimous voice vote.

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Adjournment

There being no further business to come before Council, Mrs. Bruno made a motion to close the meeting at 9:25 p.m. Mr. Larkins seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor