

Regular Council

September 25

17

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. Pedro. The Pledge of Allegiance was then 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 Melissa Cook Recording Secretary.

Staff Present:

Jon Gochenour – Director of Finance and Administration, Clerk of Council

Citizens Present:

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

Approval of Minutes

Mr. Rozic moved to approve the minutes of the September 11, 2017 Regular Council meeting. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

Proclamation

A. Arbor Day – October 6, 2017

Mayor Brodie read a Proclamation which proclaimed October 6, 2017 as Arbor Day in the City of Waterville and urged all residents to renew our pledge to respect, protect, and enhance our natural surroundings and to encourage our residents to plant a tree to enrich the quality of life for all residents.

Citizens Comments

Laura Nilsson, Chair of the Waterville Tree Commission, stated that their Arbor Day celebration with the Waterville Primary School 4th graders will be held on Friday, October 6 at 2:00 p.m. She invited all to attend.

Mr. Pedro welcome Sophia Dieter, a sophomore at Notre Dame Academy, who was in attendance at this evening's meeting to work on getting hours required for her Government class. She then introduced herself to Council.

Staff Reports

Administration: Mr. Bagdonas

- Stated that he had nothing to add to his report that wasn't agenda specific.

Law Director: Mr. Dombey – No report.

Finance Director: Mr. Gochenour –

- Reviewed details of the August 2017 Month End Finance Report highlighting fund balances and income tax revenues.
- Stated that representatives from RITA will be in Council Chambers on Tuesday, October 3 to meet with residents that are on the Subpoena Program in order to file or settle their outstanding taxes.

Treasurer: Mr. Schult –

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

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Communications from Council Members/Committees

Mayor Brodie –

- A. Appointment to Board of Zoning Appeals – Unexpired Term Ending December 31, 2019

Bob DeMatteo has moved from the City and resigned from the Board of Zoning Appeals (City residency is required.) The Mayor proposed Rod Frey for appointment to Mr. DeMatteo's unexpired term. Mr. Frey served on the Charter Review Commission earlier this year.

Mayor Brodie moved to appoint Rod Frey to the unexpired term on the Board of Zoning Appeals. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

- B. Appointments to Tree Commission – Unexpired Term Ending December 31, 2017 and Unexpired Ex-Officio Term Ending December 31, 2019.

Mary Beth DeMatteo has moved from the City and resigned from the Tree Commission (City residency is required.) The Mayor proposed Nancy Bucher, currently an ex-officio member of the Tree Commission, for appoint to Ms. DeMatteo's unexpired term. Ms. DeMatteo is interested in becoming an ex-officio member of the Tree Commission (City residency is not required), and the Mayor proposed her for appointment accordingly.

Mayor Brodie moved to appoint Nancy Bucher to the unexpired term on the Tree Commission and Mary Beth DeMatteo to the unexpired term as ex-officio member. Mr. Valtin seconded the motion, which passed by unanimous voice vote.

Mrs. Duncan – No report.

Mr. Pedro –

- Thanked the Waterville Chamber of Commerce and all of the volunteers for another great Roche de Boeuf Day.

Mr. Rozic –

- Stated that Roche de Boeuf Day was great and they had a wonderful turnout.

Mr. Valtin –

- Thanked the Waterville Chamber and its volunteers for a great Roche de Boeuf Day.

Mrs. Bruno –

- Also thanked the Chamber and all the volunteers for their work in turning out a great Roche de Boeuf Day.

Mr. Larkins – No report.

OLD BUSINESS:

- A. PROPOSED CHANGES TO PUBLIC TREE MAINTENANCE RESPONSIBILITIES

A listing of changes to public tree maintenance responsibilities proposed by the Mayor was included in the August 28 Council packet. These changes would make the responsibility for street tree maintenance the same as the responsibilities that already exist with regard to the maintenance of sidewalks and lawn areas within the public

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right-of-way. An April 26, 2017 e-mail from the Tree Commission Chair was included in the September 11 Council packet for Council's information.

Laura Nilsson, Chair of the Waterville Tree Commission, was at tonight's meeting to discuss the proposed changes on public tree maintenance and to answer questions from Council. A lengthy discussion followed. Mr. Bagdonas stated that the Tree Commission is scheduled to meet on October 12. He then stated that it would be helpful if Ms. Nilsson came back to Council with written recommendations from this meeting.

B. PUBLIC HEARING – ORDINANCE 15-17 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 C-1 COMMERCIAL DISTRICT TO R-1 RESIDENCE DISTRICT AND DECLARING AN EMERGENCY

Third Reading, Public Hearing and Legislative Action

An Application has been received from Trisun Land Services LLC, Trustee to rezone this property from C-1 to R-1. This is the same parcel that was rezoned from R-1 to C-1 at Trisun's request in 2016. At the September 5 meeting, the Planning Commission approved a motion by a vote of 4-0 with one member absent to recommend the rezoning of the property. The applicant has requested that the rezoning be passed as an emergency measure.

Mayor Brodie opened and closed the Public Hearing at 8:25 p.m.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 15-17 as an emergency measure. Mr. Valtin seconded the motion.

Roll Call: Mr. Larkins – yes, Mr. Valtin – yes, Mayor Brodie – 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 the passage of Ordinance 15-17 as an emergency measure. Mr. Valtin seconded the motion.

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

C. PUBLIC HEARING – ORDINANCE 17-17 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY AMENDING A SPECIAL USE PERMIT TO CONSTRUCT A BUILDING ON A 14.846 ACRE PARCEL OF LAND (1470 PRAY BOULEVARD) ZONED R-4 FOR A SENIOR LIVING COMMUNITY AND DECLARING AN EMERGENCY

Third Reading, Public Hearing and Legislative Action

An Application has been received from StoryPoint for a second amendment to their Special Use Permit to relocate the temporary leasing center trailer. At the September 5 meeting, the Planning Commission approved a motion by a vote of 4-0 with one member absent to recommend the amendment of this Special Use Permit. The Applicant has requested that the amendment be passed as an emergency measure.

Mayor Brodie opened and closed the Public Hearing at 8:27 p.m.

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

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

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

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

- D. ORDINANCE 18-17 AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP OF THE CITY OF WATERVILLE BY ESTABLISHING THE PERMANENT ZONING OF CERTAIN RECENTLY ANNEXED PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF THE ANTHONY WAYNE TRAIL AND DUTCH ROAD AS C-4 MIXED USE BUSINESS DISTRICT

Second Reading

- E. ORDINANCE 19-17 AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP OF THE CITY OF WATERVILLE BY ESTABLISHING THE PERMANENT ZONING OF CERTAIN RECENTLY ANNEXED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF THE ANTHONY WAYNE TRAIL/HUTCHINSON DRIVE AND DUTCH ROAD AS C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

Second Reading

- F. ORDINANCE 20-17 AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP OF THE CITY OF WATERVILLE BY ESTABLISHING THE PERMANENT ZONING OF CERTAIN RECENTLY ANNEXED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THE ANTHONY WAYNE TRAIL AND DUTCH ROAD AS A-1 AGRICULTURE DISTRICT

Second Reading

These three Ordinances deal with the establishment of permanent City zoning of the area in the vicinity of the intersection of the Anthony Wayne Trail and Dutch Road that was recently annexed. At the September 5 meeting, the Planning Commission approved a motion by a vote of 4-0 with one member absent to recommend the annexed area be zoned a combination of C-4 Mixed Use Business District, C-1 Neighborhood Commercial, and A-1 Agriculture District. Prior to the annexation, the area was zoned a combination of commercial and agricultural in Waterville Township. A map showing the zoning recommended for the various parcels is attached to each Ordinance.

NEW BUSINESS:

- A. ORDINANCE 21-17 AN ORDINANCE TO APPROVE AND ADOPT THE 2017 REPLACEMENT PAGES TO THE MUNICIPAL CODE AND DECLARING AN EMERGENCY

This item comes before Council once a year as a routine matter. We update the Municipal Code book annually to reflect changes in State law and the changes and new code items approved by Council during the preceding year. The replacement pages were included in Council's packet.

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Mr. Valtin made a motion to suspend the rules to allow for the passage of Ordinance 21-17 as an emergency measure. Mrs. Bruno seconded the motion.

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

Mr. Larkins made a motion to move for passage of Ordinance 21-17 as emergency measure. Mr. Valtin seconded the motion.

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

B. RESOLUTION 46-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO FILE APPLICATIONS AND TO ENTER INTO AGREEMENTS WITH THE OHIO EMERGENCY MANAGEMENT AGENCY/FEDERAL EMERGENCY MANAGEMENT AGENCY FOR HAZARD MITIGATION GRANTS

The property at 137 South River Road is eligible for acquisition and demolition under the Federal Hazard Mitigation Grant program due to the Federal flood insurance repetitive loss claims history for the property. This program would provide 100-percent of the cost of the acquisition of the property and demolition of the structure. The City would receive the title to the property and the property would be subject to a deed restriction requiring that it remain open space in perpetuity. The only costs the City would incur would be for the preparation of the grant application and administration of the grant.

A standby generator for the Municipal Building is included in the current Five-Year Capital Program in the year 2019. If approved, this grant would pay 75-percent of the cost. The total construction cost is currently estimated at \$60,000.

Mr. Pedro moved to adopt Resolution 46-17. Mr. Larkins seconded the motion, which passed by voice vote. Mrs. Bruno abstained.

Other Business

None

Executive Session

Mr. Pedro made a motion to move into Executive Session for Conference with the Law Director concerning ORC 121.22(G)(1), Appointment or 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 8:37 p.m. Mr. Larkins 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

Mr. Valtin made a motion to come out of Executive Session and resume the regular Council meeting at 9:30 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, Mr. Pedro made a motion to close the meeting at 9:30 p.m. Mr. Larkins seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor