

Regular Council

August 22

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. 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

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 25, 2016 Regular Council meeting. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

Proclamation

Mayor Brodie read a proclamation declaring September 2016 as Prostate Cancer Awareness Month in the City of Waterville. The proclamation urged all residents to join in recognition of this significant occasion.

Citizen's Comments

Steve Hudson, 205 N. Second St., came to this evening's meeting to bring to Council's attention some of the issues he has experienced with 218 Mechanic Street over the years. Ordinance 14-16 is on Council's agenda and would grant a Special Use Permit (SUP) to operate a complete automotive restoration facility at 218 Mechanic St. Unit A. Mr. Hudson stated that he has spoken to several of his neighbors and they stated that they did not receive a notice from the city and weren't aware of the SUP request. He added that the owner of the property and the man that runs the business do not live in Waterville and he doesn't believe that either have any feeling on what the neighborhood looks like. When he purchased his property there was a privacy fence and a hill with plantings that blocked the dumpster/garbage and a good portion of the parking lot. The fence and the plantings are now gone. He proceeded by stating that junk, inoperable cars and auto parts are left in the parking lot and that the garbage that employees place in the dumpster ends up all over his yard. He added that he is tired of picking up their trash. This has been an ongoing situation with this property and it seems to be getting worse. The zoning code states that they are not allowed to have any auto parts or disabled vehicles in the parking lot, but they have been doing it now for close to five years.

Mayor Brodie stated that Ordinance 14-16 is on this evening's agenda for its Third Reading and Public Hearing. She asked Mr. Hudson to restate his comments during the Public Hearing. She then asked for a motion from Council to move this item up on the agenda for discussion at this time.

Mr. Pedro made a motion to move the Public Hearing for Ordinance 14-16 to the top of the agenda. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

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A. ORDINANCE 14-16 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A SPECIAL USE PERMIT TO OPERATE A COMPLETE AUTOMOTIVE RESTORATION FACILITY AT 218 MECHANIC STREET UNIT C AND DECLARING AN EMERGENCY

Third Reading, Public Hearing and Legislative Action

An Application has been received for a Special Use Permit to operate a complete frame-off automotive restoration facility including auto body repair and operation of a paint booth at 218 Mechanic Street Unit C. The property is zoned M-1. Additional information on the proposed Special Use Permit (SUP) was contained in the June 27 Council packet. At the July 6 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 with two conditions that are specified in the revised Ordinance.

Mayor Brodie opened the Public Hearing at 7:37 p.m.

Mr. Hudson then summarized/restated his previous comments. He stated that they have made some effort to clean up the garbage along the dumpster since they applied for the Special Use Permit but feels that this is only temporary. Mr. Hudson concluded by stating that he is fearful that their parking lot will become a junk yard.

Andy Gustafson, representing Extreme Restoration by Jake, stated that he originally leased the space to be used as a hobby shop and a place to store tools and cars. Now he will be partnering with Jake. He then stated that after meeting with the Planning Commission, they have done their part in removing items from the parking lot. There are five tenants in that complex and the vehicles that Mr. Hudson is referring to belong to other tenants. They are really working hard to get the area cleaned up and will be working with the other tenants to make sure that the garbage is picked up. We are requesting the SUP because we would like to install and operate a paint booth which will probably only be used twice a month.

Mr. Dombey added that this is a new business and that Council was not aware of the problems that Mr. Hudson has described. Mayor Brodie then read part of the Ordinance relating to noise and the storing car parts/junk outside. She added that this was put into the Ordinance for the same concerns that Mr. Hudson has expressed. She then stated that we were not aware of any issues prior to this evening and that the administration will be contacting the property owner.

Jacob Pierson, 134 N. Second St. and the owner of Extreme Restoration by Jake, stated that he lives in Waterville across from the building. He added that he wants to do everything the correct way and does not want the parking lot to become a junk yard either. He added that this would not represent his business very well.

Mr. Rozic wanted to note that Council, the Planning Commission and the Administration reserve the right to monitor the situation from time to time. If issues do arise, the City can terminate or revisit the Special Use Permit.

Mayor Brodie closed the Public Hearing at 8:05 p.m.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 14-16 as an emergency measure. 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.

Mayor Brodie made a motion to move for the passage of Ordinance 14-16 as an emergency measure. Mr. Pedro seconded the motion.

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

Citizen's Comments

Dan Bergfeld, 1048 Farmview Dr. and Carrie Russel, 7032 Shadowridge Dr., came to this evening's meeting to express their concerns over the city's arrangement to allow Metro Futbol to utilize some of the greenspace in Prairie Trail Park for soccer games and practices.

Mayor Brodie explained that the city has signed a one-year agreement with Metro Futbol Club. They have agreed to care for the park including mowing the lawn, stripping the gravel parking lot, removing garbage and paying for the portable restroom without asking the city to manage schedules. The park fields with goals are available to play when not being used by the club. If any problems arise they can be addressed by the administration at that time.

Staff Reports

Administration: Jim Bagdonas

- Stated that he didn't have anything to add to his report that wasn't agenda specific.
- Asked Council to verify Tuesday, July 4 for the annual fireworks display and Tuesday, October 31 for trick-or-treating in 2017. These dates will be specified in the 2017 Red, White and Boom Community Calendar.

Law Director: Phil Dombey – No report.

Finance Director: Jon Gochenour

- Reviewed details from the FY 2016 Second-Quarter Budget Report highlighting revenues and expenditures. The June 2016 Financial Report was presented to Council at the July 25, 2016 Council Meeting.

Treasurer: Mr. Schult – No report.

Police Chief: David LaGrange

- Reported that the new police vehicle arrived last week. The vehicle is fully equipped, but we are still waiting for the graphics to be installed.

Fire Chief: Patrick Wambo

- Reported that at the end of August 2015, the department had 398 runs. As of today's date, they have 370 runs. He also stated that within the last couple of weeks, five employees have left the Fire Department to pursue full time positions with other departments or for schooling.

Public Works Director: Ken Blair

- Reported that the 2016 Crack Sealing and Pavement Restoration Program has been completed.
- Stated that the bid opening for the 2016 New/Replacement Sidewalk Program was held on August 17.
- Reported that the Bowling Green Water Transmission Line Project is on schedule.

Communications from Council Members/Committees

- A. Appointment of David Baymiller to unexpired Finance Committee term ending December 31, 2016

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This appointment proposed by the Mayor would fill a vacancy for an unexpired term on the Finance Committee due to the resignation of Sonja Delaney. A copy of Mr. Baymiller's Application for Volunteer Services was included in Council's packet.

Mayor Brodie moved to approve the appointment of David Baymiller to the unexpired Finance Committee term. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

Mrs. Duncan – No report.

Mr. Pedro –

- Attended the August Public Safety Committee and Tree Commission meetings.
- Reported that the Waterville Economic Development Committee continues to be busy. They are discussing ideas for their fall programs and will keep Council apprised.

Mr. Rozic –

- Attended the August Public Works Committee meeting where one member questioned the economics of the capital charge on supplemental water meters.

Mr. Valtin – No report.

Mrs. Bruno – No report.

Mr. Larkins – No report.

OLD BUSINESS:

B. ORDINANCE 13-16 AN ORDINANCE AMENDING, REPEALING AND ENACTING CERTAIN SECTIONS OF CHAPTER 1501 OF THE FIRE PREVENTION CODE

Third Reading and Legislative Action

The Fire Chief has undertaken a comprehensive review of Waterville Codified Ordinances Chapter 1501, the Fire Prevention Code. This Chapter has not been updated for many years. This Ordinance reflects Chief Wambo's recommendations for amendments to the Fire Prevention Code to bring it up to date and to make it consistent with the Ohio Fire Code. These amendments have been reviewed and recommended by the Public Safety Committee.

Mr. Larkins moved to adopt Ordinance 13-16. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

NEW BUSINESS:

A. ORDINANCE 22-16 AN ORDINANCE AMENDING ORDINANCE NO. 12-16, THE AMENDED FY 2016 ANNUAL APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY

This Ordinance would authorize the third amendment to the 2016 appropriations. Significant items included in this amendment are the revenue (grant) and expense related to the powered ambulance cot, the annual lease payment to Norfolk Southern, the costs and reimbursement related to the inspection of public improvements constructed by private developers and the actual costs for the 2016 sidewalk program.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 22-16 as an emergency measure. Mr. Rozic seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinance 22-16 as an emergency measure. Mr. Valtin seconded the motion.

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

B. RESOLUTION 39-16 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. In 2015, we received proposals and awarded a contract to Hylant Administrative Services, using the Ohio Plan of Government Risk Management, for renewal of our insurance coverages. The proposal included two one-year terms. This Resolution would authorize a contract in the amount of \$43,638 for the renewal of our comprehensive property, casualty and liability insurance coverages for the second of the one-year terms (September 1, 2016 to August 31, 2017) with no change in cost except for adjustments due to property and equipment that has been added or deleted during the past year, adjusting the replacement value of certain Fire Department equipment and claims history. The expiring contract is in the amount of \$42,830.

Mr. Pedro moved to adopt Resolution 39-16. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

C. RESOLUTION 40-16 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO QUINN CONCRETE CONSTRUCTION, INC. FOR THE 2016 WATERVILLE SIDEWALK PROGRAM, REMOVE AND REPLACE

This Resolution would authorize a contract for this year's sidewalk construction and repair program.

Mrs. Duncan moved to adopt Resolution 40-16. Mr. Larkins seconded the motion, which passed by voice vote. Mr. Pedro abstained.

Other Business

None

Executive Session

Mr. Pedro 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 9:15 p.m. Mr. Valtin 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.

Return to Regular Session

Mr. Rozic made a motion to come out of Executive Session and resume the regular Council meeting at 10:07 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 10:07 p.m. Mr. Rozic seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor