

## Regular Council

November 27

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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 Mrs. Bruno. 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; Kristin Wacha, Assistant Law Director; 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 November 13, 2017 Regular Council meeting. Mrs. Bruno seconded the motion, which passed by voice vote. Mr. Pedro abstained from the vote.

### Citizens Comments

Dennis Jones, Executive Director of the Waterville Historical Society, was in attendance to give Council an update on this year's "Light Up Waterville" activities which will be held on Saturday, December 2 from 5:30 p.m. to 8:30 p.m. The Historical Society along with the Waterville Area Chamber of Commerce, Heartland of Waterville and local businesses are planning the event this year and he is here this evening to ask the city for financial assistance. Mayor Brodie thanked Mr. Jones for the update and asked that he provide a list of items, along with the dollar amount, that they would like the city to consider sponsoring and forward that to the Administrator.

Mr. Pedro introduced Mr. Todd Dickerson, the new Waterville Economic Development Corporation (WEDC) Coordinator to Council. Mr. Dickerson briefly explained his new role with the WEDC.

Wendylea Wyandt, 827 Maple Lane, Waterville, came to this evening's meeting to ask for an update on the Nexus Gas Transmission Pipeline lawsuit.

Kristin Wacha, Assistant Law Director, explained that a mediation hearing took place in Federal Court. The city was required to appear but did not participate in the mediation discussions. She added that there will be a follow up meeting on December 7, 2017. After this meeting, the City should have more information to report.

### Staff Reports

Administration: Mr. Bagdonas

- Reported that the bid opening for the replacement of the SR64 Bridge has been delayed until November 30, 2017.

Assistant Law Director: Ms. Wacha – No report.

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Finance Director: Mr. Gochenour –

- Reviewed details from the October 2017 Month End Finance Report highlighting Fund Balances and Income Tax Revenues.

Treasurer: Mr. Schult – absent.

### Communications from Council Members/Committees

#### A. Two Appointments to Volunteer Fire Fighters' Dependents Board

The Mayor will propose the appointment of two Council Members to this Board for Council's approval.

Mayor Brodie moved to appoint Mrs. Bruno and Mr. Pedro to the Volunteer Fire Fighter's Dependents Board. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Mr. Bagdonas stated that the Volunteer Fire Fighter's Dependents Board will have a brief meeting prior to the next Council meeting on December 11, 2017 at 7:20 p.m.

Mrs. Duncan – No report.

Mr. Pedro –

- Thanked the Waterville Historical Society for all of the work they are doing preparing for "Light Up Waterville."
- Thanked Mr. Dickerson again for coming to this evening's meeting.

Mr. Rozic – No report.

Mr. Valtin – No report.

Mrs. Bruno – No report.

Mr. Larkins –

- Stated that the Parks and Recreation Committee met on November 14 where they recommended that Council put an additional \$15,000 per year in the Capital Improvements Fund to help address some upcoming park issues.

Mrs. Bruno wanted to add that it wasn't a unanimous vote. She stated that she agreed with additional funding, just not the amount that the Committee recommended.

Mr. Bagdonas wanted to clarify that the Parks and Recreation Committee are asking for a \$15,000 a year transfer from the General Fund to the Parks and Green Space Fund? Mr. Larkins replied that is correct.

### OLD BUSINESS:

#### A. PROPOSED CHANGES TO PUBLIC TREE MAINTENANCE RESPONSIBILITIES

A listing of changes to public tree maintenance responsibilities and a summary of the changes 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 right-of-way. An April 26, 2017 email from the Tree

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Commission Chair was included in the September 11 Council packet for your information. This subject was also discussed at the September 25 City Council meeting. Additional information from the Chair of the Tree Commission was included in this Council packet. This item is for continued discussion.

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. It was the consensus of Council that there should be some wording changes to the proposed document and that tree maintenance should be an ongoing topic of discussion at future Council meetings. No action was taken by Council regarding the proposed changes.

**B. PUBLIC HEARING – RESOLUTION 51-17 A RESOLUTION APPROVING AND ADOPTING THE CITY OF WATERVILLE FY2018 FIVE –YEAR CAPITAL PLANNING PROGRAM FOR ALL MUNICIPAL FUNDS AND DEPARTMENTS**

This is the annual 5-Year Capital Planning Program. The Finance Committee discussed and recommended approval of the program at a special meeting on October 20. This item is for ongoing discussion throughout the budget preparation process. According to the typical annual budget schedule, Council action to approve this Resolution would not be taken until the second Council meeting in January.

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

Mr. Bagdonas briefly went over the recommendations for the Five-Year Capital Program listed on page 1 of the FY 2018 Five-Year Capital Program document.

Council addressed questions to Department Heads and held a lengthy discussion on the components of the Five-Year Capital Planning Program.

Mayor Brodie closed the Public Hearing at 9:36 p.m.

**NEW BUSINESS:**

**A. ORDINANCE 25-17 AN ORDINANCE AMENDING AND ENACTING CERTAIN SECTIONS OF CHAPTER 931 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE WITH RESPECT TO WATER REGULATIONS**

***First Reading***

Section 931.14(e) of the City's current water regulations makes reference to the "Lucas County transmission lines(s)" as the City's water supply source. This section would be amended to reflect the change in the City's water source. In reviewing Chapter 931, several other Sections were identified for updates as well. These other Sections include a clarification of the billing and payment schedule, the change from remote meter readers to radio meter reading devices located in meter pits, and a policy on testing the accuracy of a water meter. These changes will be reviewed by the Public Works Committee at their December meeting.

**B. ORDINANCE 26-17 AN ORDINANCE AMENDING CHAPTER 172 OF THE WATERVILLE MUNICIPAL CODE OF ORDINANCES REGARDING MUNICIPAL INCOME TAX IN COMPLIANCE WITH OHIO HOUSE BILL 49.**

***First Reading***

The Ohio General Assembly has passed House Bill 49 (HB 49), which makes changes to municipal income tax laws. The Regional Income Tax Agency (RITA) has prepared

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an update to local income tax ordinances to comply with the provisions of HB 49. This Ordinance would adopt the changes as recommended by RITA.

**C. RESOLUTION 53-17 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO EXECUTE AN ESCROW AGREEMENT WITH MIDLAND AGENCY OF NORTHWEST OHIO, INC., TRUSTEE AND MEIJER STORES LIMITED PARTNERSHIP FOR THE SOUTHERLY EXTENSION OF PRAY BOULEVARD RELATED TO COMMERCE VILLAGE AT WATERVILLE LANDING PLAT THREE**

On January 12, 2015, City Council passed Resolution No. 03-15 approving the plat of Commerce Village at Waterville Landing Plat Three. The Waterville Planning and Zoning Code required certain financial guarantees covering all public improvements that are not completed at the time the final plat is approved. The financial guarantee for this plat has been extended once and will expire on December 31, 2017. The developers would like to further postpone the construction of the public improvements until 2018. This Resolution would authorize a new escrow agreement to cover the public improvements associated with this plat. The new expiration date would be December 31, 2018.

Bill Bostleman, Devonshire REIT, Inc., was in attendance at this evening's meeting to answer any questions from Council regarding the escrow agreement.

Mrs. Duncan moved to adopt Resolution 53-17. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

**D. RESOLUTION 54-17 A RESOLUTION, AMENDING RESOLUTION 61-16, AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO PARTICIPATE IN THE OHIO POOLED COLLATERAL SYSTEM ADMINISTERED BY THE OHIO TREASURER OF STATE WITH FIFTH THIRD BANK AND FARMERS AND MERCHANTS STATE BANK**

Last December, City Council passed Resolution 61-16 authorizing depository agreements as required by Section 135 of the Ohio Revised Code (ORC), which addresses the protection of the deposited monies of public entities. Pursuant to House Bill 64, passed by the Ohio General Assembly in 2015, the Ohio Treasurer of State has now created the Ohio Pooled Collateral System, which revises the collateral requirements for public fund deposits by centralizing the collateral requirements of the various Ohio public entities with the State of Ohio. Previously, the ORC required banks that apply to be "public depositories" to collateralize at 105% of each public entity's deposits individually. This Resolution would authorize new depository agreements to reflect the revised collateral requirements. Banks may decline to accept deposits from public entities that choose not to participate in the Ohio Pooled Collateral System.

Mr. Valtin moved to adopt Resolution 54-17. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Other Business

None

Executive Session

Mr. Rozic made a motion to move into Executive Session for Conference with the Assistant Law Director concerning ORC 121.22(G)(3) Imminent Court Action and Consideration of a Matter per ORC 121.22(G)(4): Reviewing Negotiations with Public Employees Concerning Compensation and other Terms and Conditions of Their Employment at 9:46 p.m. Mr. Valtin seconded the motion.

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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. Larkins made a motion to come out of Executive Session and resume the regular Council meeting at 10:30 p.m. Mrs. Duncan seconded the motion which carried by unanimous voice vote.

### Adjournment

There being no further business to come before Council, Mr. Larkins made a motion to close the meeting at 10:30 p.m. Mr. Rozic seconded the motion, which carried by unanimous voice vote.

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Jon D. Gochenour, Clerk of Council

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Lori Brodie, Mayor