

Regular Council

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Prior to the start of the meeting, Assistant Law Director Kristin Wacha administered the oath of office to newly elected Council members Anthony Bruno, Mary Duncan and John Rozic.

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 Mrs. Duncan, Mrs. Bruno, Mr. Valtin, Mayor Brodie, Mr. Rozic, Mr. Pedro and Mr. Bruno.

Also present this evening were Jim Bagdonas, Administrator; Kristin Wacha, Assistant Law Director; Steve Schult, Treasurer and Nancy Perry, 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.

Election of Vice-Mayor

Mayor Brodie made a motion to nominate Mrs. Bruno as Vice-Mayor. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

Approval of Minutes

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

Citizens Comments

None

Executive Session

- A. 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.

An Executive Session was scheduled to confer with legal counsel regarding negotiations with one of the City's collective bargaining units. Mr. Bagdonas stated that due to the holidays, the collective bargaining unit, the Teamsters, has not yet had their ratification meeting so an Executive Session is not needed at this time.

Staff Reports

Administration: Mr. Bagdonas

- Reported that he attended a meeting of the Ohio Public Works Commission (OPWC) District Integrating Committee. He stated that our application for a combination of grant and loan financial assistance for the Michigan Ave. Phase 2 Waterline Project has been approved. The grant total is \$35,000 and the loan is for \$53,000 at 0% interest.

Assistant Law Director: Ms. Wacha –

- A decision on the Nexus Pipeline case was issued on December 28, 2017 by Judge Adams granting partial summary judgement. She added that Council

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will review this matter tonight in Executive Session.

Finance Director: Mr. Gochenour –

- Reviewed details from the December 2017 R.I.T.A. Income Tax Report. Although the December and year-end financial reports were not yet closed officially, Mr. Gochenour provided a draft of the projected fund ending balances for December and 2017.

Treasurer: Mr. Schult – No report

Police Chief: David LaGrange

- Reported Jake McConnell will be joining the Waterville Police Department and will be sworn in this Wednesday. He added that Mr. McConnell currently works security at Toledo Hospital and is an auxiliary officer with Waterville Township. His training time will last approximately 10-12 weeks.

Fire Chief: Patrick Wambo

- Reported that the total number of runs for 2017 was 700. He added that this is a record number for the Fire Department and it is expected to go even higher in 2018 with the addition of StoryPoint and more new single family homes.
- Stated that he will present his annual year-end report at the first meeting in February.
- Reported no injuries at the non-sanctioned January 1 “Polar Plunge”.
- Stated that one new part-time employee started today with another anticipated employee to begin in February. He then stated a proposed paid per call employee is currently going through the required physical examination process.

Public Works Director: Ken Blair

- Reported that Public Works employees will continue to pick up Christmas trees through the end of this week.
- Stated that the Clean Wood Recycling facility will be open this coming Saturday from 11:00 a.m. – 4:00 p.m. for Christmas tree drop off.
- Reported that Public Works will begin to take down the Christmas decorations.
- Stated that a copy of the current Snow and Ice Control Report was included in Council’s packet.
- Stated that he will present his annual year-end report to Council at the first meeting in February.

Communications from Council Members/Committees

A. Determination of Total Number of Members for Advisory Committees

Section 121.03(b) of the Codified Ordinances states in part: “Advisory or study committees shall have at least three members. Of those members, at least two and not more than three shall be members of Council. At the first Council meeting in January following a municipal general election, a majority of the members of Council shall determine the total number of members each advisory or study committee shall have for the new two-year term.” This section is applicable to the following committees, with the total number of members on each committee for the two-year term that just ended as well as the total number recommended for the next two year term shown: Parks and Recreation (9/8), Public Safety (11/11) and Public Works (7/7). This determination is accomplished by a motion or motions approved by a majority of the members of Council.

Mayor Brodie made a motion to change the size of the Parks and Recreation Committee from 9 to 8 for 2018, keep the Public Safety Committee at 11 members and the Public Works Committee at 7 members. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

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B. Appointments to Various Commissions, Boards and Committees

A list of appointments proposed by the Mayor for Council's approval was included in the Council packet.

Mayor Brodie moved to adopt the list of appointments as presented to Council. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Mrs. Duncan – No report.

Mr. Pedro – No report.

Mr. Rozic –

- Reported that he attended the December 18, 2017 Public Works Committee meeting where they recommended the following for Council's consideration: requiring property owners to install sidewalks on Pray Blvd. where there are currently none; the installation of a new salt storage building at Public Works and the responsibility for snow removal on the City's shared use paths should be with the City and not adjoining residential or commercial property owners.

A discussion was held on the Committee's recommendations. Council then asked that the administration to obtain cost estimates for snow removal on the City's shared use paths by private contractor.

Mr. Valtin – No report.

Mrs. Bruno –

- Congratulated Mr. Blair on being chosen as a "Hometown Hero".

Mr. Bruno – No report.

OLD BUSINESS:

A. 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, 2017. 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.

Mrs. Duncan submitted a list of proposed changes to the Five-Year Capital for Council's consideration; a copy of which is attached to the minutes as "Exhibit A." A lengthy discussion on the Five-Year Capital Planning Program followed, but no legislative action was taken by Council.

B. 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

Third Reading and Legislative Action

Section 931.14(e) of the City's current water regulations makes reference to the "Lucas County transmission line(s)" as the City's water supply source. This Section should be amended to reflect the change in the City's water source. In reviewing Chapter 931,

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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 were reviewed and recommended for approval by the Public Works Committee at their December 2017 meeting.

Mr. Rozic moved to adopt Ordinance 25-17. Mr. Valtin seconded the motion.

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

C. 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

Third 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 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.

On December 21, 2017, the Franklin County Common Pleas Court issued an Agreed Order delaying the effective date for municipalities to reconcile their income tax ordinances in accordance with HB 49 until February 24, 2018 or until further order of the Court, whichever is sooner. Mr. Bagdonas recommended that Council delay legislative action and table this Ordinance until the Court takes further action in this matter.

Mr. Rozic made a motion to table Ordinance 26-17. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

D. PUBLIC HEARING – ORDINANCE 27-17 AN ORDINANCE ADOPTING THE ANNUAL APPROPRIATIONS FOR THE MUNICIPALITY OF WATERVILLE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018, AND REPEALING ORDINANCE NO. 28-17, AND DECLARING AN EMERGENCY

Second Reading and Public Hearing

A copy of the proposed FY 2018 Appropriations was included in the December 11 Council packet. The Finance Committee reviewed the budget at their November 17, 2017 meeting and unanimously recommended approval. A Public Hearing on the appropriation ordinance is scheduled for this meeting.

Mayor Brodie opened the Public Hearing at 9:02 p.m.

Council held a discussion on the proposed 2018 Appropriations Ordinance.

Mayor Brodie closed the Public Hearing at 9:28 p.m.

NEW BUSINESS:

A. REFERRAL TO PLANNING COMMISSION – ANTHONY WAYNE SCHOOLS – WATERVILLE PRIMARY SCHOOL CLASSROOM ADDITION, CANOPY EXPANSION, SOUTH PARKING LOT EXPANSION, AND NEW FRONT PARKING LOT SPECIAL USE PERMIT APPLICATION (*MOTION*)

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An Application has been received from representatives of the Anthony Wayne Schools for a Special Use Permit to construct a classroom addition, canopy expansion, south parking lot expansion, and new front parking lot at the Waterville Primary School. A referral by Council to the Planning Commission for a recommendation is necessary at this time to begin the Special Use Permit process. The next Planning Commission meeting is scheduled for January 9.

Mayor Brodie made a motion to refer the request for the Special Use Permit to the Planning Commission for their recommendation. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

B. RESOLUTION 01-18 A RESOLUTION DECLARING THE INTENT AND AUTHORIZING THE SALE OF MUNICIPALLY OWNED PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES, ROAD MACHINERY, EQUIPMENT, TOOLS OR SUPPLIES, WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, DURING THE CALENDAR YEAR 2018 BY INTERNET AUCTION, PURSUANT TO OHIO REVISED CODE SECTION 721.15(D)

The Ohio Revised Code, specifically Section 721.55(D), requires a yearly resolution of intent to sell municipally owned personal property when sold by internet auction. In November 2008, Council approved Resolution 54-08 authorizing a contract with GovDeals, Inc. to conduct internet auctions to sell municipally owned personal property on behalf of the City. This Resolution would also include a second internet auction service called Municibid.Com, LLC as a provider of this service. Due to the yearly requirement, this Resolution is one of our annual legislative “housekeeping” items.

Mr. Valtin moved to adopt Resolution 01-18. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

C. RESOLUTION 02-18 A RESOLUTION AMENDING THE SCHEDULE OF FEES AND DEPOSITS CHARGED BY THE CITY OF WATERVILLE FOR VARIOUS SERVICES

Assuming Ordinance 25-17 is passed by Council, Section 931.12(d)(3) enacted thereby provides for a fee for the testing of water meters “in an amount 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%; change a number of meter and tap fees to reflect an increase in labor costs, and; change the description of zoning permit fees with no change in the fees themselves. The current descriptions have categories for “New Construction” and “Additions, Alterations.” Since these descriptions can overlap and cause confusion, the change would delineate two categories and simply base fees on the square footage of construction. These modifications to the Fine, Fee and Deposit Schedule are incorporated in the Resolution.

Mr. Rozic moved to adopt Resolution 02-18. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

D. RESOLUTION 03-18 A RESOLUTION APPROVING THE LUCAS COUNTY SOLID WASTE MANAGEMENT DISTRICT’S AMENDED DRAFT SOLID WASTE MANAGEMENT PLAN

The Plan has been prepared by the Lucas County Solid Waste Management District in accordance with ORC Section 3734, the State of Ohio’s Solid Waste Management Plan, and the Ohio EPA’s guidelines. A summary of the Plan is attached to the Resolution. The entire Plan is available through the City’s website by clicking on

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Departments, Refuse and Recycle, and then Lucas County 2018-2032 Adopted Solid Waste Management Plan Update under Forms and Links. In order to be ratified, the Plan must be approved by a combination of municipalities and townships with a combined population comprising 60 percent of the District. The County and the municipal corporation having the largest population within the District must also approve the plan.

Mrs. Bruno moved to adopt Resolution 03-18. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

E. RESOLUTION 04-18 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 64 BETWEEN SECOND STREET AND WATERVILLE-MONCLOVA ROAD

This Resolution authorizes an Agreement with the Ohio Department of Transportation relative to the Federal funds available (up to \$280,000 out of a total project cost of \$388,255) for the State Route 64 Urban Paving Project (between Waterville-Monclova Rd and Second Street) scheduled for construction in the second half of 2018. The City has previously been approved to receive a grant of \$80,000 from the Ohio Public Works Commission for this project.

Mayor Brodie moved to adopt Resolution 04-18. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

F. RESOLUTION 05-18 A RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO THE DECEMBER 22, 2014 FIRE SUPPRESSION AND RESCUE SERVICES AGREEMENT WITH WATERVILLE TOWNSHIP

On December 22, 2014, the City entered into an Agreement with Waterville Township for the provision of Fire Suppression and Rescue Services to the eastern portion of Waterville Township. The map used as an exhibit in that Agreement does not show the US 24 Bypass and there are areas along the boundary between the Waterville and Whitehouse service areas that are not clearly defined on the map. This Resolution would authorize an amendment to the Agreement that simply substitutes a new map into the Agreement that will eliminate confusion in defining the respective Waterville and Whitehouse service areas. Waterville Township will also be amending its Agreement with the Village of Whitehouse in a similar way.

Mayor Brodie moved to adopt Resolution 05-08. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

G. RESOLUTION 06-18 A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 20 BARGAINING UNIT AND AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO SAID COLLECTIVE BARGAINING AGREEMENT

The collective bargaining agreement for the Teamsters Bargaining Unit is attached to the Resolution for City Council's authorization. The proposed agreement contains base wage increases for each of the next three years of 3.25%, 3.25%, and 3.0%. Thanks to all of the individuals who were directly involved in the negotiations on both sides for the professional manner in which they conducted the negotiating sessions. In particular, I would like to commend Jon Gochenour, Ken Blair, and legal counsel Dave Smigelski for their diligence in handling this process.

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Mayor Brodie made a motion to table the discussion. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

H. RESOLUTION 07-18 A RESOLUTION ACCEPTING A WATERLINE EASEMENT AND THE OWNERSHIP OF THE WATERLINE CONTAINED THEREIN FROM WATERVILLE PLAZA, LLC

When the Waterville Plaza commercial development was built, a privately owned waterline was installed along the north property line of the development to provide both domestic water service and fire protection. Multiple water customers in the development are served from this waterline. It would be in the best interests of the owner of the development, the tenants, and the City if the City would control and maintain the waterline. This Resolution would provide the City with an easement and ownership of the existing waterline and an easement along the east property line of the development for a possible future waterline connection to Michigan Ave. which would make the existing waterline part of a loop instead of a dead end.

Mrs. Duncan moved to adopt Resolution 07-18. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Other Business

None

Executive Session

Mr. Pedro made a motion to move into Executive Session for Consideration of a Personnel Issue – ORC 121.22(G)(1), Compensation of Public Employees or Officials; Conference with the Assistant 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 9:42 p.m. Mr. Valtin seconded the motion.

Roll Call: Mr. Pedro – yes, Mrs. Duncan – yes, Mr. Bruno – yes, Mayor Brodie – yes, Mr. Valtin – 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 10:35 p.m. Mr. Valtin seconded the motion which carried by unanimous voice vote.

Adjournment

There being no further business to come before Council, Mrs. Bruno made a motion to close the meeting at 10:35 p.m. Mr. Valtin seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor