

Regular Council

February 12

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The regular meeting of the Waterville Council was called to order by Mayor Lori Brodie at 7:35 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. Bruno, Mrs. Bruno, Mayor Brodie, Mr. Pedro and Mrs. Duncan. There is one vacant position on Council.

Mayor Brodie made a motion to excuse the absence of Mr. Rozic. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

Also present this evening were Jim Bagdonas, Administrator; Philip Dombey, Law Director; Steve Schult, Treasurer and Melissa Cook, Recording Secretary.

Staff Present:

Jon Gochenour – Director of Finance and Administration, Clerk of Council
Larry Albright – Lieutenant Waterville Police
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

Mrs. Duncan moved to approve the minutes of the January 22, 2018 Regular Council meeting. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Presentation:

A. James Valtin – Council Member (10 Years)

Mayor Brodie presented Mr. Valtin a Certificate of Commendation and the City's Carruth presentation piece for his service to the citizens of Waterville.

Citizens Comments

Reagan Sawyer, 215 S. River Rd., stated that she attended several committee meetings asking for the creation of a civilian oversight committee as a proactive step to maintain accountability within the Waterville Police Department. She added that this idea has been met with resistance. She then added that she has recently been approached by other residents who have told her stories of both positive and negative interactions with the police. She asked that her request be reconsidered so that residents have a neutral place to be heard and respected.

Matt Nagel, 8066 Trentlock Dr., came forward to ask Council if they had any questions for him regarding Ordinance 01-18. He also wanted to express that he did not ask for the Ordinance to be passed as an emergency measure. He said that he will remain throughout tonight's meeting to answer questions later if needed.

Jessica Wilbarger, a Natural Resource Specialist with the Lucas County Soil and Water Conservation District, came to tonight's meeting to explain the impact of Senate Bill 1. She stated that this is an Ohio State Law that was passed in 2015 regarding restrictions on agricultural practices due to the harmful algae blooms in Lake Erie. She then stated that bill affects farm parcels of 50 acres or more by restricting them from spreading manure or fertilizer when the ground is frozen or saturated or when heavy rains are expected. This will prevent harmful runoff into waterways that feed into Lake Erie.

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Three students from Notre Dame Academy were in attendance at this evening's meeting to work on getting hours required for their Government class. All three introduced themselves to Council.

Three members of Waterville Boy Scout Troop 101 were in attendance at this evening's meeting in order to meet requirements for both the Communications Merit Badge and the Citizenship and Community Merit Badge.

Executive Session

Mr. Pedro made a motion to move into Executive Session for 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 7:51 p.m. Mrs. Bruno seconded the motion.

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

Return to Regular Session

Mr. Pedro made a motion to come out of Executive Session and resume the regular Council meeting at 8:07 p.m. Mr. Bruno seconded the motion.

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

OLD BUSINESS:

Mayor Brodie asked that this item be moved up on the agenda.

- C. 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 (*Tabled*)

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%. The Teamsters Bargaining Unit has ratified this Agreement.

Mr. Pedro made a motion to remove Resolution 06-18 from the table. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

Mrs. Duncan moved to adopt Resolution 06-18. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Staff Reports

Administration: Mr. Bagdonas

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

Law Director: Mr. Dombey – No report

Finance Director: Mr. Gochenour –

- Reviewed details from the December 2017 Month End Finance Report highlighting Fund Balances and Income Tax Revenues.
- Announced that the Regional Income Tax Agency (R.I.T.A.) will be holding their annual Tax Payer Assistance Day on Wednesday, March 28 from noon to

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7:00 p.m. at The Lodge at Strawberry Acres in Holland, OH.

- Stated that the Finance Committee will hold their next meeting this Friday, February 16 at 7:30 a.m. in Council Chambers.
- Reminded Council that the filing deadline for their 2017 Financial Disclosure Statement is Tuesday, May 15, 2018.

Treasurer: Mr. Schult –

- Reviewed details of the Treasurer’s Report for the month of December 2017.

Police Lieutenant: Larry Albright

- Stated that the Kroger Grand Re-Opening went very well with no issues and no report of thefts. He added that their presence was much appreciated by Kroger management.

Fire Chief: Patrick Wambo

- Stated that included in Council’s packet was the 2017 Waterville Fire and Rescue Department Annual Operational Report.
- Reported he has hired two part-time and one paid per call employees.

Public Works Director: Ken Blair

- Stated that included in Council’s packet was City of Waterville Public Works Year End Council Report for 2017.

Communications from Council Members/Committees

Mr. Bruno – No report.

Mrs. Bruno –

- Reported that the Parks and Recreation Committee met and fully support the request to allow the Food Truck Association to find a place to come to Waterville and park their trucks. Mayor Brodie stated that they would like to park four food trucks at Conrad Park by the old Fire Station on Tuesday evenings during the summer from 5:00 p.m. – 8:00 p.m. Mr. Dombey suggested that the Food Truck Association write up and submit a proposal with all of those details. Mrs. Bruno stated that the Food Truck Association will be paying the City a specified amount per vehicle. Mr. Bagdonas recommended that they add that exact amount to their proposal as well. Mrs. Bruno then stated that the Parks and Recreation Committee were hoping that those funds could then be placed in the Parks and Green Space fund.
- Stated that the committee also discussed changing the city’s park hours so that the parks would specifically close at dusk. Mr. Dombey stated that Mrs. Bruno should give him the committee’s thoughts in writing and that they will try to implement them. Mrs. Bruno stated that they will discuss this further at their next scheduled meeting.

Mr. Pedro –

- Reported that the next Waterville Economic Development Committee Roundtable will be held on April 11. He will provide more details as soon as they are available.

Mrs. Duncan – No report.

Mr. Rozic arrived at tonight’s meeting at 8:30 p.m.

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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

Public Hearing held November 27, 2017

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 process.

Mrs. Duncan asked that further discussion and a vote on the Five-Year Capital Planning Program be delayed until the next Council meeting. Council took no action on Resolution 51-17.

B. 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

Third Reading held January 22, 2018

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 meeting and unanimously recommends approval. A revised FY 2018 Annual Appropriations Document is included in the Council packet. The Municipal Building standby generator was removed from the 2018 Appropriations at the January 22 Council meeting.

Council took no action on Ordinance 27-17.

D. ORDINANCE 01-18 AN ORDINANCE AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT TO SELL CERTAIN REAL ESTATE KNOWN AS 6824 ANTHONY WAYNE TRAIL (PART EAST OF RAILROAD) AND TO COMPLETE SUCH SALE, AND DECLARING AN EMERGENCY
(tabled)

The portion of the property at 6824 Anthony Wayne Trail that is between the railroad and the Anthony Wayne Trail (approximately 8.4 acres) was advertised for bids in accordance with the applicable provisions of the Ohio Revised Code. One responsive bid from Matthew E. Nagel in the minimum bid amount of \$176,000 was received. This Ordinance would authorize the sale of the property to Mr. Nagel.

Mrs. Bruno made a motion to remove Ordinance 01-18 from the table. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

Mr. Nagel, 8066 Trentlock Dr., was in attendance to answer any questions from Council. Mr. Pedro suggested that they follow the normal procedure on passing an Ordinance and have three scheduled readings. Council then determined that this would be the second reading of this Ordinance.

E. ORDINANCE 02-18 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A SPECIAL USE PERMIT TO CONSTRUCT A BUILDING ADDITION AND PARKING LOT MODIFICATIONS AT THE WATERVILLE PRIMARY SCHOOL

Second Reading

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The City received an application for a Special Use Permit as described above. The property is zoned R-1. At the January 9 meeting, the Planning Commission approved a motion by a vote of 3-0 with two members absent to recommend the granting of this Special Use Permit as described in the Ordinance and approval of the site plan for this project, subject to the comments noted in the January 4, 2018 letter from Thomas Yurysta.

NEW BUSINESS:

- A. REFERRAL TO PLANNING COMMISSION – WATERVILLE CDC, LLC CHANGE OF ZONING APPLICATION FOR 2.0 ACRE PARCEL SOUTH OF 8011 DUTCH RD. FROM A-1 TO C-1 (*Motion*)

Mayor Brodie made a motion to refer this matter to the Planning Commission. Mr. Pedro seconded the motion, which passed by unanimous voice vote.

- B. ORDINANCE 03-18 AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP OF THE CITY OF WATERVILLE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN 2.0-ACRE PARCEL OF LAND (PART OF PARCEL NO. 96-25991) LOCATED DIRECTLY SOUTH OF 8011 DUTCH RD. FROM A-1 AGRICULTURE DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

First Reading

An Application has been received from Waterville CDC, LLC to rezone a 2.0-acre parcel that it would like to purchase from A-1 to C-1. A referral by Council to the Planning Commission for a recommendation is necessary at this time to begin the rezoning process. The next Planning Commission meeting is scheduled for March 5. Assuming the referral is approved, a first reading of the Ordinance has been scheduled for this meeting. The Public Hearing and third reading would occur at the March 12 Council meeting after Council received the Planning Commission's recommendation.

- C. ORDINANCE 04-18 AN ORDINANCE PURSUANT TO CHARTER SECTION 5.02 ADOPTING PERSONNEL RULES; AMENDING VARIOUS SECTIONS OF THE WATERVILLE PERSONNEL POLICY AND PROCEDURE MANUAL AND DECLARING AN EMERGENCY

In the recently concluded negotiations with the City's three collective bargaining units, a number of changes were made to certain personnel policies covered by the collective bargaining agreements including: specifications that compensatory time and sick leave can be used in increments of not less than one-quarter hour, adding language that an employee retire "under the appropriate State of Ohio Retirement System" in order to qualify for payment of accrued but unused sick leave, and adding various step-relatives to the bereavement leave policy. This Ordinance would make the City's Personnel Policy and Procedure Manual consistent with the collective bargaining agreements. The Ordinance would also extend eligibility to participate in the City's health insurance program to City elected officials. Such participation would require an elected official to pay 100% of the insurance premium.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 04-18 as an emergency measure. Mrs. Duncan seconded the motion.

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

Mayor Brodie made a motion to move for the passage of Ordinance 04-18 as an emergency measure. Mrs. Duncan seconded the motion.

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

D. RESOLUTION 11-18 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE WATERVILLE PLAYSHOP FOR THE LEASE OF THE FORMER FIRE STATION OWNED BY THE MUNICIPALITY AT 808 MICHIGAN AVE.

The Waterville Playshop's one-year lease of the former fire station will expire on February 28, 2018. That organization is interested in a new lease with a longer term. The provisions of the new lease would be identical to those in the expiring lease with the exception of a two-year term instead of one-year. Waterville Playshop would continue to be responsible for paying all utilities used at the building, all repairs under \$10,000 and the City's insurance cost for the building.

Tammy Fitch of 1101 Springcrest Dr., representing the Waterville Playshop, was in attendance to answer any questions from Council.

Mr. Pedro moved to adopt Resolution 11-18. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

E. RESOLUTION 12-18 A RESOLUTION IN SUPPORT OF THE BOARD OF LUCAS COUNTY COMMISSIONERS TO ENACT A COUNTY MOTOR VEHICLE LICENSE FEE PURSUANT TO OHIO REVISED CODE CHAPTER 4504.24

After the presentation by representatives from the Lucas County Engineer's Office at the January 22 City Council meeting, Council Members asked that a Resolution of support be prepared for Council's consideration.

Mr. Rozic made a motion to table the discussion and vote. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Other Business

Based on the completion of the Administrator's evaluation, Mayor Brodie made a motion for a wage increase for Municipal Administrator Jim Bagdonas for 2018 of 3.75%. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Executive Session

Mr. Pedro made a motion to move into Executive Session for Consideration of Personnel Issues – ORC 121.22(G) (1), Appointment and Compensation of Public Employees or Officials at 8:48 p.m. Mr. Bruno seconded the motion.

Roll Call: Mayor Brodie – yes, Mr. Bruno – 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 10:00 p.m. Mr. Rozic seconded the motion which carried by unanimous voice vote.

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Adjournment

There being no further business to come before Council, Mr. Rozic made a motion to close the meeting at 10:00 p.m. Mrs. Bruno seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor