

## Regular Council

February 26

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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.

Mr. Dombey administered the oath of office to newly appointed Council member Rod Frey.

A prayer was offered by Mr. Bruno. The Pledge of Allegiance was then recited.

Present at roll call were Mr. Bruno, Mrs. Bruno, Mr. Frye, Mayor Brodie, Mr. Rozic, Mr. Pedro and Mrs. Duncan.

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

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

Mrs. Bruno moved to approve the minutes of the February 12, 2018 Regular Council meeting and the February 20, 2018 Special Council meeting. Mr. Pedro seconded the motion, which passed by a voice vote. Mr. Rozic abstained from the approval of the first half of the February 12, 2018 Council meeting and Mr. Frey abstained from both meetings.

### Citizens Comments

Maria Wood and Julia Nichols, students from Notre Dame Academy, were in attendance at this evening's meeting to work on getting hours required for their government class.

### Staff Reports

Administration: Mr. Bagdonas

- Stated that with Council's approval, he would like to schedule this year's summer Council meetings on the first Monday of June (June 4<sup>th</sup> in place of the fourth Monday of May that falls on Memorial Day) and the fourth Mondays of June, July and August (June 25, July 23 and August 27). This schedule works well with the timing of the legislation needed for our annual note issue in late July.

Mr. Rozic moved to approve the proposed summer Council meeting schedule. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Law Director: Mr. Dombey – No report

Finance Director: Mr. Gochenour –

- Reviewed the FY2017 Fourth-Quarter Budget and Financial Report. The report was also reviewed and approved by the Finance Committee at their February 16, 2018 meeting.

Treasurer: Mr. Schult – No report.

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### Communications from Council Members/Committees

Mr. Bruno – No report.

Mrs. Bruno – No report.

Mr. Frey –

- Thanked the Mayor and Council for giving him the opportunity to serve with them on Council.

Mr. Rozic –

- Reported that he and Mr. Bruno attended the fourth-grade Student Council swearing in last week at Waterville Primary School.

Mr. Pedro –

- Stated that he spoke with a counselor from Waterville Primary School yesterday who really appreciated both Mr. Bruno's and Mr. Rozic's attendance at the fourth grade swearing in ceremony.

Mrs. Duncan – 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  
*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.

Mr. Pedro moved to adopt Resolution 51-17. Mr. Bruno seconded the motion.

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

- 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  
*First Reading held December 11, 2017; Second Reading and Public Hearing held January 8, 2018; Third Reading held January 22, 2018*

A copy of the proposed FY 2018 Appropriations was included in the December 11, 2017 Council packet. The Finance Committee reviewed the budget at their November 17 meeting and unanimously recommends approval. A revised FY 2018 Annual Appropriations Document was included in the January 22, 2018 Council packet. The Municipal Building standby generator was removed from the 2018 Appropriations at the January 22 Council meeting.

After discussion on the Appropriations, Mrs. Bruno made a motion to amend the 2018 Annual Appropriations by removing the purchase of the Fire Chief's vehicle. Mrs. Duncan seconded the motion.

Roll Call: Mayor Brodie – yes, Mr. Frye – yes, Mr. Bruno – yes, Mrs. Duncan – yes, Mr. Pedro – yes, Mrs. Bruno – yes, Mr. Rozic – no. The motion passed by a 6 - 1 vote.

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After further discussion on the purchase of a new ambulance, Mrs. Bruno made a motion to amend the 2018 Annual Appropriation by removing the purchase of the ambulance/rescue squad from the 2018 Appropriations Budget. Mayor Brodie seconded the motion.

Roll Call: Mr. Bruno – no, Mrs. Bruno – yes, Mr. Frye – no, Mayor Brodie – yes, Mr. Rozic – no, Mr. Pedro – no, Mrs. Duncan – yes. The motion failed by a 4 – 3 vote.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 27-17 as an emergency measure. Mrs. Bruno seconded the motion.

Roll Call: Mayor Brodie – yes, Mr. Frye – yes, Mr. Bruno – 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 27-17 as an emergency measure. Mr. Rozic seconded the motion.

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

### C. 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

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.

Mr. Nagel was in attendance at this evening's meeting and answered questions from Council about the proposed use for the property. He stated that his goal for the property is to eventually create a soccer complex. After discussion, Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 01-18 as an emergency measure. Mrs. Bruno seconded the motion. Mr. Bagdonas stated that the emergency measure pertains to when the Ordinance is effective not the number of readings. The motion was then withdrawn. Council then decided to remove the emergency measure from the title of the Ordinance. Mr. Bagdonas stated that Section Five of the Ordinance should be changed from what it currently states to that "this Ordinance shall take effect from and after the date of its passage as authorized by the Charter of the City of Waterville".

Mayor Brodie made a motion to make the administrative changes to the Ordinance as recommended by Mr. Bagdonas. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

Mrs. Bruno moved to adopt Ordinance 01-18. Mayor Brodie seconded the motion.

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

### D. PUBLIC HEARING - 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 (457 SYCAMORE LN)

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Third Reading, Public Hearing, and Legislative Action

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.

Matt Dick, Director of Operations for Anthony Wayne Schools, was in attendance at tonight's meeting to address any questions from Council.

Mayor Brodie opened and closed the Public Hearing at 8:30 p.m.

Mrs. Bruno moved to adopt Ordinance 02-18. Mrs. Duncan seconded the motion.

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

- E. 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 ROAD FROM A-1 AGRICULTURE DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

Second 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. The next Planning Commission meeting is scheduled for March 5. The Public Hearing and third reading would occur at the March 12 Council meeting after Council receives the Planning Commission's recommendation.

- F. 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

Tabled

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. Additional information received from the Lucas County Engineer's Office is attached to the Resolution. The Resolution was tabled at the February 12 City Council meeting.

Mrs. Bruno made a motion to take Resolution 12-18 off the table. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

Mr. Rozic made a motion to remove Resolution 12-18 from the agenda. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

NEW BUSINESS:

- A. ORDINANCE 05-18 AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 907 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE WITH RESPECT TO TREES AND SHRUBS

First Reading

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Last year, a number of changes to public tree maintenance responsibilities were discussed by Council and the Tree Commission. Based on those discussions, the proposed changes were modified significantly as reflected in this Ordinance. The changes as currently proposed are summarized as follows:

1. The absolute requirement that only trees in accordance with the City's Master Street Tree Plan can be planted in public places would be changed to a strong recommendation with an option for tree selections from the City's lists of trees that are desirable for planting in public places and on private property, after consultation with the with the Tree Commission.
2. The City would continue to be responsible for all street trees and public trees. The terms street trees and public trees are currently defined in Section 907.01. More detailed examples of maintenance and an option for property owners to perform maintenance activities on street trees which abut their property would be added.
3. The requirement to obtain a permit prior to performing work on a street tree would be eliminated for a property owner who wishes to carry out minor tree maintenance such as pruning on street trees which abut their property.
4. The provisions regarding definitions, desirable and undesirable trees, the preparation and updating of a Master Street Tree Plan and Inventory, trees in new subdivisions, deleterious and impervious substances, prohibition on tree topping, dangerous privately owned trees, arborist license requirements, Council's right to review Tree Commission decisions, construction near public trees, emergencies and penalty would remain unchanged.

The changes proposed in this Ordinance have been unanimously recommended by the Tree Commission.

Other Business

None

Adjournment

There being no further business to come before Council, Mr. Pedro made a motion to close the meeting at 8:44 p.m. Mrs. Bruno 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