

Regular Council

July 23

18

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 Mr. Rozic. The Pledge of Allegiance was then recited.

Present at roll call were Mr. Bruno, Mrs. Bruno, Mr. Frey, 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. Rozic moved to approve the minutes of the June 25, 2018 Regular Council meeting. Mr. Frey seconded the motion, which passed by unanimous voice vote. Mr. Rozic moved to approve the minutes of the July 2, 2018 Special Council meeting. Mr. Frey seconded the motion, which passed by voice vote. Mr. Pedro and Mrs. Bruno abstained.

Proclamation

A. Prostate Cancer Awareness Month – September 2018

Mayor Brodie read a Proclamation which proclaimed September 2018 as Prostate Cancer Awareness Month in the City of Waterville and urged all residents to join in recognition of this significant occasion.

Citizens Comments

Earl Phipps, 8148 Donnington Dr., came to tonight's meeting to discuss with Council the issues that he has with flooding in his backyard. He voiced his concerns and asked with all the new construction coming to the area where will the water go. He also questioned whether or not retention ponds are required and if so are they being maintained.

Frank L. Wright, Sr., 8129 Donnington Dr., was also present this evening to voice his concerns on water retention with all the new construction near Bridgehampton Woods Subdivision.

Mr. Bagdonas then explained the city's policy concerning retention ponds and Lucas County's ditch cleaning petition procedures.

Rob Allen, 425 Anthony Wayne Trail Apt. 103, asked Council and the City for help to resolve issues that he and other tenants are experiencing with maintenance at his apartment complex. Mr. Dombey explained that this is a civil matter and gave Mr. Allen a referral on organizations that specialize in landlord/tenant issues.

Regular Council

July 23

18

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 June and July 2018 RITA Income Tax Reports highlighting the Y.T.D. Income Tax Collections Report and the Y.T.D. Income Tax Collection compared to an average over the last three years.

Treasurer: Mr. Schult – No report.

Police Chief: Dave LaGrange

- Reported that Waterville crash reports are now available online free to individuals at www.crashdocs.org. Attorneys and insurance companies will be required to pay for the reports. Those involved in an accident will receive an incident number to follow.
- Stated that additional cameras were added to the back of the Administration Building and also the Police Department.
- Reported that Matthew Nicely will be joining the department as a new full-time officer.
- Stated that there has been a reported sighting of a coyote in the area. He advised all residents to keep an eye on dogs of all sizes when letting them out.

Fire Chief: Patrick Wambo

- Reported that going forward he is including in his packet a summary of automatic aid and mutual aid responses.
- Stated that there were 62 runs in June.
- Received approval for a BWC Grant for protective fire-fighting hoods and gloves.
- Reported that he is preparing and submitting paperwork for a grant through Firehouse Subs.
- Stated that the Nexus \$19,000 grant is still pending.
- Reported that a duplex on S. River Rd. was hit by a car. A support beam within the structure was damaged but no injuries were reported. The tenants have been temporarily displaced until repairs are made.

Public Works Director: Ken Blair

- Reported that Nick Wagener has joined the Public Works Department as the new Public Works Technician.

Communications from Council Members/Committees

Mrs. Duncan –

- Stated that this year's fireworks display was excellent. She added that the event was very well attended and thanked all involved for a job well done.

Mr. Pedro –

- Thanked the Boom Committee and Vision Ministries for another successful Fourth of July fireworks and festival.
- Attended the Annual Chamber of Commerce Golf Outing at Belmont Country Club.
- Announced that the Waterville Rotary will be holding their annual Blues, Brews and Brats this coming Saturday, July 28 in downtown Waterville.

Regular Council

July 23

18

Mr. Rozic – No report.

Mr. Frey – No report.

Mrs. Bruno – No report.

Mr. Bruno – No report.

Mayor Brodie –

- Thanked Vision Ministries, the Bring Back the Boom Committee and City staff for all of their work in putting on another fantastic Fourth of July Fireworks event.

OLD BUSINESS

A. DISCUSSION – POSSIBLE FORMATION OF A UNION CEMETERY DISTRICT WITH WATERVILLE TOWNSHIP AND THE VILLAGE OF WHITEHOUSE

On May 31, a meeting concerning cemetery maintenance and the possible formation of a Union Cemetery District as provided in Section 759.27 of the Ohio Revised Code by the City of Waterville, Waterville Township, and the Village of Whitehouse was held. There are currently five public cemeteries within the three jurisdictions (1-Waterville City, 1-Waterville Township, 3-Whitehouse). Waterville Township is in favor of the formation of a District.

Council asked that this item be left on their agenda for ongoing discussion until a representative from Waterville Township is in attendance at a meeting to answer questions. No action was taken this evening.

NEW BUSINESS

A. REFERRAL TO PLANNING COMMISSION – WATERVILLE LANDING SELF-STORAGE FACILITY SPECIAL USE PERMIT APPLICATION (MOTION)

B. ORDINANCE 15-18 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A SPECIAL USE PERMIT TO CONSTRUCT A SELF-STORAGE FACILITY ON A 5.1 ACRE PARCEL OF LAND ON THE EAST SIDE OF PRAY BLVD. SOUTH OF STATE ROUTE 64 ZONED C-4 AND DECLARING AN EMERGENCY

First Reading

An Application has been received from Doug Howard Building Company for a Special Use Permit to construct a self-storage facility on property currently owned by Midland Agency of Northwest Ohio, Inc. on the east side of a southerly extension of Pray Blvd. south of State Route 64. 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 August 6. 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 September 10 Council meeting after Council receives the Planning Commission's recommendation.

Mrs. Duncan made a motion to refer the Special Use Permit Application request to the Planning Commission for their recommendation. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Regular Council

July 23

18

C. PUBLIC HEARING – RESIDENTIAL OVERLAY DISTRICT ZONING PERMIT – WATERVILLE PLACE APARTMENTS – APPLICATION FOR ZONING PERMIT #2662 – PROPOSED 7 BUILDING/252 UNIT RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTHWEST SIDE OF PRAY BOULEVARD EAST OF US 24 (MOTION)

At the June 5 meeting, the Planning Commission voted 4 to 0 with one member absent to recommend that Council approve this Zoning Permit. In accordance with Section 1136B.04 (b) of the Planning and Zoning Code, a Public Hearing on this issue has been scheduled for this meeting.

Mayor Brodie opened the Public Hearing at 8:27 p.m.

Nathan Waggner, of Cash Waggner and Associates, representing the developer, Waterville Place Apartments, LLC, of East Lansing, Michigan was in attendance to answer questions and address any concerns from Council and the public. He stated that what they are proposing is a 7 building, 252 unit-market rate apartment complex on the northwest side of Pray Blvd. The developer owns, manages and maintains all of their approximately 175 apartment communities in several states.

Denise and Bill Kniss, 8038 Donnington Dr. and Sharon O'Rourke, 1544 Blackhawk Dr. were in attendance to voice their concerns about the proposed apartments which included: the use of local labor for construction, an increase in crime and traffic, the removal of trees, concerns regarding a decrease in home values and the added burden on the school district.

Mr. Dombey explained that the Waterville Landing area was zoned for R-4 high-density housing several years ago and is also on the city's master plan.

Tom Yurysta, City Engineer, stated that they have been working with Cash Waggner for the last couple months. We have reviewed their development plans and from engineering standpoint it should be approved. He then stated that site is being done in two phases. The first phase does not warrant a traffic study but the second phase will produce enough traffic/vehicles that a traffic study will be required.

Mr. Dombey wanted to point out that in order for the developer to go forward with the plan it has to meet the requirements of the City and the Engineer. The Planning Commission did recommend approval by Council subject to compliance with the Engineer's recommendations and City requirements.

Mr. Waggner read a letter to Council from Dundee, MI, Village Manager and former Police Chief David Uhl, who stated that a similar apartment complex by the same developer as Waterville Place has created no issues and in fact has been a great community partner.

Mayor Brodie closed the Public Hearing at 9:11 p.m.

Mrs. Bruno moved to approve the Residential Overlay District Zoning Permit for Waterville Place Apartments subject to the conditions contained in the Planning Commission's recommendation. Mr. Frey seconded the motion, which passed by unanimous voice vote.

D. RESOLUTION 36-18 A RESOLUTION AUTHORIZING A JOBS AND COMMERCE ECONOMIC DEVELOPMENT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A GRANT FOR THE IMPROVEMENT OF DISHER DRIVE

The repair of Disher Drive was the top priority in the City's 2018 Street Evaluation Review. With the commitments from Thermeq Properties LLC, and Furn-Tech to expand their physical facilities, to create four jobs, and to retain four jobs at their Disher Drive location, the City contacted the Ohio Department of Transportation (ODOT) for financial assistance through their Jobs and Commerce Economic Development program to improve Disher Drive. ODOT has agreed to provide a \$30,000 grant toward this project which has a total estimated cost of \$173,000. This Resolution would authorize the grant agreement for this project.

Mr. Pedro moved to adopt Resolution 36-18. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

E. RESOLUTION 37-18 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO MORBARK, LLC, WINN, MINNESOTA, FOR THE PURCHASE OF A 2018 MORBARK BEEVER M12RX CHIPPER FOR THE PUBLIC WORKS DEPARTMENT

The Public Works Department often needs a chipper for both routine and emergency tree maintenance. A chipper currently must be either borrowed from Lucas County or rented. Obtaining a chipper from these sources is subject to the availability of the equipment, the time of the day, and the day of the week. The time to get the chipper and to transport it to the City is also a drawback of this process. The purchase of a chipper is included in the Five Year Capital Program for 2018 and also in the FY 2018 appropriations. The Morbark Beaver chipper specified in this Resolution is within the \$40,000 budgeted for this item and is available through the Ohio Cooperative Purchasing Program.

Mrs. Duncan moved to adopt Resolution 37-18. Mr. Frey seconded the motion, which passed by unanimous voice vote.

F. RESOLUTION 38-18 A RESOLUTION DESIGNATING THE SERVICES THE CITY OF WATERVILLE WILL PROVIDE TO THE TERRITORY PROPOSED FOR ANNEXATION BY THE PETITION FILED JULY 11, 2018 WITH THE LUCAS COUNTY BOARD OF COMMISSIONERS

This Resolution is related to the annexation petition that was recently filed for approximately 43.491 acres on the south side of Neapolis-Waterville Road approximately ½ mile west of Waterville-Monclova Road. A map of the territory proposed to be annexed is attached to the Resolution. The annexation petition was filed on July 11 under Sections 709.02 to 709.11 of the Ohio Revised Code, which refers to a "Regular" Annexation." One of the requirements is that a resolution designating the municipal services to be provided in the annexed area be passed by the municipal legislative authority.

Mr. Pedro moved to adopt Resolution 38-18. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

G. ORDINANCE 16-18 AN ORDINANCE AMENDING ORDINANCE NO. 14-18, THE AMENDED FY 2018 ANNUAL APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY

This Ordinance would authorize the third amendment to the 2018 appropriations. The most significant item in this amendment is an additional \$85,000 expense for the bid on the Michigan Ave. Waterline Replacement Phase Two which was over the estimated cost. Detailed information on this amendment is attached to the Ordinance.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 16-18 as an emergency measure. Mr. Rozic seconded the motion.

Regular Council

July 23

18

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

Mayor Brodie made a motion to move for the passage of Ordinance 16-18 as an emergency measure. Mr. Pedro seconded the motion.

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

H. RESOLUTION 39-18 A RESOLUTION AUTHORIZING THE TRANSFER OF CASH FUNDS FROM THE MAUMEE RIVER WATER TRANSMISSION MAIN BOND ACCOUNT (BANK 17) TO THE GENERAL ACCOUNT (BANK 1)

To finance the Maumee River waterline-crossing project, the City sold bonds. That project and the related waterline transition project on Waterville-Monclova Rd. have now been closed out. Approximately \$80,000 remains from the proceeds of the bond sale. This Resolution would authorize the transfer of the remainder of the bond proceeds for use in the water capital fund. The State Auditor has issued a bulletin requiring specific legislative action to ratify inter-fund transfers. This Resolution would meet that requirement.

Mr. Rozic moved to adopt Resolution 39-18. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

I. RESOLUTION 40-18 A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF WATERVILLE ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS WATER CAPITAL IMPROVEMENT PROJECTS FUND, FOR THE 2018 MICHIGAN AVENUE WATER MAIN REPLACEMENT – PHASE TWO, PROJECT C134V WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO

This item authorizes the State of Ohio to reimburse the City per the contract agreement in relation to the Michigan Ave. Waterline Replacement Phase Two project. The Resolution states that the intent of Council is to reimburse the appropriate fund used to pay the expenditures relating to the project. This legislation is required each time we accept a loan from the Ohio Public Works Commission (OPWC).

Mr. Rozic moved to adopt Resolution 40-18. Mr. Frey seconded the motion, which was passed by unanimous voice vote.

J. RESOLUTION 41-18 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO GREAT LAKES DEMOLITION COMPANY FOR THE MICHIGAN AVENUE WATERLINE REPLACEMENT - PHASE TWO

This Resolution would authorize a contract for the Michigan Ave. Waterline Replacement Phase Two project. This construction project was advertised and we received five competitive bids, which were opened on July 11. It was determined by the City Engineer and administrative staff that Great Lakes Demolition Company submitted the best and most responsive bid, therefore the recommendation to award them the contract.

Mr. Pedro moved to adopt Resolution 41-18. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

Regular Council

July 23

18

K. RESOLUTION 42-18 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A CONTRACT WITH PROUDFOOT ASSOCIATES INC. FOR CONSTRUCTION ENGINEERING SERVICES FOR THE MICHIGAN AVENUE WATERLINE REPLACEMENT PHASE TWO PROJECT

Construction engineering services will be needed for this project. This Resolution would provide for the inspection of the work by Proudfoot Associates.

Mr. Pedro moved to adopt Resolution 42-18. Mr. Frey 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 a Conference with the Law Director concerning ORC 121.22 (G) (1), Appointment and Compensation of Public Employees or Officials and ORC 121.22(G) (2), Purchase or Sale of Property for Public Purposes at 9:34 p.m. Mr. Rozic seconded the motion.

Roll Call: Mayor Brodie – yes, Mr. Frey – 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 10:09 p.m. Mr. Frey seconded the motion which carried by unanimous voice vote.

Adjournment

There being no further business to come before Council, Mr. Rozic made a motion to close the meeting at 10:09 p.m. Mr. Pedro seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor