

## Regular Council

April 22

19

The regular meeting of the Waterville Council was called to order by Mayor Brodie at 7:30 p.m. in the Council Chambers of the Waterville Municipal Building.

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

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

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 Jon Gochenour, Administrator, Director of Finance and Administration and Clerk of Council; Phil Dombey, Law Director; Steve Schult, Treasurer and Melissa Cook, Recording Secretary.

### 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 April 8, 2019 regular Council meeting. Mr. Bruno seconded the motion, which passed by a voice vote. Mr. Frey abstained.

### Citizens Comments

David Vrooman, 428 N. River Rd., came to this evening's meeting to bring to Council's attention a situation that occurred at his home this past weekend. He stated that both pumps at the pump station on River Rd. failed which caused a back-up in his basement. He questioned what the city could do to prevent this from happening in the future. Mayor Brodie thanked Mr. Vrooman for coming and bringing this to their attention. She stated that the Administration would look into this further.

Susan Meyer, 274 N. River Rd. asked Council if any notifications have been published to make the residents aware of the upcoming Joint Fire District Meeting. Mayor Brodie stated that it was in the Maumee Mirror and is on the City's website and the Pray Park Sign. She then stated that the next meeting will be held on Monday, April 29 at 7:00 p.m. at the Whitehouse Village Hall at 6925 Providence St. Mrs. Meyer also asked if Council considered asking Waterville residents if they would be willing to pay a little more to fund additional full-time firefighters. Mayor Brodie briefly explained how the study came about and what the next steps are in this process.

Rachel Allison, a student from Notre Dame Academy who has attended several Council meetings over the past few months, was in attendance at this evening's meeting to work on getting hours required for her government class. She stated that attending these meetings has given her perspective on how local government works.

### Staff Reports

Administration: Mr. Gochenour

- Stated that ODOT has announced that the Waterville Bridge will be closed on Thursday, April 25 at 7:00 p.m. until 6:00 a.m. on April 26.
- Reported that the ramp from southbound I-475 to westbound US 24 will close on Tuesday, April 23 for ramp realignment. The ramp will be closed until September 2019.

Mrs. Bruno stated that Item #18 on Mr. Gochenour's report states that he and Mr. Blair met with a representative of the Lucas County Soil and Water District to discuss ditch cleaning procedures. She asked if this discussion was specific to the drainage ditches throughout the city. Mr. Gochenour stated that we looked at the northwest part of the

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city. Township Ditch 108 and Farnsworth Ditch are two that might be in need of cleaning. He added that they met with the Soil and Water District to get guidance on how to proceed. He then stated that they will be meeting with them again in the future and will bring the findings of that discussion back to Council. Mr. Dombey stated that once a ditch has been petitioned and cleaned the maintenance and upkeep becomes the responsibility of the County. The property owners that benefit from the cleaning of the ditch would then be assessed by the County. Mayor Brodie then mentioned Waterworks Park, which is currently flooded, and asked if the Park and Rec Committee would discuss options for passive use at its next meeting. She then stated that Food Truck Tuesdays will begin again in May and asked that the Public Works Department do some general maintenance in order to spruce up both Conrad and Baer Parks before the season begins.

Law Director: Mr. Dombey –

- Reported that the city will be renewing their PUCO Aggregation Certificate for electricity.
- Requested an Executive Session following tonight's meeting to discuss pending and threatening litigation.

Finance Director: Mr. Gochenour –

- Stated that the staff is working on some conversion issues between the old and new financial software systems so there will not be a February Finance Report this evening. He then reviewed details from the February and March 2019 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.

### Communications from Council Members/Committees

Mrs. Duncan – No report.

Mr. Pedro –

- Reported that the Public Works Committee met last week where one topic of discussion was road repairs. He then stated that there is a new funding mechanism through ODOT which provides low interest funding for sewer, water and roads. He asked if the city might consider looking into this. He then asked that if \$40,000 is left over from the repair work scheduled for Disher and Cedar this year, if we could consider also doing work on Wilkshire, Maumee and N. Third. Mr. Gochenour stated that in addition to Disher and Cedar, we are spending an additional \$500,000 for resurfacing Michigan Ave. this year which represents the entire the budget. He added that the city did get an ODOT economic development grant for Disher and that we always try to take advantage of any funding offered by them.
- Thanked Waterville Bodyworks and all other businesses and volunteers involved in this year's Easter Egg Hunt. This year's event was another huge community success.

Mr. Frey – No report.

Mrs. Bruno – No report.

Mr. Bruno –

- Reported that he recently spotted a large television sitting in front of the recycling bin at the Kroger parking lot. He asked if it would be possible for the electronic recycling container to return to this area. Mrs. Bruno stated that she would make some inquiries.

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Mayor Brodie

- Reported that a meeting to discuss the Joint Fire District Feasibility Study will take place Monday, April 29 at 7:00 p.m. at the Village of Whitehouse Council Chamber. She stated that she did mention to Mr. Bagdonas that she would like to form a committee, similar to the one formed for the Cemetery District, with 2 representatives from each entity to discuss and explore the study further and then present its findings to Council. She would also like them to talk to people from other communities that have formed fire districts and get their input. She then stated that nothing has been decided yet and that there are still a lot of operational and financial pieces that need to be discussed. Mrs. Duncan stated that she has a lot of questions and that she would love to see a committee formed to do some digging and get into the numbers. Mr. Pedro stated that the Public Safety Committee will be meeting later this week to review the study. He will bring their comments to Council at a future meeting. He also wanted to clarify that we are still gathering data and that nothing has been decided yet. He added that whatever comes from this will only make us better. Mr. Frey stated that he is still researching this and did agree that a committee to look into this further is needed. Mrs. Bruno stated that she concurs with everything that has been said but feels that they need to do something quickly. She stated that a decision that we have to make is do we improve or do something new. Mr. Bruno stated that he feels that we need to have more conversation on this issue. He added that he feels that forming a committee would be good and that he would also like to hear from other municipalities that currently have a fire district.

### OLD BUSINESS

None

### NEW BUSINESS

#### A. DISCUSSION – JOINT MEETING FOR THE APPROVAL OF TAX MILLAGE FOR THE FALLEN TIMBERS UNION CEMETERY DISTRICT ON MAY 13, 2019 AT 6:00 P.M.

At a January 7, 2019 Special Joint Meeting, the Waterville City Council, along with the elected officials of the Village of Whitehouse and Waterville Township created the Fallen Timbers Union Cemetery District. At this joint meeting, a Cemetery Board of Trustees was selected from representatives of the three participating jurisdictions and a general consensus was reached on how the district would be funded and the necessary steps needed to begin operations as a union cemetery. Legislation is on tonight's Council agenda which will finalize the City's financial contribution, provide assistance with equipment services and transfer the City owned Wakeman Cemetery to the District. The Ohio Revised Code requires an annual joint meeting of the participating members of the Union Cemetery District to be held at the Council Chamber of the largest participating municipality at its first regular meeting in May each year for the purpose of determining the annual rate of taxation for the District. Since Waterville is the largest member, the meeting is scheduled for May 13, 2019 at 6:00 p.m. at the Municipal Building prior to our regular meeting at 7:30 p.m. The meeting agenda and the District's proposed 2020 Operating Budget was included with Council's packet for their review and discussion. The rate of taxation approved at the joint meeting would be uniform throughout the District and is levied outside of the ten-mill limitation. The requested 0.46 mills includes the purchase of equipment thought to be part of the necessary "start-up" costs required to begin the operation and maintenance activities for the District's five publicly owned cemeteries totaling 28.644 acres.

Mr. Frey, Chair of the Fallen Timbers Union Cemetery District Board of Trustees, stated that the 2020 Operating Budget was put together by the Cemetery Board and

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was included in Council's packet. This budget will need to be approved at the Joint District meeting on May 13 and at that meeting we will also need to set the levy that will be needed to fund the district in the future. 2019 will be funded through the seed money of \$50,000 from each from the City of Waterville and the Village of Whitehouse.

Council held a brief discussion on the Fallen Timbers Union Cemetery District's proposed 2020 budget. All three entities of the district will meet for the annual joint meeting on Monday, May 13 at 6:00 p.m. at the City of Waterville Council Chamber.

### B. RESOLUTION 13-19 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE FUNDING AGREEMENT FOR THE FALLEN TIMBERS UNION CEMETERY DISTRICT

At the January 7, 2019 Special Joint Meeting creating the Fallen Timbers Union Cemetery District, an understanding was reached among the elected officials present that the Cemetery District would need an interim source of funding to operate in 2019 until property taxes were received in 2020. This Resolution authorizes a "Cooperative Funding Agreement" between the City, the Village of Whitehouse and the Cemetery District to provide a total of \$100,000 to fund the operational expenses of the District in 2019. The \$50,000, contributed each by the City of Waterville and the Village of Whitehouse respectively, would be paid back to each jurisdiction over a period of five (5) years at a rate of \$10,000 per year. The \$50,000 payment to the District was included in the 2019 Appropriations Ordinance.

Mayor Brodie moved to adopt Resolution 13-19. Mr. Bruno seconded the motion. Roll call: Mrs. Bruno – yes, Mr. Pedro – yes, Mrs. Duncan – yes, Mayor Brodie – yes, Mr. Frey – abstain, Mr. Bruno – yes. The motion passed.

### C. RESOLUTION 14-19 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN INTERGOVERNMENTAL EQUIPMENT SERVICES AGREEMENT WITH THE FALLEN TIMBERS UNION CEMETERY DISTRICT

This Resolution authorizes an "Intergovernmental Equipment Services Agreement" between the City of Waterville and the Fallen Timbers Union Cemetery District for equipment services involving the opening and closing of graves in the District's cemeteries on a temporary basis until the District has the equipment and personnel to undertake this work on its own behalf. The city would charge the District \$50.00 per hour per City Employee and \$100.00 per hour for equipment.

Mr. Pedro moved to adopt Resolution 14-19. Mr. Bruno seconded the motion. Roll call: Mrs. Bruno – yes, Mr. Pedro – yes, Mrs. Duncan – yes, Mayor Brodie – yes, Mr. Frey – abstain, Mr. Bruno – yes. The motion passed.

### D. ORDINANCE 06-19 AN ORDINANCE TRANSFERRING OWNERSHIP OF THE WAKEMAN CEMETERY TO THE FALLEN TIMBERS UNION CEMETERY DISTRICT AND DECLARING AN EMERGENCY.

This Ordinance authorizes the transfer of ownership of the Wakeman Cemetery located inside the City of Waterville to the Fallen Timbers Union Cemetery District. The emergency measure is requested in order to transfer the property to the District as soon as possible in order to avoid any disruption of the operation of the cemetery.

Mayor Brodie made a motion to suspend the rules to allow for the passage of Ordinance 06-19 as an emergency measure. Mrs. Duncan seconded the motion.

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Roll call: Mr. Bruno – yes, Mr. Frey – abstain, Mayor Brodie – yes, Mrs. Duncan – yes, Mr. Pedro – yes, Mrs. Bruno - yes. The motion passed.

Mayor Brodie made a motion to move for the passage of Ordinance 06-19 as an emergency measure. Mr. Pedro seconded the motion.

Roll call: Mrs. Bruno – yes, Mr. Pedro – yes, Mrs. Duncan – yes, Mayor Brodie – yes, Mr. Frey – abstain, Mr. Bruno – yes. The motion passed.

E. RESOLUTION 15-19 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PROUDFOOT ASSOCIATES, INC. FOR ENGINEERING SERVICES TO PREPARE PLANS, SPECIFICATIONS AND BID DOCUMENTS FOR THE 2019 PAVING PROGRAM

The Public Works Director and the City Engineer have completed their annual update of the City's Pavement Inventory. As listed on the enclosed March 7, 2019 letter from City Engineer Thomas Yurysta, 21 streets are recommended for rehabilitation work. At their April 15, 2019 public meeting, it was the recommendation of the Public Works Committee to Council to proceed with the rehabilitation of Disher Drive and a portion of Cedar Lane 150 feet south of Freedom Lane to Farmview Drive. The City obtained a grant in the amount of \$30,000 to help offset the cost of construction on Disher Dr. This Resolution would authorize the engineering work to prepare plans, specifications, and bid documents for this year's paving program at a cost of \$20,000.

Mrs. Duncan moved to adopt Resolution 15-19. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

### Other Business

None

### Executive Session

Mayor Brodie made a motion to move into Executive Session with the Law Director to discuss pending and threatening litigation at 8:46 p.m. Mrs. Duncan seconded the motion.

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

### Return to Regular Session

Mayor Brodie made a motion to come out of Executive Session and resume the regular Council meeting at 9:00 p.m. Mrs. Duncan seconded the motion.

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

### Adjournment

There being no further business to come before Council, Mrs. Bruno made a motion to close the meeting at 9:00 p.m. Mr. Pedro 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