

Regular Council

July 22

19

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

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.

Staff Present:

David LaGrange – Police Chief

Doug Meyer – Interim 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.

Presentation:

- A. David LaGrange – Retiring from the City after 7 Years of Service; 39 years in law enforcement.

Police Chief David LaGrange was given a Certificate of Commendation and the City's Carruth presentation piece from Mayor Brodie.

The City's new Police Chief, Joseph Valvano, was then introduced to the public.

Approval of Minutes

Mr. Rozic moved to approve the minutes of the June 24, 2019 Regular Council meeting. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

Citizens Comments

Ron Reitz, 160 Wilkshire Dr., and Cindy Kersher, 437 Canal Ct., came to this evening's meeting to ask Council to consider an Ordinance that would replace the current control law with a leash law. A leash law would require dogs to be kept on a leash whenever they are off the owner's property. Both cited recent incidents where their dogs were charged by a pit bull allowed off its leash. Mayor Brodie stated that the City's Law Director is currently seeking input on laws in other cities as Waterville considers updating our current Ordinance.

Staff Reports

Administration: Mr. Gochenour

- Reported that he received notice from the City's health insurance provider that premiums will increase by approximately 1.89% on August 1, 2019. An increase of 12% was included in the 2019 Appropriations Ordinance.
- Reported that the City received a letter from the Federal Energy Regulatory Commission stating that it granted a one year extension to Nexus to complete the proposed Waterville Compressor Station. The new completion date is August 25, 2020.
- Stated that he will attend a meeting with representatives of the Ohio Department of Transportation at the Waterville Library to discuss safety options associated with the "Roche de Boeuf Interurban Bridge" on August 14, 2019.

Regular Council

July 22

19

Law Director: Phil Dombey –

- Reported that the Public Utilities Commission of Ohio approved a settlement agreement between First Energy and other parties to reimburse consumers in light of the 2017 tax decreases adopted by Congress in the Tax Cut Jobs Act.

Finance Director: Mr. Gochenour –

- Reviewed details from the June 2019 Month End Finance Report highlighting fund balances, investments, income tax revenues and the 2019 Note Issue Bid Results.

Treasurer: Steve Schult –

- Reviewed details from the June 2019 Monthly Treasurer's Report.

Police Chief: Dave LaGrange

- Reported that Becky Ewing, the new Executive Secretary for the Police Department, first day of work was this morning.
- Stated that all of the new computers for the police vehicles have been installed and are working well.

Deputy Fire Chief: Doug Meyer

- Reported that their vehicle computers were installed today and all are working but one.
- Stated that his department has received three more applications. Two are in process and one is awaiting an interview.
- Announced that the Fire Department will have an Open House on October 8 from 6:30 p.m. to 8:30 p.m.
- Stated that the department will hold Rescue Task Force Training at the Waterville Primary School on Saturday and Sunday, August 10-11.

A lengthy discussion then took place regarding different options that could be implemented to warn boaters/kayakers to avoid the dangerous currents under the Waterville Bridge. Deputy Fire Chief Meyer stated that several boaters were rescued in recent weeks. He stated that Waterville has a mutual aid agreement with area departments to conduct rescues, but that they are difficult because there is a lack of access points for rescue boats. Chief Meyer and Mr. Blair will contact ODOT and other agencies about the possibility of installing warning signs along the river.

Public Works Director: Ken Blair

- Reported that he and Mr. Gochenour will be attending a Waterville Bridge Project/ODOT progress meeting tomorrow morning. He will have an update at the next Council meeting.
- Stated that the SR 64 Urban Paving Program has been completed except for payment markings. All work should be completed this week.
- Reported that the pre-con meeting for the 2019 Paving Program (resurfacing of Cedar Lane and Disher Drive) will be scheduled in the near future.

Communications from Council Members/Committees

Mrs. Duncan – No report.

Mr. Pedro – No report.

Mr. Rozic –

- Attended this year's Fourth of July Fireworks Display. He added that it was terrific.

Mr. Frey – No report.

Regular Council

July 22

19

Mrs. Bruno –

- Reported that she had two grandchildren attend this year's Safety City at the Waterville Primary School. She stated that the kids loved it and added that it is a wonderful program put on by the Waterville Police Department.

Mr. Bruno – No report.

Mayor Brodie –

- Stated that in June Council voted to appoint Whitehouse Mayor Don Atkinson to represent the City as Lucas County works to consolidate its six Public Safety Answering Points (PSAP's) into one. Since that vote, other municipalities have asked to appoint a representative who would vote against the move. Mayor Atkinson has stated that he is in favor of the consolidation. It was the consensus of Council that they should not vote to appoint a representative until more information is known about the proposed consolidation.

Mr. Pedro made a motion to rescind the voice vote appointment of Mayor Atkinson. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

OLD BUSINESS:

- A. ORDINANCE 08-19 AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP OF THE CITY OF WATERVILLE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN 43 ACRE PARCEL OF LAND KNOWN AS THAT PART OF 6730 AND 6824 ANTHONY WAYNE TRAIL LOCATED WEST OF THE RAILROAD (PART OF PARCELS 96-25959 AND 96-25961) FROM (A-1) AGRICULTURE DISTRICT TO (M-1) INDUSTRIAL DISTRICT

Third Reading, Public Hearing and Legislative Action

This area is approximately 43 acres and comprises the eastern portion of City owned parcels 96-25959 and 96-25961 located directly west of the railroad and the Clean Wood Yard Waste Facility. Access to this area is from the end of Choctaw Drive. This ordinance would rezone 43 of the 117 acres owned by the City from (A-1) Agriculture District to (M-1) Industrial District. At their July 1, 2019 public meeting, the Planning Commission recommended approval of the zoning change from (A-1) Agricultural to (M-1) Industrial contingent on a 50-foot buffer strip being provided along the area that is adjacent to residential parcels by a vote of 4-0 with one member absent. The City's 2012 Comprehensive Land Use Plan recommends that the area should be developed for light manufacturing or business park use. Office or "business park" type uses are permitted in (M-1) Zoning Districts. The "Opportunity Development Area" map from the 2012 Waterville Comprehensive Plan was included in Council's packet for review.

Mayor Brodie opened the Public Hearing at 8:19 p.m.

Mike White, owner of Buckeye Real Estate Group, along with several Waterville residents (see attached Citizens' Sign-In Sheet, Exhibit A) attended this evening's meeting to state their concerns and opposition to Ordinance 08-19. After a lengthy discussion, it was the consensus of Council to table the discussion on Ordinance 08-19 for 60 days to allow more time to gather information.

Mayor Brodie closed the Public Hearing at 9:03 p.m.

NEW BUSINESS:

A. ORDINANCE 14-19 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW A RESIDENTIAL USE ON A PARCEL ZONED (C-2) COMMERCIAL DISTRICT LOCATED AT 33-35 N. RIVER ROAD

First Reading

An application has been received from Charles Plymale, property owner, for a Conditional/Special Use Permit to allow a vacant commercial space located in his building at 33-35 N. River Road to be used as a residential apartment. The property is zoned (C-2) Downtown Commercial and contains three (3) apartment units, two upstairs and one on the first floor next to the commercial space. Mr. Plymale is seeing to convert the vacant commercial space into a residential use since he has been unsuccessful in renting or leasing the space to a commercial tenant. This request comes to Council as a result of the success of the Waterville Historical Society in obtaining approval of a conditional use permit for a first floor residential use for their commercially zoned property located at 11 N. River Rd. At their July 1, 2019 public meeting, the Planning Commission recommended approval of the conditional use permit to allow the conversion of the commercial space into one (1) single residential apartment contingent on the unit meeting all current building and fire codes by a 4-0 vote with one member absent.

Like the Historical Society's earlier request at 11 N. River, the requested Conditional/Special Use Permit would not change the underlying (C-2) Commercial zoning or result in changes to the required setbacks or other zoning requirements at 33-35 N. River or adjacent commercially zoned properties. Moreover, the requested Conditional/Special Use would not be contrary to the goals of Waterville's 2012 Comprehensive Plan since the existing commercial zoning of the parcel and structure would remain in place. Although the structure would be used for residential purposes, a future property owner could convert it back to a commercial use and be in compliance with existing zoning regulations. Approval of a residential Conditional/Special Use permit would not result in the permanent removal of potential future commercial space from the downtown area. Lastly, all Conditional/Special Uses are subject to periodic review by the Planning Commission and Council to ensure that they conform to their original conditions of approval.

B. RESOLUTION 22-19 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO APPROVE CHANGE ORDER NUMBER ONE TO A CONTRACT WITH GREAT LAKES DEMOLITION COMPANY, INC. FOR THE MICHIGAN AVENUE WATERLINE REPLACEMENT PHASE TWO

This project was bid with unit prices and estimated quantities in accordance with the usual method for construction work of this type. This Change Order will adjust the quantities of the items to the actual measurements of the completed work, with a corresponding net increase of \$17,261.76 in the total contract price. A majority of the increase in cost was due to the need to shift the location of a portion of the waterline due to the unforeseen conditions underground. This change required additional labor and materials which increased the cost.

Mr. Rozic moved to adopt Resolution 22-19. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

C. RESOLUTION 23-19 A RESOLUTION AUTHORIZING APPLICATIONS AND CONTRACTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR CONGESTION MITIGATION AND AIR QUALITY FUNDS FOR THE IMPROVEMENT OF THE INTERSECTION OF THE ANTHONY WAYNE TRAIL AND CANAL ROAD, THE ADDITION OF A TWO-WAY LEFT TURN LANE AND SHARED USE

PATH TO A PORTION OF WATERVILLE-MONCLOVA ROAD AND THE IMPROVEMENT OF THE INTERSECTIONS OF THE ANTHONY WAYNE TRAIL AT FARNSWORTH ROAD AND MECHANIC STREET.

This Resolution would authorize the submission of three applications for grants of Federal Congestion Mitigation and Air Quality (CMAQ) Funds for the construction of a northbound left turn lane on the Anthony Wayne Trail at Canal Road, the addition of a two-way left turn lane and a shared use path along a 3,430-foot long portion of Waterville-Monclova Road north of State Route 64 and improvements to the intersections of the Anthony Wayne Trail at Farnsworth Road and Mechanic Street. The total project costs are estimated to be \$906,000, \$1,629,031 and \$691,000 respectively. The applications would be for grants toward the construction and construction inspection costs in the amounts stated in the Resolution and attachments. The City would be responsible for the remainder of the costs and the full cost of project preparation, although it is likely that the City would seek grant funds from the Ohio Public Works Commission to assist with the local share. The deadline for applications is August 2. These projects would be scheduled for construction in 2021 (Anthony Wayne Trail/Canal and Anthony Wayne Trail/Farnsworth/Mechanic) and 2022 (Waterville-Monclova). It is possible, but unlikely, that the City will receive more than one of these grants.

Mr. Rozic moved to adopt Resolution 23-19. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Other Business

None

Adjournment

There being no further business to come before Council, Mr. Pedro made a motion to close the meeting at 9:14 p.m. Mr. Rozic seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Lori Brodie, Mayor