

## Regular Council

August 26

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 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 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:

Joe Valvano – 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.

### Approval of Minutes

Mr. Pedro moved to approve the minutes of the July 22, 2019 Regular Council meeting. Mr. Frey seconded the motion, which passed by unanimous voice vote.

### Proclamation

#### A. Prostate Cancer Awareness Month – September 2019

Mayor Brodie read a Proclamation proclaiming September 2019 as Prostate Cancer Awareness Month in the City of Waterville urging all residents to join in recognition of this significant occasion.

### Citizens Comments

#### A. Gilda Mitchell, Director of Membership and Outreach, TMACOG

Ms. Mitchell provided Council with an update of the Toledo Metropolitan Area Council of Governments' (TMACOG) current initiatives and gave an overview of the services that they provide their membership. She left Council with a folder of information along with her business card.

#### B. Corina Pflgebraar, Executive Director, Waterville Area Chamber of Commerce

Ms. Pflgebraar came to tonight's meeting to bring Council up to date on what is new at the Waterville Area Chamber of Commerce. She stated that they recently joined the Northwest Ohio Business Alliance and through this membership they are able to take part in the MEWA plan. This plan allows small businesses to join together for the purpose of helping members save on insurance. She added that being a member of MEWA also allows them to receive discounts from Office Max/Office Depot. She then gave Council an update on future events that the Chamber is sponsoring. These events include the Roche de Boeuf Festival in downtown Waterville on September 28, the Boo-to-do on October 24 in downtown Waterville, a Candidates' Night on October 10 at the Browning Masonic Complex and Light up Waterville on December 7.

Rebecca Martin, a senior from Notre Dame Academy, attended this evening's meeting to work on getting hours required for her government class. Logan Penrod, Waterville Troop 101 and Carrie Varner, Perrysburg Troop 219 came to tonight's Council meeting to work on getting the hours required for their Citizenship Badge.

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### Staff Reports

Administration: Mr. Gochenour

- Reported that Mark Williams, the City's new Finance Director, will begin his employment with the City this Wednesday, August 28. He added that Mr. Williams has many years of experience working with the State Auditor's office and recently with the Educational Service Center of Lake Erie West.

Mayor Brodie asked how the Fallen Timbers Union Cemetery District Board of Trustees meetings were progressing. Mr. Gochenour stated that they are still meeting twice a month. Many items on the agenda have been resolved but there are still some items such as tree maintenance, well issues, a future web site, land transfers and discussion on rules and regulations that need to be addressed. The board will continue to meet twice a month until all issues are finalized. Mayor Brodie asked to be kept apprised of their progress and that the meeting agenda and minutes be forwarded to Council for their review.

Mrs. Bruno then asked for an update on the Interurban Bridge. Mr. Gochenour stated that the Ohio Department of Transportation recently held a stakeholder meeting where they outlined their findings on the bridge study, which included options ranging from removal to restoring the bridge to ensure the safety of boaters on the Maumee River. ODOT will hold a Public Meeting/Open House in November to discuss these options and will solicit comments from the public at that time.

Law Director: Phil Dombey – No report.

Finance Director: Mr. Gochenour –

- Reviewed details from the FY 2019 Second-Quarter Budget Report highlighting Fund Balances, Investments and Income Tax Revenues. A detailed cover memo of this report was included in Council's packet.

Treasurer: Steve Schult –

- Reported that the private auditor wrapped up their independent audit of the City's 2018 Financial Statements which was submitted to and approved by the State of Ohio. He added that the City once again received a "Clean Opinion" audit with no deficiencies. The audit report will be reviewed and approved by the Finance Committee at their next meeting.

Mayor Brodie added that this is a big achievement and the City has received recognition from the State Auditor's Office. Very few communities in Ohio are able to receive this recognition and the City has accomplished this for several years in a row. She congratulated and thanked all that were involved, in particular Mr. Gochenour, Mr. Schult and Ms. McCann, for all their hard work toward attaining this "Clean Opinion" audit.

Police Chief: Joe Valvano

- Reported that 11 applications were received for the open police officer position. He stated that each candidate will undergo a written and physical agility test.
- Stated that the department is working on a booth for the upcoming Roche de Boeuf Festival in September. A police car and motorcycle will be on display.
- Reported that he is continuing to work with Lexapol to update the written directives for the Police Department. He added that his goal is to have this completed by the end of the year.
- Reported that the renovations to the women's locker room and shower area have been completed.
- Stated that he will be meeting with the Administrator in the future to discuss the filling of the open position of a police lieutenant.

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Deputy Fire Chief: Doug Meyer

- Reported that 4 applications were received for the full-time firefighter position. Four additional applications were received for part-time positions.
- Stated that the department's fire inspection process has started back up. Part-time firefighter Michael Peachman has taken the lead and has produced a report outlining the inspections which was included in Council's packet.
- Stated that the Fire Department will also have a booth at the Roche de Boeuf Festival.

Public Works Director: Ken Blair

- Reported that he and Mr. Gochenour attended the Waterville Bridge Project/ODOT progress meeting on August 20. The projected opening date is mid- December.
- Stated that the SR 64 Urban Paving Program has been completed.
- Reported that the 2019 Paving Program (resurfacing of Cedar Lane and Disher Drive) is in progress.
- Stated that the ADA Door Project for the Municipal Building, Fire Station and Public Works Building has been approved. A pre-construction meeting will be held in the near future. The City received a grant for this project.
- Reported that the painting of pavement markings is almost completed.

### Communications from Council Members/Committees

Mayor Brodie –

- Asked that Council take a moment to remember Chuck Larkins who passed away on July 22. Mr. Larkins served on Waterville Council for four years. He recently was appointed President of the TARTA Board and also served as Waterville's representative. Mayor Brodie thanked Chuck for all he did for Waterville and asked that everyone keep him and his family in their thoughts and prayers.
- Congratulated all involved for another successful "Oliver Hazard Day" held in downtown Waterville.
- Reported that representatives from Whitehouse, Waterville and Waterville Township recently met to continue discussions on a joint fire district. The discussion consisted mainly of feedback given by members of each community and how best to move forward. Another meeting is scheduled for September.

Mrs. Duncan – No report.

Mr. Pedro – No report.

Mr. Rozic –

- Stated that he attended the recent Joint Fire District meeting.

Mr. Frey –

- Gave a brief update on the Fallen Timbers Union Cemetery District. He stated that the district is now fully funded with seed money from both Whitehouse and the City of Waterville. He added that all property, except for a small parcel, in the Mennonite Cemetery in Whitehouse, has been conveyed. He then stated that the district is now paying bills and that the trustees are working on resolving problem tree and well issues. The trustees will continue to meet twice a month.

Mrs. Bruno –

- Asked that Council consider revisiting the Golf Cart Ordinance to possibly expand the boundaries. She asked that this be placed on a future Council agenda for discussion.

Mr. Bruno – No report.

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

*Tabled until September 23, 2019*

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. After the public hearing on July 22, 2019, Council voted unanimously to table this ordinance until September 23, 2019 for further study and consideration.

- B. 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

*Second 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

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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.

NEW BUSINESS:

- A. ORDINANCE 15-19 AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 505 OF THE GENERAL OFFENSES CODE WITH RESPECT TO ANIMALS AND FOWL

First Reading

This Ordinance would amend certain sections of Chapter 505 of the General Offenses Code with respect to animals in order to clearly indicate that all such animals, especially dogs, must be under the control of their owner at all times when off of the owner's property by means of a leash. The proposed legislation also states that the term "dangerous dog" has the same meaning as in Section 955.11 of the Ohio Revised Code. These changes were reviewed by the City Law Director and recommended by the Park and Recreation Committee. Committee member Ron Reitz spoke in favor of the proposed amendments at the July 22 Council meeting.

- B. RESOLUTION 24-19 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A CONTRACT WITH HYLANT ADMINISTRATIVE SERVICES, INC. ADMINISTRATOR OF THE OHIO GOVERNMENT RISK MANAGEMENT PLAN FOR COMPREHENSIVE PROPERTY, CASUALTY AND LIABILITY INSURANCE COVERAGES.

The Village/City has had contracts for comprehensive property, casualty, and liability insurance coverages with Hylant Administrative Services since 1988. We have again received a proposal from Hylant, using the Ohio Plan of Government Risk Management, for the renewal of our insurance coverage for the August 31, 2019 to August 31, 2020 period. This Resolution would authorize a contract for renewal for a one-year term with an increase in the total premium from \$43,396 to \$45,227. This increase is primarily due to the addition of the new salt storage building and a \$200,000 ambulance purchased at the end of 2018. Property values have been increased 1.7% to account for inflation.

Mr. Pedro moved to adopt Resolution 24-19. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Other Business

Mayor Brodie stated that at their next meeting, Council will likely need to vote to appoint a representative to vote on the 911 consolidation proposal. She encouraged Council members to take the time to read more about the Lucas County Plan and to contact Matt Heyrman, Director of Public Safety for Lucas County, with any questions.

Adjournment

There being no further business to come before Council, Mr. Rozic made a motion to close the meeting at 8:33 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