

Regular Council

November 14

22

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

The prayer was offered by Mrs. Bruno. The Pledge of Allegiance was then recited and led by Troop 101 Boy Scout Matthew Faguett.

Present at roll call were Todd Borowski, Anthony Bruno, Mayor Tim Pedro, Barbara Bruno, Mary Duncan and Rod Frey.

Mayor Pedro made a motion to excuse the absence of Mr. Rozic. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

Also present this evening was Jon Gochenour, Municipal Administrator; Phil Dombey, Law Director and Melissa Cook, Recording Secretary.

Staff Present:

Joe Valvano – Police Chief

Doug Meyer – Fire Chief

Zach Bingham – Deputy Fire Chief

Citizens Present:

Please see Citizens' Sign-In Sheet, Exhibit A, Page 1 for a list of people present.

Proclamation

A. Small Business Saturday – November 26, 2022

Mayor Pedro read a Proclamation which proclaimed November 26, 2022 as Small Business Saturday Day in the City of Waterville. He urged all residents to support small businesses on “Small Business Saturday” and throughout the year.

B. 25th Anniversary of NSDAR, Ursula Wolcott/Black Swamp Chapter. The local chapter of the National Society of the Daughters of American Revolution (NSDAR), the Ursula Wolcott-Black Swamp Chapter, has requested a proclamation to commemorate the 25th Anniversary of the founding of their chapter.

Mayor Pedro read a Proclamation which proclaimed December 6, 2022 as Ursula Wolcott – Black Swamp Chapter, NSDAR Day in the City of Waterville. He urged all residents to support this organization as it celebrates 25 years of service to the communities of Northwest Ohio.

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Approval of Minutes

Mrs. Bruno moved to approve the minutes of the October 24, 2022 Special Council meeting at the Waterville Primary School. Mr. Frey seconded the motion, which passed by unanimous voice vote

Citizens Comments

Mayor Pedro stated that Council will not be discussing the Amphitheater Project at this evening's meeting. Mr. Dombey added that in accordance with the Rules of Evidence from the October 24 Public Hearing, tonight there will be a "no comment" on the amphitheater. He then stated that all of the evidence is in and the matter is decisional. Nothing else can be added to the record or to the discussion.

Matthew Faguett, 40 N. Melody Ln., came this evening as part of the requirement for his "Citizenship in the Community" merit badge. He then shared details of some of the community projects that the Boy Scouts have done recently in the city.

Wendy Gray with Third St. Blooms and part of the "Christmas Event Planning Committee" explained to Council plans for their upcoming event "A Waterville Christmas to Remember" on Saturday, December 3 from 4:00 p.m. to 8:30 p.m. in Downtown Waterville. The event will include a tree lighting, Santa Claus, hot chocolate and cookies, food trucks, music, live Nativity at Zion Lutheran Church, horse and wagon rides, green screen photo booth and crafts. She encouraged everyone to join them for an evening full of family fun.

Terri Massucci, 1101 Waterville-Monclova Rd., asked the City to consider offering lock boxes to residents to allow first responders access to homes during emergency situations. Mayor Pedro then asked that the lock box suggestion be discussed at the next Public Safety Committee meeting. Ms. Massucci then asked Council questions about the promotion of area businesses, a city social media presence and future uses for Stitt Park.

Staff Reports

Administrator: Jon Gochenour –

- Reported that along with the Public Works Director, he attended the bid opening for the River Rd. Sanitary Sewer Pumping Station Improvement Project. Moser Construction was the only bidder on the project. Their bid was \$267,450.00 which was 6% over the Engineer's estimate. The grant money that the City received from the State of Ohio for this project has to be spent by December 31, 2024. It was the recommendation of the City's consulting engineer, Jones and Henry, to re-bid that project in 2023.
- Reported that he prepared meeting materials and attended a meeting of the Historic District Commission where they reviewed plans for the gateway/plaza

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for Parker Square Phase 2.

- Stated that he and the City engineer did a walk-thru of the Anthony Wayne Trail Intersections Improvement Project. The project is 90% complete.

Law Director: Phil Dombey – No Report.

Finance Director: Mark Williams, absent

- Mr. Gochenour stated that Mr. Williams was absent due to a recent surgery and was not able to complete the 2022 Third Quarter Budget Report. He then briefly went over the fund balances and income tax revenues for October 2022.

Treasurer: Steve Schult – No Report.

Police Chief: Joe Valvano –

- Reported that the Police Department participated in the year's Boo-to-Do. It was another successful event.
- Stated that Trick or Treat in the City went well with no issues to report.
- Reported that there are still tips coming in regarding the robbery held at the Waterville Kroger Store.
- Reported that the Waterville Police Department was named "Department of Month" by the State of Ohio.

Fire Chief: Doug Meyer –

- Recognized firefighter Randy King who has retired after 25 years of service.
- Reported that members of the Fire Department attended this year's Boo-to-Do.
- Reported that he had EMTs on bike patrol during Trick or Treat hours.
- Stated that the Fire Department will be holding a Paratech Rescue Strut class on Tuesday, November 15 from 6:00 to 9:00 p.m. This is a hands-on class.
- Stated that the Fire Department's old tower truck has been potentially sold for \$200,000 to a department in Alabama.

Public Works Director: Ken Blair, absent

- Mr. Gochenour reported that leaf collection is still ongoing and that the Public Works Department crews are out working diligently. He added that they City has hired Bauer Landscaping to assist with leaf pick-up and that crews were out last weekend and will be out again this coming weekend. He stated that all the leaves will be picked up as they always have been in prior years.
- Reported that Waterworks Park Drainage and Ball Field Improvement Project has been completed.
- Reported that the Memorial Park and Parker Square Improvement Project is essentially complete.
- Reported that that the Radio Read Water Meter Replacement Project is near completion. 150 meters still need to be replaced by the contractor. The meters

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are on back order and are scheduled to be delivered in December.

Communications from Council Members/Committees

Mr. Frey – No report.

Mrs. Bruno – No report.

Mr. Duncan –

- Wanted to remind residents that due to the ongoing construction project on I-475/U.S. 23 (north and south bound) there will be intermittent lane and ramp closures that could affect residents travel times.

Mr. Borowski –

- Reported that he is working with a designer who is providing CAD drawings of proposed landscaping for the two roundabouts at Dutch and Waterville-Monclova Rds. He added that he is hoping to have something to bring to Council in the near future.

Mayor Pedro –

- Thanked Wendy Gray and her group for bringing “A Waterville Christmas to Remember” to the City and for all their hard work.
- Stated that the Waterville Area Chamber of Commerce will be hosting the “Let it Glow” holiday lighting contest again for residents this holiday season.

OLD BUSINESS:

- A. ORDINANCE 07-22 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE TO CHANGE THE ZONING CLASSIFICATION OF A 12.527 ACRE PORTION OF PARCEL 96-56053 LOCATED IN THE 1400 BLOCK OF PRAY BLVD. FROM (C-3) HIGHWAY COMMERCIAL TO (R-4) MULTI-FAMILY, HIGH DENSITY RESIDENCE DISTRICT

Tabled 6/27/2022; First Reading Scheduled for July 25, 2022; Second Reading Scheduled for August 22, 2022; Third Reading, Public Hearing and Legislative Actions scheduled for September 12, 2022; tabled until 11/28/22

Nathan Waggner of Cash Waggner and Associates, agent, is seeking to rezone a 12.527 – acre portion of a vacant 36.972 – acre parcel located in the 1400 Block of Pray Boulevard from Highway Commercial District (C-3) to (R-4) Multi-Family, High Density Residence District in order to construct Phase 3 of the Waterville Place Apartments. If the zoning change request is successful, the applicant would split off the planned 12-acre portion from parcel 96-56053 and submit a site plan to construct a

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four building, 144-unit apartment complex. This development would be adjacent to Phases 1 and 2 of the existing Waterville Place Apartments to the east which will consist of seven buildings and 252 units once it is completed.

Although located next to the existing Waterville Place Apartment Development, a review of the proposed zoning change from commercial to multi-family, high density residential would appear to be contrary to the intent of the City of Waterville's 2012 Comprehensive Plan. Unlike the existing Waterville Place Apartments, which are located on parcels that were zoned multi-family residential prior to their construction in accordance with the goals of the Comprehensive Plan, the current 36-acre site is located within the U.S. 24 Concept Area. In the Comprehensive Plan, the U.S. 24 Concept Area is intended for nonresidential uses due to its close proximity to the U.S. 24 Interchange and nearby commercial and office developments. Rezoning this parcel would not only add 144 additional units within approximately 500 feet of 528 existing multi-family units, it would remove 12.527 acres of potential commercial development from the U.S. 24 Concept Area which is key to the City maintaining a strong, diversified tax base into the future. Moreover, the requested zoning change would seem premature considering that a significant portion of Phase 2 of the adjacent Waterville Place Apartments still remains unfinished, including three apartment buildings, landscaping and other required infrastructure.

In light of the considerable amount of existing multi-family housing in the City of Waterville, including the 528 units currently located within 500 feet of this proposed apartment project, it would seem that there is an adequate supply of this type of housing for a small community of 6,000 residents. Moreover, rapid and unplanned residential growth will inevitably overburden emergency services, traffic capacity and school enrollments and have a negative fiscal impact on the City budget. In an effort to ensure balanced growth and a strong diversified tax base, the 2012 Comprehensive Plan envisions development for parcels within the U.S. 24 Concept Area to be nonresidential. In addition, three of the proposed seven apartment buildings in the Waterville Place Apartments Complex still remain unfinished after nearly three years of development. Consequently, it was the recommendation of the Planning Commission at their June 6, 2022 public meeting to deny the proposed zoning change request for a 12.527-acre portion of a 36.972-acre parcel located in the 1400 Block of Pray Boulevard from Highway Commercial District (C-3) to (R-4) Multi-family, High Density Residence District since the request is contrary to good planning practice and the promotion of the goals contained in the 2012 Comprehensive Plan. This issue was tabled at the June 27, 2022 meeting at the request of the applicant and tabled again at the request of the applicant until the October 24, 2022 Council meeting. The third reading of this ordinance was scheduled for October 24, 2022. The applicant has again requested that this issue be tabled until the November 28, 2022 Council meeting.

NOTE ON ORDINANCE 10-22

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Since public notice was given at the October 24, 2022 Council meeting that Ordinance 10-22 would not be considered by Council until the November 28, 2022 public meeting at Waterville Primary School, Ordinance 10-22 was removed the agenda to avoid any misconception by the public that this Ordinance would be discussed or voted on at the November 14, 2022 public meeting at the Municipal Building.

B. RESOLUTION 32-22 A RESOLUTION APPROVING THE RE-PLAT OF COMMERCE VILLAGE AT WATERVILLE LANDING PLAT ONE AND AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO SIGN SAID PLAT

Jason Hall, of Prism Engineering of Louisville, Kentucky, agent for the Kroger Company, has submitted a request to subdivide the existing Lot 3, the Kroger parcel, of the Commerce Village at Waterville Landing Plat One commercial subdivision in order to create a new 1.108-acre lot to permit the construction of a 7,381 square foot Auto Zone Auto Parts retail store. The proposed new lot, "Lot 3B" is presently a parking lot for the Kroger store and is located just north and adjacent to the existing Farmers and Merchant Bank. At their October 3, 2022 public meeting, the Planning Commission approved the lot split and the "re-plat" of the Commerce Village commercial subdivision by a vote of 5-0 contingent on the submittal of a revised plat drawing reflecting the comments of the City Engineer.

Mr. Borowski moved to adopt Resolution 32-22. Mr. Frey seconded the motion, which passed by unanimous voice vote.

NEW BUSINESS:

A. REFERRAL TO PLANNING COMMISSION – A ZONING CHANGE FROM (C-1) NEIGHBORHOOD COMMERCIAL TO (C-4) MIXED USE BUSINESS DISTRICT COMMERCIAL FOR THE PROPERTY LOCATED AT 6521 HUTCHINSON DRIVE (*MOTION*)

Daniel Stone, of Van Horn Hoover Engineers, of Findlay, Ohio, applicant, has submitted a request to change the zoning of the property located at 6521 Hutchinson Drive from (C-1) Neighborhood Commercial to (C-4) Mixed Use Business District Commercial in order to construct a "Taco Bell" on this parcel. The next Planning Commission meeting is scheduled for December 5, 2022.

Mr. Frey made a motion to refer the zoning change request to the Planning Commission for their review and recommendation. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

B. ORDINANCE 11-22 AN ORDINANCE AMENDING ORDINANCE 09-22,

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THE AMENDED FY 2022 ANNUAL APPROPRIATION ORDINANCE AND DECLARING AN EMERGENCY

This Ordinance would authorize the fourth amendment to the 2022 Appropriations. Significant items included in this amendment are: additional income tax revenue (\$511,681); additional RITA Retainer (\$27,500) and Refund (\$29,150) expense; assessment for 2023 Consolidated 911 Dispatching (\$85,926); additional expenses associated with Waterworks Park and Parker Square Improvements (\$27,965); expenses for the street tree planting program (\$24,500) as well as other expense increases for routine items for the remainder of 2022.

Mayor Pedro made a motion to suspend the rules to allow for the passage of Ordinance 11-22 as an emergency measure. Mrs. Bruno seconded the motion.

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

Mrs. Duncan made a motion to move for the passage of Ordinance 11-22 as an emergency measure. Mrs. Bruno seconded the motion.

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

C. RESOLUTION 33-22 A RESOLUTION APPROVING AND ADOPTING THE CITY OF WATERVILLE FY 2023 FIVE-YEAR CAPITAL PLANNING PROGRAM FOR ALL MUNICIPAL FUNDS AND DEPARTMENTS

This is the annual 5-Year Capital Planning Program. The Finance Committee discussed and recommended approval of the program at a special meeting on November 4. This item is for ongoing discussion throughout the budget preparation process. According to the typical annual budget schedule, Council action to approve this Resolution would not be taken until the second Council meeting in January.

D. RESOLUTION 34-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A THREE YEAR AGREEMENT WITH GREEN MEADOW ACRES LLC OF PERRYSBURG, OHIO FOR THE LEASE OF 100 ACRES OF AGRICULTURAL LAND OWNED BY THE MUNICIPALITY AND LOCATED AT 6730 AND 6824 ANTHONY WAYNE TRAIL

The Village/City has contracted for the farming of the property at 6730 and 6824 Anthony Wayne Trail since its original purchase by the Village in 2000. A bid

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opening was held on November 4, 2022 and the City received four bids. It is the recommendation of the administration to enter into a lease agreement with the best and most responsive bid submitted by Matthew J. Dauer, Sr., of Green Meadow Acres LLC of Perrysburg, Ohio.

Mr. Borowski moved to adopt Resolution 34-22. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

Other Business

Mayor Pedro wished Council, City staff and all residents a very happy Thanksgiving holiday.

Adjournment

There being no further business to come before Council, Mrs. Duncan made a motion to close the meeting at 8:58 p.m. Mr. Borowski seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Timothy G. Pedro, Mayor