

## Regular Council

April 11

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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 Mr. Borowski. The Pledge of Allegiance was then recited and led by Mr. Bruno.

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

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

### Staff Present:

Mark Williams – Director of Finance and Administration

### Citizens Present:

Karen Gerhardinger, Mirror Newspaper

### Approval of Minutes

Mr. Borowski moved to approve the minutes of the March 28, 2022 Regular Council meeting as amended. Mr. Rozic seconded the motion, which passed by a voice vote. Mrs. Bruno abstained.

### Citizens Comments

None

### Staff Reports

Administrator: Jon Gochenour –

- Stated that along with the Mayor, he met with representatives of the Lucas County Land Bank regarding Ohio “Brownfield Redevelopment Grants.”
- Reported that he submitted grant applications for two park paving improvement projects for funding through the 2023-2024 State of Ohio Capital Budget.
- Reminded Council that the Firearms Simulator will be here April 11 – April 14. Training will be held at the Waterville Fire Station.
- Stated that Laura Koprowski, CEO of TARTA, will be attending the May 9 Council meeting to give us an update on TARTA.
- Reminded Council that the annual Joint Meeting of the Fallen Timbers Union Cemetery District will be held here in Council Chambers on Monday, May 9 at 6:00 p.m.

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Law Director: Phil Dombey – No report.

Finance Director: Mark Williams – No Report

Treasurer: Steve Schult – No Report

### Communications from Council Members/Committees

Mr. Borowski – No report.

Mr. Rozic –

- Stated that he and Mrs. Bruno attended the Public Safety Committee meeting held last Thursday, April 7. He then briefly went over items of discussion which included: (1) residents are utilizing 911 for non-emergency calls. The Committee wants residents to be aware that the non-emergency police dispatch number in Waterville is (419) 245-8443; (2) Chief Meyer is working on plans for the new digital sign replacement at the Fire Station; (3) discussed the conditions of the two vacant gas stations downtown as it pertains to health and public safety; (4) talked about possible changes to the “Welcome to Waterville” sign by the Speedway on SR 64; (5) Committee members were also able to tour the new police vehicle.
- Thanked the volunteers who cleaned up the open field across from the Lucas County Recycling dumpsters. He also wanted to remind residents to break down boxes before placing them in the dumpsters and to close the lids on the dumpsters (if available) after disposing of recycling materials.

Mr. Bruno –

- Reported that this past Saturday the Parks and Recreation Committee met at Waterworks Park. He wanted to recognize Barb Frey for all the work she did creating a really great map of the park outlining different planting areas. The Committee discussed building a fire pit at the park, adding some additional park benches and cleaning up the park in general to make it more inviting to residents.

Mr. Frey –

- Stated that the FTUCD Board of Trustees held a Special Meeting on Thursday, April 7 to interview two prospective candidates for the Clerk/Treasurer position.

Mrs. Bruno –

- Stated that she would like to encourage representatives from the Lucas County Solid Waste and Recycling to attend an upcoming Council meeting to discuss

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the County's recycling program and to figure out a better solution for the collection dumpsters in the Kroger parking lot. She stated that the dumpsters are causing litter to blow through our town and there has to be a better way to contain it. Mayor Pedro also suggested having dialog with the business owners in the plaza as they are also contributing to the trash along Pray Blvd.

Mrs. Duncan – No report.

Mayor Pedro –

- Stated that residents should have received a letter from the Northwest Ohio Aggregation Coalition regarding the selection of Energy Harbor to provide electric generation to the City of Waterville. If residents want to opt out of the aggregation, they need to call the number provided on the letter.
- Encouraged all residents to attend the Memorial Day Ceremony at Wakeman Cemetery on Monday, May 30 at 11:00 a.m. He asked Council to pass along this information.
- Asked Council to consider supporting/funding the AW Arts Commission. He added that he will be coming back to Council in the future with more information.
- Reported that he sits on the 911 Committee. He added that a lot of work is going toward making this a successful organization.

### OLD BUSINESS:

- A. ORDINANCE 02-22 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND KNOWN AS 140 SOUTH THIRD STREET FROM (C-2) DOWNTOWN COMMERCIAL TO (R-2) RESIDENCE DISTRICT

*Third Reading, Public Hearing and Legislative Action*

An application has been received from the property owner to rezone an 11,000 square foot lot located at 140 S. Third Street from (C-2) Downtown Commercial to (R-2) Residence District. Presently, this parcel consists of a single-family residence facing east on S. Third Street and a two-story garage located at the rear of the property off Locust Street currently being used as a residence. The purpose of this request is to rezone the parcel to R-2 to permit the sale of the property as a legal, conforming residential use. Upon initial review, it would appear that the zoning change from commercial to residential would result in the two existing dwellings becoming legal, conforming residential uses. However, a more thorough review indicates that an approval of the zoning change request would be contrary to good zoning practice and Waterville's 2012 Comprehensive Plan. The entire west side of S. Third Street

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between Locust Street and South Street extending west to the Anthony Wayne Trail is zoned (C-2) Downtown Commercial. Although residential zoning exists on the east side of S. Third Street and the south side of Locust Street, changing the zoning of this parcel to residential would result in the continuation of an existing incompatible land use in an established commercial area. Moreover, a residential zoning change at 140 S. Third Street would result in more zoning restrictions, such as landscaping and increased setback requirements, being imposed on the adjacent commercial building to the north. Thirdly, a residential zoning change for this property would create the additional problem of having two separate dwelling units located on one residential lot which is not permitted under the City's Zoning Ordinance. Even if a lot split was approved, with each dwelling on a separate lot, neither lot would be able to meet the current lot width or setback requirements of (R-2) Residence Zoning Districts without variances from the Board of Zoning Appeals. Like other former residential structures located on commercial parcels in the downtown area, these two residential dwellings could be converted into a commercial use and be in compliance with all current commercial setback and lot width requirements. The site could be redeveloped into a future commercial use which could be compatible with the nearby residential area. Rezoning this parcel from commercial to residential removes more potential commercial space from the downtown area, would produce additional conflicts with residential zoning requirements and runs contrary to the goals of the Comprehensive Plan. At their March 7 public meeting, the Planning Commission recommended to Council to deny the zoning change request for the property located at 140 S. Third Street by a vote of 4-0 with one member absent.

Mayor Pedro opened and closed the Public Hearing at 7:59 p.m.

Mr. Bruno moved to adopt Ordinance 02-22. Mr. Rozic seconded the motion.

Roll Call: Mayor Pedro – no, Mrs. Duncan – no, Mr. Bruno – no, Mr. Borowski - no, Mr. Frey – no, Mrs. Bruno – no, Mr. Rozic – no. The motion failed.

**B. ORDINANCE 03-22 AN ORDINANCE AMENDING SECTION 331.45 (C) (2) OF THE TRAFFIC CODE WITH RESPECT TO PERMITTING THE USE OF GOLF CARTS AND OTHER LOW SPEED VEHICLES ON PUBLIC STREETS WITHIN THE CITY OF WATERVILLE**

*Second Reading*

As requested at the March 14 Council meeting, Ordinance 03-22 amends Section 331.45 (c) (2) of the Traffic Code to permit the expansion of the use of golf carts and other low speed vehicles on certain City streets where the speed limit is 35 mph or less. Currently, due to their low speeds, these vehicles are limited to streets where the posted speed limit is 25 mph or less. This Ordinance would allow golf carts and other low speed vehicles on all posted 35 mph streets with the exception of State Route

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64/Michigan Ave/Mechanic Street and Waterville-Monclova Road between Naugatuck Way north to Dutch Road. Due to the volume of traffic on St. Rt. 64 and that the posted speed limit increases to 45 mph as you go north on Waterville-Monclova Road, it is the recommendation of the Police Chief that these types of vehicles be excluded from these areas for safety reasons. A map was enclosed in Council's packet that indicates the posted 35 mph streets where these vehicles are proposed to be permitted and not permitted.

### NEW BUSINESS:

- A. ORDINANCE 04-22 AN ORDINANCE AMENDING PART THREE OF THE CODIFIED ORDINANCES OF THE CITY OF WATERVILLE, SCHEDULE V OF THE TRAFFIC SCHEDULES: RESTRICTED OR PROHIBITED PARKING BY ADDING NO PARKING AREAS TO A PORTION OF THE ANTHONY WAYNE TRAIL NEAR OVERLOOK DRIVE

#### *First Reading*

This Ordinance would establish a new no parking area along the east side of the Anthony Wayne Trail starting 295 feet north of the intersection of Overlook Drive and extending north approximately 1,538 feet to 311 Anthony Wayne Trail. The new no parking zone has been recommended by the Police Chief and Public Works Director to eliminate safety concerns regarding parking along the Anthony Wayne Trail during special events held at the nearby Buffalo Rock Brewery. Parking along this roadway with a posted 45 mph speed limit is potentially dangerous especially during evening hours where visibility is reduced. The creation of the no parking area was recommended by the Public Safety Committee at their April 7, 2022 public meeting. Maps indicating the location of the proposed new no parking area were enclosed in Council's packet.

- B. RESOLUTION 11-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A CONTRACT WITH LEBANON FORD FOR THE PURCHASE OF A 2022 FORD UTILITY POLICE INTERCEPTOR

This Resolution would authorize the purchase of a 2022 Ford Utility Police Interceptor from Lebanon Ford of Lebanon, Ohio through the State of Ohio Cooperative Purchasing Program. The new vehicle was included in the approved 2022 Appropriation. The cost of this vehicle is \$35,036. Some additional equipment will still need to be purchased to outfit this vehicle; however most of the equipment will be transferred from older vehicles.

Mrs. Duncan moved to adopt Resolution 11-22. Mr. Borowski seconded the motion,

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which passed by unanimous voice vote.

C. RESOLUTION 12-22 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 2024 SHARED USE PATH IMPROVEMENT PROJECT

This resolution would authorize the Municipal Administrator to enter into an agreement with Proudfoot Associates, Inc. to prepare plans, specifications and bid documents for the construction of the 2024 Shared Use Path Improvement Project. The City received a \$396,000 grant from the Toledo Metropolitan Area Council of Governments (TMACOG) to add approximately 6,060 feet of new shared use paths along the west side of the Anthony Wayne Trail from Mechanic St. to Canal Rd.; along the west side of the Anthony Wayne Trail from South St. to Farnsworth Rd. and along Waterville-Monclova Rd. from Farnsworth Rd. to State Route 64 to connect to existing paths and eliminate dead ends. Since this project involves the use of federal grant funds, the engineering plans and specifications will also need to be reviewed and approved by the Ohio Department of Transportation (ODOT) prior to putting this project out for public bid. Consequently, construction is not expected to begin on this project until 2024. The cost of this proposed work is \$49,555.

Mr. Rozic moved to adopt Resolution 12-22. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

### Other Business

Mayor Pedro wished all residents a happy Easter holiday.

### Adjournment

There being no further business to come before Council, Mr. Borowski made a motion to close the meeting at 8:11 p.m. Mr. Rozic seconded the motion, which carried by unanimous voice vote.

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Jon D. Gochenour, Clerk of Council

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Timothy G. Pedro, Mayor