

## Regular Council

March 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 Ace and Ziggy Mazur along with their parents, Amanda and Joel.

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

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

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

### Staff Present:

Mark Williams – Director of Finance and Administration

### Citizens Present:

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

### Presentation

Fire Chief Meyer and Deputy Chief Bingham – Life Saving Awards, Waterville and Whitehouse Fire Department Personnel

Fire Chief Doug Meyer and Deputy Chief Zachary Bingham presented “Life Saving Awards” to Waterville Firefighter/Paramedic Nick Wismer and Firefighter/EMT Kyle Yeager and Whitehouse Life Squad 9 Firefighter/Paramedics Derek Francis and Dustin Richardson who saved the life of Waterville resident Steve Mazur on January 10, 2022 on an emergency run. Mr. Mazur stated that he was very grateful and thankful that he was able to be revived by these highly trained men. Both Whitehouse Mayor Don Atkinson and Mayor Tim Pedro applauded the team stating that the incident demonstrates the close working relationship between the two departments, especially since voters approved funding for a Fire Co-Op in 2020. Fire Chief Meyer stated that the Co-Op is making a definite difference. Whitehouse Fire Chief Josh Hartbarger stated that this was an excellent display of teamwork and divine intervention. Members of Council thanked the community for voting “yes” to the Fire Co-Op and also the Firefighter/Paramedic/EMTs for all of their hard work and training.

### Approval of Minutes

Mr. Rozic moved to approve the minutes of the February 28, 2022 Regular Council

## Regular Council

March 14

22

meeting. Mrs. Bruno seconded the motion, which passed by a voice vote.

### Citizens Comments

Carol Mason, a resident residing at 190 S. River Rd., came to this evening's meeting to ask Council to consider making improvements to the Waterworks Park Ball Diamond. She stated that she believes that with some work the diamond can be revitalized. Council members thanked Mrs. Mason for coming this evening. Mrs. Bruno, Chairperson of the Parks and Recreation Committee, stated that she and others have a vision of a grand opening of the Waterworks ball field adding that she will fight for it and make it happen.

### Staff Reports

Administrator: Jon Gochenour –

- Stated that the Lucas County Building Department has referred the complaint regarding the condition of the Sunoco Gas Station to the Lucas County Prosecutor.
- Reported that the poles for the SR-64/US-24 traffic signals are up. We are still waiting for the mast arms.
- Stated that he is currently working with Republic Services to secure the dates for the spring and fall unlimited trash pick-up.
- Stated that the City Engineer has visited Waterworks Park. A topographical survey will be done to measure the elevation between the ball field and the river in order to find way to improve it and improve drainage. Once this has been completed, a plan and cost estimate will be provided to Council.

Assistant Law Director: Kati Tharp – No report.

Finance Director: Mark Williams – No Report

Treasurer: Steve Schult – No Report

### Communications from Council Members/Committees

Mr. Borowski –

- Stated that the Tree Commission is making plans for planting 142 trees in the City. He added that 137 of the trees are spoken for with the remaining five are to be planted on Pennsylvania Ave.

## Regular Council

March 14

22

Mr. Rozic – No report.

Mrs. Duncan –

- Reported that she has had two recent meetings with seven resident owners of golf carts. She added that at our next meeting, she will be asking Council to reconsider allowing golf carts on roadways with a 35-mph speed limit. She stated that when Council first approved golf carts on streets with a 25-mph speed limit, it was with the understanding that the issue could be revisited within a few years.

Mrs. Bruno –

- Recapped the last Parks and Recreation meeting stating that it was very well attended. She added that they will be meeting at Waterworks Park on Saturday, April 9 to make plans for a May beautification project. She then stated that it was the consensus of the Committee to refurbish the ball field at Waterworks Park. Brandon Johnson, the owner of Big Johnson Party Tub, came to the meeting to ask the Committee to support his request to work with the Waterville Chamber of Commerce to set up recreational events.
- Reported that the Anthony Wayne Youth Foundation Soccer Program will be using a couple of the city's parks for practice only. Mr. Gochenour stated that the Parks and Rec Committee recommended that we let them use both Prairie Trail and Baer Park for soccer practice only

Mr. Frey – No report.

Mayor Pedro –

- Attended the Student Council swearing in at Waterville Primary School.
- Reported that the Anthony Wayne Girls Basketball Team made it to the Final Four at the State Tournament.
- Stated that he had a recent meeting with Wendy Gray, Third St. Blooms, regarding organizing a Committee to help the City with the Downtown Waterville Christmas Decorations.
- Stated that Congressman Bob Latta sent a note to him thanking the City of Waterville for welcoming him to our City on February 25.

### NEW 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

## Regular Council

March 14

22

### (R-2) RESIDENCE DISTRICT

#### *First Reading*

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 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.

Mr. Gochenour stated that the owner of the property has been encouraged to find a commercial use for the property or sell it as a commercial use. He added that the property owner is investigating moving forward in that direction.

B. RESOLUTION 06-22 A RESOLUTION AUTHORIZING THE MUNICIPAL

## Regular Council

March 14

22

### ADMINISTRATOR TO AWARD A CONTRACT TO GEDDIS PAVING AND EXCAVATING, INC. FOR THE ANTHONY WAYNE TRAIL INTERSECTIONS IMPROVEMENT PROJECT

This Resolution authorizes a contract with Geddis Paving and Excavating, Inc. of Toledo, Ohio for the Anthony Wayne Trail Intersections Improvement Project at a cost of \$821,728. Bids were opened on February 9, 2022 and the City received only one competitive bid for this project from Geddis Paving. Although the bid exceeded the original cost estimate, since this project involves federal matching funds which can be increased due to inflation, the City was successful in getting the federal funding share increased to cover the additional project costs. At their February 28 meeting, the Toledo Metropolitan Area Council of Governments (TMACOG) agreed to increase funding to cover 80% of this project's cost; or approximately \$684,879. In addition, the City has also obtained a state grant to cover up to \$120,000 of the remaining project cost. Consequently, due to the increased grant funding available and the City's past positive experience completing projects with Geddis Paving, it is the recommendation of the City Engineer and administrative staff to award the contract for the Anthony Wayne Trail Intersection Improvement Project to Geddis Paving and Excavating.

Mr. Borowski moved to adopt Resolution 06-22. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

### C. RESOLUTION 07-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE MAAKIL GROUP FOR CONSTRUCTION ENGINEERING SERVICES FOR THE ANTHONY WAYNE TRAIL INTERSECTIONS IMPROVEMENT PROJECT

This Resolution is related to Resolution 06-22 which recommends the awarding of a contract to Geddis Paving and Excavating for the Anthony Wayne Trail Intersections Improvement Project. Since this project involves the spending of federal funds on improvements to a state highway, the City is required to hire a firm to perform construction engineering and administration services for this project. For these services, letters of interest were solicited from four engineering firms and four firms responded. The firm that designed the project, Proudfoot Associates, is not eligible to perform the construction engineering services, but assisted the staff in evaluating each firm's fees and hours for the project. It is the recommendation of the staff to enter into an agreement with the MAAKIL Group of Perrysburg, Ohio as the lowest most responsive bidder based on the actual amount of time required to perform this work effectively and efficiently based on ODOT requirements. The MAAKIL Group has successfully performed construction engineering and administration services on other past City projects. The fee for these proposed services is \$28,201. The cost of these

## Regular Council

March 14

22

services is reimbursable under the federal and state grant guidelines for this project.

Mr. Borowski moved to adopt Resolution 07-22. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

### Executive Session

Mrs. Duncan made a motion to move into Executive Session for Consideration of a Matter per ORC 121.22(G)(2): Sale or Purchase of Property and ORC 121.22(G)(8)(a), Information Related to Economic Development Assistance under ORC Chapter 1724 at 8:09 p.m. Mr. Rozic seconded the motion.

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

### Return to Regular Session

Mr. Rozic made a motion to come out of Executive Session and resume the regular Council meeting at 9:29 p.m. Mrs. Duncan seconded the motion which carried by unanimous voice vote.

### Adjournment

There being no further business to come before Council, Mr. Rozic made a motion to close the meeting at 9:29 p.m. Mrs. Bruno seconded the motion, which carried by unanimous voice vote.

---

Jon D. Gochenour, Clerk of Council

---

Timothy G. Pedro, Mayor