

## Regular Council

March 28

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 Mr. Frey. The Pledge of Allegiance was then recited and led by Police Officer Bobbie Jo Newman.

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

Mr. Bruno made a motion to excuse the absence of Mrs. Bruno. Mr. Borowski 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

Joe Valvano – Police Chief

Doug Meyer – 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

Chief Valvano and Lieutenant Shelton presented Officers Franklin Cigoy and Bobbie-Jo Newman with letters of recognition for apprehending and arresting a man who attempted to burglarize a home in Waterville. Upon hearing her dogs barking, the owner of the home confronted the man in her garage while her daughter called 911. The officers arrived quickly and apprehended the man before he had a chance to leave their neighborhood. The homeowners thanked the officers for their professionalism. The Mayor and Council members also thanked the officers for their great work.

### Approval of Minutes

Mr. Rozic moved to approve the minutes of the March 14, 2022 Regular Council meeting. Mr. Borowski seconded the motion, which passed by a voice vote.

### Citizens Comments

Mike Kott, 6505 W. Bancroft St. and owner of Clean Wood Recycling, stated that the City's current contract extension is about to expire. He then proposed a five-year contract. Mrs. Duncan stated that she is happy that they are here in Waterville and

## Regular Council

March 28

22

believes that they do a great job. It was the consensus of Council to move forward with a new five-year contract. Mr. Gochenour will work with Mr. Kott to finalize the contract renewal.

### Staff Reports

Administrator: Jon Gochenour –

- Stated that he discussed the completion of a proposed speed zone study of Waterville-Monclova Rd. with the City Engineer to lower the speed limit from 45 mph to 35 mph for the area between Farmview Dr. and Dutch Rd.
- Worked with a representative of Republic Services to schedule “Unlimited Refuse Pick-up Days” for the following dates in 2022: Saturday, June 11 in “Area A”; Saturday, June 18 in “Area B”; Saturday, October 29 in “Area A”; Saturday, November 5 in “Area B.”
- Reported that along with the Public Works Director, he met with a consultant regarding a design proposal of the “Parker Square Entrance Wall” for Phase 2 of the Park Improvement Project in 2023.
- Stated that along with the Public Works Director, he attended a pre-construction meeting for the Parkers Square Park Improvement Project Phase 1 on March 24. Construction is tentatively scheduled to begin the week of April 18, weather permitting. Substantial completion of the project is expected by September 1, 2022. A groundbreaking ceremony is being discussed.
- Reminded Council Members about the deadline for filing financial disclosure statements with the Ohio Ethics Commission for elected officials for 2021 is Monday, May 16, 2022. Information was provided to each Council member at tonight’s Council meeting.
- The estimated completion date for the SR 64/US 24 traffic signal installation is now April 30. The painting of the intersection and the application of the thermoplastic on the pavement cannot take place until there is a week straight of 70-degree weather.

Mayor Pedro asked about the status of the hiring of a new Clerk-Treasurer for the Fallen Timbers Union Cemetery District. Mr. Frey, Chair of the FTUCD, stated that they have received 2 applications and will interview both applicants at a special meeting on Thursday, April 7.

Assistant Law Director: Kati Tharp – No report.

Finance Director: Mark Williams –

- Reviewed details from the February 2022 Month End Finance Report highlighting fund balances, investments and income tax revenues.

## Regular Council

March 28

22

Treasurer: Steve Schult –

- Reviewed details from the February 2022 Month End Treasurer’s Report.

Public Works Director: Ken Blair –

- Reported that they are still waiting for the poles for the Downtown Street Lighting project with no confirmed date of delivery.
- Stated that the Water Meter Replacement Project is near completion. They are having issues with one of the collectors.
- Reported that the large chess board built and installed by Eagle Scout Jake Metzger in Conrad Park is now complete. Adirondack chairs and boxes to hold the chess pieces were all built by fellow Troop 101 Eagle Scout Corbin Fitzpatrick. Landscaping was added to the project area. The key to open the boxes holding the chess pieces will be available in the Waterville Branch Library.
- Stated that No Parking signs are being installed on N. River Rd. near the Liberty House due to parking issues. Other parking areas on Farnsworth and Second St. will be marked to aid visitors attending the Liberty House.

Police Chief: Joe Valvano –

- Stated that Sergeant Rob Canup retired after 30 years of service to the City of Waterville.
- Noted that this year’s Safety City will be held July 18 – July 22.
- Reported that the Firearms Simulator will be here April 11 – April 14. Training will be held at the Waterville Fire Station.
- Stated that the next National Prescription Drug Drop-Off Day will be held on Saturday, April 30 from 10:00 a.m. to 2:00 p.m. at the Waterville Fire Department.
- Reported that the Department received their new patrol car approximately 2 ½ weeks ago. New equipment has been installed.

Fire Chief: Doug Meyer –

- Stated that the new fire truck has been detailed and is here tonight for viewing by Council. He added that it will be put into service as soon as possible.
- Stated that the Department has hired one new part-time employee.
- Reported that they are waiting for the Civil Service Commission to convene before moving forward with interviews for a new full-time hire.

### Communications from Council Members/Committees

Mrs. Duncan – No report.

Mr. Borowski – No report.

## Regular Council

March 28

22

Mr. Rozic –

- Stated that when Congressman Latta was in Council Chambers he mentioned the infrastructure money from the Federal Government that he is anxious to pass out. He then stated that in Sunday's Blade there was an article about the availability of these funds which you have to apply for. The deadline to apply for the funds is coming up and he wondered if the City applied for any. Mr. Gochenour stated that he has developed some cost estimates for waterline replacement work on River Road and Farnsworth Road to be submitted for proposed funding which could cost over one million dollars.

Mr. Bruno –

- Questioned the date of the next Public Safety meeting. He stated that Brandon Johnson, the owner of Big Johnson Party Tub, came to the last Parks and Recreation Committee meeting to ask the Committee to support his request to work with the Waterville Chamber of Commerce to set up recreational events. He stated that he suggested that Mr. Johnson get in touch with Mr. Gochenour to possibly attend the next Public Safety meeting to propose this request.

Mayor Pedro –

- Thanked Chief Valvano and his team for their help with the attempted break-in.
- Encouraged all residents to attend the Memorial Day Ceremony at Wakeman Cemetery on Monday, May 30 at 11:00 a.m.
- 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.
- Wanted to again recognize the Anthony Wayne Girls Basketball Team for their advancement to the State Finals a couple weeks ago. Although the outcome was not what they were hoping for, he would like to invite them to a future Council meeting for recognition.

Mr. Frey –

- Reported that the Fallen Timbers Union Cemetery District Trustees had their monthly meeting on Monday, March 21. He stated that since the District has been formed, they have had to deal with several major capital improvement projects. He then stated that last year they were able to pave Wakeman Cemetery. This year they are planning on completing the repaving of Whitehouse Cemetery and major tree trimming in all cemeteries. Recently, the District purchased a new John Deere Gator and trailer. The District is also working on a new plat for Wakeman Cemetery. This project is an ongoing, time consuming and expensive project. He then stated that the District has received their first half special property tax assessment which was

## Regular Council

March 28

22

approximately \$27,000 more than last year's assessment due to the increase in property values.

### 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

#### Second 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.

## Regular Council

March 28

22

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.

### NEW BUSINESS:

- A. 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

#### First Reading

As requested at the March 14 Council meeting, the enclosed Ordinance 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 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 which indicates the posted 35 mph streets where these vehicles are proposed to be permitted and not permitted was included in Council's packet.

- B. RESOLUTION 08-22 A RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION CONTRACT FOR ROAD SALT AWARDED IN 2022

The Village/City has participated in the Ohio Department of Transportation's Cooperative Purchasing Program for the purchase of road salt since 2009. This arrangement has worked very well for the City by minimizing the unit price paid for road salt and by providing a degree of stability to the availability of the salt. Starting in 2016, ODOT modified the program and now characterizes it as local participation in the ODOT purchase contract rather than the Cooperative Purchasing Program. This Resolution would authorize participation in the ODOT contract for 2022.

Mr. Rozic moved to adopt Resolution 08-22. Mr. Borowski seconded the motion, which passed by a unanimous voice vote.

## Regular Council

March 28

22

### C. RESOLUTION 09-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO BOWERS ASPHALT AND PAVING INC. FOR THE 2022 PAVING PROGRAM

This Resolution authorizes a contract with Bowers Asphalt and Paving, Inc. of Walbridge, Ohio for the pavement improvements to Continental Drive, Heritage Lane, Colonial Court and the Alley between Farnsworth Road and South Street. Pavement rejuvenating agent will also be applied to the following streets paved last year: Maple Lane, Cherry Lane, Canal Court, a portion of South Third Street and the Alley between Mechanic Street and Farnsworth Road behind Zion Lutheran Church. The City received six competitive bids for this project which were opened on March 23, 2022. Although Henry Bergman submitted the lowest bid, their bid did not meet the specifications of the Ohio Department of Transportation (ODOT) for asphalt required in the bid documents. As a result, it is the recommendation of the City Engineer and administrative staff that Bowers Asphalt and Paving submitted the best and most responsive bid of \$282,707.00. Bowers Asphalt has successfully completed several past paving projects in the City.

Mrs. Duncan moved to adopt Resolution 09-22. Mr. Rozic seconded the motion, which passed by a unanimous voice vote.

### D. RESOLUTION 10-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH ALLIED PAVING, INC. FOR THE PRAIRIE TRAIL PARK PATH IMPROVEMENT PROJECT

This Resolution authorizes a contract with Allied Paving, Inc. of Holland, Ohio for paving improvements to the multi-use paths in Prairie Trail Park. The project involves repaving the existing paths and adding a path extension to the west to connect to the existing paths on Waterville-Monclova Road and Pray Boulevard. The new path extension would end at the intersection of Pray Boulevard and Waterville-Monclova Road at a new pedestrian crosswalk signal which will be added this year as part of the U.S. 24/St. Rt. 64 Traffic Signal Improvement Project. The City received three competitive bids for this project which were opened on March 23, 2022. It is the recommendation of the City Engineer and administrative staff that Allied Paving

submitted the best and most responsive bid of \$66,614.80. The City has received a grant from the Ohio Department of Natural Resources for up to 48% of the eligible project costs. Allied Paving has successfully completed several past paving projects in the City.

## Regular Council

March 28

22

Mr. Rozic moved to adopt Resolution 10-22. Mr. Frey seconded the motion, which passed by a unanimous voice vote.

### Other Business

None

### Executive Session

Mr. Borowski made a motion to move into Executive Session for Consideration of a Matter per ORC 121.22(G)(1): Investigation of Complaints Against a Licensee and a Personnel Issue at 8:33 p.m. Mrs. Duncan seconded the motion.

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

### Return to Regular Session

Mrs. Duncan made a motion to come out of Executive Session and resume the regular Council meeting at 9:36 p.m. Mr. Rozic seconded the motion which carried by a unanimous voice vote.

### Adjournment

There being no further business to come before Council, Mr. Frey made a motion to close the meeting at 9:36 p.m. Mrs. Duncan seconded the motion, which carried by a unanimous voice vote.

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Jon D. Gochenour, Clerk of Council

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Timothy G. Pedro, Mayor