

Regular Council

November 8

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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. Frey. The Pledge of Allegiance was then recited and led by Mrs. Duncan.

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

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

Joe Valvano – Police Chief

Doug Meyer – Fire Chief

Zac Bingham – Deputy Fire Chief

Citizens Present:

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

Presentations

A. Mayor Pedro – Oath of Office, Zachary Welling, Waterville Fire Department

Mayor Pedro administered the “Oath of Office” to our new full-time, Firefighter/EMT Zachary Welling. Mr. Welling gave Council a brief summary of his family and his work history and thanked them for allowing him to serve. Council members then welcomed him to Waterville.

Approval of Minutes

Mrs. Duncan moved to approve the minutes of the October 25, 2021 Regular Council meeting. Mr. Bruno seconded the motion, which passed by a voice vote.

Citizens Comments

None

Staff Reports

Administrator: Jon Gochenour –

- Reported the 2021 Paving Program will begin tomorrow morning and includes: Maple Ln., Canal Ct., Cherry Ln., S. Third St. from South St. to approximately 200 ft. short of Mt. Vernon Dr. We will also be paving the alley behind Zion Lutheran Church. Reminder notices were sent to affected residents last week.
- Stated that he completed and filed grant applications for the Urban Canopy Restoration and Ohio Public Works Commission Grant Programs.
- Reported that he, along with the Public Works Director, attended a pre-construction meeting for the Sidewalk Replacement Program. Substantial completion of the Sidewalk Replacement Program is scheduled for November 15, 2021.
- Stated that he did discuss outstanding landscaping issues with the developer of the Waterville Place Apartments. They are moving forward with landscaping at the site and will complete whatever remains this spring.
- Stated that he also discussed code violations with the Lucas County Building Department for the gas station located at 300 Farnsworth Rd. A violation notice was sent to the property owner by the Building Department.

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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

Mrs. Duncan – No report.

Mr. Borowski –

- Stated that he had a resident approach him regarding markings on some of the trees in the City. He then stated that he spoke with Rick Meiring, Asst. Public Works Director, who explained to him the different markings and that Toledo Edison is in town trimming trees.

Mr. Rozic –

- Stated that he received a call from a resident who questioned why residents have to pay to repair/replace damaged sidewalks in front of their homes. Mr. Gochenour stated that in 2000 Council approved the “Connect Waterville” program which established standards for who is responsible for the repair or replacement of damaged sidewalks. The City repairs or replaces sidewalks at intersections and when damage is due to street trees, manholes, water valves etc.

Mr. Frey – No report.

Mrs. Bruno –

- Congratulated Mr. Rozic, Mr. Bruno and Mrs. Duncan on their re-election to City Council.

Mr. Bruno –

- Stated that on Waterville-Monclova Rd. near Bridgehampton Woods traffic cones were put up on uneven pavement near the markings for several weeks. Mr. Gochenour stated that the Lucas County Engineer will install concrete around the manholes in the street which was recently resurfaced. Once the concrete is set up, it will be level with the grade of the street.

Mayor Pedro –

- Thanked the Public Works, Police and Fire Departments for their contributions to a successful “Boo to Do.”
- Reminded Council and citizens that they will only have one meeting in December.

OLD BUSINESS:

None

NEW BUSINESS:

- A. ORDINANCE 21-21 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERVILLE BY GRANTING A SPECIAL USE PERMIT TO ALLOW THE OPERATION OF A WILDLIFE ANIMAL REHABILITATION, EDUCATION AND CONSERVATION CENTER ON A PARCEL ZONED (PBP) PLANNED BUSINESS PARK LOCATED AT 7541 DUTCH ROAD

Third Reading, Public Hearing and Legislative Action

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An application has been received from Allison Schroeder, Executive Director of Nature's Nursery, for a Special Use Permit to allow for the operation of a proposed animal rehabilitation, education and conservation center located at 7541 Dutch Road. Nature's Nursery has outgrown their current location at the Metroparks Blue Creek Conservation Area in Waterville Township and is planning to redevelop the former restaurant/office building site as their new location. Council received a preliminary drawing which outlines the Applicant's proposed future development plans for this site which includes the purchase of additional land adjacent to the property to the south. In addition to seeking approval for the planned use of the site, Nature's Nursery would also like to construct enclosed animal "rehabilitation and education yard" areas at the rear portion of the property as part of this phase development. These areas will be enclosed with fencing 8 feet in height with screening panels. An additional landscaping buffer is also planned along the rear and western side yard property lines. No further construction is planned at this time. The Applicant has been advised that any additional future construction of buildings or additional parking areas, as depicted on the enclosed drawing, will require the submittal and approval of a site plan by the Planning Commission. The parcels at 7541 Dutch Road are currently zoned Planned Business Park (PBP) which allows agriculture, the stabling of livestock, pasturage and accessory uses related to agriculture in this zoning district. Additional information provided by Nature's Nursery includes copies of permits from the Ohio Division of Wildlife and the U.S. Fish and Wildlife Service which regulate their current animal educational and rehabilitation operations.

At their October 4 public meeting, the Planning Commission recommended approval of the Special Use Permit request by a vote 3-0-1, with one abstention, with the following conditions: 1) the operation will not produce any excessive amount of odor or noise which will create nuisance conditions for neighboring property owners; 2) any additional land purchased for use by Nature's Nursery, as well as existing parcels 96-61236 and 96-61237, will be combined into one lot; 3) Nature's Nursery will obtain and comply with all permits issued by the U.S., state or local governments which are required to operate a wildlife animal rehabilitation, education and conservation operation/center. Nature's Nursery agrees to maintain and renew all required permits and provide the City of Waterville with copies of all required permits on an annual basis and; 4) any future construction of buildings or additional parking areas, as depicted on their enclosed drawing, will require the submittal of and approval of a site plan by the Planning Commission as required by Chapter 1146 of the City's Planning and Zoning Code.

Mayor Pedro opened the Public Hearing at 7:47 p.m.

Allison Schroder, Executive Director of Nature's Nursery, was in attendance to answer any questions from Council members. Mrs. Bruno asked Ms. Schroder what is the largest animal that they will accept at Nature's Nursery; she responded a fox.

Mayor Pedro closed the Public Hearing at 7:50 p.m.

Mayor Pedro made a motion to suspend the rules to allow for the passage of Ordinance 21-21 as an emergency measure. Mrs. Duncan seconded the motion.

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

Mayor Pedro made a motion to move for the passage of Ordinance 21-21 as an emergency measure. Mr. Borowski seconded the motion.

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

NEW BUSINESS:

- A. ORDINANCE 22-21 AN ORDINANCE AMENDING ORDINANCE 20-21, THE AMENDED FY 2021 ANNUAL APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY

This Ordinance would authorize the Fifth Amendment to the 2021 Appropriations. Significant items included in the amendment are: reduction in expected revenue in the Fire (265) Fund (-86,894) and in premium proceeds from the recent bond issue in the Water (640) Capital Fund (-27,900); as well as increased expenses anticipated before the end of the year in income tax retainer fees (\$11,000), vehicle repairs (\$10,000) and the 2021 Street Resurfacing Program (\$10,000) and other routine items.

Mr. Rozic made a motion to suspend the rules to allow for the passage of Ordinance 22-21 as an emergency measure. Mayor Pedro seconded the motion.

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

Mr. Rozic made a motion to move for the passage of Ordinance 22-21 as an emergency measure. Mayor Pedro seconded the motion.

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

- B. RESOLUTION 45-21 A RESOLUTION APPROVING AND ADOPTING THE CITY OF WATERTOWN FY 2022 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 October 15. 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.

- C. RESOLUTION 46-21 A RESOLUTION AFFIRMING THE 5 I'S OF DISABILITY JUSTICE AND COMMITTING TO THE USE OF THE 5 I'S OF DISABILITY JUSTICE FRAMEWORK IN POLICY REVIEW AND DEVELOPMENT

This Resolution affirms the support of the City of Waterville to the 5 I's of Disability Justice to include individuals with disabilities in the formulation of public policies regarding employment, education, housing, healthcare, transportation, physical access and social opportunity. Passage of this Resolution was requested by the Toledo Lucas County Commission on Disabilities after a recent presentation of the "5 I's of Disability Justice" policy framework to Council.

Mayor Pedro made a motion to table Resolution 46-21. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

- D. RESOLUTION 47-21 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A CONTRACT WITH MOTOROLA SOLUTIONS FOR THE PURCHASE OF COMMUNICATION EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS

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In Council's packet were two proposals for the purchase of portable and mobile radios for the Police and Fire Departments from Motorola Solutions at a cost of \$79,767.14. 10 portable and 3 mobile radios would be purchased for the Fire Department to replace 7 portable and 3 mobile radios purchased in 2007. Although still in use, parts are no longer available for the 2007 era radios from Motorola and should be replaced as soon as possible. The remaining Fire Department radios purchased in 2014 are scheduled to be replaced in the 5-Year Capital Budget by 2025 to meet the operation requirements of the new Lucas County 911 Consolidated Dispatching System. 8 portable and 2 mobile radios are planned for purchase by the Police Department which will replace all remaining 2007 portable radios. The remaining 6 Police mobile radios that were purchased between 2007-2010 will also be replaced by 2025 to meet the new County dispatching requirements. Separate proposals for each department are necessary since the Police radios are required to be encrypted to prevent unauthorized use. Each proposal also lists the difference between the current list pricing and the special discount pricing offered by Motorola until December 2021. If all the radios were purchased at the regular list price, the total cost would be \$145,855. As discussed at a prior Council meeting, since new communication equipment will enhance the ability of each department to communicate with the new Lucas County 911 Consolidated Dispatching System and respond to the current public health emergency, the Administration proposes to utilize American Rescue Plan (ARP) funds for this purchase. The use of available ARP funds will free up existing revenues in the capital improvement fund for other uses and allow the City to take advantage of discounted pricing from Motorola saving \$67,087.86 off the regular list price.

Mayor Pedro made to motion to table Resolution 47-21 until after further discussion in Executive Session. Mr. Borowski seconded the motion, which passed with Mr. Rozic, Mayor Pedro, Mr. Bruno, Mr. Borowski, and Mrs. Bruno voting "yes" and Mrs. Duncan and Mr. Frey voting "no."

- E. RESOLUTION 48-21 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO FILE A PETITION WITH THE LUCAS COUNTY COMMISSIONERS TO ADD FARNSWORTH AND MOSER DITCHES TO THE JOINT COUNTY DITCH PETITION FILED BY THE VILLAGE OF WHITEHOUSE FOR IMPROVEMENTS TO WATERCOURSES IN THE SWAN CREEK WATERSHED AS PROVIDED IN SECTION 6131.13 OF THE OHIO REVISED CODE

In March 2021, the Village of Whitehouse filed a "Joint County Ditch Petition" with the Lucas County Commissioners for maintenance to several ditches located within the Swan Creek Watershed in Lucas, Fulton and Henry Counties in order to improve storm water drainage. The Lucas County Engineer has recommended that the City of Waterville add Farnsworth and Moser Ditches to the proposed improvement project which is scheduled to begin in 2023. Maintenance to these ditches would improve overall storm water drainage in the western portion of the City. Moreover, since these ditches are located in the vicinity of rapidly developing residential subdivisions, it will be much easier and less expensive to perform this maintenance work now than after these areas are fully developed. The Public Works Committee has also recommended that these ditches be improved prior to them being surrounded by new residential developments. A map indicating the location of Farnsworth and Moser Ditches was included with the Resolution.

Mrs. Bruno moved to adopt Resolution 48-21. Mr. Bruno seconded the motion, which passed by unanimous voice vote.

Other Business

Mayor Pedro stated that he received a letter from TARTA stating that Kelsey Hoagland's appointment as Waterville's representative to the TARTA Board is about to expire. He asked if Council would like to reappoint Ms. Hoagland as the City's

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representative. Mr. Borowski made a motion to reappoint Kelsey Hoagland as the City's representative to the TARTA Board. Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Executive Session

Mr. Borowski made a motion to move into Executive Session for Consideration of a Matter per ORC 121.22(G)(1): Personnel at 8:18 p.m. Mrs. Bruno seconded the motion.

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

Return to Regular Session

Mr. Pedro made a motion to come out of Executive Session and resume the regular Council meeting at 9:25 p.m. Mrs. Duncan seconded the motion which passed by unanimous voice vote.

Mayor Pedro made a motion to take Resolution 47-21 off the table. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Mr. Borowski made a motion to adopt Resolution 47-21. Mrs. Duncan seconded the motion, which passed by unanimous voice vote.

Adjournment

There being no further business to come before Council, Mr. Rozic made a motion to close the meeting at 9:26 p.m. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Timothy G. Pedro, Mayor