

Regular Council

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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 Angie Bronner, Waterville resident.

Present at roll call were Todd Borowski, John Rozic, Anthony Bruno, Mayor Tim Pedro, Mary Duncan, Barb Bruno and Rod 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

Joe Valvano – Police Chief

Zac Bingham – Waterville Deputy 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.

Approval of Minutes

Mr. Frey moved to approve the minutes of the June 27, 2022 Regular Council meeting.

Mr. Rozic seconded the motion, which passed by unanimous voice vote.

Mayor Pedro called for a moment of silence in remembrance of Melvin "Skip" Fredericks, a former 32-year Public Works employee, who passed away this past weekend.

Proclamation

A. Americans with Disabilities Act Awareness Day – July 26, 2022

Mayor Pedro read a Proclamation which proclaimed July 26, 2022 as Americans with Disabilities Act Awareness Day in the City of Waterville. He encouraged all residents to reaffirm their commitment to the principles of equality and inclusion laid out in the ADA so every person in Waterville can succeed and live life to their fullest potential.

Citizens Comments

Several Waterville residents including: Jeff and Angie Bronner, 1104 Westridge Dr., Lisa Haberstock, 222 N. Fifth St., Kelly Colling, 23 S. River Rd., Teri Massuci, 1101 Waterville-Monclova Rd. and Steven Timms, 322 Overlook Dr. came to this evening's meeting to voice their concerns and ask questions regarding the proposed 7,500 seat amphitheater on S. Pray Boulevard near the US 24/SR 64 Interchange. They stated that enforcement of amplified sound, parking, noise, traffic, crime, loss of property value and the need for increased safety services as some of their concerns. It was also questioned why the City didn't notify residents first before the news of the amphitheater was shared in the media. Mr. Dombey, Law Director, stated that it was the choice of the developer/applicant to go the media. The matter became public record when the request for a Conditional Use Permit to operate the amphitheater came to City Council at their June 27 meeting. At that time, Council referred the request to the Planning Commission for their recommendation. Mr. Dombey added the Planning Commission will review the application, drawings and the plan presented by the applicant. Residents will be allowed to ask questions and share their concerns at this meeting. He then added that at this time we do not have all of the facts but residents will have an opportunity at the Planning Commission meeting as well as three

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scheduled readings of the Ordinance at upcoming Council meetings. Comments will be welcome at each meeting, especially during the third and final hearing. Mayor Pedro wanted to assure all residents that the City is following the process that is laid out in the City Charter. Randy Sikorski, 821 Continental Dr., asked Council why they are “sitting” on the approval of the new lease agreement with Clean Wood Recycling. Mayor Pedro explained that tabling Resolution 18-22 is allowing the City to negotiate and look at other options. Mrs. Bruno wanted to assure all residents that during this period the facility is open to the public and residents can still drop off yard waste. Kelly Colling, 23 S. River Rd., asked why the City is naming the park at the location of the old Waterville School, Parker Square. She added that the money pledged by the Parker’s has not been paid to the City. Mr. Dombey stated that when the construction company doing the work invoices the city, the estate will be then be invoiced. Council members thanked everyone for coming to this evening’s meeting and making their opinions known to Council.

Executive Session

Mrs. Bruno made a motion to move into Executive Session for a Conference with the Law Director in consideration of a matter per ORC 121.22(G)(1): Investigation of Complaints Against a Licensee at 8:18 p.m. Mr. Bruno seconded the motion.

Roll Call: Mr. Borowski – yes, Mr. Rozic – yes, Mr. Bruno – yes, Mayor Pedro – yes, Mrs. Duncan – yes, Mrs. Bruno – yes, Mr. Frey – 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 8:42 p.m. Mr. Rozic seconded the motion which carried by unanimous voice vote.

Staff Reports

Administrator: Jon Gochenour –

- Reported that he prepared meeting materials for the upcoming Board of Zoning Appeals meeting where they will hear details on the proposed Auto Zone Store on Pray Blvd.
- Stated that he received a summary of the Lucas County Health Department’s “Active Transportation Plan.” A copy of the executive summary was included in Council’s packet.
- Reported that he received notice from the Ohio Department of Transportation (ODOT) that they would not authorize lowering the speed limit to 35 mph on Waterville-Monclova Rd. between Royal Hampton Ln. and Dutch Rd. However, ODOT will approve lowering the speed limit from 55 to 45 mph for the portion of Waterville-Monclova Rd. maintained by Lucas County.

Law Director: Phil Dombey – No report

Finance Director: Mark Williams –

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

Treasurer: Steve Schult –

- Reviewed details of the Treasurer’s Report for the month of June 2022.

Police Chief: Joe Valvano –

- Reported that the Police Department will be hosting a “Bike Patrol Class” at the Waterville Fire Department for police and fire personnel on July 29 – July 30.
- Stated that an “Active Shooter Class” was held at the Waterville Primary School on June 17. It was conducted by an instructor from the Department of

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Homeland Security.

- Reported that 59 students graduated from this year's "Safety City."

Mr. Rozic congratulated Chief Valvano on completing the Police Executive Leadership College.

Cameron Miller, 117 S. Second Street, stated that he has noticed that areas throughout town, especially Baer Park are marked with graffiti. Chief Valvano stated that he is looking into purchasing cameras to monitor Baer Park and will be stepping up patrols.

Deputy Fire Chief: Zak Bingham –

- Reported that Chief Meyer is out of town attending a National EMS Conference.
- Stated that two of their firefighters are attending the bike patrol class.
- Reported that they have one potential new part-time employee going through the hiring process.
- Stated that Lexi Dorner has completed Fire Fighter I training and is now certified.
- Reported that call volume is up 20 percent or about 100 calls over last year with 502 runs as of June 30.
- Reported that on June 28, the Department was assisted by both the Whitehouse Fire Department and the Ohio Air National Guard Fire Department to rescue an individual who fell off the cliff near the Roche de Boeuf Bridge. He added that the Fire Department is looking to investing in equipment and training in rope rescues.

Public Works Director: Ken Blair –

- Reported that the 2022 Paving Program has been completed. He will be meeting with the City Engineer this week to complete the punch list.
- Stated that the Prairie Trail Park Path Resurfacing and Extension project has been completed. He will be meeting with the City Engineer to complete the punch list this week.
- Attended the pre-construction meeting for the Curb Replacement Project that was held today. They are planning on starting work this week weather permitting.
- Reported that the City has applied for a grant to upgrade the restrooms at Baer Park to ADA standards.

Mrs. Duncan asked if the Public Works Department was planning on doing any tree trimming in Mill Creek Farms. Mr. Blair stated that a trimming schedule will be discussed at the upcoming Tree Commission meeting adding that a lot of this work will be contracted out. She then asked if residents were able to trim the trees in the right-of-way. Mr. Blair stated that he would like the Tree Commission to put together some information or set up training on the correct way to do this. He then added that if there is a branch obstructing the path of a sidewalk to call Public Works and they will take care of it. Mr. Bruno added that the walk path at Prairie Trail looks great. Mr. Borowski stated that residents that are receiving a new tree will receive a letter to let them know that we will be doing young tree pruning the first year.

Communications from Council Members/Committees

Mrs. Bruno –

- Stated that the Police and Public Works Departments cannot be everywhere all the time. She stated that the City relies on residents to take action by calling to alert departments on issues that need to be addressed.
- Thanked all that attended this evening's meeting to voice their concerns about the proposed Amphitheater.

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Mrs. Duncan –

- Thanked everyone for attending this evening’s meeting.

Mr. Frey – No report.

Mr. Bruno –

- Asked Mr. Gochenour to reach out again to Andrea at Farnsworth Developers regarding the weed growth and dead trees along Waterville-Monclova Rd. at the Waterville Landing development.

Mr. Rozic –

- Thanked the Waterville Rotary Club for cleaning up along portions of the Anthony Wayne Trail and the Downtown area.
- Reported that he, along with Jon Gochenour and Nick Sargent, recently attended the first meeting of the Fire Co-Op Steering Committee. He added that the Committee is in need of a ninth at-large member who would Chair the Committee.

Mr. Borowski –

- Thanked everyone for attending this evening’s meeting.
- Thanked Public Works for taking care of an issue with a stop sign that was brought to the Administrator’s attention by a citizen.

Mayor Pedro –

- Stated that he recently met with the new operator of the Sunoco Gas Station.
- Reported that that Downtown Redevelopment District will be coming to Council with a plan that will help rebuild our downtown.
- Stated that the proposed Amphitheater is a process and that Council will listen to everyone’s concerns.
- Stated that many years ago several area suburban fire departments got together to discuss the possibility of forming a Regional Fire District which didn’t materialize. Thanks to the Waterville and Whitehouse Fire Chiefs, the City Administrator and Council, a Fire Co-Op between the City of Waterville, Waterville Twp. and Whitehouse was formed. He added that it has worked out very well and that both chiefs were co-recipients of the Ohio Fire Chiefs Association 2022 Ohio Fire and Emergency Services Foundation Innovation Award for their work on the Co-Op Agreement. The award was given at the Fire Chiefs Annual Conference on Thursday, July 21 in Columbus.
- Asked Mr. Blair what the status was of the leaning pole on Third St. and South. Mr. Blair stated that the pole was damaged by an accident and will be removed either by First Energy or Public Works very soon.
- Mentioned the Christmas wreathes on display which were dropped off by Wendy Gray of Third St. Blooms. Mayor Pedro stated that these wreaths were stored at Public Works (28 total) and can be reworked to look new and be hung throughout the city during the Waterville Christmas Celebration. Mrs. Gray is asking the city to invest \$10,000 for new decorations.

OLD BUSINESS:

- A. RESOLUTION 18-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A BUSINESS PROPERTY LEASE WITH CLEAN WOOD RECYCLING, INC. FOR 4.66 ACRES OF LAND LOCATED AT 6730 ANTHONY WAYNE TRAIL TO OPERATE A YARD WASTE TRANSFER FACILITY (**Tabled 5/23/2022**)

This Resolution authorizes a renewal of the lease agreement with Clean Wood Recycling, Inc. to operate a yard waste transfer facility on a 4.66 acre site owned by the City of Waterville located at 6730 Anthony Wayne Trail. Clean Wood has requested a

new five-year lease increasing the City's annual payment from \$18,000 to \$35,000 per year which allows City residents and City departments to drop off yard waste at this site with no additional charges. The current City payment has not increased for the last five years. The present arrangement has worked out well for City departments and is popular with Waterville residents. The facility is open from April 1 to October 31 on Monday, Thursday and Friday from 10 a.m. to 6 p.m.; Saturday 9 a.m. to 5 p.m. and Sunday 11 a.m. to 4 p.m. During this 30 - week period, the site is staffed by at least one Clean Wood employee at all times. Clean Wood is requesting the increase due to increased labor, fuel and equipment costs.

This item was tabled by Council on May 23, 2022. Mr. Bruno made a motion to continue to table this for another 30 days. Mr. Rozic seconded the motion, which passed by voice vote with Mr. Borowski, Mrs. Duncan and Mr. Frey voting "no" and Mr. Bruno, Mrs. Bruno, Mayor Pedro and Mr. Rozic voting "yes."

B. 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 BOULEVARD FROM (C-3) HIGHWAY COMMERCIAL TO (R-4) MULTI-FAMILY, HIGH DENSITY RESIDENCE DISTRICT

First Reading

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 four building, 144-unit apartment complex (see attached parcel split and preliminary site plan information). 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 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 enviably 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 with the U.S. 24 Concept Area to be non-

residential. In addition, three of the proposed seven apartment buildings in the current 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.

NEW BUSINESS:

A. RESOLUTION 19-22 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO NORTH BRANCH NURSERY FOR THE URBAN TREE CANOPY IMPROVEMENT PROJECT

This Resolution would authorize a contract with North Branch Nursery of Pemberville, Ohio for the purchase and installation of approximately 143 trees located predominately along residential streets in areas of the City where tree coverage is 30 percent or less. The City received a \$25,000 grant from the Ohio Department of Natural Resources toward the cost of this project which is intended to improve the City’s existing urban tree canopy. When completed, the tree planting program will provide a diverse, new population of tree species, beautify the City, reduce peak summer temperatures, air pollution and enhance residential property values. The cost of this project is \$72,900 and was included in the 2022 Five-Year Capital Budget. Although the only bidder on this project, North Branch Nursery has successfully completed several past landscaping projects in the City. This improvement project was recommended by the Tree Commission.

Mr. Borowski moved to adopt Resolution 19-22. Mrs. Bruno seconded the motion, which passed by unanimous voice vote.

Other Business

Mrs. Bruno asked Mr. Gochenour what was the status of the Master Plan Update. Mr. Gochenour stated that it was included in the 2022 Budget and we will be looking at firms to do the work in the near future. Mr. Dombey stated that the new owner of the Valero gas station has pledged to remove the fuel tanks in the near future.

Adjournment

There being no further business to come before Council, Mr. Borowski made a motion to close the meeting at 9:08 p.m. Mrs. Duncan seconded the motion, which carried by unanimous voice vote.

Jon D. Gochenour, Clerk of Council

Timothy G. Pedro, Mayor