

## Regular Council

February 27

23

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 the Grandfathers of the Fire Department's new employees, Jim Eiben and Dave Lord.

Present at roll call were Todd Borowski, John Rozic, Tim Pedro, Anthony Bruno, Mary Duncan, Barbara Bruno and Rod Frey.

Also present this evening was Jon Gochenour, Municipal Administrator; Philip Dombey, Law Director; Steve Schult, Treasurer and Jeni Malaczewski, Recording Secretary.

### Staff Present:

Mark Williams – Director of Finance and Administration  
Joe Valvano – Police Chief  
Doug Meyer – Fire Chief

### Presentations

- A. Mayor Pedro – Oath of Office, Samuel Eiben and Michael Lord, Waterville Fire Department

Mayor Pedro administered the “Oath of Office” to our new full-time, Firefighter/Paramedic, Samuel Eiben and Firefighter/EMT, Michael Lord. Mr. Eiben and Mr. Lord gave Council a brief summary of their family and work history and thanked them for allowing them to serve. Council members welcomed them to Waterville.

### Citizens Present:

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

### Approval of Minutes

Mr. Borowski moved to approve the minutes of the February 13, 2023 Regular Council meeting. Mr. Rozic seconded the motion, which passed by a voice vote.

### Citizens Comments

None

### Staff Reports

Administrator: Jon Gochenour

- Stated that Natures Nursery will be having a ground-breaking ceremony on

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March 6, 2023 at 3 p.m.

- Mr. Borowski asked about the hiring of personnel for the Public Works and Police Departments. Mr. Gochenour stated that two candidates have been offered positions in the Public Works and Police Departments subject to their successful completion of background checks and pre-employment physicals.
- Mayor Pedro asked about the recent meeting with Whitehouse and Providence Township. Mr. Gochenour stated that Providence Township is interested in possibly joining the Fire Co-Op. Changes to ALS services provided by Lucas County were also discussed.

Law Director: Philip Dombey

- Answered questions about the qualifications for public office in the City Charter. The Charter states that a potential candidate “shall” have lived in the City for a period of 2 years prior to their election to public office. The requirements are clear and unambiguous since the word “shall” means “must” and is mandatory.

Finance Director: Mark Williams

- Reviewed details from the January 2023 Month End Finance Report highlighting fund balances, investments and income tax revenues.
- Reviewed details from the 2022 Fourth Quarter Budget Report, covering 1/1/22 - 12/31/22, highlighting fund balances, investments and income tax revenues. A detailed cover memo of this report was included in the Council meeting packet.

Police Chief: Joe Valvano

- Had an incident on February 24 where an individual with a mental health issue was taken into custody after he was pulled over with two old children in the car.
- “Safety City” registration is now open and filling up fast.
- The Police Department Facebook Page has been launched.
- On February 17, there was an elderly individual who walked away from a healthcare facility and was quickly found thanks to a search team organized by Deputy Fire Chief Bingham.
- Mr. Borowski asked about recent juvenile incident reports and asked if officers will be on bikes this summer. Chief Valvano stated yes and camera systems are being installed in areas of reported vandalism. Also, residents with “Ring” type cameras on their homes are sending in videos.

Fire Chief: Doug Meyer

- Also commended Jodi Shaneyfelt and Bill Weaver, both City employees, for helping to find the recent missing person.
- Thanked the Waterville Gas Company for their help with a gas leak situation at Kroger and with a recent car fire.
- Commented that our new “Haas Alert System” indicated that the City is beating

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the national average on response time to a fire scene.

### Communications from Council Members/Committees

Mr. Frey

- Stated that with all of the recent rain, the Waterworks Park storm sewer improvements seem to be working well since there has been no flooding.
- The Fallen Timbers Cemetery District will be holding their annual joint meeting on May 8, 2023 in Waterville.

Mrs. Bruno

- Reviewed a recent meeting with the Parkers regarding the design of the entry plaza for Parker Square Phase 2.

Mrs. Duncan

- No Report

Mr. Bruno

- No Report

Mr. Rozic

- Roche de Boeuf Committee meeting is scheduled for March 6 at the Waterville Chamber of Commerce.

Mr. Borowski

- Stated that he had no update on the round-a-bouts.
- Asked if the website would reflect that all Council Committee Meetings are held at the Municipal Building.

Mayor Pedro

- This year is the 50<sup>th</sup> Anniversary of the Roche de Boeuf Festival. Looking for more volunteers and additional promotions for this event.
- Waterville Bodyworks has traditionally organized the annual Easter Egg Hunt. They are no longer able to put on this event themselves, but would like to help sponsor it financially. Mayor Pedro would like to start a committee to help with planning this event.
- Thanks to Wendy Grey and her committee for decorating downtown for St. Patrick's Day.

### NEW BUSINESS:

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- A. REFERRAL TO PLANNING COMMISSION AMENDING THE ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND KNOWN AS 8275 NEAPOLIS WATERVILLE ROAD FROM (A-1) AGRICULTURAL TO (M-1) LIGHT INDUSTRIAL (*Motion*)

An application has been received from the property owner of 8275 Neapolis Waterville Road for a change of zoning for the property from Agricultural (A-1) to Light Industrial (M-1). The next Planning Commission meeting is scheduled for February 28, 2023.

Mr. Borowski made a motion to refer the zoning change request to the Planning Commission for their review and recommendation. Mr. Bruno seconded the motion, which passed by a unanimous voice vote

- B. RESOLUTION 05-23 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO A CAPITAL IMPROVEMENT PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PRAIRIE TRAIL AND STITT PARK IMPROVEMENT PROJECT

This resolution finalizes a capital improvement project agreement between the City of Waterville and the Ohio Department of Natural Resources for improvements to Prairie Trail and Stitt Parks. The City was awarded a \$50,000 grant through the passage of Ohio House Bill 687 by the Ohio General Assembly for the Prairie Trail and Stitt Park Improvement Project. The funds appropriated by the State of Ohio for this project will be administered through the Ohio Department of Natural Resources.

Mr. Rozic moved to adopt Resolution 05-23, Mr. Borowski seconded the motion, which passed by a voice vote.

- C. ORDINANCE 02-23 AN ORDINANCE SUPPORTING THE PROTEST OF STACY SCHMIDT TO INVALIDATE THE PETITION OF ISAAH BAYLY AS A CANDIDATE FOR MAYOR OF WAWTERVILLE, AND DECLARING AN EMERGENCY

A protest was filed by Waterville City resident Stacy Schmidt with the Lucas County Board of Elections to invalidate the petition filed by Isaiah Bayly as a candidate for Mayor of Waterville. The Waterville City Charter Section 3.02, Qualifications, requires a two year residency requirement prior to a candidate's election or appointment as Mayor. On February 13, 2023, Mr. Bayly provided correspondence to City Council indicating that he does not meet this mandatory requirement. Mr. Dombey indicated that it is the responsibility of the City of Waterville to enforce the provisions of the City Charter in regard to the qualifications of individuals to hold public office in the

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City. Since the residency requirement is mandatory, the proposed ordinance supports the protest filed by Mr. Schmidt in regard to Mr. Bayly's candidacy for Mayor.

Mayor Pedro did not participate in Council's discussion of this matter. Mr. Frey moved to suspend the rules to allow for the passage of Ordinance 02-23 as an emergency measure. Mr. Rozic seconded the motion.

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

Mr. Frey made a motion to move for the passage of Ordinance 02-23 as an emergency measure. Mr. Rozic seconded the motion.

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

### Other Business

None

### Executive Session

Mr. Rozic made a motion to move into Executive Session for Consideration of a Matter per ORC 121.22(G)(3): Imminent and Pending Court Action and ORC 121.22(G)(2): Purchase or Sale of Property for Public Purpose at 9:15 p.m. Mr. Borowski seconded the motion.

Roll Call: Mayor Pedro – yes, Mr. Frey – yes, Mr. Bruno – yes, Mrs. Duncan – yes, Mr. Borowski – yes, Mrs. Bruno – yes and 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 9:53 p.m. Mr. Bruno seconded the motion which carried by a unanimous voice vote.

### Adjournment

There being no further business to come before Council, Mrs. Duncan made a motion to close the meeting at 9:53 p.m. Mr. Bruno 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