

## Regular Council

September 23

24

The regular meeting of the Waterville Council was called to order by Mayor Tim Pedro at 7:30 p.m. in the Council Chambers of the Waterville Municipal Building.

The prayer was offered by Mr. Wagner. The Pledge of Allegiance was then recited and led by resident the Blair Family.

Present at roll call were Mary Duncan, Todd Borowski, Anthony Garver, Tim Pedro, Wayne Wagner, John Rozic and Anthony Bruno.

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

### Staff Present:

Mark Williams – Finance Director

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.

### Proclamation

- A. Mayor Pedro read a Proclamation in honor of Arbor Day on September 24, 2024 in the City of Waterville.

### Approval of Minutes

Mr. Wagner moved to approve the minutes of the September 9, 2024 Regular Council meeting. Mr. Garver seconded the motion, which passed by a unanimous voice vote.

### Citizens Comments

Beth Sikorski, 821 Continental Drive, honored Public Works Director Kenny Blair for his 50 years of service to the City of Waterville. Mrs. Sikorski recommended that the City of Waterville rename the Waterworks Park pond "Blair Pond" after Ken Blair.

TJ Miller, 9035 Neowash Road, discussed the 2<sup>nd</sup> Annual Roche de Boeuf 5k Run happening on Friday, September 27.

### Staff Reports

Administrator: Jon Gochenour

- Reviewed the 51<sup>st</sup> Annual Roche de Boeuf Festival events, the 5 K Race and Concert scheduled for September 27 and festival events scheduled for September 28.
- Stated the Farnsworth Rd Waterline and Resurfacing Project will begin the first week of October. The work will take place on the north side of the road between River Rd. and the Anthony Wayne Trail.
- Reminded elected officials and staff that the Ohio Auditor of State's required on-line "fraud training" course must be completed by September 28, 2024.

Law Director: Kati Tharp

- No Report

Finance Director: Mark Williams

- Reviewed details from the August 2024 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 August 2024.

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Police Chief: Joe Valvano

- Stated the first day of school went well with no issues.
- Stated there have been school bus complaints coming in from N River Rd. The officers will be doing some extra patrols in that area to help resolve the issues.

Fire Chief: Doug Meyer:

- Stated he will be running in the Roche de Boeuf 5k Run and encouraged others to come out and run as well.

Public Works Director: Ken Blair

- Stated the Parker Square Phase 3 Improvements are almost complete.
- The 2024 Paving Program is nearly complete.
- Fishing Derby went well.
- The new street sweeper is scheduled to arrive on October 2.
- Leaf collection will begin on October 14.

### Communications from Council Members/Committees

Mrs. Duncan

- Attended the Lucas County 911 Regional Council of Governments meeting and announced that the State of Ohio gave our 911 operations three awards.
- Stated she attended the Fallen Timbers Union Cemetery District's last meeting. The Cemetery District will be adding new signage stating "No Scooters" and "No Unattended Children."
- Stated that she had received some complaints about "teens" playing basketball after the park closes and using their headlights to light up the basketball court at Baer Park.

Mr. Borowski

- No Report

Mr. Garver

- No Report

Mr. Wagner

- No Report

Mr. Rozic

- No Report

Mr. Bruno

- No Report

Mayor Pedro

- Thanked the Waterville Rotary Club and Public Works Department for the work put into another successful Fishing Derby.
- Parker Square Dedication will be coming up sometime after Roche de Boeuf Festival with more details to follow.

### OLD BUSINESS:

- A. ORDINANCE 08-24 AN ORDINANCE AMENDING PART THREE OF THE CODIFIED ORDINANCES OF THE CITY OF WATERVILLE, SCHEDULE V OF THE TRAFFIC SCHEDULES: RESTRICTED OR PROHIBITED PARKING BY ADDING NO PARKING AREAS TO A PORTION OF SOUTH RIVER ROAD NEAR THE ANTHONY WAYNE TRAIL

*Second Reading*

The Ordinance would establish a new no parking area along the north and south sides of South River Road between the Anthony Wayne Trail and the old Roche de Boeuf Interurban Bridge. The no parking area would extend from the Anthony Wayne Trail Intersection on the north side of the road to the bridge and from the Farnsworth Metropark property line on the south side of the road to the bridge. The new no parking area was requested by the property owners of 570 S. River Road who own the majority of the private property in this area on both sides of the street. This area has also been the site of several unfortunate accidents involving hikers who have fallen down the steep embankment into the Maumee River requiring rescue by the Fire Department. This appears to be the only undeveloped, privately owned portion of S. River Road fronting on the Maumee River which still permits parking. Moreover, the curve of the road and the old bridge abutments on both sides of the street tend to block the visibility of parked cars to oncoming traffic. Consequently, it is the recommendation of the Public Works Director, Police and Fire Chiefs to eliminate these safety concerns by establishing a new no parking area along this section of S. River Road. A map indicating the location of the proposed new no parking area was included with your Council packet. The property owners of 570 S. River Road, William and Penny Kidd, attended the last Council meeting and offered comments to Council in support of the proposed no parking area.

NEW BUSINESS:

- A. ORDINANCE 09-24 AN ORDINANCE REVISING WATERVILLE CODIFIED ORDINANCES PART ELEVEN – PLANNING AND ZONING CODE CHAPTER 1145 REGULATIONS APPLYING TO ALL DISTRICTS TO PROHIBIT THE CULTIVATION, PROCESSING, SALE, DISTRIBUTION OR RETAIL DISPENSING OF MARIJUANA FOR THE PURPOSE OF NON-MEDICAL USE IN ALL ZONING DISTRICTS OF THE CITY OF WATERVILLE

*First Reading Scheduled for September 23, 2024; Second Reading Scheduled for October 14, 2024; Third Reading, Public Hearing and Legislative Action scheduled for October 28, 2024*

This Ordinance revises Chapter 1145 of the Planning and Zoning Code to prohibit the cultivation, processing, sale, distribution or retail dispensing of marijuana for the purpose of non-medical use in all zoning districts in the City of Waterville. The passage of this ordinance would maintain consistency with an existing ordinance prohibiting the cultivation, processing and retail dispensing of medical marijuana in the City which was passed in 2016. At its September 10, 2024 public meeting, the Planning Commission recommended adoption of the proposed text amendment to the zoning code by a vote of 4-0 with one member absent.

- B. RESOLUTION 34-24 A RESOLUTION AUTHORIZING THE TRANSFER OF CASH FUNDS FROM THE GENERAL FUND (100) TO THE EMPLOYEE RETIREMENT BENEFITS FUND (275)

This Resolution authorizes the transfer of \$33,500 from the General Fund (100) to the Employee Retirement Benefits Fund (275) to maintain a sufficient fund balance in the Employee Retirement Benefits Fund (275). The Employee Retirement Benefits Fund is utilized to pay for unused sick, vacation or compensatory time to eligible employees upon their retirement. The current fund balance is expected to decline due to several upcoming retirements. A budget amendment is also proposed to increase expenditures in this fund to cover these anticipated payments. Historically, the City has maintained a balance of approximately \$50,000 in the (275) Fund to cover future retirement payments.

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Mrs. Duncan moved to adopt Resolution 34-24, Mr. Borowski seconded the motion, which passed by a unanimous voice vote.

**C. ORDINANCE 10-24 AN ORDINANCE AMENDING ORDINANCE 07-24, THE AMENDED FY 2024 ANNUAL APPROPRIATIONS ORDINANCE AND DECLARING AN EMERGENCY**

This Ordinance would authorize the third amendment to the 2024 Appropriations. Significant items included in this amendment are: revenue and expense for the transfer from the General Fund to the Employee Retirement Benefits Fund (\$33,500); anticipated ALS payments from Lucas County (\$402,198); and additional expense for the City Prosecutor (\$25,000); subdivision plan review (\$21,000); retirement payments (\$20,000); the Farnsworth Waterline and Paving Improvement Project (\$280,000); replacement of sewer equipment (\$15,000) and other routine items.

Mayor Pedro made a motion to suspend the rules to allow for the passage of Ordinance 10-24 as an emergency measure. Mr. Bruno seconded the motion.

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

Mayor Pedro made a motion to move for the passage of Ordinance 10-24 as an emergency measure. Mr. Garver seconded the motion.

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

**D. RESOLUTION 35-24 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO JWC ENVIROMENTAL FOR THE PURCHASE OF EQUIPMENT FOR THE DUTCH ROAD SEWER PUMPING STATION**

This Resolution authorizes the purchase of new sewer equipment to replace existing equipment which recently failed at the Dutch Road Sewer Pumping Station. The equipment, referred to by its trademarked name "Muffin Monster", is designed to grind and shred foreign material which enters the sewer system such as cleaning wipes, rags, hair or plastics which can damage pumps and cause sewer blockages. The cost of this replacement equipment is \$46,616.

Mr. Rozic moved to adopt Resolution 35-24. Mr. Wagner seconded the motion, which passed by unanimous voice vote.

**E. RESOLUTION 36-24 A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE CANAL ROAD PAVING IMPROVEMENT PROJECT**

This Resolution would authorize the submission of an application for financial assistance from the Ohio Public Works Commission (OPWC) for the Canal Road Paving Improvement Project. The project involves the repaving of Canal Road from the Anthony Wayne Trail to North Street with additional brim stone being added to each side of the roadway. The City is requesting a \$166,972 grant for this project from OPWC which is estimated to cost \$288,000. Due to the upcoming Waterville-Monclova Road Widening Project next year, construction on this improvement project is expected to start in early 2026

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Mrs. Duncan moved to adopt Resolution 36-24. Mr. Borowski seconded the motion, which passed by unanimous voice vote.

Other Business

None

Adjournment

There being no further business to come before Council, Mrs. Duncan made a motion to close the meeting at 8:52 p.m. Mr. Wagner seconded the motion, which passed by a unanimous voice vote.

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Jon D. Gochenour, Clerk of Council

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Timothy G Pedro, Mayor