

Village of Waterville
Minutes of Regular Council Meeting of:
October 13, 2008

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

Mrs. Brodie led Council in prayer. Cub Scouts from Weeblos I, Dens 2 & 3 of Pack 101 led the Pledge of Allegiance.

Present at roll call were Mr. Marty, Mr. Guzman, Mrs. Brodie, Mayor Merrin, Mr. Valtin, Mr. Gouttiere and Mrs. Cherry.

Approval of the minutes of the Regular Council Meeting held September 8, 2008 as amended. Mayor Merrin made a motion to approve the minutes of the September 8, 2008, Council meeting as amended. Mrs. Brodie seconded the motion, which passed by unanimous voice vote

Approval of the minutes of the Regular Council Meeting held September 22, 2008 as amended. Mayor Merrin made a motion to approve the minutes of the September 22, 2008, Council meeting as written. Mr. Gouttiere seconded the motion, which passed by unanimous voice vote. Mr. Valtin abstained from the vote stating that he was not present at the September 22, 2008, meeting.

Also present were Jim Bagdonas, Administrator; Philip Dombey, Law Director; and Jennifer Carter, Clerk of Council.

Village Staff present:

Dale Knepper – Director of Finance and Administration

Robert Selders – Waterville Chief of Police

Steve Parsons – Chief, Waterville Fire Department

Ken Blair – Public Works Director

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

Council members entertained questions from members of the visiting scout dens. Connor Buraszkeski asked, "Do you get paid for being on Council?" Mayor Merrin explained the levels of pay for himself and Council members while Mr. Guzman explained that being a member of Council is not about the amount of pay. It is about supporting the village through their work. He suggested that maybe some day some of the scouts would themselves be Council Members. Mr. Guzman also explained that some of the duties include speaking with Waterville residents about various issues, preparing themselves for the Council Meetings, and holding positions on various village committees.

Braeden Burns asked, "Is this your only job?" Mayor Merrin explained that he and the other Council members do have other jobs and they need their full-time jobs to support their families.

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Scouts Zachary Horvath, Ben Kennedy, and Evan Penrod also asked important questions about the US24 project, how many people reside in Waterville, and the number of village employees. Mayor Merrin and Council members addressed each of these questions.

Mr. Guzman asked the scout leaders to identify themselves and proceeded to thank them for the time that they volunteer with the scouts. Mr. Gouttiere invited the scouts to come back to meetings at anytime. Mayor Merrin and Council members thanked the scouts and their leaders for attending the meeting.

Staff Reports:

Administration: Mr. Bagdonas:

- Reported that the Ribbon-cutting ceremony for the Downtown Revitalization Project took place. The project was completed on time and we were ready in advance for the Roche de Boeuf Day celebration.
- Congratulated the Chamber of Commerce on another successful Roche de Boeuf Day.
- Pointed out that we have new banners displayed on the poles downtown. Different banners will be displayed for different seasons.
- Discussed a memo and letter that he received from the Ohio Department of Transportation regarding a proposed mural for the retaining wall on the US24 Bypass. ODOT has secured approximately \$200,000 of the \$250,000 cost. They are asking if the village would cover the remaining \$50,000. Mr. Bagdonas further explained this proposal.

Law Director: Mr. Dombey – No report

Finance Director: Mr. Knepper

- Reviewed details of the July 31, 2008, Month End Finance Report. Reported that the Cash Balances are holding steady. Investment earnings are slightly behind last year, which is not unexpected considering the current interest rates. Mr. Knepper reminded Council that due to our fiduciary responsibilities we invest conservatively.
- Indicated that at the end of September we had collected income tax revenue of \$101,295 more than the amount collected a year ago – a 5.2% increase.
- Reiterated that because the village does has a very conservative investment policy our investments are safe. He explained the various ways our monies are safeguarded (ex: FDIC Insurance, etc.)

Chief of Police: Mr. Selders

- Explained that the entire Lucas County area is seeing a rise in break-ins to homes and businesses, which is likely directly related to the current economic conditions. Again, he encouraged residents to secure their homes (ex: locking sliding glass doors, windows, garages, etc.)
- Asked that residents report any suspicious persons or activities.

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- Stated that we are also experiencing a theft of political signs. Anyone taking these signs can be charged with theft.
- Reported that Officer Joe and our canine, Chaco, have rejoined the department. The canine is being retro fitted and will soon be back on the road.
- When asked if anyone has been apprehended in the break-ins, Chief Selders responded “not yet”. He welcomes any tips that anyone can offer.

Fire Chief: Mr. Parsons

- Stated that September was a very busy month due to 40 calls for assistance (32 were EMS Runs), 34 patients seen (23 of these patients were transported to area hospitals), 4 Fire Runs with no fire loss (some which involved downed power lines) and 2 MVA Runs. They also had 2 standbys, one which involved the bomb threat called into the Nursing Home in Swanton.
- Reported that Roche de Boeuf was a great day. There were no bee stings this year.
- Reported that approximately 90 Waterville Primary students visited the department during Fire Prevention Week.
- Reminded everyone to change the batteries in their smoke alarms when they change their clocks in November.

Public Works Director: Mr. Blair

- Reminded everyone that October 25th is Unlimited Pick-Up Day. There will be no regular Friday garbage pickup the day before.
- Also reminded everyone that Leaf Collection will take place from October 20th through November 28th, or as long as the weather permits.
- Reported that 43 children were registered for the Annual Fishing Derby despite the torrential rains. He credits the parents for “hanging in there with their kids despite the poor weather”. He expressed thanks to many organizations, sponsors and individuals who were responsible for making this day a success. He extended special thanks to Jodie Szydlowski for her hard work.
- Discussed how salt shortages and excessive costs force us to review our policy regarding snow removal.
- Discussed a meeting that is scheduled for Thursday to discuss yard waste options.

Mayor Merrin introduced State Representative, Barbara Sears, as a “friend to Waterville”. He stated that she has done an excellent job representing the residents of Waterville. Ms. Sears stated that she has been our State Representative since January 15th and that she’s trying to meet with various communities before returning to Columbus. She discussed a legislative report that gives our State Reps a forum to discuss key things that are taking place throughout our communities. It is sent randomly to residents. It highlights key pieces of legislation and includes a survey that residents can complete and return.

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She also introduced the “Clean Ohio Fact Booklet”, which relates to the \$400 million Issue #2 which will be on the Ballot. The booklet pertains to brown field areas and green field areas.

Ms. Sears discussed energy funding monies that are available. On October 15th the rules and regulations will be out on the individual and residential side.

Lastly, she discussed Historic Preservation Tax Credits for individual developers. There is a tax credit program available to offset some of the rehabilitation costs.

Mayor Merrin thanked Ms. Sears for being a friend to Waterville and for attending this meeting of Council. She plans to attend a meeting in the future to provide updates.

Communications from Council:

Mrs. Cherry:

- Thanked the Scouts for attending this meeting.
- Recognized Les Disher, Waterville Township Trustee, and stated that we have reestablished a good working relationship with the Township Trustees and look forward to partnering with them in the future.
- Also recognized three members of our Volunteer Fire Department who traveled to Texas to aid the victims of Hurricane Ike. She would like to see Council invite Keith Moosman, Alan Huber and Howard Ducharme to be recognized at a future meeting and to allow them to share their experiences.
- She attended the Ohio Municipal League Conference. She stated that this was a wonderful opportunity to network with our communities experiencing the same challenges.
- Attended the Finance Committee meeting. She asked if the Council Budget Goals are ready to share.
- Attended an Urban Forestry Seminar in Bluffton with a few other members of the Tree Commission. The main theme was the importance of properly caring for trees so that they can better endure storms and winds.

Mr. Gouttiere:

- Stated that he felt that Roche de Boeuf was great fun and showed off Waterville beautifully. He gave credit to the senior members of Council who have worked on the Third Street project for some time now. At the Block Party Kenny Blair reported that this was the largest crowd he has ever seen in downtown Waterville.
- He stated that if Mrs. Cherry would make a motion to recognize the volunteer firemen (as she mentioned earlier) he would second that motion

Mr. Valtin:

- Stated that as the President of the Chamber of Commerce he can report that the COC was pleased by the success of Roche de Boeuf Day and they welcome any feedback. He stated that anyone wishing to offer feedback may call the COC @ 419-878-5188.

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- Said that he was disappointed that he missed the Downtown Ribbon Cutting Ceremony, but he was out of town. He is hopeful that we can secure additional grant money so that additional improvements can be made.

Mrs. Brodie:

- Reported that she was approached by many people (many of whom do not often come into the downtown area) who said how impressed they were with the improvements. She has not heard any negative comments. She mentioned many people who were involved with the start of the project– Jim Bagdonas, Phyllis Hyder, Dawn Bly, Janis Brada, Paul Croy, Pauline Glaza and herself – convincing Council that this project was a good idea. She stated that they do need to look at other grant opportunities. She thanked the Village employees and the many unseen volunteers who had a hand in these worthwhile projects. They have committed many hours of service to see these projects be successful.
- Attended the Finance Committee meeting and they did approve the Budget from their standpoint.

Mr. Guzman:

- Agreed that the Fishing Derby was a great success and he complimented Mr. Blair and his department for a great job. He also gave kudos to the Rotary for handling the judging.
- Stated that Roche de Boeuf Day was wonderful. He shared that a grandfather who was visiting from the Chicago area told him what a great place Waterville is to raise a family. Mr. Guzman reminded him that we have some really nice condos for sale.
- Complimented the great volunteers that made Roche de Boeuf Day such a great success.
- Reiterated how great Third Street looks.

Mr. Marty:

- Thanked and congratulated Mr. Bagdonas and Mr. Blair on the handling of the Downtown Improvement project. He stated that these two men were “in the hot seat all summer with this project” and they did a great job making sure that the contractors met the deadlines.

OLD BUSINESS:

- A. **ORDINANCE 33-08** - An ordinance Enacting Section 533.14 of Part Five – General Code of the Codified Ordinances, Prohibiting Sexually Oriented Offenders from Establishing a Residence or Occupying Residential Premises in the Municipality of Waterville within 1000 Feet of Certain Properties in and near the Municipality of Waterville, Adopting the Determinations and Intent Articulated in Section 2950.02 of the Ohio Revised Code, establishing Injunctive Relief for Violations

Currently Tabled

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Mayor Merrin requested the Safety Committee review this Ordinance, which is patterned after an Ordinance, which was passed by the Village of Ottawa Hills. The Council tabled the Ordinance and referred it back to the Public Safety Committee for review at the September 8th Regular Council Meeting. The Committee is scheduled to meet on November 6th.

NEW BUSINESS:

- A. **ORDINANCE 36-08** - An Ordinance Amending the Zoning Map of the Village of Waterville to Grant a Conditional Use Permit to the Kroger co. to Operate a Supermarket Greater than 75,000 Square Feet in the Villages at Waterville Landing Development Located at the Northeast Corner of State Route 64 and the Proposed US 24 Bypass

First Reading

Representatives from Kroger explained that the size of the current facility is approx. 34,000 square feet, whereas the new store is designed at approx 90,000 square feet. The new store would have vastly improved services and products, such as a pharmacy, fuel center, and specialized departments. The overall project cost is over \$11 million. The employment base would increase - including 50 full time employees. The representatives answered questions regarding the positioning of the store and a future expansion. A target date for breaking ground is expected sometime between late 2009 and early 2010. They plan to open the store in 2010.

- B. **ORDINANCE 37-08** - An Ordinance Amending Chapter 1157 of the Planning and Zoning Code with Respect to the Historic District Commission.

First Reading

- C. **ORDINANCE 38-08** - An Ordinance Enacting Chapter 153 of the Administrative Code with Respect to the Historic District Commission

First Reading

- D. **ORDINANCE 39-08** - An Ordinance Amending Section 151.02 (b) of the Administrative Code with Respect to the Tree Commission.

First Reading

- E. **ORDINANCE 40-08** - An Ordinance Amending Section 121.03 of the Administrative Code with Respect to the Rules for Advisory or Study Committees.

First Reading

Mr. Bagdonas explained that Ordinances 37-08 through 40-08 are what he would consider to be a package dealing with the appointment process for the above-mentioned Commissions/Committees. The current process would be modified so that if a vacancy is unfilled for 60 days or more, it could be filled by the members of Council approving an

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individual that has been nominated by a Council member. Charter amendments would need to be placed on the ballot and approved by the voters to implement similar changes for those four groups.

- F. **RESOLUTION 43-08** - A Resolution Authorizing the Municipal Administrator to Approve a Final Change Order to a Contract with Smith Paving and Excavating, Inc. for the 2008 Paving Program.

Mr. Gouttiere made a motion to approve Resolution 43-08. Mrs. Brodie seconded the motion. The motion carried by unanimous voice vote.

- G. **RESOLUTION 44-08** - A Resolution Authorizing the Municipal Administrator to Enter into a Memorandum of Understanding with Lucas County for Police, Fire and Public Works Radio Dispatching Services for the Period of January 1, 2009 through December 31, 2013.

Mayor Merrin indicated that alternatives to our current services have been being researched for some time now. Mr. Bagdonas explained our current costs and that there would be a five percent increase in cost in each of the next two years under a new Agreement. The Lucas County Sheriff has offered to provide dispatching services to the Village at no charge. Chief Selders, Chief Parsons and Mr. Blair have been involved in discussions with the Sheriff's Office and they support this change.

Questions were posed and addressed by the Fire Chief, Police Chief and Public Works Director regarding many aspects of this Resolution. They explained the current processing of emergency calls and how this would and would not change. This change is proposed to be transparent to the public.

Mr. Guzman stated that we need to know whether or not Lucas County can handle this change or whether they are at or near capacity. He proposed the question "What happens if Lucas County gets into a budget crunch and lays off dispatchers?" He stated that "It may be free today, but are we going to have service as good as we have today and what happens if Lucas County has financial problems in the future?" Chief Parsons stated that he would prefer to have dispatching right within Waterville but that is not possible. He feels that we can work out smaller issues and that the system will work. Mr. Guzman asked Chief Selders if he were in favor of this change. Chief Selders stated that he is in favor of the change and that he agrees with Chief Parsons that any issues that arise should be able to be worked out with the county. Lengthy discussion continued.

Mayor Merrin made a motion to approve Resolution 44-08. Mr. Marty seconded the motion. The motion carried by a voice vote of 6 to 1, with Mr. Guzman voting against the Resolution.

Mayor Merrin made a motion to move into Executive Session at 9:20 p.m. to discuss a matter that is the subject of pending or imminent court action pursuant to ORC

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121.22(G)(3). Mrs. Brodie seconded the motion. The motion carried by unanimous voice vote.

Mayor Merrin made a motion to come out of Executive Session and resume the regular Council meeting at 9:48 p.m. Mrs. Brodie seconded the motion, which carried by unanimous voice vote.

Adjournment:

There being no further business to come before Council, Mayor Merrin made a motion to close the meeting at 9:50 p.m. Mr. Guzman seconded the motion, which carried by unanimous voice vote.

Jennifer Carter
Clerk of Council

Derek Merrin
Mayor