

Village of Waterville
Minutes of Regular Council Meeting of:
December 8, 2008

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

Mrs. Brodie led Council in prayer. The Pledge of Allegiance was recited.

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 November 24, 2008:

Mr. Gouttiere made a motion to approve the minutes of the November 24, 2008, Council Minutes as amended. Mrs. Brodie seconded the motion, which passed by unanimous voice vote.

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

Village Staff present:

Dale Knepper – Director of Finance and Administration

Robert Selders – Waterville Chief of Police

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

Citizens' Comments:

Bill Albert addressed Council regarding his proposal to hold a New Years Eve event in Downtown Waterville. He suggested that this event would not take a great deal of preparation or cost. He thinks it would be nice to have families gather downtown to "cheer the clock on the new clock tower on to 12 o'clock". He has spoken to some of the business owners and they are in agreement to hold such an event, which would begin a few hours before midnight and close shortly after midnight. He suggested providing hot cocoa, hot apple cider, pop, donuts, etc. Mayor Merrin thought this was a worthy suggestion and the other Council members agreed. Mr. Valtin is the President of the Chamber of Commerce, and he stated that he would forward the idea onto the Chamber of Commerce. He said that the owner of Mad Anthony's is on the COC Board so he would discuss it with both she and Dawn Bly (COC Executive Director) at the COC meeting, which is to be held tomorrow morning.

Norm Witzler introduced himself and stated that six Boy Scouts from Troop 101 and their leaders were attending the meeting as a requirement for the scouts to earn their Citizenship and Community Merit badges. Each of the Scouts introduced themselves and stated their rank. Mayor Merrin welcomed them and praised the troop and the adult leaders who dedicate their time. Mr. Valtin asked how many scout members the troop included. Mr. Witzler said that there are approximately 55 scouts and 15 adult leaders. Many of the leaders' own children are now grown; yet these adult leaders remain with the troop.

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Staff Reports:

Administration: Mr. Bagdonas

- Distributed a list of the board/committee/commission positions that are expiring at the end of this year to each member of Council. He has attached a list of the volunteer applications that he has received so far.
- Reported that last Thursday he attended a meeting of the County 911 Planning Committee along with the Police Chief, Fire Chief, and two members of Council. The 911 Planning Committee declined to change our Public Safety Answering Point from the City of Maumee over to the Lucas County Sheriff. We are in the process of setting up meetings with the City of Maumee to discuss this situation further and to discuss what other options are available to us.
- Discussed a letter that he received from TMACOG regarding a Transportation Enhancement grant application that we had submitted regarding South Third Street. They received 15 applications for this grant, and unfortunately, our application was denied because we did not score within the fundable range. We will continue to seek out other funding options for that project. Hopefully we will have other grant opportunities that we can apply for.

Law Director: Mr. Dombey

- Reported that we have wrapped up the private citizen portion of the Water Tower project.

Finance Director: Mr. Knepper - No Report

Treasurer: Mr. Schult

- Reported that Mr. Knepper is in the process of completing the October and November reports.
- Has reconciled the accounts as of the end of September. We had a cash balance of approximately \$3 million at that time. We did recently receive approximately \$340,000 grant money.
- Stated that the decision to be made regarding our dispatching service is a huge issue regarding the operating budget. The Finance Committee is aware that the Operating Budget was very tight and it is going to require more time and attention than in the past.

Chief of Police: Mr. Selders

- Thanked Mr. Blair for working with him on the Safe Routes to School grant. We have been initially approved for the grant and they will continue to work on this over the next couple of months.
- Brought attention to complaints that they have been receiving about drivers not making complete stops at stop signs posted at the school crossings. His department has been monitoring this and on one morning they observed approximately 26 cars that were guilty of this. They will continue to monitor this and will likely have to issue citations in order to keep the children safe

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This could be especially dangerous as the winter roads become slick. Mrs. Cherry suggested that this information be shared with parents through the Waterville Primary School newsletter.

- Reported that daytime burglaries have increased within Lucas County. Fortunately, Waterville has not yet seen this increase. He suggests that residents ask neighbors to keep watch over their homes when they are gone. He said to make sure that homes are kept locked at night, when residents are gone shopping, etc. He also encouraged residents to keep their motor vehicles locked and to not keep purses, computers, etc in their cars.

Mr. Guzman asked Chief Selders if he could offer any insight regarding the reason that the Sheriff withdrew the offer to handle our dispatching. Chief Selders said that no immediate reason was given. Mr. Guzman stated that he would like to know why this would happen. Chief Selders responded that he is planning to meet with the Sheriff to discuss this.

Mr. Marty asked Chief Selders if we have had any problems resulting from the reduction in the amount of road salt that we are using this year. Mr. Selders said that we have had no problems as of yet even with the very slippery days that we've been having.

Communication from Council:

Mrs. Cherry

- Reported that she attended the Downtown Christmas Event and the salting seemed to be under control. There didn't seem to be any problems.
- Attended the Village Christmas Party that was held last week. She said that it was a wonderful opportunity to thank the staff and volunteers. Service awards were given – this was an idea that originated with Council and it worked out very well.
- Attended the November Planning Commission meeting and the 911 meeting on Thursday.
- Received a flyer in the mail from the Waterville YMCA. She is pleased to see that the difficult decision that Council had to make two years has proven to be a good decision. They YMCA is now offering pre-school, school age, and adult opportunities (ex: floor hockey, dodge ball, Spanish, teen weight activities, ballet, adult exercise classes, etc).

Mr. Gouttiere

- Praised Mr. Bagdonas and Melissa Cook for the great job they did in planning the Village Christmas Party. He said that he enjoyed the party and feels it was a great opportunity to talk with people that you serve with on committees in an informal manner and find out a little about what they do.
- Also attended the Downtown Christmas Event. He spoke with a number of the shop owners and was told that business had picked back up since the completion of the downtown revitalization project and that they were very hopeful.

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Mr. Valtin

- Clarified that this event is sponsored by the Waterville Area Merchants, not by the Chamber of Commerce as some people think. He also praised their handling of this project. He stated that the COC does make themselves available if help is needed.
- Commented that he thinks the Downtown looks great with the holiday decorations and lights. He said that it really shows up nicely from the (AW) Trail. He thanked everyone involved.

Mrs. Brodie – No Report

Mr. Guzman

- Echoed earlier comments by other Council members about how great the Downtown looks.

Mr. Marty – No Report

OLD BUSINESS:

- A. **ORDINANCE 43-08** – An Ordinance Amending Section 931.03 of the Streets, Utilities and Public Services code Regarding Water Rates

Third Reading

Mr. Gouttiere made a motion to adopt Ordinance 43-08. Mr. Marty seconded the motion, which approved by unanimous vote.

- B. **ORDINANCE 44-08** – An Ordinance Amending Section 935.07 (f) of the Streets, Utilities and Public Services code Regarding Sanitary Sewer Rates

Third Reading

Mr. Gouttiere made a motion to adopt Ordinance 44-08. Mrs. Brodie seconded the motion, which approved by unanimous vote.

NEW BUSINESS:

- A. **ORDINANCE 45-08** – An Ordinance Adopting Temporary Appropriations for the Municipality of Waterville for the Month Ending January 31, 2009, and Repealing Ordinance No. 47-08, and Declaring an Emergency

Mr. Bagdonas explained that in 2007 there were some Charter Amendments that the voters approved. One of them dealt with the schedule of the adoption of the budget. Previously the appropriations for the next Fiscal year needed to be approved by December 31st. Now that deadline is January 31st, which will allow us to finalize the

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budget after we have “closed the books for the year” and we will know what the end of the year balances are. Then we can build those balances in accordingly. One consequence of that change in the schedule is since January 31st we will not have the permanent appropriations adopted, we will need to adopt temporary appropriations, which will allow us to pay the bills that we need to during that interim period until the 2009 appropriations are passed. This Ordinance puts temporary appropriations into place as of January 31st.

Mrs. Brodie made a motion to suspend the rules and declare an emergency. Mrs. Cherry seconded the motion, which was approved by unanimous vote.

Mr. Marty made a motion to adopt Ordinance 45-08. Mr. Gouttiere seconded the motion, which was approved by unanimous vote.

- B. ORDINANCE 46-08** – An Ordinance Adopting the Annual Appropriations for the Municipality of Waterville for the Fiscal Year Ending December 31, 2009, and Repealing Ordinance No. 45-08, and Declaring an Emergency
First Reading

The Finance Committee reviewed the budget at their November 14th meeting and unanimously recommended its approval. Mr. Bagdonas suggested that it would be more appropriate to reserve comments for the Public Hearing, which is scheduled for January 12th.

- C. ORDINANCE 47-08** – An Ordinance Amending Ordinance No. 34-08, the FY 2008 Amended Annual Appropriations Ordinance and Declaring an Emergency

Mr. Knepper explained how to read the attachments. He explained that this is the level of legislative approval for audit purposes for the state of Ohio. This is the annual end-of-the-year “clean-up” legislation, which will adjust all department line-item budgets to within approved appropriations and allow any appropriation adjustments as needed.

Mayor Merrin made a motion to suspend the rules and declare an emergency. Mr. Gouttiere seconded the motion, which was approved unanimously.

Mayor Merrin made a motion to adopt Ordinance 47-08. Mr. Valtin seconded the motion, which approved by unanimous vote.

- D. ORDINANCE 48-08** – An Ordinance Amending Part Three of the Codified Ordinances of the Village of Waterville Schedule V of the Traffic Schedules, Restricted or Prohibited Parking and Declaring an Emergency

Mayor Merrin made a motion to suspend the rules and declare an emergency. Mrs. Brodie seconded the motion, which was approved unanimously.

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Mayor Merrin made a motion to adopt Ordinance 48-08. Mrs. Brodie seconded the motion, which was approved by unanimous vote. Mr. Valtin abstained because he resides on Wilkshire Drive.

- E. **ORDINANCE 49-08** – An Ordinance Amending the Zoning Map of the Village of Waterville to Grant a Special Use Permit to River of Faith Church to Operate a Church from Property Located at 1 South River Road
First Reading

A Public Hearing is scheduled on January 26th. Mayor Merrin stated that the Planning Commission has reviewed and recommended approval of this request. The Pastor River of Faith Church answered questions addressed by Council members. He stated that they set up at 8:30 am. and they typically leave by noon on Sundays.

- F. **RESOLUTION 58-08** – A Resolution Authorizing the Municipal Administrator to Approve Change Order Numbers Five and Six to a Contract with Spieker Co. for the Construction of the North Third Street Enhancement Phase 2 (Restroom/Clock Tower Building)

Mrs. Cherry made a motion to adopt Resolution 58-08. Mr. Gouttiere seconded the motion, which was approved by unanimous vote.

- G. **RESOLUTION 59-08** – A Resolution Authorizing the Municipal Administrator to Approve Change Order Number One-Final to a Contract with Crestline Paving & Excavating Company, Inc. for the Construction of the North Third Street Enhancement Phase 3 (Streetscape)

Mr. Bagdonas explained that this was bid as a unit price contract – there are unit prices for each item (ex: linear feet of curb, cubic yards of asphalt, etc.). There is an inspector on the job who measures quantities of each item. It is typical that the plan quantities are not exact with the final measurements so this adjusts those quantities in the contract to the actual measurements using the same unit prices that were bid.

Mrs. Brodie made a motion to accept Resolution 59-08. Mrs. Cherry seconded the motion, which was approved by unanimous vote.

- H. **REFERRAL TO PLANNING COMMISSION** – Application for a Special Use Permit for Moses Schlachter Group, Inc. for a 23 Acre “Borrow Pit” for US 24 Construction, Villages at Waterville Landing Development (1148.02(f) – Extraction of Fill Dirt) (*Motion*)

Mr. Gouttiere asked for clarification of what this involves. Mr. Bagdonas explained that this is our proposed Borrow Pit. Others in the Township are being looked at also. The dirt must be suitable for fill material and as you go farther southwest, the soil conditions are less suitable for this than what they are here.

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Mr. Gouttiere asked if these would be filled in afterward. Mr. Bagdonas stated that he believes that as part of going through this special use process Moses Schlachter Group will be answering some of these questions as far as what affect they feel this will have on their development. None of the layouts that we've seen so far take into consideration a 23-Acre Borrow Pit so they we have major revisions to their layout. The Planning Commission is scheduled to meet @ 7:00pm on January 5th.

Mrs. Brodie made a motion to refer this matter to the Planning Commission. Mr. Marty seconded the motion, which was agreed to by unanimous vote.

Other Information/Unscheduled Business

Mrs. Cherry asked if Council should keep the date of December 22nd open with the possible need to discuss the matter of our Dispatching Services. Council members agreed that this date should be kept open as a possible additional Council Meeting.

Executive Session

Consideration of a Personnel Issue – ORC 121.22(G)(1), Compensation of a Public Employee or Official

Mr. Gouttiere made a motion to enter into Executive Session. Mr. Marty seconded the motion, which was agreed to by unanimous vote. The meeting was adjourned at 8:15 pm.

Mayor Merrin made a motion to reconvene the regular meeting of Council. Mr. Gouttiere seconded the motion, which was agreed to by unanimous vote.

Adjournment:

There being no further business to come before Council, Mayor Merrin made a motion to close the meeting at 8:41 p.m. Mr. Gouttiere seconded the motion, which carried by unanimous voice vote.

Jennifer Carter
Clerk of Council

Derek Merrin
Mayor