

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 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.

A prayer was offered by Mr. Guzman. The Pledge of Allegiance was recited.

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

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

Bob Selders – Waterville Chief of Police

Steve Parsons – Chief, Waterville Fire Department

Citizens present:

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

Presentation:

Mayor Merrin presented a special Certificate of Commendation to Staff Sgt. Doug Meyer who served 54 days in Iraq as a member of the Air National Guard. He expressed that he considers Staff Sgt. Meyer to be a hero and that the citizens of Waterville can be very proud of Mr. Meyer. Mayor Merrin stated that Mr. Meyer's brother, Dan Meyer, was also a Staff Sgt. in the Air National Guard and served 2 tours of duty in Iraq in 2006 and 2008. Dan was not able to attend this meeting but that he is being honored with a Certificate of Commendation also. Mayor Merrin expressed the appreciation of the residents of Waterville to these men and to all of the men and women in Waterville who have served our country.

Fire Chief Parsons and Doug Meyer, President of the Waterville Fire Association, presented scholarship certificates to five Anthony Wayne graduates on behalf of the Waterville Fire Department. Kara Moosman, Alana Noward, Courtney Rainwater and Brittany Wagner were awarded WFA scholarships. Kensey Schultz was awarded the Carl Conrad Scholarship. The presentation was followed by an invitation to the recipients to attend the dedication of a tree and plaque that was donated in the name of Lucille Conrad at Conrad Park.

Mayor Merrin recognized the hard work and dedication of our volunteer fire department. These men and women keep our community safe by answering the call of duty at all hours of the day and night. They also save the village a great deal of money. These men and women are greatly appreciated.

Approval of the minutes of the Regular Council Meeting held May 12, 2008:

Mr. Marty made a motion to approve the minutes of the May 12, 2008, Council meeting

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 2008

as written. Mrs. Cherry seconded the motion, which passed by unanimous voice vote. Mr. Gouttiere abstained because he was not present at the May 12, 2008 meeting.

Mayor Merrin made a motion to excuse Mrs. Brodie's absence and stated that she would be arriving shortly. Mrs. Cherry seconded the motion. Motion carried.

Citizen's Comments: None

Staff Reports:

Administration: Mr. Bagdonas:

- Stated that the contractor has made great progress in the Downtown Revitalization Project this week. Despite the construction the downtown merchants are open for business and he encourages residents to continue to patronize these merchants. Although parking is reduced it is available.
- Two proposals to redesign the village website have been received and are being evaluated. These proposals range from \$1,750 to \$2,650. Mayor Merrin asked that if anyone sees features or ideas on other websites that they would like to see on our website that they share these ideas with him or Mr. Bagdonas.
- The first Music in the Park Concert of this season will take place at Conrad Park on Sunday, June 8th and will feature The Ohio State Highway Patrol Drum and Bugle Corp. The concert will start at 5:30 pm, which is earlier than usual. The next concert will be held on June 22nd at the normal time of 6:30 pm and will feature the Genoa American Legion Band. The Historical Society Founders' Day Celebration/Ice Cream Social will take place prior to the concert. Mr. Bagdonas encourages residents to attend these concerts.

Law Director: Mr. Dombey – No report

Finance Director: Mr. Knepper – No report

Treasurer: Mr. Schult – No report

Communications from Council:

Mrs. Cherry:

- Reported that while attending the Memorial Day Parade a neighbor commented that she thought it was difficult to find out the time of the parade. She suggested that next year the village consider advertising the time and location on the Pray Park Sign.
- Attended the last Historic District Committee Meeting. She noted that 3 committees (Historic District Committee, Planning Commission, and Board of Zoning Appeals) have no council representation. She stated that she felt that if council is going to have judgment on these committees that they should have some knowledge regarding the committee functions. She suggested that maybe

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 2008

council should attempt to be represented on all committees if possible.

- Attended the business meeting between the business owners and contractors of the downtown revitalization project. She hopes the meeting was helpful and informative to the merchants and that the project is able to stay on schedule.
- Attended the elementary school mock council and enjoyed listening to the comments/questions/concerns of the students.
- Asked if the Town Hall meeting that is being held this Thursday needs to be a special council meeting and advertised as such.
- Wanted to assure the village citizens that all council decisions are made out in the open and “deals” are not discussed “behind closed doors” as was suggested in a comment printed in The Blade. She hopes that citizens are not misled or misinformed by this comment.

Mr. Gouttiere:

- Reported that the Economic Development Committee met last Thursday for the third time. They meet once per month on average. They are bringing all of the new committee members up to speed regarding the current and future economic opportunities. They will be preparing an action plan at their next meeting.
- Asked that the EDC be kept informed regarding the redesigning of the village website. The EDC is considering a link to the website that would list the sites that are available in Waterville.
- Stated that he and Jim Valtin met with Shad Williams after Mr. Williams spoke at a council meeting a few weeks ago. They are getting together some of the different financing vehicles that might be available through LCIC. They found Mr. Williams very well versed at some of the businesses that are out here, what their expansion plans are, and what their reservations are.
- Agreed that council members should attend at least one of all of the other committee meetings.
- Agreed with Mrs. Cherry’s suggestion that notice be given regarding Thursday’s Town Hall Meeting.

Mr. Valtin:

- Has heard some very positive comments regarding the Farmers Market and the selection of vendors and the items available for sale
- Also agreed that giving notice regarding Thursday’s special meeting would be wise.
- Stated that the Music in the Park concerts have been great but not enough people are attending them. He encouraged residents that may not have ever attended these free concerts to take advantage of this great service provided by the village.

Mr. Gouttiere asked if they would need to have a reporter available to take minutes at Thursday’s meeting. Mayor Merrin said that he is planning to hold a Town Hall Meeting to give a brief update regarding what is happening within the village. This is a promise that he made to residents during his campaign. He will then open the meeting to residents who may wish to ask questions. Mr. Dombey stated that although this is an informal

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 2008

meeting and no decisions are going to be made the meeting does need to be advertised as a special meeting stating the time and location the meeting will be held. Mayor Merrin made a motion to advertise the Town Hall Meeting as a special meeting stating the time and place. Mrs. Brodie seconded the motion, which passed unanimously.

Mrs. Brodie:

- Stated that the Mock Council and Public Works events that the Third Grade Students at Waterville School attend each year are special to both the students and the teachers. The teachers asked that she express their appreciation to council.
- Reported that signs are being displayed around town letting citizens know that the downtown merchants are open for business during construction. She encourages people to use the alley behind the Hardware Store and Subway if necessary.

Mr. Guzman:

- Confirmed that although the sidewalks and streets are torn up the downtown merchants are working hard to service the customers and he encouraged residents to support these merchants during this construction project. He emphasized how fortunate we are to have merchants such as a local hardware store available. He stated that the finished project will be wonderful and that it is a once in a century upgrade.
- Stated that Mr. Knepper and Mr. Blair did a great job at the last Public Works meeting of updating the Public Works committee members regarding the many projects that have taken place as well as those that are currently underway (Ex: the downtown construction project). He is very impressed with the dynamics of the committee, which includes two professionals who are “in the business”.

OLD BUSINESS:

- A. **ORDINANCE 11-08** - AN ORDINANCE AMENDING SECTIONS 1141.01 (a) and 1141.01 (n) OF THE PLANNING AND ZONING CODE WITH RESPECT TO PERMITTED USES IN THE M-1 INDUSTRIAL DISTRICT

Third Reading

The Waterville Gas Company is considering relocating their offices to a new building they would construct on property owned by the gas company in the vicinity of Farnsworth Rd. and Ohio St. The property is zoned M-1. Offices are currently neither a permitted nor a conditional use in the M-1 District. On April 17, 2008, the Waterville Gas Company submitted a request to add “Offices for utility and telecommunication services” as a permitted use in the M-1 Industrial District. This use is currently permitted in the C-4 Mixed Use Business District. Approval of this ordinance would add Public Utility Facilities to the list of permitted uses. The Planning Commission has considered this issue and unanimously recommends the actions contained in Ordinance 11-08.

Mrs. Brodie made a motion to approve Ordinance 11-08. Mr. Guzman seconded the

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 2008

motion, which passed by unanimous voice vote.

- B. **ORDINANCE 12-08** - AN ORDINANCE AMENDING PART THREE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WATERVILLE – SCHEDULE II OF THE TRAFFIC SCHEDULES: SPEED LIMITS REGARDING WATERVILLE-MONCLOVA ROAD

Second Reading

- C. **ORDINANCE 14-08** - AN ORDINANCE ENACTING SECTION 1129.03(c) (35) OF THE PLANNING AND ZONING CODE WITH RESPECT TO THE DEFINITION OF PUBLIC UTILITY FACILITIES

Second Reading

NEW BUSINESS:

- A. **ORDINANCE 15-08** - AN ORDINANCE AMENDING SECTION 171.14 (b) OF THE ADMINISTRATIVE CODE WITH RESPECT TO THE ALLOCATION OF INCOME TAX FUNDS

First Reading

Capital improvement expenditures have been appropriated from the 5 Year Operating Budget Capital Fund (325 Fund) and the balance contained in the 325 Fund has been compared to the funding needs of the annual 5 Year Capital Program. This has resulted in maintaining two separate funds in the Village's accounting system and transferring the income tax revenue from the Capital Improvement Budget Fund (320 Fund) to the 325 Fund, thereby inflating Village revenues and expenditures.

In 2007, we planned to close the 320 Fund. It was then determined that the fund reference contained in Section 171.14 (b) would need to be changed to the 5 Year Operating Budget Capital Fund before the 320 fund can be closed. Ordinance 15-08 would change the fund reference accordingly. Other than allowing 25-percent of income tax revenues to be paid directly into the 325 Fund instead of passing through the 320 Fund first, this Ordinance will not change the manner that the municipal income tax is allocated or spent in any way. The Finance Committee has unanimously recommended that this change be made.

- B. **ORDINANCE 16-08** - AN ORDINANCE AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO ENTER INTO CONTRACTS WITH THE STATE OF OHIO DIRECTOR OF TRANSPORTATION FOR THE RELOCATION OF SANITARY FORCE MAIN SEWER LINES LOCATED WITHIN THE ALIGNMENT OF THE PROPOSED RELOCATED US 24 AND GIVING CONSENT TO THE STATE OF OHIO DIRECTOR OF TRANSPORTATION TO COMPLETE THE SAID PROJECT, LUC-24-6.19, PID No. 80444 AND DECLARING AN EMERGENCY

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 2008

As previously mentioned on several occasions, the two sanitary sewer force mains from the Village's main pump station along the Anthony Wayne Trail south of Dutch Road are located within the US 24 right-of-way in the area where the US 24 Bypass will connect to the existing roadway. The village is responsible for all of the relocation cost, which is estimated to be \$160,000. This Ordinance authorizes ODOT to include this work in their contract and obligates the Village to pay the cost of the relocation. We intend to apply for an Ohio Public Works Commission (Issue 2) grant or a grant/loan combination in the next application round to cover all or part of this cost. This has been anticipated and included in the Village's 2008 budget. Mr. Guzman commented that the decision that was made in the 1970's is costly to us today. This is a reminder that the decisions made today can have a strong impact 30 years from now.

Mayor Merrin made a motion to allow the passage of Ordinance 16-08 as an Emergency Measure. Mr. Guzman seconded the motion.

Roll Call: Mr. Marty - yes, Mrs. Brodie - yes, Mr. Valtin - yes, Mrs. Cherry - yes, Mr. Gouttiere - yes, Mayor Merrin - yes, Mr. Guzman - yes. Motion passed.

Mayor Merrin made a motion to approve Ordinance 16-08 as an Emergency. Mr. Valtin seconded the motion.

Roll Call: Mrs. Brodie - yes, Mayor Merrin - yes, Mr. Valtin - yes, Mr. Guzman - yes, Mr. Marty - yes, Mr. Gouttiere - yes, Mrs. Cherry - yes. Motion passed.

C. **RESOLUTION 25-08** - A RESOLUTION DECLARING THE NECESSITY OF IMPROVING CERTAIN STREETS BY THE CONSTRUCTION AND/OR REPAIR OF SIDEWALKS; AND APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST OF THE IMPROVEMENT

This is the first piece of legislation needed for our annual sidewalk improvements program. This project includes only repair work - no new construction. The affected property owners will be notified and given the choice to hire a contractor on their own. If they do not make the repairs, by default they will be included in the Village's program. They will be given the choice to pay cash for their portion of the project or to have an annual assessment added to their tax duplicate for 5 years to pay their share. This is the usual procedure we have been using the last several years. Mayor Merrin commented that he is not able to vote in favor of this Resolution because he does not believe that residences should be required to pay for sidewalk repair. He feels that one solution would be for the resident and the Village to split the cost of repair. Mr. Marty asked why this hasn't been done in the past. Mr. Bagdonas stated that the current procedure has always been the Village policy as far as he knows. Mr. Gouttiere does not feel the current procedure is unfair. He stated that the variance of the cost of repair is based on such factors as the length of the resident's sidewalk and whether the property is a corner property. He also stated that allowing the Village to pay half of the cost of the sidewalk repairs would result in higher taxation to cover this cost. Mrs. Brodie said that she considers such repairs one of the costs of owning a home. Her family was able to lower the cost by doing the work themselves. She said that she is not opposed to looking at all possibilities and suggested that the time to consider different options might be at budget

Village of Waterville
Minutes of Regular Council Meeting of:
June 2, 2008

time which will take place in a few months. She suggested that council research how other cities are handling the cost of sidewalk repairs. Mr. Guzman commented on the importance of getting the sidewalks repaired before someone hurts themselves. Mr. Valtin feels that the current method allows for twice as many sidewalks being repaired, which is an improvement from the standpoint of safety.

Mr. Guzman moved to approve Resolution 25-08. Mrs. Brodie seconded the motion, which carried by voice vote with Mrs. Cherry, Mrs. Brodie, Mr. Valtin, Mr. Gouttiere, Mr. Guzman and Mr. Marty voting 'yea' and Mayor Merrin voting "nay".

D. **RESOLUTION 26-08** - A RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO AWARD A CONTRACT TO SMITH PAVING AND EXCAVATING, INC. FOR THE 2008 PAVING PROGRAM

This Resolution would authorize a contract with Smith Paving, Inc. for the roadway improvements on Cherry Lane between Hickory and Sycamore and on a portion of Hickory Lane from Cherry north. This project was advertised and we received five competitive bids. The Village Engineer and administrative staff determined that Smith Paving and Excavating, Inc. submitted the best and most responsive bid. Mr. Bagdonas stated that the project could potentially start by the end of June and be completed by the end of the summer.

Mrs. Brodie moved to approve Resolution 26-08. Mr. Guzman seconded the motion, which passed by unanimous voice vote.

Adjournment:

There being no further business to come before Council, Mayor Merrin made a motion to close the meeting at 8:31 p.m. Mr. Gouttiere seconded the motion, which carried by unanimous voice vote.

Jennifer Carter
Clerk of Council

Derek Merrin
Mayor