

Village of Waterville
Minutes of Regular Council Meeting of:
June 22, 2009

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.

Mr. Guzman led Council in prayer. The Pledge of Allegiance was recited.

Present at roll call were Mr. Marty, Mr. Guzman, Mayor Merrin, Mr. Valtin, Mr. Gouttiere and Mrs. Cherry. Mrs. Brodie arrived at 7:37 p.m.

Approval of the minutes of the Regular Council Meetings held May 11, 2009 and June 1, 2009:

Mr. Marty made a motion to approve the minutes of the May 11, 2009, Council meeting. Mrs. Cherry seconded the motion, which passed by unanimous voice vote.

After requesting that the word “could” on the last line of page 2 be replaced with the word “should”, Mayor Merrin made a motion to approve the minutes of the June 1, 2009, Council meeting. Mr. Valtin and Mr. Guzman abstained because they were not present at the June 1, 2009, meeting. Mr. Gouttiere seconded Mayor Merrin’s motion which was approved by unanimous voice vote.

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

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

Citizens Comments: None

Staff Reports:

Administration: Mr. Bagdonas

- Reported that 24 donations have been received for the Fourth of July fireworks display. These donations total \$4,350. Mr. Bagdonas stated that we are still gladly accepting donations.
- Reminded everyone that our Downtown Engraved Brick Program ceremony will be held on Saturday, June 27th at 10:00 a.m. Sixteen bricks have been purchased thus far and these donors will be recognized at the ceremony.
- Stated that he met with the Executive Director of the Henry County CIC. They are impressed with our Downtown Revitalization Project and they have interest in conducting a similar project in Napoleon. Mr. Bagdonas stated that we consider it a compliment that they would like to try to do the same thing as what they have seen take place in Waterville.
- Reminded everyone of the upcoming Music-in-the-Park Concert on June 28th. The Ohio State Patrol Drum and Bugle Corp will play and he said that they have been very good in the past and he hopes that we will have a large crowd for this concert. He said that State Troopers come from all over the State of Ohio to perform.

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- Reported that the US 24 Ground Breaking has been rescheduled for Thursday, June 25th @ 2:00 pm. It was cancelled last Friday.

Mr. Valtin asked Mr. Bagdonas about Item 16 on Mr. Bagdonas' Report to Council. He explained that the Browning Masonic Community has retained Dillin Development to work on a development plan for them. They are in the very early stages of gathering information and he stated that there are sure to be many more meetings to come.

Law Director: Mr. Dombey – No report

Finance Director: Mr. Knepper

- Presented the April 30, 2009, month end Finance Report. He reported that our funds are holding strong. April is our largest income tax collection month and that is reflected in the large jump in the fund balance for April.
- Stated that we have invested \$1,440,000 in Federal agencies, Treasury's and Bank CD's. Our investment income isn't quite meeting our prediction for budget and this will be discussed later in the meeting.
- Stated that most of our investments that are being booked at this time are in the range of 1 ¼ - 1 ½ %. Hopefully the government attempts to stimulate the economy will lead to higher rates.
- Reported that in April we collected \$5,500 more than we did a year ago (approximately a ½% increase). Budgetarily, we are approximately .9% short of budget.

Treasurer: Mr. Schult

- Reported that the April books are reconciled and we have a balance of approximately \$3 million at this time. We are tracking fine throughout 2009 so far.
- Stated that there was a Special Finance Committee Meeting at which a 5/3rd Bank representative was present. The committee discussed extensively the investment options that are available at this time. The unanimous decision was to continue renewing for 1 year terms.

Chief of Police: Mr. Selders

- Reported that the WPD has several ongoing investigations taking place currently.
- Stated that they are already seeing fireworks being used all over town. He stated that fireworks are illegal in the State of Ohio and cause a number of serious injuries.
- Reported that Officer Tina Nicolai will be conducting our Safety City Program the week of July 13-17th. The AM session is already filled and the PM session is half full. She will be helping Whitehouse with their Safety City Program as this is their first year conducting the program.

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Fire Chief: Chief Parsons

- Said it has been a busy month with 47 calls, 42 patients seen, 19 patients transported to area hospitals, 38 EMS calls, 3 fires (with no apparent loss), 5 MVA's and 1 stand by. He said there was a major structure fire last week.
- Stated that they are working with ODOT regarding road closures for the US 24 Bypass project.
- Reported that The Fire Assoc passed out 1,531 recycle bins and will distribute the rest of the bins when we receive them.
- Stated that on July 11th the WFA will hold a car wash fundraiser, and on July 25th they will hold their Party in the Park in conjunction with the Browning Car Show.
- Reported that he also is working on the upcoming Fireworks Display.

Public Works Director: Mr. Blair

- Reported that all of the potholes in Waterville are pretty much taken care of now. This required approx 9 tons of asphalt which was all handled "by hand and shovel". He apologized for any delays.
- Reported that the TMACOG Pavement Management Program has been completed and they expect both hard copy and CD to be ready sometime next month.
- Reported that the 2008-2009 CDBG Formula Grant has been approved and is 100% reimbursable.
- Thanked everyone who attended the Mock Council/Public Service Day.
- Stated that the 2009 Paving Project bid opening is July 9th.
- Reported that the 4th Annual Fishing Derby is scheduled for September 12th at Waterworks Park.
- Recognized Rich Hannun for being nominated for The Golden Manhole Award. This is a very prestigious award that is given out by the Ohio Water Environment Association. It is given to individuals who excel in the areas of operation, maintenance, design, education, training, certification, management and planning. Rich will be presented with this award at their annual conference tomorrow. He congratulated Rich for this achievement

Mr. Marty asked Mr. Blair what the policy is regarding village employees taking village owned vehicles home. Mr. Blair replied that superintendants take vehicles home primarily because they are on call 24/7. Mr. Marty indicated that he had some concern regarding that policy.

Communication from Council:

Mrs. Cherry

- Indicated that she attended the ODOT US24 informational meeting at the Anthony Wayne High School. She said this project will make quite an impact on traffic within the village due to the extensiveness of the project.
- Also attended the Music in the Park. She said that the American Legion Band is always a yearly favorite.

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- Reported that the Tree Commission met and during their meeting they had a very lengthy discussion regarding the Canal Road concerns that were raised at the last Council meeting. The consensus of the committee is “at this point the Trail side looks great in its normal state. Cost would be in the millions of dollars to clear and clean the hillside. At this point the dumping of yard waste is not a problem and has probably helped stabilize the erosion. They chose to table the issue until foliage falls from the trees at which time they can re-evaluate the situation.”

Mr. Gouttiere

- Asked if there have been any problems (other than not having a sufficient number of recycling bins) now that Stevens has taken over. Mr. Bagdonas said that other than a “miss” here and there, there have been no problems. He received a call today from a resident complimenting Stevens’ service. The resident felt that the Stevens’ employees were very diligent about replacing the cans to the curb and they felt the vendor was doing a good job. Mr. Blair agreed and said that they have been getting a number of positive comments.
- Also attended the ODOT US24 meeting at the High School and found it to be very informative. He did come away from the meeting a little anxious about the level of noise that may likely take place in certain locations after the project is complete. At this point, all we can do is wait and see what results. He shared some of his concerns and various information that he has acquired regarding this.
- Reported that over \$18,000 has been pledged toward the US24 Mural. The Rotary Club of Waterville has given a check in the amount of \$1,000 and the Waterville Senior Center has pledged \$5,000 which they will make available when their CD matures. These pledges bring us very close to meeting the Village’s commitment toward this project. He commended the citizens of Waterville and said that all the gracious donors have shown great citizenship and great faith in the Village. Mayor Merrin echoed Mr. Gouttiere’s thanks to these generous donors.

Mr. Valtin

- Thanked the Village on behalf of Jim and his wife for the flowers that were sent welcoming Madison to the Valtin family. He reported that Madison is healthy and things are going very well since Madison’s arrival.
- Reported that the June 9th meeting to discuss the dog park will be rescheduled at some future time.
- Reported that the village has surveyed the property lines between the homes on Wilkshire Drive and Conrad Park to determine where the lines actually lie. He stated that a lot of the Wilkshire residents (himself included) were surprised to find where the lines actually are. There are plans for landscaping in the future.
- Said that he has spoken to many people who have indicated that they plan to make a donation toward the mural project. He reminded residents that donations of any amount will be appreciated.

Mrs. Brodie

- Reiterated some of what Mr. Schult reported earlier regarding the Finance Committee’s decisions regarding their investment decisions and their choice to

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continue with one year terms. She stated that this meeting allowed everyone to speak with the bond council.

Mr. Guzman

- Acknowledged that he regrets that he missed the last Council meeting because he would have liked to have had some input regarding the Canal Road issue that was raised. He stated that he is pleased with the decision of the committee not to spend money on trees because that is not the problem. He stated that he would prefer that if money is going to be spent that it be to fix something, rather than to hide something. He pointed out the availability of all village residents to take brush to the Public Works site. He stated that the “debris” can clearly be seen from Canal Road. But rather than spending money to buy trees in an attempt to hid the debris he would hope that the residents would come together to reach a solution to fix the problem.

Mr. Marty

- No report.

OLD BUSINESS

- A. **ORDINANCE 15-09** – An Ordinance Enacting Section 351.14(f) in Chapter 351 – Parking Generally of the Traffic Code of the Village of Waterville

Tabled pending review and recommendation from the Public Safety Committee

No discussion took place regarding Ordinance 15-09.

- B. **ORDINANCE 16-09** – An Ordinance Amending Part One, Title Five, Section 133.03(A) of the Codified Ordinances of the Village of Waterville

Third Reading

Mrs. Cherry made a motion to approve Ordinance 16-09. Mrs. Brodie seconded the motion. The Ordinance passed with a vote of 7-0.

- C. **ORDINANCE 17-09** – An Ordinance Enacting and Amending Certain Sections of Part Thirteen, Chapter 1315 – Sign Code of the Codified Ordinances of the Village of Waterville

Second Reading

Mayor Merrin reviewed details of this Ordinance. Mr. Bagdonas explained that the Ordinance that Council members have in their packets does not exactly reflect the recommendation of the Planning Commission because they recommended that the portion that would allow A-Frame signs be deleted - they are not in favor of A-Frame signs. Mr. Bagdonas and the Zoning Inspector made some changes to reflect these

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recommendations. Council members have been given a copy of the Ordinance with changes from the original version highlighted by a vertical line along the right margin. In the lines of text next to the vertical line, wording proposed to be deleted is shown struck-through and added wording is shown underlined. Mr. Bagdonas explained that the Historic Overlay District is probably the better footprint for where these signs would be appropriate.

NEW BUSINESS

A. ORDINANCE 18-09 – An Ordinance Amending Ordinance No. 46-08, the FY 2009 Annual Appropriations Ordinance and Declaring an Emergency

Mayor Merrin explained that this Ordinance would authorize the first amendment to the 2009 Budget. This step is required each year to replace the estimated numbers with the exact numbers once they are known.

Mrs. Brodie asked the reasoning for this Ordinance being presented as an emergency. Mr. Bagdonas explained that if there were 3 separate readings, passage wouldn't take place until August and then there would be a 30-day wait after the passage. Mr. Knepper explained an emergency could possibly arise during the waiting period.

In response to a question addressed by Mrs. Cherry regarding the percentage of these altered amounts, Mr. Knepper referred Council members to Schedule A for the current amounts of increases and decreases that are reflected. Also, Mr. Bagdonas explained further that it is impossible to predict the amount of taxpayer refunds, but that these refunds need to be paid regardless of the amounts.

Mr. Marty made a motion to suspend the rules to declare approve Ordinance 18-09 as an emergency. Mr. Guzman seconded the motion which passed unanimously.

Mr. Marty made a motion to approve passage of Ordinance 18-09 as an emergency. Mrs. Brodie seconded the motion which passed unanimously.

B. ORDINANCE 19-09 – An Ordinance Enacting Part Nine, Title One, Sections 927.02 and 927.99 of the Codified Ordinances of the Village of Waterville Regarding Trimming of Ground Cover Vegetation and Penalties for Noncompliance

First Reading

Each year at this time, our Public Works Department mails notices to property owners and in response to receiving this notice one resident sent a letter requesting that the Village mow the grass in the public right of way adjacent to his property. After checking the codified ordinances it was found that this issue is not addressed. This Ordinance would allocate the responsibility for the mowing of public right of way areas to the adjacent property owner. Usually residents already take this responsibility. Details of this will be discussed in upcoming meetings.

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- C. **ORDINANCE 20-09** – An Ordinance Providing for the Issuance of \$566,523 Downtown Revitalization Program Bond Anticipation Notes, Second (2009) Renewal, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Constructing Various Infrastructure Improvements as part of the Municipality's Downtown Revitalization Program, and Declaring an Emergency

- D. **ORDINANCE 21-09** – An Ordinance Providing for the Issuance of \$585,741 Fire Equipment Acquisition Bond Anticipation Notes, Fourth (2009) Renewal, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Acquiring Fire Equipment, and Declaring an Emergency

- E. **ORDINANCE 22-09** – An Ordinance Providing for the Issuance of \$124,865 Parking Lot Construction Bond Anticipation Notes, Fourth (2009) Renewal, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Acquiring Land and Constructing a Parking Lot, and Declaring an Emergency

- F. **ORDINANCE 23-09** – An Ordinance Providing for the Issuance of \$1,408,566 Public Infrastructure Improvement Bond Anticipation Notes, Fourth (2009) Renewal, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Constructing Public Infrastructure Improvements in the area of the Fallen Timbers Business Park, and Declaring an Emergency

- G. **ORDINANCE 24-09** – An Ordinance Providing for the Issuance of \$450,475 Street and Water Line Improvement Bond Anticipation Notes, Third (2009) Renewal, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Constructing Street and Water Line Improvements in the Municipality, and Declaring an Emergency

- H. **ORDINANCE 25-09** – An Ordinance Providing for the Issuance of \$235,766 Water Tower Restoration Bond Anticipation Notes, First (2009) Renewal, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Restoring the Water Tower on Sycamore Lane, and Declaring an Emergency

- I. **ORDINANCE 26-09** – An Ordinance Providing for the Issuance of \$112,000 Fire Department Rescue Squad Bond Anticipation Notes, by the Village of Waterville, Ohio, in Anticipation of the Issuance of Bonds, for the Purpose of Acquiring a Rescue Squad Vehicle for the Waterville Fire Department, and Declaring an Emergency

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J. ORDINANCE 27-09 – An Ordinance Consolidating Seven Bond Anticipation Notes of the Village of Waterville, Ohio and Declaring an Emergency

Because Ordinances 20-09 thru 27-09 are all related to the refinancing of notes that we sold last year (except 26-09 – Rescue Squad Vehicle, which is a new note) Mayor Merrin addressed them all at once. The 2008 notes will mature on August 6th, and will be replaced with a new one-year note issue. Mrs. Brodie addressed questions regarding Ordinance 26-09 which Mr. Knepper and Mr. Bagdonas explained.

Mrs. Brodie made a motion to suspend the rules to declare approve Ordinances 20-09 through 27-09 as an emergency. Mr. Gouttiere seconded the motion which passed unanimously.

Mrs. Cherry made a motion to approve passage of Ordinances 20-09 through 27-09 as an emergency. Mrs. Brodie seconded the motion which passed unanimously.

Other Information or Unscheduled Business

- Due to the fact that the last Planning Commission meeting and the Regular Council meeting took place just an hour apart, Mrs. Cherry asked if the Planning Commission could have further discussion regarding the A-Frame signs prior to the next Regular Council meeting.
- Mrs. Cherry received a letter from The Ohio Department of Natural Resources stating that they have \$10 million available for trail and park development through four different grant programs. They are requesting input by July 9th regarding our existing trails, plans for development, funding issues and how the new Office of Trails can benefit our community.

Adjournment:

There being no further business to come before Council, Mr. Marty made a motion to enter into Executive Session at 8:44 p.m. Mrs. Brodie seconded the motion, which carried by unanimous voice vote.

Mayor Merrin stated that there will be no further action taken by Council following the Executive Session.

At 9:12 p.m. Mayor Merrin made a motion to reconvene the regular meeting of Council. Mr. Guzman seconded the motion, which was agreed upon unanimously.

Mayor Merrin made a motion to adjourn at 9:13 p.m. Mr. Valtin seconded the motion, which carried by unanimous voice vote.

Jennifer Carter
Clerk of Council

Derek Merrin
Mayor