

President Steve Henderson called the meeting to order at 7:30pm on June 5, 2017 at 701 Parlette Court with the following members present: Jim Neumeier, Daniel E. Lee, Chad Doll, Rodney Metz, Rachel Barber and Dan Graf. Service Director Chad Scott, Law Director Dennis Faller and Mayor Tom Stinebaugh were also present. There were 7 visitors present. Bonnie Wurst was absent.

Received Income Tax Summary Report for Month Ending 05-31-2017.

Law Director Faller provided Clerk McDonald with a copy of the Certificate of Result of Election from the Auglaize County Board of Elections regarding the additional one-half percent income tax for street improvements.

Motion by Lee, second by Metz to approve the minutes of the May 15, 2017 Council Meeting as submitted. Vote – 6 yeas, 0 nays. Motion passed.

Lands and Buildings Committee – a meeting was held on 05-16-2017 and the following was discussed: The group continued its discussion of the CDBG Downtown Revitalization application. One of the still-needed requirements for the application is completion of a survey of building conditions within the revitalization district (all buildings, not just the ones whose owners wish to receive grant funds). Conversation swirled around the survey form, and completing it consistently and accurately. Barber will schedule a day when "assessors" will meet downtown and survey a few buildings together, to get the hang of it.

The group also spoke about potential appointees to the new Design Review Board. Membership of the current board (set up in conjunction with the Facade Grant) includes John Rausch, Steve Schuler, Mary Ruck, Tony DeNisco, and Rodney Metz. For the purposes of the city's new ordinance, all members must be residents of the city. Barber will speak to Chris Burton, president of the Auglaize County Historical Society, about its appointee to the board.

Barber will also contact Lauren Falcone from Poggemeyer about the updates anticipated for the 2017 grant application form, and their availability for our review.

The group then discussed the Verizon cell phone tower proposed for a site on the former Wapakoneta Machine Company (west of Water Street, south of the railroad tracks). Barber expressed her strong opposition to a 190-foot tower in such a prominent location in the city. Members reviewed City Code re height restrictions for various zoning classifications without arriving at any conclusion. Ultimately, it was decided that, if a zoning variance were required an application would be presented to the Board of Zoning Appeals.

Graf inquired about whether the Code Enforcement Officer could visit the property at Defiance and Glynwood (north side) to determine whether any municipal action was warranted.

The group briefly discussed whether gentle encouragement can be applied to the owners of the Dollar General site in regard to fixing the parking lot.

The group discussed Garage Sale legislation. Doll made a motion, seconded by Graf that our municipal code include:

Garage sales, including patio, basement, yard, or block sales, subject to the following:

1. Hours of Operation. Garage sales may be held from 7:00 a.m. to 8:00 p.m. Outside set up and tear down may extend an hour (sixty minutes) before and after sale hour limits.
2. Length of Sales. No garage sale may extend for more than three (3) consecutive days (or portion thereof).
3. Number of sales. No more than two (2) garage sales per dwelling unit may be held on any such zoning lot in any calendar year.
4. On-Premise Sign. One (1) non-illuminated sign not exceeding four (4) square feet in size, or more than three (3) feet in height above grade may be displayed on the property where the sale is being held.
5. Special lighting, noise-making devices or other similar advertising displays shall not be used to call attention to the garage sale.
6. No permit is required for garage sales.

The group then discussed political signs in the right of way.

Graf made a motion, seconded, by Doll to recommend the addition of the following to 1286.03: Political signs shall not be placed in the public right-of-way or any public property. The motion passed unanimously.

Mr. Graf then noted that the Dollar General lot has since been paved and the violation in the area of Defiance and Glynwood has been corrected.

Streets and Alleys Committee – a meeting was held on 05-17-2017 and the following was discussed:

1. Approved minutes of February 7, 2017. Metz/Graf, passed
2. Moved to recommend to Director of Service and Safety that a handicap parking space be designated at south entrance of Saint Paul Church on Mechanic Street. Requested by the church. Metz/Neumeier passed 3-0.
3. The learned that ODOT will be repaving Defiance Street in 2019 with cost split with the city on an 80/20 basis. The city will have until that time to make any corrections to the compaction issues. Corrections are the city's expense.
4. Mary Ruck presented a draft of a 5-year plan for street repairs and reconstruction for the committee's review.
5. Mary Ruck stated that the city will use thermoplastic for lining the streets as it is a better product than painting. It has good visibility and duration.
6. Mary Ruck announced that a safety grant application could be made again for the Cole Street cultsac project that was proposed last year. The committee will examine accident reports for that area before making any further consideration.
7. Chad Scott informed the committee that Strawser Const. is under contract to do crack sealing on 28 sections of streets at a cost of \$58,622. Work will be done July/August or earlier.
8. Application for a grant to improve 25A south of 33 By-pass has been submitted to ODOT
9. Mary reviewed Buchanan St project. Main sanitary and water lines have been installed. Trees have been removed.
10. The CDBG grant project for Maple St. performing sidewalk and various street improvements will go out to bid in June.
11. Mary reported the sidewalk, driveway & alleyway approach inspection and repair program is on schedule.

	Inspection & Notification	Repairs
2nd Ward N/S	2015	2016
3rd Ward N/S	2016	2017
4th Ward N/S	2017	2018
1st Ward N/S	2018	2019
2nd Ward E/W & diagonals	2019	2020
3rd Ward E/W & diagonals	2020	2021
4th Ward E/W & diagonals	2021	2022
1st Ward E/W & Diagonals	2022	2023

Other repair work completed when reported such as stub toes and excavations. Additional sidewalk & approach work will also be done during street reconstructions.

Mr. Doll asked if the area of Buchanan between Mechanic and Benton will be repaved. Service Director Scott replied, yes.

Ms. Barber asked if there was adequate public input regarding item number six. Mr. Graf advised that the committee will be reviewing the accident reports from this area.

Communications and Rules Committee – a meeting was held on 05-24-2017 and the following was discussed:

Approved the minutes of the September 26, 2016 meeting, 2-0.

Doll shared an estimate gathered by Council Clerk McDonald regarding digital archiving of older city records. Estimate is approximately \$27,000. Doll also noted the city has microfiche backups and that

perhaps this more advanced archiving could be budgeted a little at a time over the next few years. Doll will check with Columbus to see if copies are also with the History Connection.

Ideas for information to be shared on Facebook and the city electronic sign were discussed.

There was discussion about having the Informer newsletter created within administration. Doll pointed out that every item that appears in the newsletter is city related and generally comes from administration and that nothing appearing in the publication is actually council news. Shifting the publication would streamline the process and eliminate steps where information could be confused due to miscommunication. The Mayor will look into this possibility.

Doll proposed the idea of scheduling monthly Communications Meetings with purpose of making them a sort of open house in which residents could come and ask questions, share ideas, or issue complaints. It may provide a forum more suitable and / or comfortable than the two regular business meetings of council. Doll also suggested the times of the events be varied to allow differing access. A trial will be implemented over the next few months.

There was brief discussion of the idea of having wi-fi access to the general public in several public places around town. The discussion was only at a concept phase.

Ms. Barber asked whom would generate the newsletter. Mr. Doll advised that Mayor Stinebaugh agreed to look into this.

Mr. Neumeier asked how the proposed wi-fi connections would be funded. Mr. Doll replied that this was not addressed.

Utilities Committee – a meeting was held on 05-18-2017 and the following was discussed:

Maintenance cost of recovery of laterals within city right of way. We discussed labor that has been used to follow the city policy. The committee reviewed policies by the City of St. Mary's, City of Lima and the City of Celina. We asked administration to prepare a proposed change to the city's policy for review maintaining city's participation in laterals in the city's right of way.

The city is required to monitor the flows and by pass of the south interceptor sewer. This information will be presented to the EPA for review. The city will then know if another EQ basin is needed. The city will be looking for down spouts that are connected to the sanitary sewer which is an illegal connection.

The power outage that occurred on 5/17/17, was caused by a high voltage switch located at the substation behind TSC office, east of the light department. The switch will not be used after the power upgrade is completed.

Service agreement from AEP is in review by our consultant. The consultant will participate in an upcoming meeting.

Refuse and recycling collection continues to be reviewed by administration. Item discussed were: Wright Refuse, Rumke Refuse Co. and personnel placement. Fees from the sale of city bags are generating money which pays waste management. Late fees were discussed due to complaints received.

Utilities late fees were discussed. 5% late fee for City of Wapakoneta, 10% late fee for City of St Mary's, and 10% late fee for City of Lima.

Ms. Barber asked for further explanation on the refuse and recycling matter. Mr. Metz replied that only two companies have expressed interest thus far. Mr. Neumeier asked for the timeline on making a decision. Mr. Metz advised that the committee and City Administration are awaiting further information.

Ms. Barber asked if there would be an increase in cost to citizens if the City no longer performed refuse and recycling collection. Mr. Metz answered that the matter would need to go out for bid in order to know the cost. Ms. Barber pointed out that the economic incentive for citizens to recycle could be lost, and expressed her concern that this may result in less recycling overall in the City of Wapakoneta. Mayor Stinebaugh stated that the refuse and recycling department is a drain on the City financially, therefore other options are being investigated. Mayor Stinebaugh added that once all the options are looked into, there will be public hearings and time for everyone to provide their input before a final decision is made. Mayor Stinebaugh also pointed out the difficulty in finding volunteer groups to sort the recycles, which results in paying City employees overtime pay to do so. Mr. Graf expressed his concern that an outside company could provide the service at a low rate for a given timeframe, and then raise their rates dramatically once the City has eliminated its own equipment and department. Mr. Graf also expressed concern about the amount of trash that might be generated if the City no longer encourages recycling by requiring the white trash bags for refuse. Service Director Scott stated that outside companies can

provide many options in their bid, including container sizes that cost less for those having less refuse to dispose of. Mr. Lee reminded Council that options are being investigated and no final decision has been made.

Guest Petitions -

Ms. Barb Harrod of 1212 Oakridge Court, and representing Auglaize County Public Libraries, requested road closures on July 4th for the Firecracker 5k. Ms. Harrod provided Council with a map of said requested closures.

Motion by Metz, second by Neumeier to approve the request. Vote – 6 yeas, 0 nays. Motion passed.

Ms. Rachel Barber of 401 W. Auglaize St. and representing the Auglaize County Historical Society, presented Council with an example of one of thirteen educational banners, as well as brochures that were made possible with lodging tax funds. Ms. Barber explained that these items are part of the 'Heritage Tourism' initiative called 'Auglaize County in Motion', and encouraged Council and City Administration to distribute the brochures.

Ms. Judy DuBois of 24258 Middle Pike, and representing 'Scoops', addressed Council about having to remove temporary signs for her business that were located within the tree lawn. Ms. DuBois expressed her frustration that this rule is not universally enforced.

Mayor Stinebaugh then asked Council if they would like the City to fully enforce the rules regarding the tree lawn upon all citizens. Mr. Doll stated that the law is not optional, even with good intentions, and suggested that Council change the ordinance if they do not desire to enforce it. Mr. Lee stated that if the ordinance will be enforced to the letter, the City ought to communicate this to the public and give them time to remedy any violations in the tree lawn. Mr. Scott and Mr. Faller noted that the verbiage of the ordinance creates debate about what is a "temporary sign", and suggested Council change the wording to say that no signs are allowed within the public right of way. President Henderson put the matter into the Lands and Buildings Committee for discussion.

Unfinished Business -

Mr. Doll asked, regarding the passing of the street improvement levy, if those citizens working out of town will in fact receive tax credit. Mayor Stinebaugh replied, yes.

New Business -

Mayor Stinebaugh recognized Don Kachelries with an award for his years of service to the Tree Commission.

President Henderson noted that due to the holidays in July and September, Council meetings will be held on July 10th and 17th, and September 5th and 18th.

Mr. Lee advised Council that the Tourism Commission reviewed three proposals at their last meeting. Mr. Lee stated that Riverside Arts requested funding for use in advertising their center and programs, and that the committee suggests that \$1000 be granted for same.

Motion by Doll, second by Graf to approve the request. Vote – 6 yeas, 0 nays. Motion passed.

Mr. Lee advised that the 'Run to the Moon Festival' has requested funding for use in advertising on Facebook and email, and that the committee suggests that \$1000 be granted for same.

Motion by Doll, second by Graf to approve the request. Mr. Neumeier asked how the committee is following up on these requests once they are granted. Mr. Lee advised that once groups come to the committee with a second request for funding, they must explain how the funding was utilized in the first instance. Mayor Stinebaugh suggested that said groups provide written documentation showing how the funds were spent.

Vote – 6 yeas, 0 nays. Motion passed.

Motion by Lee, second by Graf to approve up to \$3150 for a boundary and topographical survey of the northwest corner of exit 111 off of I-75. Mr. Lee added that this is the first step in beautifying the exit, and that the committee has encouraged obtaining more than one bid for said survey. Mr. Neumeier asked

when the Tourism Commission received this request. Mr. Lee answered, earlier this week. Mr. Neumeier expressed his concern that the lodging tax funds will be used for the entire project, not just a site survey. Mr. Doll stated that the concept of the project should tie in with the Armstrong Air & Space Museum and the 50th anniversary. Mr. Neumeier asked for an estimate of the total project cost. Mr. Doll stated that these numbers are unknown at this point. Mr. Doll clarified that the committee is only recommending \$3150 towards the site survey and not asking Council to commit to the entire project cost. Mr. Neumeier asked Mr. Doll if he would be willing to put the entire lodging tax funding toward this project. Mr. Doll answered that he does not know the figures and could not answer this. Mr. Neumeier asked if the City owns the land in question. Ms. Barber replied, the State owns it. Mayor Stinebaugh clarified that the City must put a plan together for ODOT to approve, which must include said site survey.
Vote – 3 yeas, 2 nays (Graf, Neumeier), 1 abstain (Doll).

Service Director Scott asked Mr. Lee to inform all groups receiving funding that they must send the City an invoice and W-9 form. Mr. Graf suggested that groups be put on a 90 day timeline to ensure adequate time for the Tourism Commission to discuss the application and ask questions of the group and about the projects.

Motion by Barber, second by Graf to have legislation prepared to make the addition of the following statement to Section 1286.03: "Political signs shall not be placed in the public right of way or on public property." Vote – 6 yeas, 0 nays. Motion passed.

Ms. Barber added that there was also a recommendation regarding garage sales. Mr. Doll suggested the matter be put on hold.

President Henderson asked Clerk to read Ord 2017-16 for the third time re: AN ORDINANCE TO REPEAL ORDINANCE 2012-52 CONCERNING INDIGENT BURIALS.
Motion by Metz, second by Doll to adopt Ord 2017-16. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2017-18 for the second time re: AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

President Henderson asked Clerk to read Ord 2017-19 for the first time re: AN ORDINANCE AMENDING SECTION 1610.04(a) OF THE CODIFIED ORDINANCES OF THE CITY OF WAPAKONETA, OHIO REGARDING ENFORCEMENT; RESPONSIBILITIES OF MUNICIPAL FIRE SAFETY INSPECTOR.
Service Director Scott stated that Ord 2017-19 and Ord 2017-20 are just updates to where one can reference this within the Ohio Revised Code.

President Henderson asked Clerk to read Ord 2017-20 for the first time re: AN ORDINANCE AMENDING SECTION 1610.07 OF THE CODIFIED ORDINANCES OF THE CITY OF WAPAKONETA, OHIO REGARDING SETTING FIRES.

President Henderson asked Clerk to read Res 2017-21 for the first time re: A RESOLUTION TO RECONSTRUCT NEW SIDEWALKS ON CARNATION DRIVE IN THE CITY OF WAPAKONETA AND DECLARING AN EMERGENCY.

Service Director Scott stated that this Resolution is needed by the State by June 16th, and would result in a uniform sidewalk along Carnation Drive in the area that had been done incorrectly. Mr. Scott added that some right-of-ways would need to be obtained, and the State will pay up to \$300,000 of the cost. Ms. Barber asked for explanation on the tree lawn footage requirements. Mr. Scott explained that the State does not allow a project to approach directly up to the defined right of way line.

Motion by Metz, second by Lee to suspend the rules for Res 2017-21. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Metz, second by Lee to adopt Res 2017-21. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2017-22 for the first time re: AN ORDINANCE LEVYING AN ADDITIONAL TAX ON INCOME AT THE RATE OF ONE-HALF OF ONE PERCENT IN ADDITION TO THE ONE PERCENT CURRENTLY BEING LEVIED AND COLLECTED REQUIRING THE FILING OF RETURNS AND FURNISHING OF INFORMATION; IMPOSING ON EMPLOYERS THE DUTIES OF COLLECTING THE TAX AT THE SOURCE AND PAYING THE SAME TO THE CITY OF WAPAKONETA; PROVIDING FOR THE ADMINISTRATION, COLLECTION, AND ENFORCEMENT OF SAID TAX; DECLARING VIOLATION THEREOF TO BE A MISDEMEANOR AND IMPOSING PENALTIES THEREFORE.

Mr. Doll then made a motion to suspend the rules on Res 2017-17R, seconded by Metz. Vote – 6 yeas, 0 nays. Mr. Doll made a motion to adopt Res 2017-17R, seconded by Metz. Vote – 6 yeas, 0 nays. *(Clerk McDonald and Law Director Faller noted, after the Council meeting adjourned, that this Resolution had already been adopted during the 5-15-2017 Council meeting, making Mr. Doll's motion above null and void).*

The Mayor gave the following report:

No report.

Mr. Graf requested the City make contact with CSX Railroad regarding property on the corner of Willipie and Benton Streets. Mr. Scott advised that this matter has been forwarded to a real estate specialist.

The Service Director gave the following report:

Ms. Barber asked for an update on the proposed Verizon Wireless tower situation. Mr. Scott replied that due to the wording of the current ordinance, the tower is permitted in the zoning of said area, adding that variance for the height of a previous tower was not needed. Mr. Graf and Ms. Barber stated that Council should advise the consulting firm and property owner of their feelings about the placement of the tower. Ms. Barber agreed to draft a letter of same.

The Law Director gave the following report:

No report.

SCHEDULING OF MEETINGS:

Tourism Commission will meet on July 17th.

Open House Communications meeting June 6th at City Hall.

Buildings assessment meeting, June 14th at 1:00pm, meeting at Dad's Toy Shop.

Streets & Alleys Committee will meet on June 13th at 10:00am at City Hall.

Miscellaneous Business -

Motion by Doll, second by Lee to enter executive session at 9:15pm for the purpose of preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Doll, second by Metz to come out of executive session at 9:34pm. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Doll, second by Metz to approve the UW contract as submitted. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Doll, second by Metz to adjourn at 9:35pm. Vote – 6 yeas, 0 nays.

President

Clerk of Council

