

President Steve Henderson called the meeting to order at 7:30pm on August 7, 2017 at 701 Parlette Court with the following members present: Jim Neumeier, Bonnie Wurst, Chad Doll, Rodney Metz, Rachel Barber and Dan Graf. Mayor Tom Stinebaugh, Service Director Chad Scott and Law Director Dennis Faller were also present. There were 35 visitors present. Daniel E. Lee was absent.

Received Income Tax Summary Report for Month Ending 07-31-2017.

Motion by Metz, second by Doll to approve the minutes of the July 10, 2017 Council Meeting as submitted. Vote – 6 yeas, 0 nays. Motion passed.

Ms. Barber asked if the matter of parking near resident driveways, as discussed under the Safety Service Director report on July 17<sup>th</sup>, was placed into Streets & Alleys Committee, or rather the Lands & Buildings Committee. President Henderson stated that he put the matter into the Streets & Alleys Committee.

Motion by Wurst, second by Doll to approve the minutes of the July 17, 2017 Council Meeting as submitted. Vote – 6 yeas, 0 nays. Motion passed.

Ms. Barber noted that the Health & Safety Committee did not meet.

**Lands & Buildings Committee** – a meeting was held on 07-19-2017 and the following was discussed:

The committee discussed at length the issue of a neighbor parking so close to a driveway that the homeowner feels uncomfortable pulling in or pulling out of said driveway with her trailer (200 Block of East Mechanic, south side). It was noted that developing a specific parking “distance from driveway” rule would be difficult, because of the variety of driveway materials and the presence or absence of aprons on driveways. The committee finally decided to take no action at this point in time.

The committee then discussed the issue of the downtown Holiday Open House, held on the first weekend of November, aka, the weekend BEFORE Veterans Day (November 11). The city has previously received criticism for removing flags before Veterans Day in order to install Christmas decorations. Barber asked about having both up at the same time, and Doll wondered about alternating from pole to pole. Ultimately, the issue was placed in the hands of administration.

The group spoke about how to address the issue of cell phone towers and billboards within the city. The Planning Commission has not yet issued its report for the meeting at which the billboard site was approved for Willipie Street. The committee decided to seek input from the City Law Director about language for a proposed moratorium or alternative course of action that would allow the City to have better control of such height-challenging structures. Members expressed frustration that no recourse existed for a Planning Commission decision of this kind. They noted, as well, the need for significant public input at the beginning of any process to develop new legislation.

Having no further business, Doll made a motion, seconded by Graf, to adjourn. The motion passed unanimously.

**Utilities Committee** – a meeting was held on 07-25-2017 and the following was discussed:

The meeting was called to order by Chair, Rodney Metz at 10:35 a.m. Items presented for discussion by Mayor Stinebaugh.

Golden Fresh Farms water supplied by the city has 200 parts per million of sodium. This comes from the city's softening process. The sodium needs to be reduced for the plants.

Mayor Stinebaugh called Louie Chibante of Golden Fresh Farms. Louie informed us that the sodium is affecting the quality of the product. Louie said they would like to see 20 parts per million.

Golden Fresh Farms has installed a well. Water samples show high levels of iron at the well. Golden Fresh Farms also tested the pond/rain water. All water samples are at the chemist at the time of our meeting. Final results are not completed at this time.

Golden Fresh Farms is requesting the city to finance the filtration system which has an estimated cost of 112 million dollars. This would be a loan as they want to make things work with Wapakoneta. Wapakoneta is a great partner for Golden Fresh Farms.

The expansion of the facility is in question and will not take place in 2017-18 due to material supply shortage and installation time.

Mayor Stinebaugh will check into state and other funding options before our next meeting. Bonnie Wurst will talk with Auditor Wells.

Louie could not be sure if the filtration system would be used to treat city water or well/rain/pond water, or a combination thereof. Golden Fresh Farms will talk with Mayor Stinebaugh in the weeks to come as testing is completed.

Mr. Neumeier asked for an update on Golden Fresh Farms. Mayor Stinebaugh advised that a couple options have been found for financing, and the cost of the system needed is now estimated at \$200,000. Mayor Stinebaugh added that Golden Fresh Farms must pay for this expense. Mr. Neumeier asked if Golden Fresh Farms tested the water prior to operations. Mrs. Wurst replied that Greg Myers of WAEDC provided Golden Fresh Farms with the annual printout of Wapakoneta water supply testing in the beginning of the process. Mayor Stinebaugh added that Golden Fresh Farms does not dispute this, and that they just did not examine the matter closely enough during initial stages.

#### **Communications -**

Clerk McDonald noted her receipt of the transcript of all orders of Board of County Commissioners of Auglaize County, Ohio, signed by a majority of the board, as well as the petition, map and all other papers on file relating to the proceedings of the 20.296 acres, more or less, of the annexation to the City of Wapakoneta petitioned by Elfie Properties, LLP. Clerk McDonald advised Council that a resolution will be placed before them for consideration of said annexation on September 18, 2017.

Mr. Graf asked that a diagram be provided in the next Council packet, rather than just a legal description.

Clerk McDonald read a letter from the Ohio Division of Liquor Control regarding a permit transfer from Andersons Inc, DBA Andersons & Nursery, 5800 Alshire Road, Columbus, Ohio to Thutch Inc, DBA Wapak Marathon, 1003 Defiance Street, Wapakoneta, Ohio. Council did not request a hearing.

Clerk McDonald read a letter from the Ohio Division of Liquor Control regarding an application for change of stock ownership from Joel & Todd Meier to Todd Meier for Schneider's Market, Inc, 512 S. Blackhoof Street, Wapakoneta, Ohio. Council did not request a hearing.

#### **Guest Petitions –**

Ms. Susan Walter of TSC, requested road closures for a solar eclipse event, scheduled for August 21, 2017.

Motion by Metz, second by Doll to approve the request with the appropriate documents. Vote – 6 yeas, 0 nays. Motion passed.

Mr. Brian Johns of 701 Murray Street, addressed Council regarding a light pole relocation on his property, and asked for the City to assist him in the cost of same. President Henderson asked Service Director Scott what the protocol is for the cost of moving a light pole. Mr. Scott advised that the pole has already been moved, is in the City's right-of-way, and the cost is the property owner's responsibility. President Henderson put the matter into the Utilities Committee for discussion.

Mrs. Jill Roode of 801 Bellefontaine Street, addressed Council regarding a variance she is requesting to place a fence on her property. Mrs. Roode explained that she lives on a busy street and has 3 young children and 3 pets that she wishes to keep safe in her yard. President Henderson asked if Mrs. Roode has filed her request with the Board of Zoning Appeals. Mrs. Roode replied, yes. Law Director Faller advised that the next Planning Commission meeting will be August 28<sup>th</sup> at 6:30pm. President Henderson advised Mrs. Roode to attend said meeting. President Henderson also put the matter into the Lands & Buildings Committee for review.

Mr. Andrew Augsburger of 1420 Commanche Pass, Wapakoneta, introduced himself to Council and asked for their support in his run for Auglaize County Municipal Court Judge.

Mrs. Connie Brincefield of 1201 Glynwood Road, addressed Council again regarding her concern of losing a portion of her property in the proposed Schlenker Annexation. Mrs. Brincefield stated that she wants to know how much property she will lose, and would like to know when she will obtain this answer.

President Henderson advised Mrs. Brincefield that Council only just received the related packet of materials from the County, and that it is too soon in the process to know this information. Service Director Scott advised Council that if Ramga Road is annexed, it will need to be brought up to city standards in order to have a proper amount of right-of-way. Mr. David Schlenker, filer of said annexation, noted that he believes this portion of Ramga Road is already within City limits. Law Director Faller reminded Council that the proposed annexation will be placed before them on September 18<sup>th</sup>, and Council will have 120 days to consider the matter. Mr. Neumeier asked if a portion of Ramga Road is indeed already within the City limits. Mayor Stinebaugh replied, yes. Mr. Neumeier pointed out that this fact presents multiple problems for Council and City Administration to consider. Mayor Stinebaugh agreed, adding that Ramga Road is not the only street in the City limits of Wapakoneta that is not up to City standards. Mr. Schlenker assured Council that any new roads that he will build will meet required City standards, but he does not feel it to be his responsibility to improve existing City roadways to meet the required City specifications. Mr. Faller asked if Clerk McDonald had delivered the annexation packet that she received from the County Clerk to Mary Ruck yet. Clerk McDonald replied, no. Mrs. Wurst and Mr. Faller reiterated that annexations must follow a series of steps and timetables, and it is too early in the process to know some of the information. Mr. Graf again asked that Council be provided with maps and drawings of the areas involved. Mayor Stinebaugh agreed to keep Mrs. Brincefield advised on the status of the matter as it develops.

Mr. Brandon Terrill of 906 Primrose Drive addressed Council regarding flooding concerns around his property. Mr. Terrill provided Council with photos of same. After his presentation of the history of this problem on his property, including property loss and concern for safety, Mr. Terrill requested that the City take measures to resolve the flooding.

Service Director Scott advised that a camera will be used to discover if there are any obstructions or tree roots causing the problem. Mr. Scott added that the City's storm drainage ordinance is designed for a 10 year storm drainage, and that Council ought to consider changing this legislation to a 25 or 50 year storm drainage for new developments in order to alleviate future examples of the same concerns and issues.

Ms. Barber asked City Administration for a timetable to resolve this problem. Mayor Stinebaugh replied that a timetable cannot be given, as there are too many factors and unknowns to consider. Mayor Stinebaugh and Service Director Scott assured Council that they will keep them apprised of the status of this matter.

Mr. Darrell Shoup of 1602 St. Rt. 501 addressed Council regarding flooding concerns around his property. Service Director Scott replied that this area is also on the list to be examined for possible solutions.

#### **Unfinished Business -**

Ms. Barber asked about the filling of vacant positions on committees. Mayor Stinebaugh advised that the list he made up and distributed to Council shows whom is responsible for appointing new members.

President Henderson noted that the matter of medical marijuana facilities should be considered by all council members, as the moratorium time has passed. President Henderson put the matter into the Health & Safety Committee for discussion.

Ms. Barber asked when Council will receive a report from the Planning Commission regarding the approved billboard. Mr. Scott agreed to obtain said meeting minutes for Council.

President Henderson asked Clerk to read Ord 2017-25 for the third time re: AN ORDINANCE AMENDING SECTION 1038.01 OF THE CODIFIED ORDINANCES OF THE CITY OF WAPAKONETA, OHIO, BY ADDING A NEW SUB-PARAGRAPH (c) TO EXPLAIN UTILITY BILLING ADJUSTMENTS.

Motion by Metz, second by Doll to adopt Ord 2017-25. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Res 2017-26 for the third time re: A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING AND/OR REPAIRING CERTAIN SIDEWALKS IN THE CITY OF WAPAKONETA, COUNTY OF AUGLAIZE, STATE OF OHIO, REQUIRING THAT ABUTTING PROPERTY OWNERS CONSTRUCT AND/OR REPAIR THE SAME.

Motion by Doll, second by Graf to adopt Res 2017-26.

Ms. Barber asked for a timeframe for this project. Mr. Scott advised that this will depend upon the selected contractor.

Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Res 2017-28 for the first time re: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WAPAKONETA TO EXECUTE AN AGREEMENT CONCERNING AN ENCROACHMENT UPON PUBLIC PROPERTY AND DECLARING AN EMERGENCY.

Law Director Faller advised that the property owner would like to sell their home, and need to resolve the encroachment to do so. Mr. Faller advised Council that the building encroaches about 1 inch onto City property.

Motion by Metz, second by Doll to suspend the rules for Res 2017-28. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Metz, second by Doll to adopt Res 2017-28. Vote – 6 yeas, 0 nays. Motion passed.

The Mayor gave the following report:

07/17 Enjoyed lunch with our German exchange students Participated in the Lodging tax committee meeting Participated in the City Council meeting

07/18 Participated in the AMP member golf outing

07/19 Met with Greg Myers on Economic development issues.

Participated in the Lands and Buildings meeting

07/20 Attended the kick off for the Summer Moon Festival

07/22 Attended the presentation by Buzz Aldrin at the PAC

Attended dinner at the Armstrong Museum with Buzz Aldrin and Mike Mallory

07/25 Attended Department head meeting

Held a phone conversation with Louis Chianti of GFF Participated in the Utilities committee meeting. Attended the Civil Service Meeting

07/26 Participated in an Economic Development meeting

08/02 *Participated* in a Radio interview with Kevin Sandler at the Fair

08/03 Met with owners at Stoneybrook pond on water issues

Participated in the Warrior Challenge at the Fair representing the City

Mr. Metz asked who has taken care of the grant application for the downtown historical areas, and when an answer will be known. Mayor Stinebaugh replied that Mr. Scott has submitted most of the required paperwork. Mr. Scott replied that an answer will be given at the end of September 2017.

The Service Director gave the following report:

No report.

Mr. Neumeier advised of a resident complaint regarding runoff water on Hamilton Road, presumably caused by the ongoing construction near the football field. Mr. Scott replied that the tile underneath this area was replaced. Mayor Stinebaugh added that once grass is planted back in place, this will alleviate some of the water issues. Mr. Scott added that most of the swales that were present for carrying away excess water have been filled with new homes, forcing water to only be carried away by tiles. Mr. Scott noted that if the City must begin replacing tiles to accommodate the large amount of water, Council must consider changing residents' bills to fund this.

Mr. Metz asked, regarding Mr. Scott's earlier statement of Council changing the storm water legislation from a 10 year to a 25 or 50 year plan, if he is aware of the process and length of time it takes to change this in the City of Wapakoneta. Mr. Scott replied that this is legislation of the City, not of the State's, and Council could pass such an ordinance at the next meeting if they so choose. Mr. Scott added that he has sought advice from Choice One Engineering on this topic, and there are factors to consider regarding the size of tile a contractor must use to prevent flooding issues. Mr. Metz stated that he feels it is time to prepare legislation to change from a 10 year storm to a 25 year or higher storm plan, based on advice received by Choice One.

Mr. Brandon Terrill then stated that he thought the developer or the City, not the resident, was responsible for the cost of creating and maintaining a system that can handle the excess water. Mayor

Stinebaugh explained to Mr. & Mrs. Terrill that the developer is only responsible until the City takes a new development over. Mayor Stinebaugh also explained that the City is non-profit, and must use funds from the taxes of residents to care for the City, and cannot go back in time and hold developers accountable for such things. Mr. Terrill stated he now understood, and agreed that the City ought to change the legislation from a 10 year storm plan to a 25 year or higher storm plan. Mr. Scott added that many years ago, no one might have known that the City's development would stretch as far as it has. Mr. Graf added that there was no Planning Commission in place several years ago to consider these things.

The Law Director gave the following report:  
No report.

**SCHEDULING OF MEETINGS:**

Communications & Rules Committee will have an open house on August 14<sup>th</sup> at 9:00am at City Hall.

Utilities Committee will meet on August 21<sup>st</sup> at 6:00pm at City Hall.

Streets & Alleys Committee will meet on August 9<sup>th</sup> at 3:30pm at City Hall.

Motion by Doll, second by Metz to adjourn at 9:07pm. Vote – 6 yeas, 0 nays.

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President

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Clerk of Council