

President Pro Tem Chad Doll called the meeting to order at 7:30pm on November 15, 2021 at 701 Parlette Court with the following members present: Ross Kantner, Daniel E. Lee, Brandon Miller, Chad Doll, John Sheipline, Terry Campbell and Chad Dunlap. Law Director Grant Neal, Interim Mayor Steve Henderson and 21 visitors were also present.

Motion by Lee, second by Campbell to approve the minutes of the November 1, 2021 Council meeting as submitted. Vote – 7 yeas, 0 nays. Motion passed.

Health & Safety Committee Meeting – a meeting was held on 11-11-2021 and the following was discussed:

The committee met to continue discussions on the proposed changes from the previous meeting on food truck regulations. The committee heard from local insurance agent Thomas Finkelmeier about the proper insurance requirements for such food trucks. After discussions, it was determined that the insurance information in the current ordinance were auto limits, not general liability. Finkelmeier recommended setting commercial general liability limits to no less than \$300,000 per occurrence and \$600,000 general aggregate. We also agreed to include that commercial auto insurance must comply with state law levels. We will recommend updating the ordinance to these numbers. He also recommended that if alcohol is sold, we should require Liquor Liability insurance in amounts equal to the general commercial liability insurance limits.

Finkelmeier also recommended that we clearly state that the food truck owners provide signed certificate of insurance policy signed by agent with notice that the holder of the certificate is the City of Wapakoneta. The city should also be named as additional insured on the policy. This is a common practice.

Other items discussed include:

- Striking 864.06 to remove the Income Tax provision from this ordinance.
- Make insurance reviewer designee of Safety Service Director and not the Mayor
- Discussed whether we should amend current ordinance or just write a new ordinance specific for food trucks
- Dan Lee is going to attempt to build a form for applicants. We would like to see online form if possible. As part of this, create a firm, bulleted list of what to require in the application within the ordinance.
- Legislation should begin on January 1, 2022. We should give owners some time to react to this legislation

The committee will meet again to continue this discussion and hopefully review a proposed ordinance that combines the points made on these and last minutes.

Lands & Buildings Committee Meeting – a meeting was held on 11-08-2021 and the following was discussed: Eastown property sewer relocation.

The city owned property located at the corner of Middle St. and Eastown Dr. has a 15" sewer line that will need relocated before the property can be transferred to the CIC. Engineering has estimated this project will cost \$90,000. Relocating this sewer line will maximize the property's potential for a proposed apartment complex to be managed thru the CIC.

Doll motioned to instruct administration to proceed with the relocation of the 15" sewer line as soon as possible.

Joint Committee Meeting with Parks & Recreation and Finance – a meeting was held on 11-08-2021 and the following was discussed:

Issues to be discussed will have a financial impact on the City finances/accounting.

The Wapak WaterPark is under the direction of the Rec Board and Administration.

Agenda Items:

Reviewed and discussed the YMCA proposal for Pool Management and Operations in 2022.

Consensus of Combined Committees that the proposal appears fair and the City should move forward with negotiations with the YMCA to secure an agreement that is fair and amenable to both parties.

There are several points of concern that will need to be addressed which include but are not limited to during said negotiations:

- Explicitly identify who the “points of contact” will be for the Y (Aquatics Director?), and the City (Parks Director?) and the lines of communications concerning questions/disruption of service/etc. regarding the WaterPark.
- Section (a) under Repairs and Maintenance, item 3: the YMCA shall have the right to terminate this agreement with one (1) day notice.

Brandon Miller again reiterated the importance of reviewing and implementing the full-time City Parks Director position, as this position appears to be the most logical person to represent the City if this proposal is accepted.

Next steps:

- Chad Doll to contact Interim Mayor Henderson regarding moving forward with negotiations with the YMCA.
- Ross Kantner to contact City Law Director Grant Neal regarding the review of proposal.
- Brandon Miller to contact City Auditor Wilbur Wells regarding the creation of the full-time Parks Director and how he would like to consider the compensation for that proposed position.

Discussed Interim Mayor Henderson’s request to review charging a non-refundable fee to reserve City facilities (gazeboes, shelter houses, etc.)

Combined Committees agree that a reservation fee should be implemented as part of a comprehensive “Parks Policy and Procedure” review and update.

- Suggested/proposed fee of \$20.00 to reserve a city park facility.
- Examples of Policies and Procedures that need to be reviewed/updated include but are not limited to:
 - How the rental fee will be handled.
 - Sign placement indicating who has reserved the facility.
 - Cleaning of the facilities (ie: fireplace in gazebo).

For Finance Committee: Discussed City Law Director position compensation.

Position of City Law Director has not been adjusted in quite some time. Comparisons presented of surrounding City Law Directors.

- Motion by Kantner to set the City Law Director position annual compensation at \$36,000, effective January 1, 2022. Second by Dunlap.

Communications –

President Pro Tem Doll noted that the first meeting of Council for 2022 will remain as scheduled for Monday, January 3, 2022. Council meetings landing on President’s Day and Martin Luther King Day will also remain as scheduled for 2022.

Unfinished Business -

Law Director Neal summarized his findings regarding the proper procedure for multi-way stop sign placement. Mr. Neal stated that since the Ohio Manual protocols were not adhered to, any enforcement of violations to said stop-sign could be challenged in court. Mr. Neal added that Council may reconsider their placement of stop signs at the Carnation and Stoneybrook Drives by resolution. Interim Mayor Henderson mentioned a similar instance of stop-sign installation in the past on Timber Trail and asked if its enforceability would also be in question. Mr. Campbell and Mr. Dunlap pointed out that Council only made the decision to place the additional stop signs at Carnation and Stoneybrook for safety purposes, particularly for pedestrians. Mr. Miller asked the Law Director to provide Council with a list of steps that must be completed in order to properly place the multi-way stop at Carnation and Stoneybrook. Motion by Lee, second by Dunlap to remove the recently added stop signs at Carnation and Stoneybrook Drives to complete the required traffic study. Vote – 7 yeas, 0 nays. Motion passed.

New Business -

Motion by Campbell, second by Lee to instruct City Administration to relocate the 15” sewer on the Easttown property to maximize the footprint for development of said property for the CIC to take it over. Vote – 7 yeas, 0 nays. Motion passed.

President Pro Tem Doll asked Clerk to read Ord 2021-45R for the third time re: AN ORDINANCE ESTABLISHING PRELIMINARY LEGISLATION FOR THE CONSENT OF THE CITY OF

WAPAKONETA TO THE OHIO DIRECTOR OF TRANSPORTATION FOR PAVING A PORTION OF SR 33 / SR 29 IN THE CITY LIMITS OF WAPAKONETA.

Motion by Lee, second by Campbell to adopt Ord 2021-45R. Vote – 7 yeas, 0 nays. Motion passed.

President Pro Tem Doll asked Clerk to read Ord 2021-46 for the second time re: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS AND DECLARING AN EMERGENCY.

President Pro Tem Doll asked Clerk to read Res 2021-47R for the second time re: A RESOLUTION DECLARING THE NECESSITY OF LEVYING AN ADDITIONAL TAX ON INCOME AT THE RATE OF ONE-HALF PERCENT IN ADDITION TO THE ONE PERCENT CURRENTLY BEING LEVIED AND COLLECTED AND SUBMITTING SAME TO THE ELECTORS OF THE CITY OF WAPAKONETA, OHIO, AND DECLARING AN EMERGENCY.

President Pro Tem Doll asked Clerk to read Ord 2021-49 for the first time re: ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR ENDING DECEMBER 31ST, 2022 AND DECLARING AN EMERGENCY.

Clerk McDonald announced the public hearing for said ordinance will be held on December 20th at 7:15pm at City Hall.

President Pro Tem Doll asked Clerk to read Ord 2021-50 for the first time re: AN ORDINANCE INCREASING THE SALARY FOR THE POSITION OF CITY LAW DIRECTOR.

President Pro Tem Doll asked Clerk to read Ord 2021-51 for the first time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY & SERVICE TO SELL CERTAIN ITEMS OF PERSONAL PROPERTY AND DECLARING AN EMERGENCY.

Motion by Miller, second by Campbell to suspend the rules for Ord 2021-51. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Miller, second by Shepline to adopt Ord 2021-51. Vote – 7 yeas, 0 nays. Motion passed.

Mayor report:

Met with Mr. Pat Hire of Clemons/Nelson (twice) as well as members of the OPBA regarding labor negotiations. I believe we have reached a mutually fair and acceptable contract going forward. I am requesting an executive session this evening so Mr. Hire can go over the final details of the contract with our city councilors.

Met with Mr. Pat Hire to discuss personnel.

I am having a conversation with Robin Townsend sales director for Aspen Energy out of Dublin to get some clear concise advice regarding the pricing of natural gas and the city's past gas aggregation program. The city's current program expired in this past September.

Had a conference call with John Courtney, Logan O'Neill and Levi Cecil regarding several key players in our Job Ready Site.

Met with Joey Boston regarding Efficiency Smart's rebate and technology programs. We are continuing to use this program for the city and it seems to be working quite well. I have another conference call with Joey, John and Logan tomorrow afternoon.

Met with Andy Beane regarding the West Benton street project. I believe the final pave began today.

The ODNR reached out to me regarding a \$75,000 grant that the city is being awarded for a new splash pad at Veterans Park. I emailed Jack Hayzlett the final details and paperwork so we can be awarded that grant!

The Perry street project is coming along nicely. I met with Levi Cecil about purchasing the lighting etc.

I had to send the count commissioners informing them that the city cannot accept the sanitary sewer from the Sherwood Forest sub-division. I have shared that letter and flow rates for your review. I spoke at length with Rob Bums regarding this issue. Rob was that department head prior to Justin Waid. Both were in complete agreement and felt given the data that it would be detrimental to our city, especially with any rain events. I highlighted those for you.

I spoke at the Wapakoneta Rotary club to give some updates around the city.

I had our department heads meeting. I can assure you we have the right people in those positions. I purchased the first ticket for the Auglaize County Cancer raffle.

I have also shared with you all a letter from Mr. David Klock regarding the possible donation of a portion of their property near the vacated alley beside Auglaize Audiology for a "Pocket Park".
I spoke with the mayor of West Liberty. She had inquired about the dispensary and would like to bring on of her village councilors to meet with Chief Schneider for further details. We are meeting this Wednesday at 10:00 a.m.

Mr. Campbell stated that one of the first things the new Safety Service Director should focus on is the completion of the CRA application.

Law Director report:

Mr. Neal stated that another pressing item for the upcoming Safety Service Director is the dangerous buildings ordinance that needs put out for bid.

Mr. Campbell asked for an update on the DORA expansion. Mr. Neal stated this would be ready upon next Council meeting.

Scheduling Committee Meetings:

Lodging Tax Committee will meet on December 20th at 6:15pm at City Hall.

Health & Safety Committee will meet on November 23rd at 7pm at City Hall.

Streets & Alleys Committee will meet on November 18th at 7pm at City Hall.

Miscellaneous Business:

Motion by Miller, second by Lee to enter executive session at 8:13pm to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, and 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 and inviting Interim Mayor Henderson, Law Director Neal and Mr. Pat Hire. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Miller, second by Campbell to come out of executive session at 8:50pm. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Lee, second by Dunlap to accept the OPBA Patrol and Lieutenants contract as provided to Council. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Lee, second by Dunlap to adjourn the meeting at 8:51pm. Vote – 7 yeas, 0 nays. Motion passed.

President Pro Tem

Clerk of Council