

President Pro Tem Chad Doll called the meeting to order at 7:30pm on September 12, 2022 at 701 Parlette Court with the following members present: Ross Kantner, Brandon Miller, Chad Doll, John Shepline, Terry Campbell and Chad Dunlap. Law Director Grant Neal, Interim Mayor Steve Henderson and Safety Service Director Michael Brillhart were also present. Councilman Daniel E. Lee was absent. There were 9 visitors present.

Received Income Tax Summary Report for Month Ending 08-31-2022.

Motion by Miller, second by Dunlap to approve the minutes of the August 15, 2022 Council meeting as submitted. Vote – 6 yeas, 0 nays. Motion passed.

**Streets & Alleys Committee** – a meeting was held on 08-25-2022 and the following was discussed:

1. Location of Hamilton Rd. Pedestrian Crossing Signs

a. Mr. Campbell had questions for Bill Thompson regarding the proper location of the pedestrian crossings signs on the city side of Hamilton Road by the football stadium. Mr. Thompson stated that we had to place it through the sidewalk, but he thought that the signs on the city side of the street was already installed. The committee will monitor how the signs seem to be working to keep pedestrians safe at that crosswalk.

2. Stoneybrook Signage and Ongoing Traffic Calming Effort

a. Both the new speed limit signs and Pedestrian using roadway signs have been added on Stoneybrook. The committee will continue to discuss potential ideas for traffic calming in the area, including the potential for a speed table being researched by Mr. Campbell. We will give the new signage some time and see how it seems to be affecting the area moving forward, with the hopes of adding further measures for safety in the future.

3. Haynes St. Road Widening Ideas – Mary Ruck and Michael Brillhart

a. Since the initial plan to update the Haynes Street area came in at \$2.2 MM, the committee felt that we should try to simply improve the width of Haynes St. at a much lower cost initially. Mary Ruck laid out two proposals:

i. Grind, pave, stabilize Haynes St.: \$63,500 cost

ii. Using old grindings to widen the road by 5 feet on each side

The committee felt that the second option would be very quick, with the first option potentially coming later. Motion by Campbell, second by Miller to begin with approach #2. SSD Brillhart stated that residents and businesses in the area would be notified before this work begins.

4. Edgewater Apartments Code Enforcement

a. Mr. Campbell has been doing extensive investigating into the concerns of a citizen at Edgewater Apartments who is worried about code enforcement. The citizen believes that the private drive in the complex is a public road, and thus should be treated that way by code enforcement. The committee has confirmed with city engineering that this drive is not a public road. In this research, the committee has determined that Ordinance 1284.03 states that off-street parking should be maintained in good condition, however there is little mechanism for any repercussions if a landlord does not meet these standards. The committee is asking Law Director Neal to research this ordinance and determine if there is legality to it, and if we can add a stricter punishment if this ordinance is not properly followed by landlords.

5. American Legion Alley Pavement

a. There is an alley that is between the American Legion and a property that used to be the old bowling alley right across the alley from the Legion. They are purchasing the old bowling alley to create an annex and would like to pave over the alley between the two lots with the understanding that if the city had to do any updates underneath the alley, it would be American Legion's responsibility to repave. Motion by Campbell to give the American Legion permission to pave over the alley between the two properties with the understanding that it is their responsibility to repave the location if the city needs to do any utility work in the alley. Second by Miller.

6. Infirmary Rd. Crosswalk

a. Now that sidewalks have been installed through Kah addition, the committee felt that it would be appropriate to add a crosswalk to connect Kah addition to Clover Ridge addition across Infirmary road.

Motion by Campbell, Second by Miller to recommend placing a crosswalk on Infirmary Rd. between Woodlawn and Rosewood. It was also recommended to utilize the thermal plastic for striping.

#### 7. Legacy Parkplatz Parking Lot Update Recommendations

a. Recommendation by SSD Brillhart and staff to make a few changes to the Legacy Parkplatz parking lot. This includes:

- i. Removing a raised curb near the gold star memorial side of the turnaround and replace with asphalt and striping,
- ii. Restriping a section on the space helmet side of the turnaround to make it more conducive to making the turn,
- iii. Changing the curbing shape near the alley that connects Willipie St. to the parking lot to allow for easier truck turning radius.
- iv. Make the first parking spot nearest the gold star memorial within the parking lot a "Compact Vehicle Only" parking spot due to its entry and exit difficulty.

Motion by Campbell, Second by Miller to agreeing with the proposed updates and recommending the updates be completed.

#### 8. Potential Ordinance Changes required for "Parklet" Idea near Legacy Parkplatz

a. The committee has recognized that, if we were to establish some sort of temporary "Parklet" in front of Legacy Parkplatz, there would need to be some changes to our ordinance with respect to right-of-way. Mr. Brillhart is going to do some research and determine what would need updated for such a "Parklet" to be allowed per our ordinances.

**Parks Committee** – a meeting was held on 08-22-2022 and the following was discussed:

Review/Discussion/Updates from Michael Brillhart from June 8 Parks Committee Meeting:

Parks Director Position –

Draft Recreation Director job description provided.

Discussion on language of title of position: Parks Manager vs. Parks Supervisor.

Parkway Project –

Update provided. Interim Mayor Henderson and the SSD met with Jackie Martel and Jim Steinke regarding a preliminary design of the Parkway project. Mr. Steinke is preparing a tentative cost estimate for the installation of brick pavers, landscaping materials, and traffic control barriers. Brick pavers are the preferred material.

Jackie Martell stated she is willing to write/fill out grant application for Lodging Tax money to applied to project.

City Park restroom vandalism issue/problems:

The city has ordered security cameras for Harmon Park and is finalizing camera repair at Heritage Park.

Status of measures to protect monument/sculpture in Legacy Parkplatz provided. The City's IT Tech, Matt Bell, is working with TSC and the Electric Department on the design, acquisition and installation of multiple cameras at Legacy Parkplatz.

Permanent Stage in Heritage Park-

M. Brillhart answered and/or updated:

Any required legislation requirements to build permanent structure –

The city should adopt a resolution specific to authorizing the advertisement of a Response for Proposal (RFP) for architectural and design services for a permanent outdoor entertainment stage at Heritage Park.

Investigate potential state/federal funding resources –

City staff is investigating funding eligibility and availability under the following: city ARPA; Auglaize County ARPA; State of Ohio DNR grants; Sate Bi-annual capital grant program; State CDBG funding through Auglaize County.

Chamber of Commerce naming rights possibility -

City staff will investigate

There would need to be an "interlocal agreement" between the city and other party.

There would need to be City Approval.

Jackie Martel, Chamber of Commerce –

Stated the Chamber has interest in naming the permanent stage, but the most important aspect is the guarantee that the Chamber will have dedicated access to the stage for the activities the Chamber sponsors, or is involved with.

To dispel a rumor of potential change, Jackie stated the Chamber will keep the Moon Festival Concerts Downtown, not on the Heritage Park Stage.

Jackie asked M. Brillhart for estimate of completion/use of permanent stage as she is booking bands for next summer. Michael stated that due to grant process, she should not plan on having the permanent stage to use in the spring.

Jack Hayzlett, Parks Department Supervisor

J. Hayzlett provided City Parks Projects updates:

Harmon Park Baseball Field to get new fence and sod on infield

Breakfast Optimist Park to have new p gravel in place of mulch, and equipment painted

Heritage Park – continued work/repair of grass. Chamber of Commerce purchased fertilizer to be used.

Veterans Park to get new equipment

WaterPark 2 new heater pumps

Potential kayak or canoe entry points into Auglaize River

New Business:

Discussion on idea from Dan Lee on using a “parklet” or temporary seating “stage” on Auglaize Street in the area in front of the Parkplatz. (picture on my Ross’ phone)

Briefly discussed Pros / Cons

Should this be a Parks issue, Streets & Alleys issue, or combined committee?

Tabled for further consideration.

Other:

Update/discussion of the Interim Mayor’s Temporary Committee (Beautification Committee) for Legacy Parkplatz:

Jackie updated Committee and answered questions regarding the plans and timelines.

Question raised regarding the WaterPark negotiations with the YMCA.

Will have information in September to review, so hope to have decision and/or agreement in place in October.

**Utilities Committee** – a meeting was held on 08-22-2022 and the following was discussed:

First on the agenda was a water situation brought before the committee by Mr. Brown and Mr. Staugler. They contend that their properties have standing water due to a failure of oversight by the City of Wapakoneta. Much discussion ensued about the water problem and the cities knowledge of the problem. Mr. Brillhart was aware of the problem and felt he knew what would remedy the situation. The committee instructed him to rectify the situation within the preview of what the city can do without council action. All committee members agreed with this concern. Administration will try to rectify the situation before it becomes a problem again and will maintain communication with this committee and the residence that it is affecting.

The committee was made aware that there may be other water concerns around the city. We indicated to the administration that this committee would be glad to look at each individual problem and make recommendations, suggestions, or bring the concerns to the council with direction. We will look at these when they present themselves.

Our next topic for discussion was the water rates that are being charged for nonresident usage. The committee received information from Mr. Brillhart about the billing and the effects that it has on our water department. We as a committee concluded that at this time it would not put undue stress on the water department and our tax base to lower the rate for nonresident customers to a more standard rate of 150%. Motioned by Mr. Campbell and seconded by Mr. Doll that the City reduces the nonresident water rates to 150%. This motion passed unanimously.

Finally, Mr. Brillhart reviewed plans for a new water tower to be constructed on Short Road in the City of Wapakoneta. This water tower is essential for our City to continue to expand and provide uninterrupted water service to our residents and to the businesses that rely on it. The committee is in favor of this project moving forward for the sack of our citizens and our businesses.

**Guest Petitions** –

Mr. JP Metz of 125 W. Auglaize Street requested Council’s permission for an encroachment to install new signage and lighting over ‘Dad’s Toy Shop’. Mr. Metz explained the new signage will be 24” by 36” and made out of epoxy coated wood. Mr. Metz also explained the mounting hardware and safety chain that will be used.

Mr. Adam Johnson of 1016 Holley Street and representing Ms. Allison Dubois of Al's Woody's at 9 N. Wood Street addressed Council about an application for an extension of the Revitalization District. Mr. Johnson supplied maps and information about available D-5L liquor licenses in the district as well as parameters of use. Mayor Henderson noted that City Administration supports the request and a public hearing will need to be scheduled on the matter.

Mr. Kyle Binkley of 1104 Timber Trail addressed Council to suggest that the City require construction and engineering companies to replace any survey monumentation pins that are destroyed during construction projects. Mr. Binkley explained that the City endures unnecessary costs in having the work re-done and many of his clients have lost their property monumentation in recent construction projects in the City of Wapakoneta.

Mr. Binkley then stated that in May 2022, the Ohio Attorney General's office contacted his organization asking for copies of their utility bills for an ongoing investigation of theft by a City employee. Mr. Binkley stated that he then waited for the City to issue a statement about the matter, but that information never came. Mr. Binkley asked how the theft occurred, what affect it has on utility bills and taxes and what the City is doing about the incident. Mayor Henderson answered that City Administration may not comment about an on-going investigation and that the Ohio Bureau of Criminal Investigation is handling the case. Mr. Binkley summarized that he feels citizens are losing faith in our City government and a statement should have been issued by the City about the matter before investigative phone calls were made to utility bill customers in Wapakoneta.

Mr. Randy Barhorst of 701 Wheeler Lane addressed Council about the lack of notification to residents about street closures and construction projects in the area. Mr. Barhorst stated that due to the street construction, emergency services could never have accessed his neighborhood in the case of a fire or medical situation. Mr. Barhorst explained that better signage is needed for communication to drivers, including an "open to local traffic" sign during street construction. Mayor Henderson apologized and agreed that the citizens on Silver Street should have been notified in advance of the project. Mayor Henderson stated that moving forward, affected residents will receive notifications in advance of City construction projects. Mr. Barhorst added that during construction, a hole was cut in the roadway in front of his business that was not sealed properly and he feels it will result in a pothole.

Mr. Barhorst also noted the Downtown Wapakoneta Partnership funding discussion at last Council meeting, and asked if businesses that were not located in the downtown area could apply. Mr. Campbell and Mayor Henderson explained the purpose and parameters of said funding, noting that the efforts made are for façade improvement in the downtown area.

Mr. Barhorst also suggested that the City hire an in-house engineer rather than pay Choice One Engineering to do projects. Mayor Henderson replied that the City will be posting for that position soon.

#### **Unfinished Business –**

Mr. Campbell noted that the Wapakoneta Police Department is still seeking applicants for the position of School Resource Officer.

#### **New Business -**

Motion by Campbell, second by Sheipline to approve the encroachment request for signage and lighting above 'Dad's Toy Shop' located at 123 W. Auglaize Street. Vote – 6 yeas, 0 nays. Motion passed.

President Pro Tem Doll noted that Council will await drafted legislation regarding the application for an extension of the Revitalization District.

Motion by Miller, second by Dunlap to enter executive session at 8:24pm in order to prepare for negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment and inviting City Administration and Mr. Pat Hire. Vote – 6 yeas, 0 nays.

Motion by Miller, second by Campbell to exit executive session at 8:51pm. Vote – 6 yeas, 0 nays. Motion passed.

President Pro Tem Doll asked Clerk to read Ord 2022-50 for the second time re: AN ORDINANCE AMENDING SECTION 258.02 OF THE CODIFIED ORDINANCES OF THE CITY OF WAPAKONETA SPECIFIC TO THE COMBINED OFFICE MANAGER AND INCOME TAX ADMINISTRATOR POSITION.

President Pro Tem Doll asked Clerk to read Ord 2022-51 for the second time re: AN ORDINANCE ENACTING THE TAX ADMINISTRATOR POSITION AND CREATING THE ACCOMPANYING JOB DESCRIPTION FOR THE CITY OF WAPAKONETA.

President Pro Tem Doll asked Clerk to read Ord 2022-52 for the second time re: AN ORDINANCE AMENDING JOB TITLES AND PAY RANGES SPECIFIC TO THE OFFICE MANAGER AND TAX ADMINISTRATOR POSITIONS FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THE CITY OF WAPAKONETA IN COMPLIANCE WITH CHAPTER 260 OF THE CODIFIED ORDINANCES OF WAPAKONETA, OHIO.

President Pro Tem Doll asked Clerk to read Res 2022-53 for the second time re: A RESOLUTION AUTHORIZING THE SUPERINTENDENT OF ENGINEERING TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (O.P.W.C.) 2022 STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

President Pro Tem Doll asked Clerk to read Res 2022-54 for the first time re: A RESOLUTION ACCEPTING THE 2023 ALTERNATE PLAN OF DISTRIBUTION OF LOCAL GOVERNMENT FUNDS FOR AUGLAIZE COUNTY AS APPROVED BY THE AUGLAIZE COUNTY BUDGET COMMISSION AND DECLARING AN EMERGENCY.

Motion by Dunlap, second by Kantner to suspend the rules for Res 2022-54. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Campbell, second by Shepline to adopt Res 2022-54. Vote – 6 yeas, 0 nays. Motion passed.

President Pro Tem Doll asked Clerk to read Ord 2022-55 for the first time re: AN ORDINANCE AMENDING SECTION 1044.06(b) OF THE CODIFIED ORDINANCES OF THE CITY OF WAPAKONETA REGARDING THE RATES AND CHARGES FOR METERED WATER SUPPLIED BY THE UTILITY TO PREMISES LOCATED OUTSIDE THE CORPORATE LIMITS OF THE CITY.

President Pro Tem Doll asked Clerk to read Ord 2022-56 for the first time re: AN ORDINANCE APPROVING A CHANGE OF ZONING CLASSIFICATION FROM “B-3” (CENTRAL BUSINESS) TO “M-2” (INDUSTRIAL DISTRICT) FOR PROPERTY PETITIONED BY 555 PARK STREET LLC.

Clerk McDonald noted a public hearing is scheduled for October 17<sup>th</sup> at 7:15pm at City Hall regarding Ord 2022-56.

President Pro Tem Doll asked Clerk to read Ord 2022-57 for the first time re: AN ORDINANCE AUTHORIZING THE EXECUTION OF A JOB CREATION TAX CREDIT GRANT AGREEMENT WITH CHEESEMAN LLC.

Mr. Logan O’Neill of WAEDC and residing at 238 N. Franklin Street, New Bremen, and Ms. Sara Evers representing Cheeseman LLC were present for any questions from Council about the agreement and new maintenance facility.

President Pro Tem Doll asked Clerk to read Ord 2022-58 for the first time re: AN ORDINANCE AMENDING SECTION 612.08 OF THE CODIFIED ORDINANCES OF THE CITY OF WAPAKONETA, OHIO.

Law Director Neal explained that the wording for Ord 2022-58 should reflect the current Ohio Administrative Code guidelines.

**Mayor report:**

Mayor Henderson appointed Julie Klopfenstein of 918 Primrose Drive, Jim Hageman of 1110 Timber Trail and Will Crawford of 407 E. Mechanic Street to the Board of Zoning Appeals.

Motion by Miller, second by Campbell to approve said appointments. Vote – 6 yeas, 0 nays. Motion passed.

Mayor Henderson noted that the Water Treatment Plant is having difficulty obtaining electronic chips and this will extend the project deadline. Benton Street project is finishing up and the 25A and Silver Street projects are ongoing. Grind and pave will soon begin on Warren Avenue.

Mr. Doll asked if re-seeding will occur on West Benton Street. SSD Brillhart answered, yes.

Mr. Shepline asked for re-seeding at the corner of Dearbaugh and Auglaize Street.

**Service Director report:**

There is a shortage of concrete in the region, therefore the roadways that need a stabilized base will be completed next year. Middle and Warren Streets will be mill and paved this year. Industrial Park improvements project staff will meet with the Ohio Small Communities Environmental Infrastructure Group next month.

Mr. Miller asked if the Haynes Street widening is complete. SSD Brillhart answered, no.

**Law Director Report:**

No report.

Mr. Dunlap stated a request has been received to utilize the City seal for a children's book. Law Director Neal will look into the details for use of the intellectual property of the City's seal.

Mr. Campbell asked what can be done regarding property violations and maintenance issues at Edgebrook Apartments. Law Director Neal replied that code enforcement fines can be issued.

**Scheduling Committee Meetings:**

Parks Committee will meet on September 15<sup>th</sup> at 4pm at City Hall.

Finance Committee will meet on September 15<sup>th</sup> at 3pm at City Hall.

Lodging Tax Committee will meet on September 19<sup>th</sup> at 6:15pm at City Hall.

**Miscellaneous Business:**

The next Council meeting is scheduled for September 19<sup>th</sup> at 7:30pm at City Hall.

Motion by Dunlap, second by Campbell to adjourn the meeting at 9:23pm. Vote – 6 yeas, 0 nays. Motion passed.

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President Pro Tem

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Clerk of Council