

President Chad Doll called the meeting to order at 7:30pm on June 5, 2023 at 701 Parlette Court with the following members present: Ross Kantner, Daniel E. Lee, Brandon Miller, Alex Greve, John Shepline, Terry Campbell and Chad Dunlap. Mayor Steve Henderson, Law Director Grant Neal and Safety Service Director Michael Brillhart were also present. There were 19 visitors present.

Motion by Dunlap, second by Lee to approve the minutes of the May 15, 2023 Council meeting as submitted. Vote – 7 yeas, 0 nays. Motion passed.

Received Income Tax Summary Report for Month Ending 05-31-2023.

**Lodging Tax Committee** – Mr. Lee summarized a meeting held on 06-05-2023 and the following was discussed:

Current balance of unencumbered lodging tax funds is \$34,836. One application for funding was received by Mr. Dave Christiansen representing the Service Club and requesting \$10,000 for the expansion of a shelter house at Veterans Park. Mr. Miller asked if the ARPA funded projects planned for Veterans Park are smaller in scale. Service Director Brillhart answered, they are equivalent. Mr. Miller asked for the additional costs needed for the shelter house project. Mr. Kantner noted that the Breakfast Optimist Club will be providing the labor for the project. Motion by Lee, second by Kantner to grant \$10,000 in lodging tax funds to help build a shelter house at Veterans Park. Vote – 7 yeas, 0 nays. Motion passed.

**Communications –**

Mr. Sam Wolfe of 3152 Summerwood Ct, Galena, and representing American Municipal Power, presented a scholarship award to Nathan Doll, graduate of Wapakoneta High School.

Clerk McDonald read a letter from the Ohio Division of Liquor Control for a new permit to: AL Post 0330 Auglaize, AL Post 330 Annex, 214 S. Wagner Avenue, Wapakoneta, Ohio. Council did not request a hearing.

Mr. Miller announced that the Auglaize County Humane Society is in desperate need of donations and volunteers.

**Guest Petitions –**

Mr. Anthony Brookhart of 301 Willipie Street requested a temporary road closure of Main Street on September 15<sup>th</sup> and 16<sup>th</sup> for the St. Paul United Church of Christ Fall Festival. Motion by Lee, second by Greve to approve the request. Vote – 7 yeas, 0 nays. Motion passed.

Mr. Shawn Watt of 909 Stoneybrook Drive requested Council's consideration on two requested variances to his property in order to construct a swimming pool in his yard. Mr. Watt provided Council with survey documents, pool cover case study information and photos of the area being considered for construction. Mr. Watt noted that other Wapakoneta property owners with private swimming pools have been granted the same variances that he is requesting. Mr. Watt explained that the Board of Zoning Appeals has denied his request. Law Director Neal explained it is not the province of Council to grant variances, and if the Board of Zoning Appeals denies a request, the next step is to seek relief with the Auglaize County Court of Common Pleas. Mr. Miller suggested that the matter be put to the Health & Safety Committee for consideration. Mr. Watt stated he feels technology has bypassed the City's current bylaws.

Mr. Randy Lamarr of 1113 Glynwood Road and attorney for Mr. Shawn Watt stated that approaching Council to appeal the Board of Zoning Appeals' decision is the least restrictive means to do so. Mr. Lamarr stated that the Board of Zoning Appeals' decision to deny Mr. Watt's request was arbitrary and capricious, as it was outside the norm of what was decided on similar variance requests in the past. President Doll put the matter into the Health & Safety Committee for consideration.

Mr. Paul Eisert of 910 Sunrise Dr. and Code Enforcement Officer for the City of Wapakoneta addressed Council about Section 1286.03 and suggested that it be updated to allow for the U.S. flag to be placed

within the tree lawn and military banners to be placed on light poles. Mr. Miller suggested the matter be placed within Lands & Buildings for review.

#### **Unfinished Business -**

Motion by Miller, second by Campbell to untable Resolution 2023-22. Vote – 7 yeas, 0 nays. Motion passed.

#### **New Business -**

Council has rescheduled their first meeting of July to July 10<sup>th</sup> due to the holiday.

President Doll asked Clerk to again read Res 2023-22 for public benefit: A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR COLLECTION, TRANSPORTATION AND DISPOSAL SERVICES FOR REFUSE AND RECYCLING IN THE CITY OF WAPAKONETA.

Motion by Miller, second by Campbell to adopt Res 2023-22. Vote – 7 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-29 for the second time re: AN ORDINANCE AMENDING SECTION 6.0 “CELLULAR PHONE USAGE” OF THE PERSONNEL POLICY AND PROCEDURE MANUAL FOR THE CITY OF WAPAKONETA.

President Doll asked Clerk to read Ord 2023-30 for the second time re: AN ORDINANCE AMENDING SECTION 2.02 “AMERICANS WITH DISABILITIES ACT” OF THE PERSONNEL POLICY AND PROCEDURE MANUAL FOR THE CITY OF WAPAKONETA.

President Doll asked Clerk to read Res 2023-31 for the second time re: A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO SET SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE ACQUISITION OF A HIGHWAY TOWABLE MOBILE ENTERTAINMENT EVENT STATE USING ARPA FUNDS.

President Doll asked Clerk to read Ord 2023-32 for the second time re: AN ORDINANCE AMENDING ORDINANCE 2019-08 SPECIFIC TO THE REMOVAL OF EASEMENT RESTRICTIONS ASSOCIATED WITH THE VACATION OF THE UNIMPROVED PORTION OF JOHN STREET AND DECLARING AN EMERGENCY.

Motion by Dunlap, second by Campbell to suspend the rules for Ord 2023-32. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Campbell, second by Greve to adopt Ord 2023-32. Vote – 7 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Res 2023-33 for the first time re: A RESOLUTION AUTHORIZING ACCEPTANCE BY THE CITY OF WAPAKONETA OF A BID SUBMITTAL FOR THE INFLOW AND INFILTRATION (I/I) PROJECT ADMINISTERED BY THE WASTEWATER DEPARTMENT AND DECLARING AN EMERGENCY.

Service Director Brillhart noted this project is required by Ohio EPA and the emergency language is needed to get the work started before the winter season arrives. Mr. Miller asked for the funding source. SSD Brillhart answered that it is locally funded within the Wastewater Department capital improvements line item.

Motion by Campbell, second by Miller to suspend the rules for Res 2023-33. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Miller, second by Kantner to adopt Res 2023-33. Vote – 7 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-34 for the first time re: AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT BY THE CITY OF WAPAKONETA WITH DUCHOUQUET TOWNSHIP, AUGLAIZE COUNTY, OHIO.

President Doll asked Clerk to read Res 2023-35 for the first time re: A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE FOR BIDS FOR THE

## CONSTRUCTION OF A RECREATION STORAGE AND OFFICE BUILDING AT VETERANS PARK USING ARPA FUNDS.

President Doll asked Clerk to read Res 2023-36 for the first time re: A RESOLUTION AUTHORIZING THE CITY OF WAPAKONETA TO SOLICIT FOR BIDS FOR THE CONSTRUCTION OF WATER LINE IMPROVEMENTS AT VETERANS PARK.

### **Mayor report:**

Attended OMEA Board meeting.

Attended AMP awards recognition dinner.

Attended Board of Zoning Appeals meeting and a Planning Commission meeting.

Attended a museum board meeting.

Request for Health & Safety Committee to review additional measures the City can take to make crosswalks safer for children.

Thank you to Wapak YMCA and Wapak WaterPark staff for their hard work in getting the pool ready for the season.

Mr. Kantner suggested placing flashing signs at crosswalks.

Mr. Miller asked for an update on the permitting process for the new play structure at the Wapak WaterPark. Service Director Brillhart answered that he is getting necessary documentation to the Department of Health.

### **Service Director report:**

Bids for the mill and pave and sidewalk projects are coming in.

Submitted a letter to the State for the reclamite process.

Wifi has been installed in the downtown area.

Income tax receipts for the year are on-par with 2022.

Met with architectural design firm for the fire station expansion project. The nearby engineering building will be demolished and a new location is being sought.

Mr. Kantner noted the daily breakdown on the income tax batch log provided to Council shows an \$18,110.60 adjustment for refunds and asked who double checks this information for accuracy. SSD Brillhart answered that the refunds are brought forward by the utilities staff, which is then reviewed by the Office Manager, Auditor and Safety Service Director.

Mr. Kantner asked for the Street Income Tax levy report. SSD Brillhart will inquire with Auditor Wells.

Mr. Kantner asked for the previous letters sent by CPA Zupka regarding audits. SSD Brillhart will inquire with Mr. Zupka for copies of the letters.

Mr. Miller asked if the City has received last year's audit results. SSD Brillhart noted the audit has not been finalized yet.

Mr. Dunlap asked for an update on Harrison Street recycling drop-off. SSD Brillhart answered that an adjacent property to the current location may be available for use.

### **Law Director report:**

Sentencing for former Utilities Clerk Christine Steinke will occur June 9<sup>th</sup>.

Regarding audit letters addressed to Wapakoneta City Council, Mr. Kantner asked what the consequences would be for someone not providing councilors with mail addressed to them. Law Director Neal could not answer the question definitively. Mr. Kantner asked Mr. Neal to research this.

Mr. Campbell asked for an update on the Eastown Property transfer. Law Director Neal stated the land swap never officially occurred and a closing agent is likely needed to accomplish this.

### **Scheduling of Committee Meetings:**

Parks Committee will meet June 13<sup>th</sup> at 4:15pm at City Hall.

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

Ad Hoc Committee for the strategic plan will meet June 15<sup>th</sup> at 5pm at City Hall.  
Health & Safety Committee will meet June 8<sup>th</sup> at 5:30pm at City Hall.

Motion by Lee, second by Campbell to adjourn the meeting at 8:48pm. Vote – 7 yeas, 0 nays. Motion passed.

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President

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Clerk of Council