

President Chad Doll called the meeting to order at 7:30pm on June 19, 2023 at 701 Parlette Court with the following members present: Ross Kantner, Daniel E. Lee, Brandon Miller, Alex Greve, Terry Campbell and Chad Dunlap. Law Director Grant Neal and Safety Service Director Michael Brillhart were also present. There were 8 visitors present. Councilman John Sheipline and Mayor Steve Henderson were absent.

Motion by Lee, second by Dunlap to approve the minutes of the June 5, 2023 Council meeting as submitted. Vote – 6 yeas, 0 nays. Motion passed.

Guest Petitions –

Ms. Linda Brandt of 507 Arricola Avenue, St. Augustine, Florida presented Council with a copy of the special edition of her children's book, 'To the Moon, Henry', featuring the Wapakoneta City Seal.

Parks Committee – a meeting was held on 06-13-2023 and the following was discussed:

Review minutes of last meeting – April 10, 2023.

Motion to approve minutes: B. Miller 2nd: J. Sheipline

Unanimously approved

Update/Old Business:

Brandon - combined meeting between Parks Committee and Lands & Buildings Committee to research and create a Public Arts Policy to address future city art projects such murals, sculptures, etc.

No updates at this time.

Michael - Progress on hiring Full-Time Parks Department Position

*Clarification of what we are looking for?

Per Michael, he has been in conversations with Jack regarding the "Rec Manager Position", and they have come to the conclusion that due to all the planned projects, as well as present and foreseeable workload for the next 18 months, the Park Department really needs a full-time maintenance/mechanical skills person rather than management/oversight skills.

Discussion followed regarding job description and the need to amend/change the job description and title as well as the legislation that was passed to allocate ARPA funds for this position.

Brandon requested Michael to change the job name and description for the posted full-time position in the Parks Department, and to look into and draft amendment to the ARPA Funding Legislation.

New Business:

Geese problem in City Parks

Brandon suggested the City hire someone authorized by ODNR to "dispatch" (hunt) geese within city limits. He introduced Randy Lawrence, hunting aficionado to explain.

Randy has spoken with ODNR (both Mercer and Auglaize county officers) for ideas and suggestions. ODNR mentioned the use of red lazars, but have limited effectiveness long term. They also explained the use of "Permit to Dispatch", which has shown better success, but the problem is that the geese are on city property, and you cannot discharge a firearm in city limits without special permission and/or variances. ODNR did say that the geese along the river would not be good to dispatch due to the proximity of houses and people.

Discussion followed regarding possibilities, pros and cons of dispatching the geese.

Brandon made a motion: Recommendation to City Council from Parks Committee, for Administration to begin looking into variance with Police to allow discharging a firearm for the purpose of dispatching (hunting) of geese in designated areas within city limits (specifically, area south of 33), during specific times, by individuals approved by Chief Schneider

2nd by J. Sheipline

Unanimously approved

Ross suggested the City hire dog trainer (if one can be found) to chase geese away

Other suggestions?

Use of remote-controlled cars to chase the geese from the River Walk

Use of 4 Wheel drive vehicles to chase the geese from the River Walk

Fire Blank rifles (ie: Honor Guard) - *would still need variance to discharge a gun.

Set fake white swans in the river

Parks Update from Jack -

New play toys at Water Park – the bucket is not swinging properly

Global Electric hired to use bucket truck to fix.

Both Gazeboes have timed door locks installed on bathrooms.

Parks Dept vehicles recently vandalized, as well as portable air conditioner stolen.

New chairs and chemical box purchased for Water Park.

Veterans Park improvements:

Walking path scheduled to be resealed

New LED lights ordered

Fencing on baseball fields repaired and painted

New shelter house adjacent to new splash pad

Jack mentioned parking lot is in need of major maintenance and repair.

Harmon Park dog park has been laid out

Optimist Park soccer fields are being overseeded

Jack is looking to purchase a used John Deere Gator with a blade to move snow in the parks and walking paths.

Received \$3,000.00 from Eagles

Questions for/clarification from Michael

Veterans Park splash pad installation still planned for June?

The installer is juggling jobs, but is planning to do ours as planned

Status of ODH Water Park inspection

No additional requests from them. No time frame for approval

How should he access ARPA Funds for remodeling bathrooms and playground as well as boilers for the pools that were previously approved?

Michael requested Jack to submit purchase orders with reference to ARPA

Has there been any more thought/consideration of moving chemicals from basement at Water Park upstairs?

Michael asked Jack to provide his contact information with chemical rep for input on specifications and recommendations.

Mr. Campbell asked if there is any plan to add public restrooms to the downtown area. Service Director Brillhart agreed to look into this.

Lodging Tax Committee – Mr. Lee summarized a meeting held on 06-19-2023 and the following was discussed:

The committee received three applications for funding. The first application was from 'Children's Hometown Holiday' regarding storage needs. This item was tabled by the committee. The second application was for \$5500 to replace and install the veterans' banners throughout town. The final application was received from 'Riverside Art Center' for the installation of a mural on the west side of the railroad tracks on Auglaize Street. The mural would be an artistic rendering of downtown Wapakoneta and will be located on a privately owned building. It would be hung up rather than painted directly on the building itself, and could be replaced or removed in the future. The total cost for this project is \$16,000, and the committee agreed to grant funding in the amount of \$8000.

Mr. Miller asked for the current balance of the Lodging Tax fund. Mr. Lee replied, approximately \$24,000 unencumbered, with another installment due soon.

Law Director Neal noted that an easement-type ordinance can be utilized regarding the placement of the mural on a privately owned structure.

Mr. Campbell asked for the size of the proposed mural. Mr. Lee replied, 240" by 360".

Ad Hoc Committee – a meeting was held on 06-15-2023 and the following was discussed:

The committee began by approving previous meeting minutes unanimously.

The committee began by summarizing the discussion of the previous meeting and began a new discussion of moving forward with an updated comprehensive plan. It was noted that this committee's only role is to recommend next steps as to how we approach a new strategic plan. It was also noted by Mr. Doll and Mr. Brillhart that the previous consulting group is no longer in existence, and the individual that worked closest on the previous strategic plan is now retired. Mr. Brillhart stated that the next step is

deciding whether to do an entirely new comprehensive plan or just update the data in the previous strategic plan.

Motion by Shepline, second by Greve to recommend to Mr. Brillhart to put together an ordinance for an RFP to solicit offers from consulting firms to develop a completely new strategic plan for the city. Motion passed unanimously.

The next step, if the ordinance passes and proposals are received, is to analyze cost of proposals in the finance committee.

Health & Safety Committee – a meeting was held on 06-08-2023 and the following was discussed:

Variance for setback and automatic pool cover – During the council meeting on June 5th, there was a request from Mr. Shawn Watt, a Wapakoneta citizen, for the city to consider a modification to 2 requirements regarding the install of a pool. The two variance requests were the following.

Reduction of the 20 ft setback from property line

Automatic Safety Cover approved by the ASTM in lieu of a barrier fence

Prior to approaching City Council, Mr. Shawn Watt went to the Board of Zoning Appeals (BOZA) to ask for approval of the variances, in which the BOZA did not approve the request. During this Health and Safety meeting, the BOZA chairman Tom Fischer explained they did not approve the variance requests due to the ordinances that stood in place today. There was a lengthy discussion on whether an automatic safety cover in lieu of a fence was within reason. There were some points made that the committee felt supported this; ASTM approved cover safety ratings have improved a great deal due to the weight capacities they can now handle, there are existing pools within city limits that already have pool covers without fencing and other municipalities around the country have adjusted their ordinances to approve pool covers. The group also considered the risks posed if an owner forgets to cover the pool, however, the barrier fence poses a similar risk if a gate is left open. With this being the case, the committee felt it was worth bringing in front of council to discuss. The committee also agreed to consider changing the 20 ft property setback. It was explained to the members this was an arbitrary distance decided and it can be a limiting factor to our citizens wanting to make home improvements. Law director Grant Neal planned to draft an ordinance change to present to City Council.

Improve crosswalk safety – It was requested by Mayor Henderson to consider making improvements to crosswalk safety and awareness within the community, particularly on Hamilton Street crosswalk next to the football field. The committee agreed there could be an improvement made, especially with the high traffic there and it being next to the middle school, pool and stadium. There was a motion by Lee and 2nd by Dunlap to give administration guidance to install a button activated yield sign for that crosswalk. It was identified that the west side of Hamilton Street belongs to the county. SSD Michael Brillhart planned to reach out to the county to get their approval.

Mr. Greve noted that bodies of water within City limits for the purpose of storm water retention do not require a barrier fence, but recreational ponds are not exempt from this requirement. Mr. Campbell asked what liability the City would have for litigation concerning private property, as he found that other communities do not address such matters regarding pool covers or safety fencing on private property within their ordinances. Mr. Miller asked about the setback requirement. Law Director Neal stated this language will be removed. Mr. Lee asked about the phrase “a pool cover of sufficient quality” within the ordinance and asked how this will be monitored and enforced. Mr. Lee also asked what the penalty would be for those with an insufficient pool cover. Law Director Neal answered that the City Code Enforcement Officer would evaluate and enforce this.

Mr. Doll then noted that the Communications Committee report dated April 24th was included within Council packets as a reminder that the news and event letter will be placed within electric bills.

Communications –

Clerk McDonald gave a reminder that the next Council meeting has been rescheduled for July 10th due to the holiday.

New Business -

Motion by Lee, second by Campbell to grant \$8000 of Lodging Tax funds to the Riverside Art Center for the purchase of a mural to be displayed on the west side of the railroad tracks on Auglaize Street. Vote – 5 yeas, 0 nays, 1 abstain (Miller). Motion passed.

Motion by Lee, second by Greve to grant \$5500 to the Veterans Association for the installation and replacement of veterans banners throughout the City of Wapakoneta. Mr. Campbell asked who will be completing the installation. Mr. Lee replied, Global Electric. Mr. Greve asked for a timeline on the installation. Mr. Lee noted that no timeline was given. Vote – 6 yeas, 0 nays. Motion passed.

Mr. Kantner noted that the Facebook livestream of the Council meeting is not working properly.

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

Motion by Dunlap, second by Miller to adopt Ord 2023-29. Vote – 6 yeas, 0 nays. Motion passed.

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

Motion by Miller, second by Kantner to adopt Ord 2023-30. Vote – 6 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Res 2023-31 for the third 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.

Motion by Lee, second by Campbell to adopt Res 2023-31. Vote – 6 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-34 for the second 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 second 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 second time re: A RESOLUTION AUTHORIZING THE CITY OF WAPAKONETA TO SOLICIT FOR BIDS FOR THE CONSTRUCTION OF WATER LINE IMPROVEMENTS AT VETERANS PARK.

President Doll asked Clerk to read Res 2023-37 for the first time re: A RESOLUTION AUTHORIZING THE CITY OF WAPAKONETA TO SOLICIT FOR BIDS FOR THE CONSTRUCTION OF AN ADDITION TO THE ELECTRIC DEPARTMENT BUILDING AT 251 INDUSTRIAL DRIVE.

President Doll asked Clerk to read Ord 2023-38 for the first time re: AN ORDINANCE ENACTING THE RECREATION MAINTENANCE SUPERVISOR POSITION AND CREATING THE ACCOMPANYING JOB DESCRIPTION FOR THE CITY OF WAPAKONETA, OHIO AND DECLARING AN EMERGENCY.

Mr. Miller stated that this position is intended to replace the Recreation Manager position that was passed under ARPA, not to have two separate positions within the Parks Department. Mr. Miller feels the ordinance language should reflect said amendment to the ARPA legislation. Mr. Kantner agreed that the ARPA funds should be shifted to the new position.

President Doll asked Clerk to read Res 2023-39 for the first time re: A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE A REQUEST FOR PROPOSALS

(RFP) FOR CONSULTING SERVICES FOR THE PREPARATION OF A COMPREHENSIVE PLAN UPDATE FOR THE CITY OF WAPAKONETA.

President Doll asked Clerk to read Ord 2023-40 for the first time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO SUBMIT A SUPPLEMENTAL LOAN APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY ON BEHALF OF THE CITY OF WAPAKONETA, OHIO AND TO DECLARE AN EMERGENCY.

Service Director Brillhart explained the emergency language is due to Ohio EPA requirements and loan application deadlines.

Motion by Lee, second by Campbell to suspend the rules for Ord 2023-40. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Campbell, second by Lee to adopt Ord 2023-40. Vote – 6 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-41 for the first time re: AN ORDINANCE AMENDING SECTIONS 1292.04(A)(1) AND (A)(2) OF THE CODIFIED ORDINANCES OF WAPAKONETA, OHIO TO REMOVE SETBACK REQUIREMENTS AND ALLOW FOR THE USE OF POOL COVERS AS A SUBSTITUTE FOR FENCING AND DECLARING AN EMERGENCY.

Motion by Miller, second by Dunlap to suspend the rules for Ord 2023-41. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Miller, second by Dunlap to adopt Ord 2023-41. Vote – 6 yeas, 0 nays. Motion passed.

Service Director report:

R.D. Jones Excavating company was selected for phase one of the N. Water Street reconstruction project.

Contractor for the new splash pad at Veterans Park should be here in the coming weeks. Once the water line has been installed at Veterans Park, the parking surface area will need sealed.

The prior boundary survey work for the Eastown property was done correctly, but a lapse in time resulted in the decision to hire a new company for this.

Regarding the April 1st tornado event, the State Emergency Management did accept the City's request of 1.5 million dollars of aid, and it is now awaiting the Governor's signature.

Work is in progress for the placement of a rapid flashing beacon pole at Hamilton Street crosswalk.

Mr. Miller asked for the results of the recent audit. Service Director Brillhart stated it is not yet complete.

Mr. Kantner asked for an update on obtaining previous audit letters from Zupka C.P.A. Mr. Brillhart replied that he is awaiting this information and will provide Council with the 2022 audit results as well.

Mr. Campbell asked when the gas company will complete their line work for Water Street. Mr. Brillhart replied, early 2024.

Law Director report:

Reviewed the City's ordinances for their compliance with changes to Community Reinvestment law, no action is required at this time. Mr. Logan O'Neill of WAEDC and residing at 238 N. Franklin Street, New Bremen explained that local governments can now go up to 75% abatement for 15 years allowable by law.

Will provide Council with a litigation summary for audit purposes.

Sentencing for former Utilities Clerk Christine Steinke has been continued to July 17th.

Trying to get in contact with the property owner for the Eastown land-swap.

Mr. Campbell asked if the City plans to take civil action against Ms. Christine Steinke. Law Director Neal replied, yes, with consideration of the amount of legal fees it will take to do so.

Mr. Kantner asked who will be responsible for investigating why Council did not receive the audit summary letters from Zupka C.P.A. President Doll asked City Administration to look into this matter further.

Scheduling of Committee Meetings:

Lodging Tax Committee will meet July 17th at 6:15pm at City Hall.

Miscellaneous Business-

Motion by Miller, second by Greve to enter into executive session at 8:59pm to consider compensation of a public employee and to discuss confidential information regarding economic development, and inviting City Administration and Mr. Logan O'Neill of WAEDC. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Miller, second by Campbell to come out of executive session at 10:09pm. Vote – 6 yeas, 0 nays. Motion passed.

Mr. Lee noted that the Facebook livestream problems were due to user interface error.

Motion by Miller, second by Dunlap to adjourn the meeting at 10:09pm. Vote – 6 yeas, 0 nays. Motion passed.

President

Clerk of Council