

VILLAGE OF SWANTON

Council Meeting Minutes
June 10, 2019 • 7:00 p.m.

Prayer led by Councilman Rochelle

Pledge of Allegiance

Roll Call:	Paul Dzyak	Michael Rochelle
	Kathy Kreuz	Craig Rose
	Jeff Pilliod	Dianne Westhoven

Councilwoman Westhoven moved to approve the agenda as presented, seconded by Councilman Pilliod. Roll call. Motion passed 6-0.

Councilman Pilliod moved to approve the May 28, 2019 meeting minutes, seconded by Councilwoman Kreuz. Roll Call. Motion passed 5-0-1. Councilman Dzyak abstained

Councilman Rose summarized Water & Sewer Committee meeting. The Committee recommends reviewed documents presented by Troy Brehmer of Jones & Henry regarding sewer separation projects. More details presented in Water & Sewer Committee Minutes.

Councilman Rochelle summarized discussion from Finance Committee. The Committee reviewed the financial documents, discussed upcoming notework, the Income Tax Board of Review appointments, and sidewalk projects. More details presented in the Finance Committee Minutes.

Councilman Rochelle moved to accept Financial Reports, seconded by Councilwoman Westhoven. Roll Call. Motion passed 6-0.

Councilman Rochelle moved to appoint Jennifer Koder and Kevin Thornton as Council appointments to the Income Tax Board of Review, seconded by Councilwoman Westhoven. Roll Call. Motion passed 6-0.

Mrs. Gilda Mitchell the Director of Membership and Outreach for the Toledo Metropolitan Area Council of Governments, was presented to give a brief description of TMACOG and thank the Village of Swanton for being members since the late 1980s.

Councilman Dzyak opened the floor for the Public Hearing scheduled at 7:15 p.m. regarding the proposed vacation of a portion of Peter Street

Councilman Dzyak read the Statement of Purpose: This is a public hearing to consider the proposed vacation of a portion of Peter Street within the Village of Swanton. The portion of Peter Street is the dedicated but unimproved section east of Lincoln Street.

Further Councilman Dzyak stated “A final decision on the vacation of a portion of Peter Street has yet to be made. That decision will ultimately be made by the Swanton Village Council and will take into account what is said at this hearing.”

Councilman Dzyak turned it over to Mrs. Hoelzle for the Presentation from Staff. Mrs. Hoelzle gave a quick overview of ORC 723.04-08 outline vacation of street or alley procedure. She then went into the research she did regarding Peter Street. Property owner at 116 Brookside expressed interested in vacation of a portion of Peter Street, east of Lincoln Street. This portion of Peter Street is dedicated but never improved. In the April 15, 1959 edition of the Swanton Enterprise Village Council discussed the topic. The article states, “Considerable discussion was given by council to a request from Gaylord Batdorf that the village abandon or vacate the east end of Peter St. Batdorf pointed out the street is impassable and has not been used in years. He indicated he would like to stone the south half for use as a driveway. Council gave permission for Batdorf to use the street as a driveway, and agreed to post a “Dead End” sign, so that cars would not mistake the stone drive for a through street. The village fathers refused to abandon the street, however, feeling that in the future it might be extended and used as an access to possible residential development in the area”. No other historical information could be found regarding any other requests for vacating this portion of Peter Street.

She finished by referencing the Ohio Revised Code. For consideration, per ORC, is the legislative authority satisfied that there is good cause for such vacation and will the vacation not be detrimental to the general interest?

Councilman Dzyak then opened the floor to Public Comments. The notice of this Public Hearing was published in the Swanton Enterprise on April 30, May 7, May 14, May 21, May 28, and June 4. During the window of public comment, from notice publication to the date of Public Hearing, the Village Administrator received one call, on May 9, from a resident inquiring about the hearing. The

question related to what portion of Peter Street was upon for consideration of vacation. The Village Administrator explained which portion is up for consideration. No further comments or questions received.

Mr. Harold Behrendt, 408 Lincoln, spoke against the proposed vacation as that portion of the street is his only access to get in his home as he has a side load garage. He indicated the home was built in the 1950s and has lived at the home for five (5) years. Mr. Behrendt went on to say he has been the only one to maintain the portion of the street and the neighbors across the street indicated to him that the previous owners also maintained it.

Mr. Juan Espinoza, 116 Brookside, spoke in support of the proposed vacation as it is not being used by the Village and he believes it should be split. He wishes to have access to the back of his property. He believes if it were vacated there would be enough room for Mr. Behrendt to access his garage.

Mr. Rochelle asked Mr. Espinoza to elaborate on access to the rear of the property at 116 Brookside. Mr. Rochelle and Mr. Espinoza reviewed a drawing of the properties. Mr. Rochelle pointed out that there is access to the rear of the property but there is a fence currently erected. Mr. Espinoza stated that if there is company at 408 Lincoln then he can't access the rear of his property.

Mr. Behrendt stated his concerns about damaging vehicles if the fence at 116 Brookside was moved.

Mr. Roger DeGood, Chairman of the Planning Commission, discussed the vacant land on Brookside and possible development.

Councilman Rose proposed to take no action on the matter and it was unanimous vote to take no action.

Mrs. Espinoza asked what exactly taking no action meant. Councilors indicated that everything would remain the same as it is now. Councilors directed Public Service to erect a Dead End sign at the intersection of Lincoln and Peter Street.

Public Hearing closed.

Next on the agenda was Ms. Jeri Wright, a resident from West Pointe Estates. Ms. Wright expressed her concerns about garbage bins out all times. Mrs. Hoelzle explained that the Codified Ordinance only references day and time that refuse can be put to the curb but does not reference where bins can or can't be stored. Ms. Wright requested that Council review the section about bins in rear yards and put more teeth in the code.

Ms. Wright went on to say there are many nuisance properties and the Village is not doing anything about them. Mrs. Hoelzle indicated the Code Enforcement Officer is focusing on nuisance properties but does understand there are more out there.

New Business:

- a.
2. First Reading Ordinance 2019-XX: Final Assessment for Street Lighting
 - a. Final step for the annual assessment
3. First Reading Ordinance 2019-XX: Final Assessment for Leaf Collection
 - a. Final step for the annual assessment

Councilman Rochelle moved to suspend the rules for Emergency Resolution 2019-XX: Authorizing grant application, seconded by Councilman Westhoven. Roll Call. Motion passed 6-0.

Councilman Rochelle moved to approve Emergency Resolution 2019-XX: Authorizing grant application, seconded by Councilman Westhoven, seconded by Councilwoman Westhoven. Roll Call. Motion passed 6-0.

Councilwoman Westhoven moved to approve the first reading of Ordinance 2019-XX Final Assessment for Street Lighting, seconded by Councilman Pilliod. Roll Call. Motion passed 6-0.

Councilwoman Westhoven moved to approve the first reading of Ordinance 2019-XX Final Assessment for Leaf Collection, seconded by Councilman Pilliod. Roll Call. Motion passed 6-0.

Mayor's Report: Mayor Roth was not presented so there was no Mayor's Report.

Administrator Report:

Mrs. Hoelzle mentioned Code Enforcement update: nuisance abatement will focus on 208 Carriage Lane, 201 N. Main, and 98 Dodge.

Mrs. Hoelzle mentioned the Planning Commission June 4 meeting where the applicant did not show and the application was tabled.

Mrs. Hoelzle reported that the Village was selected as a 2019 recipient of the Ohio City/County Management Association Next Generation Internship Program and will receive \$1,200 towards compensation of an intern.

Mrs. Hoelzle mentioned that the Administration Office will be closed the morning of June 25 due to extensive training by the Office Staff. Vendor of the new meter reading software will be on site.

Mrs. Hoelzle mentioned the Community Forum scheduled for August 7 at 6:00 p.m. Swanton Community Center to discuss upcoming changes to utility billing, meters, etc.

Mrs. Hoelzle presented the information to request a Special Committee of the Whole Meeting on June 17. Mrs. Harkey and Councilman Rochelle reviewed the proposed Capital Improvement Plan draft. Possible day/time Monday June 17 at 8:00 a.m. ***Councilman Kreuz moved to approved a Special Committee of the Whole Meeting for June 17 at 8:00 a.m. with Councilman Pilliod seconding. Roll Call. All Yes. Motion passed. 6-0.***

Mrs. Hoelzle ended by saying thank you to all personnel who assisted with the train derailment.

Division Reports

Fire: Chief Wolever mentioned the train derailment and all the work the crews did to assist there. He went on to say he had interviewed for part time employees and was working on the Capital Improvement Plan assessment.

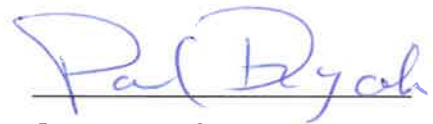
Water: Mr. Yackee reported hydrant flushing was complete. He attended an EPA meeting to garner more information on upcoming changes to asset management. He also mentioned power went out at the plant during the train derailment so the generator will be a huge improvement.

WRRF: Mr. Geise stated there was lots of rain and because of it couldn't land apply the contents at Gombash Farms. The ladder and stairs will be installed in the next few weeks.

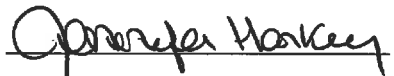
Public Service: Mr. Tedrow reported three minor leaks, removed the hydrant on Lee High, spraying for weeds, trying to spray for mosquito, and assisted with train derailment.

Adjourn:

Councilwoman Westhoven moved to adjourn the meeting at 8:24 p.m., seconded by Councilwoman Kreuz. Roll Call. Motion passed 5-0.



Paul Dzyak, Council President

Attest: 

Jennifer Harkey, Fiscal Officer

Water and Sewer Committee Meeting Minutes

June 10, 2019 • 6:00 p.m.

Paul Dzyak

Jeff Pilliod

Craig Rose

Mr. Troy Brehmer from Jones & Henry was presented to discuss sewer separation projects. Sewer Separation Project 8 & 9 which includes Sanderson, remaining W. St. Clair, remaining on W. Garfield, Mettabrook, Munson, Allen, and West Streets. Informal approval from EPA to move this project ahead of Project 3 & 11 (St. Richard's Court, Elm, Birch, Oak, and Hickory), Official letter will be sent to EPA.

Sewer Separation: Project 10. Only one driveway will be replaced on Parkside. Mr. Brehmer mentioned the challenges of 24 ft wide street, with 10 ft lanes and 4 ft bike lanes. It was decided to remove the bike lane from that portion of Brookside for safety reasons as it leads to nowhere on Hallett.

Mrs. Kreuz asked about the ponding issues around driveway approaches and Mr. Brehmer did indicate he would look into it.

Finance Committee Meeting

June 10, 2019 • 6:30 p.m.

Michael Rochelle
Diane Westhoven
Paul Dzyak- excused

Financial Document Review: May financial reports

Mrs. Hoelzle reported that Mrs. Harkey solicited interest rates from numerous financial institutions. Mrs. Harkey gave until end of business June 7. Received a response from a few institutions for both one and two year rates. After a short discussion it was decided to pursue Farmers & Merchants Bank for the two year rate.

Income Tax Board of Review. Two members are appointed by Village Council and one member is appointed by the Mayor. Current members with terms June 2017-June 2019: Jennifer Koder (Council appointment in 2017), Linda Lee (Mayoral appointment in 2017), Kevin Thornton (Council appointment in 2017). Mrs Hoelzle mentioned that Mrs. Harkey contacted all new members and all are willing to serve another term. Committee recommend Mrs. Koder and Mr. Thornton.

Sidewalks

Mrs. Hoelzle presented information on § 95.12 DUTY TO KEEP SIDEWALKS IN REPAIR AND FREE FROM OBSTRUCTION; AND FIRE HYDRANTS FREE FROM OBSTRUCTION. No owner or occupant of land abutting a public sidewalk shall fail to keep the sidewalk in repair and free from obstructions, including encroachments by bushes, trees and other living plants.

Third party evaluated sidewalks for trip hazards. Method used would be to cut the concrete to grade as opposed to pouring a new sidewalk or jacking up current sidewalk. Identified 616 hazards. Responsibility is that of the property owner . Recommended option by Staff: Village send letter to all property owners abutting a hazard and request repair by certain date. If no repair complete, the Village pursues the repair and assess cost to property owner. This process has been done by the Village in the past.

Committee wishes to have more research done on other options to repair or replace sidewalks.

Committee of the Whole

June 17, 2019 • 8:00 a.m.

1. Capital Improvement Plan introduction and discussion of potential new funds
 - a. Mrs. Harkey described the purpose of the new funds and how they relate to the proposed CIP Policy and Budgets for 2020 and beyond.
 - i. The process includes:
 1. New Fund Approval by Council
 2. New Fund Approval by Auditor of State
 3. Presentment and approval of CIP Policy
 4. Presentment and approval of 2020 Budget
 - ii. The proposed new funds separate out operations, debt repayment and capital purchases.
 - iii. With the new funds, the CIP Policy clearly outlines revenue allocation, fund balance reserve and a proactive approach to capital planning. The new funds each have a defined purpose, creating clarity in budgeting, planning and decision-making.
2. Downtown Revitalization
 - a. Mrs. Hoelzle discussed the Community Development Program. It provides communities with a flexible housing and community development resource that can be used to address locally identified needs that are eligible Community Development Block Grant activities and qualify under the national objective of Low to Moderate Income (LMI) Benefit or Elimination of Slum and Blight.
 - b. Projects are designed to improve the Central Business Districts, aid in the elimination of slums or blighted structures, create and retain permanent, private-sector job opportunities for low-and-moderate-income households through a targeted investment in façade improvements, remediation of building code violations and/or investment in streetscapes or other public infrastructure.
 - c. Letter of interest is the first step
 - i. Letters reviewed and those chosen will receive an invitation to complete the full application
 - d. Part of the process is to adopt design review standards board

- i. Department of Interior Standards are available to review for the Committee
 - e. Two properties have been identified for Letter of Interest
 - i. 102-104 N. Main
 - ii. 116-118 N. Main
 - f. Mrs. Hoelzle mentioned the grant has a better chance of approval if there is a local share and business owner contribution towards development project.
 - i. In attendance, new business owners, Mr. and Mrs. Benfield. They expressed their interest and commitment to improvements of their property.
 - ii. Mrs. Harkey agreed a local share contribution to the project would be beneficial to the overall economic impact of improvements to downtown.
- 3. Mrs. Hoelzle discussed staffing needs with the Public Service department
 - a. Discussion included Mr. Tedrow's administrative responsibilities and the challenge of managing daily workload as well as when emergencies arise.
 - b. Discussion included possibly hiring a part-time support staff to assist with phone calls, scheduling, database entry, etc.
 - c. As an alternative to hiring support staff, Councilman Pilliod discussed the option of hiring out some of the workload such as mowing. He also suggested working overtime to complete tasks. Also mentioned, forwarding phone calls to Mr. Tedrow's cell phone and the safety issue if he is in the middle of a project.