

# VILLAGE OF SWANTON

Council Meeting Minutes

April 26, 2021

7:00 p.m.

Prayer

Pledge of Allegiance

Roll Call:	Tony Stuart	Michael Rochelle
	Kathy Kreuz	Craig Rose
	J. David Pilliod	Dianne Westhoven

*Motion to approve agenda made by Councilman Stuart, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.*

*Motion to approve April 5, 2021 meeting minutes made by Councilman Stuart, seconded by Councilwoman Kreuz. Roll Call. ALL YES. Motion passed 5-0-1 (Councilwoman Westhoven abstained)*

*Motion to approve April 12, 2021 meeting minutes made by Councilwoman Kreuz, seconded by Councilman Stuart. Roll Call. ALL YES. Motion passed 5-0-1 (Councilwoman Westhoven abstained)*

*Motion to approve Public Hearing April 12, 2021 meeting minutes made by Councilwoman Kreuz, seconded by Councilman Stuart. Roll Call. ALL YES. Motion passed 5-0-1 (Councilwoman Westhoven abstained)*

*Motion to schedule a public hearing in 45 days for the purpose of Foertmeyer Greenhouse information gathering made by Councilwoman Kreuz, seconded by Councilman Rose. Motion passed 6-0.*

Committee reports: Public Service; Public Safety. See below.

Old Business:

Second Reading Ordinance 2021-XX: Proceed with Assessments for Leaf Collection motion made by Councilman Rose, seconded by Councilman Kreuz. Roll Call. ALL YES. Motion passed 6-0.

Second Reading Ordinance 2021-XX: Proceed with Assessments for Street Lights motion made by Councilwoman Kreuz, seconded by Councilman Rochelle. Roll Call. ALL YES. Motion passed 6-0.

New Business:

Councilman Stuart moved to suspend the rules for Emergency Ordinance 2021-XX: Authorizing The Village Administrator to Enter into an Agreement for Construction Engineering Services with Jones and Henry Engineers for The Project 8 & 9 Combined Sewer Separation Project, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Councilman Stuart moved to approve the ordinance authorizing The Village Administrator to Enter into an Agreement for Construction Engineering Services with Jones and Henry Engineers for The Project 8 & 9 Combined Sewer Separation Project, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Councilman Stuart moved to suspend the rules for Emergency Ordinance 2021-XX: Authorizing the Village Administrator and Mayor to Apply for, Accept, And Enter into A Water Pollution Control Loan Fund (WPCLF) Agreement On Behalf of the Village of Swanton for Planning, Design, And/or Construction of Project 8 & 9 Sewer Separation Project and Designating a Dedicated Repayment Source for The Loan, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Councilman Stuart moved to approve the ordinance Authorizing the Village Administrator and Mayor to Apply for, Accept, And Enter into A Water Pollution Control Loan Fund (WPCLF) Agreement On Behalf of the Village of Swanton for Planning, Design, And/or Construction of Project 8 & 9 Sewer Separation Project and Designating a Dedicated Repayment Source for The Loan, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Councilwoman Kreuz moved to suspend the rules for Emergency Resolution 2021-XX: Opposing Sub. House Bill 157 Amending The Law Regarding Withholding Municipal Earned Income Tax For Those Working Virtually And/OR At Home seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Councilwoman Kreuz moved to approve the resolution Opposing Sub. House Bill 157 Amending The Law Regarding Withholding Municipal Earned Income Tax For Those Working Virtually And/Or At Home motion, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Administrator Report:

1. Water Service Line Survey
  - a. As discussed previously there are many regulations coming into play related to lead and copper monitoring
  - b. A difficult aspect of this monitoring, for many communities, is identifying where lead service lines may be located
  - c. Mr. Yackee and I discussed a voluntary survey to post and have utility customers fill out
  - d. There are pros and cons to this approach
  
2. General Updates
  - a. Brush pick up began on April 5 and will continue weekly until May when it will go to monthly pick up
  - b. May 8: Bulk Drop Off Day
  - c. May 10: Hydrant flushing will begin
  - d. May 21: Mandatory training on new AML software
    - i. Office will be closed to public for a couple hours so Staff can train without interruptions
  - e. Municipal Building is now listed as a distribution site for COVID-19 rapid tests
  
3. Project Updates
  - a. Project 8 & 9
    - i. Advertise April 20 and 27
    - ii. Award contract at May 24 Council Meeting
    - iii. Due to funding timeline, contract will not be signed until August
    - iv. Worked anticipated to begin in October and extend over the winter into Spring 2022
    - v. When contractor is laying pipe the road will be closed to through traffic
    - vi. Once road works begins, especially on W. Garfield, residents will not have access to their driveways to allow enough time for concrete to settle

- vii. There will need to be coordination on where residents can park, garbage pickup, mail delivery, etc.
- b. WRRF Master Plan
  - i. Work is about 65% complete on this review
  - ii. Still on track to receive final reports late summer 2021
- c. Membrane Softening
  - i. Received a letter from OEPA regarding the proposed plan
  - ii. Mr. Shoaf will send in responses
- d. Memorial Park
  - i. Drainage
    - 1. Poggemeyer will reach out to contractors set to perform other work in Village, as they will already be mobilized, and inquire on quotes
  - ii. Upper parking lot seal and stripe
    - 1. Asphalt work took place on April 21 and 22
    - 2. Seal coating should take place in late May or June, tentative
- e. Phase 2 Meter Update
  - i. Still set for installs beginning on May 11
  - ii. Residents received postcards; many calls into Office
    - 1. As of April 22, 156 appointments scheduled
  - iii. Base station and repeaters, for the AMI system, installed the week of April 19
- f. Woodside
  - i. Results of geotechnical work came in
  - ii. Poggemeyer finalizing documents so it can go out to bid
- g. Beard Pavilion
  - i. Structure is coming along nicely
  - ii. Looking to find a better solution for birds and nests
  - iii. Will be painted to match Memorial Pavilion
- h. Safe Routes
  - i. No major update at this time; waiting on pre-con meeting
- i. Title XV Codified Ordinance Update
  - i. No major update at this time; waiting on report from interviews
- j. Sidewalk Replacement Grant Program
  - i. No major update- waiting for temperatures to level off before work will begin
- k. Facade Enhancement Program
  - i. Regroup meeting is scheduled for May 6, 2021 at 6:00 p.m.
  - ii. Applicants were all emailed details on said meeting

Personnel Report:

1. Resignation


- a. Patrolman Lee Kusz provided notice to Chief Berg that he would submit a letter of resignation
- b. Due to illness the weekend of April 24-25 needed an extra patrolman on duty. Officer Kusz offered to cover the shifts instead of taking time off before resignation
- c. Due to this extraordinary situation related to illness, it is recommended to allow Mr. Kusz to receive his personnel leave payout upon separation
- d. This is currently not practice and is only being considered due to the extraordinary situation related to scheduling

Motion to accept Mr. Kusz's resignation effective May 2, 2021 made by Councilman Pilliod, seconded by Councilman Rose. Roll Call. ALL YES. Motion passed 6-0.

Motion to authorize payout of remaining personal leave made by Councilwoman Kreuz, seconded by Councilman Rose. Roll. Call. ALL YES. Motion passed 6-0.

Motion to adjourn meeting at 7:58 p.m. made by Councilman Stuart, seconded by Councilwoman Kreuz. Roll Call. Motion passed 6-0.

  
Neil Toeppe, Mayor

Attest:   
Jennifer Harkey,  
Fiscal Officer

# Public Service Committee

April 26, 2021

6:00 p.m.

Councilman J. David Pilliod (Chair)

Councilman Rose

Councilwoman Kreuz

## 1. Facility Use at Memorial Park

- a. New message board installed at Memorial Park to illustrate reservations of fields
- b. Calendar is also on Village website for public to view
- c. Proposed policy outlines and structures how reservations occur as well as adds a cost to said reservation
- d. Draft of form provided to Council

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Mrs. Hoelzle will continue to evaluate the facility use process.			

## 2. Survey- Downtown Parcels

- a. Public Service crews began work tearing up concrete at the property the Village now owns on S. Main Street (across from VFW)
- b. The intent is to clean up the property to seed for a nice grass area filled with picnic tables for the public's enjoyment
- c. Discussion items
  - i. The area is used for parking by the public
  - ii. Survey of property
    1. Clearly shows the property lines
    2. The property the Village owns abuts the building to the North
    3. Therefore, the make shift "road" on the north side of property/ south side of building is not a dedicated road but part of the property

4. Motorists use this to go around the building at 106-108 S. Main. There is curb cut near the sidewalk; unclear the reason since there is no dedicated "road"

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Continue to clean property and create some sort of barricade to stop traffic from using parcel as a road way.			

3. Sidewalks- Ashberry Farms

- a. There are questions related to the sidewalks in Ashberry Farms
- b. The current Codified Ordinance regulation on sidewalks in Subdivisions states
  - i. "§ 151.640 SIDEWALKS: Prior to the granting of final plat approval, the subdivider shall have installed or shall have furnished adequate bond, as provided in § 151.690 hereof, for the ultimate installation of the following.
    1. (A) Concrete sidewalks not less than four feet in width and having a minimum thickness of four inches shall be provided on both sides of the new streets within any residential subdivision and on the abutting side of any existing street contiguous to the subdivision. Where such new sidewalk meets an existing 42-inch wide sidewalk, the new sidewalk may be narrowed sufficiently to meet the existing sidewalk evenly. Handicapped accessible sidewalk ramps shall be required at intersecting street rights of way in accordance with ADA standards.
  - ii. All but one intersection in Ashberry Farms do not have sidewalk ramps
    1. Cannot find any variances to indicate this was approved
  - iii. Construction detail drawings note
    1. "Curb drop by contractor at time of construction. Curb ramp and walk by home builder"
  - iv. This was clearly not done

- v. For less than \$10,000 the Village can rectify the situation when the contractor comes in for Sidewalk Improvement Program work later this Spring

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Proceed with sidewalks in Ashberry Farms.			

4. Hallett Avenue

- a. Beginning in May 2021, TMACOG will begin to accept applications for transportation projects eligible for funding through the Surface Transportation Block Grant program.
- b. The funding would come in FY2022 to FY2027 (depending on where a successful application falls in line)
- c. Hallett Avenue is the best eligible, (read: in Lucas County), at this time and has been discussed for this program in the past
- d. There is need for repairs to the gutters along Hallett as well as the road itself
- e. Discussion on this as an eligible project

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Proceed with application on Hallett			



# Public Safety Committee

April 26, 2021

6:30 p.m.

Councilwoman Kreuz (Chair)

Councilman Rochelle

Councilwoman Westhoven

## 1. HB 157

- a. The bill is related, and would repeal, a temporary rule governing municipal income taxation of employees who are working at a temporary worksite
- b. There is potential this could affect income tax revenue which heavily supports Public Safety expenditures
- c. The bill was introduced in the House and is still in Committee
- d. Discussion on a resolution opposing HB 157
- e. Preliminary information from RITA indicates HB157 would be detrimental to Village income tax revenue

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Proceed with resolution opposing HB 157			

Committee of the Whole

April 26, 2021 • 7:45 p.m.

1. Swanton Railroad Park Lease

- a. First draft of lease is included in Dropbox for review and discussion
- b. Includes 15 year lease
- c. No subletting of the property
- d. Use is for development and construction of a railroad viewing platform, rail depot, parking, and accessory uses for the foregoing
- e. Waiting on final survey

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Proceed with lease			

2. Codified Ordinances

- a. Presenting DRAFT of Chapter 30 sections except Police & Fire (Chapter 32) and Village Policy (Chapter 36)
  - i. Mr. Lehenbauer and I need to meet on specific details
- b. Please remember that as a Statutory Village, there may be sections not included in the Codified Ordinances that are in the Ohio Revised Code
  - i. Cross reference them?

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Continue to review codified ordinances			

3. 6321 Co Rd 1-1 Request

- a. Discussion of Mr. Peffley's request related to detachment

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Recommendation to not grant detachment.			