

VILLAGE OF SWANTON

Council Meeting Minutes

January 10, 2022

7:00 p.m.

Prayer

Pledge of Allegiance

Roll Call:	Samantha Disbrow	Derek Kania
	Mike Disbrow	Patrick Messenger
	J. David Pilliod	Dianne Westhoven

Councilman Pilliod nominated Councilwoman as President pro tempore of Council. Councilman Kania seconded. No Discussion. Roll Call. 5-0-1. Councilwoman Westhoven abstained. Motion passed 5-0-1

Councilman Pilliod moved to amended the agenda to include a Proclamation for solicitor Alan Lehenbauer and to include the Mayor's report. Seconded by Councilwoman Westhoven. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to approve the December 13, 2021 Council meeting minutes, seconded by Councilman Kania. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Meeting went into a Public Hearing for 98 Dodge Zoning Classification

Committee report summaries: please see below.

New Business:

Zoning Classification Amendment Request 213 N. Main

- a. At their January meeting, the Planning Commission heard the request, of the owner of 213 N. Main to change the current zoning classification of the property from R-2 Single Family Residential to R-3 Two Family Residential
- b. Planning Commission did not recommend the zoning classification amendment
- c. Per Codified Ordinance, Council shall hold a public hearing to consider the request
- d. Must be at least 30 days from first publication

- e. Could place in Swanton Enterprise on January 18
- f. 30 days later would be February 17
- g. Next Council Meeting would be February 28, 2022 unless a Special Meeting was called

Motion to approve the Public Hearing for 213 N. Main for February 28 at 7:00 p.m. made by Councilman Kania, seconded by Councilman Pilliod. No Discussion. ALL YES. Motion passed 6-0.

First Reading: Authorizing the zoning classification change of 98 Dodge made by Councilman Pilliod, seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to suspend the rules for Emergency Resolution 2022-XX: Declaring the Intent to Sell Property by Internet Auction in 2021 made by, seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

Motion to declare the Intent to Sell Property by Internet Auction in 2021 made by Councilwoman Westhoven, seconded by Councilman Pilliod. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to suspend the rules for Emergency Resolution 2022-XX: Authorizing The Submission And Support Of An Application To the Ohio Department of Natural Resources- Volunteer Fire Assistance Grant Program seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

Motion Authorizing The Submission And Support Of An Application to the Ohio Department of Natural Resources – Volunteer Fire Assistance Grant Program made by Councilwoman Westhoven, seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to suspend the rules for Emergency Ordinance 2022-XX: Authorizing Village Administrator to Enter into an Agreement for Membrane Improvement Project seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

Motion Authorizing Village Administrator to Enter into an Agreement for Membrane Improvement Project made by Councilwoman Westhoven, seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

First Reading: Enacting and Adopting a Supplement to The Code of Ordinances for The Village of Swanton made by Councilman Pilliod, seconded by Councilman Kania. No Discussion. ALL YES. Motion passed 6-0.

Proclamation: Mayor Toeppe commended Mr. Lehenbauer on his service to the Village of Swanton.

Administrator Report:

1. General Updates

- a. 2021 Q4 Utility Reports
 - i. In Dropbox are 2021 Q4 utility reports for your review
- b. Siren
 - i. Currently the Village has three (3) sirens within the incorporated limits
 - ii. The one in the north and the one in the south overlap in reach
 - iii. The one in the middle has been deemed unnecessary by the Chiefs
 - iv. Will regroup later this year to make final decision
- c. SHS Intern
 - i. For the past few years, the Village has hosted an intern from SHS during Spring semester
 - ii. This Spring, we will welcome Riley Bellner
- d. TMACOG General Assembly date change
 - i. Due to increase exposure and COVID positive cases in NW Ohio, TMACOG has decided to postpone the General Assembly until April
- e. Permits issued 2019 vs. 2020 vs. 2021

Item	<u>2019</u> Permits Issued	<u>2020</u> Permits Issued	<u>2021</u> Permits Issued
Accessory structure	3	9	10
Residential addition	7	3	4
New Commercial:	0	2	1
Deck	5	3	5
Single Family Dwelling	5	3	10
Fence	15	23	32
Pool	6	10	12
Shed	6	3	8
Sign	16	19	5

2. Planning Commission

- a. January meeting
 - i. Conditional Use for digital sign at Rite Aid
 - ii. Zoning Classification Amendment review: 213 N. Main

3. Tree Commission
 - a. Waiting on one more tree assessment left over from 2021 before tree removals take place
 - b. Plan on meeting January 18

4. Project Updates
 - a. Project 8 & 9
 - i. Underground work continues on Mettabrook and will move to W. Garfield soon
 - b. Membrane Softening (estimated dates)
 - i. January 6, 2022 - Open Bids
 - ii. Mid January to mid February Contractor Notice of Award
 - iii. February 24, 2022 or after - Contractor Notice to Proceed
 - iv. DEFA funding dates:
 1. DEFA loan application: January 3, 2022
 2. Bid Package / Results to DEFA – January 15, 2022
 3. Formal Loan Award – February 24, 2022
 - v. Notice to Proceed to Contractor: February 25, 2022
 - vi. Substantial Completion: November 2, 2022
 - vii. Final Completion: December 1, 2022
 - c. Phase 2 Meter Update
 - i. Phase 2 had over 1,330 meters
 - ii. Incomplete or RTU: 40
 - d. Memorial Park Master Plan
 - i. Working on finalizing the information to submit a request through State Capital Budget Process
 1. Narrowing down items to include
 - a. General Improvements: Upper concession stand, Corn Festival Storage, etc.
 - b. Walking Path with a StoryWalk® element
 - c. Surveillance and Security
 2. Using Master Plan as base and will regroup with Steering Committee
 3. Looking to schedule meeting with State legislators very soon
 - ii. Playground Fundraiser
 1. The website has information to accept donations
 - iii. Adopt a Bench program will be back with a handful of benches surrounding the playground
 1. More information soon

- e. Title XV Codified Ordinance Update
 - i. CT Consultants provided more sections for review
- f. Downtown parklet
 - i. Working on parking logistics
- g. Sidewalk Improvement Program
 - i. Five (5) applications received by deadline
 - ii. All are in compliance
 - iii. Quote received
- h. Façade Enhancement Program
 - i. 2021
 - 1. Received the final project information on 12.31.21
 - 2. Working on finalizing 2021 projects
 - ii. 2022
 - 1. Updating application and scoring sheet which will include a meeting of the applicants to present their project
 - 2. Downtown Design Review Board will meet soon to finalize application and scoring
- i. Hallett Ave Improvements
 - i. Hallett Road A
 - 1. Work from Airport north of Garfield Avenue
 - 2. Coronavirus Response and Relief Supplemental Appropriations
 - 3. Estimated cost: \$800,000
 - 4. Grant: \$448,000 (56%)
 - 5. Did a virtual Field Review on January 5
 - 6. Tentative dates
 - a. Design: 2022-2024
 - b. Bid: 2024
 - c. Construction: 2024
 - ii. Hallett Road B
 - 1. North of Church Street to Turnpike
 - 2. Surface Transportation Block Grant- Small project
 - 3. Estimated cost: \$580,000
 - 4. Grant: \$371,000 (64%)
 - iii. Work includes removal and replacement of curb and gutter, new pedestrian walk on west side of road, as well as widening the existing structure over Al Creek to facilitate pedestrians
- j. Public Safety Facility Review
 - i. Meeting with firm, in a few weeks, to discuss logistics as we begin this project

- k. Airport Highway Corridor Study
 - i. Still ongoing
 - ii. Airport & Main, Airport & Hallett as well as Main & Church

- 2. Communications Update
 - a. Welcome Guide
 - i. Digital version on website now
 - ii. 2022 edition will be printed with QR codes
 - b. Business Guide
 - i. Working on updating packet with new information
 - c. Village Voice
 - i. E-newsletter published on December 30

Public Comment: No one reached out before deadline on January 6, 2022.

Mayors Report:

Mayor reported he has had conversations with Swanton Shines regarding Christmas decorations, Mr. Foertmeyer and Mr. Charley Blaze regarding Storm Water.

Councilman Pilliod made a motion to enter Executive Session at 7:52 p.n. for the purpose of discussing Public Employee Employment, Hiring, Compensation. Councilman Kania seconded. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Mayor called Council back into open session at 8:37. Roll Call.

Councilwoman Westhoven moved to approve resignation of Brian Groves and full time member of the SFRD effective August 12, 2021, seconded by Councilman Messenger. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

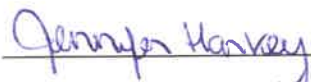
Councilwoman Westhoven moved to approve the hiring of Brian Groves as a part-time member of the Fire and Rescue Division, upon satisfactory receipt of requirements effective January 30, 2022, at an hourly rate of \$17.00/hour contingent on successful completion of drug screen, background check, and psychological exam. Mr. Groves is subject to a 6-month introductory period effective January 30, 2022. Mr. Groves understands reimbursement to the Village for the psychological exam expense if he leaves before two years' employment with the village, seconded by Councilman Kania. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to approve the hiring of Ashley Leach as a part-time employee of the Fire and Rescue Division, upon satisfactory receipt of requirements effective January 30, 2022 at an hourly rate of \$15.00/hour contingent on successful completion of drug screen, background check psychological test. Ashley Leach is subject to a 6-month introductory period effective January 30, 2022. Further, Ashley Leach must submit documentation, no later than July 30, 2022, from the State of Ohio illustrating completion Ohio Firefighter I certification. Upon receipt of said documentation, Ashley Leach's wage will be increased to the appropriate Firefighter/EMT wage/hour at the beginning of the next full paid period after the date the documentation is received upon Council approval at that time.

Ashley Leach understands reimbursement to the Village for the psychological exam expenses if she were to leave employment with the Village of Swanton within 24 months of part-time hire. Ashley Leach understands the condition of employment to become an Ohio Firefighter I by July 30, 2022. Three chances to pass Ohio Firefighter I exam will be afforded, seconded by Councilman Kania. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Councilman Pilliod moved to adjourn meeting at 8:42 p.m., seconded by Councilman Kania. No Discussion. Roll Call. ALL YES. Motion passed 6-0.


Neil Toeppe, Mayor

Attest: 
Jennifer Harkey, Fiscal Officer

Committee of the Whole

January 10, 2021 • 6:00 p.m.

1. Appointments to Standing Committees of the Swanton Village Council for 2022

a. Finance Committee

- i. Village Council serves as the primary authority over the expenditure of public dollars and possesses the power of the purse in the Village of Swanton. The Finance Committee addresses matters pertaining to budget and capital improvement plan legislation; while conducting oversight on use of funds by the administration and developing financial policies to guide the Village.
- ii. The Finance Committee also meets as-needed throughout the year to consider legislation referred to it by Council including any proposed changes to the budget and other Finance-related topics.

Mike Disbrow	<input type="checkbox"/> YES <input type="checkbox"/> NO	Patrick Messenger	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Samantha Disbrow	<input type="checkbox"/> YES <input type="checkbox"/> NO	Dave Pilliod	<input type="checkbox"/> YES <input type="checkbox"/> NO
Derek Kania	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Dianne Westhoven	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

b. Water and Sewer Committee

- i. The Water & Sewer Committee addresses matters pertaining to the Water Treatment Plant, Water Distribution System, Water Resource Recovery Facility, Wastewater Collections System and the Storm Water Drainage System.

Mike Disbrow	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Patrick Messenger	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Samantha Disbrow	<input type="checkbox"/> YES <input type="checkbox"/> NO	Dave Pilliod	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Derek Kania	<input type="checkbox"/> YES <input type="checkbox"/> NO	Dianne Westhoven	<input type="checkbox"/> YES <input type="checkbox"/> NO

c. Public Safety

- i. The Public Safety Committee addresses matters which affect the safety and welfare of the citizens of the Village of Swanton such as crime prevention, fire response, disaster preparedness, and traffic management.

Mike Disbrow	<input type="checkbox"/> YES <input type="checkbox"/> NO	Patrick Messenger	<input type="checkbox"/> YES <input type="checkbox"/> NO
Samantha Disbrow	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Dave Pilliod	<input type="checkbox"/> YES <input type="checkbox"/> NO
Derek Kania	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Dianne Westhoven	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

d. Public Service

- i. The Public Service Committee addresses matters which affect functions pertaining to public parks, public places, public buildings, public playgrounds, streets, alleys, waste collection and disposal.

Mike Disbrow	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Patrick Messenger	<input type="checkbox"/> YES <input type="checkbox"/> NO
Samantha Disbrow	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Dave Pilliod	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Derek Kania	<input type="checkbox"/> YES <input type="checkbox"/> NO	Dianne Westhoven	<input type="checkbox"/> YES <input type="checkbox"/> NO

2. Rules of Council review

- a. Please see redline version in Dropbox provided by Councilman Messenger
- b. Discussion of recommendations of Councilman Messenger
- c. Mayor Toeppe stated per ORC the Mayor is the President of Council and ex-officio member of all committees. Mr. Pilliod recommended limiting President Pre-Temp to one year per four-year term. He also recommended outgoing the President Pro-Tempe should not elect his/her successor. Mrs. Hoelzle will make these changes and present at the next meeting.

3. ODOT Systemic Safety Application

- a. In January 2022, ODOT's Highway Safety Program will begin to accept project applications that focus on preventing injuries resulting from pedestrian and roadway departure crashes through systemic infrastructure improvements.
- b. Applications are due January 31
 - a. We just received information on this program, recommendation from Staff is to look into any possible funding that could correlate to existing projects in the Village Capital Improvement Plan (crosswalks, signs, curb ramps)
 - b. Funds would be available in FY25.
 - c. It will be placed on the next Public Service Committee meeting with a recommendation to pursue funding.

4. Fulton County Regional Planning Commission Representative
 - a. The Village of Swanton is a member of the Fulton County Regional Planning Commission
 - b. Bylaws of this group are in Dropbox for review
 - a. Their bylaws outline appointment of a representative from each member organization
 - i. It does not outline membership term
 - ii. The Village has reviewed this annually
 - b. Mrs. Hoelzle is the current rep and service as Vice-President of the Fulton County Regional Planning Commission
 - c. Discussion of appointment of representative to this Commission
 - d. Recommendation is for Mrs. Hoelzle to continue to serve as the Village representative.

5. Live Streaming Presentation by Mr. John Schmidt (113 Maple)
 - Mr. Schmidt explained the petition he and other volunteers had circulated earlier in the year.
 - Based on his interactions with residents, they would like live streaming as a matter of convenience.
 - Councilwoman Westhoven stated the previous Council's hesitation was based on legal concerns.
 - Mrs. Hoelzle will have options for Council to review at the next meeting

Finance Committee
January 10, 2022 • 6:30 p.m.

- 1) Election of Chairperson – Councilwoman Westhoven accepted

- 2) Financial Document review
 - a) December documents will be presented in February after year is closed
 - b) POs will remain open until 1/31/22

- 3) Codified Ordinance Fees
 - a) Currently, Fees are scattered throughout the Codified Ordinance in various sections
 - b) Working on consolidating Fees into new section of the Codified Ordinances in which all fees are listed
 - c) Original section would then only reference fees and direct to section in which all fees are listed
 - d) Consolidating fees will eliminate the risk of missing an update on fees and allow quick access to list of fees
 - e) Fees will be reviewed as well, many have not been updated in 10+ years
 - f) See Fee document in Dropbox

- 4) Volunteer Fire Assistance Grant
 - a) Skid Unit – in CIP and Temporary Budget
 - b) See Grant Request Form in Dropbox

- 5) Membrane project bid opening
 - a) Two bids were received on January 6 and are currently being reviewed by consulting engineer.
 - b) Kirk Brothers came in with the lowest bid of \$1,597,000.
 - i) Quick summary of the project:
 - (1) The Village commissioned studies to look at replacing the lime and soda ash feed facilities for more current technology that would allow a more automated and less manual (and dangerous) method of treating water. Studies compared costs of upgrading the lime/soda ash facilities versus adding membrane softening to the plant.
 - (2) After comparing the life-cycle costs of utilizing upgraded lime/soda ash facilities versus the installation of a new RO membrane process, RO membranes were selected, and Shoaf Consulting was retained to design immediate improvements to install membrane softening within the plant. In addition to softening the water

in a safer manner, RO membranes also allow the removal of constituents in the water that could be present in the future, including nitrates, HABs, PFAS, and other pesticides, etc.

- c) While the preliminary designs were completed, it was noted that automation of various existing chemical feed systems would be beneficial and necessary for the Village during this plant upgrade – and the upgrading of the Village’s SCADA system would allow the Village to treat the water more efficiently and to more easily report / track the chemical feed systems utilized during the process.
- d) Project included in the CIP and Temporary Budget, although engineer estimates were less than bid came in. Will have to utilize additional loan funding.
- e) Discussion of bids.
- f) Recommendation to Council to award contract?

— THE VILLAGE OF — SWANTON

January 10, 2022

Public Hearing

Mayor Toeppe: Call the Public Hearing to Order at 7:03 p.m.

Roll Call:	Mike Disbrow	Patrick Messenger
	Samantha Disbrow	Dave Pilliod
	Derek Kania	Dianne Westhoven

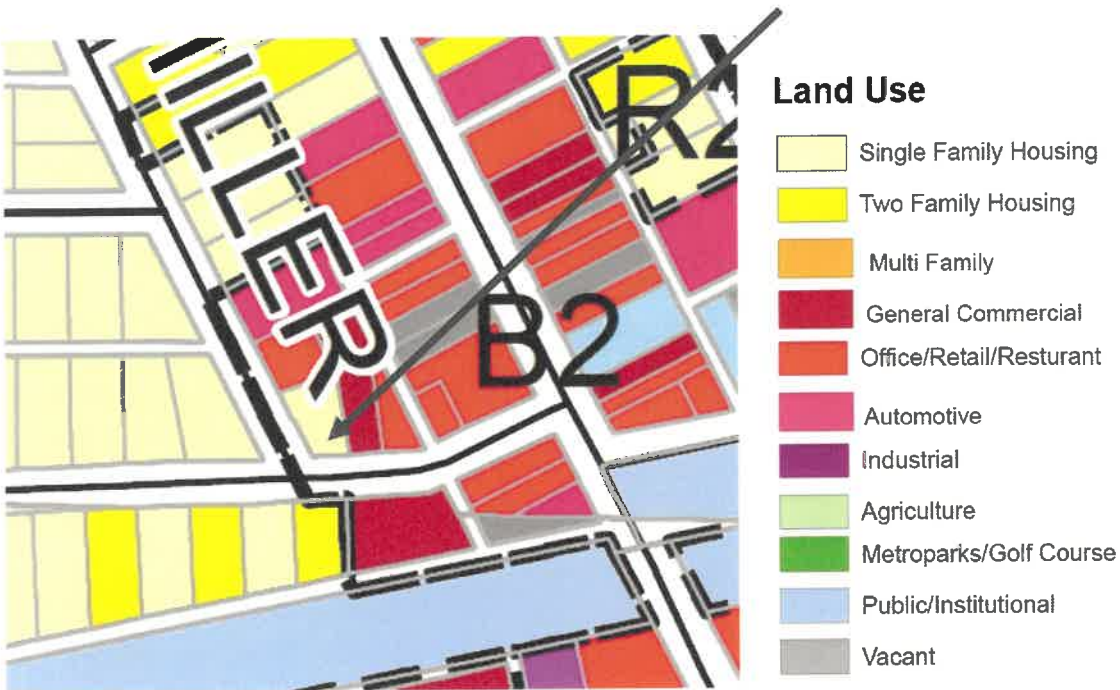
Mayor Toeppe: Statement of Purpose: “This is a public hearing to consider the proposed Village of Swanton Zoning Map Classification Amendment for 98 Dodge from General Business B-2 to One Family Residential R-2.”

Mayor Toeppe provided some basic information

Presentation from Staff



98 Dodge is currently a legal non-conforming use of a residential dwelling on a property currently zoned General Business B2. The property is marked by a black star above. Further, CT Consultants created a land use map of current properties (below).



This property is located next to other General Business zoned properties but across from many residential properties; it is on the boundary of zones.

From the research Mrs. Hoelzle did, it has been a vacant residential dwelling for over a decade. It has been zoned its current zoning for decades but use seems to have always been residential.

The current owners purchased the property very recently and inquire about some work they would like to do on the property. Mrs. Hoelzle advised that it was zoned General Business B2 and the indicated they were not made aware of this and thought it was residentially zoned.

When reviewing zoning classification amendments, the idea of spot zoning is always considered. In this situation there are residential zoned properties across from it on Miller and Dodge as well as other properties on Miller zoned residentially that I would be hard pressed to fit this in a text book definition of spot zoning.

Overall, Mrs. Hoelzle do not believe the current owners have intentions of converting the dwelling to a commercially used property. With many properties near it already zoned and use as residential, Mrs. Hoelzle has no issues recommending this property for zoning classification amendment.

The recommendation of Planning Commission from November 2020 was: *Mr. Young made a motion to recommend a zoning classification amendment from B2 to R2, with Mayor Toeppe seconding. No discussion. Roll Call vote. ALL YES. Motion carried.*

Public Comments

During the window of public comment from the newspaper publications of the Public Hearing to the publication of this Public Hearing agenda (01.07.2022), the Village Administrator received ZERO calls pertaining to this application. There was one email requesting the application materials but no further comment.

Mayor acknowledged the applicant to speak on behalf of application. Mr. Robin Howard was present to speak on behalf of the application. He provided general summary of the situation. He is remodeling the home and would like for the zoning use to reflect the residential use.

There were no others present to speak in support or opposition.

Councilman Pilliod moved to adjourn at 7:07 p.m. with Councilwoman Westhoven seconding. No Discussion. Roll Call. ALL YES