

VILLAGE OF SWANTON

Council Meeting Minutes

January 24, 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 Kania moved to amended the agenda to include Mayor's report. Seconded by Councilman Pilliod. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Councilman Kania moved to approve the January 10, 2022 Council meeting minutes, seconded by Councilman Pilliod. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Councilman Kania moved to approve the January 10, 2022 Public Hearing meeting minutes, seconded by Councilwoman Disbrow. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

Committee report summaries: please see below.

Proclamation: Congenital Heart Defect Awareness Week

Presentation: Chris Lake, Rotary Club President presented a check in the amount of \$14,500 from the Rotary Club of Swanton Foundation to be used towards playground upgrades

Mayor Toeppe provided his report

Old Business

Councilman Pilliod moved to suspend the rules for Ordinance 2022-XX: Enacting and Adopting a Supplement to The Code of Ordinances for The Village of Swanton, with Councilman Kania seconding. No Discussion. Roll Call. ALL YES. Motion passed 6-0.

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

New Business:

Councilman Pilliod moved to approve charging outside water rates to 3555 Waterville Swanton and picking up the conversation about annexation at a later date, with Councilman Messenger seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Kania moved to recommend adoption of Rules of Council updates, with Councilwoman Disbrow seconding No Discussion. ALL YES. Motion passed 6-0.

Councilman Kania moved to recommend live streaming of meetings, with Councilwoman Westhoven seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Pilliod moved to suspend the rules for Emergency Ordinance 2022-XX Authorizing and Directing the Mayor and/or Village Administrator to Enter into an Agreement with Jones & Henry Engineers for Engineering Services for Project 3&11 Sewer Separation with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Pilliod moved to approve Emergency Ordinance 2022-XX Authorizing and Directing the Mayor and/or Village Administrator to Enter into an Agreement with Jones & Henry Engineers for Engineering Services for Project 3&11 Sewer Separation with Councilwoman Westhoven seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to suspend the rules for Emergency Ordinance 2022-XX Authorizing and Directing the Fire Chief and/or Village Administrator to Enter into an Agreement with The Secretary of the Air Force for Fire Protection Services with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to approve Emergency Ordinance 2022-XX Authorizing and Directing the Fire Chief and/or Village Administrator to Enter into an Agreement with The Secretary of the Air Force for Fire Protection Services with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to suspend the rules for Emergency Ordinance 2022-XX: Authorizing The Village Administrator to Renew the Agreement for A Countywide

Emergency Management Agency with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to approve Emergency Ordinance 2022-XX: Authorizing The Village Administrator to Renew the Agreement for A Countywide Emergency Management Agency with Councilwoman Disbrow seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Messenger moved to suspend the rules for Emergency Resolution 2022-XX: Authorizing The Administration to Dispose of Certain Surplus Property Not Needed for Any Municipal Purpose with Councilwoman Westhoven seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Kania moved to approve Emergency Resolution 2022-XX: Authorizing The Administration to Dispose of Certain Surplus Property Not Needed for Any Municipal Purpose with Councilwoman Westhoven seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Kania moved to suspend the rules for Emergency Resolution 2022-XX: Authorizing The Submission and Support of an Application to State of Ohio Fire Marshal- Fire Equipment Grant Program with Councilman Messenger seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Kania moved to approve Emergency Resolution 2022-XX: Authorizing The Submission and Support of an Application to State of Ohio Fire Marshal- Fire Equipment Grant Program with Councilwoman Disbrow seconding. 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 State Of Ohio Department Of Transportation Systemic Safety Program with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilwoman Westhoven moved to approve Emergency Resolution 2022-XX: Authorizing The Submission and Support of an Application To State Of Ohio Department Of Transportation Systemic Safety Program with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.

Administrator Report:

1. General Updates
 - a. N. Lift Station pumps clogged with wipes, once again; postcards sent to homes on Black Canyon and in the Valleywood neighborhood
 - b. Swanton Historical Society waiting on results of Phase 2 environmental review

2. Planning Commission
 - a. February meeting: no items submitted for a Public Hearing
 - b. Waiting on CT Consultants to submit updates
 - c. Meeting may not be necessary

3. Tree Commission
 - a. Waiting on one more tree assessment left over from 2021 before tree removals take place
 - b. Did not meet on January 18 due to COVID related issues

4. Project Updates
 - a. Project 8 & 9
 - i. Underground Utilities completed the sanitary main line sewer on W. Garfield. Work has begun to install the sanitary laterals and lower the water services on Garfield which will continue into next week. When both those items are completed they will start with the installation of storm sewer on Garfield.
 - b. Membrane Softening (estimated dates)
 - i. Mid January to mid February Contractor Notice of Award
 - ii. February 24, 2022 or after - Contractor Notice to Proceed
 - iii. 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
 - iv. Notice to Proceed to Contractor: February 25, 2022
 - v. Substantial Completion: November 2, 2022
 - vi. Final Completion: December 1, 2022
 - c. Phase 2 Meter Update
 - i. Phase 2 had over 1,330 meters
 - ii. Incomplete or RTU: 36
 - d. Memorial Park Master Plan
 - i. 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 regrouped with Steering Committee
3. Need to reschedule meeting with legislators
- 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. Ms. Sanders is working on getting the information out there
- e. Title XV Codified Ordinance Update
 - i. CT Consultants will provide more sections soon
- f. Downtown parklet
 - i. Working on parking logistics
- g. Sidewalk Improvement Program
 - i. Waiting until Spring 2022 to pour
- h. Façade Enhancement Program
 - i. 2022
 1. Postcard sent out to eligible properties
 2. Updated application online
- 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. Tentative dates
 - a. Design: 2022-2024
 - b. Bid: 2024
 - c. Construction: 2024
 - ii. 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. Mr. Tedrow, Public Service crew, and Mrs. Hoelzle met with OHM to discuss needs of Public Service facility

- ii. Many items stored outside and much of the current facility is not conducive to current work
- k. Airport Highway Corridor Study
 - i. Still ongoing
 - ii. Airport & Main, Airport & Hallett as well as Main & Church

Communications Update

- l. Welcome Guide
 - i. Digital version on website now
 - ii. 2022 edition sent to printers
- m. Business Guide
 - i. Working on updating packet with new information
- n. Village Voice
 - i. Next edition will be out in early April

Mrs. Hoelzle indicated that since Rules of Council were just updated that they could have Executive Session. It was not placed on the agenda due to the uncertainty of Mr. Lehenbauer being able to attend. Since Rules were changed and Mr. Lehenbauer was able to attend, request for Executive Session for Public Employee hiring. ***Councilwoman Westhoven moved to add Executive Session to agenda, with Councilman Messenger seconding. No Discussion. ALL YES. Motion passed 6-0.***

Mrs. Hoelzle also took a few moments to thank Mrs. Harkey for her tireless word over the past almost 4 years. Mrs. Hoelzle indicated she was proud to work with Mrs. Harkey and wished her well in her new role at the City of Maumee.

Personnel Report

Mr. Chris Lechman wishes to be reclassified from full time to part time in SFRD. ***Councilwoman Westhoven moved to reclassify Mr. Lechman from full time to part time effective February 3, 2022 after he completes his last full time shift, with Councilman Kania seconding. No Discussion. ALL YES. Motion passed 6-0.***

Councilwoman Westhoven moved to accept Mrs. Harkey's resignation as Finance Director effective February 19, 2022, with Councilwoman Disbrow seconding. No Discussion. ALL YES. Motion passed 6-0.

Councilman Kania moved to end Brice Nemire's introductory period satisfactorily and offer continued employment, with Councilwoman Disbrow seconding. No Discussion. ALL YES. Motion passed 6-0.

Public Comment: No one reached out before deadline on January 20, 2022. However, as Rules of Council were updated earlier in the evening, members of the public in attendance were called upon. Mr. Richard Maynhart, who lives in West Pointe, inquired about S. Main Street and the poor road conditions. Council requested Mrs. Hoelzle ask an engineer to assess. Mrs. Hoelzle indicated she would and also provided information to ensure all knew this stretch of road is schedule for sewer separation in a few years. There was also discussion of a pothole on Dodge near the old Faith Lutheran Church.

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

Mayor called Council back into open session at 8:26 pm. Roll Call. All present.

Councilman Kania moved to adjourn meeting at 8:26 p.m., seconded by Councilwoman Disbrow. No Discussion. Roll Call. ALL YES. Motion passed 6-0.



Neil Toeppe, Mayor

Attest:



Rosanna Hoelzle, Village Administrator

Water and Sewer Committee Meeting Minutes

January 10, 2021 • 7:45 p.m.

1. Election of a Chairperson for 2022 – Councilman Pilliod nominated
2. Triennial Utility Rate Review
 - a. Ohio EPA asset management rules are in place.
 - b. Asset management program became a requirement a couple years ago to ensure public water systems were evaluating and planning for the future operation and maintenance of said system
 - c. OAC Rule 3745-87-03(C)(1)(e) requires documentation of triennial rate evaluations as part of an asset management program.
 - i. The Rule is in Dropbox for your reference; page 4 illustrates the triennial water rate evaluation.
 - d. OEPA strongly encourages elected officials to review courses, designed specifically for local government officials, offered by various entities regarding utility rates and asset management
 - e. Staff began analysis in 2021 and have preliminary review comments
 - f. Discussion of continuing rate analysis in house or engage a third party similar to the previous time rates were reviewed in detail
3. Project 3 & 11 Sewer Separation
 - a. Purpose of separating sewers is to eliminate combined sewer overflows (CSOs)
 - b. Per the US EPA
 - i. A combined sewer system (CSS) collects rainwater runoff, domestic sewage, and industrial wastewater into one pipe. Under normal conditions, it transports all of the wastewater it collects to a sewage treatment plant for treatment, then discharges to a water body. The volume of wastewater can sometimes exceed the capacity of the CSS or treatment plant (e.g., during heavy rainfall events or snowmelt). When this occurs, untreated stormwater and wastewater, discharges directly to nearby streams, rivers, and other water bodies.
 - ii. Combined sewer overflows (CSOs) contain untreated or partially treated human and industrial waste, toxic materials, and debris as well as stormwater.
 - c. Scope area:
 - i. Project 3: extension of north end of Fulton Street storm sewer to include a section of Brookside and full length of St. Richard's Court

- ii. Project 11: drainage improvements and some sewer separation to an area constructed with essentially no surface drainage system. Elm from Hallett to Maple. Birch with branches along Oak and Hickory
- d. According to the Village's National Pollutant Discharge Elimination System sewer separation schedule, design on these projects should begin in Spring 2022 and go until Spring 2023 with construction in 2023 to 2024
- e. Estimated design cost in 2022 is \$151,000 which includes survey, geotechnical investigation, CCTV of the existing sewers, preliminary design and the start of the final design.
- f. In 2023 the design will finish, the estimated remaining budget of \$66,000 will be used
- g. The Village of Swanton has utilized Jones & Henry Engineer's for the sewer separation projects
- h. Included in Dropbox is their proposal for preliminary engineering for this project.
 - i. The \$217,000 in engineering fees would get the Village to contract award
 - ii. There will be another proposal set forth for construction administration and inspection in 2023-2024
- i. Legislation is needed to authorize me to engage in an agreement on behalf of the Village

4. Project 8 & 9 Sewer Separation

- a. There is currently no language in the Codified Ordinances related to tapping into the storm sewer
- b. A few residents in the Project 8 & 9 scope area have a desire to tap into the system due to flooding on their private property and it is feasible to do so but no procedure in place
 - i. This discussion has been ongoing for a while
- c. I did reach out to consulting engineer to see if there were other options. This is his response: ***The area of West Garfield and Mettabrook has almost no elevation change. It is not possible to add fill to slope the yards to sheet water toward the street. Same with piping, the outlet would be below the ground. Unfortunately, there are limited solutions to this situation and we do not have any other suggestions to offer.***
- d. The main discussion is that tapping into the storm line, for these properties, would constitute a change order for the project as more material would need to be purchased

- i. Question is who should pay for said materials as this was not part of the original scope of the project and is related to a private property matter
 - e. To add to this discussion, during the week of January 3, the contractor uncovered two (2) existing connections to the storm line from private property owners
 - i. It is believed that these are lines stem from field tiles in rear property
 - ii. The Village has no record of said connections
 - f. Willow Run, Ashberry, Silverbuck all have storm taps but from our understanding were installed by the developer per Subdivision regulations in the Codified Ordinance (these are separate regulations from Chapter 51: Sewers

5. 3555 Waterville Swanton

- a. The previous owners of 3555 Waterville Swanton signed an agreement related to water service
- b. A part of said agreement was that if they were to ever sell the property they would let the buyer know they would have to annex in order to receive Village
- c. New owner called and did not know about said agreement
- d. Request from new owner for Council to reconsider and allow him to access water, with an outside rate, and not annex into the Village

Public Service Committee

January 24, 2022 • 6:00 p.m.

1. Councilman Pilliod nominated Councilman Mike Disbrow as Chairperson for 2022, Councilwoman Disbrow seconded
2. Bat Boxes Presentation
 - a. Aden Dzierzawski presented on his Eagle Scout project which are bat boxes for Memorial and Pilliod Parks
 - b. He worked on constructing them with help from others in his troop
3. Garbage bins
 - a. Request from a property owner who wishes to remain anonymous for the Village to do research on what other communities regulate relative to location of garbage bins
 - b. The resident has concerns that a neighbor keeps garbage bins in front of garage
 - c. Mrs. Hoelzle provided information that we would pursue nuisance abatement if garbage was overflowing, creating a breeding ground for vermin, insects, etc.
 - d. However, if garbage bins do not create a nuisance there is currently no regulation in the Code requiring residents to place garbage bins out of sight from road way
 - e. In June 2019, a resident from a different neighborhood, expressed similar concerns to the current resident
 - f. At that time, Council did not wish to create regulations on where to store a garbage bin
 - g. At that time, Council directed me to create a friendly reminder to practice common courtesy about trash bins (see graphic from, created in 2019, from that directive)
 - h. Discussion ensued. Comments made such as who would enforce such regulations
 - i. The Committee indicated that they do not wish to dictate where garbage bins can be stored but do support nuisance abatement follow up.
4. 98 Dodge driveway
 - a. Owners at 98 Dodge would like to install a driveway
 - b. This would entail cutting a public curb near public parking
 - c. Curb cuts require administrative approval however due to the nature of this affecting marked public parking spaces near the downtown, Mrs. Hoelzle felt it prudent to provide information before moving forward

- d. Consulting engineer has concerns due to the proximity to the property line and adjacent building and is hesitant to recommend approval
- e. Engineer response: *“As long as Miller Avenue remains one-way, you have no sight issues there, but you would have issues backing onto Dodge Street again because of the adjacent building and the curve to the east. There would be additional issues if/when the remaining on-street spaces were occupied.”*
- f. As stated, typically a curb cut is an administrative decision, however if Committee wishes to discuss the public parking, in that vicinity, this may affect the decision
- g. Eliminating the public parking would also potentially eliminate line of sight but the concern of the curve just to the east of the property will always remain
- h. Discussion ensued and Committee felt it was a safety concern to allow driveway as proposed.

5. Active Transportation Plan

- a. ODOT defines active transportation as human-powered travel that engages people in physical activity while they travel from place to place and reinforces that bicycling and walking are valid forms of transportation
- b. Active transportation plans (ATPs) outline the vision, goals, and strategies needed to support safe, convenient, and accessible active transportation options
- c. ATPs come in all shapes and sizes depending on a community’s geography, scale, budget, priorities, timeline, and resources
- d. Much work and effort has been spent trying to make the Village of Swanton more accessible and safer for pedestrians and cyclists
- e. Discussion ensued and Committee requested Mrs. Hoelzle work on a survey of the community if there is interest in pursuing an ATP

6. Systemic Safety

- a. Committee of the Whole requested Mrs. Hoelzle do more research on ODOT’s System Safety funding which centers on countermeasures to improve pedestrian safety (there is funding for roadway improvements but there aren’t currently plans in CIP for those roads but may look to in future)
- b. Mrs. Hoelzle worked with Poggemeyer Design Group to create a list of eligible projects on the eligible streets (Main, Airport, Hallett, Dodge) which fall in line with projects already discussed for CIP
- c. Funding would be available beginning July 1, 2023 and it is recommended to complete projects by June 30, 2024
- d. 10% local match

- e. Narrowed down to the following
 - i. Upgrade traffic signal at Garfield & Main
 - ii. Install sidewalk on Main Street from Peter Street to entrance of SHS
 - iii. Update the 24 decorative light posts on Main Street, from Garfield to Church, to replace current posts with LED lights
 - iv. High visibility crosswalk improvements along Main Street
- f. Lengthy discussion ensued and the Committee recommended focusing on traffic signal and updates to lighting

7. Assessment

- a. Leaf and Street Light assessments cover a portion of the cost to provide leaf pick up and street lights throughout the Village
- b. Current
 - i. Leaf: \$12
 - ii. Street: \$31
- c. Proposed as a result of Mrs. Harkey's analysis
 - i. Leaf: \$12
 - ii. Street: \$32
- d. Short discussion and recommendation to increase Street by \$1 per year

Public Safety Committee
January 24, 2022 • 6:30 p.m.

1. Councilwoman Westhoven nominated Councilman Kania as Chairperson for 2022
2. Parking Schedule
 - a. Mr. Don Sweet, new owner of 121 Lincoln, inquired about parking on Lincoln
 - b. He is remodeling the house which has sat vacant for many years
 - c. Due to issues in the rear of the property, he parks in the front, on the street
 - d. There is a business operating across the street from 121 Lincoln which, periodically, requires semi-trucks to load or unload materials
 - e. Per current regulations in the Codified Ordinances, Mr. Sweet is able to park in the spot for 90 minutes at a time
 - f. Mrs. Hoelzle spoke to Mrs. Smith, Police Secretary, and there have been issues with parking in this vicinity and the business' ability to receive trucks
 - g. Mr. Sweet attended the meeting and would appreciate the Village looking into this
 - h. Committee recommendation analysis be done in this area
3. ARPA Funds
 - a. Local Fiscal Recovery Funds through ARPA allows for premium pay to essential workers
 - b. Members of the SFRD are meet the criteria for essential workers
 - c. Proposal is to use a portion of the funds to provide one-time premium pay on or around June 1, 2022 to coincide with the next round of ARPA funds
 - d. This would be in lieu of raises and recommendation is to offer one-time premium pay again in 2023 and 2024
 - e. Discussion ensued and Committee recommended implementing this at that time
4. Mutual Aid 180th
 - a. Updated agreement with 180th is in Dropbox
 - b. Mr. Lehenbauer reviewed prior to his departure and had no issue as presented
 - c. Ordinance language is included if applicable
 - d. Chief Schaffer will be on hand to discuss specifics
 - e. Committee recommends moving forward

5. Grant application
 - a. State of Ohio Fire Marshal- Fire Equipment Grant
 - b. 100% match
 - c. For purchase of pagers
 - d. Committee recommends moving forward

6. EMA Agreement
 - a. Emergency Management Agency annual agreement to provide services in case of need
 - b. Ordinance is under New Business if recommended
 - c. Committee recommends moving forward

7. I am Responding technology
 - a. SFRD has been using a cloud based program, I am Responding (IAR) that notifies them for calls, allows individuals to indicate they are enroute to the scene
 - b. Interested in multi-year subscription with agreement
 - c. Typically, if there are any terms and conditions included in an official agreement we like to present to Committee for review and recommendation
 - d. Committee recommends moving forward

Committee of the Whole
January 24, 2022 • 7:45 p.m.

1. County addresses
 - a. Ordinance 2008-11 outlines the process for converting address of properties within the incorporated Village from County addresses to Village addresses (i.e. Co Rd H to Dodge)
 - b. Records show that there are still many properties which do not reflect Village addresses
 - c. For efficient service provision it is recommend that this process be picked up again and those properties work towards the conversion
 - d. This may cause challenges for property owners but would diminish the confusion if dispatched out for an emergency
 - e. Discussion ensued and Committee recommended to pursue updates

2. HB 512
 - a. As Mayor Toeppe mentioned previously, State Rep. Abrams (R – Harrison) and Rep. Baldrige (R – Winchester) introduced HB 512, the Public Safety Pension Modernization Act, which would increase the required employer contribution rates to the Ohio Police and Firefighter Fund
 - b. The proposal would increase the rates that cities and villages pay for retirement contributions to the Ohio Police and Firefighter Fund to 26.5% for both police and fire, compared to the current contribution rates of 19.5% for police and 24% for firefighters. The increase would happen incrementally over five years.
 - c. Here is the message from Ohio Municipal League: *“We strongly encourage our members to contact their state representatives and impress upon them that HB 512 will result in a significant increase in cost to municipalities that will very impactful to local budgets and urge them to oppose this bill.”*
 - d. Discussion ensued and Committee recommended placing legislation opposing HB 512 on next agenda.