



February 7, 2020

Meeting Notice
Village Council Meeting As
A Committee of the Whole
February 11, 2020

Notice is hereby given that the Whitehouse Village Council will meet as a Committee of the Whole on Tuesday, February 11, 2020, at 6:30 PM. This meeting will be held in the Council Chambers, Village Hall, 6925 Providence Street, Whitehouse, Ohio.

AGENDA

- I. Call to Order
- II. Roll Call
- III. Review and Approval of the January 14, 2020, Committee of the Whole Meeting Minutes
- IV. Citizen Comments on Committee of the Whole Agenda Items
- V. **General**
 - A. Zoning Inspector Jacob Barnes will Review New Proposed Enforcement Penalties for Certain Zoning Requirements
 - 1. **Recommended Action** – The Committee is asked to hear a presentation from Jacob Barnes on proposed changes and determine the next steps.
 - 2. **Supporting Information** – None
 - B. Review of the Donation Collection Bin Policy
 - 1. **Recommended Action** – Committee is asked to review the Donation Collection Bin Policy and provide a recommendation to Council.
 - 2. **Supporting Information** – Copy of current language from the Zoning Code and proposed ordinance from Kevin Heban (Exhibit A)
- VI. **Public Service**
 - A. Review Request from Business Owner for Additional Handicap Parking on Providence Street.
 - 1. **Recommended Action** – The Committee is asked to hear a request from a Business Owner in regards to additional handicap parking on Providence Street and provide a recommendation to Council.
 - 2. **Supporting Information** – Memo from Steve Pilcher (Exhibit B)

B. Review Sidewalk Clearing Program

1. **Recommended Action** – As requested by Council, we will discuss the attached current policy and make any changes as deemed appropriate.
2. **Supporting Information** – Copy of Current Ordinance (Exhibit C)

C. Review and Discuss Updated Options for Streetscaping Phase 3

1. **Recommended Action** – Committee is asked to review some updated options in regards to Streetscaping Phase 3 and provide recommendation to Council.
2. **Supporting Information** – Memo from Tiffany Bachman (Exhibit D)

VII. Citizen Comments

VIII. Consider Other Business as Appropriate Under the Village Charter

IX. Adjourn

Jordan D. Daugherty
Village Administrator

**Village Council Meeting As
A Committee Of The Whole
January 14, 2020**

ROLL CALL: Mindy Curry, Rebecca Conklin Kleiboemer, Bob Keogh, Bill May, Louann Artiaga and Richard Bingham. Also present were the following: Mayor Don Atkinson, Public Works Director Steve Pilcher, Administrator Jordan Daugherty, Fire Chief Joshua Hartbarger and Allison Mitchell.

The President of Council, Louann Artiaga, called the meeting to order at 6:30 PM.

Motion by Richard Bingham, seconded by Bob Keogh to approve the minutes of the December 3, 2019 meeting. 6 ayes

Finance, Audit and Investment

Review option to require fee from Broadband Service Provider, which is Buckeye Broadband. Spectrum is currently paying a five percent franchise fee for having lines in the Village. Motion made by Rebecca Conklin Kleiboemer, second by Richard Bingham, to recommend to Council. 6 ayes

Public Service

Public Works Director Steve Pilcher gave a presentation of Sewer System Overhaul Project financing. Jones and Henry Engineers have been working with Steve on plotting a course and flow patterns for sanitary sewer as close as possible to Wabash Cannonball Trail right of way. A loan through the Ohio EPA has been approved. This would eliminate the Field Avenue Pump Station and the odor complaints. Property owners have been contacted and are in favor of running these lines on their property. Motion made by Bob Keogh, second by Mindy Curry, to recommend to Council to go forward with this plan. 6 ayes

Steve also gave a proposal for Ditch Cleaning and Maintenance from Lucas County and the County Engineer. Lone Oak ditch would be put under maintenance from Waterville Street to Berridge Road. The other ditch cleaning would be Swan Creek from Fulton County to Toledo City limits. The initial petition fee of \$500 is required, which could be covered with a line of credit from the County Commissioners. Motion made by Richard Bingham, second by Mindy Curry to recommend to Council to move forward. 6 ayes

Public Safety

Fire Chief Joshua Hartbarger would like to recommend a one-year extension for Waterville Township Fire Services at a cost of \$57,429. Motion made by Bob Keogh, second by Rebecca Conklin Kleiboemer to recommend to Council. 6 ayes

Fire Chief would also like to recommend a one-year contract extension for Lucas County EMS. There is not a rate increase just be a renewal. Motion made by Bob Keogh, second by Richard Bingham to recommend to Council. 6 ayes

Fire Department also has surplus property, which is a manual transmission fire truck they would like to declare. Motion made by Rebecca Conklin Kleiboemer, second by Mindy Curry to recommend to Council this surplus. 6 ayes

Bob Keogh moved to adjourn the meeting, seconded by Mindy Curry. 6 ayes
Meeting adjourned at 7:09 pm

Respectfully submitted,

Acting Clerk of Council

Current Zoning Code

1257.26 Charitable Donation Collection Bins *

- A. Charitable donation collection bins are prohibited in any district, except at the designated Recycling Center located at 11295 Waterville Street in conjunction with the Department of Public Service Maintenance Yard.
- B. Annual permits must be obtained before placement of a charitable donation collection bin at the Recycling Center. Permit forms are available at the Whitehouse municipal offices and www.whitehouseoh.gov and should be submitted annually and approved by the Zoning Enforcement Officer before placement.
- C. Only charitable organizations in good standing will be allowed to place a donation collection bin in Whitehouse. Prior to placement, proof of such charitable organization status, i.e. 501 (C)(3) documentation and other appropriate local state and federal certificates as required by the Zoning Officer, must be furnished.
- D. The charitable organization shall be responsible for maintenance, upkeep, and servicing of the donation bin. Bins shall be emptied of donated goods by the charitable organization at least once a week or sooner to prevent overflow of the goods from the bin. In the event the charitable organization fails to adequately maintain and service the bin, the Zoning Enforcement Officer will issue a written notice of violation. If the violation is not corrected within five days, the organization will be required to immediately remove the bin for the remainder of the calendar year.
- E. The Zoning Enforcement Officer and/or Public Service Director shall keep a list of qualified charitable organizations who wish to place a bin at the Whitehouse Recycling Center. Only four (4) bins are permitted at any time. If violations occur with any particular bin owned by a charitable organization, that permit will be revoked and the next organization on the list will be given the opportunity to place a bin for the remainder of the calendar year.

Sample Ordinance from Kevin Heban

_____. CLOTHING/ MATERIAL DONATION BINS.

(a) A "Clothing/Material Donation Bin" is any container or receptacle held out to the public as a place for people to drop off articles of clothing or other material and to store such clothing or other articles until carted away.

(b) Clothing/material bins are prohibited within the Village of Whitehouse.

(c) Exceptions. Registered nonprofit organizations are permitted to place clothing/material bins on nonresidential properties within the Village of Whitehouse in accordance with the following:

(1) Nonresidential commercial premises, and churches, are permitted to have up to three clothing/material bins.

(2) The bins shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, parking and any other requirements that may have been imposed on the premises and must be placed on a concrete or other similar surface. The name, address and phone number of the nonprofit organization or church must be displayed on each bin.

(3) Each bin shall not cover a ground surface area in excess of five feet by five feet, nor be more than six feet in height.

(4) Each bin must be regularly emptied of its contents so that it does not overflow, resulting in used clothing or other items being strewn about the surrounding area.

(5) A permit for every bin is required. The permit shall be issued by the Zoning Inspector or his/her designee and can only be granted when it is determined by the Zoning Inspector that the following have been complied with:

- The bin is for use by a duly registered nonprofit company with an 501(c)(3) Internal Revenue Service designation;

- A permit fee of _____ has been paid;

- The location and type of the bin being used complies with all sections of the Rossford Municipal Code;

- There is presented a letter of authority/permission from the owner of the property upon which the bin will be located; and

(d) The owner, lessee or other person or legal entity in control or ownership of the property where the bin is located and the person or entity which owns, maintains or operates the bin in violation of this section shall be jointly and severally liable for any violations of this section.

(e) Penalty.

MEMORANDUM

TO: Village of Whitehouse Council Members and Mayor Don Atkinson

FROM: Steve Pilcher, Public Service Director

SUBJECT: Tuesday, February 11, 2020 – Committee of the Whole Mtg.

DATE: Friday, February 7, 2020

Administrative Staff received a request for additional handicap parking on Providence St.

On Friday, January 31st, I received a phone call from Adam Lublin, a Financial Adviser at the newly relocated Edward Jones Building located at 6709 Providence St. Mr. Lublin inquired on what steps would need to be taken to install one additional on-street handicap parking stall in front of 6709 Providence St. Mr. Lublin stated his concern for the several clients he has who are in need of handicap parking on the east side of Providence St. He stated that what is currently available is across the street from the building and would require his customers to cross the street which can be considerably busy and he is concerned for their safety.

I have prepared a map showing locations of current handicap parking stalls in the area of concern. On the left (West) side of Providence St. there are three blue place markers showing the locations of current handicap parking stalls. On the right (East) side of Providence St. there is one blue place marker showing the requested handicap parking stall.

I have also included a photo showing the location and typical parking situation.

Respectfully submitted,

Steven P. Pilcher
Director of Public Service





Edward Jones

Edward Jones
Financial Services

EXPERIENCE THE DIFFERENCE OF
LIVING IN RETIREMENT
PLANNING AND INVESTMENT
SERVICES FOR YOUR FUTURE
FINANCIAL GOALS ARE OUR TOP PRIORITY

909.11 REMOVAL OF SNOW AND ICE FROM WALKS.

The occupants of each single, residential, commercial or industrial property and the owner of any multiple residential, commercial or industrial property or of any unoccupied or unimproved property abutting upon public walks or driveways, shall keep and maintain the same free and clear of snow and ice. Deposits of such material due to storms or other casualty shall be removed within twenty-four (24) hours of such deposit. No snow or ice as removed hereinabove shall be placed upon any street, public right of way or public lands.

(Ord. 6-97. Passed 6-3-97.)

ORDINANCE NO. 6-97

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF ORDINANCES OF THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, PARTICULARLY RELATING TO SIDEWALKS, AND THE CONSTRUCTION, ALTERATION AND REPAIR THEREOF, PROVIDING FOR PERMITS, FEES AND FINES IN CONNECTION THEREWITH, AND SNOW REMOVAL THEREFROM, AND DECLARING AN EMERGENCY.

WHEREAS, the Streets-Water-Sewer Committee of the Council of the Village of Whitehouse has recommended the necessity of regulating the construction, alteration, repair, and removal of snow from sidewalks within the corporate limits of the Village, and

WHEREAS, this Council is desirous of adopting such recommendation,

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, three-fourths (3/4) of all members elected thereto concurring:

SECTION I: OPERATION OF ORDINANCE. All sidewalks, hereinafter constructed or reconstructed along any public street, avenue, boulevard or lane within the corporate limits of the Village of Whitehouse, shall be constructed or reconstructed and shall be used and maintained in accordance with the provisions of this Ordinance; Ordinance 13-86 and all Ordinances, Resolutions or Administrative Policies inconsistent herewith are hereby repealed.

SECTION II: DUTY TO MAINTAIN SIDEWALKS. It shall be the duty of every owner of any lot or parcel of land situated within the corporate limits of the Village of Whitehouse to keep and maintain sidewalks now or hereafter constructed along all streets adjoining said land in good order and repair and free from nuisance. It shall be the further duty of each such owner to construct good and sufficient sidewalks abutting the property owned by him.

SECTION III: REQUIREMENT OF PERMIT.

(A) No walk shall be constructed, reconstructed or cut open on any public right-of-way within the Village of Whitehouse until a permit has been obtained from the Superintendent of Services by the property owner or the duly authorized agent or the owner of the property contiguous thereto.

(B) All contractors must secure a permit before making, constructing, reconstructing or cutting open any sidewalk. The permit must be kept on the site of the work being done until completion thereof.

(C) The permit shall show the name and address of the applicant, the name and address of the owner and the street address and the legal description of the property adjoining the right-of-way where the proposed work is to be done; number of square feet of proposed walk to be constructed or reconstructed; width of present walk, material in present walk, material to be used in the walk proposed, and such other information as may be required by the Superintendent of Services.

SECTION IV: PLANS TO BE APPROVED BEFORE BUILDING PERMIT IS ISSUED.

(A) No building permit shall be issued by the Superintendent of Services until plans for any sidewalk to be constructed, reconstructed or made in connection with the work covered by such building permit have been approved by the Superintendent of Services.

(B) No walks shall be constructed or reconstructed until an inspection has been made, and line and levels of same, authorized and fixed by the Superintendent of Services.

SECTION V: NOTICE BY VILLAGE COUNCIL TO CONSTRUCT OR RECONSTRUCT AND PAYMENT THEREOF. Notice to reconstruct walks shall be as provided by law. Council may, by resolution, order sidewalks to be repaired or reconstructed and the costs thereof shall be assessed and collected as provided by Ohio Revised Code Sections 729 and 735. If the owner shall neglect to construct or reconstruct a walk or driveway within the time specified in the notice hereinabove required to be given, it shall be the duty of the Superintendent of Services to construct or reconstruct such walk or cause same to be done. In such case all of the cost and expense of constructing or reconstructing such walk shall be assessed as provided by Ohio Revised Code Sections 729 and 735 against the adjoining or abutting property, lots or lands.

SECTION VI: GRADES.

(A) All grades for walks shall conform to street grades which shall be established by Council.

(B) All walks and driveways shall be constructed or reconstructed to conform to the grade on the right-of-way where the grade has been established.

(C) The surface of all walks shall have a transverse slope of one-fourth (1/4) inch per foot with the low side nearest to the curb line.

(D) Whenever permission is requested and granted to construct or reconstruct a walk where the surface of such walk has a transverse slope of a rate of more than one-fourth

(1/4) inch to the foot, the permit shall be granted and received only on the condition that Council may at any time thereafter order such walks to be reconstructed to the established grade of the right-of-way, entirely at the expense of the abutting property owner.

(E) In all cases where sidewalks cross driveways or runways the full width of the sidewalk shall conform to the established grade of the sidewalks adjoining both sides of said driveways or runways, unless permission has been first obtained from the Superintendent of Services. However, in all cases no less than three (3) feet width of sidewalk shall conform to the grade of the sidewalks adjoining both sides of said driveways or runways.

(F) Upon a right-of-way where the grade has been established by the Superintendent of Services, but where the street has not been improved by paving or grading to such grade, walks shall be constructed in conformity with the grade established for the construction or reconstruction of such walks, driveways, and curb opening. Provided, however, when walks shall be ordered by Council, or shall be constructed or reconstructed without such order by the owner of property abutting on a right-of-way where no grade is established, such walks may be constructed or reconstructed at such levels and inclinations as may be prescribed by the Superintendent of Services. Such permission to construct or reconstruct a walk on the right-of-way, shall be granted and the walk shall be constructed or reconstructed only on condition that when a grade shall be established such walk shall be removed and reconstructed to the grade which may thereafter be established by the Superintendent of Services for such street, entirely at the expense of the owner of the property abutting on said street.

(G) Whenever a sidewalk is reconstructed to a grade that does not meet the grade of adjacent existing walks, the person constructing the new sidewalk shall construct a ramp to eliminate any grade inequality. The materials, workmanship and character of the ramp shall be as determined by the Superintendent of Services.

(H) All walks hereafter constructed or reconstructed on any right-of-way in the Village, shall be so constructed or reconstructed on such plane inclination and level so that the wearing surface thereof shall be uniform and even throughout the right-of-way; and all walks in the Village, shall be maintained in such repair by the owner of property abutting on the right-of-way shall be uniform and even throughout its length and width with the adjoining

and connecting walk. All new lateral walks, from the main sidewalk to the property line hereafter constructed shall have a uniform slope from the main sidewalk to the property line of one-quarter (1/4) inch per foot, the low end of the aforesaid new lateral walk being adjacent to the main sidewalk and the aforesaid lateral walk shall meet the grade of the main sidewalk, the intent of this section being the exclusion of steps or other abrupt changes in grade on the right-of-way.

SECTION VII; SUPERVISION.

(A) The Superintendent of Services or his duly authorized Inspector shall at all times have access to the work and the contractor shall provide or cause to be provided the proper facilities for inspection of all work.

(B) The owner or contractor shall have a responsible representative in charge of the work, on the site at all times, and he shall have the necessary qualifications and authority to execute, adhere to and carry out all the requirements of this ordinance and regulations issued pursuant hereto and of the specifications for the construction or reconstruction of walks, driveways or curb openings, on file in the office of the Superintendent of Services.

(C) Orders of instructions from the Superintendent of Services, or his Inspector given to the aforesaid representative shall be binding as though given to the owner or contractor. Should any person employed on the work refuse or neglect to comply with the directions of the Superintendent of Services or his Inspector, in the interpretation of the specifications and direction of the work, or in the opinion of the Superintendent of Services or Inspector be incompetent, disorderly, or unfaithful, such a person shall be immediately removed and not again employed on any part of the work.

(D) The Superintendent of Services may assign inspectors to the work, or such part thereof as may be necessary; however, the presence of the inspector will not in any way relieve the owner or contractor from any responsibility in complying with the specifications relating to the construction or reconstruction of walks, driveways or curb openings. Any work done or performed contrary to this ordinance or the applicable rules or specifications shall, upon direction of the Superintendent of Services be made good or removed as directed.

SECTION VIII: RULES AND REGULATIONS. The Superintendent of Services is hereby authorized to adopt, promulgate, amend and enforce such additional administrative rules and

regulations as may be necessary to execute and enforce the provisions of this Ordinance, and is further specifically authorized and empowered to fix and establish by such rules and regulations the thickness, width, materials and specifications of sidewalks to be installed, altered or repaired within the limits of any public street, and the manner of performing any work relating to the matters or things referred to in this chapter. Such additional rules and regulations shall be kept on file and open to public inspection in the office of the Superintendent of Services.

SECTION IX: RESTORATION OF SIDEWALKS AND SURROUNDING AREA.

(A) All sidewalks that have been cut, removed, damaged, tilted, or settled shall be replaced. All replacement of sidewalks shall be done in accordance with the general construction and material specifications of the Village.

(B) With the restoration of concrete walks, in addition to the question of serviceability and durability of restoration, the matter of appearance will be considered in determining the area to be restored, regardless of the size of the opening. The restoration of complete blocks will be required in all cases and the walk shall be cut at the joints with a concrete saw and the new work shall be joined up with the old work in a neat and workmanlike manner. The finish shall be the same as the surrounding area. Expansion joints shall be restored where required, regardless of whether they existed in the original walk.

(C) Restoration of Sodded Areas. For this type of cut, every effort must be made to replace not only the actual disturbed area, but any adjacent area which may have been injured or destroyed by the permittee's work. If the existing sod can be removed and is not injured thereby, it may be replaced, but any damaged sod must be replaced by new sod. Restoration will not be considered complete until restored sod shall have knitted with the subgrade. Any maintenance necessary, such as watering, shall be considered a part of the restoration.

SECTION X: MAINTENANCE - REFUSE AND DEBRIS. No persons shall pile, deposit, place, throw, scatter or drop or cause or permit to be piled, deposited, placed, thrown, scattered or dropped any rubbish, grass, leaves, dirt, wood, coal, ashes, merchandise, papers, dodgers, advertising cards or handbills, debris or obstruction of any kind, upon or over any walk or so occupy any walk as to obstruct or interfere with the convenient use of same by pedestrians.

SECTION XI: REMOVAL OF SNOW AND ICE FROM WALKS. The occupants of each

single, residential, commercial or industrial property and the owner of any multiple residential, commercial or industrial property or of any unoccupied or unimproved property abutting upon public walks or driveways shall keep and maintain the same free and clear of snow and ice. Deposits of such material due to storms or other casualty shall be removed within twenty-four (24) hours of such deposit. No snow or ice as removed hereinabove shall be placed upon any street, public right-of-ways or public lands.

SECTION XII: PENALTY FOR VIOLATION OF THIS ORDINANCE. Any persons violating in any way any section, part of a section or any requirement or provision of this chapter or of any regulation issued pursuant hereto, shall be guilty of a minor misdemeanor, and on conviction thereof, shall be fined not more than One Hundred Dollars (\$100.00).

SECTION XIII: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action, were in compliance with all legal requirements as required by Village Charter.

SECTION XIV: THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE necessary for the immediate preservation of the public peace, health and safety of said Village and for the further reason that it has been found necessary to promulgate rules and regulations for the orderly installation and maintenance of Village sidewalks for the safety of the inhabitants.

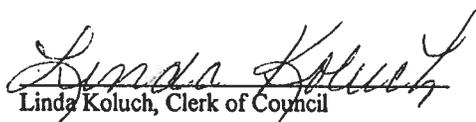
WHEREFORE, this Ordinance shall take effect and be in full force immediately upon its passage and approval.

VOTE ON EMERGENCY MEASURE: Yeas: 6 Nays: 0

ADOPTED JUNE 3, 1997 as an EMERGENCY MEASURE.

Stanley J. Wielinski, Mayor

ATTEST:


Linda Koluch, Clerk of Council

Philip C. Davis, Solicitor

CERTIFICATE

I, LINDA KOLUCH, Clerk of Council of the Village of Whitehouse, Lucas County, Ohio, do hereby certify that the foregoing Ordinance was duly published by posting in said Village for not less than 15 days ending June 23, 1997 in accordance with R.C. 731.25.

Linda G. Koluch
Linda Koluch, Clerk of Council
of the Village of Whitehouse, Lucas
County, Ohio

MEMORANDUM

TO: Village of Whitehouse Council members and Mayor Don Atkinson

FROM: Tiffany Bachman, Planning Administrator

SUBJECT: Streetscaping

DATE: February 7, 2020

As the warmer weather gets closer, we are eager to move into the next phase of streetscaping. Last November, Council voted to move forward with the bid process for the plaza renovations and hardscape, the splash pad, and the Maumee Street to Shepler Avenue block.

With the additions and improvements made to the original design, we do not have the plans to put in the packet. We anticipate receiving the updates on Monday and will get them to you as soon as possible. We will present and discuss options at Tuesday's meeting.

We are excited about the updates and look forward to this discussion.

Respectfully submitted,

Tiffany L. Bachman, Planning Administrator