

**Village of Whitehouse
Village Council Meeting As A
Committee of the Whole
Village Hall, Whitehouse, OH
6:30pm July 9th, 2024**

CALL TO ORDER – ROLL CALL

Meeting called to order at 6:30pm by President of Council Louann Artiaga.

Council Members Present: Dave Riggenbach, Carrie Tuohy, Steve Connelly, Larry Yunker and President of Council Louann Artiaga

Council Members Absent: Steve Fine – excused by President of Council Artiaga

Staff Present: Administrator Jordan Daugherty, Deputy Administrator Joshua Hartbarger, Clerk Nicole Hartbarger, Mayor Rich Bingham, Public Works Director Steve Pilcher, Solicitor Kevin Heban (online)

Guests Present: Karen Gerhardinger

Motion by Councilman Dave Riggenbach, seconded by Councilman Larry Yunker to approve the minutes of the June 11th, 2024 Committee of the Whole meetings. 5 ayes

CITIZEN COMMENTS ON COMMITTEE OF THE WHOLE AGENDA ITEMS

Council President Louann Artiaga asked if there were any citizen comments to be made regarding the agenda items. There were none.

GENERAL

Charter Discussion

Councilwoman Artiaga asks that this topic that is listed last in the agenda be discussed first while Solicitor Heban can be online and join the discussion.

Artiaga references the comments from Rebecca Conklin Kleiboemer during the last Council meeting, starting with the floating petition due date comments. Heban talked with the Attorney General's (AG) office. After the issue was raised, Heban thought it was odd that no specific date was listed. His thought, if there is a specific date in Charter, it will sometimes land on a weekend when the Board of Elections (BOE) is closed. He called the AG office and spoke to the lawyer there – they said they have never seen a specific petition due date in a Charter and probably would not approve it as it could cause some issues. For example, if Aug 5 lands on Sunday and BOE is closed, if someone drops off petition on Sunday and the BOE gets Monday, hard to decipher if valid.

Council comments and discussion:

- Riggenbach asks have we back checked the formula that is created to make sure it doesn't land on a holiday, i.e. July 4th. Heban says it should always land on a Monday. Riggenbach saying with the 60 days back, that could still land on the 4th of July. With no set date logic, that's good, but do we have the same potential issue due to the holiday.
- Artiaga asks, can we have in the language if it falls on a holiday can it fall to the next business day – Heban says yes we could put that in the Charter language.

- Heban understands Riggensbach concern but would need to do several checks to see if that would fall into an issue.
- Riggensbach thinks it would be immaterial change to Charter saying if due date lands on a holiday when BOE is closed, it would actually be due the following business day and could still pass as an emergency with the fair three readings. Heban agrees, ordinance can be amended and then voted on as emergency next meeting.
- Yunker suggests language reflects if BOE is closed for any reason, it would be due next open business day.
- Connelly and Tuohy agree with previous comments.
- Council asking to reflect language in ordinance that if BOE is closed for any reason petitions would be due the next business day that BOE is open.
- Daugherty confirms buffer is built in, all agree it is 45 days, Village is building in 60.

Artiaga comments that the next question raised by Rebecca Conklin Kleiboemer was succession planning of Mayor. Riggensbach comments that he talked to Conklin Kleiboemer a bit after the previous meeting regarding the potential scenario that could occur, with unintended consequences. He asks does the language currently allow that situation to happen – does Council have any recourse if there happens to be an egregious or malicious act by forcing the President of Council to vacate their Council seat.

Council comments and discussion:

- Riggensbach understood a bit more after talking to Conklin Kleiboemer what could possibly occur.
- Artiaga says we have gone back and forth for months and have been all over the Board with some of these topics. She feels it would be good to take a step back and review what the original intent of the change was – feels the more it is talked about the further and further away from original intent was.
- Riggensbach asks can we include language that if it is more than 60 days where President of Council has to vacate Council seat – i.e. reelected Mayor vacates seat on Dec 7th after reelection and President of Council has to take over.
- Connelly agrees the only time this would happen would be with malicious intent.
- Tuohy agrees that with that situation there should be some ability for Council to do something.
- Riggensbach suggests, yes a very unlikely scenario, but with no recourse it is good to discuss.
- Artiaga comments on her problem with the whole scenario is the Council President takes over as Mayor and then still has power as President of Council – does not feel one person should have both of these roles.
- Bingham questions if Mayor is elected November 7 and resigns Nov 30, is that resigning from the current term but then they can still start the next term.
- Riggensbach asks Heban to verify if resigning from current term but elected for next term, does the resignation automatically extend into the next elected term – Heban to review and verify.
- Riggensbach says do we add a 60 day clause where if the next term is not affected, the Council President can still keep their Council seat and go back. If the answer is yes where the Mayor elect can come back for new term, will have to pass the updated language on the updated ordinance as an emergency.

Consideration of the Surface Transportation Grant Application

Public Works Director Pilcher comments that a memo was sent this past Friday to Council and Mayor regarding the service transportation grant. He says for this grant, roadways have to be eligible for federal funding. Staff has reviewed roadways that were part of the capital project plan, and only had one that really qualified for this grant – South Finzel Road from AW High School to State Route 64. Preliminary discussions with TMACOG suggest we could combine a few projects to score better for an application and get a better chance at funding. Pilcher had a meeting with ODOT reviewing projects to see if they had ideas for funding – they do have some safety programs for roadways. In those discussions was mentioned a modified roundabout at Dutch and Finzel – smaller area roundabout but does effectively slow traffic as needed. With the two projects looked at, best bet was to combine the two and apply for SGTB grant while also looking at state money for roundabout funding. SGTB would be 80/20 match of both projects lumped together; roundabout funding from state is 90/10 match. Discussion with TMACOG included telling them that the projects to be discussed with Council include roundabout, resurfacing, etc. all together – and to apply for the SGTB project along with the ODOT funding. Pilcher comments this is an aggressive approach but this approval by Council today is strictly for applying for the grants.

Council comments and discussion:

- Tuohy asks, have we looked into anything into funding for sidewalks – Pilcher says yes there is pedestrian travel plan support that is part of this project along Weckerly road to AW High School campus.
- JD confirms the 80/20 plan is what we usually go for – when combined TMACOG and ODOT you have direct contact with the grantor; it is a big dollar amount project, but low net value dollar impact.
- Pilcher confirms they are both 80/20 with the lump sum project – if we pursue ODOT we would back the roundabout out and go for the 90/10 for this piece.
- Yunker asks do we need to acquire additional property for the roundabout project, Pilcher confirms we should not.

Motion by Councilwoman Tuohy, seconded by Councilman Riggenbach to recommend to council to authorize Administration to apply for the Surface Transportation Grant as proposed. 5 ayes

Review Sanitary Sewer Main Line Evaluation

Public Works Director Pilcher comments that Council has been presented ideas to upgrade certain sanitary sewer lines. 2024 Rehabilitation Assessment presentation covers several roads in town where the main sewer runs. Jones and Henry engineers here to interpret data that was found and presented. The consultants begin by covering the project area presented on a map. They comment that pipe materials do not always hold up the best – when reviewing lines, they are looking for no buildup of debris or breaking down or cracking, no infiltration from the ground water. Along the mainline in Whitehouse where the evaluation occurred, there were some problem areas including infiltration, encrustation and cracking in both manholes and laterals. Laterals included root intrusions. Manhole issues included same issues along with separated joints and degraded channels. Rehabilitation methods presented include 1) heavy cleaning on mainline – high pressure water travels along the pipe, 2) testing and grouting tests for space behind the pipe and fills with grout as necessary, 3) cure in place liners that run from one manhole to the next and essentially adds a new pipe inside the current pipe – can add 50 years to life expectancy, 4) launch laterals that can help determine life expectancy, and 5) t-liners that take care of issues at the lateral connecting to the main can add 50 years to expectancy. Manhole cover updates and protective coating can also help with issues found. Jones and Henry suggested rehabilitation plan for Whitehouse for the laterals, mains and manholes include grouted lines to create a shored-up system, t-liners as necessary, and protective coating on manholes. Estimated cost \$1,053,500.

Jones and Henry consultants share rehabilitation cost compared to full replacement is around \$1.2MM less. Their suggestion is for rehabilitation options based on cost savings alone.

Council comments and discussion:

- Riggensbach asks if this is done in phases – consultant says it could be.
- Pilcher shares with Council the current pipe technology that is available for use – comments it is a great method to save sewers that we know will not last forever.
- Pilcher says it was discussed to piece out section by section but it could be much more costly over all to mobilize contractor for each part. Plan is to apply for fund financing – due mid-August, with 2.78% loan rate over a 20-year financing term. He is asking Council to nominate project and allow Administration to apply for financing. If selected, the next step would be to draft bid documents and come back to Council to ask for authorization on the actual project.
- Administrator Daugherty comments that funding source is sewer fund, not general fund.
- Artiaga asks would it have impact on sewer rates going forward – Daugherty says it does not have to, we would want to consider it but does not have to. With the consistency of considering all costs in that fund, rates may change, but not necessarily just from this project. Would not have to increase to cover because it is around \$70k per year for the debt service arrangement which is under the fund expense.
- Riggensbach asks what disruptions does this cause for residents – Jones and Henry consultants say considerably less than full replace. Would focus on 2 manholes at a time, some minimal maintenance of traffic on two lane roads, could be very short periods of time with water service to houses down, but very minimal.
- Tuohy asks if there are grants available for this. Pilcher says the closest thing we can get to a grant is the low interest loan being discussed – this is how EPA funds projects unless very disadvantaged communities. If we fall into small community range by EPA, would have .5% lowered on rate, 2.28%

Motion by Councilman Connelly, seconded by Councilwoman Tuohy to recommend to Council to authorize Administration to apply for project funding loan as proposed. 5 ayes

Pilcher comments he has one more item to discuss. He references the previously brought up COVID funds to spend. Points out map of small quarry to Council; he also provides budget to all of overlook on small quarry that was discussed – project price of \$167k to review by Council. No questions.

CITIZEN COMMENTS

Council President Artiaga asked if there were any general citizen comments to be made. There were none.

OTHER BUSINESS

Council President Artiaga asked for comments on other business from all Committee of the Whole members. There were none.

ADJOURNMENT

Motion by Councilman Yunker, seconded by Councilwoman Tuohy to adjourn the meeting at 7:23pm. 6 ayes

Respectfully submitted by Nicole Hartbarger, Clerk of Council