

**OTTAWA HILLS VILLAGE COUNCIL
SPECIAL MEETING MINUTES**

June 24, 2024 5:00 PM

Call to Order – Mayor Thompson

5:00 PM

Village Representatives in Attendance

Mayor Thompson
Councilwoman Dana Dunbar
Councilman Dan Wimmers
Councilwoman Wendy Greeley
Village Administrator John Wenzlick

Councilman Edward Shimborske III
Councilwoman Heather Phillips
Councilman John Lewis
Clerk/Treasurer Mark Mockensturm
Solicitor Kati Tharp

Citizen Attendees

Nasrin Afjeh
Ben Memsrray
Ryan Wronkowiez
Katie Clarke-Stumbo
Tracey Tangeman
Rachel Chernaw
Adam Finsew
Vasvdevan Navaneeth
Sekhah Pindiprolu

Jason Stumbo
Nikhila Navaneeth
Travis Tangeman
Bill Garber
Robert Urfer
Katie Timmers
Shivani Pindiprolu
Jayashree Navaneeth

Utilities, Equipment, Buildings & Grounds – Mr. Wimmers

Mr. Wenzlick stated he spoke with our engineers regarding the drainage options for the tennis courts. The options discussed were whether they want to crown it in the middle, or have it slope in one direction, as we have it currently. Crowning it in the middle may cause drainage problems to the west. The engineers told Mr. Wenzlick the cost would be \$350,000, which would be removing the asphalt, pulling the fencing off and updating the drainage underneath which would tie into the storm sewer. It would include putting the fence back up, with new playing surface, new nets, and new net poles. If we take the option to crown it in the middle, they will have to have new concrete, fence, and fence poles and it would add 50% to the cost. Mr. Wenzlick made the engineers aware of the meeting tonight. He let them know that depending on the outcome of the meeting, the project may be pushed back until next year. Mr. Wenzlick stated the engineer has some concerns regarding the 2024 timeline, with engineering and how tight of a schedule it is, meaning there could be no guarantee.

Ms. Dunbar asked about the cost of the project increasing from \$200,000 to \$350,000. Mr. Wenzlick shared that the quote was given a couple years ago, and it only included the milling of the top surface. Due to inadequate drainage, milling the top surface is not an option anymore. Ms. Phillips stated there were previous conversations stating that the courts have not been fully reconstructed in over 25 years. Mrs. Dunbar asked if a new court could be constructed in a new location so the old courts could be utilized during construction. Mayor Thompson stated that if we build a new tennis court at a new location, we will still have a deficient tennis court to deal with. Mr. Wenzlick stated that we would still be looking at least 50% increase cost due to a new base, concrete, and fence. Mr. Wimmers stated that we would also have the cost of the old one once a new court is built.

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Mr. Wimmers stated at the most recent Building and Grounds meeting, there were a lot of concerns regarding the timeline of tennis court construction and the timeline of male and female sports. Mr. Wimmers stated that there were concerns about displacing the girls, safety issues and transportation concerns. Mr. Wimmers stated the committee felt that Council should make the final decision on the construction date.

Mayor Thompson stated we are all in agreement that the courts need to be replaced. Regardless of the timeline, someone will be inconvenienced. Mr. Wimmers stated that if work was done early in the season, the boys would be displaced and if we start later in the season, the girls would be displaced. Mr. Wimmers stated that the Village Life summer camps could also be displaced depending on the timing of the reconstruction. Mr. Wimmer's recommendation would be to defer the project until we can investigate it further. With the information given today, it would be unlikely that the courts would get done this year. Therefore, we can defer construction to 2025. The timeline for construction is 3 months, the first of April or May would be the earliest they could start, weather dependent. Mrs. Greeley asked about the donation we received and if the donor agrees to allow us to defer the project. Mr. Wenzlick stated at the time of donation, the donor knew the intent was a 2024 timeline, but a specific timeline was not determined. Mr. Wenzlick stated that the Village has the donation already and the timeline will be communicated to the donor regarding the deferment.

A motion was made by Mr. Wimmers and seconded by Ms. Phillips to defer the tennis court construction to 2025. The motion passed unanimously.

Mayor Thompson stated the project is now deferred and more information will be gathered on how to proceed with both the timing and nature of the construction. Mayor Thompson also stated the cost has gone from \$200,000 to \$350,000, approximately. Mrs. Dunbar stated that the longer we defer, the more the project could cost in the future. Mrs. Dunbar stated that the Village was very fortunate to get a donor from the Brown Family Foundation, who are very passionate about tennis and the community. Mr. Wimmers stated that this delay will give the schools more time to make alternate arrangements. Ms. Greeley asked if we could time it just right for it to be equal amounts of disruption for both teams. Mayor Thompson stated that would be a discussion for the committee. Mayor Thompson and Mrs. Dunbar stated we are at the mercy of the contractors and weather. Mrs. Dunbar stated that we are currently witnessing that with the sled hill project, the best intentions are there but the timeline has changed.

Mrs. Dunbar asked if Council could discuss the ordinance on the agenda tonight. Mr. Wenzlick stated the ordinance is regarding White Field and the foreign substance that was found in the soil. The arbitration with Geddis was done previously and did not go in favor of the Village. The Village brought suit against Lewandowski, who acted as the inspector, engineer and designer of the project. Mr. Wenzlick stated they went into mediation with Lewandowski and came to a resolution that the parties' thought was best. This ordinance authorizes the mayor to sign the settlement agreement and general release of claims between the Village of Ottawa Hills and Lewandowski in the amount of \$137,500. Mrs. Dunbar asked who created the draft, Ms. Tharp

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stated that it was created by Lewandowski's insurers attorney and reviewed by herself and Brittany from Reminger Co.

Mrs. Afjeh asked about the citizen comments. Mayor Thompson stated that the citizen comments were to be deferred.

Ordinances & Resolutions

Mayor Thompson read Ordinance 2024-3

Ordinance 2024-3	Authorizing the Mayor to enter into a settlement agreement with Lewandowski Engineers, LLC, ET AL, and declaring an emergency.
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Motion to waive three readings:	Motion – Mr. Lewis
	Second – Mr. Wimmers
	Unanimous Approval

Motion to declare an emergency:	Motion – Mr. Lewis
	Second – Mr. Wimmers
	Unanimous Approval

Motion to adopt legislation:	Motion – Mr. Lewis
	Second – Mr. Wimmers
	Yeas (6) – Mrs. Dunbar, Mr. Wimmers, Ms. Phillips, Mr. Lewis, Mr. Shimborske, Mrs. Greeley
	Nays (0) –

Citizens Comments

Mrs. Afjeh stated that she is very distressed about the ordinance, stating that Mayor Thompson is the only one entering into the agreement and that she will be filing a lawsuit. Mayor Thompson stated that the Council would not respond to the comments if a lawsuit was being filed.

A resident thanked the Mayor and Council for making the decision to defer the tennis court reconstruction and she stated the tennis community appreciates it.

A resident stated the number of people using the tennis courts during active sports season times are higher than the summer months. He stated that the Village should consider sacrificing the Village Life camps. Another resident shared that fall may be the best time, as the Toledo Tennis Courts would be available during that time. Mayor Thompson reiterated that there will be a disruption to some, we don't know who, due to contractor availability.

Mrs. Afjeh asked about the Mayor's accountability for his actions, and stated she does not agree with the decisions he makes.

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Next Meeting Date
July 8, 2024

Adjournment
5:24 PM

A handwritten signature in black ink, appearing to read "M. J. Thompson", written over a horizontal line.

Mayor Thompson