LANCASTER CITY COUNCIL
LANCASTER, OHIO
REGULAR MEETING
January 13, 2020

PRAYER

CALL TO ORDER
President Uhl called the meeting to order at approximately 6:30 p.m., in Council’s Chambers.

PLEDGE OF ALLEGIANCE
President Uhl led Council in the Pledge of Allegiance.

ROLL CALL
The following members of Council were present:

Mrs. Bobbitt, Mrs. Downour, Mr. Hall, Mr. James, Mr. Mattlin, Mr. McDaniel, Mr. Schoonover, Mr. Stoughton, and Mrs. Tener.

President Uhl asked that the record reflect that all nine members are in attendance tonight.

READING AND DISPOSING OF THE JOURNAL

Mr. Schoonover made a motion to receive and file the Journal, seconded by Mrs. Bobbitt, the motion carried.

REPORTS OF CITY OFFICIALS

2. Email, dated January 3, 2020, regarding Year to Date Fund Report. Submitted by Mr. Stoughton.
3. Email, dated January 5, 2020, regarding Draft Meeting Minutes. Submitted by Mr. James.
4. Email, dated January 10, 2020, regarding Timbertop Development email. Submitted by Mr. McDaniel.

Mr. Schoonover made a motion to receive and file the Reports of City Officials, seconded by Mrs. Bobbitt. The motion carried.

COMMUNICATIONS

1. Email, dated January 13, 2020, regarding Letter regarding Timber Top

Mr. Schoonover made a motion to receive and file the Communications, seconded by Mrs. Bobbitt. The motion carried.

SPECIAL PRESENTATION (Awards)

There were no Special Presentations before Council this evening.

PETITIONS & MEMORIALS

A Petition protesting the proposed rezoning of Timbertop signed by 37 individuals received on January 9, 2020. A copy of this petition is posted online under petitions.

Mr. Schoonover made a motion to receive and file the petition, seconded by Mrs. Bobbitt. The motion carried.

PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL

There were no Voters or Taxpayers to address Council this evening.

STANDING COMMITTEE REPORTS

1. Economic Development Meeting minutes for September 19, 2019, submitted by Mr. McDaniel.
2. Safety Committee Meeting minutes for November 20, 2019, submitted by Mr. Hall.
3. Public Works Committee Meeting minutes for December 13, 2019, submitted by Mr. Schoonover.
4. IT/Telecom Committee Meeting minutes for October 10, 2019, submitted by Mrs. Downour.

Mr. Schoonover made a motion to receive and file the Reports of Standing Committees, seconded by Mrs. Bobbitt. The motion carried.

REPORTS OF SPECIAL COMMITTEES

There were no Reports of Special Committees presented to Council this evening.

PUBLIC HEARING

President Uhl explained that tonight we have a public hearing on Temporary Ordinance 20-19*, and explained how the hearing would be conducted. After the clerk reads the preamble, President Uhl will turn the floor over to the sponsor for opening comments, and then we will hear from Proponents of the legislation. After proponents speak, we will hear from Opponents. Following comments from proponents and opponents, we will enter into a time for rebuttal, again hearing first from the proponents and then the opponents. Please note that in order to speak during the rebuttal, you must have spoken during the first round of comments as a proponent or opponent. You cannot speak in rebuttal without having spoken previously in this process.

Mr. Hall made a motion to remove from the table Temporary Ordinance 20-19*, seconded by Mr. Schoonover.
President Uhl stated that this is a privileged motion and asked the Clerk to call the roll. The motion carried 9-0.

President Uhl requested the clerk to please read the preamble of the resolution.

**Ordinance Temporary 20-19***
AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY

President Uhl turned the floor over to Mr. Hall for opening comments.

Mr. Hall stated that with the long evening that he has no comments at this time.

President Uhl moved directly to proponent’s testimony. Those here this evening to speak in favor of Temporary Ordinance 20-19*, please come forward. There are individuals that signed in, but did not indicate if they were for or against. President Uhl moved directly to those in favor of this ordinance.

Tony Perez, president and owner of Lemmon Development, 1201 South Main Street, North Canton, Ohio. Mr. Perez stated that he is here today to talk about the 76 acres located at 2200 North Columbus Street, better known as the Timbertop property. Lemmon Development has been in business for over 40 years and have completed multiple mixed use commercial and residential mixed use developments in the state. The last years they have focused on senior living sectors in the state and currently have 18 senior living buildings in the State of Ohio. His company does develop, own, and manage all of their senior living communities. Mr. Perez referenced the map that every member of Council should have. They are proposing commercial zoning at the southwest part of the property inside just inside the entrance of the property facing North Columbus Street 8.45 acres, they have been working with a few skilled nursing facilities and have looked at some office, but currently does not have anyone for this part of the project yet. In regards to the commercial neighborhood, 13.75 acres, they are working with a multi-family apartment user out of Columbus, which is an upscale apartment building, the northwest corner is RS-3, 26.76 + acres, and will but up against to the Residential RS-3 to the north, and are currently working with a couple different residential builders in the Columbus market and a couple local homebuilders, they currently have no contracts on this yet. The northeast corner of the property, is RN-2 which is a multi-family 13.042 acres, they are proposing villa duplex style housing for rent product. The southeast portion, CN 14.863 acres, would house the senior living building and would be 70-80 units with some villas. The villas would be approximately 1,400 square foot, two bedrooms, two bath duplex style toward the back by Hawthorne and have room to grow onto the RN-2. The senior living building will be 24 hour round the clock care, private pay, with different amenities located in the community. Lemmon Company will develop, own, and manage all of the senior living and will bring almost 100 full time and part time jobs with this community. This is going to be around a 20 million dollar investment and who their neighbors are, they want them to be good neighbors within this community, Lemmon Development are going to help with the architectural and overall design of their neighbors to make sure they complement the senior living.

President Uhl asked if there were questions from City Council.

Mrs. Downour asked if in RN-2, that is planned to be another rental area.
Mr. Perez answered that it is.

Mrs. Downour – more so than condominiums.

Mr. Perez answered there is no specific use for that at this time, but his idea and goal is within the CN, where the senior living building will be, they plan on starting in the back which will back up to Hawthorne and add their villa product, basically an independent living suite for seniors and age restricted. It will be a for rent product.

President Uhl asked if there were any other questions.

Mr. James stated that he has spoken to some of the residents in his ward with concerns and was discussed that Mr. Perez has presented connecting a street from the project to Hawthorne.

Mr. Perez stated that that is correct. They originally were going to connect to Cold Spring and after speaking with the City, they asked that they connect toward the Hawthorne side, and there will also be a connection in the back. This will help with some of the traffic and access to the school.

Mr. James indicated that he assumed that a traffic study was done.

Mr. Perez answered that yes, it is complete.

Mr. James asked if it had been submitted to the City.

Mr. Perez answered yes, it was submitted today to the City Engineer.

Mr. James asked if Mr. Perez has had a chance to look at it.

Mr. Perez answered that he had and there are definitely some improvements that will be done on Columbus Street, which they anticipated.

Mrs. Downour stated staying on the traffic subject and road improvements, there will be an entrance off of Columbus Street, what type of improvements are they looking at doing on Columbus Street.

Mr. Perez answered with the traffic study that they just received, they are asking for turn lanes on North Columbus Street into their property.

Mrs. Downour stated in that traffic study, because Council has not had the opportunity to review it, she asked did it show the potential of increase in traffic would be.

Mr. Perez answered that there are certain markers in the report in regards to peak times, what they are proposing is hard to propose because they do not have all the specific uses defined, but there will be an increase in traffic.

President Uhl asked City Engineer Noland if he was in the position to speak at this particular time with the report just being submitted today.

City Engineer Mitch Noland received the report today around noon which is 424 pages. City Engineer Noland went right to the recommendation and there are turn lanes at various places, along Columbus Street. When the scope was created for the traffic impact study was created by a consultant that works for the City Engineer’s Office. This study will be forwarded to the consultant to review and make sure that it meets the scope and everything is covered. Traffic engineering is a specific part of civil
engineering and is not the City Engineer’s expertise and this is why the company GPD does all of the City’s consulting work. It is a large document is going to take time to get through and will not make any promises or conclusions at tonight’s meeting because he has not had a chance to review it.

President Uhl stated that there will be no action on this legislation tonight. At the end of this public hearing Mr. Hall will table this legislation until the last meeting in February before action can be taken on this legislation. City Engineer Noland will have time to report back to Council bullet points that the City will experience.

City Engineer Noland answered that that was correct.

Mr. Stoughton asked City Engineer Noland what the traffic flows today and what he would expect them to look like if the project is completed the way Mr. Perez has presented it to Council.

City Engineer Noland stated that he wanted to be clear with everyone here, the Lemmon Development Group has done, in regards to the Traffic Impact Study, this is for the 77 acres that they are creating. This is not fixing or doing something because of other developments that are tied to the area. When development comes in they resolve stuff that they are creating not all the other impacts that are extraneous outside. It is not a fix all of the whole City of Lancaster, in terms of traffic, these are parts that are isolated that the development is creating.

Mr. Stoughton asked if traffic falls back on the City.

City Engineer Noland answered yes. The traffic study shows what the traffic impact and what mitigation needs done to correct it. Mitigations may be turn lanes, lights, and things like that for what they created.

President Uhl asked who else has questions.

Mr. Mattlin asked what population Mr. Perez expected should he get approval of the full development.

Mr. Perez answered currently they are looking at between 300-400 people. The senior side of it, a lot of seniors don’t drive, but they will have traffic from shift changes, multi-family (190 people), the full residential has not been defined yet.

Mr. Mattlin stated the front part of the property zoned commercial general is proposed, in the original agreement with the City it was approximately four acres, and now it looks like eight. Mr. Mattlin asked Mr. Perez if he had a prospective company that wants to be in there.

Mr. Perez answered they had their sites on a skilled nursing building there and maybe an office use to compliment the hospital, but a lot of the leads they had have gone cold. They could look at the commercial and scale it back.

Mrs. Bobbitt stated that the map shows so many different types of zoning and that it concerns her. In regards to the 1,400 square feet for the condominiums/villas, are they all one story or two story or three story?
Mr. Perez answered the apartment buildings would be two story, the CN being the senior building would be one or two story, maybe a mix, houses speculating one to two story, and RM-2 currently looking at one story.

Mrs. Bobbitt asked when you are backing up to the other street, and some ones backyard is there, what is that going to look like?

Mr. Perez stated that they want to be a good neighbor. He hopes that anyone with questions or here tonight would Google them to look at their Danbury Senior Living Products, they focus a lot and spend a lot of time on landscaping and buffering and being good neighbors is what they have done in the past. They want residents to come live in their community.

Mrs. Tener asked what else does Lemmon Development build in commercial general?

Mr. Perez answered that they have done different commercial use products across the state, but their main focus over the past 10 years has been the senior products. They currently have six or seven residential allotments in Stark County and Summit County.

Mrs. Tener stated that she is talking about a store or anything like that.

Mr. Perez answered that they have.

Mrs. Tener stated that he is proposing all of this and after the approval is given he changes his mind, by not doing the residential or something like that, and put something different than what...

Mr. Perez answered that he can say in the eight years that he has been with the company and what they have gone in and proposed is what they have done.

Mr. McDaniel stated that he was the second ward council representative prior to the last election and now he serves as at large. He has received several emails and phone calls from citizens and their primary concerns is traffic, which has been addressed a little bit, but what is the thought in connecting Hawthorne, if it was a public safety issue.

Mr. Perez answered that yes it is, the City requires two entrance/exits. Emergency vehicles entering/exitings...

City Engineer Noland stated that yes safety is a big part of it and that it is part of the codified ordinances in the subdivision regulations are to have two points of ingress and egress. The first discussion was the Cold Springs area with the other being up to the North to River Valley Highlands, which they are showing their proof of the burden to show two points of ingress and egress, however that has mutated over to time and it has been shoved up to the Hawthorne, which City Engineer Noland believes to be a better two point connection. The Cold Spring connection coming into the main part is very close to the intersection of Columbus Street and he believes the traffic around that section would be too close together and so it worked out with their assisted living center that they are proposing along with the 13 acre piece worked out better for this and he feels traffic wise this is a better connection. City Engineer Noland stated that is has always been his point as City Engineer and agrees with River Valley Highlands there needs to be more points of ingress and egress.

Mr. McDaniel asked a follow up question if the traffic study address traffic increases to Hawthorne.

City Engineer Noland answered yes, it does address that and it is part of the study.
Mr. McDaniel asked if most of the traffic will come out onto Columbus Street not utilizing Hawthorne.

City Engineer Noland answered that that is their assumption as well.

Mr. McDaniel asked the developer in regards to the apartment building they are planning on building construction.

Mr. Perez answered that it is going to be a market rate and will not be government subsidized, and will be an upscale $1.30 or $1.40 per square foot for rent. They will be wood framed building with different mixed use on elements from the exterior masonry and siding. The senior building will be one to two story, mixed use exterior materials, wood framed and have a residential feel.

Mr. McDaniel asked what’s the vision for the single family homes that would be located at the top of the property?

Mr. Perez answered from talking to the community and their feedback, asking for a more condo/villa style detached units. These could be single units for sale and some type of a condo association and would be located on smaller lots.

Mr. McDaniel asked if there was any speculation on the price.

Mr. Perez answered that he expects them to be between $280,000.00 - $320,000.00 and that it all is depending on construction costs.

Mr. McDaniel asked when Mr. Perez looked at Lancaster has he looked any other area in Lancaster.

Mr. Perez answered that they felt that this was the best location because where it was situated and the ease of access in and out, and they feel that it is a good project, and feels that they can complement the whole 76 acre project with other uses that could help feed some of their senior building and some of their villas or if they develop condos in the back or villa style building.

Mr. McDaniel asked how many jobs that the he expects to come of their portion.

Mr. Perez answered 100 full and part time positions are speculated and what they are aiming for.

Mr. Hall asked if Mr. Perez has a high and low estimate of single family residences so that Council has some concept of what the likely volume might be.

Mr. Perez answered 60 – 100, but doubts he will get 100 in there because it doesn’t make sense. If he could get 50 – 70, that is kind of where they are looking at. The product that they would like to do would do a smaller lot line and make it a condo like situation where the residents would pay into a homeowners association and take care of their snow, lawn care and different things is their vision. If a local builder would come in they would talk to them, but this is where they are at.

Mr. Hall asked what would be the most likely point of egress for the residential properties?
Mr. Perez answered it would be the main road coming through. Hawthorne was done to meet some of the codes.

President Uhl asked if there is anyone that has not asked any questions that wish to.

Mr. James has reviewed their online site and in his opinion they are good at the assisted living.

Mr. Perez stated that he would like to think so.

Mr. James stated that is one of the projects out of the five proposed, and once the other properties are sold, they don’t have much control or project manage those.

Mr. Perez stated that they will manage the overall development of it, but on the apartment side of the project they do know that market from Summit and Stark Counties owning over 18 units. He will help control how well the apartments will be built and be able to put restrictions and comments in there when they are built. The residential housing, at this point, they do not have a user, but they will be higher end houses whether they build them or someone else does. The last piece, the RM-2 could be something they carry on from the senior side, yes the CG is in question.

Mr. James as the project is being designed some individuals have concerns about runoff, water pressure and things like that. The back of the property reaches high elevations which may at some point require some type of water storage and will need to be something the contractor is tasked with.

Mr. Perez stated that everything that is designed will be a licensed civil engineer, reviewed by them, reviewed by the City Engineer and they must follow certain state and federal guidelines that they will do. They cannot have runoff going off onto a neighboring parcel and that is why they hire the people they do and pay the money they do to make sure things are done correctly.

Mrs. Bobbitt asked Mr. Perez if they surveyed if Lancaster needs senior living and where did Lancaster fall into their numbers.

Mr. Perez answered that they do an internal analyzes before they go in to look at a community. They take all of the existing senior communities, in the area, usually a three and five mile radius and take that consideration in and on top of that they hire a professional company out of Columbus “VSI” and that is all they do, market study research. VSI provides different demographics and different needs based on the population, aging population, wages and different things and that is how they compile and say yes, there is a need for a senior building in this community. They have done that and it is completed and there is definitely a need.

Mrs. Downour stated on their website they have pictures of senior living facilities that they have constructed, if anyone would Google that, is that pretty much very similar to what they are proposing of putting in this area or are there different renderings available.

Mr. Perez answered that he thinks the Danbury side of it senior living, yes that is a pretty accurate picture of what they provide and what they have done. The apartments are, as he said, is a developer from the Columbus market that has done a lot of different products in the Columbus market and will work hand and hand with them to make sure that their neighbor to their investment is doing the right thing. The houses, does not have anyone with the houses yet, but they have done a lot of residential establishments selling off to local builders, sell off the lots to local builders, and national home builders. That piece he feels is still in need and his goal is a villa type of product because it will complement everything.
President Uhl asked if there were any other questions before we move onto the next person.

Attorney Tom Winkhart, 825 S. Main Street, North Canton, Ohio. Attorney Winkhart has served as outside general counsel for Lemmon Development for approximate 30 years and has had a significant experience with this client. Attorney Winkhart stated in those 30 years, he could count on one hand the number of project that have ever been sold by this client. Traffic is a two way street, it is important to them to be able to get their resident in and out of efficiently and safely and is all about the value of their development. The beautiful manor house on the site, their plans contemplate a four to five acre site surrounding this manor having the home available to continuation ideally for sale to a purchaser that might see the value of it an intergrade it into the community. This developer will own a 20-25 million dollar investment on this site and the value of the property will be perpetuated of the surrounding development. They are currently working on plans for their project and will be the first to build.

President Uhl asked if there were any questions for Attorney Winkhart.

Mrs. Bobbitt mentioned that they should visit Roxtan Ravine that the developer made the manor available to the residents to use and also houses a pool.

President Uhl asked if there were any other questions for Attorney Winkhart. With none, President Uhl stated as he looks at the sign in sheet, there are three people that either entered for or against, or didn’t selected anything at all whether they are for or against. The first is Mr. Brothers, and if he is for, he would need to come to the podium at this time to speak at this time, the same for Mr. Huffman, and Ms. Dyball. If anyone else would like to speak as a proponent in favor of this legislation now is your chance to do so. If you do not speak now in favor you cannot speak during rebuttal. President Uhl asked if there was anyone else that would like to speak as a proponent.

Mrs. Dyball asked what if a person is for and against the development.

President Uhl stated that unfortunately in this particular scenario you must pick one or the other.

Mrs. Dyball stated that she will remain in her seat at this time.

Mr. Brothers asked President Uhl if he was able to switch a speaker to for or against.

President Uhl stated that yes, he will change him to against.

President Uhl asked Ms. Dyball if she would like him to change hers to against only.

Mrs. Dyball answered yes.

President Uhl stated the last name is Mr. Huffman.

Mr. Huffman asked to be placed as opposed.

President Uhl asked if there were any other proponents that would like to speak before we move on to opponents. This is the last call to speak as a proponent. With none, President Uhl moved on to the sheet and called individuals in the order they were signed in.
Those speaking in opposition of Temporary Ordinance 20-19*, due to traffic issues, water run off to their properties, and other miscellaneous concerns, and were as follows:

1. Carl Heister, 279 Marvel Drive, Lancaster.
2. Phyllis Heister, 279 Marvel Drive, Lancaster.
3. Mary Winstead, 403 Hawthorne Avenue, Lancaster.
4. Kirby A. Storts, 253 Marvel Drive, Lancaster.
5. Timothy Kozar, 2157 North Columbus Street, Lancaster.
7. Loren Peterson, 1101 Green Meadow, Lancaster.
8. Diane Wogan-Burnside, Quail Meadows, Lancaster.
10. Robert Huffman, 1580 Woodland Heights Lane, Lancaster.
11. Glenda Dyball, 2072 North Columbus Street, Lancaster.
12. Megan Miller, 1953 Coldspring Drive, Lancaster.
13. Larry Jacobs, 258 Marvel Drive, Lancaster.
15. Kim Anderson, 1767 Cloverdale Drive, Lancaster.
17. Janet Reed, 386 Hawthorne Drive, Lancaster.
20. Diana Brothers, 1572 Bush Hill Drive, Lancaster.

President Uhl asked if there is anyone else that wished to speak in opposition to come forward at this time. With none, President Uhl asked Mr. Stoughton if he had a motion that he would like to make.

Mr. Stoughton made a motion to go outside the Regular Order of Business to take a 10 minute recess, seconded by Mrs. Downour.

President Uhl stated after the recess we will be back to allow for rebuttal by the proponents and opponents. The motion carried.

President Uhl called the Public Hearing back to order and asked Mr. Stoughton for the motion to put Council back into the Regular Order of Business.

Mr. Stoughton made a motion to return to the Regular Order of Business, seconded by Mrs. Downour. The motion carried.

President Uhl states that we are back in the Regular Order of Business and having her from the proponents and all of the opponents, it is time for rebuttal to begin. President Uhl requested anyone in favor wanting to speak in rebuttal to come forward at this time.

Those speaking in favor of Temporary Ordinance 20-19* rebuttal was as follows:

1. Attorney Tom Winkhart indicated that it seems as if this is a “not in my backyard” mentality, and they get that. He addressed some of the comments and concerns brought up of the opponents section of the meeting. He also stated Lancaster is a good and growing community. He ended stated that no tax abatements will be received on this project and if they needed to scale back to CG Zoning to get this project passed, they would consider it.

2. City Engineer Mitch Noland spoke about the planned improvements, that are external of this project, that will take place at Columbus Street and Ety Road. There will be four lanes between Memorial Drive and Columbus Street and will be signalized. The City realizes that
Columbus Street is a focal point and carries a lot of traffic and is designed to carry a lot of traffic.

3. Tony Perez thanked everyone for their time today and if there are any questions, he asked to let him know.

President Uhl requested anyone in opposition wanting to speak in rebuttal to come forward at this time. He reminded them that they must have spoken as an opponent in the first round. He asked if there were any opponents that wish to speak to come forward at this time.

Those speaking in opposition of Temporary Ordinance 20-19* rebuttal were as follows:

1. Loren Peterson
2. Robert Huffman
3. Megan Miller
4. Mardee Stover
5. Diane Wogan-Burnside
6. Glenda Dyball
7. Kim Anderson

President Uhl asked if there was anyone else wishing to speak in rebuttal to come forward at this time. With none, President Uhl thanked everyone for being here. He mentioned that there are three options Council will have on this piece of legislation: 1) Accept the Planning Commission Report; 2) Reject their report; and 3) Amend by a simple majority of a vote 7 of 9 yea votes. There will be no action tonight and that Mr. Hall, after the public hearing will make a motion to retable the legislation.

President Uhl turned the floor over to Mr. Hall for closing comments.

Mr. Hall stated that he is also looking forward to seeing the results of the traffic study and have conversations about that and help with some of the concerns before we move on with a decision on this issue, and had no further comments.

Mr. Hall made a motion to place on the table Temporary Ordinance 20-19*, seconded by Mr. Schoonover.

President Uhl stated that this is a privileged motion and no debate allowed, he asked the Clerk to call the roll. The motion carried 9-0.

Mr. Stoughton made a motion to suspend the rules and go outside the Regular Order of Business to consider 2020/2021 committee assignments, seconded by Mrs. Downour.

President Uhl asked if there was any discussion, with none, the motion carried.

Mr. Stoughton made a motion to accept the committee assignments presented by President Pro Tempore Downour, seconded by Mr. McDaniel.

President Uhl asked if there was any discussion.

Mr. Stoughton deferred to Mrs. Downour to talk about her process for appointments.

Mrs. Downour indicated that this was a very collaborative effort. She stated that she contacted everyone via email requesting they reply with their top two committees that they
would like to chair as well as serve on. After receiving the requested information she thought long and hard on this and received no dissatisfaction from anyone on her selection. She asked if anyone has any questions as to her decisions, please ask.

President Uhl thanked Mrs. Downour for her work on this and asked if there were any questions on the motion to approve. With none, he requested the Clerk to call the roll. The motion carried 9-0.

President Uhl stated that these are the appointments and thanked Mrs. Downour for her work.

Mr. Stoughton made a motion to appoint Mrs. Downour to the SID, as she is the 5th Ward Representative that typically serves on the SID, seconded by Mrs. Bobbitt.

President Uhl asked if there was any discussion on the appointment, with none, he requested the Clerk to call the roll. The motion carried 9-0.

President Uhl stated before we move on he covered all the sponsors and seconds of the legislation.

Mr. Stoughton made a motion to return to the Regular Order Of Business, seconded by Mrs. Downour. The motion carried.

**READING OF RESOLUTIONS**

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONSTRUCTION AGREEMENT FOR THE IMPROVEMENT PROJECT KNOWN AS THE 2020 STREET IMPROVEMENT PAVING PROGRAM

Mr. Schoonover indicated this is second of three readings.

**Resolution Temporary 146-19 – Second Reading – January 13, 2020**
A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS FOR THE MEMORIAL DRIVE CULVERT REPAIR PROJECT

Mr. Hall indicated this is second of three readings.

**Resolution Temporary 149-19 – Second Reading – January 13, 2020**
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTION THE FAI-CR 54 04.90 (FAIR AVENUE ROADWAY IMPROVEMENTS – HIGH STREET TO SHERIDAN DRIVE)

Mr. Schoonover indicated this is the second of three readings.

**Resolution Temporary 151-19 – Second Reading – January 13, 2020**
A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND LANCASTER DEPARTMENT OF TRANSPORTATION SUPERINTENDENT TO ENGAGE IN AN INTRADEPARTMENTAL LOAN FOR THE CONSTRUCTION OF A FIXED CANOPY OVER THE LANCASTER FUEL Depot AS REQUIRED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY

Mr. Schoonover indicated this is the second of three readings.

**Resolution Temporary 1-20 – First Reading – Permanent Resolution 1-20**
A RESOLUTION TO CARRYOVER AND REAPPROPRIATE FUNDS TO PAY BILLS IN THE WATER...
POLLUTION CONTROL DEPARTMENT

Mr. James made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 1-20, seconded by Mr. Hall.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 1-20, seconded by Mr. Hall.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 2-20 – First Reading – Permanent Resolution 2-20
A RESOLUTION TO CARRYOVER AND REAPPROPRIATE FUNDS TO PAY BILLS IN THE WATER DEPARTMENT

Mr. James made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 2-20, seconded by Mrs. Tener.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 2-20, seconded by Mrs. Tener.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 3-20 – First Reading – Permanent Resolution 3-20
A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CONTRACT FOR THE UNION MULBERRY PHASE 3 STORM SEWER PROJECT

Mr. James made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 3-20, seconded by Mr. Hall.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 3-20, seconded by Mr. Hall.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 4-20 – First Reading – Permanent Resolution 4-20
A RESOLUTION TO APPROPRIATE FUNDS IN THE WATER AND WASTEWATER CONSTRUCTION FUND AND THE WATER AND WASTEWATER RESERVE FUNDS AND AUTHORIZE THE ISSUANCE OF THEN AND NOW CERTIFICATES FOR THE PAYMENT OF BILLS

Mr. James made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 4-20, seconded by Mrs. Tener.
President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 4-20, seconded by Mrs. Tener.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 5-20 – First Reading – Permanent Resolution 5-20
A RESOLUTION TO APPROPRIATE FUNDS IN THE STORMWATER UTILITY RESERVE FUND AND AUTHORIZE THE ISSUANCE OF THEN AND NOW CERTIFICATES FOR THE PAYMENT OF BILLS

Mr. James made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 5-20, seconded by Mr. Hall.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 5-20, seconded by Mr. Hall.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 6-20 – First Reading – Permanent Resolution 6-20
A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING UNDER THE SOURCEWELL, FORMERLY KNOWN AS THE NATIONAL JOINT POWERS ALLIANCE (NJPA), COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF ONE (1) 2019 22 YARD HEIL RAPID RAIL SIDE LOADER GARBAGE TRUCK, FOR USE BY THE SANITATION DEPARTMENT

Mrs. Tener made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 6-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Tener made a motion to pass, engross, and enter upon the written record Temporary Resolution/Ordinance 6-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 7-20 – First Reading – Permanent Resolution 7-20
A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE GENERAL FUND (101), AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 7-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.
Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 7-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

**Resolution Temporary 8-20 – First Reading – January 13, 2020**
A RESOLUTION TO DECREASE/INCREASE APPROPRIATIONS IN THE GENERAL FUND (101)

Mrs. Downour indicated that this is the first of three readings

**Resolution Temporary 9-20 – First Reading – Permanent Resolution 8-20**
A RESOLUTION AUTHORIZING THE CITY OF LANCASTER, A POLITICAL SUBDIVISION, TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 9-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 9-20, seconded by Mr. Stoughton.

President Uhl asked if there is any other discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

**Resolution Temporary 10-20 – First Reading – Permanent Resolution 9-20**
A RESOLUTION AUTHORIZING THE CITY OF LANCASTER, A POLITICAL SUBDIVISION, TO PARTICIPATE IN SOURCEWELL FORMERLY KNOWN AS THE NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING PROGRAM

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 10-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 10-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

**Resolution Temporary 11-20 – First Reading – Permanent Resolution 10-20**
A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR FOR THE GAS FUND (602), WATER FUND (603), WATER POLLUTION FUND (604); THE STORMWATER FUND (606), AND GENERAL FUND (101), AND IF NEEDED, ISSUE ONE THEN AND NOW CERTIFICATE FOR PAYMENT TO PNC
Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 11-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 11-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 12-20 – First Reading – Permanent Resolution 11-20
A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (273, 274, 275, & 283)

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 12-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 12-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 13-20 – First Reading – Permanent Resolution 12-20
A RESOLUTION TO ESTABLISH APPROPRIATION BUDGETS AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 13-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 13-20, seconded by Mr. Stoughton.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

Resolution Temporary 14-20 – First Reading – Permanent Resolution 13-20
A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR FOR THE LDOT IMPROVEMENT FUND (314) AND CAPITAL IMPROVEMENT FUND (320) AND APPROVE A THEN & NOW FOR THE MAGNA AND ETY ROAD PROJECTS

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 14-20, seconded by Mrs. Bobbitt.
President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 14-20, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

President Uhl asked if there were any other resolution to come before Council this evening. With none, we moved onto the next order of business.

READING OF ORDINANCES

Ordinance Temporary 32-19 – Second Reading – January 13, 2020
AN ORDINANCE TO AMEND SECTIONS 183.012, 183.013 AND 183.02 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, OHIO, IN ORDER TO PROVIDE FOR THE LEVY OF AN ADDITIONAL FORTY-FIVE HUNDREDTHS OF ONE PERCENT (0.45%) INCOME TAX, EFFECTIVE JANUARY 1, 2021, ON THE SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION SUBJECT TO THE MUNICIPAL INCOME TAX WITH ALL SUCH TAX TO BE USED FOR THE PURPOSE OF OPERATING, MAINTAINING, REPAIRING, AND PROVIDING CAPITAL FACILITIES FOR THE FIRE AND POLICE DEPARTMENTS OF THE CITY, AND TO DECLARE AN EMERGENCY

Mr. Stoughton indicated that this is second of three readings.

President Uhl asked if there were any other ordinances to come before Council this evening. With none, we moved onto the next order of business.

TABLED LEGISLATION

Resolution Temporary 128-19 – Third Reading – November 4, 2019 - TABLED
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PRE-ANNEXATION AGREEMENT COVERING 76.877 +/- ACRES IN GREENFIELD TOWNSHIP

Resolution Temporary 129-19 – Third Reading – November 4, 2019 – TABLED
A RESOLUTION INDICATING SERVICES TO BE PROVIDED BY THE MUNICIPAL CORPORATION TO ANNEXED TERRITORY OF THE MITHOFF COMPANIES, LTD ANNEXATION OF 76.877 +/- ACRES FROM GREENFIELD TOWNSHIP

Ordinance Temporary 19-19 – Third Reading – November 4, 2019 – TABLED
AN ORDINANCE TO ACCEPT A PETITION FOR THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY

AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY
Public Hearing held January 13, 2020 at 6:30 p.m.
UNFINISHED BUSINESS

There was no Unfinished Business before Council this evening.

NEW BUSINESS/SPECIAL PRESENTATION

Mrs. Bobbitt stated that if you live in an apartment, it doesn’t mean that you do crime.

Mr. Schoonover thought it appropriate that we are all human beings sitting around the table and we all struggle with these decisions sometimes. It was a little disappointing when the public does not think that Council does put forth the effort and was a little disheartening to some of the comments by the opposition that want Council to hear them, but they do not give the same respect other people.

Mr. Hall means no disrespect to Mr. Schoonover, but Council kind of gets paid for that. The people in the audience are concerned about their homes. Many of them maybe said something they wouldn’t have had in other situations and in spite of all of this he thinks this was a good evening for the city of Lancaster.

Mr. Schoonover stated that he thinks it was as well, but was a little shocked. People normally treat each other like they would like to be treated. He also mentioned that 99% of the meeting was great.

President Uhl stated that he agrees and about 95% of the folks were respectful tonight and was proud of each Council member. For those of you that are new, this is not a normal meeting and he was impressed and proud of each of them and how they carried themselves and it was a good night overall. A lot of information was laid out and there is a difficult decision ahead as we move into February. He encourages those that need to research on this issue to continue to do so that they are comfortable with their decision.

President Uhl asked if there were any other new business. With none, he reminded Council to sign their legislation

ANNOUNCEMENTS

Next Regular Sessions of Council:
  1. January 27th at 6:30 p.m.
  2. February 10th at 6:30 p.m.
Upcoming Special Meetings:
  1. None
Upcoming Committee Meetings for the next 30 days:
  1. Finance – January 27th at 6:00 p.m. – Council Chambers
  2. Finance – February 10th at 6:00 p.m. – Council Chambers

READING OF BILLS

PNC – MNCO - $218.50 (Publication of Notice of Public Hearing)

Mr. Schoonover made a motion to pay the bills, seconded by Mrs. Bobbitt. The motion carried.

EXECUTIVE SESSION

There were no requests for Executive Session this evening.
ADJOURNMENT

Mr. Schoonover made a motion to adjourn, seconded by Mr. Hall. Motion carried. Meeting adjourned at approximately 11:19 p.m.

Teresa Lee Sandy, Clerk of Council