LANCASTER CITY COUNCIL
LANCASTER, OHIO
REGULAR MEETING
February 24, 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. After no discussion, the motion carried.

REPORTS OF CITY OFFICIALS
1. Email, dated February 11, 2020, regarding Public Works Committee Meeting Agenda. Submitted by Mr. Schoonover.
2. Email, dated February 18, 2020, regarding 2020 Local Tax Burden. Submitted by Mayor David Scheffler.

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

COMMUNICATIONS
There were no Communications before Council this evening.

SPECIAL PRESENTATION (Awards)
There were no Special Presentations before Council this evening.
PETITIONS & MEMORIALS

A Petition protesting the proposed rezoning & annexation of Timbertop signed by 7 individuals received on February 23, 2020. A copy of this petition is posted online under petitions and available by contacting the Clerk.

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

PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL

Richard Brothers, 1572 Bush Hill Drive, Lancaster. Mr. Brothers addressed City Council this evening in regards to Timbertop.

Lisa Huffman, 1580 Woodland Heights Lane, Lancaster. Ms. Huffman addressed City Council this evening in regards to Timbertop.

Bob Huffman, 1580 Woodland Heights Lane, Lancaster. Mr. Huffman addressed City Council this evening in regards to Timbertop.

Beverly Tripp, 1965 Coldspring, Lancaster. Ms. Tripp addressed City Council this evening in regards to Timbertop.

Loran Peterson, 1101 Green Meadow, Lancaster. Mr. Peterson addressed City Council this evening in regards to Timbertop.

Joe Carson, 212 Whittier Drive, Lancaster. Mr. Carson addressed City Council this evening in regards to Timbertop.

Amy Bright, 2001 North Columbus Street, Lancaster. Ms. Bright addressed City Council this evening in regards to Timbertop.

Mardee Stover, 406 Scott Drive, Lancaster. Ms. Stover addressed City Council this evening in regards to Timbertop.

Marion Bryant, 2408 Prospect Hill Court, Lancaster. Ms. Bryant addressed City Council this evening in regards to Timbertop.

STANDING COMMITTEE REPORTS

1. Finance Committee minutes for February 10, 2020, submitted by Mrs. Downour.
2. Water/Water Pollution Control minutes for February 12, 2020 submitted by Mr. Nixon.
3. Public Works minutes for February 14, 2020, submitted by Mr. Schoonover.

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

There were no Public Hearings scheduled before Council this evening.

READING OF RESOLUTIONS

Resolution Temporary 15-20 – Third Reading – Permanent Resolution 29-20
A RESOLUTION AUTHORIZING THE LAW DIRECTOR’S OFFICE TO APPLY FOR THE VIOLENCE AGAINST WOMEN ACT GRANT (VAWA)

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 15-20, seconded by Mrs. Bobbitt.

Mrs. Downour indicated this is an annual piece that allows the Law Director’s Office to apply for the grant that funds one prosecutor.

President Uhl asked if there is any further 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 16-20 – Third Reading – Permanent Resolution 30-20
A RESOLUTION AUTHORIZING THE DISPOSITION OF CITY PROPERTY NO LONGER NEEDED VIA AUCTION OR INTERNET AUCTIONS FOR 2020

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 16-20, seconded by Mr. Stoughton.

Mrs. Downour indicated this is a common practice that the City does annually, and this gives us the permission to move forward.

President Uhl asked if there is any further 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 18-20 – Third Reading – Permanent Resolution 31-20
A RESOLUTION TO AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF SALT FOR USE BY THE WATER DEPARTMENT

Mr. James indicated this replenishes the salt that the Water Department will use this year.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 18-20, seconded by Mrs. Tener.

President Uhl asked if there is any further 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 19-20 – Third Reading – Permanent Resolution 32-20
A RESOLUTION TO AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF PHOSPHATE FOR USE BY THE WATER DEPARTMENT

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 19-20, seconded by Mr. Hall.
Mr. James indicated this is material that the Water Department needs for water treatment process and replenishes their supply.

President Uhl asked if there is any further 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 20-20 – Third Reading – Permanent Resolution 33-20
A resolution amending the certificate with the county auditor, appropriate from the unencumbered balance, increase receipts, and complete a fund transfer in the waste water fund (604) and in the waste water utility reserve fund (629).

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

Mr. James indicated this takes care of receipts from an accounting standpoint.

President Uhl asked if there is any further 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 22-20 – Third Reading – Permanent Resolution 34-20
A resolution authorizing the service-safety director to enter into an agreement with ODOT to purchase sodium chloride (rock salt) for the 2020-2021 winter season.

Mr. Schoonover made a motion to pass, engross, and enter upon the written record Temporary Resolution 22-20, seconded by Mrs. Downour.

Mr. Schoonover indicated this is the annual legislation for LDOT to contract with ODOT for the purchase of salt for the next winter season.

President Uhl asked if there is any further 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 25-20 – Third Reading – Permanent Resolution 35-20
A resolution authorizing the service-safety director to advertise for bids for the Broad/Mulberry Sewer Separation Project.

Mr. James made a motion to pass, engross, and enter upon the written record Temporary Resolution 25-20, seconded by Mr. Hall.

Mr. James indicated this continues the separation projects that we are already involved in and help continue satisfy some of the requirements from the EPA.

President Uhl asked if there is any further 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 32-20 – Second Reading – February 24, 2020
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 indicated that this is second of three readings.

**Resolution Temporary 33-20 – Second Reading – Permanent Resolution 36-20**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN FUND (101) AND TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE IN FUND 226, AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR

Mrs. Downour made a motion to suspend the rules and waive the third reading of Temporary Resolution 33-20 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 33-20, seconded by Mrs. Bobbitt.

Mrs. Downour indicated that everyone should have received a summary prior to the meeting of the details behind this resolution. The summary shows an increase in the number of hours for the Executive Director from 1,298 to 1,800 hours. The additional funds listed on this resolution will also cover retirement, Medicare, BWC, training, travel, and association fee.

Mr. Mattlin asked if the new director needing health insurance.

Mayor Scheffler answered that she did not.

President Uhl asked if there is any further 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 34-20 – Second Reading – February 24, 2020**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF TWO (2) REPLACEMENT VEHICLES FROM THE STATE TERM CONTRACT FOR USE BY TRANSIT

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

**Resolution Temporary 35-20 – Second Reading – February 24, 2020**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR SFY 2020-2021 OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM

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

**Resolution Temporary 36-20 – Second Reading – February 24, 2020**

A RESOLUTION AUTHORIZING THE CITY OF LANCASTER TO APPLY FOR THE MEALS ON WHEELS-OLDER ADULT ALTERNATIVES OF FAIRFIELD COUNTY, INC. 2020-2021 GRANT

Mr. Schoonover indicated that this is second of three readings.
Resolution Temporary 37-20 – Second Reading – February 24, 2020
A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR GRANTS THROUGH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION (FTA), AS AUTHORIZED UNDER THE FEDERAL TRANSIT LAWS, AS CODIFIED, 49 USC SECTION 5311, FINANCIAL ASSISTANCE FOR OTHER THAN URBANIZED AREAS AND FUNDS AVAILABLE FROM THE OHIO PUBLIC TRANSPORTATION GRANT PROGRAM, AND OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM 5339, 5339B, AND ANY OTHER GRANTS THAT BECOME AVAILABLE THROUGH ODOT AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON EACH GRANT APPLICATION APPROVAL

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

Resolution Temporary 38-20 – Second Reading – February 24, 2020
A RESOLUTION APPROVING TRANSIT'S SAFETY POINT SYSTEM, CELL PHONES/PERSONAL ELECTRONIC DEVICES, AND ON-BOARD VIDEO MONITORING PURSUANT TO THE CONTRACT WITH THE OHIO TRANSIT RISK POOL

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

Resolution Temporary 39-20- First Reading – February 24, 2020
A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (101)

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

Resolution Temporary 40-20- First Reading – Permanent Resolution 37-20
A RESOLUTION TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING IN FURTHERANCE OF THE SETTLEMENT OF OPIOID LITIGATION AND THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS

Mr. Hall indicated that this is an issue near and dear to his heart, and has been for the last decade or so. He explained that his is an emergency that city and county government can have the opportunity to share in some revenue as a result of manufacturers and distributors being held responsible for some of the damages that they have done around opioids. Mr. Hall deferred to the Mayor or Law Director for additional comments.

President Uhl asked before that is done, if we could have the motion.

Mr. Hall made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 40-20 seconded by Mr. McDaniel.

President Uhl turned the floor back over to Mr. Hall for additional discussion.

Mr. Hall asked for either Mayor Scheffler or Law Director Ullo to make additional comments.

Law Director Ullo indicated the need for suspension will allow the City to act quickly. The state has sued the pharmaceutical companies and varies local governments entities throughout the state have also sued with the case going to trial in October, and the plaintiff “state and local governments” are trying to get together with the MOU (Memorandum of Understanding) to work out an agreement, should there be resolution with the pharmaceutical companies in this case and reach a settlement, this agreement spells out how that settlement would be dispersed and handled, not only at the state level, but at a local
level as well. They are looking for the City to agree to join into the MOU, show our acceptance of that, so that they get a count to see if they can collectively get all parties to agree on this. The exhibit attached to the resolution currently, may change, but this is how it stands today. He indicated that they are still tweaking it a little bit to finalize some of the other the state and local government is negotiating between one another. Law Director Ulloa deferred to Mayor Scheffler for additional comments.

Mayor Scheffler indicated that this process has been in the works for six weeks to two months, with a number of meetings between the plaintiff’s attorneys, city, state, and local officials hopefully being the first to the table with a solution will maximize what the state and local government receives from this. The breakdown of disbursement, after attorney fees, 55% of the remaining amount will be placed in a trust administered by a board of state and local officials and legislatures, 30% will go directly to local governments, 15% will go directly to the State of Ohio to do with it what they like. The trial date has been set for October, and can go on for months or years, so it is important to get this agreement in place and hopefully get this settled and get the money as quickly as possible. There will likely be strings attached as to what can be done with the funds, such as spending it toward prevention and treatment.

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

Mr. Hall made a motion to pass, engross, and enter upon the written record Temporary Resolution 40-20, seconded by Mr. McDaniel.

President Uhl asked if there is any further 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 resolutions to come before Council this evening. With none, we moved on to the next order of business.

**READING OF ORDINANCES**

**Ordinance Temporary 1-20 – Third Reading – February 24, 2020 - TABLED**

AN ORDINANCE TO VACATE A PORTION OF LOWELL DRIVE AND ALL OF EMERSON BOULEVARD WITHIN JOHN D. VAN GUNDY’S REVISION OF THE COLONIAL HEIGHTS ADDITION AND TO DECLARE AN EMERGENCY

Mr. McDaniel made a motion to table Ordinance Temporary 1-20, seconded by Mrs. Downour.

President Uhl requested the Clerk to call the roll. The motion to table carried 9-0.

**Ordinance Temporary 3-20 – Second Reading – Permanent Ordinance 2-20**

AN ORDINANCE TO AMEND ORDINANCE 27-19, REPEAL AND REPLACE EXISTING 27-19, AND DECLARE AN EMERGENCY FOR THE MANAGEMENT PAY ORDINANCE

Mrs. Downour made a motion to suspend the rules and waive the second and third readings of Temporary Ordinance 3-20, 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 Ordinance 3-20, seconded by Mrs. Bobbitt.

Mrs. Downour indicated this is the companion piece to Temporary Resolution 33-20, passed earlier in the meeting, updating the pay ordinance to include the new Executive Director, Assistant Director, and Grant Writer.

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

**Ordinance Temporary 4-20 – First Reading – February 24, 2020**

AN ORDINANCE AMENDING THE ZONING MAP FOR THE 18.939 ACRE PROPERTY BETWEEN NORTH MEMORIAL DRIVE AND NORTH COLUMBUS STREET/NELSON ROAD PARCEL NUMBERS 0532152400, 0532152600, 0532144900, 0532145000

Mr. McDaniel indicated this is the first of three readings.

**Ordinance Temporary 5-20 – First Reading – February 24, 2020**

AN ORDINANCE AMENDING THE ZONING MAP FOR THE 21.000 ACRE PROPERTY CONSISTING OF THREE PARCELS LOCATED ALONG CAMPGROUND ROAD AND INCLUDING THE EXISTING RESIDENCE ADDRESS 1443 CAMPGROUND ROAD PARCEL NUMBERS 0531004100, 0531004300, AND 0531004110

Mr. McDaniel indicated this is the first of three readings.

President Uhl indicated public hearings need to be set and there is not enough time between now and the third reading in order to meet the 30 day burden, and it is his recommendation that the public hearings be set for both pieces on Monday, April 13, 2020.

President Uhl asked if there were any further ordinances to come before Council this evening. With none, we moved on to 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

Law (Schoonover/Hall) (3 Readings)

**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

Law (Hall/Schoonover) (3 Readings)

**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

Law (Schoonover/Hall) (3 Readings)
Ordinance Temporary 20-19* – Third Reading – November 25, 2019 – TABLED
AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY
Law (Hall/Schoonover) (3 Readings)
Public Hearing January 13, 2020 at 6:30 p.m.

Ordinance Temporary 32-19 – Third Reading – January 27, 2020 - TABLED
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
Finance (Stoughton/McDaniel) (3 Readings)

UNFINISHED BUSINESS

Mrs. Tener asked if Ms. Bright’s concerns at the last meeting have been addressed.

Service-Safety Director Martin indicated that he did speak with Ms. Bright at the end of the last meeting. He has visited the area in question, and there is steel pipe on the ground that goes to the right of her garage, and is a private drain installed over the pipe. Service-Safety Director Martin will be following up with Mrs. Bright of his findings

Mr. Schoonover requested City Engineer Mitch Noland to come forward with explanation of the traffic study summary email sent to City Council.

City Engineer Mitch Noland indicated that he has been working with the consultant on this issue and emailed Council today summarizing some of the things in the traffic study from the City Engineer’s perspective. City Engineer read and covered the email and attachments sent out to Council and what his department does along with the Building Department. The developer has met the criteria of what they need to do, but still have to go back and correct/revise some things before the City Engineer will sign off, generally speaking, they have met the intent of the code. Those documents are attached to the end of these minutes.

Mr. Stoughton thanked City Engineer for the layman’s terms and indicated that Council has heard once General Sherman is open it is going to increase traffic in this area and there is no way to do a traffic study, on that traffic, until that traffic exists questioned taking this traffic study of that particular development and forward it to this study to see if it changes any of the dynamics of the study.

City Engineer Noland indicated the General Sherman development was taken into account and included in this study. Traffic projections are done and how those particular things are going to work and move. Do they always get it right, no, but they strive to anticipate those types of things. They look at where the district boundaries are and analyze all of this information
Mr. Stoughton asked about the developer giving a complete and exact layout of what they intend to do with the property, as it has been brought up in emails, petitions, and people speaking. While it would be nice if the developer could and did, but they won’t and that never happens in a project this size, Mr. Stoughton asked Engineer Noland if that is correct.

City Engineer Noland responded that that is correct.

Mr. Stoughton asked Engineer Noland to expand on that answer, in layman’s terms, so Council can understand it.

City Engineer Noland responded that no, it is very expensive and the work to prepare all of that that a developer does not know all that stuff. A preliminary plan put together to generalize two dimensional plan that goes through Planning Commission laying out their sewer and water and types of drainage and be a preliminary plan very similar to how River Valley Highlands was annexed into the City. River Valley Highlands did not have a preliminary plan on all of the River Valley Highlands at one time knowing exactly how it was going to lay out. Those things change over time and road were put in different places and annexed the property in different stages as they moved toward the back of the development. City Engineer Noland indicated that it is not typical to have every answer and everything laid out in exact detail at this stage in the game. City Engineer Noland indicated that Lemmon Development are working on it will go through Planning Commission and see that if you go to Planning Commission you will see what their plans are and how it kind of unravels. His department will be going through it all to check the codes to ensure it meets all the criteria of the things they look at.

Mr. Stoughton indicated the pictures handed out during Voters and Taxpayers were dated July 10, 2017, and occurred from a heavy rain event that day in that timeframe of about 2 1/2 inches in a one hour timeframe. Mr. Stoughton does not want individuals to think those pictures are an everyday event. Mr. Nixon and Ms. Crews can provide that information to anyone on this particular event.

Mrs. Bobbitt asked what the average total amount of daily traffic that the development would bring.

City Engineer Mitch Noland responded that he does not have that information in the study, but could provide those projections at a later time.

Mr. Schoonover indicated a couple of people indicated, in regards to the traffic study, they were not sure if the study was in front of the property, and asked what area did the traffic study include, from where to where.

City Engineer Mitch Noland referenced figure 10, which is in the study and what it includes all the intersections that were analyzed and included Memorial Drive and Ety; North Columbus Street and Ety; Scenic Valley Drive and North Columbus Street; Bush Hill Drive and North Columbus Street; Woodland Heights and North Columbus Street; Hillcrest Drive and North Columbus Street; Whittier Drive and Memorial Drive. Those were the selected intersections that were studied and traffic counts were taken in those areas. The developer has to account for public improvements based on the traffic that they generate and they are not required to make public improvements to the City’s roadway system or something that General Sherman or Torhe Trails or the FMC creates. To make it fair to all developers they must make improvements based on the traffic impact of what their development creates.

Mr. Hall asked if it was true if an additional impact as the City of Lancaster, we would need to take that additional impact into consideration as we look at and consider traffic flow. That would be an additional expense the City would have to bear.

City Engineer Noland responded that is correct.
President Uhl indicated the reality of what is being said is yes, you are correct Mr. Hall, and we have done that and taken those things into consideration within this study.

City Engineer Noland responded right.

President Uhl asked if there were further questions.

Mr. Mattlin asked if the City planned on raising the speed limit on Columbus Street from 35 to 40, or are they just using this as a basis of calculation.

City Engineer Noland responded correct.

President Uhl stated that that was a good clarification and thanked Mr. Mattlin.

President Uhl asked if there were any further discussion or questions.

Service-Safety Director Paul Martin asked what the purpose of a retention pond and how does it affect a stream as defined by the Federal EPA across the entire state of Ohio.

City Engineer Noland responded some people say retention others say detention, by the technical terms of it, detention is typically a dry pond where a retention is a wet pond. The purpose of both of these are knock the peaks off. When they evaluate stormwater runoff, and this new development would increase runoff because the pervious area is increased not allowing places for the water soak in and runs off quicker. What is done, this information is analyzed in different storm events and take the 100 year post down to the two year predeveloped, which means nothing to the layman, but what they do they make them release the water at the two year predeveloped rate. The 100 year runoff has to be stored from the post development to the two year predevelopment rate. All of that volume is stored in that pond and is released and metered out in a slower rate. This will come through longer at a slower lower scale, which does not reduce the volume, and controls that rate.

President Uhl asked if there was anyone else. One during voters and taxpayers mentioned that this development might help with the runoff flooding and water issues that we are currently seeing and asked if that was a possibility.

City Engineer Noland responded that he anticipates that.

President Uhl indicated that City Engineer made the comment that everything that he has seen within the Traffic Study, though there are some tweaks that need to be made which the developer will be required to make, that it meets the intent of the code and rules. President Uhl asked, what is the intent of the code and the rules that the City has set up?

City Engineer Noland responded the real intent is that the City protect the health, safety, and welfare of the citizens of Lancaster, and that is the true intent when you get right down to the core of it. Engineer Noland indicated for him as an engineer, the City does not want to have safety problems where there are accidents or people getting hurt, intersections that are dangerous, and would like things to move nice and smooth without delay. He asked if that was in reality in our world the truth, no, because there is always delay and you cannot create highways and roadways big enough to handle the best levels of service known as Services A. What they try to do it mitigate it as the best they can and that is what engineers do through their traffic study is mitigate those things.
President Uhl thanked City Engineer Noland for that information, a lot of the comments that Council receives are legitimate concerns and what President Uhl states he hears City Engineer Noland saying is that the things that the developer is required to do is meant to address those very concerns that Council is hearing from people.

City Engineer Noland responded that that is correct, and that is why there are standards and policies and manuals that all developers have to do.

President Uhl asked if there were any further questions for Mr. Noland this evening.

Mr. Stoughton indicated there is a concern from a different citizen on another issue. How close can a car park from the apron of a driveway.

City Engineer believes that it is three feet.

Mrs. Tener through that it was 6’ and 10’.

City Engineer indicated that it is in the code and he does not recall.

Mr. Stoughton asked Service-Safety Director Martin if toters are supposed to be placed in the street for pickup or on the curb.

Service-Safety Director Martin indicated depending on the location and parking. Must people are good at deciding where to put it, some place them in the driveway and some in the street. If you have a wide street such as River Valley Highlands “Autumn Drive” then it is acceptable. The idea for having a fully automated truck is to allow for more work with less people to do more work.

Mrs. Tener indicated it is different if it is a single or double driveway.

Mr. McDaniel indicated that the Law Director may be able to correct him if he is wrong, but it is his recollection that the distance from the driveway was taken out of the code. He also believes there is no code that addresses how close someone can park from a driveway, you can just not block the driveway.

Law Director responded that that was correct.

President Uhl indicated that the Complete Account Committee needs to be appointed for the City of Lancaster. President Uhl and the Mayor have met several times to discuss this and could think of no one better than Mr. Hall to lead this committee. Mr. Hall has been asked to do this and has several individuals that he would like to purpose to be appointed to that committee. The purpose of the Complete Account Committee is to push out information about the Census is happening, how it is happening, and how important that it is for people to respond to it as it is happening, and this committee is to help assist with this task.

Mr. Hall asked Council to appoint the following citizens of Lancaster to the Complete Account Committee former Councilman Jerry Woodgeard, Aunnie Cordle, David McCoy, Kellie Ailes, Councilwomen Becky Tener, and Pete Sanderell.

Mr. Stoughton made a motion to those individuals to the Complete Count Committee, seconded by Mrs. Bobbitt.

President Uhl asked if there is any discussion.
Mr. Stoughton thanked all of those individuals for participating and thanked Mr. Hall for rounding them up.

Mr. Hall indicated that he was happy to do it.

President Uhl indicated there are some things that are required to happen such as training and work that the committee will need to do. President Uhl thanked each individual for their willingness to serve. Motion carried.

President Uhl asked if there is any other unfinished business this evening, with none, we moved on to the next order of business.

NEW BUSINESS/SPECIAL PRESENTATION

Law Director Ullom wanted to make Council aware the CIC (Community Improvement Corporation) was put in place by ordinance of City Council in 1970, to do economic development and has done a great job with that. The Rock Mill Industrial Park and acreage development is because of them. The CIC will meet on Wednesday, February 26th at their annual board meeting of the trustees. The CIC has had conversations with legal counsel to see if they have run their course. With statute changes, the Lancaster Port Authority can now do what the CIC does and more ability than the CIC has, and they are looking to dissolve and would like to convey the land that they have left and any funds they have, if any, over to the Port Authority to continue on with economic development. The agreement put in place in the 70’s allows for this to occur. In November of 2002, the City entered into an agreement with the CIC with regards to infrastructure development in Rock Mill. At the meeting on Wednesday, the agreement will be brought up. Law Director Ullom has looked at the agreement and there is no ability to assign it or transfer it, or speak to that, but Law Director Ullom indicated he would like to get Council’s thoughts on the CIC dissolution, what Council would like to do with that. Do we want to enter into a new agreement with the Port Authority, do we not want to enter into agreement. Law Director Ullom is looking for Council’s thoughts on this issue.

Mayor Scheffler indicated the CIC came into being because of Anchor Hocking donated a couple hundred acres to the City, and was put in the CIC for economic development and most of the useful or prime acreage has been developed, and what is left is less desirable, smaller lots. MAGNA and South Central Power bought the last two big lots and there is not much left and the CIC is paying a lot of money for auditing and legal fees to stay in existence every year.

Law Director Ullom indicated there is about 70 acres left of which only about 40 of those acres is developable, with 30 acres being in a floodplain, wetlands, and that sort of thing

Treasurer Bob Wolfinger indicated that the agreement was only for Phase II of Rock Mill and the original 200 acres is not part of the reimbursement program for the infrastructure that was done privately by the CIC. The 200 acres that were purchased later down the road is where the City entered into the agreement with enterprise departments and street department. Over the years the City has recouped the money owed to the General Fund. Treasurer Wolfinger indicated that he could provide spreadsheets all the specifics. The 70 acres refers to the entire park, there is only about 20 acres remaining behind the county garage in the flood area that cannot be developed and is not part of this transaction. Treasurer Wolfinger has been on the executive committee for about 30 years and it has run its course and makes sense to have the LPA to take the place of the CIC.
Mr. Stoughton asked if the agreement in place if it works, and can't be assigned the transfer of assets, is it something we want to emulate something as we go forward with the LPA and was there something faulty with the arrangement we had with the CIC.

Treasurer Wolfinger answered there was nothing faulty with the, it was a vehicle that allowed the development of the park, allowing the road through the 200 acres to St. Rt. 188, and sewer and water lines and things of that nature. The prior 200 acres the CIC was able to sell land off West Fair Avenue to generate some money. The CIC borrowed through CDBG a 108 Loan Program and other things to make that happen and those loans are all paid back. It was a good program and helped the City and the CIC develop that portion of the park and create jobs, which was the whole purpose. It doesn't seem to make sense, in his thoughts, when there is such a small acreage left why go through the process when we are almost out of land in that is industrial zoned that can bring in new business, and that is the real key.

Mr. Stoughton asked if the mechanics is something we want to emulate as that dissolves and had it off to the Port, when there are reimbursable funds to disburse them that way or has that run its course.

Treasurer Wolfinger indicated yes, it has run its course. The CIC is asking $42,000.00 per acre, with the land selling to South Central Power $35,000.00 an acre you are not quiet at the $42,000.00 value. They money made could go to the enterprise departments, or the money could be used to acquire additional property so it can be developed to bring additional industry in.

Mr. Stoughton asked Mr. Wolfinger if the better thing to do is to take the revenue the City generates and put it back into the getting additional revenue generating property to continue the process.

Treasurer Wolfinger indicated that that is correct and that is why they have recommended the CIC dissolve for the lack of resources to buy more land or develop the current land.

Mrs. Bobbitt asked if a motion is needed to accomplish this.

Law Director Ulloom indicated that currently he is looking to see what Council's thoughts are on this with the contractual obligation and the City's ability to allow that to be dissolved with the dissolution of the CIC.

Treasurer Wolfinger indicated that some point in time, since there is legislation, a new piece of legislation will need to be brought before Council to dissolve that agreement.

Law Director would bring forth a formal resolution or something at a later date. He is only bringing it up to Council, because the question will come up at their meeting on Wednesday, and he would like to have Council's input for that meeting.

Treasurer Wolfinger indicated that the concern of the CIC and their legal counsel is there are farm leases, leases on South Central that deal with the solar panels, and some other things of that nature and those are assignable and those transactions will play, however, the agreement with the City is not assignable. If there are no major objections, Law Director Ulloom will have the ability to say City Council is willing to take a look at this, but a resolution is needed to make it formal.

Law Director Ulloom indicated that he would bring that resolution forward, but is waiting on the CIC meeting on Wednesday to see if that is the course that they take.

Treasurer Wolfinger indicated that a vote will be taken on Wednesday to dissolve, but will take months to accomplish this.
Law Director asked if there is any Council member that sees a substantial concern or problem with letting the CIC out of that obligation, should they dissolve.

President Uhl asked if there was any further new business.

Mayor Scheffler announced that the State of the City will be Thursday, February 27, 2020 at 7:30 a.m. at Crossroads Center.

Mrs. Bobbitt gave thanks to ODOT, LDOT, and the City Engineer’s Office for the traffic lights at Main and Memorial Drive. They look nice and will serve a good purpose.

Mrs. Bobbitt announced that Provisions is open, formerly known as Four Reasons open 7:00 a.m. to 4:00 p.m.

Mayor Scheffler indicated with the new traffic lights, there is a significant difference in getting around the City and will only get better going forward as the system learns.

President Uhl asked if there is any other new business this evening, with none, we moved on to the next order of business.

ANNOUNCEMENTS

Next Regular Sessions of Council:
1. March 9th at 6:30 p.m.
2. March 23rd at 6:30 p.m.
3. April 13th at 6:30 p.m.
   a. Public Hearing – Temporary Ordinance 4-20 and 5-20

Upcoming Special Meetings:
1. None

Upcoming Committee Meetings for the next 30 days:
1. Finance – March 9th at 6:00 p.m. – Council Chambers
2. Water/WPC – March 11th at 8:00 a.m. WPC CR
3. Economic Development – March 19th at 7:30 a.m. City Hall 1897 CR
4. IT/Telecom – March 20th at 7:30 a.m. – City Hall 1897 CR
5. Finance – March 23rd at 6:00 p.m. – Council Chambers

READING OF BILLS

LiftOff, LLC $2,400.00 (Office 365 Plan G3 Government annual fee)

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 Mrs. Bobbitt. Motion carried. Meeting adjourned at approximately 8:15 p.m.
February 24, 2020

Lancaster City Council  
104 East Main Street  
Lancaster, Ohio 43130  

RE: Timbertop Traffic Impact Study Review – City Engineer’s Office  

Dear Council Members:  

This correspondence is written to summarize the Traffic Impact Study (TIS) for the Timbertop property.  

The TIS that was prepared by Palmer Engineering (Consultant for Lemmon Development) and was performed according to the scope prepared by the City Engineers office and their traffic consultant (GPD). There are several comments that the City and GPD have made from the January 13th, 2020 submission. These comments were given to City Council on February 10th, 2020 (See attached).  

Background Data:  
Speed Study Performed, October 23, 2019 thru November 1, 2019 (Note: school was in session)  
- ADT – 8,396 (October 2019)  
- Average Speed – 36 mph  
- Highest Speed Recorded – 72 mph  
- Lowest Speed Recorded – 7 mph  
- Radar located at: 2135 North Columbus Street (Near Eastern existing driveway to Timbertop)  

Rules of Thumb for roadways*:  
- ADT under 12,000 → 2 Lane Road  
- ADT between 12,000-18,000 → agency should consider 2 way left turn lane (suicide lane), depending on the number and type of access points along the corridor.  
- ADT over 18,000 → agency should consider 4 lane roadway  

*These numbers are based on general engineering techniques/guides.  

In general, regarding roadway/traffic engineering, we typically focus on intersections due to conflict points and potential for crash. Each intersection is evaluated on its own merits, but we typically evaluate things like delay (Level of Service-LOS), functional operations, capacity, and safety. 

City Engineers analysis of the Timbertop TIS:  
1.) The turn lane length calculations were based upon the 35 mph legal speed vs. 40 mph design speed. The reason this is so important is because most people travel over the speed limit. We want our roads to be designed for what the “average” vehicle travels on our roads. ODOT typically requires the design speed to be at least 5 mph over legal speed. Sometimes this can be increased to 10 or possibly 15 mph over depending on the situation.
2.) Intersection sight distance calculations were not performed as part of this study. Before the actual location of the proposed road will be allowed to "T" into North Columbus, the developer will need to prove to the City Engineers Office that Intersection Sight Distance can be achieved (See attachment requirements-ODOT L&D Manual).

3.) The developer did not calculate the southbound Left and Right hand turn lane storage lengths on the proposed street intersecting with North Columbus. These storage length calculations need included within the TIS.

4.) Consultants performed a signal warrant analysis of North Columbus/Bush Hill Drive. This intersection does not warrant a signal due to the development of uses proposed.

5.) Consultants performed a signal warrant analysis of North Columbus/Proposed Drive. This intersection does not warrant a signal due to the development of uses proposed.

6.) The developer is required to make improvements at the intersection of the proposed road and North Columbus Street. These improvements include a westbound right turn lane as well as an eastbound left turn lane on North Columbus Street into the development. The actual lane lengths shown in the study will need revised because they are based on a 35 mph speed limit. The developer will also be required to build a southbound left turn lane and southbound right turn lane on the proposed road intersecting North Columbus Street. (Also reference #3 above)

In conclusion, the developer and their engineer have performed the traffic impact study according to the scope required by the City. There are some corrections/revisions that need to occur before my office accepts this study, but in general, this study satisfies the general intent and meets engineering standards/codes for development within the City of Lancaster. These standards, engineering practices, rules, etc... are setup to ensure that the public health, safety, and welfare of the City are addressed during development of a property. These type of standards are also used to ensure that all developments (no matter who they are or where it is located) are treated fairly and equally.

If you have further questions or comments regarding the TIS, please feel free to call (740-687-6614) or email me at mnloland@ci.lancaster.oh.us.

Sincerely,

Mitch Noland P.E., S.I.
City Engineer

Attachments
INTERSECTION
SIGHT TRIANGLES

201-4E
REFERENCE SECTION
201.3.1 & 201.3.3

Sight Triangle for Viewing
Traffic Approaching from the Left

Sight Triangle for Viewing
Traffic Approaching from the Right

DIAGRAM A - SIGHT TRIANGLES

\[ a_1 = \text{The distance, along the minor road, from the decision point to } \frac{1}{2} \text{ the lane width of the approaching vehicle on the major road.} \]

\[ a_2 = \text{The distance, along the minor road, from the decision point to } \frac{3}{2} \text{ the lane width of the approaching vehicle on the major road.} \]

\[ b = \text{Intersection Sight Distance} \]

\[ d = \text{The distance from the edge of the traveled way of the major road to the decision point. The distance should be a minimum of 14.4' and 17.8' preferred.} \]

DIAGRAM B - VERTICAL COMPONENTS (Sec. 201.3.3)
## Intersection Sight Distance

**Reference Section:** 201.3, 201.3.1, 201.3.2 & 201.3.3

(See Following Page for Additional Figures & Notes)

<table>
<thead>
<tr>
<th>Design Speed (mph)</th>
<th>ISD (ft.)</th>
<th>K-Crest Vert. Curve</th>
<th>ISD (ft.)</th>
<th>K-Crest Vert. Curve</th>
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If ISD cannot be provided due to environmental or R/W constraints, then as a minimum, the SSD for vehicles on the major road should be provided.

\[
\text{ISD} = 1.47 \times V_{\text{major}} \times t_g
\]

\[
\text{ISD} = \text{intersection sight distance (ft.)}
\]

\[
V_{\text{major}} = \text{design speed of major road (mph)}
\]

\[
t_g = \text{time gap for minor road vehicle to enter the major road (sec.)}
\]

Using:
- **S** = Intersection Sight Distance
- **L** = Length of Crest Vertical Curve
- **A** = Algebraic Difference in Grades (%), Absolute Value
- **K** = Rate of Vertical Curvature

- For a given design speed and an "A" value, the calculated length \( L = K \times A \)
- To determine "S" with a given "L" and "A", use the following:
  - For \( S < L \): \( S = 52.92\sqrt{K} \), where \( K = L/A \)
  - For \( S > L \): \( S = 1400/A + L/2 \)
Mr. Mitch Noland, P.E.
City Engineer
City of Lancaster
121 East Church Street
Lancaster, Ohio 43130

RE: Timbertop Property – North Columbus Street
Lemmon Development
Traffic Impact Study Review

Dear Mr. Noland:

As requested, GPD Group has completed an in-depth review of the Traffic Impact Study for the Timbertop Property on North Columbus Street, a Lemmon Development, submitted to the City of Lancaster by Palmer Engineering. As a reminder, GPD previously reviewed the preliminary traffic information provided as part of this project which included the traffic counts, growth rate, trip generation, trip assignment, and trip distribution and provided minor comments. Our comments on the Traffic Impact Study are as follows:

1. All comments provided to the City of Lancaster on December 23\textsuperscript{rd}, 2019 were addressed by the engineer in a satisfactory manner.

2. On Figure 1A, the traffic volumes displayed on the north leg of the N. Columbus Street / Whittier Drive intersection appear to have the left and right turn volumes transposed in both the PM1 and PM2 peak hour. This issue is continued throughout the remained of the traffic volume development process and all analyses are impacted.

3. On Figure 1A, the traffic volumes displayed on the west of the Whittier Drive / Hawthorne Avenue intersection appear to have the left and right turn volumes transposed in both the PM1 and PM2 peak hour. This issue is continued throughout the remained of the traffic volume development process and all analyses are impacted.

4. Please review all storage length calculations that were provided within the report. They appear to be based upon the posted speed limit of 35 miles per hour. The City would like all calculations to be completed based upon the design speed of 40 miles per hour along N. Columbus Street.
5. Proposed storage lengths for the southbound left and right turn lanes at the N. Columbus Street / Proposed Entrance intersection are not provided in this document. The final traffic impact study should include these storage lengths based upon the anticipated design speed of the entrance to the development and anticipated queue length of traffic exiting the development. The site plan, when submitted, will be reviewed to ensure compliance with the Traffic Impact Study document.

6. The City would like to request that the developer perform a sight distance investigation based upon a design speed of 40 miles per hour on North Columbus Street for the proposed development driveway location. The sight distance investigation should evaluate both horizontal and vertical sight distance at the proposed main driveway location.

7. Provide a side by side comparison table for reporting of the no build and build level of service and delay analysis results in all analysis years analyzed.

8. The recommendation section of the report proposes the construction of an all-way stop condition at the N. Columbus Street / Bush Hills Drive intersection. However, a multi-way stop warrant analysis was not performed and an operational analysis of this condition was not performed within the report. This recommendation should be removed from the final traffic impact study since the report does not show that this improvement is warranted or is operationally feasible at the intersection.

9. As a condition of the approval of this Traffic Impact Study, the developer acknowledges that the amount of development permitted on the proposed site will be limited to the amount of trip generation contained within this study. If the amount of trip generation of a proposed site plan submitted subsequent to the approval of the traffic impact study exceeds the amount analyzed within this study, a new traffic impact study will be required to be performed prior to approval of the site plan in question.

As noted above, the Traffic Impact Study for the Timbertop Development includes several minor issues and omissions. Due to the nature these errors, GPD is requesting the report be updated and resubmitted by the engineer to address these comments prior to agreeing with the findings of the traffic impact study.
GPD Group appreciates the opportunity to provide these types of traffic engineering services to the City of Lancaster. If you have any questions or comments on this technical review, please feel free to contact me via phone at 614-859-1614 or via email at mhocbs@gpdgroup.com.

Sincerely,
GPD Group

Michael A. Hobbs, P.E., PTOE
Senior Practice Leader

MAH/cjd

Cc: Curtis Shonk, P.E., P.S. (City of Lancaster)
    Ryan Gillespie, P.E., PTOE (GPD Group)
    Curtis Deibel, P.E., RSP (GPD Group)
    File