

LANCASTER CITY COUNCIL**LANCASTER, OHIO****PRAYER**

President Culver led the prayer before Council.

REGULAR MEETING

APRIL 26, 2010

CALL TO ORDER

President Culver called the meeting to order at approximately 7:10 p.m., in Council's Chambers.

PLEDGE OF ALLEGIANCE

President Culver led Council in the Pledge of Allegiance.

ROLL CALL

The following members of Council were present: M. Bobbitt, J. Zekas, B. McAtee, T. Stoughton, W. Garbrandt, R. Touvell, B. Kuhn, S. Jackson, and R. Hedges.

READING AND DISPOSING OF THE JOURNAL

The Clerk presented the Regular Meeting Minutes dated April 12, 2010.

Mrs. Garbrandt made a motion to receive and file, seconded by Mr. Touvell. Motion carried.

REPORTS OF CITY OFFICIALS

1. Email, dated April 13, 2010, regarding Reminder – Ethics Form Due April 15th. Submitted by David Smith, Mayor.
2. Email, dated April 16, 2010, regarding Citizens Committee. Submitted by President Culver.
3. Email, dated April 20, 2010, regarding Trail Dedication Invitation. Submitted by David Smith, Mayor.
4. Email, dated April 21, 2010, regarding Law Minutes from March. Submitted by Mr. McAtee.
5. Email, dated April 22, 2010, regarding March Minutes. Submitted by Mrs. Bobbitt.
6. Two emails, dated April 22, 2010, regarding March Minutes. Submitted by Mr. McAtee.
7. Email, dated April 23, 2010, regarding Council Packets. Submitted by Mrs. Bobbitt.
8. Email, dated April 25, 2010, regarding April 2010 Public Works Committee Meeting Minutes. Submitted by Mr. Hedges.

9. Email, dated April 23, 2010, regarding Council Packets. Submitted by Mrs. Garbrandt.
10. Two emails, dated April 26, 2010, regarding Compliance Check Press Release. Submitted by Chief David Bailey.
11. Email, dated April 26, 2010, regarding Legislation. Submitted by Toby Shamblin, Superintendent LDOT.

Mrs. Garbrandt made a motion to receive and file, seconded by Mr. Touvell. Motion carried.

COMMUNICATIONS

1. Email, dated April 13, 2010, regarding Email request. Submitted by Joe Giessler, Reporter Lancaster Eagle Gazette.
2. Email, dated April 15, 2010, regarding Meeting Minutes. Submitted by Joe Giessler, Reporter Lancaster Eagle Gazette.
3. Email, dated April 22, 2010, regarding Lancaster Main Street Food Drive Campaign. Submitted by Mitchell L. Shell, Lancaster Bingo Company, Inc.
4. Notice to Legislative Authority of Application for Transfer of Liquor License. TO Gran Ranchero, Inc, dba Gran Ranchero, 1746 North Memorial Drive, Lancaster, Ohio 43130. FROM: PJ's Pizza Inc., dba PJ's Pizza, 1746 North Memorial Drive, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43069-9005.
5. Notice to Legislative Authority of Application for Change of LLC Membership Stock Interests of Liquor License. To Campbell Enterprises, Inc., dba J&R Bait, 1815 Cedar Hill Road, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43069-9005.
6. Notice to Legislative Authority of Application for New Liquor License. TO Walgreen Company, dba Walgreens 07798, 911 North Memorial Drive, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43069-9005.

Mrs. Garbrandt made a motion to receive and file, seconded by Mr. Touvell. Motion carried.

SPECIAL PRESENTATION (Awards)

There were no Special Presentations before Council this evening.

PETITIONS & MEMORIALS

There were no Petitions or Memorials before Council this evening.

PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL

Rosemary Hajost, 1151 North High Street, Lancaster, Ohio. Ms. Hajost spoke to Council about Issue 14 for the Fairfield County Historic Parks on the May 4th ballot. If this passes the voters it would be an increase of approximately \$20.00 per year on property tax. This issue will help fund the 18 County Parks. Currently there is only one employee who takes care of all of these parks. Ms. Hajost respectfully asked for City Council's support on Issue 14.

Shane Farnsworth, 201 East Main Street, Lancaster, Ohio. Mr. Farnsworth spoke to Council about Issue 14 for the Fairfield County Historic Parks. When companies look at locating to Fairfield County they want to know what there is to do other than go to work and shop. They are looking for the "quality of life". Mr. Farnsworth hopes that Lancaster City Council go out and vote, and support Fairfield County.

STANDING COMMITTEE REPORTS

1. Finance Committee Meeting Minutes, dated April 26, 2010. Submitted by Mr. Stoughton.
2. IT/Telecom Committee Meeting Minutes, dated February 25, 2010. Submitted by Mr. Kuhn.
3. Law Committee Meeting Minutes, dated March 17, 2010 and April 21, 2010. Submitted by Mrs. Bobbitt.
4. Public Works Committee Meeting Minutes, dated April 21, 2010. Submitted by Mr. Hedges.
5. Safety Committee Meeting Minutes, dated April 16, 2010. Submitted by Mr. Jackson.

Mrs. Garbrandt made a motion to receive and file, seconded by Mr. Touvell. 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 before Council this evening.

READING OF RESOLUTION

Resolution Temporary 37-10 – Third Reading – **Permanent Resolution 44-10**
A RESOLUTION TO ACCEPT A CHECK FROM THE OHIO ATTORNEY GENERAL'S DRUG USE PREVENTION ANNUAL GRANT, ~~AND TO APPROPRIATE FUNDS WITHIN THE GENERAL FUND/POLICE DEPARTMENT~~

Mr. Jackson made a motion to amend Resolution Temporary 37-10 removing Section 2 and renumber Section 3 as Section 2, and removing and to appropriate funds within the General Fund Police Department from the heading, seconded by Mr. Touvell. Motion carried 9-0, with all nine members voting yes. Mr. Jackson made a motion to pass engross, seconded by Mr. Touvell. Motion carried 9-0, with all nine members voting yes.

Resolution Temporary 41-10 – Second Reading
A RESOLUTION TO ACCEPT THE ENTIRE WRITTEN RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR CONTINUANCE OF THE ENTERPRISE ZONE TAX EXEMPTION AGREEMENTS NFOCUS CONSULTING (AGREEMENT 232-03-02), ANCHOR HOCKING CG OPERATING LLC (AGREEMENT 232-05-01), & WINDSOR EQUITY, (AGREEMENT 232-04-02) PURSUANT TO ORC 5709.85(C)(I) AND (E)

Resolution Temporary 42-10 – Second Reading

A RESOLUTION TO TRANSFER FUNDS FOR REIMBURSEMENT OF MAINTENANCE PERFORMED ON STATE HIGHWAYS WITHIN THE CITY OF LANCASTER ON AN AS NEEDED BASIS UP TO A MAXIMUM OF \$100,000.00 FOR THE CALENDAR YEAR 2010

Resolution Temporary 45-10 – First Reading

A RESOLUTION TO AUTHORIZE A CITY AUCTION OF CITY PROPERTY NO LONGER NEEDED

Resolution Temporary 46-10 – First Reading – Permanent Number 45-10

A RESOLUTION TO AMEND THE CERTIFICATE, UPDATE RECEIPTS, AND TO APPROPRIATE FUNDS FOR AN IMPROVEMENT PROJECT

Mr. Stoughton made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Kuhn. Motion carried 9-0, with all nine members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Kuhn. Motion carried 9-0, with all nine members voting yes.

Resolution Temporary 47-10 – First Reading

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO GO OUT FOR BIDS AND ENTER INTO A CONTRACT FOR THE THIRD PARTY PROVIDER OF TRANSIT OPERATION SERVICES

Resolution Temporary 48-10 – First Reading

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO GO OUT FOR BIDS FOR THE REPLACEMENT OF THE CURRENT PUBLIC SAFETY RADIO COMMUNICATIONS INFRASTRUCTURE WITHIN THE CITY OF LANCASTER

Resolution Temporary 49-10 – First Reading – Permanent Number 46-10

A RESOLUTION TO TRANSFER 506, 510, 514, 518, 522, AND 526 SOUTH MAPLE STREET IN THE CITY OF LANCASTER TO THE PORT AUTHORITY

Mr. Stoughton made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Kuhn. Motion carried 9-0, with all nine members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Kuhn. Motion carried 9-0, with all nine members voting yes.

Resolution Temporary 50-10 – First Reading

A RESOLUTION TO AMEND THE CERTIFICATE, AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH KELLAM ASSOCIATES TO SATISFY THE REQUIRED FIVE YEAR UPDATE OF THE FIRE EMS IMPACT FEE FOR NEW DEVELOPMENT WITHIN THE CITY OF LANCASTER, AND TO APPROPRIATE FUNDS

READING OF ORDINANCES

Ordinance Temporary 5-10 – First Reading

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT OF ONE MILLION SEVEN HUNDRED NINE THOUSAND DOLLARS (\$1,709,000) IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE STORM WATER SEWER SYSTEM BY CONSTRUCTING STORM WATER LINES ALONG NOLDER DRIVE, MAPLE, LAKE, ALLEN, FAIR, CHESTNUT AND OTHER STREETS, AND FROM BALDWIN RUN IN THE FORMER MULBERRY STREET RIGHT-OF-WAY AND FROM THE INTERSECTION OF LYNN DRIVE AND CLAYTON DRIVE TO EWING RUN, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY

TABLED LEGISLATION

Resolution Temporary 181-09* – Third Reading (TABLED 1/25/2010)

A RESOLUTION TO TRANSFER FUNDS FROM THE IMPROVEMENT FUND TO THE GENERAL FUND TO BALANCE THE 352 FIRE BUDGET

Mr. Stoughton made a motion to replace Resolution Temporary 181-09 with Resolution Temporary 181-09* as given to the Clerk in writing prior to the meeting, seconded by Mr. Touvell. Motion carried 9-0, with all nine members voting yes. Mr. Stoughton made a motion to table Resolution Temporary 181-09*, seconded by Mr. Touvell. Motion carried 8-0, with eight members voting yes.

UNFINISHED BUSINESS

There was a lengthy discussion in the Finance Committee about the leaf pickup and what will the City be doing for 2010. The discussions continued shortly and it was announced as things stand there will be no leaf pick up.

City Council passed the 2010 budget as submitted with no funds available for leaf pickup. At this time the City of Lancaster will not be picking up any loose leaves. All leaves must be placed in paper bags or plastic bags and placed out with your trash.

President Culver announced that the Citizens' Committee will be making their recommendations at the May 24, 2010 Council meeting. This presentation will take approximately 45 minutes to one hour. There will also be a written report handed out that evening.

President Culver asked if someone would like to make a motion to endorse the County Park Levy.

Mr. Zekas made a motion to support Issue 14 for the County Parks, seconded by Mr. McAtee. Motion carried.

President Culver also announced that Clerk Sandy was awarded the 2010 Administrative Assistant of the Year by the Fairfield County Chamber of Commerce at a luncheon on Wednesday, April 21, 2010.

NEW BUSINESS/SPECIAL PRESENTATION

Mrs. Garbrandt has been notified by David Scheffler, President Main Street Lancaster is sponsoring the 1st Annual Downtown Clean-Up Day and is looking for Block Captains to come and help clean up downtown Lancaster. This event is scheduled for Saturday, May 8, 2010. All those interested or wanting additional information may visit mainstreetlanaster.com.

ANNOUNCEMENTS

Next Regular Sessions of Council:

Monday, May 10, 2010 @ 7:00 p.m.
 Monday, May 24, 2010 @ 7:00 p.m.
 Monday, June 14, 2010 @ 7:00 p.m.

Next Presentation before Council:

Monday, May 24, 2010 @ 7:00 p.m. (Citizens' Committee)

READING OF BILLS

There were no bills presented to Council for payment this evening.

EXECUTIVE SESSION

There were no requests for Executive Session before Council this evening.

ADJOURNMENT

Mr. Touvell made a motion to adjourn, seconded by Mr. Zekas. Motion carried. Meeting adjourned at approximately 7:56 p.m.



Teresa Lee Sandy, Clerk of Council