

**LANCASTER CITY COUNCIL**

**LANCASTER, OHIO**

**PRAYER**

President Culver led the prayer before Council.

**REGULAR MEETING**

December 6, 2010

**CALL TO ORDER**

President Culver called the meeting to order at approximately 7:45 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, J. Hale, S. Jackson, and R. Hedges.

Mrs. Garbrandt made a motion to excuse Mrs. Bobbitt from tonight's meeting, seconded by Mr. Touvell. Motion carried.

**READING AND DISPOSING OF THE JOURNAL**

The Clerk presented the Regular Meeting Minutes dated December 22, 2010.

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

**REPORTS OF CITY OFFICIALS**

1. Email, dated November 24, 2010, regarding Big Brothers Big Sisters. Submitted by City Council President Culver.
2. Email, dated November 26, 2010, regarding Budget Comparisons. Submitted by Toby Shamblin, Superintendent LDOT.
3. Email, dated November 29, 2010, regarding Pay Ordinances and 2<sup>nd</sup> Reading 2011 Budget. Submitted by David Smith, Mayor.
4. Email, dated November 29, 2010, regarding IT Telecom 2011 Budget Revenue. Submitted by Ed Campbell, Chief Information Officer.
5. Email, dated November 30, 2010, regarding Department of Health DAC Meeting December 6<sup>th</sup>. Submitted by David Smith, Mayor.
6. Email, dated December 2, 2010, regarding 2011 Budget Updates. Submitted by David Smith, Mayor.
7. Email, dated December 2, 2010, regarding Legislation. Submitted by David Smith, Mayor.
8. Email, dated December 4, 2010, regarding Department of Health DAC Meeting December 6<sup>th</sup>. Submitted by City Council President Culver.

9. Email, dated December 4, 2010, regarding Legislation. Submitted by City Council President Culver.
10. Two emails, dated December 4, 2010, regarding Oath of Office. Submitted by Council Representative Hale.
11. Three emails, dated December 5, 2010, regarding Oath of Office. Submitted by Council Representative Hale.
12. Email, dated December 6, 2010, regarding Oath of Office. Submitted by Council Representative Hale.

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

#### **COMMUNICATIONS**

1. Email, dated November 24, 2010, regarding Big Brothers Big Sisters. Submitted by Anna Tobin, Executive Director Big Brothers Big Sisters of Fairfield County, Inc., 111 South Broad Street, Lancaster, Ohio 43130.

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**

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

#### **STANDING COMMITTEE REPORTS**

1. Finance Committee Meeting Minutes, dated December 6, 2010. Submitted by Mr. Stoughton.

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 134-10 – Third Reading – **Permanent Resolution 140-10**

**A RESOLUTION TO CREATE A NEW FUND AND SET UP REVENUE AND EXPENSE ACCOUNTS FOR POLICE AND FIRE PENSION (228)**

Mr. Stoughton made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

Resolution Temporary 136-10 – Second Reading

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

Resolution Temporary 140-10\* – Second Reading

A RESOLUTION TO MAKE APPROPRIATIONS FOR CURRENT 2011 BUDGET EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LANCASTER, STATE OF OHIO, FOR THE FISCAL YEAR 2011, AND TO ESTABLISH LINE ITEM TRANSFER AUTHORITY FOR DEPARTMENTS

Mr. Stoughton made a motion to replace Temporary Resolution 140-10 with Temporary Resolution 140-10\* as given to the Clerk in writing before the meeting, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

Resolution Temporary 142-10 – First Reading – **Permanent Resolution 141-10**

A RESOLUTION TO DECREASE/INCREASE APPROPRIATIONS IN VARIOUS ACCOUNTS WITHIN THE GAS FUND LINE ITEMS

Mr. Stoughton made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

Resolution Temporary 143-10 – First Reading – **Permanent Resolution 142-10**

A RESOLUTION TO DECREASE/INCREASE APPROPRIATIONS IN VARIOUS ACCOUNTS WITHIN THE GENERAL FUND, POLICE DEPARTMENT LINE ITEMS

Mr. Jackson made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Jackson made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

Resolution Temporary 144-10 – First Reading

A RESOLUTION AUTHORIZING THE CITY OF LANCASTER TO ACCEPT THE 2010 COPS HIRING PROGRAM (CHP) GRANT

Resolution Temporary 145-10 – First Reading – **Permanent Resolution 143-10**

A RESOLUTION TO UPDATE THE CERTIFICATE OF APPROPRIATION WITH THE COUNTY AUDITOR AND TO APPROPRIATE FUNDS FROM THE GENERAL FUND UNENCUMBERED BALANCE FOR TREE TRIMMING

Mr. Touvell made a motion to suspend the rules and waive the second and third readings, seconded by Mrs. Garbrandt. Motion carried 8-0, with all eight members voting yes. Mr. Touvell made a motion to pass engross, seconded by Mrs. Garbrandt. Motion carried 8-0, with all eight members voting yes.

Resolution Temporary 146-10 – First Reading

A RESOLUTION AUTHORIZING MUNICIPAL ARBORIST TO SUBMIT AN APPLICATION TO ODNR FOR THE 2011 ASH TREE REMOVAL AND REPLACEMENT GRANT

Resolution Temporary 147-10 – First Reading – **Permanent Resolution 144-10**

A RESOLUTION TO APPROVE A FUND TRANSFER FOR THE GAS DEPARTMENT

Mr. Stoughton made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

**Resolution Temporary 148-10 – First Reading**

A RESOLUTION TO AUTHORIZE AND DIRECT THE ECONOMIC DEVELOPMENT DIRECTOR TO ENTER INTO AN AGREEMENT OF UNDERSTANDING WITH WAGENBRENNER DEVELOPMENT, INC. FOR THE REDEVELOPMENT OF THE FORMER LANCASTER GLASS PROPERTY LOCATED AT 240 WEST MAIN STREET, LANCASTER, AND TO SUBMIT AN ASSOCIATED APPLICATION FOR ROUND 10 GRANT FUNDING OF UP TO THREE MILLION DOLLARS TO THE OHIO DEPARTMENT OF DEVELOPMENT FOR CLEANUP AT THE SITE UNDER THE CLEAN OHIO REVITALIZATION FUND PROGRAM, AND TO DECLARE AN EMERGENCY

**Resolution Temporary 149-10 – First Reading – Permanent Resolution 145-10**

A RESOLUTION TO CREATE A NEW FUND FOR 911 TARIFF (723)

Mr. Stoughton made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

**Resolution Temporary 150-10 – First Reading – Permanent Resolution 146-10**

A RESOLUTION FOR AN ACCOUNT TO ACCOUNT TRANSFER WITHIN THE GENERAL FUND (101)

Mr. Stoughton made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

**READING OF ORDINANCES**

**Ordinance Temporary 20-10 – Second Reading – Permanent Ordinance 22-10**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A REVENUE NOTE IN AN AGGREGATE PRINCIPAL AMOUNT OF FIVE HUNDRED FIFTY-THREE THOUSAND EIGHT HUNDRED SIXTY-ONE DOLLARS AND SIXTY-TWO CENTS (\$553,861.62) RELATED TO THE REIMBURSEMENT OF ISLAND CAPITAL INVESTMENT GROUP, LLC FOR A DRAW ON A LETTER OF CREDIT IN CONNECTION WITH COSTS OF IMPROVING ETY ROAD, MEMORIAL ROAD AND MICHAELS WAY BY GRADING, WIDENING, PAVING, CURBING AND IMPROVING BRIDGES AND RAILROAD CROSSINGS, RELOCATING UTILITIES AND INSTALLING SIDEWALKS, TRAFFIC SIGNALS AND SIGNS, AND WATER, SANITARY AND STORM WATER LINES AND FACILITIES, TOGETHER WITH ALL NECESSARY APPURTENANCES THEREOF, AND DECLARING AN EMERGENCY

Mr. Stoughton made a motion to suspend the rules and waive the third reading, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Stoughton made a motion to pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

**Ordinance Temporary 21-10 – Second Reading – Permanent Ordinance 23-10**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF REVENUE NOTES, IN AN AGGREGATE PRINCIPAL AMOUNT OF ONE MILLION SIXTY-SEVEN THOUSAND SEVEN HUNDRED FOURTEEN DOLLARS AND TWENTY CENTS (\$1,067,714.20) TO PAY COSTS OF IMPROVING ETY ROAD, MEMORIAL DRIVE AND MICHAELS WAY BY GRADING, WIDENING, PAVING, CURBING, IMPROVING BRIDGES AND RAILROAD CROSSINGS, RELOCATING UTILITIES, AND INSTALLING SIDEWALKS, TRAFFIC SIGNALS AND SIGNS, AND WATER, SANITARY AND STORM WATER LINES AND FACILITIES, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Mr. Stoughton made a motion to suspend the rules and waive the third reading, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes. Mr. Stoughton made a motion to

pass engross, seconded by Mr. Touvell. Motion carried 8-0, with all eight members voting yes.

**Ordinance Temporary 24-10 – First Reading**

AN ORDINANCE TO ESTABLISH THE BENEFITS, TITLES, AND COMPENSATION FOR ATTORNEYS IN THE LAW DIRECTOR'S OFFICE EMPLOYED BY THE CITY OF LANCASTER, OHIO, COMMENCING THE FIRST PAY PERIOD OF 2011

**Ordinance Temporary 25-10 – First Reading**

AN ORDINANCE TO ESTABLISH THE BENEFITS, TITLES, AND COMPENSATION FOR MANAGEMENT AND PROFESSIONAL PERSONNEL EMPLOYED BY THE CITY OF LANCASTER, OHIO FOR THE YEAR 2011

**Ordinance Temporary 26-10 – First Reading**

AN ORDINANCE TO ESTABLISH SALARY RANGES, RETIREMENT PICK-UP, LONGEVITY PAY, PRO-PAY, PERSONAL TIME, VACATION, FUNERAL LEAVE, HEALTH INSURANCE, LIFE INSURANCE, PAY SCALE, AND SICK LEAVE PAYOUT AT RETIREMENT FOR THOSE EMPLOYEES WHO ARE NOT MEMBERS OF THE RECOGNIZED BARGAINING UNITS EFFECTIVE THE FIRST PAY PERIOD OF 2011

**Ordinance Temporary 27-10 – First Reading**

AN ORDINANCE TO ESTABLISH THE BENEFITS, TITLES, AND COMPENSATION FOR THE INFORMATION TECHNOLOGY ADMINISTRATOR, OFFICE OF THE CLERK OF COURT, EMPLOYED BY THE CITY OF LANCASTER, OHIO, COMMENCING THE FIRST PAY PERIOD OF 2011

**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 no Unfinished Business before Council this evening.

**NEW BUSINESS/SPECIAL PRESENTATION**

Mr. McAtee thanked all Council Members for their 100% participation and announced that City Council exceeded 35% increase of donations from the last campaign.

Mayor Smith asked if an Executive Session could be called prior to adjourning the meeting.

Mr. Hedges acknowledged Evan Brubach in attendance of the City Council meeting who is working toward his Citizenship Badge.

## EXECUTIVE SESSION

Mr. Stoughton made a motion to convene to Executive Session to discuss Personnel Issues. The Executive Session should include: Council President, All Members of Council, Mayor, Auditor, Law Director, Service-Safety Director, Treasurer, seconded by Mr. Touvell. Motion carried.

Mr. Stoughton made a motion to return to the Regular Order of Business, seconded by Mr. Touvell. Motion carried.

## ANNOUNCEMENTS

### Next Regular Sessions of Council:

Monday, December 13, 2010 at 7:00 p.m.

Monday, January 10, 2011 at 7:00 p.m.

Monday, January 24, 2011 at 7:00 p.m.

## READING OF BILLS

Spotlight Awards & Engraving, LLC \$12.50

Mrs. Garbrandt made a motion to pay the bills, seconded by Mr. Touvell. Motion carried.

## ADJOURNMENT

Mr. Zekas made a motion to adjourn, seconded by Mrs. Garbrandt. Motion carried. Meeting adjourned at approximately 8:21 p.m.

  
Teresa Lee Sandy, Clerk of Council