

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

President Culver led the prayer before Council.

REGULAR MEETING

January 11, 2010

CALL TO ORDER

President Culver called the meeting to order at approximately 7:00 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 December 14, 2009.

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

REPORTS OF CITY OFFICIALS

1. Emails, dated December 15, 2009, regarding Announcements. Submitted by David Smith, Mayor.
2. Email, dated December 17, 2009, regarding Service Committee Meetings 2010. Submitted by City Council Representative McAtee.
3. Email, dated December 17, 2009, regarding Service Committee Meetings 2010. Submitted by City Council President Culver.
4. Email, dated December 17, 2009, regarding General. Submitted by City Council President Culver.
5. Email, dated December 17, 2009, regarding Meeting Notice. Submitted by City Council President Culver.
6. Email, dated December 18, 2009, regarding 2010 Calendar of Committee Meetings and Council Meetings. Submitted by City Council Representative Touvell.
7. Email, dated December 30, 2009, regarding LPTS Service Expansion. Submitted by Carrie Woody, Public Transit Administrator.
8. Email, dated January 4, 2010, regarding State of the City Address – February 10, 2010. Submitted by David Smith, Mayor.

- 9. Email, dated January 4, 2010, regarding Rec Plex. Submitted by City Council Representative Garbrandt.
- 10. Email, dated January 5, 2010, regarding Safety Committee Meeting Schedule. Submitted by City Council Representative McAtee.
- 11. Email, dated January 7, 2010, regarding Miscellaneous. Submitted by City Council President Culver.
- 12. Email, dated January 7, 2010, regarding Miscellaneous. Submitted by City Council Representative Zekas.
- 13. Email, dated January 7, 2010, regarding Miscellaneous. Submitted by City Council Representative McAtee.
- 14. Email, dated January 8, 2010, regarding Legislation. Submitted by City Council Representative Hedges.
- 15. Email, dated January 8, 2010, regarding Legislation. Submitted by City Council Representative McAtee.

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

COMMUNICATIONS

- 1. Letter, dated January 5, 2010, regarding Updated City Elected Official. Submitted by Susan Bloom, Deputy Director, Fairfield County Board of Elections, 951 Liberty Drive, Lancaster, Ohio 43130.
- 2. Letter, dated January 5, 2010, regarding the Ohio Museum Pre-Showing Glass Studio. Submitted by Ohio Glass Museum, P.O. Box 794, Lancaster, Ohio 43130.

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

SPECIAL PRESENTATION (Awards)

President Culver presented Greg Russell, Ann Kitzmiller, and Harry Hiles, outgoing Council Members, with plaques for their years of service on City Council and the tremendous impacts they all had on the City.

Mr. Touvell, Mr. Stoughton, and Mr. Jackson shared some experiences and wished them well.

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 January 11, 2010. Submitted by Mr. Stoughton.

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

REPORTS OF SPECIAL COMMITTEES

1. Citizens Advisory Task Force Meeting Minutes, dated January 5, 2010.
Submitted by City Council President Culver.

PUBLIC HEARING

There were no Public Hearings before Council this evening.

Mr. Touvell made a motion to accept the Committee Assignments, appointment of Tom Stoughton as President Pro Temp, and the appointment of Teresa Sandy as Clerk of Council, seconded by Mr. Jackson. Motion carried.

READING OF RESOLUTION

Resolution Temporary 176-09 – Second Reading – **Permanent Resolution 1-10**

A RESOLUTION TO ACCEPT THE RECEIPT OF THE 2009 RECOVERY ACT EDWARD BYRNE MEMORIAL SUBGRANT GRANT (JAG)

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

Resolution Temporary 177-09 – Second Reading – **Permanent Resolution 2-10**

A RESOLUTION TO ACCEPT THE RECEIPT OF THE 2009 RECOVERY ACT VIOLENCE AGAINST WOMEN ACT (VAWA) SUBGRANT

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

Resolution Temporary 178-09 – Second Reading – **Permanent Resolution 3-10**

A RESOLUTION TO ADVANCE FUNDS FOR THE VAWA AND BRYNE STIMULUS GRANTS ADMINISTERED BY THE LAW DIRECTOR'S OFFICE FOR 2010

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

Resolution Temporary 181-09* – Second Reading

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 amend 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.

Resolution Temporary 1-10 – First Reading – **Permanent Resolution 4-10**

A RESOLUTION TO APPROPRIATE FUNDS IN THE WATER CONSTRUCTION FUND AND THE WASTEWATER CONSTRUCTION FUND AND TO AUTHORIZE PAYMENT OF BILLS

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 2-10 – First Reading – Permanent Resolution 5-10

A RESOLUTION TO APPROPRIATE FUNDS FOR THE ETY ROAD TAX INCREMENTAL FINANCING 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 3-10 – First Reading – Permanent Resolution 6-10

A RESOLUTION TO ESTABLISH AN ENVIRONMENTAL COVENANT FOR THE HOCKING RIVER STREAM RESTORATION PROJECT

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

Resolution Temporary 4-10 – First Reading

A RESOLUTION 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

Resolution Temporary 5-10 – First Reading

A RESOLUTION 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

Resolution Temporary 6-10 – First Reading – Permanent Resolution 7-10

A RESOLUTION TO CARRYOVER AND RE-APPROPRIATE FUNDS TO PAY BILLS IN THE WATER POLLUTION CONTROL DEPARTMENT

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

Resolution Temporary 7-10 – First Reading – Permanent Resolution 8-10

A RESOLUTION TO CARRYOVER AND RE-APPROPRIATE FUNDS TO PAY BILLS IN THE PUBLIC SITES AND OPEN SPACES FUND

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

Resolution Temporary 8-10 – First Reading – Permanent Resolution 9-10

A RESOLUTION TO APPROPRIATE FUNDS FOR AN IMPROVEMENT PROJECT

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

Resolution Temporary 9-10 – First Reading – Permanent Resolution 10-10

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN ENGINEERING AGREEMENT FOR ENGINEERING SERVICES

Mr. Zekas made a motion to suspend the rules and waive the second and third readings, seconded by

Mr. McAtee. Motion carried 9-0, with all nine members voting yes. Mr. Zekas made a motion to pass engross, seconded by Mr. McAtee. Motion carried 9-0, with all nine members voting yes.

Resolution Temporary 10-10 – First Reading – Permanent Resolution 11-10

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN ENGINEERING AGREEMENT FOR ENGINEERING SERVICES

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

Resolution Temporary 11-10 – First Reading

A RESOLUTION APPROVING THE UPDATED SOLID WASTE MANAGEMENT PLAN

Resolution Temporary 12-10 – First Reading – Permanent Resolution 12-10

A RESOLUTION TO DECREASE/INCREASE APPROPRIATIONS IN VARIOUS ACCOUNTS WITHIN THE GENERAL FUND, LAW DIRECTOR'S LINE ITEMS

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 13-10 – First Reading – Permanent Resolution 13-10

A RESOLUTION TO APPROPRIATE THE JANUARY 1, 2010, UNENCUMBERED BALANCES IN THE IMPROVEMENT FUND

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 14-10 – First Reading – Permanent Resolution 14-10

A RESOLUTION TO CARRYOVER AND RE-APPROPRIATE FUNDS TO PAY BILLS IN THE WATER DEPARTMENT

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

Resolution Temporary 15-10 – First Reading – Permanent Resolution 15-10

A RESOLUTION TO DECREASE/INCREASE APPROPRIATIONS IN VARIOUS ACCOUNTS WITHIN THE PARKS AND RECREATION FUND

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

READING OF ORDINANCES

Ordinance Temporary 40-09 – Third Reading – Permanent Ordinance 1-10

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE

AGGREGATE PRINCIPAL AMOUNT OF TWO HUNDRED FIVE THOUSAND DOLLARS (\$205,000.00) TO PAY COSTS OF ACQUIRING AND IMPROVING CERTAIN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY

Mr. Stoughton made a motion to pass engross, seconded by Mr. Kuhn. Motion carried 9-0, with all nine members voting yes.

Ordinance Temporary 41-09 – Second Reading

AN ORDINANCE TO REGULATE ELECTRIC FENCES WITHIN THE CITY OF LANCASTER

Ordinance Temporary 1-10 – First Reading – Permanent Ordinance 2-10

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF LANCASTER, OHIO

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

TABLED LEGISLATION

NONE.

UNFINISHED BUSINESS

There was no Unfinished Business before Council this evening.

NEW BUSINESS/SPECIAL PRESENTATION

President Culver has requested that the video “Hooked” put together by Varga Communications be played at the next City Council Meeting. It is an eye opening video showing the drug problem within our community.

Mr. Stoughton welcomed all new City Council Members, thanked the Clerk for the master calendar and thanked Council for his appointment as Pro Temp.

Mr. McAtee asked the date of the Public Records Training.

Law Director Vandervoort advised that she would get this information to City Council.

Mr. McAtee asked if the tours for City departments had been scheduled for City Council Members.

Service-Safety Director Courtney advised that they had not been scheduled, but would be sometime in February.

Mrs. Bobbitt welcomed Trish Nettles for her appointment as City Auditor.

Mr. Touvell asked everyone to say a prayer for firefighter Joe McCafferty who is currently in a hospital in Columbus.

Mr. Touvell suggested that each Council Member share what they do outside of Council.

President Culver agreed and asked Mr. Hedges to start.

Mr. Hedges is a professional hydrogeologist and environmental scientist dealing with water/wastewater issues as well as wellhead protection and preservation areas.

Mr. Jackson an attorney in private practice in Logan, Ohio.

Mr. Kuhn a CPA and partner with a local firm and teaches accounting at OUL.

Mr. Touvell a territory Manager for Unified Investigations and Sciences, Inc who investigate for four states. Mr. Touvell also is a retired firefighter and teaches part-time at OU Newark.

President Culver retired in 2005 after 18 years with Anchor Hocking and then 20 years with Advest as a broker advisor.

Mrs. Garbrandt currently provides private in home tutoring services to elementary and junior high students, and enrolled full time at OUL and will graduate in the spring with a degree in social studies education.

Mr. Stoughton is an Information Technology Manager (21 Years) for the R.G. Barry Corporation, the maker of Dearfoams slippers and many other types of footwear under many brand names.

Mr. McAtee retired in 2005 after 33 years of non profit experience.

Mr. Zekas in his seven term on Council and is retired.

Mrs. Bobbitt works for Columbia Gas Distribution who purchases gas for five states.

ANNOUNCEMENTS

Next Regular Sessions of Council:

Monday, January 25, 2010 @ 7:00 p.m.

Monday, February 8, 2010 @ 7:00 p.m.

Monday, February 22, 2010 @ 7:00 p.m.

READING OF BILLS

Spotlight Awards & Engraving, LLC \$27.00

Newspaper Network \$54.55

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

EXECUTIVE SESSION

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

ADJOURNMENT

Mr. Touvell made a motion to adjourn, seconded by Mr. Stoughton. Motion carried. Meeting adjourned at approximately 8:03 p.m.

Teresa Lee Sandy

Teresa Lee Sandy, Clerk of Council