

LANCASTER CITY COUNCIL

LANCASTER, OHIO

PRAYER

President Culver led the prayer before Council.

REGULAR MEETING

JUNE 28, 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, and S. Jackson.

Mr. Zekas made a motion to excuse Mr. Hedges from tonight's meeting, seconded by Mr. Touvell. Motion carried.

READING AND DISPOSING OF THE JOURNAL

The Clerk presented the Regular Meeting Minutes dated June 14, 2010.

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

REPORTS OF CITY OFFICIALS

1. Email, dated June 17, 2010, regarding Trick-or-Treat. Submitted by Mr. Zekas.
2. Email, dated June 17, 2010, regarding Trick-or-Treat. Submitted by Mrs. Bobbitt.
3. Email, dated June 17, 2010, regarding Finance Committee Request. Submitted by Mike Pettit, Superintendent, Lancaster Municipal Gas.
4. Email, dated June 17, 2010, regarding Trick-or-Treat. Submitted by Mr. Hedges.
5. Email, dated June 18, 2010, regarding Press Release New Manufacturer. Submitted by Mike Pettit, Lancaster Municipal Gas.
6. Email, dated June 23, 2010, regarding Public Works Committee Meeting Agenda for August 18. Submitted by Mr. Hedges.
7. Email, dated June 24, 2010, regarding Public Works Committee Meeting Minutes of June 23, 2010. Submitted by Mr. Hedges.

8. Email, dated June 25, 2010, regarding Resolution Authorizing Submitting a SCIP/LTIP Round 25 Grant Application. Submitted by Rick Mark, Assistant City Engineer.
9. Five emails, dated June 25, 2010, regarding Pictures of the Upper Hocking Pump Station, Upper Hocking Force Main, and Upper Hocking Wastewater Treatment Plant Part 1, 2, & 3. Submitted by Mike Nixon, Superintendent Water/Water Pollution Control.

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

COMMUNICATIONS

1. Email, dated June 16, 2010, regarding Trick-or-Treat. Submitted by Beth Panetti, no address listed.
2. Letter, dated June 16, 2010, regarding Public Entity Insurance. Submitted by Kelly McKeon, Vice President, Public Entities, Jackson, Dieken, & Associates, 27893 Clemens Road, Suite 1, Westlake, Ohio 44145.
3. Certificate Honoring Teresa Sandy for Outstanding Achievement. Submitted by the General Assembly of the State of Ohio, Ohio Senate, 31st District, State House, Columbus, Ohio 43215.

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

There were no Communications before Council this evening.

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 June 28, 2010. Submitted by Mr. Stoughton.
2. IT/Telecom Committee Meeting Minutes, dated April 22, 2010. Submitted by Mr. Kuhn.
3. Public Works Committee Meeting Minutes, dated June 23, 2010. Submitted by Mr. Hedges.
4. Law Committee Meeting Minutes, dated June 16, 2010. Submitted by Mrs. Bobbitt.

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 55-10 – Third Reading – Permanent Resolution 67-10

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SUBMIT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT LANCASTER'S FISCAL YEAR (FY) 2010 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PLAN AND STATEMENT OF OBJECTIVES

Mrs. Garbrandt made a motion to pass engross, seconded by Mr. Zekas. Motion carried 8-0, with eight members voting yes.

Resolution Temporary 57-10 – Third Reading – Permanent Resolution 68-10

A RESOLUTION ADOPTING THE BUDGET OF THE CITY OF LANCASTER FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011 AND SUBMITTING SAME TO THE FAIRFIELD COUNTY AUDITOR

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

Resolution Temporary 62-10 – Second Reading

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION 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 AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT APPLICATION APPROVAL

Resolution Temporary 63-10 – Second Reading

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR SFY 2011 OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM

Resolution Temporary 67-10 – Second Reading – Permanent Resolution 69-10

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

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

Resolution Temporary 68-10 – Second Reading – Permanent Resolution 70-10

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE HILLS 7 DALES ADDITION GAS MAIN REPLACEMENT PROJECT

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

Resolution Temporary 71-10 – First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

Resolution Temporary 72-10 – First Reading – Permanent Resolution 71-10

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE OHIO ENVIRONMENTAL PROTECTION AGENCY SURFACE WATER IMPROVEMENT FUND AND TO EXECUTE CONTRACTS AS REQUIRED

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

Resolution Temporary 73-10 – First Reading

A RESOLUTION AUTHORIZING THE CITY OF LANCASTER TO SEEK GRANTS FROM THE OHIO RAIL DEVELOPMENT COMMISSION AND OHIO DEPARTMENT OF DEVELOPMENT FOR THE PURPOSE OF CONSTRUCTION OF A TRANSLOAD FACILITY, UPON SUCCESSFUL COMMITMENT OF FUNDS AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO GO OUT FOR BID FOR THE TRANSLOAD CONSTRUCTION AND TO AWARD CONTRACT

Resolution Temporary 74-10 – First Reading

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH EITHER THE LANCASTER AREA COMMUNITY IMPROVEMENT CORPORATION (CIC) OR THE LANCASTER PORT AUTHORITY (LPA) TO LEASE APPROXIMATELY 1.5 ACRES OF THE FORMER ANCHOR HOCKING PLANT II, AND SPECIFICALLY ADJACENT TO THE RAILAMERICA RAIL LINE

Resolution Temporary 75-10 – First Reading – Permanent Resolution 72-10

A RESOLUTION DESIGNATING THE FORMER FRICK-GALLAGHER REDEVELOPMENT PROJECT AS A HIGH PRIORITY PROJECT INITIATIVE

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

Resolution Temporary 76-10 – First Reading – Permanent Resolution 73-10

A RESOLUTION AUTHORIZING THE CITY OF LANCASTER TO FILE AN APPLICATION TO THE STATE OF OHIO, TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND

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

Resolution Temporary 77-10 – First Reading – Permanent Resolution 74-10

A RESOLUTION TO APPROPRIATE FOR THE PAYMENT OF BILLS

Mrs. Bobbitt made a motion to suspend the rules and waive the second and third readings, seconded by Mr. Jackson. Motion carried 8-0, with eight members voting yes. Mrs. Bobbitt made a motion to pass engross, seconded by Mr. Jackson. Motion carried 7-1, with eight members voting yes, and Mr. Stoughton voting no.

READING OF ORDINANCES

Due to a conflict of interest with Temporary Resolution 6-10, President Culver turned the floor over to Mr. Stoughton to act as President Pro Temp. Mr. Culver then assumed the position of Acting Mayor.

Ordinance Temporary 6-10 – Third Reading – Permanent Ordinance 9-10

AN ORDINANCE TO ACCEPT THE FINAL PLAT FOR THE ELECTION HOUSE ROAD RELOCATION

Mrs. Garbrandt made a motion to pass engross, seconded by Mr. Zekas. Motion carried 8-0, with eight members voting yes.

President Pro Temp Stoughton turned the floor back over to President Culver to continue the meeting.

Ordinance Temporary 8-10 – First Reading

AN ORDINANCE TO AMEND AND ADOPT SECTION 339.13(D) OF THE LANCASTER CODIFIED ORDINANCE OF THE CITY OF LANCASTER

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

President Culver expressed his condolences to Bob Harvey for the loss of his wife of 66 years. Mr. Harvey served many terms representing the 6th Ward.

A reminder that the Fourth of July activities will actually take place on Saturday, July 3rd. The parade will take place at 10:00 a.m. and the fireworks at 10:00 p.m. on July 3rd.

Mr. Touvell asked that a map showing all City owned property be provided to City Council. He would like to see on this map all properties vacant, with structures, the purchase price, and the amount the City has invested to date. The Clerk will research getting this information and provide it to Mr. Touvell.

ANNOUNCEMENTS**Next Regular Sessions of Council:**

Monday, July 19, 2010 @ 7:00 p.m.
Monday, August 9, 2010 @ 7:00 p.m.
Monday, August 23, 2010 @ 7:00 p.m.

READING OF BILLS

Newspaper Network \$111.70
Spotlight Awards & Engraving, LLC \$11.00

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. Zekas. Motion carried. Meeting adjourned at approximately 7:25 p.m.



Teresa Lee Sandy, Clerk of Council