

**LANCASTER CITY COUNCIL**

**LANCASTER, OHIO**

**PRAYER**

President Pro Temp Stoughton led the prayer before Council.

**REGULAR MEETING**

**March 22, 2010**

**CALL TO ORDER**

President Pro Temp Stoughton called the meeting to order at approximately 7:00 p.m., in Council's Chambers.

**PLEDGE OF ALLEGIANCE**

President Pro Temp Stoughton 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.

Mr. Jackson made a motion to excuse President Culver from tonight's meeting, seconded by Mr. Touvell. Motion carried.

**READING AND DISPOSING OF THE JOURNAL**

The Clerk presented the Regular Meeting Minutes dated March 8, 2010.

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

**REPORTS OF CITY OFFICIALS**

1. Email, dated March 9, 2010, regarding CDBG Activities Report. Submitted by Mary Jo Smith, Executive Director Community Development.
2. Email, dated March 9, 2010, regarding Bike Trail. Submitted by Mr. McAtee.
3. Email, dated March 9, 2010, regarding Miller Park Sewer Lining. Submitted by Denise Crews, Stormwater Coordinator.
4. Email, dated March 9, 2010, regarding Miller Park Sewer Lining. Submitted by Mrs. Bobbitt.
5. Two emails, dated March 10, 2010, regarding Miller Park Sewer Lining. Submitted by Mike Nixon, Superintendent, Water/Water Pollution Control.
6. Email, dated March 10, 2010, regarding Pre-Pay Gas. Submitted by Mr. Zekas.
7. Email, dated March 22, 2010, regarding Tonight's Legislation. Submitted by Denise Crews, Stormwater Coordinator.
8. Email, dated March 22, 2010, regarding Grant Request. Submitted by Terre L. Vandervoort, Law Director.

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

**COMMUNICATIONS**

- 1. Email, dated March 9, 2010, regarding 2010 Alzheimer's Disease Facts & Figures Report. Submitted by Maggie King, Marketing Intern, Alzheimer's Association, 3380 Tremont Rd., Columbus, Ohio 43221.
- 2. Email, dated March 9, 2010, regarding Bike Trail. Submitted by Jim Cornell, no address listed.
- 3. Letter, dated March 1, 2010, regarding Sells Crossing. Submitted by David Cooper, Jr., General Counsel, The Woda Group, LLC, 229 Huber Village Blvd., Westerville, Ohio 43085.

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**

Pat Goddard, 957 Spring Street, Lancaster, Ohio. Ms. Goddard is having problems with Donald & Natasha Cain, 963 Spring Street, Lancaster, Ohio and the business they are conducting out of their residence. Ms. Goddard has made numerous calls to try to have this issue rectified but is not getting anywhere. Ms. Goddard gave the Clerk a copy of the file including pictures and a log of events that have occurred at this residence.

**STANDING COMMITTEE REPORTS**

- 1. Finance Committee Meeting Minutes, dated March 22, 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 28-10 – Third Reading – **Permanent Resolution 34-10**

A RESOLUTION TO ADVANCE FUNDS FROM THE SANITATION FUND TO THE PUBLIC TRANSIT FUND FOR TWO ARRA STIMULUS GRANTS AND A FEDERAL CAPITAL IMPROVEMENT GRANT TO THE CITY OF LANCASTER PUBLIC TRANSIT

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

**Resolution Temporary 31-10 – Second Reading – Permanent Resolution 35-10**

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF PIPE AND FITTINGS FOR USE BY THE DIVISION OF WATER AND TO APPROPRIATE FUNDS

Mr. Zekas made a motion to suspend the rules and waive the third reading, 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 32-10 – Second Reading – Permanent Resolution 36-10**

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SUBMIT TO THE STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS THE CITY OF LANCASTER'S FISCAL YEAR (FY) 2010 COMMUNITY HOUSING IMPROVEMENT PROGRAM APPLICATION FUNDED UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM

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

**Resolution Temporary 33-10 – Second Reading – Permanent Resolution 37-10**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH ODOT TO PURCHASE SODIUM CHLORIDE (ROCK SALT) FOR THE 2010-2011 WINTER SEASON

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

**Resolution Temporary 36-10 – First Reading – Permanent Resolution 38-10**

A RESOLUTION TO APPROVE A SOUTH CENTRAL POWER COMPANY EASEMENT FOR THE UPPER HOCKING WATER POLLUTION CONTROL FACILITY 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 37-10 – First Reading**

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

**Resolution Temporary 38-10 – First Reading**

A RESOLUTION TO APPROPRIATE FUNDS WITHIN AN IMPROVEMENT FUND

**Resolution Temporary 39-10 – First Reading**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CONSTRUCTION CONTRACT

**Resolution Temporary 40-10 – First Reading – Permanent Resolution 39-10**

A RESOLUTION TO AMEND THE CERTIFICATE, UPDATE RECEIPTS, AND APPROPRIATE FUNDS FOR SENIORS CONTRACTUAL LINE ITEM

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.

**READING OF ORDINANCES****Ordinance Temporary 4-10 – Second Reading**

AN ORDINANCE TO RESTORE THE RIGHT OF ONE DIRECT ACCESS DRIVEWAY ONTO WEST FAIR AVENUE FROM RESERVE D OF THE OVERLOOK SECTION 1 DEVELOPMENT

**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. Jackson would like to see the City of Lancaster continue accepting credit cards from residents paying their utility bills. He does not want to see the fee passed on to the consumer but rather the City absorb this fee as they have done in the past.

Mr. McAtee said that the committee has not made a decision on this issue yet and that the article in the paper was only comments from two of the three committee members. The committee and the City will need to take a look at the profile to see how many people actually pay using their credit cards.

Mr. Touvell would like to encourage more residents to come to City Council Meetings and speak on issue that they may have. Mr. Touvell acknowledged that he has witnessed the problems at 963 Spring Street, Lancaster first hand and sees a problem with spot zoning.

Mr. Fagrell says he is aware of the issue at 963 Spring Street, Lancaster. The property owner has met the setback for the garage. This property owner applied for and received a permit for a home occupation. This can be revoked if they are not following what the permit was issued for. Mr. Fagrell said that he offered his cell phone number to Ms. Goddard but has never been called over this issue.

**ANNOUNCEMENTS****Next Regular Sessions of Council:**

Monday, April 12, 2010 @ 7:00 p.m.

Monday, April 26, 2010 @ 7:00 p.m.

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

**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**

Mrs. Bobbitt made a motion to adjourn, seconded by Mr. Zekas. Motion carried. Meeting adjourned at approximately 7:33 p.m.



Teresa Lee Sandy, Clerk of Council