

**LANCASTER CITY COUNCIL**

**LANCASTER, OHIO**

**PRAYER**

President Culver led the prayer before Council.

**REGULAR MEETING**

**MAY 24, 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, B. McAtee, T. Stoughton, W. Garbrandt, R. Touvell, B. Kuhn, S. Jackson, and R. Hedges.

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

**READING AND DISPOSING OF THE JOURNAL**

The Clerk presented the Regular Meeting Minutes dated May 10, 2010.

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

**REPORTS OF CITY OFFICIALS**

1. Email, dated May 10, 2010, regarding Service Committee Notice of Meeting & Agenda. Submitted by Mr. McAtee.
2. Email, dated May 10, 2010, regarding Proposed Emerald Ash Borer Management Plan. Submitted by Mitch Overton, Superintendent Lancaster City Parks.
3. Email, dated May 10, 2010, regarding Replacement of Sidewalk Removed by Gas Department. Submitted by Mr. McAtee.
4. Email, dated May 10, 2010, regarding Replacement of Sidewalk Removed by Gas Department. Submitted by Mrs. Bobbitt.
5. Email, dated May 11, 2010, regarding Replacement of Sidewalk Removed by Gas Department. Submitted by Mr. Stoughton.
6. Email, dated May 11, 2010, regarding MORPC. Submitted by President Culver.
7. Email, dated May 12, 2010, regarding Replacement of Sidewalk Removed by Gas Department. Submitted by Michael J. Courtney, Service-Safety Director.

8. Email, dated May 12, 2010, regarding Campground Road. Submitted by Mr. McAtee.
9. Email, dated May 12, 2010, regarding Special Meeting. Submitted by Toby Shamblin, Superintendent LDOT.
10. Email, dated May 12, 2010, regarding Service Committee Notice of Meeting and Agenda. Submitted by Mr. McAtee.
11. Email, dated May 12, 2010, regarding Update Campground Road. Submitted by David Smith, Mayor.
12. Email, dated May 13, 2010, regarding update Campground Road. Submitted by Mrs. Bobbitt.
13. Email, dated May 13, 2010, regarding Your Duck is Dead. Submitted by Mr. Zekas.
14. Email, dated May 14, 2010, regarding Election House Road. Submitted by Rick Mark, Assistant City Engineer.
15. Email, dated May 14, 2010, regarding Update Campground Road. Submitted by Mr. Hedges.
16. Email, dated May 14, 2010, regarding Notice of Public Hearing. Submitted by Mary Jo Smith, CDBG.
17. Email, dated May 14, 2010, regarding Notice of Public Hearing #2. Submitted by Mary Jo Smith, CDBG.
18. Two emails, dated May 15, 2010, regarding Minutes of May 14 Special Meeting. Submitted by Mr. Hedges.
19. Email, dated May 15, 2010, regarding Minutes of May 14 Special Meeting. Submitted by David Smith, Mayor.
20. Email, dated May 17, 2010, regarding Minutes of May 14 Special Meeting. Submitted by Mr. Stoughton.
21. Email, dated May 17, 2010, regarding Campground Road. Submitted by President Culver.
22. Email, dated May 17, 2010, regarding Citizens' Committee. Submitted by President Culver.
23. Email, dated May 17, 2010, regarding Campground Road Decision Process. Submitted by David Smith, Mayor.
24. Email, dated May 17, 2010, regarding Minutes of May 14 Special Meeting. Submitted by Mr. Zekas.
25. Email, dated May 17, 2010, regarding Minutes of May 14 Special Meeting. Submitted by Mrs. Garbrandt.
26. Email, dated May 19, 2010, regarding Swimming Pool Passes. Submitted by Mitch Overton, Superintendent Lancaster City Parks.
27. Email, dated May 19, 2010, regarding Swimming Pool Passes. Submitted by Mrs. Bobbitt.
28. Email, dated May 20, 2010, regarding Citizens' Committee Updated. Submitted by President Culver.
29. Two emails, date May 21, 2010, regarding Law Committee Meeting Minutes. Submitted by Mrs. Bobbitt.
30. Email, dated May 24, 2010, regarding Walk-in Legislation. Submitted by Toby Shamblin, Superintendent LDOT.
31. Email, dated May 24, 2010, regarding Notice of Public Hearing #2. Submitted by Mary Jo Smith, CDBG.
32. Email, dated May 24, 2010, regarding Notice of Public Hearing #2. Submitted by Mrs. Bobbitt.

33. Email, dated May 24, 2010, regarding Council Meeting May 24, 2010. Submitted by Mr. Zekas.
34. Email, dated May 24, 2010, regarding 2011 Tax Budget. Submitted by Tricia Nettles, City Auditor.

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

#### **COMMUNICATIONS**

1. Email, dated May 10, 2010, regarding Replacement of Sidewalk removed by Gas Department. Submitted by Mark Nusser, 816 North High Street, Lancaster, Ohio 43130.
2. Email, dated May 11, 2010, regarding Replacement of Sidewalk removed by Gas Department. Submitted by Mark Nusser, 816 North High Street, Lancaster, Ohio 43130.
3. Email, dated May 11, 2010, regarding MORPC. Submitted by Amelia Costanzo, Associate Planner, Mid-Ohio Regional Planning Commission, 111 Liberty Street, Suite 100, Columbus, Ohio 43215.
4. Notice to Legislative Authority of Application for New Liquor License. TO M A Nalley & Associates LLC, 1267 North Columbus Street, 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 Transfer of Liquor License. TO M A Nalley & Associates LLC, 1267 North Columbus Street, Lancaster, Ohio 43130. FROM :Stinkin Dads Sports Bar & Grill LLC, 1267 North Columbus Street, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43069-9005.
6. Email, dated May 16, 2010, regarding Replacement of Sidewalk removed by Gas Department. Submitted by Mark Nusser, 816 North High Street, Lancaster, Ohio 43130.

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

#### **SPECIAL PRESENTATION (Awards)**

The Citizens' Committee presented their findings to Council. The following members spoke on the following issues:

Dick Scamehorn Chairman of the committee explained that several meeting and research was necessary to complete these finding and that the Committee is in total agreement with the information provided. There were 10 areas that were studied and each person will be speaking on those issues. Ken Mogle spoke on the Fire Department; Stephanie Pentiuk spoke on the Police Department; Bob Slagle spoke on the Streets; Paul DeLong spoke on New Buildings; Gary Norris spoke on Building Maintenance on Existing Structures; Jim Chilenski spoke on Communications; Dick Scamehorn spoke on Demographics for Mina Ubbing who could not be present; Shawna Green spoke on Economic Development; Bob Snide spoke on ODOT Roads; and Dick Scamehorn spoke on Finances.

These items will be reviewed by the Administration and City Council in the weeks to come. Dialogue is requested on all of these issues whether by email or during the City Council Meetings.

A copy of their report is on file with the Clerk of Council.

### **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 May 24, 2010. Submitted by Mr. Stoughton.
2. Service-Committee Meeting Minutes, dated May 13, 2010. Submitted by Mr. McAtee.
3. Public Works Committee Meeting Minutes, dated May 14, 2010. Submitted by Mr. Hedges.
4. Law Committee Meeting Minutes, dated May 19, 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 45-10 – Third Reading – **Permanent Resolution 53-10**

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

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

Resolution Temporary 47-10 – Third Reading – **Permanent Resolution 54-10**

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

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

Resolution Temporary 48-10 – Third Reading – **Permanent Resolution 55-10**

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

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

**Resolution Temporary 54-10 – First Reading – Permanent Resolution 56-10**

A RESOLUTION TO AMEND THE CERTIFICATE, UPDATE RECEIPTS, AND TO APPROPRIATE FUNDS

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

**Resolution Temporary 55-10 – First Reading**

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

**Resolution Temporary 56-10 – First Reading**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR BIOSOLIDS DEWATERING/ ALKALINE STABILIZATION/LAND APPLICATION SERVICES

**Resolution Temporary 57-10 – First Reading**

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

**Resolution Temporary 58-10 – First Reading – Permanent Resolution 57-10**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AMENDMENT I TO THE HULL & ASSOCIATES CONTRACT

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 8-0, with eight members voting yes.

**Resolution Temporary 59-10 – First Reading**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH BIDDING BY PURCHASING FROM THE STATE COOPERATIVE PURCHASING PROGRAM BY ENTERING INTO A CONTRACT WITH STRAWSER CONSTRUCTION INC, TO PERFORM THE SAMI AND MICRO APPLICATIONS ON THE VAN BUREN/MAUD/BRUMFIELD PROJECTS, AND REQUESTING THE LANCASTER PORT AUTHORITY TO APPROPRIATE FUNDS

**Resolution Temporary 60-10 – First Reading**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH BIDDING BY PURCHASING FROM THE STATE COOPERATIVE PURCHASING PROGRAM BY ENTERING INTO A CONTRACT WITH STRAWSER CONSTRUCTION INC, TO PERFORM THE SAMI AND MICRO APPLICATIONS ON THE FIFTH AVENUE PROJECT, AND REQUESTING THE LANCASTER PORT AUTHORITY TO APPROPRIATE FUNDS

## READING OF ORDINANCES

### Ordinance Temporary 5-10 – Third Reading – Permanent Ordinance 7-10

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

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

### Ordinance Temporary 6-10 – First Reading

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

### Ordinance Temporary 7-10 – First Reading – Permanent Ordinance 8-10

AN ORDINANCE TO ESTABLISH THE BUSTR FINANCIAL RESPONSIBILITY FUNDS FOR WATER POLLUTION CONTROL AND THE FUEL DEPOT, DECLARING AN EMERGENCY, AUTHORIZING THE AUDITOR TO AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR, UPDATE RECEIPTS, APPROPRIATE AND TRANSFER FUNDS, AND REPEAL ORDINANCE 5-09

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 8-0, with eight members voting yes.

## 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

There was discussion on Temporary Resolutions 59-10 and 60-10 and that these resolutions were a good use of how Council planned to use Pre-Pay Gas Funds. Other projects may be able to be financed since the Columbus Street repaving set for summer 2011 will cost much less than anticipated.

There was also discussion on the 2014 Project to pave St. Rt. 22 from Memorial Drive/or High Street to the corporation limit to the St. Rt. 22/37 split and that we will need to keep in mind that we will need for our cash match for this project and it could be quite costly.

#### **ANNOUNCEMENTS**

##### **Next Regular Sessions of Council:**

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

Monday, June 28, 2010 @ 7:00 p.m.

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

#### **READING OF BILLS**

Newspaper Network     \$70.90

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 Mrs. Garbrandt. Motion carried.  
Meeting adjourned at approximately 8:21 p.m.

  
\_\_\_\_\_  
Teresa Lee Sandy, Clerk of Council