

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

President Culver led the prayer before Council.

**REGULAR MEETING**

**November 22, 2010**

**CALL TO ORDER**

President Culver called the meeting to order at approximately 7:20 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, S. Jackson, and R. Hedges.

**READING AND DISPOSING OF THE JOURNAL**

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

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

**REPORTS OF CITY OFFICIALS**

1. Four emails, dated November 16, 2010, regarding Law Committee. Submitted by Mrs. Bobbitt.
2. Two emails, dated November 16, 2010, regarding Law Committee. Submitted by Law Director Vandervoort.
3. Email, dated November 16, 2010, regarding Service Committee Agenda. Submitted by Mr. McAtee.
4. Email, dated November 17, 2010, regarding Law Committee. Submitted by Mrs. Bobbitt.
5. Email, dated November 18, 2010, regarding 2011 Budget. Submitted by David Smith, Mayor.
6. Email, dated November 19, 2010, regarding 2011 Budget – First Draft. Submitted by David Smith, Mayor.
7. Email, dated November 22, 2010, regarding Service Committee Agenda. Submitted by Mr. McAtee.
8. Two emails, dated November 22, 2010, regarding Walk-ins. Submitted by Mr. Stoughton.

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

## COMMUNICATIONS

1. Letter, dated November 4, 2010, regarding Permit Renewal Objections. Submitted by Department of Commerce, Division of Liquor Control, P.O. Box 4005, Reynoldsburg, Ohio 43068.
2. Email, dated November 11, 2010, regarding Public Records Requests. Submitted by Joe Geissler, Lancaster Eagle Gazette, West Chestnut Street, Lancaster, Ohio 43130.
3. Email, dated November 12, 2010, regarding Public Records Requests. Submitted by Joe Geissler, Lancaster Eagle Gazette, West Chestnut 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

Petition for annexation of the Nauman Property, received on November 15, 2010 at 10:58 a.m. from Attorney Laura MacGregor Comek, of Crabbe, Brown, & James. All Council Members received a copy of the petition in their Council Packets.

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

## 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 November 22, 2010. Submitted by Mr. Stoughton.
2. Service-Committee Meeting Minutes, dated August 12, 2010. Submitted by Mr. McAtee.
3. Safety Committee Meeting Minutes, dated October 8, 2010. Submitted by Mr. Jackson.

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.

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

## PUBLIC HEARING

There were no Public Hearings before Council this evening.

## READING OF RESOLUTION

Resolution Temporary 133-10 – Second Reading – **Permanent Resolution 135-10**

A RESOLUTION AUTHORIZING THE LANCASTER POLICE DEPARTMENT TO GO OUT FOR BIDS FOR THE SALE OF TWO ANTIQUE RIFLES

Mr. Jackson made a motion to suspend the rules and waive the third reading, seconded by Mrs.

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

Resolution Temporary 134-10 – Second Reading

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

Resolution Temporary 136-10 – First Reading

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

Resolution Temporary 137-10 – First Reading – **Permanent Resolution 136-10**

A RESOLUTION TO DECREASE/INCREASE APPROPRIATIONS IN VARIOUS ACCOUNTS WITHIN THE PARKS & RECREATION FUND LINE ITEMS

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 138-10 – First Reading – **Permanent Resolution 137-10**

A RESOLUTION INDICATING SERVICES TO BE PROVIDED BY THE MUNICIPAL CORPORATION TO ANNEXED TERRITORY OF THE NAUMAN ANNEXATION (.134 ACRES) +/- FROM GREENFIELD TOWNSHIP

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

Resolution Temporary 139-10 – First Reading – **Permanent Resolution 138-10**

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

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

Resolution Temporary 140-10 – First 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

Resolution Temporary 141-10 – First Reading – **Permanent Resolution 139-10**

A RESOLUTION TO AUTHORIZE RETAINING OUTSIDE LEGAL COUNSEL

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

#### **READING OF ORDINANCES**

Ordinance Temporary 19-10 – First Reading – **Permanent Ordinance 19-10**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF ONE MILLION SEVEN THOUSAND ONE HUNDRED DOLLARS (\$1,007,100.00) NOTES FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING AND IMPROVING REAL PROPERTY AND INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

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.

**Ordinance Temporary 20-10 – First Reading**

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

**Ordinance Temporary 21-10 – First Reading**

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

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

AN ORDINANCE CONSENTING TO ANNEXATION FOR THE NAUMAN ANNEXATION  
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.

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

AN ORDINANCE ADOPTING THE ZONING MAP FOR THE NAUMAN ANNEXATION  
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**

**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 no New Business or Special Presentations before Council this evening.

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

Monday, December 6, 2010 at 7:00 p.m.  
Monday, December 13, 2010 at 7:00 p.m.  
Monday, January 10, 2011 at 7:00 p.m.

**READING OF BILLS**

\$275.35      Lancaster Eagle Gazette.

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**

Mrs. Garbrandt made a motion to adjourn, seconded by Mr. McAtee. Motion carried.  
Meeting adjourned at approximately 7:50 p.m.

  
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Teresa Lee Sandy, Clerk of Council