

**LANCASTER CITY COUNCIL****LANCASTER, OHIO****REGULAR MEETING**

May 4, 2020

**PRAYER****CALL TO ORDER**

President Uhl called the meeting to order at approximately 6:45 p.m., in via Zoom.

**PLEDGE OF ALLEGIANCE**

President Uhl led Council in the Pledge of Allegiance.

**ROLL CALL**

The following members of Council were present:

Mrs. Bobbitt, Mrs. Downour, Mr. James, Mr. Mattlin, Mr. McDaniel, Mr. Schoonover, Mr. Stoughton, and Mrs. Tener.

President Uhl asked that the record reflect that eight of nine members are in attendance tonight.

Mr. Schoonover made a motion to excuse Mr. Hall from tonight's meeting, seconded by Mrs. Bobbitt. The motion carried.

**READING AND DISPOSING OF THE JOURNAL**

The Clerk presented the Regular Meeting Minutes dated April 27, 2020.

Mr. Schoonover made a motion to receive and file the Journal, seconded by Mrs. Bobbitt. After no discussion, the motion carried.

**REPORTS OF CITY OFFICIALS**

1. Email, dated May 1, 2020, regarding Water/Water Pollution Control Meeting. Submitted by Mr. James.
2. Email, dated May 1, 2020, regarding LFD OT Legislation. Submitted by Chief Ward.
3. Email, dated May 4, 2020, regarding Water/Water Pollution Control Meeting. Submitted by Superintendent Mike Nixon.
4. Email, dated May 4, 2020, regarding Agenda for 5/4 Finance Committee. Submitted by Mrs. Downour.
5. Email, dated May 4, 2020, regarding LFD OT Legislation. Submitted by Mr. Stoughton.

Mr. Schoonover made a motion to receive and file the Reports of City Officials, seconded by Mrs. Bobbitt. The motion carried.

### **COMMUNICATIONS**

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 minutes for April 27, 2020, submitted by Mrs. Downour.

Mr. Schoonover made a motion to receive and file the Reports of Standing Committees, seconded by Mrs. Bobbitt. The motion carried.

President Uhl asked that the record reflect that Mr. Hall joined the meeting at 6:51 p.m.

### **REPORTS OF SPECIAL COMMITTEES**

There were no Reports of Special Committees presented to Council this evening.

### **PUBLIC HEARING**

There were no Public Hearings scheduled before Council this evening.

### **READING OF RESOLUTIONS**

#### **Resolution Temporary 60-20 – Third Reading – May 4, 2020 – Withdraw**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND TO AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE GENERAL FUND (101)

Mrs. Downour made a motion to withdraw Temporary Resolution 60-20, seconded by Mr. Stoughton.

President Uhl stated that this is a privileged motion and requested the Clerk to call the roll. The motion to withdraw carried 9-0.

#### **Resolution Temporary 64-20- Second Reading – Permanent Resolution 69-20**

A RESOLUTION TO ADOPT CITY OF LANCASTER POLICIES REGARDING FEDERAL GRANTS

Mrs. Downour made a motion to suspend the rules and waive the third reading of Temporary Resolution 64-20, seconded by Mr. Stoughton.

President Uhl asked if there is any further/other discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 9-0.

Mrs. Downour made a motion to pass, engross, and enter upon the written record Temporary Resolution 64-20, seconded by Mr. Stoughton.

Mrs. Downour indicated this will put into place policies regarding federal grants. It is required that the City of Lancaster have these policies in place to accept federal grant funding.

President Uhl asked if there is any further discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 9-0.

**Resolution Temporary 66-20- First Reading – May 4, 2020**

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) WATER POLLUTION CONTROL LOAN FUND (WPCLF) PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED

Mr. James indicated this resolution specifically is targeted at loans to help upgrade Water Pollution Plant on Lawrence Street. Several questions came up during the finance committee meeting and he would like to refer questions to Steven Wellstead. Mr. James also indicated the next Water/Water Pollution Committee meeting is scheduled for 5/13 meeting at Water Pollution Plant, and has decided to have a change in venue to 1897 room at City Hall. Mr. James added the 1897 Conference room will add the needed social distancing and that his wife is still in a fragile state and this concerned to him. Mr. James asked Mr. Wellstead if he would be able to have the rate study available for the next committee meeting on May 13<sup>th</sup>.

Mr. Wellstead indicated that he could not answer questions at this time, and took notes of concerns. He will discuss all of this with Superintendent Mike Nixon and Stormwater Manager Denise Crews and have emails out as soon as he can.

Mr. James asked what would happen if the grant is not taken advantage of to do repairs.

Mr. Wellstead responded that he is not in a position to answer that. Last updates were done in the 1990's and equipment at use of life, they are seeing more and more issues with equipment, pushing back will add additional costs and possible outages.

Mr. James indicated when he toured the facility equipment was badly worn out. Mr. James asked about the loan percentage rate being zero, and that it will change.

Mr. Wellstead indicated that he made an error in the legislation listing a zero percent rate, and that the will be corrected prior to the next Council meeting.

Mr. James asked Mr. Wolfinger if he could give Council an idea of what debt may be retired to help pay for this and have this information at the next meeting. Mr. James indicated this was first reading.

Mr. Stoughton indicated at the end of day this is a financial issue. Mr. Stoughton indicated nowhere in the legislation talked about the 21.25 million dollars, this is a lot of money and will need to be paid back. Rate payers need transparency how it will be paid for. Mr. Stoughton indicated that he is not arguing the need, but the City needs to be well transparent of cost and how long it will take to be paid for.

Mr. Hall indicated that maybe the next Water/Water Pollution Committee be held as a Zoom meeting, with the importance of this meeting and will allow the public to observe the conversation. He also indicated that we are not out of the woods, 12 infections over the weekend of COVID.

President Uhl agrees that the committee chair should get with Innerphase to stream the committee meeting or President Uhl indicated that he could find out at the end of the meeting.

President Uhl asked if there were other there comments on this legislation.

Service-Safety Director Paul Martin indicated that Innerphase has volunteered to place the BZA and Planning Commission on Boxcast. He also asked if this resolution should be amendment to place an amount within it.

President Uhl asked about timing issue.

Mr. Wellstead would like two readings to get nomination submitted as soon as possible to get to the top of the list. By chance if there are some that get pushed back we are less likely to get pushed back. Two readings are better than three, but can go three.

President Uhl indicated that he will leave it up to the sponsor, but mentioned that the third reading will fall on the 8<sup>th</sup> and that meeting will be in person.

Mrs. Downour concerned resolution gives mayor authorization to go into contract. Would like that option removed, and only allow for submittal.

Mr. Wellstead responded yes, nomination/application not locking in just getting on list. The removal of that language for the execution of contracts would be fine.

President Uhl indicated that there will be an amendment at the next meeting and may address some of the concerns.

Mrs. Bobbitt indicted that she agreed that we should remove the language to authorize contract and two other changes. There are several other questions, maybe in two weeks Mr. Wellstead can have answers to Council.

Mr. James indicated the Water/Water Pollution Committee will meet on May 13<sup>th</sup> in the 1897 City Hall in person at 8:00 a.m.

Pres. Uhl indicated that Innerphase confirmed via text that they can do the Zoom meeting.

Mr. James indicated that the meeting will be open and public for transparency and there is no need for that.

President Uhl indicated that Mr. James will not be broadcasting through Innerphase.

Mr. James, indicated no, this will be an in person meeting and only a change of venue. This is the first reading.

**Resolution Temporary 67-20- First Reading – May 4, 2020**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE, AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR, AND TO INCREASE ESTIMATED RECEIPTS IN THE LDOT FUND (208)

Mr. Schoonover indicated this is the first of three readings.

President Uhl asked if there were any other resolutions to come before Council this evening. With none, we moved on to the next order of business.

**READING OF ORDINANCES**

President Uhl asked if there were any ordinances to come before Council this evening. With none, we moved on to the next order of business.

**TABLED LEGISLATION**

**Ordinance Temporary 32-19 – Third Reading – January 27, 2020 - TABLED**

AN ORDINANCE TO AMEND SECTIONS 183.012, 183.013 AND 183.02 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, OHIO, IN ORDER TO PROVIDE FOR THE LEVY OF AN ADDITIONAL FORTY-FIVE HUNDREDTHS OF ONE PERCENT (0.45%) INCOME TAX, EFFECTIVE JANUARY 1, 2021, ON THE SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION SUBJECT TO THE MUNICIPAL INCOME TAX WITH ALL SUCH TAX TO BE USED FOR THE PURPOSE OF OPERATING, MAINTAINING, REPAIRING, AND PROVIDING CAPITAL FACILITIES FOR THE FIRE AND POLICE DEPARTMENTS OF THE CITY, AND TO DECLARE AN EMERGENCY

**Finance (Stoughton/McDaniel) (3 Readings)**

**Ordinance Temporary 1-20 – Third Reading – February 24, 2020 - TABLED**

AN ORDINANCE TO VACATE A PORTION OF LOWELL DRIVE AND ALL OF EMERSON BOULEVARD WITHIN JOHN D. VAN GUNDY'S REVISION OF THE COLONIAL HEIGHTS ADDITION AND TO DECLARE AN EMERGENCY

**Economic Development (McDaniel/Downour) (3 Readings)**

**Ordinance Temporary 4-20 – Third Reading – March 23, 2020 -TABLED**

**Public Hearing set April 13, 2020 at 6:30 p.m.**

AN ORDINANCE AMENDING THE ZONING MAP FOR THE 18.939 ACRE PROPERTY BETWEEN NORTH MEMORIAL DRIVE AND NORTH COLUMBUS STREET/NELSON ROAD PARCEL NUMBERS 0532152400, 0532152600, 0532144900, 0532145000

**Economic Development (McDaniel/Downour) (3 Readings)**

**Public hearing set – Monday, June 8, 2020 at 6:30 p.m. at Olivedale Senior Center**

**Ordinance Temporary 5-20 – Third Reading – March 23, 2020-TABLED**

**Public Hearing set April 13, 2020 at 6:30 p.m.**

AN ORDINANCE AMENDING THE ZONING MAP FOR THE 21.000 ACRE PROPERTY CONSISTING OF THREE PARCELS LOCATED ALONG CAMPGROUND

ROAD AND INCLUDING THE EXISTING RESIDENCE ADDRESS 1443 CAMPGROUND ROAD PARCEL NUMBERS 0531004100, 053-1004300, AND 0531004110

**Economic Development (McDaniel/Stoughton) (3 Readings)**

**Public hearing set – Monday, June 8, 2020 at 6:30 p.m. at Olivedale Senior Center**

**Resolution Temporary 45-20- Third Reading – April 13, 2020-TABLED**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE PARKS AND RECREATION FUND (212), AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR

**Service (Tener/Mattlin) (3 Readings)**

**Ordinance Temporary 6-20 – Third Reading – April 27, 2020 -----TABLED**

AN ORDINANCE AMENDING THE ZONING MAP FOR THE 12.646 ACRE TRACT, PARCEL NUMBER 0534000700, BEHIND 2535 EAST MAIN STREET

**Code Enforcement & Zoning (McDaniel/Stoughton) (3 Readings)**

**Public hearing set – Monday, June 8, 2020 at 6:30 p.m. at Olivedale Senior Center**

#### UNFINISHED BUSINESS

Mr. Mattlin spoke about the potential for layoffs in safety force. As most everyone knows, Mr. Mattlin is a retired firefighter who was hired in 1991, he has been through many layoffs. If layoffs must occur again, he understands that it is a very hard decision and does not envy the Mayor or Service-Safety Director. The administration really needs to take a look at what are the essential employees and look at those salaries that come from the General Fund and try to cut other positions prior to safety forces being cut. He suggest getting outside of your box and look at hirer salaries and position that could be abolished temporarily.

Mr. Stoughton asked Mayor Scheffler if he has received all budget adjustments cutting 10-20 percent from each department.

Mayor Scheffler responded that he has received all from the General Fund, but nothing from the court. Mayor Scheffler indicated that the judges have authority to order budgets whether council approves it or not.

Mr. Stoughton asked if he was getting any cooperation from the courts.

Mayor Scheffler responded that they are certainly open for discussion, how far that goes is another thing. Mayor Scheffler stated that the administration hears Mr. Mattlin's concerns.

Mr. Mattlin indicated that he is learning a lot from Mr. Stoughton who is teaching all a lease on how to their job and it is much appreciated.

President Uhl indicated that he has also learned from Mr. Stoughton and great depth of knowledge that he brings to this.

Service-Safety Director Martin indicated that the administration is considering cutting more than just safety forces, and that everyone is on the table. This is going to be the hardest thing in his life that he has ever done and hopes that we don't have to go that route. He also indicated that the levy will have to be passed at some point, there is only so much cutting that can be done.

President Uhl indicated he was not on City Council the last time layoff occurred, but had knowledge how difficult of a decision for the administration to make. Hopefully the Federal government will get thing in place and this won't have to happen.

Pres asked for Mr. Stoughton to make motion for clerk to attend the public records training.

Mr. Stoughton made a motion that Clerk Sandy attend the online Open Public Records/Sunshine Law Training for Elected Officials as proxy for Mr. Stoughton, Mrs. Downour, President Uhl, and Melody Bobbitt, second by Mr. Schoonover. Motion carried.

President Uhl asked if there is any other unfinished business this evening, with none, we moved on to the next order of business.

### **NEW BUSINESS/SPECIAL PRESENTATION**

President Uhl asked if there is any new business this evening, with none, we moved on to the next order of business.

### **ANNOUNCEMENTS**

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

1. May 18<sup>th</sup> at 6:30 p.m. Via Zoom
2. June 8<sup>th</sup> at 6:30 p.m. at Olivedale
  - a. Public Hearings on Temp. Ord. 4-20; 5-20; and 6-20

#### **Upcoming Special Meetings:**

1. None

#### **Upcoming Committee Meetings for the next 30 days:**

1. Water/WPC – May 13<sup>th</sup> at 8:00 a.m. City Hall 1897 CR
2. Finance – May 18<sup>th</sup> at 6:00 p.m. – via Zoom
3. Safety – May 22<sup>nd</sup> at 7:30 a.m. – City Hall 1897 CR
4. Code Enforcement & Zoning – June 1<sup>st</sup> at 8:00 a.m. – City Hall 1897 CR

### **READING OF BILLS**

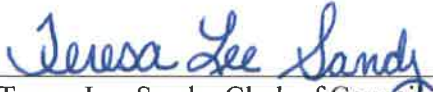
There were no bills before Council this evening.

### **EXECUTIVE SESSION**

There were no requests for Executive Session this evening.

### **ADJOURNMENT**

Mr. Schoonover made a motion to adjourn, seconded by Mrs. Bobbitt. Motion carried. Meeting adjourned at approximately 7:24 p.m.

  
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 Teresa Lee Sandy, Clerk of Council