LANCASTER CITY COUNCIL

LANCASTER, OHIO

REGULAR MEETING

September 23, 2019

PRAYER

CALL TO ORDER

President Uhl called the meeting to order at approximately 6:50 p.m., in Council’s Chambers.

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. Groff, Mr. Hall, Mr. McDaniel, Mr. Schoonover, Mr. Stoughton, and Mrs. Tener, and Mr. Woodgeard.

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

READING AND DISPOSING OF THE JOURNAL

The Clerk presented the Regular Meeting Minutes dated September 9, 2019.

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

REPORTS OF CITY OFFICIALS

1. Email, dated September 17, 2019, regarding the Economic Development Committee Meeting Agenda submitted by Mr. McDaniel

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

COMMUNICATIONS

1. Email, dated September 12, 2019, regarding Lancaster City Council. Submitted by Rob Moore, Principal Scioto Analysis.

Mr. Schoonover made a motion to receive and file the Communications, seconded by Mr. Groff. The 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

Debbie Probasco, 850 Second Street, Lancaster. Ms. Probasco addressed City Council this evening in regards to reconsideration of the scheduled removal of the traffic light at Broad and Hubert Street.

STANDING COMMITTEE REPORTS

1. Finance Committee Meeting minutes for September 23, 2019, submitted by Mr. Stoughton.
2. Water/Water Pollution Control Meeting minutes for September 18, 2019, submitted by Mr. Woodgeard.
3. Law Committee Meeting minutes for August 14, 2019, submitted by Mr. Groff.

Mr. Schoonover made a motion to receive and file the Reports of Standing Committees, seconded by Mr. Groff. The 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 scheduled before Council this evening.

READING OF RESOLUTIONS

Resolution Temporary 102-19 – Third Reading – Permanent Resolution 106-19

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE FAIRFIELD COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 102-19, seconded by Mr. McDaniel.

Mr. Stoughton explained this is a required piece of legislation, passed by Council, and returned to the County Auditor for specific collection of property tax and property tax evaluation.

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 104-19 – Third Reading – Permanent Resolution 107-19

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT AND BYLAWS OF THE OHIO TRANSIT RISK POOL
Mr. Schoonover made a motion to pass, engross, and enter upon the written record Temporary Resolution 104-19, seconded by Mrs. Tener.

Mr. Schoonover explained that this legislation allows Public Transit to join the Ohio Transit Risk Pool, at no costs to the City, and the Risk Pool gives the City extra resources. With the possibility of bringing Transit in-house, that will be discussed later, the City can get their insurance rates through the Risk Program.

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 106-19 – Second Reading – September 23, 2019**

A RESOLUTION TO AMEND APPROPRIATION BUDGETS, THEN AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE GENERAL FUND (101) AND VAWA FUND (225)

Mr. Stoughton stated that this is the second reading.

**Resolution Temporary 107-19 – Second Reading – Permanent Resolution 108-19**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN GENERAL FUND (101), INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE .45 POLICE & FIRE LEVY FUND (247); AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR; AND TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE .15 FIRE LEVY FUND (246)

Mr. Hall made a motion to suspend the rules and waive the third reading of Temporary Resolution 107-19, seconded by Mr. Woodgaard.

Mr. Hall explained as noted in the last meeting, this fire department needs additional resources to cover significant overage in their overtime account. This is all due to losses of full time staff, and will be largely offset by reductions in salaries.

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

Mr. Hall made a motion to pass, engross, and enter upon the written record Temporary Resolution 107-19, seconded by Mr. Woodgaard.

President Uhl asked if there was any further discussion or discussion around the table.

Mr. Stoughton stated reading this resolution, it is government 101, and you can’t really tell that it is a Fire Department piece. Mr. Stoughton asked that future legislation contain additional information, so that it the legislation identifies which department is requesting the additional 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 110-19 – Second Reading – September 23, 2019**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT(S) FOR MOWING AND OTHER LANDSCAPE MAINTENANCE SERVICES FOR THE CITY CEMETERIES
Mr. Schoonover stated that this is the second of three readings.

**Resolution Temporary 112-19 – First Reading – Permanent Resolution 109-19**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO NEGOTIATE AND ENTER INTO LAND PURCHASES FOR RIGHT-OF-WAY DEDICATION AND TEMPORARY WORK EASEMENTS AS NECESSARY FOR THE ETY ROAD SAFETY IMPROVEMENT PROJECT

Mrs. Bobbitt made a motion to suspend the rules and waive the third reading of Temporary Resolution 112-19, seconded by Mrs. Tener.

Mrs. Bobbitt explained that this resolution is for safety for the Ety Road/Columbus Street intersection. There has been a lot of work done easements and engineering work for the entire project, and the parties involved would like to get this project moving forward sooner than three readings, and that is why she is asking for suspension this evening.

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

Mrs. Bobbitt made a motion to pass, engross, and enter upon the written record Temporary Resolution 112-19 seconded by Mrs. Tener.

President Uhl asked if there is any other 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 113-19 – First Reading – September 23, 2019**

A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE CITY OF PICKERINGTON FOR PROSECUTION OF CASES ARISING FROM CRIMINAL AND OTHER OFFENSES THAT OCCUR IN THE CITY OF PICKERINGTON WITHIN FAIRFIELD COUNTY, OHIO, AND TO ACCEPT PAYMENT

Mr. Stoughton explained that this and the next two resolutions will allow the Law Director to go out and negotiation on behalf of the City to prosecute cases. Pickerington and Reynoldsburg resolutions are done annually, the Law Director will also have to negotiate the contract with the County Commissioners. This is the first of three readings.

**Resolution Temporary 114-19 – First Reading – September 23, 2019**

A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE CITY OF REYNOLDSBURG FOR PROSECUTION OF CASES ARISING FROM CRIMINAL AND OTHER OFFENSES THAT OCCUR IN THE CITY OF REYNOLDSBURG WITHIN FAIRFIELD COUNTY, OHIO, AND TO ACCEPT PAYMENT

Mr. Stoughton stated that this is the first of three readings.

**Resolution Temporary 115-19 – First Reading – September 23, 2019**

A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE FAIRFIELD COUNTY COMMISSIONERS FOR PROSECUTION OF CASES ARISING FROM CRIMINAL AND OTHER OFFENSES THAT OCCUR IN THE UNINCORPORATED AREAS AND VILLAGES WITHIN FAIRFIELD COUNTY, OHIO, AND TO ACCEPT PAYMENT
Mr. Stoughton stated that this is the first of three readings.

Resolution Temporary 116-19 – First Reading – Permanent Resolution 110-19
A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE LDOT FUND (208), AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR

Mr. Schoonover made a motion to suspend the rules and waive the third reading of Temporary Resolution 116-19, seconded by Mrs. Tener.

Mr. Schoonover explained that this resolution will cover summer overtime expenses and vacation within the street department, and he is asking for the suspension to allow for the funds to be appropriated into the account.

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

Mr. Schoonover made a motion to pass, engross, and enter upon the written record Temporary Resolution 116-19, seconded by Mrs. Tener.

President Uhl asked if there is any other 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 117-19 – First Reading – September 23, 2019
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES

Mr. Stoughton explained that this is the two year renewal contract with the Fairfield County General Health District and is the first of three readings.

Resolution Temporary 118-19 – First Reading – September 23, 2019
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CMI FOR SOFTWARE FOR THE INCOME TAX DEPARTMENT, AND TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE INCOME TAX FUND (216), AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR

Mr. Stoughton explained this is to acquire the updated application from CMI to take better control of the City’s data and finances in the Income Tax Department. This update will allow improve reporting and collection opportunities, and is encouraged by this opportunity to update this module because the last sixteen years he has been an advocate for more and better information about the City’s income tax department, and is the first of two readings

Resolution Temporary 119-19 – First Reading – September 23, 2019
A RESOLUTION SCHEDULING LANCASTER CITY COUNCIL MEETINGS FOR 2020

Mr. Groff explained this is establishing the schedule for 2020 Council Meetings and is based on last years scheduled and is the first of three readings.
Resolution Temporary 120-19 – First Reading – September 23, 2019
A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN AMENDMENT TO THE ENGINEERING AGREEMENT FOR THE FIFTH/SIXTH/ FOREST ROSE PROJECT DESIGN

Mr. Woodgeard stated that this is the first of three readings.

Resolution Temporary 121-19 – First Reading – September 23, 2019
A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS FOR THE UNION MULBERRY PHASE 3 STORM SEWER PROJECT

Mr. Woodgeard explained that this is for storm sewers in another section of town and is very expensive project, but it is one of the ones that needs to be done. The City is about halfway through their list. The City has large older sections to complete that may be more expensive as we go along. Mr. Woodgeard stated that this is the first of three readings.

Resolution Temporary 122-19 – First Reading – Permanent Resolution 111-19
A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CHANGE ORDER FOR THE PIONEER ALLEY STORM SEWER REPLACEMENT PROJECT, AND FOR THE ISSUANCE OF ONE THEN AND NOW CERTIFICATE FOR PAYMENT OF WORK COVERED UNDER THIS CHANGE ORDER

Mr. Woodgeard made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 122-19, seconded by Mr. Hall.

Mr. Woodgeard resolution will enable the City to finish the project that has been going on for some time in Pioneer Alley, and will be the final phase to get this taken care of.

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

Mr. Woodgeard made a motion to pass, engross, and enter upon the written record Temporary Resolution 122-19, seconded by Mr. Hall.

President Uhl asked if there is any other 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 123-19 – First Reading – September 23, 2019
A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE PARKS FUND (212), AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR

Mrs. Bobbitt stated that this is the first of three readings.

Resolution Temporary 124-19 – First Reading – September 23, 2019
A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL’S OFFICE FOR THE COLLECTION OF PAST DUE TAX DOLLARS AND NON-FILE DELINQUENCY ISSUES

Mr. Stoughton explained this resolution will give the City the opportunity have another entity help collect delinquent taxes using the data, that they have, and hopefully allow the City to collect more delinquent funds, and their only fee is a portion of collection in which the state takes, and is a win win.
Mr. Stoughton stated that this is first of three readings.

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

READING OF ORDINANCES

Ordinance Temporary 14-19 – First Reading – September 23, 2019
AN ORDINANCE TO ACCEPT THE FINAL PLAT FOR MISTY MEADOWS SECTION 4

Mrs. Tener stated that this is the first of three readings.

Ordinance Temporary 15-19 – First Reading – September 23, 2019
AN ORDINANCE AUTHORIZING THE CITY OF LANCASTER TO ENTER INTO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (“NOPEC”) BY EXECUTION AND DELIVERY OF THE AGREEMENT ESTABLISHING NOPEC AND APPROVING THE BYLAWS OF NOPEC, AND DECLARING AN EMERGENCY

Mr. Stoughton explained the next two pieces are the City joining NOPEC, which is a buying consortium and also allowing NOPEC to negotiate the City’s electric aggregation on the City’s behalf and the citizens of Lancaster. The City is throwing their energy consumption use in a much larger pool, and should drive down the amount paid. This allows a cost savings on both fronts. The City is required to have a couple public hearings, and will be scheduled accordingly. This is the first of three readings.

Ordinance Temporary 16-19 – First Reading – September 23, 2019
AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC (NORTHEAST OHIO PUBLIC ENERGY COUNCIL) ELECTRIC AGGREGATION PROGRAM, FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN ELECTRIC AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY

Mr. Stoughton stated that this is the first of three readings.

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

TABLED LEGISLATION

Ordinance Temporary 11-19* – Third Reading – August 12, 2019 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 INCREASE THE CITY INCOME TAX RATE BY FORTY-FIVE HUNDREDTHS OF ONE PERCENT (0.45%) FROM THE CURRENT RATE OF ONE AND SEVENTY-FIVE HUNDREDTHS PERCENT (1.75%) TO A RATE OF TWO AND TWENTY HUNDREDTHS PERCENT (2.20%), BEGINNING JANUARY 1, 2020, AND TO SPECIFY THE ALLOCATION OF FUNDS FROM SUCH TAX, AND TO DECLARE AN EMERGENCY

UNFINISHED BUSINESS

There was no Unfinished Business before Council this evening.
NEW BUSINESS/SPECIAL PRESENTATION

Mrs. Downour thanked Mrs. Probasco for coming this evening and asked that she connect with her prior to leaving this evening. Mrs. Downour hopes to receive a copy of the traffic study electronically tomorrow. Mrs. Downour states that she has not looked at the traffic study yet. Mrs. Downour stated that she has spoken to Mr. Hintz prior to him leaving this evening, and he made her aware of some changes that will be coming to that intersection. There is additional work to be done in that intersection and would like to speak to Mrs. Probasco to pass along the information as soon as she receives it.

Mrs. Tener stated that she has not spoken to Mrs. Probasco, but travels that intersection frequently and is a bad intersection and concerned with all the children in this area. Mrs. Tener does not know if this removal is due to a cost issue and maybe the City could apply for some type of a grant for these costs.

President Uhl stated that he grew up on Hubert Avenue and is a very busy intersection. Hopefully Council could get additional information on this to help answer some questions.

President Uhl asked if there was any further new business.

Mrs. Bobbitt announced the arrival of her new grandson Avery Thomas was born September 17th.

President Uhl congratulated Mrs. Bobbitt and her family.

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

ANNOUNCEMENTS

Next Regular Sessions of Council:
1. October 14th at 6:30 p.m.
2. October 28th at 6:30 p.m.

Upcoming Special Meetings:
1. None

Upcoming Committee Meetings for the next 30 days:
1. IT/Telecom – October 3rd at 7:30 a.m. – CH (1897 Room)
2. Code Enforcement – October 7th at 7:30 a.m. – CH (1897 Room)
3. Law – October 9th at 9:00 a.m. – FCMC Community Room
4. Public Works – October 11th at 7:30 a.m. – LPT (Conference Room)
5. Finance – October 14th at 6:00 p.m. – Council Chambers
6. Water/WPC – October 16th at 7:00 a.m. – WPC (Conference Room)

READING OF BILLS

PNC – MNCO - $71.00 (Publication of Legislation)

Mr. Schoonover made a motion to pay the bills, seconded by Mr. Groff. The motion carried.

EXECUTIVE SESSION

Mr. Stoughton, made a motion to convene into Executive Session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance involving public infrastructure improvements and that this executive session is necessary to protect the interests of the
applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project pursuant to Ohio Revised Code Section 121.22(G)(8).

The executive Session should include the following: Council President, Council Members, Law Director, Mayor, Auditor, Service-Safety Director, Treasurer, City Engineer, and Economic Development Director Mike Pettit. The motion was seconded by Mrs. Downour. Motion carried 9-0.

Mr. Stoughton made a motion to return to the Regular Order of Business, seconded by Mrs. Downour. The motion carried 9-0.

President Uhl asked if there was further business to come before City Council this evening, with none, he stated a motion to adjourn is in order.

**ADJOURNMENT**

Mr. Schoonover made a motion to adjourn, seconded by Mr. Hall. Motion carried. Meeting adjourned at approximately 7:51 p.m.

Teresa Lee Sandy, Clerk of Council