LANCASTER CITY COUNCIL
LANCASTER, OHIO
REGULAR MEETING
October 14, 2019

PRAYER

CALL TO ORDER

President Uhl called the meeting to order at approximately 7:10 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, Mr. Groff, Mr. Hall, Mr. McDaniel, Mr. Schoonover, Mr. Stoughton, and Mrs. Tener, and Mr. Woodgeard.

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

Mr. Stoughton made a motion to excuse Mrs. Downour from tonight’s meeting, seconded by Mr. McDaniel. The motion carried.

READING AND DISPOSING OF THE JOURNAL

The Clerk presented the Regular Meeting Minutes dated September 23, 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 October 1, 2019, regarding ITT Meeting. Submitted by Mrs. Downour.
3. Email, dated October 6, 2019, regarding South Side Block Watch Meeting. Submitted by Mrs. Downour.

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

1. Notice to Legislative Authority of a new liquor license. To: Family Dollar Stores of Ohio LLC dba Family Dollar Store 26683, located at 1706 E. Main Street, Unit 12, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, Reynoldsburg, Ohio 43068.

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

SPECIAL PRESENTATION (Awards)

President Uhl announced that tonight we welcome Lindy Jackson, board member of the Upper Hunter Run Conservancy District, which provides an important part to the overall operation of the City, in its efforts to ensure to ensure that it does not flood.

Lindy Jackson and two other individuals serve on this board that was appointed by Judge Trimmer. All three individuals are a volunteer basis and report directly to Judge Trimmer. The board was established by Ollie Smith in 1948 due to flooding issues. There are 30 dams responsible to keep water from flooding in the county as well as the city. Of the 30 dams, only 29 of them are operational, with nine that are retaining dams in the Greenfield and Rockhill area and three sedimentation dams. Fifty percent of the city is protected by the dams in the watershed area. The funds to pay for maintenance of the dams come from the city and county special assessments on property owner’s taxes in the area. The District’s budget for 2019 is $195,000.00, and will increase in 2020, due to the amount of work and costs for the maintenance. This increase in their budget will also increase the special assessments rates for property owners in the area. Mr. Jackson stated that to replace all of the dams would be close to $13 - $14 million dollars.

To get additional information or if you have questions you can visit their link at huntersrunconrd.org. A copy of the handout is attached to the end of these minutes.

PETITIONS & MEMORIALS

A Petition for the annexation of property located on North Columbus Street, Lancaster, (known as Timbertop) consisting of 76.877 +/- acres in Greenfield Township, was received on Friday, September 27, 2019 at 7:30 a.m. from Thomas W. Winkhart, Esq, Agent for Petitioner. A complete copy of the petition is available online or by contacting the Clerk of Council.

A revised Attachment A to the annexation petition of property located on North Columbus Street, Lancaster (known as Timbertop) consisting of 76.877 +/- acres in Greenfield Township, was received on Monday, September 30, 2019 at 1:30 p.m. from Thomas W. Winkhart, Esq, Agent for Petitioner. A complete copy of the revised attachment is available online or by contacting the Clerk of Council.

A revised Attachment A, B, and C to the annexation petition of property located on North Columbus Street, Lancaster (known as Timbertop) consisting of 76.877 +/- acres in Greenfield Township, was received on Friday, October 11, 2019 at 9:15 a.m. from Thomas W. Winkhart, Esq, Agent for Petitioner. A complete copy of the revised attachment is available online or by contacting the Clerk of Council.

Mr. Schoonover made a motion to receive and file the petitions, seconded by Mr. Groff. The motion carried.
PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL

Terry Andrews, Land Acquisition and Developer, 507 Executive Campus Avenue, Westerville. Mr. Andrews addressed City Council this evening in regards to consideration of suspending the third reading of Temporary Ordinance 14-19.

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

Mr. Stoughton made a motion to go outside the Regular Order of Business for feedback from the administration on this particular issue, seconded by Mr. Woodgeard. Motion carried.

Mr. Stoughton requested the administration update Council on this issue and the plan, and what prompted removing the light.

Service-Safety Director Paul Martin stated that they are looking at the light in this location. He stated it is hard to evaluate a light when you have a functioning light to evaluate it. The City is in the process of getting a camera, which will be very helpful, to analyze the flow and issues in this area. Service-Safety Director has been through this intersection multiple times and understands there are times, what Ms. Probasco described is happening, but it is not a constant issue. There definitely is a pedestrian issue in this area and it would benefit from the same flashing pedestrian light located by Cherry Street Pub and one on Fair Avenue. Service-Safety Director stated that this is an old light and is not able to connect to the new lights. To upgrade this light would cost $75,000.00 or more.

Mayor Scheffler stated that the light is about to fail, is 40 years old, and the technology is outdated. The replacement would be approximately $75,000.00 and is more complicated than just replacing the light; the whole intersection must be brought up to standard. The light currently hangs by wires on AEP poles, which cannot continue if it is upgraded. The City would have to install new poles, arms, and infrastructure such as handicap ramps and everything would have to be brought up to current standards.

Mr. Stoughton asked if money were no object, would the City replace the light and upgrade the intersection.

Mayor Scheffler stated that that intersection does not meet the criteria for a traffic light. All solutions must be evaluated before their final decision is made.

Mrs. Tener asked if the light could be turned back on until the camera is in place until the study starts or at least during trick or treat? Ms. Tener even offered to pay the wage of an off duty police officer to be there during that time.

Service-Safety Director Paul Martin stated he would have to defer to Tim Deitz about turning back on the light.

Tim Deitz, LDOT spoke in regards to turning the light switch back on, but the issue is current condition of the operation of that signal, there is no way for a pedestrian to actuate movement to east or west. Pedestrians must wait for a vehicle to pull up to the intersection to actuate the light. Turning on the light for trick or treat will not help, unless there is a lot of traffic in the area to actuate the signal.
Service-Safety Director Martin stated he is willing to commit a police officer during trick or treat in this area. Pedestrian safety is the biggest thing that he is hearing and thinks this needs to be addressed.

Mr. Hall stated that if 85% of the traffic is coming from one direction it does seem if the light is operational that it still might provide some degree protection for pedestrians crossing at that location. The City should expedite their review of this light to provide some degree of assurance about what the City's strategy is moving forward as soon as they possibly can.

President Uhl asked Mr. Deitz to speak in regards to the process timeline.

Mr. Deitz stated the reason they started looking at this light was in 2017, fiber optic cable was being ran to all cabinets in the City with the intention of upgrading the whole traffic control system. At this point, they are at 90% capacity with the new system, South Broad Street is one of the three areas that is not completed. To get the lights in the cabinet at Reese, Hubert, and Mt. Ida fiber optic communication equipment must be installed in each cabinet, the cabinet at Hubert cannot handle any new equipment. The question is does the City really want to spend the money on a signal (Hubert and Broad) that isn't warranted to be there. Mr. Deitz also brought up the signal used by Cherry Street Pub that was brought up earlier and stated that this could be an option for that intersection and would be a lot less expensive.

President Uhl asked for a timeline.

Mr. Deitz stated technically this intersection should be observed for a year, due to the fact a 12 month crash history needs to be pulled to see if there are crashes occurring in this intersection. A preliminary report was done in May, where three crashes occurred as a result of someone stopping at a red light on Broad Street and the person behind them was not paying attention. A camera will be installed to monitor the situation, along with a radar counter, gap study, and finally a speed study.

President Uhl asked if the $75,000.00 referenced earlier if that covers only the signal or the complete upgrade of the intersection.

Mr. Deitz answered that $75,000.00 to $150,000.00 would be the costs depending on how extensive they would get with the upgrade.

President Uhl asked if there were further questions.

Mr. Woodgeard stated that Broad Street having no crosswalks needs to be addressed before a year. Mr. Woodgeard is concerned the City is being put in a situation of extreme liability with this process. In his opinion this needs to be expedited as much as possible to move around any of the qualifications the City can.

Mr. Deitz stated that the study is still ongoing and has not yet been completed as they are still collecting data to base their decision on.

Mrs. Bobbitt asked what would be the cost of a pedestrian sign like Cherry Street?

Mr. Deitz answered everything would run between $3,000.00 to $3,500.00 a piece, with a cost of about $6,000.00 to $7,000.00 to upgrade just that portion. The handicap ramp costs would be approximately $1,200.00 a piece, so less than $10,000.00.
Service-Safety Director Martin stated the advantage of a pedestrian light, it could be activated at any time and has been very effective in their current locations. Service-Safety Director Martin stated that the City is not going to take a year to make their decision.

Mr. Deitz stated as discussed in the Public Works Committee Meeting, data collection process is the City’s way of taking emotion out of the decision and hard data would tell the City what is out there.

Mr. McDaniel understands the state guidelines put out that a City must in a situation such as this. In his opinion, Broad Street is a busier street than some of the other lights that have been removed. There is a lot more pedestrian traffic in that area than some of council may realize. Having an officer there during trick or treat is great, but if flipping a switch to allow the officer to be somewhere else patrolling the City, it would be his opinion. Mr. McDaniel stated that he would like to see the light stay in place until it dies.

President Uhl asked if there was anyone else wanting to address this issue this evening.

Mr. Stoughton thanked Tim Deitz for all of the information, and Mr. Stoughton stated he agrees with Mr. Deitz that the data is where you start. It is an emotional time because change is imminent. Mr. Stoughton stated that he has been in IT his whole life and change is never well received. With the three lights that are on Broad Street, Mr. Stoughton asked if all three are warranted.

Mr. Deitz stated the geometrics of Mt. Ida due to the curve, as an engineering judgment call that he would keep this light. Mr. Deitz stated that all three lights in this area on Broad Street should be evaluated to see if they are warranted to remain in place and be upgraded

President Uhl asked Mr. Deitz if he would like to wrap up comments.

Mr. Deitz stated that this was discussed for the Hubert/Broad Street intersection to be a four way stop, but that is designed for intersections that approximately the same volume of traffic at all approaches doesn’t warrant this option either.

President Uhl thanked everyone for their comments and discussion on this issue. He grew up in this area and his parent still live there and understands the concerns of the people in this area.

Mr. Stoughton made a motion to return to the Regular Order of Business, seconded by Mr. Woodgeard. Motion carried.

**STANDING COMMITTEE REPORTS**

1. Finance Committee Meeting minutes for October 14, 2019, submitted by Mr. Stoughton.

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 106-19 – Third Reading – Permanent Resolution 112-19
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 made a motion to pass, engross, and enter upon the written record Temporary Resolution 106-19, seconded by Mrs. Downour.

Mr. Stoughton stated that this resolution modifies the funding for the VAWA funded position, due to a change of employee and changing of funding mechanism, realigning VAWA dollars to city dollars.

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 8-0.

Resolution Temporary 110-19 – Third Reading – Permanent Resolution 113-19
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 made a motion to pass, engross, and enter upon the written record Temporary Resolution 110-19, seconded by Mrs. Tener.

Mr. Schoonover explained this is an annual piece of legislation for the Cemetery Department to go out for bid for mowing contracts for city cemeteries, with a small change, the city is hopeful that they will get more competitive bidding with the split of Forest Rose Cemetery in to two different contracts instead of one as past years.

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 8-0.

Resolution Temporary 113-19 – Second Reading – October 14, 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 stated that this is the second of three readings.

Resolution Temporary 114-19 – Second Reading – October 14, 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 second of three readings.
Resolution Temporary 115-19 – Second Reading – October 14, 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 second of three readings.

Resolution Temporary 117-19 – Second Reading – October 14, 2019
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES

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

Resolution Temporary 118-19 – Second Reading – Permanent Resolution 114-19
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 made a motion to suspend the rules and waive the third reading of Temporary Resolution 118-19, seconded by Mr. McDaniel.

Mr. Stoughton explained the request for suspension is to allow moving forward with this project that will upgrade the Income Tax Department software through CMI application allowing for detailed reporting on the City tax collections.

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 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 118-19, seconded by Mr. McDaniel.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

Resolution Temporary 119-19 – Second Reading – October 14, 2019
A RESOLUTION SCHEDULING LANCASTER CITY COUNCIL MEETINGS FOR 2020

Mr. Groff stated that this is the second of three readings.

Resolution Temporary 120-19 – Second Reading – October 14, 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 second of three readings.
Resolution Temporary 121-19 – Second Reading – October 14, 2019
A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS FOR THE UNION MULBERRY PHASE 3 STORM SEWER PROJECT

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

Resolution Temporary 123-19 – Second Reading – October 14, 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 second of three readings.

Resolution Temporary 124-19 – Second Reading – October 14, 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 stated that this is second of three readings.

Resolution Temporary 125-19 – First Reading – Permanent Resolution 115-19
A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE WATER REPLACEMENT & IMPROVEMENT FUND (625) AND THE WATER REVENUE FUND (603)

Mr. Woodgeard made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 125-19, seconded by Mr. McDaniel.

Mr. Woodgeard asked Superintendent Mike Nixon to come forward and explain this resolution.

Mr. Nixon explained that this resolution will allow much needed water well work which exceeds their budget and will allow them to get through the end of the year getting the two wells cleaned and new pumps installed. Mr. Nixon stated that he appreciates council’s consideration of suspension of the legislation.

Mr. Woodgeard stated that this work needs to be done before the end of the year while the weather is still decent and that is the reason for the request for suspension.

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 8-0.

Mr. Woodgeard made a motion to pass, engross, and enter upon the written record Temporary Resolution 125-19, seconded by Mr. McDaniel.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

Resolution Temporary 126-19 – First Reading – Permanent Resolution 116-19
A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE GENERAL FUND (101), AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR
Mr. Stoughton made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 126-19, seconded by Mr. McDaniel.

Mr. Stoughton explained the need for suspension is due to two employees with no insurance to two employees needing family insurance. This clerk’s office will be in the negative and that is the reason for the request for suspension to fund this line item for the remainder of the year.

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 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 126-19, seconded by Mr. McDaniel.

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 8-0.

**Resolution Temporary 127-19 – First Reading – October 14, 2019**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE CEMETARY PERPETUAL CARE FUND (834), COMPLETE A FUND TRANSFER, INCREASE RECEIPTS AND APPROPRIATIONS IN THE CEMETARY FUND (207) AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR

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

**Resolution Temporary 128-19 – First Reading – October 14, 2019**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PRE-ANNEXATION AGREEMENT COVERING 76.877 +/- ACRES IN GREENFIELD TOWNSHIP

Mr. Groff explained that this resolution involves an annexation of a property formerly known as Timbertop, which has been discussed before, and will need to go through the Planning Commission and will require a public hearing. This is the first of three readings.

**Resolution Temporary 129-19 – First Reading – October 14, 2019**

A RESOLUTION INDICATING SERVICES TO BE PROVIDED BY THE MUNICIPAL CORPORATION TO ANNEXED TERRITORY OF THE MITHOFF COMPANIES, LTD ANNEXATION OF 76.877 +/- ACRES FROM GREENFIELD TOWNSHIP

Mr. Groff explained this is in regards to the same annexation and is the first of three readings.

**Resolution Temporary 130-19 – First Reading – Permanent Resolution 117-19**

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE, AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE WATER REPLACEMENT & IMPROVEMENT FUND (625) AND WATER UTILITY RESERVE FUND (627), DISPENSE WITH COMPETITIVE BIDDING AND ENTER INTO A CONTRACT AND AUTHORIZE THE ISSUANCE OF A THEN & NOW CERTIFICATE

Mr. Woodgeard made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 130-19, seconded by Mr. Hall.
Mr. Woodgeard requested Superintendent Mike Nixon to come forward again to explain this resolution.

Mr. Nixon explained this is for ice pigging approximately 3,000-3,500 feet of the water transmission main wellfield at the South Water Plant. This is a proprietary product. They have tried using in-house items, but have not been successful and appreciate council consideration of suspension this evening. The contractor will not schedule the city until a purchase order can be obtained. The sooner this can be done, the sooner the city can be placed on the schedule to start this process before the end of the year.

Mr. Woodgeard stated that Mr. Nixon does a really good job getting legislation before council that allows two if not three readings, but some things in his department do require suspension, and this is one of those.

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 8-0.

Mr. Woodgeard made a motion to pass, engross, and enter upon the written record Temporary Resolution 130-19, 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 8-0.

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

READING OF ORDINANCES

Ordinance Temporary 14-19 – Second Reading – Permanent Ordinance 14-19
AN ORDINANCE TO ACCEPT THE FINAL PLAT FOR MISTY MEADOWS SECTION 4

President Uhl explained that this is the resolution that the gentleman spoke earlier requesting suspension.

Mrs. Tener made a motion to suspend the rules and waive the third reading of Temporary Ordinance 14-19, seconded by Mr. Groff.

Mrs. Bobbitt asked the administration if they supported everything.

Service-Safety Director Paul Martin answered that yes, the administration is good with everything.

Mayor Scheffler stated that the Planning Commission approved this change, and is now before council for formal approval.

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 8-0.

Mrs. Tener made a motion to pass, engross, and enter upon the written record Temporary Ordinance 14-19, seconded by Mr. Groff.
Mrs. Tener explained as Mr. Andrews discussed earlier this is for Misty Meadows, out West Fair Avenue, and are developing more of the plat known as Section 4, and want to continue building, and that is the reason for the request to suspend tonight and passed.

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 8-0.

**Ordinance Temporary 15-19 – Second Reading – Permanent Ordinance 15-19**

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 made a motion to suspend the rules and waive the third reading of Temporary Ordinance 15-19, seconded by Mr. McDaniel.

Mr. Stoughton explained that Mr. Barkley from NOPEC spoke during the Finance Committee in this ordinance. NOPEC buys electrical power aggregation through the buying power of five hundred thousand utility customers which is a larger group than the City of Lancaster was in three years ago with FirstEnergy which was only 15,000-18,000 maximum. We will receive a lot more buying power for joining NOPEC. This ordinance allows the City of Lancaster to join, and the next ordinance will allow the City to be part of the aggregation. Customers will save money being a part of that and the city will be able to pass the better rates to the consumers.

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 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Ordinance 15-19, seconded by Mr. McDaniel.

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 8-0.

**Ordinance Temporary 16-19 – Second Reading – Permanent Ordinance 16-19**

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 made a motion to suspend the rules and waive the third reading of Temporary Ordinance 16-19 seconded by Mr. McDaniel.

President Uhl asked if there is any other discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Ordinance 16-19, seconded by Mr. McDaniel.
President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

**Ordinance Temporary 17-19 – First Reading – October 14, 2019**

AN ORDINANCE TO AMEND ORDINANCE 26-18, REPEAL AND REPLACE EXISTING 26-18, AND DECLARE AN EMERGENCY FOR THE MANAGEMENT PAY ORDINANCE

Mr. Stoughton legislation allows for the City to plan for a retirement in the Community Development Block Grant Program, and allow the City to hire a replacement to train a couple of months at the end of this year. This is the first of three readings.

**Ordinance Temporary 18-19 – First Reading – October 14, 2019**

AN ORDINANCE TO CHANGE THE NAME OF THE STREET KNOWN AS ANCHOR AVENUE TO MAGNA AVENUE IN THE ROCK MILL CORPORATE PARK, PHASE 2

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

**Ordinance Temporary 19-19 – First Reading – October 14, 2019**

AN ORDINANCE TO ACCEPT A PETITION FOR THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY

Mr. Groff explained this legislation in regards to the same annexation discussed in Temporary Resolution 128-19 and 129-19, and is the first of three readings.

**Ordinance Temporary 20-19 – First Reading – October 14, 2019**

AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY

Mr. Groff explained this is legislation in regards to the same annexation as discussed prior in the meeting, and 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.

**ТАBLED 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**
President Uhl asked if there is any new business this evening.

President Uhl thanked everyone for a good Finance Committee Meeting and Regular meeting. He stated he appreciated everyone and their continued commitment to Lancaster and to doing what is best interests of its residents.

President Uhl announced that the Swearing in Ceremony has been scheduled for Monday, December 30, 2019 at 6:00 p.m. at Olivedale Senior Citizen Center for those who are successful at the November election. This event has been hosted by the President of Council in the past and will continue to do so. Everyone is invited to come and partake in the ceremony. Individuals are also able to be sworn in at any time, but anyone of their choosing before the first of the year.

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 28th at 6:30 p.m.
2. November 4th at 6:30 p.m.
3. November 25th at 6:30 p.m.
4. December 16th at 6:30 p.m.

Upcoming Special Meetings:
1. Oath's of Office – Monday, December 30th at 6:00 p.m. at Olivedale Senior Center

Upcoming Committee Meetings for the next 30 days:
1. Water/WPC – October 16th at 7:00 a.m. – WPC (Conference Room)
2. Finance – October 28th at 6:00 p.m. – Council Chamber
3. Finance – November 4th at 6:00 p.m. – Council Chambers
4. Service – November 8th at 7:30 a.m. – Gas Dept. Conference Room
5. Safety – November 13th at 7:30 a.m. – City Hall (1897 Room)
6. Economic Development – November 14th at 7:30 a.m. – City Hall (1897 Room)

READING OF BILLS

PNC – MNCO - $291.40 (Publication of Notice of Public Hearing)

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

EXECUTIVE SESSION

There were no requests for Executive Session this evening.

ADJOURNMENT

Mr. Schoonover made a motion to adjourn, seconded by Mr. Groff. Motion carried. Meeting adjourned at approximately 8:37 p.m.

Teresa Lee Sandy, Clerk of Council
Reinvesting in Ohio’s Watersheds

THE CASE FOR REINVESTING IN THE UPPER HOCKING WATERSHED

THE SITUATION: PILOT PROJECT DAMS ARE REACHING THE END OF THEIR USEFUL LIFE IN A WATERSHED THAT IS EVOLVING FROM AN AGRICULTURAL USE TO AN URBAN USE.

When Ohio was first settled, it was largely agriculture based, but quickly evolved into an industrial state. This evolution creates many infrastructure demands.

The structures built in the late 1950’s and early 1960’s in the Upper Hocking Watershed have the same situation. When the dams were built, the watershed was predominately agriculture with the city of Lancaster near the lower end of the watershed. Over the next 35-40 years the watershed has changed to predominately urban or unincorporated residences. Over the years the dams did the job they were built to do for the time intended. But now they are reaching the end of their useful life. Over time, as many of the dams have filled with sediment, or as their aging steel has corroded and concrete has weakened, they are losing their ability to store floodwaters and control gullies. Not all 30 dams need serious attention, but some need major repairs such as rebuilding the dam to raise it, dredging, constructing new spillway structures or some other method of rehabilitation.

The Upper Hocking Watershed is one of 27 watershed projects in Ohio. Over 55 watershed dams have been built in Ohio, many of which will reach the end of their useful life within the next 15 years.

PROJECT DESCRIPTION

- Size: 31,418 acres
- Number of dams: 30
- Project start: 1959
- Project end: 1962
- Primary purpose: Control gully erosion, flooding and sediment damages
- Population served: 40,000 people in the local area plus tourists and others for recreation

PARTNERS:

- Hunters Run Conservancy District
- Fairfield Soil and Water Conservation District
- United States Department of Agriculture - Natural Resources Conservation Service

The area around the dams are exceptional non-game habitat providing opportunities for bird watching. The pools provide a quiet alternative for families to fish rather than overcrowded state parks.

Steve Jacks
District Manager, Wildlife District 1
The structures have been a part of the landscape so long that many people have forgotten why they are there. The last disastrous flood to the west side of Lancaster was 1948. Although potentially disastrous rainfall events have occurred since the last structure was completed in 1962, the city of Lancaster was protected.

Ed Rowles
Secretary-Treasurer
Hunters Run Conservancy District

Upper Hocking: An Investment Worth Protecting

Congress invested $12 million (current dollars) in construction of the Upper Hocking Watershed Pilot Project. The local sponsors and landowners have matched that $12 million, in conservation practices, and maintaining the project structures for the past 35-40 years. Local people have spent $40,000 per year the last several years in repairs and $10,000 per year to operate and maintain the project from their own tax funds.

The monetary benefits of the project have already exceeded the costs, and in addition have given benefits which impact the community significantly:

- 8 miles of roads and 22 bridges are safer and longer lasting
- Recreation is close to home. 1,500 visits are made to 5 of the dams each year for fishing and other recreation.
- Along with other watersheds, the water bodies have benefited both migrating and nesting waterfowl.
- 767 acres have better upland wildlife habitat.
- 20 miles of stream have higher quality water.

New Opportunities

The Upper Hocking Watershed was undertaken by the local community to reduce damages from flooding and sedimentation. The project has protected farmland, roads, bridges, houses and commercial property. The need to prevent floods, reduce sedimentation, assure safe roads and protect the new development is as important today as it was 40 years ago.

In addition to continuing to reap these long-standing benefits, a mix of upgrading opportunities could offer new benefits to the community such as more recreation, rural fire protection, cleaner water, protecting and creating wildlife habitat for a more diversified environment in a quickly developing watershed.

Statewide Perspective on Ohio’s Aging Watershed Dams

Upper Hocking is one of 27 Ohio watersheds completed or still in construction. The local investment in these projects is $15 million statewide. The USDA investment through the watersheds program is $52 million.

These projects include 55 dams that were constructed for flood control, gully erosion control, sediment storage, water supply, and recreation. Most were designed with a useful life of 50 years, meaning they were likely to fill with sediment over that period of time.

Only a small number of these dams are in critical need of rebuilding or repair at this time, but many will soon reach their 50-year life. Some of these dams have been reclassified by the state dam safety agency as a result of development downstream and are in need of being upgraded. To meet the upgrades a total of 15 dams would require structural changes at an estimated cost of $3.75 million. An organized approach is needed, to analyze the extent of repair and rehabilitation needed, to prioritize those with greatest need, and to make necessary repairs or improvements.

This watershed is located in one of the fastest growing counties in the state. The dams have done an excellent job of protecting downstream property from flooding. The area is rapidly changing from largely agriculture to largely urban. This increases our need to keep the dams operating.

Gary Lockwood
President, Hunters Run Conservancy District

February, 1998
Ohio's Conservancy Districts

Conservancy districts are political subdivisions of the State of Ohio, provided for in the Ohio Revised Code (ORC) under Chapter 6101. They are formed at the initiative of local landowners or political subdivisions to solve water management problems, most frequently flooding. Each conservancy district operates under the jurisdiction of a conservancy court, consisting of one common pleas judge from each county that is within the district. Pursuant to implementing its court-approved work plan, a conservancy district has the right of eminent domain, and may charge user fees, levy special assessments, and issue bonds. In addition to controlling floods, other authorized purposes include: conserving and developing water supply, improving drainage, collecting and disposing of waste, providing for irrigation, and arresting erosion on the Lake Erie shoreline. Many conservancy districts also provide recreational opportunities in connection with their water management facilities.

Conservancy district authority was frequently used during the 1950s, 1960s, and 1970s for administering local obligations under the USDA's Small Watershed Protection and Flood Prevention program (P.L. 85-566). When sponsoring projects under this authority, conservancy districts have worked with county soil and water conservation districts to promote watershed protection through accelerated land treatment measures. Several conservancy districts have served as local sponsors for US Army Corps of Engineers projects entailing reservoir construction, channel work, and Lake Erie shoreline protection.

The conservancy act was enacted less than a year after the devastating 1913 flood as a mechanism for flood prevention and control. It was the first such statute enacted in the United States, and has served as a model for other states. It has been amended several times over the years to meet changing needs. The Upper Scioto Drainage and Conservancy District was established on February 27, 1915 and is still operating today. The Miami Conservancy District was created four months later, and has been one of the most effective and successful conservancy districts created. Both of their flood control programs have been financed entirely with local funding. The Muskingum Watershed Conservancy District is the largest in Ohio and has, in cooperation with the US Army Corps of Engineers, provided flood control and recreation since the 1930s with ten lakes and four dry dams. The next largest is the Maumee Watershed Conservancy District, which has, in cooperation with the USDA Natural Resource Conservation Service, provided flood control and improved drainage for the Auglaize River Basin. There are many other conservancy districts that have also been successful in formulating and implementing water management projects in Ohio. Of the 57 conservancy districts or subdistricts created, 20 are currently active, 22 are inactive, 5 have merged with another, and 10 have been dissolved.

Staff from many of the conservancy districts meet regularly as the Ohio Conservancy District Conference to exchange information, discuss issues, and work toward commonly-held goals. The Ohio Department of Natural Resources, Division of Soil & Water Resources (ODNR-SWR) assists conservancy districts in an advisory capacity, and serves as a point of contact for conservancy districts seeking state and federal assistance.
<table>
<thead>
<tr>
<th>ACTIVE CONSERVANCY DISTRICTS</th>
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<tbody>
<tr>
<td>Black Brook Conservancy District</td>
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<tr>
<td>11968 Mantua Center Road</td>
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<tr>
<td>Mantua, Ohio 44255-9303</td>
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<tr>
<td>Celeryville Conservancy District</td>
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<tr>
<td>111 Myrtle Avenue</td>
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<tr>
<td>Willard, Ohio 44890</td>
</tr>
<tr>
<td>phone: 419-935-0171</td>
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<tr>
<td>Chickamauga Watershed Conservancy District</td>
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<tr>
<td>111 Jackson Pike</td>
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<tr>
<td>Gallipolis, Ohio 45631-1569</td>
</tr>
<tr>
<td>phone: 740-446-6173</td>
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<tr>
<td>East Fork Buck Creek Conservancy District</td>
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<tr>
<td>6874 State Route 54</td>
</tr>
<tr>
<td>Mechanicsburg, Ohio 43044</td>
</tr>
<tr>
<td>phone: 937-828-1004</td>
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<tr>
<td>Hocking Conservancy District</td>
</tr>
<tr>
<td>560 West Union Street</td>
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<tr>
<td>Athens, Ohio 45701-2331</td>
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<tr>
<td>phone: 740-592-1792</td>
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<tr>
<td>Hunter's Run Conservancy District</td>
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<tr>
<td>P.O. Box 2268</td>
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<tr>
<td>Lancaster, Ohio 43130</td>
</tr>
<tr>
<td>phone: 740-569-4593</td>
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<tr>
<td>Leading Creek Conservancy District</td>
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<tr>
<td>34481 Corn Hollow Road</td>
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<tr>
<td>Rutland, Ohio 45775</td>
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<tr>
<td>phone: 740-742-2411</td>
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<tr>
<td>Maumee Watershed Conservancy District</td>
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<tr>
<td>1464 Pinehurst Drive</td>
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<tr>
<td>Defiance, Ohio 43512</td>
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<tr>
<td>phone: 419-782-8746</td>
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<tr>
<td>Miami Conservancy District</td>
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<tr>
<td>38 East Monument Avenue</td>
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<tr>
<td>Dayton, Ohio 45402-1265</td>
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<tr>
<td>phone: 937-223-2271</td>
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<tr>
<td>Millcreek Valley Conservancy District</td>
</tr>
<tr>
<td>c/o MCWCoC, 1 North Commerce Park Dr, Ste 124</td>
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<tr>
<td>Cincinnati, Ohio 45215</td>
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<td>phone: 513-563-0198</td>
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Information contained in this fact sheet was obtained from ODNR, Division of Soil and Water Resources files, the publication entitled Ohio Conservancy Districts, (ODNR-DW, 1975), ORC Chapter 6101, the Ohio Conservancy District Conference, and the directors or staff of Ohio's conservancy districts. For more information, contact the ODNR-SWR by phone at 614-265-6717, by fax at 614-265-6767, by e-mail at water@dnr.state.oh.us, or through its website at http://www.dnr.state.oh.us/soilandwater/.

R 09/19/2009