

**LANCASTER CITY COUNCIL
LANCASTER, OHIO**

March 22, 2021

**REGULAR MEETING CONVENES
PRAYER
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
READING AND DISPOSING OF THE JOURNAL
REPORTS OF CITY OFFICIALS
COMMUNICATIONS
SPECIAL PRESENTATION (AWARDS)
 1. **Plaque Presentation – President Uhl**
PETITIONS AND MEMORIALS
PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL
REPORTS OF STANDING COMMITTEES
REPORTS OF SPECIAL COMMITTEES
PUBLIC HEARINGS
READING OF RESOLUTIONS**

THIRD READING

Temp Res #32-21	A RESOLUTION AUTHORIZING THE CITY OF LANCASTER TO APPLY FOR THE MEALS ON WHEELS-OLDER ADULT ALTERNATIVES OF FAIRFIELD COUNTY, INC. 2021-2022 GRANT Public Works (Schoonover/James) (3 readings)
Temp Res #34-21	A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS FOR THE LATERAL D PHASE 1 TRUNK SEWER PROJECT Water/WPC (James/Tener) (3 readings)
Temp Res #36-21	A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE PARKS AND RECREATION FUND (2012) Service (Tener/Mattlin) (3 Readings)

SECOND READING

Temp Res #41-21	A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE SOUTH WATER PLANT CONCENTRATE LINE IMPROVEMENT PROJECT Water/WPC (James/Hall) (2 readings)
Temp Res #42-21	A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF PIPE AND FITTINGS FOR USE BY THE DIVISION OF WATER Water/WPC (James/Tener) (2 readings)

FIRST READING

- Temp Res #44-21 A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO CHANGE ORDERS FOR THE UNION MULBERRY PHASE 3 STORM SEWER PROJECT
Water/WPC (James/Hall) (1 reading)
- Temp Res #45-21 A RESOLUTION TO APPROVE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LANCASTER AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 291, WITH RESPECT TO COMPENSATION AND OTHER MATTERS RELATING TO WORKING CONDITIONS
Finance (Downour/Bobbitt) (1 Reading)
- Temp Res #46-21 A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (2083), AND AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE JUNTO COMPANY, LTD FOR REPRESENTATION IN MATTERS BEFORE THE STATE AND FEDERAL GOVERNMENT
Finance (Downour/Stoughton) (1 Reading)

READING OF ORDINANCES**THIRD READING**

- Temp Ord #8-21 AN ORDINANCE TO REPEAL AND REPLACE LANCASTER CODIFIED ORDINANCE PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE FIVE – OTHER PUBLIC SERVICES, CHAPTER 937 – WASTE REMOVAL OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER
Service (Tener/Mattlin) (3 Readings)

SECOND READING

NONE.

FIRST READING

- Temp Ord #9-21 AN ORDINANCE TO AMEND LANCASTER CODIFIED ORDINANCE PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 133 – FIRE DEPARTMENT, SECTION 133.09 – APPOINTEE AGE LIMITATION WAIVER OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER
Law (Hall/McDaniel) (3 Readings)

TABLED LEGISLATION

NONE.

UNFINISHED BUSINESS**NEW BUSINESS/PRESENTATIONS****ANNOUNCEMENT OF SCHEDULED MEETINGS****REGULARLY SCHEDULED CITY COUNCIL MEETINGS**

1. April 12th at 6:30 p.m.
 - a. Stormwater Presentation
2. April 26th at 6:30 p.m.

SPECIAL SCHEDULED MEETINGS

1. None

REGULARLY SCHEDULED COMMITTEE MEETINGS

1. Service – April 2nd at 7:30 a.m. – City Hall 1897 CR
2. Public Works – April 9th at 7:30 a.m. – City Hall 1897 CR
3. Finance – April 12th at 6:00 p.m. – Council Chambers
4. Water/WPC – April 14th at 8:00 a.m. – City Hall 1897 CR
5. Law – April 14th at 9:30 a.m. – City Hall 1897 CR

READING OF BILLS**EXECUTIVE SESSION****ADJOURNMENT**

TEMPORARY RESOLUTION NO. 44-21

PERMANENT RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO CHANGE ORDERS FOR THE UNION MULBERRY PHASE 3 STORM SEWER PROJECT

WHEREAS, actual site conditions during construction revealed sanitary sewer and sewer lateral conflicts with the information available pre-construction and a Columbia Gas Transmission line not at the depth provided to us by Columbia Gas; and

WHEREAS, the field revisions were necessary to construct the project in light of the above conflicts; and

WHEREAS, the contractor submitted legitimate claims related to this work;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO.

SECTION 1. That the Service-Safety Director is authorized to enter into change orders in an amount not to exceed Two Hundred Twenty Thousand Three Hundred Ten Dollars and Forty-Seven Cents (\$220,310.47) for settlement of claims and quantity adjustments for the Union Mulberry Phase 3 Storm Sewer Project.

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Water/Water Pollution Control Committee

TEMPORARY RESOLUTION NO. 45-21

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO APPROVE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LANCASTER AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 291, WITH RESPECT TO COMPENSATION AND OTHER MATTERS RELATING TO WORKING CONDITIONS

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That the Collective Bargaining Agreement, with respect to compensation and working conditions negotiated by the Administration, Bargaining Committee of the City Administration, and Bargaining Committee of the International Association of Firefighters, Local 291, covering the period from January 1, 2021 through December 31, 2023, be and the same is hereby approved.

SECTION 2. The Agreement in the form presently on file with the Clerk of Council, is hereby approved and authorized with changes therein not inconsistent with this Resolution and not substantially adverse to this City and which shall be approved by the Service-Safety Director. The Service-Safety Director for and in the name of this City, is hereby authorized to execute the Agreement provided further that the approval of changes thereto by the Service-Safety Director, and their character as not being substantially adverse to the City, shall be evidenced conclusively by the Service-Safety Director's execution of any amendments that are not inconsistent with the Resolution and not substantially adverse to this City.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Finance Committee

TEMPORARY RESOLUTION NO. 46-21

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (2083), AND AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE JUNTO COMPANY, LTD FOR REPRESENTATION IN MATTERS BEFORE THE STATE AND FEDERAL GOVERNMENT

WHEREAS, the City of Lancaster has a desire to engage a representative who can advocate on its behalf before the Ohio executive branch, the Ohio General Assembly, and in federal matters; and

WHEREAS, The Junto Company, Ltd. is willing to provide the City with these services;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That the Mayor be and is hereby authorized to enter into a contract with The Junto Company, Ltd. for representation before Ohio's executive and legislative branches and in certain federal matters.

SECTION 2. That the City of Lancaster Auditor amend the Certificate of Appropriations with the County Auditor in the amount of Thirty Six Thousand Dollars (\$36,000.00) in the General Fund (1001).

SECTION 3. That the City of Lancaster Auditor appropriate from the unencumbered balance in expense account 1001.1250.52034 (Contract Services) in the amount of Thirty Six Thousand Dollars (\$36,000.00).

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Finance Committee

TEMPORARY ORDINANCE NO. 9-21

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AMEND LANCASTER CODIFIED ORDINANCE PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 133 – FIRE DEPARTMENT, SECTION 133.09 – APPOINTEE AGE LIMITATION WAIVER OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER

WHEREAS, the City wishes to adopt a new maximum original appointment age for firefighters; and

WHEREAS, Ohio Revised Code 124.42 establishes a maximum original appointment age for a firefighter which is forty (40) years, but allows municipalities to codify any maximum age limit up to the age of forty (40); and

WHEREAS, Lancaster Codified Ordinance 133.09 previously limited original appointments in the fire service to appointees thirty (30) years old or less to ensure that firefighters are eligible for retirement by the time the physical requirements of the job become too demanding and potentially result in increased work place injury; and

WHEREAS, a reduction in interest in these positions overall and the City's restriction on original appointment age, have drastically diminished the Lancaster Fire Department's ability to replenish the firefighters it is losing; and

WHEREAS, these firefighter positions need filled immediately to preserve the public health, safety, and welfare; and

WHEREAS, an increase in the maximum age for original appointment to thirty-five (35), whether that original appointment is with the City of Lancaster or elsewhere, would improve the Lancaster Fire Department's ability to attract qualified candidates and be consistent with the City's goal of maintain a capable work force; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio:

SECTION 1. That Part One – Administrative Code, Title Five – Chapter 133 Fire Department, Section 133.09 – Appointee Age Limitation Waiver be amended as listed below:

133.09 APPOINTEE AGE LIMITATION ~~WAIVER~~.

No person shall be eligible to receive an original appointment as firefighter unless ~~he/she~~ **the person** has reached ~~an~~ **the** age of eighteen (18). ~~and n~~ No person shall be eligible to receive an original appointment on and after ~~his/her~~ **the person's** ~~thirty-first~~ **sixth (36)** birthday. **Any person who was originally appointed as a full-time firefighter in another political subdivision in Ohio prior to the age of thirty-six (36) shall qualify for subsequent appointment with the City of Lancaster, so long as the person is otherwise eligible.**

SECTION 2. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and is required to be immediately effective in order to enhance economic development initiatives, in the City wherefore this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2021 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council