

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, April 13, 2009

6:30 P.M.

CALL TO ORDER

The regular meeting of Sidney City Council was called to order at 6:30 P.M. Monday, April 13, 2009, with Mayor Mike Barhorst presiding.

Mayor Barhorst opened the meeting with a moment of prayer, followed by the Pledge of Allegiance.

ROLL CALL

The following Council members were present and answered roll call: Mike Barhorst, Steve Hamby, Katie McMillan, Tom Miller, Mardie Milligan, and Terry Pellman.

Also attending was: City Manager Steve Stilwell, Law Director Mike Smith, Acting Police Chief Mike Lundy, Fire Chief Stan Crosley, Parks Director Duane Gaier, Public Works Director Bill Gosciwski, Community Services Director Barbara Dulworth, Finance Officer Ginger Adams, City Engineer Scott Landon, Water Supt. Larry Broughton, Utility Office Supv. Karen Berning, Street Supt. Marty Keifer, and Utility Director Chris Clark.

APPROVAL OF MINUTES

Minutes of the March 23, 2009 Regular meeting were presented for approval.

Councilman Pellman moved, with Councilman Miller seconding a motion to accept the minutes as submitted. The roll call vote was unanimous and the minutes were approved.

CITIZEN COMMENTS

Rev. Claude Johnson Sr., 631 N. Wagner, questioned stimulus money that was reported coming to the community for minorities. He added a Black Scholarship Fund was established in 1987 and noted he felt the City has done nothing to set aside money for minorities.

City Manager Stilwell provided Rev. Johnson with a summary of stimulus money available for the City. He noted the City received notification of receiving \$280,000 all directed to the transit program. Stilwell added there is no money for minorities that he is aware of.

PROCLAMATION - Arbor Day

Mayor Barhorst read a proclamation declaring April 24, 2009 as Arbor Day in the City of Sidney and presented a copy of the proclamation to Street Supt. Marty Keifer. He urged Council to attend a tree planting at Northwood School on Friday, April 24 at 1:00 PM.

INTRODUCTION OF ORDINANCES

(A-2600) AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF SIDNEY, OHIO

Law Director Smith explained this ordinance accepts the recent codification of all ordinances passed by City Council over the past several months.

This will return to Council's April 27, 2009 agenda for further consideration.

(A-2601) AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP ESTABLISHED BY SECTIONS 305.01 AND 305.02 OF THE CODIFIED ORDINANCES REGARDING RIGHT TURN ON RED AT WAPAKONETA AVENUE AND RUSSELL ROAD

Public Works Director Gosciewski explained because of the closing of Parkwood School on Russell Road, the school related traffic signs at or near the intersection of Wapakoneta Avenue and Russell Road could be removed.

Council member McMillan commented with the playground equipment still located at Parkwood and questioned whether a "children at play" sign should be posted.

Gosciewski responded he doesn't have a count on the number of children using this area; adding normally such a sign is not posted unless there is a large number of people using the area.

Council member Milligan questioned whether the walk traffic signal at this intersection possibly needs to stay on longer. Gosciewski responded he would look at the intersection again.

This too will return to Council's April 27, 2009 agenda for further consideration.

RESOLUTIONS

(23-09) A RESOLUTION ACCEPTING THE MASTER PLAN FOR THE CITY PARKS

Parks and Recreation Director Gaier gave a brief overview of the recently Revised Park Master Plan; noting this report will be used as a tool and guide for development and expansion of the park and recreation system.

Councilman Hamby asked for additional information on the various programs offered by the department and Gaier reviewed a few and advised he would furnish Hamby a complete listing. Gaier pointed out all these programs and clinics are free to the community.

It was moved by Councilman Miller, seconded by Council member McMillan to adopt this resolution as presented. The roll call vote was unanimous and Resolution 23-09 was declared adopted.

PUBLIC HEARING – Water Source

At 6:59 PM Mayor Barhorst opened a public hearing concerning a new water source for the community. City Manager Stilwell introduced staff involved with this project; adding the City and staff should be very proud of this water source project.

Utility Director Clark thanked Council for the opportunity to make this public presentation on the project, and noted this need for an additional water source for the community has been a

subject of concern for 50 years. He shared some statistics of the water needed on a daily basis as well as the amount of water currently available. He noted the current daily demand for water is 3.8 MGD, with peak demand being 4.2 MGD. Clark pointed out the present water plant design capacity is 10 MGD.

Gary Long, CH2MHill, next reviewed the work done since last summer at the site under consideration for a new water source. He reviewed results of test wells drilled at the site as well as the pumping capacity of these wells. These results were then put into a model; noting under normal conditions, 11.3 MGD could be pumped.

Clark noted the preliminary cost estimate for this project is \$23,000,000. He compared the current water sources and proposed; as well as the money that could be saved over additional cost of treatment to the current water source. He compared the cost of operation with the present water sources vs. the proposed wellfield; and talked about the down side of the proposed project cost, debt that would be incurred, water rate increases as well as the present economic picture.

Clark commented it is staff's recommendation to delay this project until the economy improves, but purchase the land and staff will continue to pursue funding options.

Councilman Hamby questioned whether people using wells at the present time would lose water with the development of this wellfield and Clark responded test wells were run for ten days, 24 hours and after checking present wells being used, he didn't find any sign of draw down during this pumping. Clark added if this did happen, the City would have the responsibility of drilling a new well for the resident or deepening their present well. Hamby voiced his support of proceeding with acquisition of the land.

Council member McMillan questioned the land where pipe would be laid and Clark responded the City will have to purchase this right-of-way from some property owners for this project.

City Manager Stilwell noted the exact location of this pipe is still under consideration, noting it could be located in canal right-of-way or possibly run up Fair Road in the right-of-way.

McMillan also questioned whether the river would continue to be a second source of water for the City and Clark answered it would.

Councilman Pellman commented at the very least he is in favor of proceeding to obtain the rights to this property; adding he appreciates the sensitivity of the present economy, but questioned whether additional factors could come into play that would increase the project costs. Clark responded you could see an increase in the cost of materials.

Councilman Hamby commented he feels with the present economic picture, he feels this may be a good time to move forward with this project as the City could realize some good prices. Hamby added he is however, sensitive to the economy.

Rick Sims, 921 E. Parkwood questioned whether improvements will be needed to the present system since there is no definite time the City will move forward with the proposed new water site.

Utility Director Clark responded he felt EPA will give the City a few years and hopefully by then we will be able to proceed with the new water source.

Rick Sims questioned whether this new site is protected from future development to protect the flow and City Manager Stilwell responded this new site is many time more secure than the present water source (Miami River). He added this new site is away from any developed area.

A student from 206 Hall questioned how often the City experiences a 90-day drought and questioned how much additional debt the economy can sustain at the present time.

Clark responded the City could experience a 90-day drought every 10 years; adding the economy is the reason staff is suggesting delay of this project at this time.

Mayor Barhorst commented if the City has to tell the top five water users in town to shut down operations because of a drought, then the current economy would look pretty good.

Mayor Barhorst thanked all those involved in preparing this information and the hard work involved.

The public hearing was closed at 7:45 PM.

MISCELLANEOUS

Discussion – Liquor License Transfer for Sid Nee Investments (Fryers)

City Manager Stilwell noted the City received a request from John Thomas, 1510 Michigan St. for transfer of their D5 liquor license to SID NEE Investments, dba Fryers Pub, 1510 Michigan Street. He noted the Police background check found no known reason to oppose this liquor license request. Council voiced no objection to the license request.

Discussion – Identity Theft Program

Finance Director Adams explained in accordance with the 2003 Federal Fair and Accurate Credit Transactions Act, the City has developed an Identity Theft Prevention Program to be implemented by May 1, 2009. She reviewed the highlights of this program, noting many of these suggested regulations have already been in use by the City. Adams added these procedures do not represent significant operational changes needed.

Council member Milligan questioned whether an individual could still request information concerning utility usage of a particular piece of property and Utility Billing Supv. Berning responded this information would still be available.

Council agreed to consider the necessary legislation to put this program into place.

Council Comments

Councilman Pellman commented is very impressed with the extensive process the City is using to select the next Police Chief. Pellman added this process is very comprehensive and the committee is working very hard.

Mayor Barhorst questioned whether the City has any idea of the cost of piping involved in the new water source; adding possibly the City could realize a savings if we were to move forward

with the project at this time. Utility Director Clark indicated this information could be prepared by the consultants.

Councilman Pellman moved and Council member Milligan seconded a motion to excuse Councilman Mariano from tonight's meeting as he is out of town. The voice vote followed unanimously.

Staff Comments

Utility Director Clark noted a correction needed to the Sidney Daily News article concerning the hydrant flushing schedule and asked it to reflect these are 2009 dates.

City Manager Comments

City Manager Stilwell questioned Council for a date for the annual capital tour and asked them to advise of a workable date.

Stilwell also noted Sidney received the bronze award for United Way giving this year and commended Parks Director Gaier for his efforts and leadership in this project.

EXECUTIVE SESSION – Boards and Commissions

At 8:00 PM, Councilman Miller moved to adjourn into Executive Session to discuss Boards and Commissions. Council member Milligan seconded the motion and the voting followed unanimously.

ADJOURNMENT

At 8:10 PM with nothing further to come before Council, Council member Milligan moved and Councilman Hamby seconded a motion to come out of Executive Session and adjourn. The voice vote was unanimous and the meeting was adjourned.

The meeting was held pursuant to Sidney City Council Rules.

Respectfully submitted,

M. Jocene Fahnestock
City Clerk

Mayor