

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, February 9, 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, February 9, 2009, with Mayor Mike Barhorst presiding.

Councilman Mariano 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, Frank Mariano, Katie McMillan, Tom Miller, Mardie Milligan, and Terry Pellman.

Also attending was: City Manager Steve Stilwell, Law Director Mike Smith, Police Chief Steve Wearly, Fire Chief Stan Crosley, Parks Director Duane Gaier, Public Works Director Bill Gosciewski, Community Services Director Barbara Dulworth, Finance Officer Ginger Adams, City Engineer Scott Landon, IT Manager Ken VanHook, Municipal Court Administrator Bonnie Gold, and Utility Director Chris Clark.

APPROVAL OF MINUTES

Minutes of the January 26, 2009 Regular meeting of Council were presented for approval.

Council member McMillan moved, with Councilman Hamby seconding a motion to accept the minutes as submitted. The roll call vote was unanimous and the minutes were approved.

CITIZEN COMMENTS

Mark Barga, 544 Culvert, voiced his concerns with the City looking to outside applications for filling the upcoming vacancy for Police Chief. Barga commented he felt officers coming through the ranks would make a good Chief and he encouraged Council to strongly recommend staff consider "inside" candidates for this position.

ADOPTION OF ORDINANCES

(A-2597) AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS FOR THE
CONSTRUCTION AND REPAIR OF CERTAIN DESCRIBED
SIDEWALKS IN THE CITY OF SIDNEY, OHIO (2008)

Public Works Director Gosciewski explained this ordinance would assess the actual cost of the 2008 Sidewalk Construction and Repair Program. He noted one objection had been received from the property owner at 604 Chestnut; but noted after reviewing the sidewalk policy, staff is recommending no modification to the assessment be made for this particular property.

It was moved by Councilman Pellman, seconded by Councilman Miller to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2597 was declared adopted.

(A-2598) AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS
FOR THE YEAR 2009

Finance Officer Adams explained this ordinance would authorize supplemental appropriations totaling \$231,925 for the 2009 budget year and reviewed each of the funds affected. In response to a question at Council's last meeting, she noted when the 2008 Capital Improvement Fund budget was prepared, the cost estimate for the video arraignment project was \$18,000. As the project unfolded in 2008, Adams noted it became apparent the total project would be closer to \$35,000. Based on this information, an additional \$17,000 was included in the 2009 budget to be paid from Municipal Court Special Projects Fund. Adams noted since this ordinance was introduced to Council, the Municipal Court Judge has agreed to fund this entire project from the Special Projects Fund. This change is reflected in the ordinance before Council tonight and will require a motion to amend the original document.

Councilman Miller questioned whether the county has this same video equipment and Adams indicated they do not at this time but they are considering it.

Councilman Mariano questioned whether there is money included for maintenance of this video program and IT Manager VanHook responded "no", but doesn't feel any maintenance needed would be more than \$1000 per year.

Council member Milligan questioned the inclusion of two new vehicles for the transit program in this supplemental ordinance and whether two older vehicles would be removed from service with this purchase.

City Manager Stilwell explained ODOT is covering the purchase of these two new vehicles and yes, two older vehicles will be taken out of service.

Councilman Mariano moved and Councilman Miller seconded a motion to amend this ordinance by reducing the Capital Improvement Fund Supplemental Appropriation by \$18,000 and by increasing the Municipal Court Special Project Fund by \$18,000. The roll call vote was unanimous and Ordinance A-2598 was amended.

Councilman Pellman then moved and Council member Milligan seconded a motion to adopt this ordinance as amended. The roll call vote was unanimous and Ordinance A-2598 was declared adopted as amended.

RESOLUTIONS

(8-09) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AGREEMENT WITH THE COMMUNITY IMPROVEMENT CORPORATION
OF SIDNEY, OHIO

City Manager Stilwell explained this resolution would authorize the City to enter into a three-year agreement with the Community Improvement Corporation. He indicated the CIC works to

advance, encourage and promote industrial and economic development of the community and the City has worked jointly with them since 1983.

Stilwell recognized the CIC Chairman Harry Faulkner and WODC Executive Director Mike Dodds in attendance for tonight's meeting.

Councilman Pellman questioned how the current economy is affecting their mission and Faulkner commented the economy was bad when this organization was formed in 1983 and since then much industry has been brought to the community. He added Sidney still has a lot to offer new business to entice industry to the area and they will continue to pursue this development.

Dodds commented the CIC is working with neighboring counties and a consultant has been hired to help locate businesses looking to locate in Ohio. He noted they will be meeting with 18 companies during 2009 and it is their hope some will want to locate in Sidney. Dodds again thanked Council for their support of CIC; adding this partnership has carried through for 25 years and it is their hope to continue this pattern for many years to come.

Councilman Pellman commented he felt the efforts of WODC and CIC have been instrumental in smoothing out hard times in the past and it is hoped this will continue to be the pattern.

Councilman Miller then moved and Councilman Hamby seconded a motion to adopt this resolution as presented. The roll call vote was unanimous and Resolution 8-09 was declared adopted.

MISCELLANEOUS

Discussion – Neighborhood Stabilization Program

Community Services Director Barbara Dulworth explained as a result of House Resolution 2221 by Congress, the Dept. of Housing & Urban Development awarded funding to states and communities to address abandoned and foreclosed homes. She noted Sidney has been included with Miami, Shelby and Auglaize Counties as well as Troy and Piqua with an allocation of \$1,143,254. Dulworth shared a power-point presentation explaining how this program works and what properties could be included. She stressed this program can not include property in the process of foreclosure.

Councilman Hamby questioned where the money goes if a property is rehabilitated and then sold, and Dulworth noted the program details are unclear at this point how this will be handled.

Mayor Barhorst questioned how much of this funding Sidney could expect to receive and Dulworth noted a draft application for Sidney indicates we would receive \$230,000. She noted the application proposes to demolish five units and rehabilitate one home. Barhorst also questioned whether CIC is interested in working with the City on this project and Dulworth responded the City would be talking to several agencies concerning this program.

Mayor Barhorst questioned the proposed five homes to demolish, commenting he felt more should be demolished for the proposed \$20,000. Dulworth responded she had obtained estimates

from surrounding areas and if the demolition can be accomplished for less money, then more properties could be included.

Councilman Hamby commented he feels this is a “slippery slope” project and doesn’t see how demolishing properties can really help.

Council member Milligan commented this program would permit the City to get rid of some problem properties; adding this process would be creating work or business for someone and this would also help.

Mayor Barhorst questioned what the administrative costs of this program would be and Dulworth responded they cannot exceed 10%.

Rick Sims, 921 E. Parkwood questioned whether this program could be used to help people fix up their homes and Dulworth responded “yes”, but the house must be vacant at the time.

City Manager Stilwell pointed out there is no requirement the City participate with this program, but staff is responsible to provide Council the opportunity to decide whether they want to participate. He added the intent of this program is simply to provide help to neighborhoods where vacant or abandoned properties exist.

Councilman Mariano commented he felt this would be a good program for Sidney as long as it was used to rehabilitate properties and not land banking.

City Manager Stilwell indicated necessary legislation will appear on Council’s next agenda to consider this matter further.

Councilman Hamby suggested Council send a letter back to Congress suggesting they stop this project.

Discussion – Port Jefferson Sewer Rates

Utility Director Clark next shared the annual review of sewer rates for Port Jefferson and explained the history of how this agreement was created. As specified in this agreement, rates are reviewed and adjusted by March 1 of each year. He noted proposed treatment rates would decrease 8.6%; while management rates would increase 21%, for an overall rate change of 6.7% increase. These new rates would be effective March 1, 2009. Clark also shared a history of these rates since 2003.

Council Comments

Mayor Barhorst recognized Case Western Reserve graduate student Nicole Sharp in attendance tonight; as well as Yara AbaSawdah, an exchange student from Israel attending Ft.Loramie school. Government students from Sidney High were also recognized.

Council member Milligan thanked Mark Barga for his earlier comments concerning the upcoming Police Chief vacancy. Milligan commented she feels the search process in place will

allow for selection of the best candidate and if that candidate is from within the present Police Department and that candidate is qualified, the best will be selected.

City Manager Comments

City Manager Stilwell encouraged Council to attend a February 20 meeting with Steve Davis, Development Director of CSX to discuss the presence of CSX railroad in Sidney and Shelby County.

Stilwell also recognized the assistance of DP & L and Earl Reives in providing a program to identify street lights in the community, making it easier to locate the exact placement of faulty fixtures.

EXECUTIVE SESSION – Litigation

At 7:55 PM, Councilman Mariano moved and Councilman Pellman seconded a motion to adjourn into Executive Session to discuss Litigation. The roll call vote followed unanimously.

ADJOURNMENT

At 8:50 PM with nothing further to come before Council, Councilman Mariano moved and Council member McMillan 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