

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, December 13, 2010

6:30 P.M.

CALL TO ORDER

The regular meeting of Sidney City Council was called to order at 6:30 P.M. Monday, December 13, 2010, with Mayor Barhorst presiding. Council member Milligan 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, Katie McMillan, Tom Miller, Mardie Milligan and Terry Pellman.

Also attending was: City Manager Steve Stilwell, Law Director Mike Smith, Asst. City Manager-Administrative Services Tom Judy, Police Chief Kevin Gessler, Fire Chief Brad Jones, Parks Director Duane Gaier, Public Works Director Chris Clark, Community Services Director Barbara Dulworth, and Finance Officer Ginger Adams.

APPROVAL OF MINUTES

Minutes of the November 22, 2010 Regular Meeting of Sidney City Council were presented for approval.

Councilman Miller moved, with Councilman Pellman seconding, a motion to accept the minutes as presented. The voice vote was taken and the minutes were approved as presented.

INTRODUCTION

Fire Chief Bradley Jones introduced to Council new firefighter, Anthony Marchal, who started with the Sidney Dept. of Fire & Emergency Services on December 6, 2010. Anthony was previously employed with the Celina Fire Department; he has received his Firefighter II certification as well as paramedic certification.

ADOPTION OF ORDINANCES

A-2662 AN ORDINANCE TO MAKE AN APPROPRIATION FOR EXPENDITURES OF THE CITY OF SIDNEY, OHIO DURING THE YEAR ENDING DECEMBER 31, 2011.

Finance Officer G. Adams reviewed the 2011 Budget with Council, opening the floor for any questions or concerns. Hearing none, Council member Milligan moved, with Councilman Pellman seconding, to adopt Ordinance A-2662 as presented. Upon voice vote, motion passed.

A-2663 AN ORDINANCE AMENDING SECTION 911.01(b), SECTION 915.05(a), SECTION 917.02(a)(1) and (2), AND SECTION 918.05(c) OF THE CODIFIED ORDINANCES PERTAINING TO WATER, SEWER, STORMWATER, AND SOLID WASTE COLLECTION RATES.

Finance Officer G. Adams presented Ordinance A-2663 for a second reading to Council. This Ordinance would establish utility and sanitation rates effective January 1, 2011 and refuse rates effective April 1, 2011.

No comments or questions were heard from Council. Council member McMillan moved, seconded by Councilman Miller, to adopt Ordinance A-2663 as presented. Upon voice vote, motion passed.

A-2664 AN ORDINANCE ENACTING SECTION 131.06 OF THE CODIFIED ORDINANCES BY ADOPTING PAY TABLE II, SCHEDULES A, B, C AND D, AND PAY TABLE III FOR 2011

Assistant City Manager T. Judy reviewed with Council the proposed Ordinance amending the pay tables for non-union employees effective with the first pay in 2011. Pay tables for the affected employees were not increased in 2010. An "informal" scale was used for non-union employees, similar to the scale used for union negotiations, whereby the wages were tied to 2010 income tax revenue.

Councilman Miller moved to adopt Ordinance A-2664, seconded by Councilman Pellman. Upon voice vote, motion passed.

RESOLUTIONS

60-10 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SHELBY COUNTY PUBLIC DEFENDER COMMISSION

Law Director M. Smith reviewed the agreement between the Shelby County Public Defender Commission and the City of Sidney, providing legal services for the indigent in the Sidney Municipal Court. Charge for the services in 2011 will be \$55,000.00 as allocated in the appropriation ordinance. Council member McMillan moved to adopt Resolution 60-10; Councilman Pellman seconded the motion. Motion passed upon voice vote.

61-10 A RESOLUTION APPOINTING DAVE KREISCHER TO THE SHELBY COUNTY REGIONAL PLANNING COMMISSION

City Manager Stilwell presented Resolution 61-10 confirming the appointment of Dave Kreischer to the Regional Planning Commission for a three year term, expiring January 1, 2014. He will join Patricia Miller and Frank Ratermann as City representatives to the RPC.

Council member McMillan moved, seconded by Council member Milligan, to adopt Resolution 61-10. Motion passed by voice vote.

62-10 A RESOLUTION REAPPOINTING MERRILL ASHER TO THE STORMWATER APPEALS BOARD

City Manager Stilwell presented Resolution 62-10 reappointing Merrill Asher to the Stormwater Appeals Board for an additional five year term, expiring January 28, 2016.

Councilman Miller moved, seconded by Council member Milligan, to adopt Resolution 62-10 as presented. Motion passed by voice vote.

63-10 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DPL ENERGY (DPLE) FOR STREET LIGHTING SERVICES FOR USE ON PUBLIC GROUNDS AND STREETS IN THE CITY OF SIDNEY, OHIO FOR A PERIOD OF FIVE (5) YEARS COMMENCING JANUARY 1, 2011, AND EXPIRING ON DECEMBER 31, 2015.

Public Works Director C. Clark reviewed with Council the contract negotiations handled through the Miami Valley Communications Council, on behalf of the seventeen member cities. The new contract is for a five year period (January 1, 2011 to December 31, 2015) and covers full service street lighting and various additional street lighting services. The annual cost savings to the City of Sidney is estimated to be \$31,000 - \$38,000 annually, an average annual decrease between 13%-16%. Council member McMillan commented that this was a great deal for all cities involved. CM Stilwell added that this was the first year that this group of cities negotiated in mass with MVCC. A special note of thanks was extended to DPL representative Earl Reives for his role in the successful negotiations.

Council member McMillan moved, seconded by Councilman Pellman, to adopt Resolution 63-10 as presented. Upon voice vote, motion passed.

DISCUSSION – 2011 Workshop Topics

City Manager Stilwell presented to Council the 2011 Workshop Topics as compiled by the Senior Directors. Some of the items are mandatory for Council review; some are a matter of updating Council on the status of projects throughout the year. Council members are encouraged to advise the City staff of any items they wish to be addressed. Councilman Pellman commented that he would like to have the staff address the Sign Ordinance (permit process and fees) as it applies to businesses in general and downtown businesses. CM Stilwell and CSD Dulworth will help Council understand the pluses and minuses of the regulations, as well as the new legislation that is on the horizon, restricting permits and

fees. More information on this potentially complex topic will be brought to Council at a future Workshop session.

Mayor Barhorst requested the Staff look at property maintenance codes, specifically the number of vehicles parked in front yards.

DISCUSSION – Council Liaison Assignments

Council members were provided with the 2010 Council Liaison Assignments. Anyone wishing to trade assignments for next year may do so amongst Council, advising the Mayor or Acting City Clerk of such re-assignment. The 2011 assignments will be distributed at the January 3, 2011 Workshop meeting.

COUNCIL COMMENTS

Councilman Pellman moved, seconded by Councilman Miller, to excuse Councilmen Burns (job conflict) and Mariano (prior commitment) from the meeting. Motion passed by voice vote.

CITY MANAGER COMMENTS

CM Stilwell advised that the monthly yard waste collection will be handled in house during the months of December to March.

Council is reminded of the Employee Service Awards (10:30 a.m.) and Annual Luncheon (11:30 a.m.) on Friday, December 17, 2010 at Fire Station #1.

A draft of the Citizens Peer Review was provided to Council members. Council indicated that the revisions were good; staff was directed to proceed with the preparation of the Ordinance.

Prior to convening to Executive Session, Mayor Barhorst extended his wishes to the public and the City staff for happy holidays and prosperous New Year.

EXECUTIVE SESSION

At 7:00 p.m., Councilman Miller moved to adjourn to executive session; Councilman Pellman seconded the motion. Motion passed by voice vote. Discussion item included pending legal matters. City staff members joining Council in Executive Session include CM S. Stilwell, Ass't CM T. Judy, Law Director M. Smith, Acting City Clerk J. Goubeaux and Police Chief K. Gessler.

ADJOURNMENT

At 7:22 PM, with nothing further to come before Council, Council member McMillan moved to come out of Executive Session and adjourn the meeting. Council member Milligan seconded the motion. The roll call vote was unanimous and the meeting was adjourned.

The meeting was held pursuant to Sidney City Council Rules.

Respectfully submitted,

Joyce L. Goubeaux
Acting City Clerk

Mayor