

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, February 8, 2010

6:30 P.M.

CALL TO ORDER

Mayor Barhorst called the regular meeting of Sidney City Council to order at 6:30 P.M. Monday, February 8, 2010. Councilman Pellman opened the meeting with a moment of silent prayer remembering our military; followed by the Pledge of Allegiance.

ROLL CALL

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

Also attending was: City Manager Steve Stilwell, Asst. City Manager-Administrative Services Tom Judy, Law Director Mike Smith, Police Captain Mike Lundy, Fire Chief Stan Crosley, Parks and Recreation Director Duane Gaier, Street Supt. Marty Keifer, Community Services Director Barbara Dulworth, Finance Officer Ginger Adams, Utility Office Supv. Karen Berning, and Utility Director Chris Clark.

APPROVAL OF MINUTES

Minutes of the January 25, 2010 Regular Meeting of Sidney City Council were presented for approval.

Councilman Burns moved, with Councilman Mariano seconding a motion to accept the minutes as presented. The roll call vote was unanimous and the minutes were approved.

CITIZEN COMMENTS

Mayor Barhorst welcomed a scout in attendance for tonight's meeting, who shared he is working on his citizenship badge.

ADOPTION OF ORDINANCES

(A-2635) AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE YEAR 2010

Finance Officer Adams explained this ordinance would authorize supplemental appropriations for various funds for the 2010 budget year. She noted the net effect of these changes would be to decrease 2010 appropriations by \$504,051; noting the majority of these changes are due to multi-year grants the City receives.

Councilman Mariano then moved and Council member Milligan seconded a motion to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2635 was declared adopted.

(A-2636) AN ORDINANCE AMENDING SECTIONS 905.01, 905.02, 905.03, 905.05, 905.06, 905.07, 905.08, 905.09, 905.10, 905.11, 905.12 AND ENACTING

SECTION 905.13 OF THE CODIFIED ORDINANCES REGARDING TREES

Street Supt. Keifer gave a brief background of this ordinance, noting it hasn't been updated for twenty years. He reviewed the new sections being proposed and noted while there is no fee for the tree care permit, this will provide a means of monitoring care of public trees.

Councilman Pellman moved and Council member McMillan seconded a motion to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2636 was declared adopted.

(A-2637) AN ORDINANCE ASSESSING THE COST OF WEED CUTTING

Finance Officer Adams explained this ordinance would assess certain property owners the cost of weed mowing; noting 38 parcels would be assessed a total of \$3,492.90.

It was moved by Councilman Miller, seconded by Councilman Burns to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2637 was declared adopted.

INTRODUCTION OF ORDINANCES

(A-2638) AN ORDINANCE AMENDING SECTIONS 917.02 AND 917.05 REGARDING THE YARD WASTE PORTION OF SOLID WASTE SERVICES

Asst. City Manager-Administrative Services Judy explained this ordinance would amend Chapter 917 of the Codified Ordinances to implement a partial charge for grass and brush pickup. He explained at the present time, the City pays a per-customer-per-month fee of \$1.15 for curbside pickup and disposal of grass and brush. He noted presently there is no customer fee for this service. Judy pointed out from a recent survey of peer cities, Sidney is the only city fully funding grass and brush pickup with taxes. The proposed ordinance would have the City paying \$0.37 per-customer-per-month from taxes with the remaining program costs being recovered with a customer charge of \$0.90 per bag of grass or bundle of brush.

This will return to Council's February 22, 2010 agenda for further consideration.

RESOLUTIONS

(9-10) A RESOLUTION OF SUPPORT FOR THE CITY OF SIDNEY'S WATER SOURCE PROJECT BY AUTHORIZING THE CITY MANAGER TO APPLY FOR FEDERAL GRANTS ON BEHALF OF THE CITY OF SIDNEY FOR THE DESIGN, DEVELOPMENT AND CONSTRUCTION OF THE NEW WATER SOURCE

Utility Director Clark explained this resolution simply is a show of support of the federal grant applications showing solidarity with Sidney's elected local government supporting the New Water Source Project. He noted the resolution also authorizes and supports the City Manager in applying for federal grants through the appropriate congressional offices.

Council member Milligan advised she would abstain from voting on this legislation as her family has a financial interest in this matter.

It was moved by Councilman Mariano, seconded by Councilman Pellman to adopt this resolution as presented. The roll call vote was as follows: Barhorst – yes, Burns – yes, Mariano – yes, McMillan – yes, Miller – yes, Milligan – abstain, and Pellman – yes. Resolution 9-10 was declared adopted with six affirmative votes and one abstention.

(10-10) A RESOLUTION CONFIRMING THE CITY MANAGER'S RECOMMENDATION REGARDING ADMISSION FEES TO THE CITY MUNICIPAL POOL

Parks and Recreation Director Gaier explained this resolution would establish prices for the Sidney swimming pool. He noted it is the City's Financial Policy goal to set rates to recover a minimum of 60% of pool operating costs, with the remainder of operating costs and all capital costs subsidized from income tax collections. Gaier pointed out with these proposed increases, it is estimated the pool will cover 65% of operating costs in 2010. Gaier noted a typographical error in the cost for additional season tickets from \$8.25 to \$10.00. This correction will be made to reflect \$10.00.

Councilman Mariano then moved and Councilman Pellman seconded a motion to adopt this resolution as corrected. The roll call vote was unanimous and Resolution 10-10 was declared adopted.

(11-10) A RESOLUTION REAPPOINTING JERRY KNOOP TO THE RECREATION BOARD

City Manager Stilwell explained this resolution would reappoint Jerry Knoop to a new five-year term on the Sidney Recreation Board. He noted Mr. Knoop has served on this board since December of 1982.

It was moved by Council member Milligan, seconded by Councilman Miller to adopt this resolution as presented. The roll call vote was unanimous and Resolution 11-10 was declared adopted.

(12-10) A RESOLUTION REAPPOINTING MARCIA OSBORNE AND JOHN LAWS TO THE CITY TREE BOARD

City Manager Stilwell explained this resolution would reappoint Marcia Osborne and John Laws to new three-year terms on the Sidney Tree Board. He noted Ms. Osborne has served on this board since February 2007 and Mr. Laws has served since June 2006.

Council member McMillan then moved and Councilman Pellman seconded a motion to adopt this resolution as presented. The roll call vote was unanimous and Resolution 12-10 was declared adopted.

(13-10) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED AGREEMENT WITH ALLIED WASTE SERVICES OF CELINA REGARDING RESIDENTIAL SOLID WASTE COLLECTION IN THE CITY OF SIDNEY, OHIO

Asst. City Manager-Administrative Services Judy explained this resolution would give the City Manager the authority to sign an amendment to the contract with Allied Waste to reflect the proposed changes to the grass and brush program as discussed in Ordinance A-2638 earlier tonight. Judy noted this amendment would be completed only after Ordinance A-2638 is adopted and effective.

It was moved by Councilman Miller, seconded by Councilman Burns to adopt this resolution as presented. The roll call vote was unanimous and Resolution 13-10 was declared adopted.

PUBLIC HEARING AND RESOLUTION

(14-10) A RESOLUTION AUTHORIZING THE PLACEMENT OF THE HELMAN FARM IN AN AGRICULTURAL DISTRICT, SUBJECT TO LIVESTOCK LIMITATION

At 7:02 PM. Mayor Barhorst opened a public hearing concerning this resolution and City Manager Stilwell explained the Ohio Revised Code sets forth a procedure for property owners to place their land in an Agricultural District in five-year increments. He reviewed the benefits of this action, noting this designation is for a new five-year period.

Attorney Harry Faulkner was present representing Ron Helman and noted the property owner has no interest in livestock for this area.

The public hearing was closed at 7:08 PM.

Councilman Pellman then moved and Council member Milligan seconded a motion to adopt this resolution as presented. The roll call vote was unanimous and Resolution 14-10 was declared adopted.

MISCELLANEOUS

Discussion – Adjustment of Port Jefferson Sewer Rates

Utility Director Clark introduced Utility Office Supv. Berning and also recognized the Finance Department for their help in computing the proposed cost figures for the Port Jefferson sewer. He then gave Council a brief background of the City's agreement with Port Jefferson for sewer services and the history of the arrangement since they were put online November of 2001. According to the agreement, the City will adjust annual charges by March of each year. Clark reviewed the treatment rates as well as management rates, noting an overall rate increase of 10.2% for 2010.

Council member McMillan questioned whether the City has any trouble with Port Jefferson residents paying these sewer charges and Berning commented the village pays any unpaid charges and they in turn place these charges on the property owner's taxes.

Council Comments

Councilman Mariano asked for some information concerning the recent snow events in Sidney and Street Supt. Keifer gave an overview of man hours and equipment spent plowing and managing the recent snow. Keifer noted 120 truck loads of snow were removed from the

downtown area on Sunday, February 7, and deposited on Custenborder parking area. Keifer added the department appreciates the community's patience in handling this snow event.

Council member Milligan questioned the fee for going out of business as reported in the recently distributed list of current fees and charges and Law Director Smith commented he would look into this. Milligan commented she thought this fee had previously been removed.

Councilman Miller voiced his thanks to the crews who worked so hard through the recent snow storm.

Mayor Barhorst complimented Keifer on a good job handling the snow event. Barhorst also shared the news of the recent death of the South Point Mayor.

Council then sang Happy Birthday to Councilman Burns.

Staff Comments

Fire Chief Crosley advised his department would be sending out a news release asking residents to help keep any fire hydrants free of snow.

City Manager Comments

City Manager Stilwell reminded Council the recent efforts of the Street Department in dealing with the snow have been accomplished with four or five fewer staff than last year. Stilwell added "we are making it work". Keifer thanked all departments who have shared additional personnel to help.

City Manager Stilwell also congratulated DP&L, noting they have been doing a good job notifying the City where outages have occurred.

Stilwell also announced a letter has been received from Fire Chief Crosley announcing his retirement date of May 22, 2010. Stilwell added a lot of things go right because of Crosley. Mayor Barhorst commented he is looking forward to the process of finding a replacement for Stan.

ADJOURNMENT

At 7:35 PM with nothing further to come before Council, Councilman Mariano moved and Councilman Pellman seconded a motion to 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 Fahnstock
City Clerk

Mayor