

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, January 11, 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, January 11, 2010. Councilman Miller 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, Mike Burns, Frank Mariano, Katie McMillan, Tom Miller, Mardie Milligan, and Terry Pellman.

Also attending was: City Manager Steve Stilwell, Law Director Mike Smith, Police Chief Kevin Gessler, Fire Chief Stan Crosley, Parks Director Duane Gaier, Public Works Director Bill Gosciewski, Community Services Director Barbara Dulworth, Finance Officer Ginger Adams, Water Supt. Larry Broughton, Revenue Collections Office Supv. Susan Lukey, Assistant Finance Officer Renee Dulaney, Purchasing Manager Gary Gerkey, and Utility Director Chris Clark.

APPROVAL OF MINUTES

Minutes of the December 14, 2009 Regular Meeting and January 4, 2010 Workshop Meeting of Sidney City Council were presented for approval.

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

PRESENTATION – “Making Your Tax Dollars Count” – Lisa Hayes

Lisa Hayes of the State Auditor’s Office was in attendance and presented a “Making Your Tax Dollars Count” award to Finance Officer Adams; noting the last audit of Sidney’s records reflected a “clean” audit with no findings for recovery. Hayes added fewer than 5% of all agencies audited receive this award, commenting it takes a cooperative effort to make this possible. Finance Officer Adams accepted the award, noting the entire staff and City working together makes this award possible.

On behalf of City Council, Mayor Barhorst congratulated the Finance Department for this fine award.

PRESENTATION – OPOTA Certificate

City Manager Stilwell noted when former Police Chief Steve Wearly retired in March, 2009, the City conducted a lengthy selection process for the new chief. After careful consideration, Chief Kevin Gessler of Wheeling, West Virginia was selected and took office July 13, 2009. Stilwell noted in Ohio, a police individual must receive certification

from the Ohio Peace Officer Basic Training Program and advised Council, Gessler received this training and certification effective November 4, 2009 and is now certified as a Police Officer by the Ohio Peace Officer Training Commission. Stilwell commented staff joins with City Council and the residents of Sidney in congratulating Gessler for this accomplishment.

ADOPTION OF ORDINANCES

(A-2633) AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP ESTABLISHED BY SECTIONS 305.01 AND 305.02 OF THE CODIFIED ORDINANCES

Public Works Director Gosciewski explained this ordinance would amend the Traffic Control Map to add a stop sign in a new commercial business center along VanDemark Road (Echo Drive would be the stop street). He noted this ordinance would also restrict parking for two hours at two spaces along Poplar Street.

In answer to the Mayor's question at the December 14, 2009 meeting, Gosciewski noted he had conducted further review of traffic counts necessary in order to warrant a traffic signal at the intersection of Echo Drive and VanDemark instead of the requested stop sign. Gosciewski noted traffic counts at this location would need to increase dramatically in order to justify such a signal and he doesn't foresee this as a possibility for a very long time.

It was moved by Councilman Mariano, seconded by Councilman Miller to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2633 was declared adopted.

(A-2634) AN ORDINANCE REZONING FOUR TRACTS OF REAL ESTATE LOCATED ON THE NORTH SIDE OF FAIR ROAD SOUTH OF THE CSX RAILROAD FROM AN R-1 SINGLE FAMILY RESIDENCE DISTRICT TO AN I-2 GENERAL INDUSTRIAL DISTRICT (Advanced Composites)

Community Services Director Dulworth explained Advanced Composites has requested four properties on the north side of Fair Road, south of the east-west CSX railroad, be rezoned from R-1 Single Family Residence, to I-2 General Industrial District. She noted all four of these properties previously had residential uses; but are now vacant and will not be re-occupied as residential uses.

Councilman Burns then moved and Councilman Pellman seconded a motion to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2634 was declared adopted.

RESOLUTIONS

(1-10) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR VARIOUS ITEMS AND PROJECTS

Purchasing Manager Gerkey explained this resolution would authorize staff to seek and accept bids for a variety of items, projects and services throughout 2010 in accordance with the City's purchasing policy. He noted all proposed bid items were included in the 2010 budget.

It was moved by Councilman Miller, seconded by Council member Milligan to adopt this resolution as presented. The roll call vote was unanimous and Resolution 1-10 was declared adopted.

(2-10) A RESOLUTION AUTHORIZING THE IMPLEMENTATION OF A LIMITED INCOME TAX AMNESTY PROGRAM FOR THE CITY OF SIDNEY, OHIO

Finance Officer Adams introduced Revenue Collections Supv. Lukey and explained this resolution would establish an Amnesty Program permitting taxpayers who owe back taxes to the City to pay those taxes and receive forgiveness of associated penalties and interest. She pointed out this short-term program would only run from January 12, 2010 to May 31, 2010. Adams reviewed the eligibility requirements for this amnesty, noting this program can be a good first step in the change to mandatory income tax filing.

Councilman Mariano questioned whether the department has pursued or prosecuted individuals who have not paid City income tax in the past two years and Adams responded they have and explained the process. Mariano voiced his concern with individuals who have come forward in the past to pay back taxes and been charged the penalty and interest and now with the amnesty program, individuals would not have to pay this penalty and interest.

Council member Milligan then moved and Council member McMillan seconded the motion to adopt this resolution as presented. The roll call vote was as follows: Barhorst – yes, Burns – yes, Mariano – no, McMillan – yes, Miller – yes, Milligan – yes, and Pellman – yes. Resolution 2-10 was declared adopted with a 6/1 vote.

(3-10) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT

Community Services Director Dulworth explained this resolution would authorize the City Manager to enter into a Housing Revolving Loan Fund Administration Agreement with the Ohio Dept. of Development. She noted this agreement would be in effect for a three-year period.

It was moved by Councilman Mariano, seconded by Councilman Pellman to adopt this resolution as presented. The roll call vote was unanimous and Resolution 3-10 was declared adopted.

MISCELLANEOUS

Discussion – Brookside Park Development

Parks Director Gaier gave a presentation of a possible design for development of the recently acquired Camp Brookside property. He explained Freytag and Associates, along with assistance from Jaccyn Design Group have developed a plan and will provide cost estimates as well as perform the grant application writing to gain funding of the project.

Gaier shared a power-point presentation showing three possible concepts for this area and Mayor Barhorst questioned whether the Recreation Board prefers one concept over the others. Gaier responded they lean more towards Concept C which would provide a continuation of Whipp Road to the back of this property.

Council member Milligan questioned what power was available in the back of this property and Gaier responded there would be adequate power to handle a possible concert; but a festival or other event could present a problem.

Councilman Mariano questioned whether there is concern with the entrance area being low and Gaier responded there is a culvert in this area, which would have to be kept cleared.

Council member McMillan questioned where the City is currently with the annexation process and Law Director Smith explained the timeframe.

John Freytag of Freytag & Associates commented this property is a unique environmental area and possibly the City would want to proceed with a different concept for now and continue to consider further use of the area. Jaccyn Design also commented their goal was to preserve as much of this area as possible.

Lucy Cook, 460 N. Knoop Johnston Road questioned future plans for the scout lodge and amphitheatre and Gaier responded they are still evaluating the lodge, but the amphitheater will be kept. Mrs. Cook also questioned police patrolling of this area and Gaier responded it would be patrolled the same as all other park areas.

Donna Broughton, 558 Knoop Johnston Road questioned whether something could be done to discourage traffic coming back in this area and Gaier responded it will take a process of educating the public that this is a dead-end.

City Manager Stilwell commented he would be willing to put signs at the entrance to Knoop Johnston Road stating it is not an entrance to the park area.

Gailyn Thomsen, 2200 SR 29 questioned whether the City was aware of the natural flow of the water in this area, and Freytag responded they would just accept whatever water comes.

On January 25, Council will consider a resolution applying for a park grant for this area.

Discussion – Liquor License for Broad Street Grille, 1510 W. Michigan/Transfer D5

City Manager Stilwell explained the City has received a request from John Thomas, 1510 Michigan St. for transfer of a D5 liquor license to Red Buffalo Properties II, Inc., dba Broad Street Grille, 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.

Council Comments

Councilman Pellman commented he is impressed with the City's financial staff; adding "good job".

City Manager Comments

City Manager Stilwell reminded Council to get their reservations for the annual Chamber Dinner scheduled for February 9, 2010, in to the Clerk's office. He also advised the new list of liaison Council appointments to the various boards and commissions had been distributed to Council and they should advise if any changes are necessary.

Stilwell also noted there will be a Martin Luther King march on January 18 at 9:00, and urged anyone interested to participate.

City Manager Stilwell also commented staff will need to work diligently to educate the public concerning mandatory income tax filing as well as the amnesty program and urged everyone to watch for opportunities to aid with this.

EXECUTIVE SESSION – Boards and Commission Appointments

At 7:38 PM, Councilman Mariano moved and Councilman Miller seconded a motion to adjourn into Executive Session to discuss appointments to Boards and Commissions. The roll call vote followed unanimously.

ADJOURNMENT

At 7:47 PM with nothing further to come before Council, Councilman Miller 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 Fahnstock
City Clerk

Mayor