

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, October 25, 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, October 25, 2010, with Mayor 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, Mike Burns, Frank Mariano, 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 Captain Mike Lundy, Acting Fire Chief Rick Simon, Parks Director Duane Gaier, Public Works Director Bill Gosciewski, Community Services Director Barbara Dulworth, Finance Officer Ginger Adams, and Utilities Director Chris Clark. Also attending was Ginger Gehret, GIS Technician; Human Resources Manager Vickie Allen; IT Manager Ken Van Hook; IT Network Specialist Joel Glass; IT Support Specialist Krista Sanders; and Brent Bruggeman, Stormwater Operator I. Chamber Leadership Intern Jason Hancock was in attendance.

APPROVAL OF MINUTES

Minutes of the October 11, 2010 Regular Meeting of Sidney City Council were presented for approval.

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

CITIZEN COMMENTS

Rick Sims, 921 W. Parkwood, inquired of Council whether the City has considered an alternate method for leaf pick up. Sims indicated that the City of Dayton recently adopted a new system; would the system be cost effective for Sidney? City Manager Stilwell responded that the staff would look at it and report back to Council with an analysis.

PROCLAMATIONS

Mayor Barhorst presented a Proclamation declaring November 4-5-6, 2010 as American Legion Auxiliary Poppy Days; Co-Chairs Pat Mullen and Linda Nuss accepted the Proclamation and thanked the City Council for their continued support.

Mayor Barhorst presented a Proclamation declaring November 2010 as Family Month; Bishop Randall Frisby and President Mark Zelnick of The Church of Christ of Latter-Day Saints were on hand to receive the Proclamation. On behalf of their membership, they expressed appreciation to the City Council for their support and presented the Mayor with a Plaque of Appreciation for outstanding commitment to building strong families.

PRESENTATION

Harry Faulkner, Chairman of West Ohio Development Council (WODC), presented the Annual Report of activities conducted by the WODC. Mr. Faulkner explained the history of WODC since its inception in 1983; the purpose of the organization was to attract new business to the region. The focus has since changed to “maintenance of current businesses” due to the challenging economic times. He expressed his thanks for City Council’s support over the years and then introduced the third Executive Director of WODC, Mike Dodds.

Mr. Dodds provided City Council with a copy of the Annual Report and give a brief overview of the activities of WODC and the challenges it currently faces. WODC is comprised of various groups that work together for a common mission; coordinated efforts are provided by City Council, County Commissioners, Regional Planning Commission, Village Administrators, West Central Ohio Coalition, and Dayton Development Coalition.

The West Central Ohio Coalition is comprised of Troy, Piqua, Wapakoneta and counties of Shelby, Darke and Logan. In an effort to enhance economic development, the Coalition hired a consultant from Canada to seek leads in addition to the leads from Ohio Department of Development.

Highlights of 2009 and 2010 to date include Airstream’s introduction of the new Class B motor coach; new car battery line at Wayne Trails in Fort Loramie; celebrating 25 years with Honda Engine Plant, and the recent improvements in the surgical suite at Wilson Memorial Hospital.

Councilman Pellman inquired as to the size of companies being recruited; M. Dodds responded that small and high job count companies are referred by the consultant, although typically the companies are large employers (100+). Rail access is in demand for new development.

INTRODUCTION

Mayor Barhorst welcomed Chamber Leadership Intern Jason Hancock to the meeting.

ADOPTION OF ORDINANCES

A-2660 AN ORDINANCE AMENDING SECTION 1149.13(b)(1) OF THE CODIFIED ORDINANCES REGARDING REGULATIONS IN THE ZONING CODE OF SIGNS

Community Services Director Dulworth reviewed the proposed change in the Code of Signs with City Council. Section 1149.13(b)(1) would read “The total attached sign area shall not exceed one square foot per lineal foot of canopy frontage.” Planning Commission reviewed the change and recommended that City Council adopt the amendment.

Councilman Pellman asked for clarification of “canopy”; CSD Dulworth explained it is basically the umbrella over the fuel pumps at gas stations.

Councilman Mariano moved, seconded by Councilman Miller, that Council adopt Ordinance A-2660 as presented. Voice vote followed and motion passed unanimously.

RESOLUTIONS

56-10 A RESOLUTION ACCEPTING THE PLAT TITLED “LOT 7056 AND 7057” (Pohlman)

CSD Dulworth reviewed with City Council the proposed lot split for J & J Pohlman, Ltd. located on Vandemark Road in the B-2, Community Business District. Two new lots would be created, both 1.5 acres; Lot 7056 is undeveloped and Lot 7057 is developed with a building and asphalt paving (previous location of a motor vehicle sales business). Planning Commission reviewed the lot split and recommended that Council approve the replat as submitted.

Mayor Barhorst inquired as to the type of business to be located on the irregularly shaped Lot 7056. CSD Dulworth noted that the surveyor’s drawing shows a large building on the lot and confirmed that there is sufficient room; no other information was available.

Councilman Miller inquired about the drainage swale to the northwest of the lot. The property to the northwest has a large detention basin and drains to the industrial area on Gleason Street. City Assistant Engineer N. Miller has confirmed that the easement is sufficient for drainage needs.

Council member McMillan moved, with Councilman Burns seconding, to adopt Resolution 56-10 as presented. Upon voice vote, motion passed unanimously.

DISCUSSION – GIS Update

GIS Technician Ginger Gehret gave City Council an update on the activities in the GIS Department since the last report in November 2009. Several new data layers have been implemented in GIS, including Fire Run Maps, City’s Address Policy, Downtown Parking, Utility Reimbursements and Easements. The addition of these new layers helps users to access information in a timely fashion.

G. Gehret explained that the major benefit of having all the information in one location ensures accuracy and quick access. CM Stilwell explained the data is “read only” and will eventually be available for public access

Mayor Barhorst asked how often the data is updated. G. Gehret responded that the data is updated as soon as possible, depending on what the project is and the urgency. The City departments provided her with a priority list of layers that they felt were needed.

Councilman Mariano expressed concern about house numbers and the requirement to display the address. DFC Simon noted that residents are asked to have addresses displayed but it is not current enforced. Addresses for commercial businesses are required, including street number and door numbers. The GIS layer “Fire Run Map” has been very beneficial and will replace the traditional 3-ring binders in rescue vehicles.

The City’s Address Policy is being updated and will hopefully eliminate future problems with assigning addresses within the City. Mayor Barhorst inquired as to old streets with odd numbering and whether those would be corrected. The City does not plan to change any current addresses since they are established.

Councilman Pellman was impressed with the work being done in GIS and expressed his appreciation for a good job on the GIS program.

DISCUSSION – EPA STORMWATER PHASE II PROGRAM AND STORMWATER UTILITY FEE

Utilities Director C. Clark introduced a presentation to City Council on the progress in complying with the Ohio EPA's Stormwater NPDES Phase II Program and a status report on the Stormwater User Fee.

Brent Bruggeman, Stormwater Operator I, reviewed the PowerPoint report outlining the new regulations for municipal Stormwater permits, with the focus on protecting water quality in Sidney. He briefly reviewed the control measures and the methods used by the City for public education and outreach, as required for the OPEEF Grant.

The Stormwater user fee has not been increase since the implementation in 2007. A 3% increase is proposed for 2011, which would generate approximately \$9,600. It is projected that a 10-12% increase would be required to cover the expense of the program; due to downturn in the economy, the staff is only recommending a 3% increase at this time. A 2006 comparison of surrounding cities showing Stormwater user fees was provided to Council, with Sidney coming in at the lowest rate.

Councilmen Pellman and Mariano asked how would we know the control measures are working. Utilities Director Clark explained that the program is only eighteen months into operation and it is hard to track results yet. The improvements noted in recent Miami River Clean Up operations may be a good indicator of the benefit of educating the public about pollutants. Education efforts have included billboard advertising, materials at the County Fair and updates on the City website.

Utilities Director Clark commended B. Bruggeman for his efforts in getting the City program into compliance with EPA. He further commented that the EPA requires monitoring industrial sites for Stormwater issues. As a part of their user fee, the City currently offers assistance to local industries to help them with the guidelines and paperwork required.

CM Stilwell commented that this is a service that is required and there is no end to it. There will always be a push for cleaner water and the costs will continue to rise. By charging a user fee for the Stormwater program, the revenue in the General Fund can be directed elsewhere for the safety and welfare needs of the community.

DISCUSSION – Parks Labor Assistance Program

Parks Director D. Gaier gave Council an update on the Labor Assistance Program provided through the Municipal Court system. Thanks to the efforts Municipal Court Judge Donald Luce, Municipal Court Probation Officer Crystal Barton, HR Manager V. Allen and Recreation Board member Greg Jones, the Labor Assistance Program provides workers for projects around the City, such as weeding/grass trimming, painting, cleaning and light construction. A total of approximately 1418 hours have been worked by twenty-two defendants working off their community service requirements and approximately 248 hours volunteered by Recreation Board member Greg Jones for supervisory services.

Month	Defendant Hours	Volunteer Hours	Total Hours
July	153	64	217
August	424	80	504
September	354	56	410
October (to date)	467	48	515

Council member McMillan commended Greg Jones for his service to the program

Councilman Mariano expressed appreciation to the organizers in making this program a success and saving the City taxpayers' money (former Sheriff's Program cost the City \$57,000 per year). HR Manager V. Allen explained that the cost for worker's compensation for the defendants is covered by the court fees; cost to the City is zero.

Councilman Pellman concurred with Council member McMillan in thanking G. Jones for volunteering his time upon his retirement. Councilman Miller echoed the thanks for the work.

Municipal Court Probate Officer Crystal Barton explained that \$6.25 per hour is applied to the defendant's fines and court costs. Court ordered restitution is 100% to the victim and is not applicable to this program.

Parks Director Gaier indicated that they hope to utilize this program for the leaf pick up instead of hiring seasonal employees.

Mayor Barhorst agreed that it is a good program. Judge Luce worked on it a long time; thank you to Municipal Court for making it happen.

COUNCIL COMMENTS

Mayor Barhorst announced that Council member Milligan has offered to host this year's Holiday Party on Monday, December 6, 2010 at the Milligan home. More details will be forthcoming.

Councilman Mariano moved, and Councilman Pellman seconded, to cancel the December Workshop meeting. A voice vote was held and motion passed unanimously.

Councilman Pellman announced that he will not be running for another term on City Council.

STAFF COMMENTS

Acting Fire Chief R. Simon commended the GIS Department on the hard work done by Ginger Gehret with the Fire Run Program. It has been and will be an invaluable tool for the rescue runs, especially to apartment complexes.

CITY MANAGER COMMENTS

City Manager Stilwell reminded Council of the dedication ceremony scheduled for Saturday, October 30 at 9:00 a.m. for the Feeder Canal Walkway; ceremony will be held at the base of the Westlake access.

Through State and Federal funds, the Yeager Apartments on North Street have been demolished.

Law Director M. Smith advised Stilwell that the Nominating Petition form will be updated to reflect the new deadline for filing petitions from the previous 75 days to 90 days. Council Clerk will be getting the forms revised to reflect the change. Council members contemplating running for election in 2011 need to keep in mind the new deadline.

Council members are invited to the Swearing In Ceremony for new Fire Chief Bradley Jones on Monday, November 8, 2010 at 8:00 a.m. at Fire Station #1. The new Fire Chief will be introduced to Council at the regular Council meeting that same date.

Retirement parties are scheduled for Municipal Court employees, Judge Donald Luce on Tuesday, October 26 at 11:30 a.m. and Virginia Egbert on Friday, October 29 at 11:30 a.m.

CM Stilwell commended the Utilities Department for recent replacement of water main, in spite of reduction in staff. Services are still being provided to the residents.

EXECUTIVE SESSION

At 8:12 PM Councilman Mariano moved, and Council member McMillan seconded a motion, to adjourn into Executive Session to discuss Boards and Commissions, Annual Evaluation of Charter employees, and Collective Bargaining (Firefighters). The roll call vote followed unanimously. The following staff members joined Council in Executive Session: City Manager Stilwell, Assistant City Manager Judy, Deputy Chief Simon, Law Director Smith, Acting Clerk Goubeaux, and HR Manager V. Allen.

ADJOURNMENT

At 8:40 PM, with nothing further to come before Council, Council member Miller moved and Council member Milligan seconded a motion to come out of Executive Session and adjourn. 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