

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, April 11, 2011

6:30 P.M.

CALL TO ORDER

The regular meeting of Sidney City Council was called to order at 6:30 P.M. Monday, April 11, 2011, with Mayor Barhorst presiding.

ROLL CALL

The following Council members were present and answered roll call: Mike Barhorst, 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, Public Works Director Chris Clark, Police Captain Mike Lundy, Fire Chief Brad Jones, Community Services Director Barbara Dulworth and Finance Officer Ginger Adams. Chamber Leadership Intern Jason Hancock was in attendance. Other guests include 4th Ward applicant Steve Wagner and Sidney High School student Jonathan Bowers.

APPROVAL OF MINUTES

There being no additions or corrections, Councilman Miller moved to adopt the minutes of the March 28, 2011 regular meeting and the April 4, 2011 Workshop meeting. Motion seconded by Councilman Mariano; motion passed by voice vote.

PRESENTATION

Fire Chief Brad Jones announced the Firefighter of the Year for 2010 is John Skorupski. During his 20 years with the department, Firefighter Skorupski “has proven himself worthy of this award through his work ethics and loyalty to the department.” FF Skorupski humbly accepted the award and thanked his many peers who were in attendance to congratulate him. His wife Gina, three children (Michael, Matthew and Madison) and other family members were in attendance. Mayor Barhorst extended congratulations to FF Skorupski on behalf of all Council and also expressed appreciation to all the Department members for the work they do every day.

INTRODUCTION OF ORDINANCES

A-2676 AN ORDINANCE ACCEPTING THE ANNEXATION OF A 12.528 ACRE TRACT IN SECTION 11, CLINTON TOWNSHIP, SHELBY COUNTY, OHIO, TO THE CITY OF SIDNEY, OHIO

CSD B. Dulworth introduced the proposed annexation of 12.528 acres of land located to the south of the existing paved Canal Feeder Trail to the south of the City. The property is owned by

the City of Sidney. The annexation of this property will not generate a substantial negative impact on City facilities and services and is consistent with the City's policies and objectives as identified in the City's comprehensive plan. Upon review of the proposed annexation, the Planning Commission also recommends approval as submitted. County Commission approved the annexation on March 29, 2011.

In reviewing the boundaries of the 12.528 acre tract, it was noted that the north edge was narrow; Parks Director D. Gaier explained that the boundaries of the canal fluctuate due to irregular transfers of ownership throughout the history of the canal.

Ordinance A-2676 will return to Council at the April 25, 2011 regular meeting for further deliberation.

A-2677 AN ORDINANCE ZONING A 12.528 ACRE TRACT IN SECTION 11,
CLINTON TOWNSHIP, AS R-1, SINGLE FAMILY RESIDENCE DISTRICT

Mayor Barhorst opened the Public Hearing at 6:36 p.m.

CSD B. Dulworth explained to Council that with the proposed annexation of the 12.528 acre tract it will be appropriate to establish zoning for the property. The R-1, Single Family Residence District designation for the entire area would make the publicly owned and operated recreation facility a conforming use. Planning Commission reviewed the proposed zoning plan at their March 21, 2011 meeting and recommend establishment of R-1, Single Family Residence District.

Public hearing was closed at 6:38 p.m.

Ordinance A-2677 will return to Council at the April 25, 2011 regular meeting for further deliberation.

A-2678 AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR
THE YEAR 2011

Finance Officer G. Adams reviewed with Council the proposed supplemental appropriations for various funds for the 2011 budget year. The effect of these changes would be to increase 2011 appropriations by \$476,000, as follows: Capital Improvement (+\$451,000 related to the demolition of the Taylor Building (\$362,000) and the replacement of a backhoe at Graceland Cemetery (\$89,000)); Street Fund (+\$25,000 to cover the street winter maintenance budget); and General Fund (no net change – transfer of \$15,000 from Code Enforcement personnel services to Code Enforcement contractual).

Mayor Barhorst inquired as to whether the Staff has had any contact with the owner of the Taylor Building. City Manager Stilwell responded that the staff will accumulate all costs associated with the demolition and then present a bill; no one on staff has heard from Mr. Desmond to date.

Ordinance A-2678 will return to Council at the April 25, 2011 regular meeting for further deliberation.

RESOLUTIONS

20-11 A RESOLUTION CONSENTING TO THE RESURFACING OF I-75 PROJECT BY THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE CITY OF SIDNEY, OHIO, AND AGREEING TO COOPERATE

PWD C. Clark explained that the Ohio Department of Transportation has requested a Resolution of Consent for the 2014 spot repairs for the asphalt work performed within the corporation limits of Sidney, Ohio.

In response to Councilman Pellman's question regarding the State having sufficient funds to make the repairs over the next couple of years, PWD C. Clark explained that the pavement conditions are assessed at the beginning of each year and necessary repairs made. Law Director M. Smith added that the interstate repairs are completed using Federal dollars; ODOT simply administers the funds. Councilman Pellman expressed concern about the frequent interruptions for the travelers. Mayor Barhorst posed the question of what would happen if Council did not pass the resolution. City staff promised to research the issue and get back to Council.

Council member McMillan moved to adopt Resolution 20-11, seconded by Council member Milligan. Motion passed by voice vote.

MISCELLANEOUS

Discussion - Liquor Permit Renewals

CM S. Stilwell presented to Council the list of existing liquor permits for those establishments within the City of Sidney that are required to file renewal applications. Police Chief Kevin Gessler submitted a memorandum summarizing the research conducted by the Department. Council was silent on the renewals, thus deemed consent.

Discussion – Liquor Permit Transfer from Rose Valero to BDR Oil Inc. (Valero).

CM S. Stilwell reviewed the request from BDR Oil Inc. to transfer the C1 and C2 liquor licenses previously owned by Rose's Valero. A background report from the Police Department indicates that there is no known reason to oppose the request. Council was silent on the request; Council Clerk will submit the necessary paperwork to the Department of Liquor Control.

COUNCIL COMMENTS

Regarding the Taylor Building demolition, Councilman Miller once again thanked the City Manager and staff for making it happen and getting Main Avenue opened back up. Only comments he has heard deal with the City recouping the expenses incurred.

Mayor Barhorst echoed Councilman Miller's comment, noting the anxiety when the last portion of the 65' wall came down and in the right direction. A lot of folks made it all happen successfully.

Councilman Mariano added his pleasure that the demolition was successful, requested that we get the streets reopened for businesses, and pursue the costs incurred by the City.

Mayor Barhorst welcomed Sidney High Government student Jonathan Bowers to the meeting. Mr. Bowers commented that he was impressed with the cohesion of the Council members and how "things are always moving".

Mayor Barhorst thanked former Mayor Frank Mariano and Vice Mayor Milligan for representing the City at the recent Prayer Breakfast.

CITY MANAGER COMMENTS

CM Stilwell reminded everyone that the City will not be conducting the annual Household Hazardous Waste Collection Day as in the past, due to rising costs of such a program. Items can be delivered to the recycling center at the cost of \$1.00 per pound; residents are encouraged to call prior to delivery. Further information was provided to the public regarding options for disposal of various waste materials.

The City will be hosting a Legislators' Update on Monday, April 18, 2011 at the Police Station. All local elected officials have been invited to attend.

The weekly yard waste collection resumed the week of April 11, 2011. Between Saturday, April 16th and May 14th, residents can pick up free leaf mulch at the Brooklyn Avenue facility.

ADJOURNMENT

At 7:00 PM, with nothing further to come before Council, Councilman Pellman moved and Councilman Mariano seconded a motion to 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
City Clerk

Mayor