

MINUTES OF THE WORKSHOP MEETING OF CITY COUNCIL

Held on Monday, March 7, 2011

6:30 P.M.

CALL TO ORDER

The workshop meeting of Sidney City Council was called to order at 6:30 P.M. Monday, March 7, 2011, with Mayor Barhorst presiding.

ROLL CALL

The following Council members were present and answered roll call: Mike Barhorst, Mike Burns, Frank Mariano, 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, Finance Officer Ginger Adams, Fire Chief Brad Jones and Public Works Director Chris Clark. Additional staff members in attendance: City Engineer Scott Landon and Assistant City Engineer Nick Miller.

DISCUSSION – ODOT Projects Updates for 2011/Wapak Reconstruction Update

PWD C. Clark introduced City Engineer Scott Landon and Assistant City Engineer Nick Miller, both of whom presented updates on the ODOT projects within the City (past, present and future).

N. Miller gave an extensive overview of the Wapak Reconstruction Project and directed Council to the City web page for the timeline and project updates during the coming year. He emphasized that signs will be posted directing traffic to State detours, access to local businesses, etc. Businesses in the area of the project will unavoidably be impacted; State and City staff will do their best to keep it to a minimum. Public meetings and communication with property owners will be held as necessary.

Included in the project is the installation of sidewalks on the west side of Wapak Avenue, including the properties not annexed in the City. Future repairs to those specific sidewalks will not be under the City's authority.

Other ODOT projects discussed were CSX spur bridge removed in fall 2010, Riverwalk Phase 2, I-75 pavement, and Tawawa Creek Bridge replacement. Councilman Pellman inquired as to the age of the Tawawa Creek Bridge and whether the road will remain open during the one-year construction. Plans call for a single lane to remain open; ODOT will maintain traffic control.

S. Landon reviewed the grant application for funding the Fourth Avenue project, between Russell and Paul Street. The design calls for three lanes, similar to the Wapak Road design. The City has also applied for funding for downtown traffic improvements.

ODOT Urban Paving Program includes various routes within the City during the years 2011, 2012, 2014 and 2015.

DISCUSSION – Fire Department 90-Day Update

Fire Chief Brad Jones gave Council an energized update on his first 120 days on the job as Sidney Fire Chief. Areas highlighted include: site visits, 1 on 1 meetings, networking, and an organizational assessment survey by the members of the Department. Survey topics were categorized into “buckets” and formed the Bucket Brigade for purposes of review, strategy and implementation by the department. Buckets were titled people, technology, systems and tools.

At the conclusion of his presentation, Council treated the Fire Chief by singing Happy Birthday to him.

DISCUSSION – Legal Dept Needs/Staffing Models

CM Stilwell and Law Director M. Smith led a discussion regarding the future of the Legal Department and staffing models for the City upon M. Smith’s retirement in December 2011. By City Charter, the Council appoints the Law Director “...for an indefinite term, subject to reappointment at the beginning of each term of Council.”

Council was provided with four options to consider for this appointment:

- A. Appoint a general practitioner as a part-time Law Director (current model)
- B. Appoint a full time Law Director who also serves as Prosecutor of the Sidney Municipal Court
- C. Appoint a Law Director for “as needed” services (possibly a law firm)
- D. Hire a “shared” full time Law Director with a neighboring community, who may or may not also serve as Prosecutor

The pros and cons of each option were discussed amongst the Council members and City staff.

A tentative schedule was presented to Council for making this appointment, with hopes to choose a successor in October 2011 to provide for a smooth transit.

Comments and questions raised by Council follow:

1. Option C - Pellman inquired about the requirement for a law firm to be located inside the City or adjacent county, according to the residency requirement. LD Smith and ACM Judy need to research and confirm the guidelines for this scenario.
2. Option B - Pellman asked how difficult it would be to find someone with expertise in both fields (Law Director and Prosecutor).

3. Options A and B – Mariano expressed his preference for one of these two options, anticipating that a full time Law Director/Prosecutor would cost less than the current model. Mariano stated he favors Option B. He would like to have the Law Director attend all staff meetings and Council meetings, his/her presence is important and lends to credibility and professionalism of the Council.
4. Milligan stated she would prefer Options A, B or C (in that order); not in favor of Option D. She suggested that Council sub out the work until the right person can be found; the City does not need to hurry into an arrangement that may not be the best one. Pellman added his vote for the same order and for the same reasons.
5. In response to Mayor Barhorst’s comment about the affect of the pending SB-5 legislation, LD Smith does not believe it will have any impact on finding interested parties for the appointment. Benefits and insurance offered by the City are attractive for applicants. Barhorst indicated that Option B might be beneficial considering the cost saving; would need to see if there is anyone out there interested and qualified.
6. Miller suggested starting the process by looking for a full time Law Director, depending on who is found. He does not like the law firm or sharing with another community options; but does not rule those out totally.
7. Burns prefers one person (part-time Law Director and part-time Prosecutor); someone you can go to at all times.
8. Pellman inquired about the compensation package for each Option. M. Smith responded that he has surveyed other west central Ohio communities and found that Sidney is well in keeping with the market; based on the current compensation, it will not be a huge issue. Combining the two positions will save money for the city and still be attractive to applicants.

CM Stilwell summarized the Council’s preference:

Option	1 st Choice	2 nd Choice	3 rd Choice	4 th Choice
A – Part-time LD	Milligan Pellman			
B – Full Time LD + Prosecutor	Barhorst Burns Mariano Miller	Milligan Pellman		
C – as needed; law firm			Milligan Pellman Miller	
D - sharing	None	None		Miller

CM Stilwell reminded Council that the Law Director is a Charter position and appointed by Council. Interview and selection process was discussed; Miller expressed his preference that all Council members be involved in the interview process, possibly during executive session.

Further discussion will be held at a regular meeting in April 2011.

Law Director M. Smith was serenaded with "Happy Birthday" by Council members and staff.

REVIEW OF UPCOMING ZONING BOARD/PLANNING COMMISSION AGENDA FOR MONDAY, MARCH 21, 2011

CM Stilwell reviewed the ZBA Agenda which includes a conditional use permit filed by Dennis Ahrens on behalf of Auto Tech on Fair Road.

The Planning Commission will be reviewing the annexation of the Canal Feeder property and a replat for the ADM plant property (right-of-way on Vandemark Road).

UPCOMING CITY COUNCIL AGENDA ITEMS

CM Stilwell briefly reviewed the prospective Council agenda items for the March 14th and 28th Council meetings. 1

COUNCIL/CITY MANAGER COMMENTS

Councilman Mariano moved, and Councilman Pellman seconded, to excuse Council member McMillan due to a personal emergency meeting. Motion passed by voice vote.

Councilman Pellman inquired about the status of the Ohio Building. CM Stilwell reported that a resident reported bricks on the sidewalk in front of the building and the City quickly barricaded the area for safety reasons. An inspection by the Fire Department revealed that the problem appears to be a matter of needed tuck pointing on the façade.

CM Stilwell reported on the status of the Toone P. Wiggins building on W. Poplar Street. The new owner is actively cleaning up the premises in hopes of putting it on the market soon. There appeared to be minimal damage from the recent break in the water suppression system.

ADJOURNMENT

At 8:13 PM, with nothing further to come before Council, Councilman Mariano moved and Council member Milligan 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