

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, November 28, 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, November 28, 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, Terry Pellman and Steve Wagner.

Also attending was: Interim City Manager Tom Judy, Law Director Mike Smith, Police Chief Kevin Gessler, Fire Chief Brad Jones, Parks Director Duane Gaier, Finance Officer Ginger Adams, Community Services Director Barbara Dulworth, and WTP Superintendent Larry Broughton. Also in attendance was Human Resources Manager Vickie Allen.

APPROVAL OF MINUTES

Councilman Mariano moved to adopt the minutes of the November 14, 2011 regular meeting and the November 19, 2011 special meeting. Motion was seconded by Councilman Pellman; motion passed unanimously by roll call vote.

PROCLAMATIONS

Mayor Barhorst presented retiring Councilman Frank Mariano with a Proclamation declaring November 30, 2011 as Frank J. Mariano Day in honor of his twelve years as City Council member, including three terms as Mayor of the City of Sidney.

Councilman Mariano commented that it was an honor and privilege to serve the residents of Sidney and to work with Council and staff.

Mayor Barhorst then presented retiring Councilman Terry Pellman with a Proclamation declaring November 31, 2011 as Terry L. Pellman Day in honor of his eight years as City Council member, including one term as Vice-Mayor of the City of Sidney.

Councilman Pellman expressed his gratitude for the tremendous privilege to service on Council and how impressed he has been with City staff.

Retired Council Clerk J. Fahnestock, 1038 N. Main Avenue, Sidney, addressed Council wishing Mr. Mariano and Mr. Pellman the best in their future. She felt they were both fair and dedicated to the City. She enjoyed working with Councilman Mariano when the City hosted the Ohio Municipal League.

CITIZEN COMMENTS

Mark Barga, 544 Culvert Street, Sidney, addressed Council with his concerns about the City's requirement for residents to purchase a minimum number of trash bags per year. He does not feel a resident should have to purchase more than they actually need. ICM T. Judy responded that the current Ordinance requires trash pick up for the health and safety of the public. Staff will look at the ordinance and see what can be changed; Councilman Mariano suggested for discussion purposes that perhaps a carry over could be permitted.

ADOPTION OF ORDINANCES

A-2700 AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE YEAR 2011

Finance Officer G. Adams presented the final supplemental appropriations for various funds for the 2011 budget. A review of each fund balance was given; the net effect of these changes would be to increase 2011 appropriations by \$1,883,849.

Councilman Miller moved, seconded Councilman Wagner, to adopt Ordinance A-2700. Motion passed by unanimous roll call vote. Ordinance A-2700 is hereby adopted.

A-2702 AN ORDINANCE ASSESSING THE COST OF DEMOLITION OF A DANGEROUS BUILDING AT 325 GROVE STREET, SIDNEY, OHIO

CSD B. Dulworth briefly reviewed Ordinance A-2702 which would assess the cost of demolishing a garage at 325 Grove Street due to the imminent threat to the public safety. The owner of the property was notified of the situation by telephone and certified mail. Due to the owner taking no responsibility for the problem, the city hired Roe Transport to perform the demolition and removal of the debris. Cost to complete the demolition was \$1,700.

Council member McMillan moved to adopt Ordinance A-2702; motion seconded by Councilman Pellman. Upon roll call vote, motion passed unanimously. Ordinance A-2702 is hereby adopted.

INTRODUCTION OF ORDINANCES

A-2703 AN ORDINANCE TO MAKE AN APPROPRIATION FOR EXPENDITURES OF THE CITY OF SIDNEY, OHIO DURING THE YEAR ENDING DECEMBER 31, 2012

Finance Officer G. Adams presented the 2012 budget to City Council. Total appropriations, excluding interfund transactions and agency funds, are \$52,689,205; this budget represents 3.5% less than 2011 appropriations.

Ordinance A-2703 will return to Council for second reading and adoption at the December 12, 2011 regular meeting.

A-2704 AN ORDINANCE AMENDING SECTION 911.01(b), SECTION 915.05(a), SECTION 917.02(a)(1) and (2), AND SECTION 918.05(c) OF THE CODIFIED ORDINANCES PERTAINING TO WATER, SEWER, STORMWATER, AND SOLID WASTE COLLECTION RATES

Finance Officer G. Adams presented the proposed changes to the utility and sanitation rates for 2012. The water, sewer and stormwater rates would increase 3% and would become effective January 1, 2012. Curbside refuse pick up would increase 5.3% and become effective April 1, 2012. These rates are reflected in the 2012 Appropriation Budget and the 2012-2016 Five-Year Plan.

Ordinance A-2704 will return to Council for second reading and adoption at the December 12, 2011 regular meeting.

A-2705 AN ORDINANCE AMENDING SECTIONS 131.13(b), 131.21(f)(1), 131.23, 131.35(e), and 131.396(b) OF THE CODIFIED ORDINANCES REGARDING PERSONNEL MATTERS

ICM T. Judy introduced Ordinance A-2705 regarding personnel matters. The proposed changes involve overtime compensation; separation from service and workers compensation; elimination of physical examination requirements; and clarification of insurance coverage for dependent children of employees.

Ordinance A-2705 will return to Council for second reading and adoption at the December 12, 2011 regular meeting.

A-2706 AN ORDINANCE ENACTING SECTION 131.06 OF THE CODIFIED ORDINANCES BY ADOPTING PAY TABLE II, SCHEDULES A, B, C AND D, AND PAY TABLE III FOR 2012

ICM T. Judy presented Ordinance A-2706 concerning amendments to the pay classification plan and pay tables for 2012. This ordinance would amend the pay tables for non-union employees. The 2012 Budget includes no pay scale increase for these employees. Adjustments to the pay table will be made as follows: add a pay range for the City Manager position; remove part-time Director of Law and part-time prosecutor positions; add a pay range for the new full-time Director of Law position; authorize the 1% contribution to the Clerk's deferred retirement account; eliminate references to abolished positions or positions not expected to be filled in 2012; reclassify Assistant Superintendent positions and reflect organizational changes in the Revenue Collections Division.

Law Director M. Smith noted that the legislation needs to be amended to reflect an effective date of December 31, 2011 to allow for compensation for the part-time Prosecutor through the end of the year. Councilman Miller moved, seconded by Councilman Mariano, to amend Ordinance A-2706 to reflect an effective date of December 31, 2011. Motion passed unanimously by roll call vote.

Ordinance A-2706 will return to Council for second reading and adoption at the December 12, 2011 regular meeting.

A-2707 AN ORDINANCE ABOLISHING THE CITY PROSECUTOR'S POSITION

ICM T. Judy explained that this ordinance would abolish the position of City Prosecutor effective December 31, 2011. The new full-time Director of Law will assume the duties currently assigned to the part-time Director of Law and the part-time Prosecutor.

Ordinance A-2707 will return to Council for second reading and adoption at the December 12, 2011 regular meeting.

COUNCIL COMMENTS

Councilman Mariano thanked his fellow Council members and City staff for leading him and allowing him to be a part of a great organization.

Councilman Pellman noted that it has been a pleasant experience and he has enjoyed his service on Council.

Councilman Miller personally thanked Mr. Mariano and Mr. Pellman for their efforts for so many years.

Councilman Wagner added his thanks to the retiring council members for leading the way and showing him how to be a good Council member.

Mayor Barhorst stated that we are losing two decades of knowledge; he expressed his thanks for their service to the community. He thanked Mr. Pellman for serving as Vice-Mayor and Mr. Mariano for the times together seeking advice. Mayor reminded them they are always welcome to come to the meetings.

Council member Milligan commented that it was "not good-bye but hope to continue to work with them in the future."

Council member McMillan concurred with the Council, Mr. Mariano and Mr. Pellman will be greatly missed.

Council members were reminded of the December 5, 2011 Christmas party to be held at the home of Tom and Mardie Milligan. Those planning to attend should contact Clerk J. Goubeaux.

On behalf of council, Mayor Barhorst expressed appreciation to Public Works Director C. Clark for shepherding the Wapakoneta Project, Phase I. It is very nice and hopefully the neighbors will appreciate the work now that it is open and functional.

Councilman Mariano thanked the Fire Department for the opportunity for him and his family members to ride on the fire truck during the recent Winter Wonderland Parade.

STAFF COMMENTS

None.

INTERIM CITY MANAGER COMMENTS

ICM T. Judy added his thanks to Public Works Director C. Clark for his hard work on the Wapakoneta project; this project is a good example of inter-government cooperation.

SR 47 West was closed today due to a vegetable oil spill; the clean up has been completed and the roadway re-opened this afternoon. City crews will check it out again in the morning to assure roadway safety.

Inclement weather has caused concern about the water levels; City Staff is keeping an eye on the forecast and river level.

ADJOURNMENT

There being no further business, Councilman Mariano moved to adjourn, seconded by Councilman Pellman. Motion passed unanimously by roll call vote and the meeting was adjourned at 7:07 p.m.

The meeting was held pursuant to Sidney City Council Rules.

Respectfully submitted,

Joyce L. Goubeaux
City Clerk

Mayor