

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, December 14, 2009

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, December 14, 2009. Council member McMillan 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. It was noted Council member McMillan received her Oath of Office at the Dec. 7, 2009 Council Christmas party.

Also attending was: City Manager Steve Stilwell, Law Director Mike Smith, Asst. City Manager-Administrative Services Tom Judy, 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, and Utility Director Chris Clark.

APPROVAL OF MINUTES

Minutes of the November 23, 2009 Regular Meeting and December 1, 2009 Special Meeting of Sidney City Council were presented for approval.

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

CITIZEN COMMENTS

Mayor Barhorst welcomed members of Boy Scout Troop #66 to tonight's meeting.

ADOPTION OF ORDINANCES

(A-2627) AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE YEAR 2009

Finance Officer Adams explained this ordinance would authorize supplemental appropriations for the 2009 budget. She noted the net effect of these changes would decrease 2009 appropriations by \$4,206,970. Adams reviewed the various funds affected.

It was moved by Council member McMillan, seconded by Councilman Miller to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2627 was declared adopted.

(A-2628) AN ORDINANCE TO MAKE AN APPROPRIATION FOR EXPENDITURES OF THE CITY OF SIDNEY, OHIO DURING THE YEAR ENDING DECEMBER 31, 2010

Finance Officer Adams explained this ordinance would authorize appropriations totaling \$52,618,314 for the City's 2010 expenditures. She noted this amount is approximately 21.5% less than the revised 2009 budget. Adams pointed out this budget is based on a projection of a 13% decline in income tax collections in 2009, followed by 2% growth in income tax collections in 2010. She noted should actual results indicate a decline of 13% or more, staff will be making further reductions to maintain the minimum cash fund balances.

Councilman Burns moved and Council member Milligan seconded a motion to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2628 was declared adopted.

(A-2629) AN ORDINANCE AMENDING SECTION 911.01(b), SECTION 915.05(a), AND SECTION 917.02(a)(1) AND (2) OF THE CODIFIED ORDINANCES PERTAINING TO WATER, SEWER, AND SOLID WASTE COLLECTION RATES

Finance Officer Adams explained this ordinance would establish utility and sanitation rates with approximate increases of 5% for water, 1% for sewer and 3.25% for sanitation.

It was moved by Councilman Mariano, seconded by Councilman Pellman to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2629 was declared adopted.

(A-2630) AN ORDINANCE AMENDING SECTIONS 131.13(b) AND (g), 131.17, 131.191(a) AND 131.151 OF THE CODIFIED ORDINANCES REGARDING PERSONNEL MATTERS

Assistant City Manager Judy explained this ordinance would amend various sections of the personnel ordinance regarding policies, procedures and regulations. He reviewed each of the proposed changes.

Councilman Mariano moved and Council member McMillan seconded a motion to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2630 was declared adopted.

(A-2631) 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 2010

Assistant City Manager Judy explained while it is customary at this time of year to amend the pay tables to grant a "cost of living" increase, the 2010 budget provides for no such increases for non-bargaining unit employees. He noted this proposed ordinance simply makes some cosmetic changes and updates verbiage. Judy commented since this

ordinance was introduced at Council's November 23 meeting, the Classification Plan has been added in order to make the ordinance more complete.

It was moved by Councilman Pellman, seconded by Councilman Miller to amend this ordinance to include the Classification Plan. The roll call vote was unanimous.

It was then moved by Councilman Miller, seconded by Councilman Mariano to adopt this ordinance as amended. The roll call vote was unanimous and Ordinance A-2631 was declared adopted.

(A-2632) AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THAT PROPERTY; REQUIRING THE OWNERS OF THAT PROPERTY TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT AND A COMPENSATION AGREEMENT

Assistant City Manager Judy explained this ordinance would approve a tax increment financing arrangement to finance construction of public infrastructure to serve the area of the Echo Business Center subdivision on VanDemark Road. With this TIF, the property owner would be exempted from paying property taxes on the increase in tax valuation that will occur as the parcel is developed. Instead, the owner would be required to make payments in lieu of property taxes to the City in the amount he otherwise would have paid in property taxes. The City in turn would pay 20% of those TIF funds to the Sidney City Schools to compensate for their property taxes foregone. The remaining TIF funds would be used for construction of public infrastructure improvements that benefit the exempted property. Judy noted this TIF would continue for 30 years or until the infrastructure is paid off.

Councilman Burns moved and Council member Milligan seconded a motion to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2632 was declared adopted.

INTRODUCTION 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.

Mayor Barhorst questioned traffic counts on VanDemark and also asked if this intersection would get to the point where a stop sign is not needed. Gosciewski responded he doubted the change from stop sign to traffic signal would be warranted for a very long time.

This will return to Council's January 11, 2010 meeting for further consideration.

PUBLIC HEARING AND INTRODUCTION OF ORDINANCE

(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)

At 6:51 PM Mayor Barhorst opened the Public Hearing and 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 Pellman questioned whether any concerns have been voiced from property owners in this area, and Dulworth responded the City has not heard any concerns.

Council member Milligan questioned how many curb cuts will be permitted in this area and Dulworth responded any requests for curb cuts would go through the site plan review process.

Mayor Barhorst also questioned whether any comments had been received from the Middle School and Dulworth responded "no".

The Public Hearing was closed at 6:56 PM. This will return to Council's January 11, 2010 meeting for further consideration.

RESOLUTIONS

(70-09) A RESOLUTION REAPPOINTING DEBORAH WINDSOR TO THE PERSONNEL BOARD OF APPEALS

City Manager Stilwell explained this resolution would reappoint Deb Windsor to a new three-year term on the Personnel Board of Appeals. This new term will expire December 31, 2012.

It was moved by Councilman Mariano, seconded by Councilman Burns to adopt this resolution as presented. The roll call vote was unanimous and Resolution 70-09 was declared adopted.

(71-09) A RESOLUTION REAPPOINTING TERRY BATEMAN AND SAM REES TO THE CITIZENS PEER REVIEW BOARD

City Manager Stilwell explained this resolution will reappoint Terry Bateman and Sam Rees to new three-year terms on the Citizens Peer Review Committee. He noted these new terms will expire December 31, 2012.

Council member McMillan moved and Council member Milligan seconded a motion to adopt this resolution as presented. The roll call vote was unanimous and Resolution 71-09 was declared adopted.

(72-09) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO FIRE PROTECTION CONTRACTS AND CONTRACTS FOR EMERGENCY AMBULANCE SERVICE WITH VARIOUS TOWNSHIPS

Fire Chief Crosley explained this resolution would authorize the City Manager to enter into agreements with the township areas surrounding the City for fire suppression and emergency medical services for 2010.

Mayor Barhorst questioned whether this is a “break even” process and Crosley responded for EMS services, the department would break even, or possibly show a slight profit.

It was moved by Councilman Mariano, seconded by Councilman Miller to adopt this resolution as presented. The roll call vote was unanimous and Resolution 72-09 was declared adopted.

MISCELLANEOUS

Council Comments

Mayor Barhorst thanked scouts from Troop #66 for attending tonight’s meeting and invited them to return anytime.

City Manager Comments

City Manager Stilwell commented the recent state review of the City’s ARRA projects has resulted in complimentary comments to the City, adding “Sidney is the most organized, well-planned ARRA community as compared to all other ARRA project communities in the Ohio EPA’s Southwest District”. Stilwell congratulated Chris Clark and Bill Gosciewski and their departments for their efforts with these projects.

Stilwell also reminded Council of the Employee Awards Program on Dec. 18, followed by the Christmas Luncheon and urged all to attend. He wished everyone a Merry Christmas and Happy New Year.

Mayor Barhorst also wished Council and staff a Merry Christmas, adding he hopes the new year brings prosperity to all.

ADJOURNMENT

At 7:15 PM with nothing further to come before Council, Councilman Mariano moved and Council member McMillan seconded a motion to 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 Fahnestock
City Clerk

Mayor