

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

Held on Monday, March 23, 2009

6:30 P.M.

CALL TO ORDER

The regular meeting of Sidney City Council was called to order at 6:30 P.M. Monday, March 23, 2009, with Mayor Mike Barhorst presiding.

Councilman Pellman opened the meeting with a moment of silent prayer, followed by the Pledge of Allegiance.

ROLL CALL

The following Council members were present and answered roll call: Mike Barhorst, Frank Mariano, Katie McMillan, Tom Miller, and Terry Pellman.

Also attending was: City Manager Steve Stilwell, Asst. City Manager-Administrative Services Tom Judy, Acting Police Chief Mike Lundy, Police Captain Rod Austin, Fire Chief Stan Crosley, Parks Director Duane Gaier, Public Works Director Bill Gosciwski, Finance Officer Ginger Adams, City Engineer Scott Landon, and Utility Director Chris Clark.

APPROVAL OF MINUTES

Minutes of the March 9, 2009 Regular meeting were presented for approval.

Councilman Miller moved, with Council member McMillan seconding a motion to accept the minutes as submitted. The roll call vote was unanimous and the minutes were approved.

CITIZEN COMMENTS

Mayor Barhorst recognized scout leader Nick Frantz and members of Troop #97 in attendance. Frantz shared the scouts are working on citizenship and communication badge requirements. Government students from Sidney High were also recognized.

ADOPTION OF ORDINANCES

(A-2599) AN ORDINANCE AMENDING SECTIONS 917.01 THROUGH 917.07, INCLUSIVE, AND AMENDING SECTION 917.11, AND ENACTING SECTION 917.12 OF THE CODIFIED ORDINANCES REGARDING SOLID WASTE COLLECTION

Asst. City Manager-Administrative Services Judy explained this ordinance would amend Chapter 917 of the Codified Ordinances pertaining to solid waste collection. He reviewed three proposed changes included in this ordinance.

- Adjust user rates
- Require biodegradable bags, cans, paper bags or boxes for yard waste
- Prohibit scavenging of recyclable materials from recycling bins

Rick Sims, 921 E. Parkwood questioned the availability of biodegradable bags for brush as he was unable to locate any recently at Walmart. Asst. City Manager-Administrative Services Judy advised the City would have a supply of these bags for customer's use.

It was moved by Councilman Miller, seconded by Councilman Pellman to adopt this ordinance as presented. The roll call vote was unanimous and Ordinance A-2599 was declared adopted.

RESOLUTIONS

(19-09) A RESOLUTION CONFIRMING THE CITY MANAGER'S RECOMMENDATION REGARDING ADMISSION FEES TO THE CITY MUNICIPAL POOL

Parks and Recreation Director Gaier explained these new rates would cover approximately 65% of operating costs in 2009; noting it is the goal of the City's Financial Policy to establish rates to recover a minimum of 60% of pool operating expenditures. Gaier noted with these new rates, Sidney's costs still remain below those for other comparable pools in the area.

Councilman Miller pointed out the proposed new rates do not change for daily users, but for season ticket prices. Miller added even with the increases, the pool remains a good bargain for users.

It was moved by Councilman Mariano, seconded by Councilman Pellman to adopt this resolution as presented. The roll call vote was unanimous and Resolution 19-09 was declared adopted.

(20-09) A RESOLUTION CONFIRMING THE BOARD OF EDUCATION'S REAPPOINTMENT OF TIM BICKEL TO THE CITY RECREATION BOARD

City Manager Stilwell explained this resolution would confirm the reappointment of Tim Bickel to a new five-year term on the Sidney Recreation Board. He noted this new appointment will expire April 1, 2014.

Councilman Pellman then moved and Councilman Mariano seconded a motion to adopt this resolution as presented. The roll call vote was unanimous and Resolution 20-09 was declared adopted.

(21-09) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, OHIO, REGARDING THE DISPOSAL OF RECYCLABLE MATERIALS WITH THE SHELBY RECYCLING CENTER

Asst. City Manager-Administrative Services Judy explained this resolution would authorize the City Manager to enter into an agreement with the county for processing of the City's recyclable materials. Judy introduced Sally Wood from the Recycling Center.

It was moved by Councilman Mariano, seconded by Council member McMillan to adopt this resolution as presented. The roll call vote was unanimous and Resolution 21-09 was declared adopted.

(22-09) A RESOLUTION ACCEPTING THE PLAT TITLED "RETRACEMENT SURVEY OF LOT 5098 AND SANITARY SEWER EASEMENT DEDICATION" (Sonic)

City Engineer Landon explained this resolution would accept dedication of a new sanitary sewer easement for Sonic Restaurant on Wayfarer Lane.

Council member McMillan moved and Councilman Miller seconded a motion to adopt this resolution as presented. The roll call vote was unanimous and Resolution 22-09 was declared adopted.

MISCELLANEOUS

Discussion – Finance Contingency Plans/Strategies

City Manager Stilwell noted with the 7.5% decrease in income tax revenue from the 2008 figures, Senior Directors were asked to submit 5% reductions to their 2009 budgets. This would amount to \$1.3 million. Stilwell noted every Senior Director gave great cooperation and brought back the needed reductions. He noted staff is recommending certain adjustments now and then will take another look at the budgets in August. Stilwell commented Sidney is not at the same place most communities are at this time; adding however he recognizes we may need to come back to Council again in August to look at this matter again. Stilwell added he is very proud of the Senior Directors and Ginger Adams and how she has put these recommendations together.

Finance Officer Adams discussed financial challenges in the General Fund and Capital Improvement Fund, noting the income tax drop in 2008 was the worst single year since 1971.

Asst. City Manager-Administrative Services Judy reviewed proposed actual changes (cuts) to the 2009 budget, noting many of these suggested changes would be effective April 1, with review again in the fall to see if additional actions are needed. Judy noted he would like to come back to Council with an ordinance to officially reduce the department budgets.

Councilman Pellman questioned how much of the overtime hours cut would be controlled by the weather and Judy responded while some is connected to weather, much of it is associated with training, which has been cut back thus reducing overtime needed.

Councilman Mariano questioned the savings from closing the swimming pool at 6:30 vs. 9:00, and Judy noted this would result in a savings of \$4500 annually. Mariano also questioned whether the YMCA memberships could be cut. Judy noted this is a bargaining item, adding a very low number of employees actually use this benefit. City Manager Stilwell advised he would get usage figures on the YMCA membership for Council's review.

Mayor Barhorst questioned whether cutting the new position of Firefighter could actually cause more overtime and Fire Chief Crosley responded it possibly could.

Thomas Wolaver, 809 N. Linden questioned whether volunteer organizations could be used for help in the park and craft programs.

City Manager Stilwell responded while this is a good idea initially; it possibly would not be effective over time.

Asst. City Manager-Administrative Services Judy noted the suggested budget changes could possibly move the City out to 2012 with improved fund balances.

Judy also reviewed some suggested revenue suggestions such as

- Mandatory income tax filing
- Elimination of W-2 offsets
- Elimination of carry forward losses
- Additional auto license fee of \$10

Councilman Pellman commented under normal circumstances he would not approve of increasing the auto license fee, but because this money would go to the street fund, he would support this suggestion at this time.

Judy summarized the City is not in a crisis at this time and there will be none if the City continues to act in a timely manner.

Councilman Mariano commented he would like to move consideration of additional auto license fee to future discussion, should "Round 2" budget cuts be necessary. Councilman Miller also supported moving this item to "Round 2".

Mayor Barhorst commented in connection with the possible increase in auto license fee, currently people living in Sidney with no car are paying to take care of the streets and not using them; while he feels those who own cars should be the ones helping to maintain our streets.

Barhorst also questioned whether more information concerning mandatory income tax filing would be back to Council and Judy responded it would.

Council member McMillan commented she appreciated the work that went into these changes, adding she would support the additional \$10 auto license tax as well as the mandatory filing. She again thanked staff for a good job with this budget challenge.

Councilman Mariano added his thanks to staff for this budget information, adding Council was given a lot of information to consider.

Councilman Miller questioned whether the Income Tax Department could handle these extra returns if mandatory filing is implemented and Judy noted staff would need to think about this further.

Rick Sims, 921 E. Parkwood urged Council not to increase the auto license fee during these rough economic times and also questioned whether the City could go back a few years for individuals who have not paid income tax. Judy responded you can go back six years if you choose.

David Ayton, 1914 Wapakoneta Ave. questioned whether the City has an estimated cost to hire someone to process these additional tax returns and Judy responded staff will be bringing this figure back to Council in the near future.

Council agreed to consider necessary legislation to reflect these proposed budget cuts.

Councilman Miller commented he appreciated the effort that went into providing Council these proposed budget changes.

Council Comments

Councilman Pellman moved and Councilman Mariano seconded a motion to excuse Council member Milligan and Councilman Hamby from tonight's meeting as they are out of town. The roll call vote followed unanimously.

The question was raised concerning hours of operation of the recycling center on Saturday and Sally Wood indicated they are open 8:30 – 12:00 on Saturdays.

Mayor Barhorst commended the Police and Fire Departments for their quick apprehension of the individuals responsible for setting the fire on Sunday. Barhorst added his thanks to Chief Crosley for the Standard of Cover report from the Fire Department; adding he didn't realize how extensive this report was going to be.

City Manager Comments

City Manager Stilwell advised Council the Russell Road bridge project calls for the bridge to be closed April 6 and reminded everyone this is an ODOT project; not the City's.

Stilwell also commented with the summary of the water source project in Council's hands, he needs to know if there are any concerns in the direction the City is headed.

Stilwell advised the City has received some funding from the Stimulus Project (\$308,000) designated for Public Transit.

He also shared a recent survey with Council, showing Sidney's water and sewer rates are the 5th lowest of the 67 communities from the Dayton area surveyed. Stilwell added this is a good celebration for Sidney.

ADJOURNMENT

At 8:05 PM with nothing further to come before Council, Councilman Mariano moved and Councilman Miller 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