

LANCASTER CITY COUNCIL**LANCASTER, OHIO****REGULAR MEETING**

February 25, 2019

PRAYER**CALL TO ORDER**

President Uhl called the meeting to order at approximately 6:35 p.m., in Council's Chambers.

PLEDGE OF ALLEGIANCE

President Uhl led Council in the Pledge of Allegiance.

ROLL CALL

The following members of Council were present:

Mrs. Bobbitt, Mrs. Downour; Mr. Groff, Mr. McDaniel, Mr. Schoonover, Mr. Stoughton, Mrs. Tener, and Mr. Woodgeard.

Mr. Woodgeard made a motion to excuse Mr. Baus from tonight's meeting, seconded by Mrs. Tener. The motion carried.

READING AND DISPOSING OF THE JOURNAL

The Clerk presented the Regular Meeting Minutes dated February 11, 2019.

Mr. Schoonover made a motion to receive and file the Journal, seconded by Mr. Groff. After no discussion, the motion carried.

REPORTS OF CITY OFFICIALS

1. Series of emails, regarding Application and Revenue Reports. Submitted by Cathy Welch, Administrative Assistant for the Certified Building Department.
2. Email, dated February 20, 2019, regarding IT/Telecom Committee Meeting dates changes. Submitted by Mrs. Downour.
3. Email, dated February 20, 2019, regarding IT/Telecom Committee Meeting dates changes. Submitted by Mark Starr, IT/Telecom Director.

Mr. Schoonover made a motion to receive and file the Reports of City Officials, seconded by Mr. Groff. The motion carried.

COMMUNICATIONS

1. Notice to Legislative Authority of the transfer of a liquor license. From: GGN & T Inc., located at 1407 Tiki Lane Rear, Lancaster, Ohio 43130. To: K & C

Restaurants LLC dba Pizza Crossing, located at 1407 Tiki Lane Rear, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, Reynoldsburg, Ohio 43068.

2. Letter dated February 6, 2019, regarding liquor license address correction for William A. Smith from 121 West Main Street, Lancaster, Ohio 43130 to 160 West Main Street, Lancaster, Ohio 43130. Submitted by the Ohio Division of Liquor Control, 6606 Tussing Road, Reynoldsburg, Ohio 43068.

Mr. Schoonover made a motion to receive and file the Communications, seconded by Mr. Groff. The motion carried.

SPECIAL PRESENTATION (Awards)

President Uhl announced that we continue our series tonight on great things from across Lancaster by welcoming the Fairfield County Board of Developmental DisAbilities. Temple Montanez who is the Director of Community Relations with the county board is here tonight as we enter into DD Awareness Month in March, she is going to update Council on the many things the county board has going on.

Ms. Montanez stated that March is Developmental DisAbilities Awareness Month which is a nationwide recognition and one that is taken very seriously in Fairfield County. Initially March was made Developmental Disabilities Month by President Reagan in 1987 and for the past 10 -15 years they have tried to make this a month long recognition and awareness event at Fairfield DD. This year is no exception, they have several upcoming events the first will take place on Friday, March 1, 2019 at Art and Clay on Main Street, which is their social purpose enterprise at Fairfield DD. They will be having a live art opening as well as live music. On Saturday, March 2, 2019 they will gather community members with and without disabilities to join them to walk a mile in the River Valley Mall. This is their fourth year of doing this event and it has been a nice way to get out into the community in an inclusive setting but to also thank their many business partners at River Valley Mall, which is well over a dozen businesses that partner with Fairfield DD on an employment level. This will take place at 11:00 a.m. This year, their Spring Resource Fair will take place on Thursday, March 14, 2019 and is a very unique opportunity for people in Fairfield County to gather in one place and communicate and ask questions of all providers of services throughout Fairfield County. This year they have expanded a little bit and inviting different area agencies in Alley Park will be joining and AHA Museum as well. The preliminary focus of this event is for families of people with developmental disabilities as well as the individuals to be able to get out there and ask questions about different options that might be available to people to fill their weeks and months and years. They are very blessed to have over 300 providers that help them to support people with developmental disabilities. Lastly, there annual celebration of possibilities event is held on March 28th and are very excited to welcome back celebrity Zach Anner. He joined them two years ago and is a highly recognized and quite frankly a really really funny guy. Mr. Anner is a comedian and author who was discovered by Oprah and is currently now on the ABC sitcom Speechless with Minnie Driver and a tremendous advocate for people with and without developmental disabilities. This is the only event that is not free. Tickets are \$30.00 per ticket and are just about sold out. It is the hope that everyone in this community finds time this month to help them recognize National Developmental Disabilities Awareness Month. They are currently serving, at last count, 1,200 individuals and their families with developmental disabilities throughout Fairfield County. She thanked everyone for allowing her to come this evening and speak tonight to remind everyone in our community the importance of recognizing and including people with developmental disabilities.

President Uhl thanked Ms. Montanez and asked if there were any questions for our speaker tonight. With none, he mentioned at last count there were less than 40 tickets available for the Celebration left and anyone interested could contact Ms Montanez or President Uhl. He asked all to give her a round of applause to show our appreciation for being here tonight.

PETITIONS & MEMORIALS

There were no Petitions or Memorials before Council this evening.

PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL

1. Forrest Dilley, 412 W. Wheeling Street. Mr. Dilley addressed Council this evening in regards to the recent flooding in his area.
2. Connie Crook, 502 W. Wheeling Street. Mrs. Crook address Council this evening in regards to the recent flooding in their area.
3. Patty Wasem, 512 W. Wheeling Street. Ms. Wasem addressed Council this evening in regards to the recent flooding in her area.
4. Kathleen Dilley, 412 W. Wheeling Street. Mrs. Dilley addressed Council this evening in regards to the recent flooding in her area.
5. Carol Sullivan, 529 W. Main Street. Ms. Sullivan addressed Council this evening in regards to the recent flooding in her area.

STANDING COMMITTEE REPORTS

1. Finance Committee Meeting minutes for February 25, 2019, submitted by Mr. Stoughton.
2. Public Works Committee Meeting minutes for February 8, 2019, submitted by Mr. Schoonover.
3. Law Committee Meeting minutes for February 13, 2019, submitted by Mr. Groff.
4. Code Enforcement Meeting minutes for February 4, 2019, submitted by Mrs. Tener.

Mr. Schoonover made a motion to receive and file the Reports of Standing Committees, seconded by Mr. Groff. The motion carried.

REPORTS OF SPECIAL COMMITTEES

There were no Reports of Special Committees presented to Council this evening.

PUBLIC HEARING

There were no Public Hearings scheduled before Council this evening.

READING OF RESOLUTIONS

Resolution Temporary 26-19 – Third Reading – Permanent Resolution 32-19

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE INCOME TAX FUND (216)

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 26-19, seconded by Mr. McDaniel.

Mr. Stoughton explained when Income Tax Commissioner Yost submitted his budget, he did not account for a new employee hired to replace someone who resigned needing health insurance. Therefore this is needed to provide the appropriation for the health insurance.

President Uhl asked if there is any further discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

Resolution Temporary 30-19 – Second Reading – Permanent Resolution 33-19

A RESOLUTION TO AMEND PERMANENT RESOLUTION NUMBER 51-18 AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE RIVER VALLEY HIGHLANDS SANITARY MANHOLE REPLACEMENT PROJECT

Mr. Woodgeard made a motion to suspend the rules and waive the third reading of Temporary Resolution 30-19, seconded by Mr. McDaniel.

Mr. Woodgeard explained this is for the issue with manholes in River Valley Highlands. This is an issue there and he feels that the City also have to address the issues on the west side. He will have comments on this issue later in the meeting.

President Uhl asked if there is any further discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 8-0.

Mr. Woodgeard made a motion to pass, engross, and enter upon the written record Temporary Resolution 30-19, seconded by Mr. McDaniel.

Mrs. Tener stated that she had some questions, but there is no one here to answer her questions. She is not sure if this has ever been asked, but maybe someone can answer her question from Water Pollution. Has River Valley Highlands ever been checked to see if it is a flood zone? Because one of the voters and taxpayers who spoke was speaking of what was found in the soil last time is what is going on on the west side

Mr. Woodgeard answered that it is not in the flood zone.

Mrs. Tener stated that she did not know if it was ever checked.

Mr. Woodgeard stated yes, it is not in a flood zone and has never been addressed as a flood zone.

Mrs. Bobbitt stated that the maps are on the City's website, showing flood zone areas.

Mrs. Tener stated that she has looked and was not able to determine that.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 7-1, with Mrs. Tener voting no.

Resolution Temporary 31-19 – Second Reading – Permanent Resolution 34-19

A RESOLUTION TO AMEND APPROPRIATION BUDGETS, THEN AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE GENERAL FUND (101), LDOT FUND (208) AND GENERAL IMPROVEMENT FUND (316), AND COMPLETE ACCOUNT TO ACCOUNT TRANSFERS

Mr. Stoughton made a motion to suspend the rules and waive the third reading of Temporary Resolution 31-19, seconded by Mrs. Downour.

Mr. Stoughton explained that this is a resolution to fix errors in the budget totaling \$25,000.00, and this needs to be done to correct the budget.

President Uhl asked if there is any further discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 31-19, seconded by Mrs. Downour.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

Resolution Temporary 32-19 – Second Reading – Permanent Resolution 35-19

A RESOLUTION TO APPROVE AN ENTERPRISE ZONE AGREEMENT WITH BLUE LABEL PACKAGING COMPANY d/b/a BLUE LABEL DIGITAL PRINTING AND ONE WRITE COMPANY

Mr. Stoughton made a motion to suspend the rules and waive the third reading of Temporary Resolution 32-19, seconded by Mr. McDaniel.

Mr. Stoughton explained that this is an Enterprise Zone Agreement effectively allowing One Right or Blue Label Digital Printing to make substantial capital investments and also receive in those investments and job creation some tax incentives to their benefit. This is good for the company, good for the City, and good for the east side of.

President Uhl asked if there is any further discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 32-19, seconded by Mr. McDaniel.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

Resolution Temporary 33-19 – Second Reading – Permanent Resolution 36-19

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR FOR THE GAS FUND (602), WATER FUND (603), WATER POLLUTION FUND (604); THE STORMWATER FUND (606), AND GENERAL FUND (101), AND IF NEEDED, ISSUE ONE THEN AND NOW CERTIFICATE FOR PAYMENT TO PNC

Mr. Stoughton made a motion to suspend the rules and waive the third reading of Temporary Resolution 33-19, seconded by Mrs. Downour.

Mr. Stoughton explained during the last couple months of 2018, the Enterprise Funds and the administration effectively retained counsel to work on creating a comprehensive plan to manage and regulate the City's public right of ways and adopt new regulations to protect the City as they have a lot of small cell tower technology coming into the City, which is going to ask for space in the public right of way. At the end of 2018, all the Enterprise Funds appropriated money, with the start of 2019, the funding that was appropriated in 2018 needs to be reappropriated to pay bills from 2018 and the reason for the Then and Now Certificate for legal services. He is requesting suspension to pay the legal bills.

President Uhl asked if there is any discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 8-0.

Mr. Stoughton made a motion to pass, engross, and enter upon the written record Temporary Resolution 33-19, seconded by Mrs. Downour.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

Resolution Temporary 35-19 – First Reading – February 25, 2019

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH ODOT TO PURCHASE SODIUM CHLORIDE (ROCK SALT) FOR THE 2019-2020 WINTER SEASON

Mr. Schoonover stated that this is the first of three readings.

Resolution Temporary 36-19 – First Reading – February 25, 2019

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR, SELECT, AND ENTER INTO A CONTRACT WITH A QUALIFIED CONSULTANT FOR INSPECTION OF THE 2019 STREET IMPROVEMENT PROGRAM

Mr. Schoonover stated that this is the first of two readings.

Resolution Temporary 37-19 – First Reading – February 25, 2019

A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO AN LPA FEDERAL LOCAL LET PROJECT AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING OF FAIR AVENUE FROM MEMORIAL DRIVE TO HIGH STREET

Mr. Schoonover stated that this is the first of two readings.

Resolution Temporary 38-19 – First Reading – Permanent Resolution 37-19

A RESOLUTION TO APPROPRIATE FUNDS FROM THE UNENCUMBERED BALANCE IN THE LDOT FUND (208), AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR

Mr. Schoonover made a motion to suspend the rules and waive the second and third readings of Temporary Resolution 38-19, seconded by Mrs. Tener.

Mr. Schoonover explained as discussed during the Finance meeting, LDOT has already expended there 2019 overtime budgeted amount with all of the winter storms and snow removal. LDOT's budget is currently in the negative and this will fix the negative balance.

President Uhl asked if there was further discussion on the motion to suspend.

Mr. Woodgeard explained that everyone knows that he is not big on suspension after the first reading, but however this is one of those that the snow and ice removal is more then has experienced the last couple of years and this needs to be taken care of.

President Uhl asked if there is any further discussion on the motion to suspend, with none, he requested the Clerk to call the roll. The motion to suspend carried 8-0.

Mr. Schoonover made a motion to pass, engross, and enter upon the written record Temporary Resolution 38-19, seconded by Mrs. Tener.

President Uhl asked if there is any discussion on the motion to pass, with none, he requested the Clerk to call the roll. The motion to pass carried 8-0.

President Uhl asked if there were any other resolutions to come before Council this evening. With none, we moved onto the next order of business.

READING OF ORDINANCES

Ordinance Temporary 4-19 – Second Reading – February 25, 2019

AN ORDINANCE TO AMEND ORDINANCE 25-18, REPEAL AND REPLACE EXISTING 25-18, AND DECLARE AN EMERGENCY FOR THE NON UNION PAY ORDINANCE

Mr. Stoughton stated that this is second of three readings

President Uhl asked if there were any other ordinances to come before Council this evening. With none, we moved onto the next order of business.

TABLED LEGISLATION

None.

UNFINISHED BUSINESS

There was no Unfinished Business before Council this evening.

NEW BUSINESS/SPECIAL PRESENTATION

Mr. Woodgeard would like to request at the next meeting the head of the Water Department and Wastewater Department to attend and discuss with Council the problems on the west side and their thoughts on solutions.

Mrs. Tener received an email today and would like to ask that it be entered into the record. It was from an individual from someone who planned on attending this evening, but because they were under the weather and could not speak during the voters and taxpayer section of the meeting.

President Uhl stated that it would be entered into the minutes.

Mrs. Tener also would like to echo everyone else and what was said this evening, and has been around the west side for many years. This is a different kind of flooding. They are in the flood zone, they know it, they own it, they pay insurance and they are not begrudging that, it is just different what is happening lately. There is water shooting on Hunter Avenue and flooding in those houses and part of the Fifth Ward also on Lewis Avenue and something needs to be done. The study was done a few years ago, when she was complaining and it was stated that it was a peat bog. She explained that and the way Main Street lays, but this is just a different kind of flooding. For such a small amount of rain it caused an awful lot of damage. Something is not opening up, or she doesn't know what the problem is. She has visited the Engineering Department and has been told she is the only one complaining, but she said that is her job, and she can round up property owners at anytime. There are a lot of property owners here tonight, and some of them couldn't attend. But, the City really needs to take care of this problem on the west side.

President Uhl asked if there was any further new business.

Mayor David Scheffler announced that Service-Safety Director Paul Martin home recovering from a knee replacement will be returning to work half days starting Monday. He has been out a couple of weeks and sorely missed and will be happy to have him back.

President Uhl stated all our best to the Service-Safety Director.

Mr. Stoughton stated that we have listen to quite a few people here speaking of extraordinary compared to what they have seen in the past. He asked since the Mayor was obviously briefed on this issue if he could explain to give Council an idea or precursor of what the City is going to hear in a couple of weeks. Mr. Stoughton stated that he would also appreciate getting all the individuals involved that know something about this.

Mayor David Scheffler explained first and foremost the amount of rain so far is three inches above in the month of February and we are not even to the end of February yet. A lot of rain fell in a very short time period, the ground was frozen and there wasn't a lot of area for the rain to run off. Also, the City had twelve inches above rainfall in 2017 and eighteen inches above rainfall in 2018. The water table is about has high as it can get and there is no place for the water to go. The Mayor stated that he knows in the past that there have been instances in 2018 where water was pushing up out of the storm drains, which he saw a picture that the Street Department took. The river does not have to crest to in order for water to backup. The storm drains are well below the bank of the river, and when the river rises and water simply backs up in the storm drains and comes out the drains in the streets. He explained there was a pump issue at the Wheeling Street Pump Station, but at no time did the facility operate on less than two pumps. The third pump is a backup pump and interchangeable with the other two pumps. One pump was replaced, but it wouldn't have been operating because only two pumps operate at a time. The water was not a result of pump failure. As far as the jail, it is his belief that it went into service in spring of 2017, again in 2017 the City's rainfall was twelve inches above the normal rainfall and 2018 there was eighteen inches above normal rainfall and it looks like we are on the same track for 2019. It rains, it's in the flood plain, and there are certainly some issues that he can have departments look into. He has discussed this with Superintendent Nixon in regards to this, and he is aware of it and will continue to further investigate. But, if it continues to rain as much as it has, there is going to be some flooding and doesn't know what else to say.

Mr. Stoughton stated that the data may backup what the Mayor is trying to explain with the amount of rain over the past two-three years as what we are use to having. The other part the Miller Water Table, the amount of water is not being pumped out of there due to the fact there are now two water facilities.

There are a whole lot of mitigating circumstances, and as long as we can understand what and why and think about if this is our new normal, that how do we deal with this

Mrs. Bobbitt was contacted by someone last week that lives on George Street, so she spoke to Superintendent Mike Nixon. Mr. Nixon explained it over the phone and states the Mayor gives a good illustration by explaining to council that the pipes were coming in below in the Hocking River. She would encourage Superintendent Mike Nixon, Stormwater Manager Denise Crews, and the group to bring in illustrations. Sometimes a picture helps explain things to everyone. She also suggested that they bring in size of piping and have all of this with them so Council can go through it.

Mayor David Scheffler stated that he will do.

Mr. Schoonover stated that he is familiar with a couple of the speakers and that his children have gone to elementary and junior high on the west side and has driven through that area and it defiantly different. He stated that what everyone is looking for is what we have in options in the future to mitigate some of the problem. The Public Works Committee has discussed streets in this area and things the answer is so expensive and complex. The streets could be repaved and then flood and crumble, so something else needs to be done before the streets can even be considered. This has been up for discussion, but no good answer has been come up with. Mr. Schoonover suggested maybe once General Sherman Junior High is relocated placing a holding pond in the place of the football field.

Mayor David Scheffler explained there is a huge retention pond behind the River Valley Mall in the wetland that was designed to absorb excess water. Last week, the day that was discussed that filled up and overflowed into back into the river. That is how much water the City had and had nothing to do with frozen ground or anything else. We had a lot of water in the wetland and anyone who has gone behind the mall to see that and how big the hole is, it overflowed. That was a lot of water. There are also wetlands on Lawrence Street, Deeds wetland on Old Sugar Grove Road, three pump stations one on Whiley Avenue has a one million underground storage tank, one at Cenci Park, and one at Glassco Park. The City also has nine dams which surround the City that have been in existence since the big flood in 1948. It absorbs a lot of the water that flows into the Hocking River and holds it back until the river goes down

Mrs. Downour stated that she has been in Lancaster for 54 years and use to play ball in Miller Park and it seems like the entire landscape has changed between Sixth Avenue and State Route 22. To her it appears as if that whole area is sinking. While she understands there has been a significant amount of rainfall, but we need to look at all of the elements that have been occurring. The landscape has changed and Sixth Avenue is in absolute horrible shape and is going to take tremendous costs to get it fixed. She states that Miller Park never flooded when she was growing up and just recently until the last several years. It floods horribly, so what is causing that is the ground lower. The City needs to dig in to what are the causes and figure out what the City can do. The City may not be able to fix everything at once but, figure out what can be fixed baby steps to solve some of the problems.

President Uhl asked if there was anyone else that would like to address this that hasn't done so.

Mr. Woodgeard stated that the City is spending four hundred thousand dollars to fix manholes in River Valley Highlands that is sinking. There are manhole covers on the west side of Lancaster that are hazards that are six to twelve inches above ground. He asked why the City is waiting so long to take care of these. Mr. Woodgeard states to him this is a bigger problem than one sinking manhole cover. This should have been looked at long ago. The City needs to figure how to lower the manhole. He is concerned with orange barrels being placed over the raised manhole covers and should someone move it, we could end up with a fatality. There are a couple of the raised manholes in town that need to be looked at.

President Uhl asked if there were anyone else wishing to speak on this issue. With none, he thanked everyone for being here tonight and sharing their stories. We are going to invite, as requested, Superintendent Mike Nixon and Stormwater Superintendent Denise Crews here at our next meeting under Unfinished Business, so that they can come forward and provide some additional information to what the Mayor has already sort of laid a foundation about this evening. He encouraged all to try and attend in two weeks (March 11, 2019). If you are unable to attend, please listen in on Spectrum Cable channel 1021 or stream online the meeting. They will be here to talk a little more about this issue and work to get a little more information.

President Uhl asked if there is any other new business this evening, with none, we moved on to the next order of business.

ANNOUNCEMENTS

Next Regular Sessions of Council:

1. March 11th at 6:30 p.m.
2. March 25th at 6:30 p.m.

Upcoming Committee Meetings for the next 30 days:

1. Service – March 8th at 7:30 a.m. – Gas Dept. Conference Room
2. Finance – March 11th at 6:00 p.m. – Council Chambers
3. Safety – March 13th at 7:30 a.m. – CH (Basement CR)
4. Water/WPC – March 20th at 7:00 a.m. – WPC (Conference Room)
5. Economic Development – March 21st at 7:30 a.m. – CH (Basement CR)
6. Finance – March 25th at 6:00 p.m. – Council Chambers

Upcoming Special Meetings:

1. None.

READING OF BILLS

PNC – MNCO - \$106.40 (Publication of Ordinances)

Mr. Schoonover made a motion to pay the bills, seconded by Mr. Groff. The motion carried.

EXECUTIVE SESSION

There were no requests for Executive Session this evening.

ADJOURNMENT

Mr. Schoonover made a motion to adjourn, seconded by Mr. Groff. Motion carried. Meeting adjourned at approximately 7:35 p.m.



Teresa Lee Sandy, Clerk of Council