

This Regular Meeting of Council was called to order on Monday, February 27, 2017 at 7:45 p.m. by Steve Michniak, Council President.

PRESENT: John Ruediger, Bridget Pavlick, Jeff Allen, Jessica Timmons, Tim Claypoole, Steve Michniak

ABSENT: Julie Field

ALSO PRESENT: Glenn Broska, Mayor  
Paul Janis, Law Director  
Darin Powers, Police Chief  
Robert Reinholz, Fire Chief  
Bill Miller, Service Director  
John Cieszkowski, Planning Director  
Rob Peters, Economic Development Director  
Greg Mytinger, Parks and Recreation Director  
Shawna Lockhart-Reese, HR Manager  
Caroline Kremer, Clerk of Council

**MOTION: TO EXCUSE MRS. FIELD.**

Moved by Mrs. Pavlick, seconded by Mr. Claypoole. Upon voice vote, **motion carried.**

**Disposition of Minutes**

**MOTION: TO ACCEPT THE PUBLIC HEARING MINUTES OF FEBRUARY 13, 2017 AND THE REGULAR COUNCIL MEETING MINUTES OF FEBRUARY 13, 2017 AS PRESENTED.**

Moved by Mr. Allen, seconded by Mrs. Pavlick. Upon voice vote, **motion carried.**

**Citizens' Comments**

Mrs. Pavlick recognized the high school students in the audience and invited them to ask questions if they had any.

**Introduction of Legislation Containing Statement of Emergency**

T-6284 AN ORDINANCE AMENDING EXHIBIT "A" TO ORDINANCE NO. 2016-127 TO CREATE THE PART-TIME POSITIONS OF SENIOR CENTER COORDINATOR AND ASSISTANT LAW DIRECTOR/PROSECUTOR, ESTABLISHING RATES OF COMPENSATION FOR SAID POSITIONS, ADJUSTING RATES OF COMPENSATION FOR CERTAIN OTHER PART-TIME POSITIONS, AND DECLARING AN EMERGENCY IN ORDER TO RECRUIT FOR AND FILL NEW POSITIONS AS SOON AS POSSIBLE.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-20.**

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

T-6287                    AN ORDINANCE AMENDING ORDINANCE NO.  
2016-128, THE 2017 ANNUAL APPROPRIATION  
ORDINANCE.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-21.**

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

T-6288                    AN ORDINANCE AUTHORIZING THE MAYOR  
TO ENTER INTO A CONTRACT WITHOUT  
COMPETITIVE BIDDING WITH L-3 MOBILE-  
VISION, INC. FOR THE PURCHASE OF NOT TO  
EXCEED FIVE IN-CAR DIGITAL VIDEO  
RECORDING SYSTEMS AND ASSOCIATED  
HARDWARE, FOR THE POLICE DEPARTMENT,  
AND DECLARING AN EMERGENCY IN ORDER  
TO ACT UPON A TIME-SENSITIVE PROPOSAL.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mr. Claypoole, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-22.**

Moved by Mr. Claypoole, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

T-6289                    AN ORDINANCE AUTHORIZING THE MAYOR  
TO ENTER INTO A CONTRACT WITHOUT  
COMPETITIVE BIDDING WITH ROACH-REID  
BUSINESS SYSTEMS, INC. FOR THE  
PURCHASE OF A RECORDING SYSTEM FOR  
COUNCIL CHAMBERS, AND DECLARING AN  
EMERGENCY IN ORDER TO ACT UPON A  
TIME-SENSITIVE PROPOSAL.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mrs. Pavlick, seconded by Mr. Allen. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-23.**

Moved by Mrs. Pavlick, seconded by Mr. Allen. Upon roll call, **motion carried 6-0.**

T-6290                    AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2016-41, AS AMENDED BY ORDINANCE NO. 2016-137, TO INCREASE THE AMOUNT TO BE PAID BY THE CITY FOR THE CITY'S SHARE OF THE COST TO IMPROVE FROST ROAD BETWEEN ELLSWORTH ROAD AND STATE ROUTE 43, PHASE ONE, AND DECLARING AN EMERGENCY IN ORDER TO EXPEDITE THE HIGHWAY IMPROVEMENT PROJECT.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mr. Claypoole, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-24.**

Moved by Mr. Claypoole, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.** Mayor Broska thanked Council for passing this and mentioned that the pre-construction meeting for this project would be March 21, 2017 and then maybe an early April start for this project on Frost Road, which was used by 25,000 cars a day.

T-6291                    AN ORDINANCE ACCEPTING THREE GRANTS FROM WAL-MART STORES, INC. IN THE TOTAL AMOUNT OF THREE THOUSAND DOLLARS (\$3,000.00) FOR THE SUPPORT OF PROGRAMS OF THE POLICE DEPARTMENT, THE PARKS AND RECREATION DEPARTMENT, AND THE SENIOR CENTER, AND DECLARING AN EMERGENCY IN ORDER TO EXPEDITE THE AVAILABILITY OF THE GRANTS.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-25.**

Moved by Mrs. Pavlick, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

T-6292<sup>amended</sup>            AN ORDINANCE AUTHORIZING THE CREATION OF THE JOB CLASSIFICATION OF WATER OPERATOR 1, ESTABLISHING A PAY RANGE THEREFOR, AND DECLARING AN EMERGENCY IN ORDER TO CREATE THE POSITION AND MAKE APPOINTMENTS THERETO AS SOON AS POSSIBLE.

Clerk read by title as directed.

**MOTION: TO SUSPEND THE RULES.**

Moved by Mrs. Pavlick, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

**MOTION: TO ADOPT ORDINANCE NO. 2017-26.**

Moved by Mrs. Pavlick, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

**First Reading**

None.

**Second Reading**

T-6276

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BUCKEYE ENERGY BROKERS, INC. TO MANAGE THE CITY'S ELECTRIC SERVICE AGGREGATION PROGRAM.

Clerk read by title as directed.

**Third Reading**

None.

**MOTION: TO APPROVE THE RENEWAL AGRICULTURAL PLACEMENT REQUEST OF HANS AND SALLY BECKER.**

Moved by Mr. Allen, seconded by Mr. Claypoole. Upon roll call, **motion carried 6-0.**

**MOTION: TO APPROVE THE RENEWAL AGRICULTURAL PLACEMENT REQUEST OF JERRY SPINELLI.**

Moved by Mr. Allen, seconded by Mr. Claypoole. Upon roll call, **motion carried 6-0.**

**MOTION: TO APPROVE THE RENEWAL AGRICULTURAL PLACEMENT REQUEST OF JOSEPH DELUCA.**

Moved by Mr. Allen, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

**MOTION: TO APPROVE THE RENEWAL AGRICULTURAL PLACEMENT REQUEST OF LONIEL AND JUDITH MIKES.**

Moved by Mr. Allen, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

**Mayor's Report**

Mayor Broska had visited the SR 14 bridge at Lake Rockwell project today. They were getting ready to pour the 20' sections of concrete for the ends. A problem they had run into was that none of the asphalt plants were open this time of year and they needed to replace about 120' of asphalt at the NW end of the bridge. It cost about \$70,000/day to open an asphalt plant, but they were working with an asphalt plant to see what could be done. They had both the sides and the deck poured and had pulled all the barges out from underneath. They were moving along and it could be about another 2-3 weeks of work as long as the weather cooperated.

### **President of Council's Comments**

None.

### **Council Members' Comments**

Mr. Ruediger reported that the annual State of the Schools presentation by Superintendent Mike Daulbaugh would be on Wednesday, March 8, 2017 at 11:30 a.m. at the Overlook.

### **Reports/Communications from Depts./Boards/Commissions**

Law - Amend Chapter 925 regarding Residential 1" Waterline Rate. Mr. Janis noted that at the last meeting Council had asked for an ordinance to be prepared to change the status of a 1" residential waterline for purposes of the rates that were applicable to that. Those rates were contained in Code Section 925.03 which was a subsection which contained virtually the entire water code and there were many, many things in there that really needed to be changed (i.e. it still listed the rates from 1999 as if they were the current rates). Mr. Janis wanted to completely update the entire section and then bring it forward for Council's consideration at the next meeting.

Mr. Ruediger commented that the Code stated there was a higher minimum usage charge for the 1" waterlines, primarily because most of the 1" waterline users were businesses and the City expected them to use more water, but if it was true that they were using more water, then they would be paying more than the minimum anyway, so he wondered why there was a higher charge for businesses (about \$30 difference for the minimum usage). Mr. Janis clarified that currently there was not a higher charge for businesses on the basic water rate; it was simply controlled by the size of the meter. Mr. Miller confirmed the 1" service was a bigger tap fee plus the bigger minimum charge (\$30 more than the 5/8" line). Mr. Ruediger wondered, if a business wasn't really using extra water, why was the City charging the businesses an extra cost. Mr. Janis said he wasn't here when the rate was made, but he presumed that there was an assumption that if a business had a larger connection, then they were going to use more water. And Mr. Ruediger said they'd be charged for the usage over the minimum. Mr. Miller said after the minimum cubic feet, they were paying the same as everybody else.

Mr. Miller said the reason they pay more was because it was a per demand thing; for each size of water main the customer had to pay for the demand of that water, so it kept the City's system going in that same stretch. There were different rates for different size of lines. The minimum part (first 1,000 cubic feet) was \$30 different but after the customer reached the first 1,000 cf they paid the same price as everybody else. Mr. Janis added that it was essentially an "availability charge" or "capacity charge." The theory was that with a 1" line, they may not actually be using more water now, but the City had to prepare to provide that customer with that water should they use it; and that's why they would pay more for that connection size. A lot of communities billed that way, although some did not. Mr. Allen also noted that it cost more to fix a larger line than a smaller line.

Police – Chief Powers reported that Reno, the new K9 puppy, was here earlier tonight to meet the Council Members. Reno would be Bo's replacement after Bo retired this summer and until then Reno would shadow Bo and be training with Officer Coates. Reno would go through the same training process that Kaya went through a year ago. Reno was Kaya's nephew; they were in the same bloodline. He expected Reno to be fully certified by about July 2017. Newsnet 5 and Fox8 News had done reports on the new K9 puppy.

### **Announcements**

The next Charter Review Commission Meeting will be on Monday, March 6, 2017 at 7:00 p.m. in Council Chambers.

Daylight Savings Time begins Sunday, March 12, 2017.

There will be a Service Committee, a Safety Committee and a Regular Council Meeting on Monday, March 13, 2017 starting at 7:00 p.m. in Council Chambers.

There being no further business to come before this Council, and upon motion by Mr. Ruediger, seconded by Mrs. Pavlick, this meeting adjourned at 8:03 p.m.

ATTEST:

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Caroline L. Kremer, Clerk of Council

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Stephen A. Michniak, President of Council