

REGULAR MEETING OF CELINA CITY COUNCIL November 10, 2008

President Rodriguez called the Regular Meeting of Celina City Council to order at 7:00 p.m. Council Members Bachelor, Buxton, Jeffries, King, Larmore, Scott and Sell answered roll call. Also present were Mayor LaRue, Safety Service Director Hazel, Planning & Community Development Director Bryan, and City Auditor Stewart. City Law Director McKirman arrived later.

CM Bachelor made a motion to accept the agenda, seconded by CM Larmore. Roll call vote 7-0, Aye.

CM Sell made a motion to accept the minutes of the October 27, 2008, Regular Council Meeting as corrected, seconded by CM King. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

There were three committee meetings and the minutes were included in council packets.

- Council as a Whole on November 3rd
- Community Better Committee on November 3rd
- Personnel & Finance Committee on November 6th

COMMUNICATIONS: None

AUDIENCE COMMUNICATIONS: None

NEW BUSINESS: (First Reading)

55-08-O: An Ordinance authorizing the Safety-Service Director to enter into an Agreement for Fire Protection with Jefferson Township and declaring an emergency. CM Sell questioned the difference in rate that's stated. Director Hazel explained the rates were averaged out so they weren't paying \$98,700 the first year and \$119,970 the last year. This is something they requested. CM Bachelor made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM King. Roll call vote 7-0, Aye.

56-08-O: An Ordinance authorizing the Mayor and Safety-Service Director to enter into an Agreement for Ambulance Service (EMS) with Mercer County and declaring an emergency. CM Sell questioned some of the pay amounts and Director Hazel explained. He also said this is a county program. A motion to suspend the rules was made by CM Sell, seconded by CM Bachelor. Roll call vote 7-0, Aye. CM Bachelor made a motion to pass the ordinance, seconded by CM King. Roll call vote 7-0, Aye.

57-08-O: An Ordinance vacating all of the street right-of-way known as "County Road" south of East Market Street. Director Bryan explained the items in red are new items from the previous ordinance that was withdrawn. CM Scott asked if the names listed are the property owners and Director Bryan said yes. He gave an explanation of involvement of the Celina Wine Store/Pullman Bay Restaurant. Director Bryan gave some clarification on attachment A and explanation of the property at the front of Pullman Bay. CM Bachelor suggested that since Market Street is referred to as East Market Street in the title it should also be that way in the third Whereas and in the first sentence in Section One. In the fifth Whereas it should read "no public notice". In the third Whereas insert the word "an" before "opportunity" and delete the words "ease of". CM Scott asked if there was something connected with

this to the railroad. Director Bryan explained that if this is done a grant will be given to the railroad for lights and cross arms at Schunck Road. This was a concern of the railroad because of the bike path located in that area. CM Larmore asked about the entrance drive and Director Bryan said that would show up in the next agreement. There was further discussion on the properties and drive. CM Bachelor asked some questions concerning and corrections to the agreement. He also asked if we are bearing all the cost in this and Director Bryan said yes. CM Jeffries expressed some concern about the condition of the channel bank. CM Sell asked if we could ask the property owner to put stone on the bank before we close the deal. Director Bryan said we could ask but doesn't believe the property owner will. CM Bachelor made a motion to amend the ordinance with the changes he suggested earlier, seconded by CM Larmore. Roll call vote 6-1, Aye. CM Jeffries voted Nay. A motion to pass the ordinance to second reading was made by CM Scott, seconded by CM Buxton. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

58-08-O: An Ordinance authorizing the exchange of real property for the betterment of Pullman Bay Park. CM Jeffries said he questions the equity of the trade. He doesn't feel this is a fair trade. Director Bryan explained that what council asked previously about more property for the drive was agreed on with the property owner. CM Bachelor had questions on agreement about the easements and Director Bryan explained. CM Bachelor had suggestions on a couple of wording changes to the agreement. CM Jeffries stated that the entrance of Lake Shore is more of a benefit to the gentleman putting up condos than to the city and he feels the city is paying too much. CM Sell asked a question about modifying Pullman Bay bridge. Director Bryan said there is no agreement to modify the bridge at this time. Both bridges on Lake Shore Drive are the responsibility of the city. There was further discussion on the pedestrian bridge and shoreline. CM Bachelor made a motion to pass the ordinance to second reading, seconded by CM Scott. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

59-08-O: An Ordinance amending various categories within Ordinance 13-08-O as a Fifth Supplement to the 2008 Annual Appropriations, and declaring an emergency. CM Sell asked what we have in the contingency fund now and Director Hazel said \$62,273.35. CM Scott asked about insurance claims and Auditor Stewart said that claims are up about ½ million compared to last year this time. Director Hazel explained the law enforcement capital amount. CM Scott made a motion to suspend the rules, seconded by CM King. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Bachelor, seconded by CM Buxton. Roll call vote 7-0, Aye.

60-08-O: An Ordinance authorizing the Mayor and Safety-Service Director to enter into a purchase agreement with L & L Distribution Center, Inc. for the purchase of property at 1901 Industrial Drive for construction of an Electric Substation and declaring an emergency. CM Sell asked what the amount was when this was brought to council before. Director Hazel said the appraisal for the ground he was looking at before was \$188,000. CM Scott expressed concerns about the cost but said he understands the need. Several other council members expressed their concerns about the cost. A motion to suspend the rules was made by CM King, seconded by CM Larmore. Roll call vote 6-1, Aye. CM Jeffries voted Nay. CM Larmore made a motion to pass the ordinance, seconded by CM Scott. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

OLD BUSINESS: (Second Reading)

52-08-O: An Ordinance establishing Stormwater Utility Fees and declaring an emergency. CM Scott made a motion to pass the ordinance to third reading, seconded by CM Bachelor. Roll call vote 7-0, Aye.

(Third Reading)

16-08-R: A Resolution declaring the official intent and reasonable expectation of the City of Celina on behalf of the State of Ohio (the borrower) to reimburse its General and or Utilities Fund for the Buckeye Street Utilities and Street Reconstruction Project Number CM02L with the Proceeds of Tax Exempt Debt of the State of Ohio. CM Bachelor made a motion to pass the resolution, seconded by CM Sell. Roll call vote 7-0, Aye.

ADMINISTRATIVE REPORTS:

Director Hazel said he passed out the Fire Department Report.

FOR THE GOOD OF THE ORDER:

CM Sell asked if the Technology Grant for the police has been received. Director Hazel said not yet.

CM Bachelor reported that in the Cities & Villages magazine there was an article titled “Green Infrastructure Program – To help solve sewer overflow and stormwater runoff problem”. CM Bachelor stated that after reading the article he feels the city is doing some of the things mentioned.

CM Sell asked that if a renovation project is going for several years, who is following up to see the project is getting done. Director Hazel said there is no law on the time the project must be completed. They need to keep their permits updated.

A Streets & Alleys Committee meeting was set for November 17th at 5:00 p.m. in the utility office.

President Rodriguez adjourned the meeting at 8:32 p.m.

Jackie L. Lacy, Council Clerk