

REGULAR MEETING OF CELINA CITY COUNCIL January 26, 2009

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, City Auditor Stewart, and City Law Director McKirnan.

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

CM Bachelor made a motion to accept the minutes of the December 15, 2008 Regular Council Meeting as written, seconded by CM Sell. Roll call vote 7-0, Aye.

CM Scott made a motion to accept the minutes of the December 30, 2008 Special Council Meeting as corrected, seconded by CM Sell. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM Bachelor stated that the Personnel & Finance Committee met on December 17th and discussed the General Fund Budget. He said the committee will be meeting again on January 27th at 4:30 p.m. in the utility building.

CM Jeffries reported that the Streets & Alleys Committee met December 22nd. They discussed parking lots and parallel parking downtown.

President Rodriguez said Council as a Whole met on December 22nd and went into executive session.

CM King said on January 6th the Parks & Recreation Committee met. It was an informational meeting on skate parks and she briefly went over the minutes.

COMMUNICATIONS:

Director Bryan noted that there is no legislation on the agenda tonight concerning downtown parking.

AUDIENCE COMMUNICATIONS:

Teresa Howick asked if the bike path is coming through downtown Celina. Director Bryan replied that the parallel parking drawings show a 7' path, which in the past was referred as a bike path, but it is really a buffer zone to assist with parallel parking. Even though the buffer area is not dedicated solely to bike traffic, Kent noted it could allow for bike riding since it is actually against the law to ride on sidewalks.

Bob Heitkamp asked that he be notified when discussion on parallel parking takes place so he can attend. President Rodriguez explained that this will take place in a committee meeting and notices are placed in the newspaper for all meetings.

Bob Heitkamp expressed some concerns about snow and ice on sidewalks. He said he felt time should have been spent on cleaning those instead of the demonstration on sidewalk width. Director Hazel said it is the responsibility of the property owner to clean the sidewalks. Bob apologized and said he did not know that.

Teresa Howick stated that she feels it would ruin the downtown if parallel parking is put in.

Dave Howick asked about the purchase of the gator for the recreation department. He felt he should have been approached and was concerned about the bidding process. Director Hazel explained how the estimates were obtained and what the State requires.

Ed Kirts said he was concerned about parallel parking and stopping traffic to park. He briefly explained information he got from the highway patrol on violations that could be involved.

Julie Rose said she understood council would be voting on parallel parking from an article in the paper. President Rodriguez explained that what is mentioned in Readers Write is not always what is taking place at council and there is nothing on the agenda tonight on parallel parking. CM Buxton commented that there was another article that mentioned a vote taking place. No one else seemed to know about the article.

Anthony Diegel expressed concern about more upkeep and labor needed if parallel parking is put in because he understood that trees and so forth would be put in to pretty things up. CM Sell explained that even if parallel parking does not go in there will be some landscaping things done to brighten up the downtown area.

NEW BUSINESS: (First Reading)

1-09-O: An Ordinance levying assessments for the improvement by construction, reconstruction or repairing of public sidewalks and curbs under the Ward One Sidewalk Program and declaring an emergency. Director Hazel said this is an annual ordinance. The work has been done and once this ordinance passes they can assess property owners. CM Jeffries questioned some of the amount differences and Director Hazel explained that not all radiuses were the same. CM Scott had questions on how property owners pay and Director Hazel explained. CM Bachelor stated that the city's share has already been paid and it will not be coming out of the 2009 budget. CM Bachelor made a motion to suspend the rules, seconded by CM King. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

2-09-O: An Ordinance accepting a grant from the Ohio Department of Development, Small Cities Community Development Block Grant (CDBG) Comprehensive Downtown Revitalization Program, and declaring an emergency. Director Bryan said he has the grant agreement from the state. CM Jeffries asked about the matching fund. Director Bryan explained the match from the private property owner's counts as the match for infrastructure. There are 33 property owners participating at this time. A motion to suspend the rules was made by CM King, seconded by CM Sell. Roll call vote 7-0, Aye. CM Bachelor made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency. Director Bryan said the administration has been working on this for some time. He explained where the property is located and briefly explained the reason for a lease agreement. CM Jeffries said the memo talks about paving and Director Bryan said there is no intention to pave. CM Sell asked about the length of the lease and Director Bryan said it is a perpetual lease. CM Bachelor asked about the amount of real estate taxes. Director Bryan said no record can be found on this property for real estate taxes. CM Bachelor asked if there are any environmental issues. Director Bryan said no study has been done or are there any plans to do one. CM Scott asked if we have an ordinance that says parking lots have to be paved. CM Bachelor said the ordinance says dust free and explained how that could be done. CM Jeffries asked if the slab will be removed from the property when the building comes down and Director Bryan said that is the plan. After further discussion on the lease agreement, a motion to pass the ordinance to second reading was made by CM Bachelor, seconded by CM King. Roll call vote 7-0, Aye.

4-09-O: An Ordinance to authorize on the City of Celina to aggregate demand response of retail customers in accordance with FERC Order 719 and taking other actions in connection therewith and declaring an emergency. CM Sell made a motion to read by title only, seconded by CM Bachelor. The motion passed by voice acclamation. Director Hazel explained the ordinance and Order 719. He said this will protect the integrity of our system. CM Bachelor commented that an issue here is our commitment to power sources. CM Bachelor made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM King, seconded by CM Larmore. Roll call vote 7-0, Aye.

5-09-O: An Ordinance providing for the issuance and sale of bonds (Series 2009) in an aggregate principal amount not to exceed \$482,000 to refund bonds previously issued by the City for the purpose of acquiring real estate for economic development in the City, and declaring an emergency. CM Sell made a motion to read by title only, seconded by CM King. The motion passed by voice acclamation. Hazel explained that the copy passed out tonight is the correct copy and he explained the one change. CM Scott asked if this is refinancing and Director Hazel said yes. CM Bachelor asked how close we are to the \$10 mil qualified tax-exempt obligations. Auditor Stewart said she has a meeting this week and will know then but at this time we are not close. A motion to suspend the rules was made by CM Bachelor, seconded by CM Scott. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 7-0, Aye.

1-09-R: A Resolution authorizing the City of Celina to submit a grant application through the Clean Ohio Trails Fund Program for the West Bank Rotary Walkway Project, and declaring an emergency. CM Jeffries asked where the 25% match would come from and what cost is involved in writing the application. Director Bryan explained we are asking for \$250,000 from the state and the 25% match would come from the Grand Lake TIF District. He said there is no outside expense for the application because it is being prepared in-house. The grant will be awarded in the summer or early fall and would carry us into 2010. Director Bryan said in the past, most grant awards were in the \$250,000 to \$300,000 range. CM Scott asked if the West Bank TIF would cover the match. Director Bryan said it should, but if we cannot make the match, the project will not be done and the grant would be turned back in. The City would probably not get this same grant again at that point. After further short discussion, CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 6-1, Aye. CM Jeffries voted Nay. CM Sell made a motion to pass the resolution, seconded by CM Larmore. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

OLD BUSINESS: None

ADMINISTRATIVE REPORTS:

Mayor LaRue said she will have her State of City Address at the next meeting.

Director Hazel reported:

- Received 34 applications for pool manager
- Have used 650 tons of salt this year

FOR THE GOOD OF THE ORDER:

President Rodriguez said she made no changes to committee assignments for this year.

CM King said three applications were received for assistant pool manager.

CM Scott asked if there is a charge for an ambulance run in the city. Director Hazel said yes, only if they are transported.

CM Buxton asked how much salt we have left. Director Hazel said 400-450 tons.

CM Buxton asked who was responsible for the upkeep of metal grates that are on sidewalks at properties and Director Hazel said the property owner.

CM Bachelor said the operating statement for electric is showing a negative and asked how we are going to handle this. Auditor Stewart said this is incorrect and we are in the positive.

CM Bachelor said we have spent more in the General Fund than we took in and we need to be more prudent.

Mayor LaRue informed the council that the Safety Service Director and Development Director have frozen their salary for this year and will not be taking a raise.

CM Jeffries expressed some concern about his electric and water bill. Director Hazel said he would look into it for him.

A Special Council Meeting was set for Monday, February 2nd at 7:00 p.m.

President Rodriguez adjourned the meeting at 9:08 p.m.

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, January 26, 2009
GAC Facility – 7:00 P.M.

- TO: President Rodriguez, Members of Council, Mayor LaRue
Safety-Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice
- 1) Call To Order and Roll Call
 - 2) Acceptance of Agenda
 - 3) Corrections and acceptance of December 15, 2008 Regular Council Meeting minutes
Corrections and acceptance of December 30, 2008 Special Council Meeting minutes
 - 4) Committee Reports
 - 5) Communications
 - 6) Audience Communication
 - 7) New Business: (First Reading)
 - 1-09-O: An Ordinance levying assessments for the improvement by construction, reconstruction or repairing of public sidewalks and curbs under the Ward One Sidewalk Program and declaring an emergency.
 - 2-09-O: An Ordinance accepting a grant from the Ohio Department of Development, Small Cities Community Development Block Grant (CDBG) Comprehensive Downtown Revitalization Program, and declaring an emergency.
 - 3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.
 - 4-09-O: An Ordinance to authorize on the City of Celina to aggregate demand response of retail customers in accordance with FERC Order 719 and taking other actions in connection therewith and declaring an emergency.
 - 5-09-O: An Ordinance providing for the issuance and sale of bonds (Series 2009) in an aggregate principal amount not to exceed \$482,000 to refund bonds previously issued by the City for the purpose of acquiring real estate for economic development in the City, and declaring an emergency.
 - 1-09-R: A Resolution authorizing the City of Celina to submit a grant application through the Clean Ohio Trails Fund Program for the West Bank Rotary Walkway Project, and declaring an emergency.
 - 8) Old Business: None
 - (Tabled)
 - 57-08-O: An Ordinance vacating all of the street right-of-way known as “County Road” south of East Market Street.

58-08-O: An Ordinance authorizing the exchange of real property for the betterment of Pullman Bay Park.

9) Administrative Reports

10) For the Good of the Order

11) Adjournment

Jackie L. Lacy, Clerk of Council

AGENDA
Regular Meeting of City Council
Monday, February 9, 2009
GAC Facility – 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue
Safety-Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call To Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of January 26, 2009 Regular Council Meeting minutes
Corrections and acceptance of February 2, 2009 Special Council Meeting minutes
- 4) Committee Reports
- 5) Communications
- 6) Audience Communication
- 7) New Business: (First Reading)
 - 6-09-O: An Ordinance authorizing the City of Celina to accept the FY2008 Assistance to Firefighters Grant through the Federal Emergency Management Agency and Department of Homeland Security for purchase of a vehicle exhaust removal system for use in the Celina Fire Department, to advertise and accept bids, and further authorize the Board of Control to award the bid and the Safety-Service Director to enter into a contract, and declaring an emergency.
 - 7-09-O: An Ordinance amending the 2009 Temporary Appropriations Ordinance 73-08-O, and declaring an emergency.
 - 8-09-O: An Ordinance authorizing the Safety-Service Director to dispose of a 994 Ford dump truck through bidding, and declaring an emergency.
 - 9-09-O: An Ordinance to make appropriations for current expenses and other expenditures of the City of Celina, State of Ohio, during the fiscal year ending December 31, 2009, and declaring an emergency.
 - 3-09-R: A Resolution authorizing the City of Celina to submit a grant application to the 2009 Assistance to Firefighters Grant Program for the purchase of an emergency fire truck, and declaring an emergency.
- 8) Old Business: (Second Reading)
 - 3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.
 - 2-09-R: A Resolution approving the permanent pavement width for the Main Street Reconstruction Project, and declaring an emergency.

(Tabled)

57-08-O: An Ordinance vacating all of the street right-of-way known as “County Road” south of East Market Street.

58-08-O: An Ordinance authorizing the exchange of real property for the betterment of Pullman Bay Park.

- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Clerk of Council

REGULAR MEETING OF CELINA CITY COUNCIL February 9, 2009

President Pro Tem Bachelor 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, City Auditor Stewart, and City Law Director McKirnan.

CM Sell made a motion to adopt the agenda with the correction to 8-09-O, seconded by CM Scott. Roll call vote 7-0, Aye.

CM Sell made a motion to accept the minutes of the January 26, 2009 Regular Council Meeting as written, seconded by CM Buxton. Roll call vote 7-0, Aye.

CM Scott made a motion to accept the minutes of the February 2, 2009 Special Council Meeting as corrected, seconded by CM Larmore. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM Bachelor reported that the Personnel & Finance Committee met on January 27th. They briefly discussed department budgets and projected revenue. They then went into executive session and no action was taken. The committee met again on February 3rd. They looked at fund requests and anticipated revenues. He said they also discussed the Stormwater Utility Budget and the Administration/General Budget. CM Bachelor briefly went over the minutes.

COMMUNICATIONS:

Mayor LaRue gave her State of the City report. A short discussion followed on the Winklejohn building.

AUDIENCE COMMUNICATIONS:

Jim Meyer, representing the Lord's Church, asked about parking and expressed concerns about parallel parking. Director Bryan said nothing has been decided at this time on angle or parallel parking. He briefly went over the number of spots that is required by code if they stay angled.

NEW BUSINESS: (First Reading)

6-09-O: An Ordinance authorizing the City of Celina to accept the FY2008 Assistance to Firefighters Grant through the Federal Emergency Management Agency and Department of Homeland Security for purchase of a vehicle exhaust removal system for use in the Celina Fire Department, to advertise and accept bids, and further authorize the Board of Control to award the bid and the Safety-Service Director to enter into a contract, and declaring an emergency. CM Jeffries asked if anyone knows how this system works and Director Hazel explained. CM Jeffries asked about the matching fund. Director Hazel explained and said the amount is in the budget. He doesn't think it will go that high and will have a firm number after the bids. Director Hazel said no signature was required for the application because it was sent in on line. He said he spoke with the chief and explained that no more grants will go in without a resolution first. Director Hazel said this became a safety issue with fumes going through out the city hall. CM Scott made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 7-0, Aye.

7-09-O: An Ordinance amending the 2009 Temporary Appropriations Ordinance 73-08-O, and declaring an emergency. CM Bachelor said these funds are covered in an appropriated ordinance and Director Hazel explained the figures. A motion to suspend the rules was made by CM King, seconded by CM Buxton. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM King. Roll call vote 7-0, Aye.

8-09-O: An Ordinance authorizing the Safety-Service Director to dispose of a 1994 Ford dump truck through bidding, and declaring an emergency. Director Hazel stated that he feels this is an excellent deal. He explained how the sale works and said the money goes into the General Fund. CM Sell 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 Buxton, seconded by CM Larmore. Roll call vote 7-0, Aye.

9-09-O: An Ordinance to make appropriations for current expenses and other expenditures of the City of Celina, State of Ohio, during the fiscal year ending December 31, 2009, and declaring an emergency. CM Bachelor made a motion to read the totals in the third column only, seconded by CM Sell. The motion passed by voice acclamation. CM Bachelor said the first reading of this ordinance is tonight and a public hearing will be held, then there will be another Personnel & Finance Committee to discuss it. A Public Hearing was set for Thursday, February 12th at 7:00 p.m. at the GAC plant. A motion was made to pass the ordinance to second reading by CM Sell, seconded by CM Buxton. Roll call vote 7-0, Aye.

3-09-R: A Resolution authorizing the City of Celina to submit a grant application to the 2009 Assistance to Firefighters Grant Program for the purchase of an emergency fire truck, and declaring an emergency. Director Hazel said he believes the deadline is May 1st. He said this is a long shot grant. It would replace the grass truck. The reward will probably not be until 2010. CM Larmore asked how old the existing truck is, and Director Hazel said it's a 1982. CM King said she hates to pass up a new truck but we need to watch our expenditures. CM Buxton asked the book value of the current truck and Director Hazel said it's off the books but is still operable. A short discussion on funds followed. CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the resolution, seconded by CM Scott. Roll call vote 7-0, Aye.

OLD BUSINESS: (Second Reading)

3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency. CM Jeffries said he would like to see the metal building down but has concerns about parking for the Town Tavern. Director Bryan said this is private property that has been used for parking for years. The railroad will probably put signage and barriers up. Director Bryan said he has spoke with the property owner of Town Tavern and will be sitting down with him once the agreement with the railroad is signed to work on the parking issue. CM Scott asked if this is used as a thorough fare to avoid the light. Director Bryan said yes, but with the Main Street Project the drive will be curbed to stop the thorough fare. Director Bryan went over answers to questions on the agreement that came up at the last meeting. He said we're just taking use of the surface of the ground so we can mow it, take down the building, and control the property. CM Jeffries asked how the area is zoned and Director Hazel said S-1, Special Use. A motion to pass the ordinance to third reading was made by CM Sell, seconded by CM Larmore. Roll call vote 7-0, Aye.

2-09-R: A Resolution approving the permanent pavement width for the Main Street Reconstruction Project, and declaring an emergency. CM Jeffries asked how much sidewalk will be left after light poles are placed and Director Bryan said approximately eight feet. There was a lengthy discussion on sidewalk and street width. CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 5-2, Aye. CM Bachelor and CM Jeffries voted Nay. The motion failed and automatically passes to third reading.

CM Sell made a motion to take 57-08-O off the table, seconded by CM Scott. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

57-08-O: An Ordinance vacating all of the street right-of-way known as "County Road" south of East Market Street. A motion to pass the ordinance was made by CM Scott, seconded by CM King. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

A motion to take 58-08-O off the table was made by CM Sell, seconded by CM King. 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 Scott asked when the project will start if the ordinance passes. Director Bryan said when the weather warms up, as early in the spring as possible. CM Sell asked if there is no language change, what took so much time on this. Director Bryan said there were no changes in language but he was just trying to get signatures. Several of the parties involved were out of town. CM Scott made a motion to pass the ordinance, seconded by CM Sell. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

ADMINISTRATIVE REPORTS:

A Council as a Whole Committee meeting was set for February 16th at 7:00 p.m. in the utility building.

A Personnel & Finance Committee meeting was set for March 2nd at 7:00 p.m. in the utility building. Another Personnel & Finance Committee meeting was set for March 3rd at 7:00 p.m. in the utility building.

Director Bryan said depending on the federal stimulus bill there may be some money available. The Ohio EPA sent a letter for a wish list on wastewater that is due Friday. A wish list for any projects we have on water projects is due March 15th.

FOR THE GOOD OF THE ORDER:

CM Jeffries asked if it is the building owners or business owner who will be paying the matching fund. Director Bryan said it is the building owner.

CM Jeffries asked if it is a common wall between the Gibbons building and the doctor's office. Director Bryan said from what he has seen he believes it is a separate wall.

CM Sell said he thinks we need to look at the old council chambers when we know we'll be having a large audience present.

CM Scott asked if the Christmas trees are permanent at the water tower. Director Hazel said they will come down as soon as the weather gets better.

CM Buxton asked about the four cuts in Magnolia Street. Director Hazel said they are probably Dominion but will check into it.

Director Bryan said he will give a courtesy call to Bill Montgomery to let him know we will be taking down the sign on the Montgomery property on Grand Lake Road. He also said he will be checking on cost to cut some trees on the lot.

President Pro Tem Bachelor adjourned the meeting at 9:50 p.m.

Jackie L. Lacy, Council Clerk

SPECIAL MEETING OF CELINA CITY COUNCIL February 2, 2009

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, and Planning & Community Development Director Bryan.

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

NEW BUSINESS: (First Reading)

2-09-R: A Resolution approving the permanent pavement width for the Main Street Reconstruction Project, and declaring an emergency. Director Bryan presented information regarding the sidewalk width availability per Ohio Revised Code (ORC) §4511.69 related to pavement width. He reported the amount of sidewalk width that would be given up to accommodate parallel parking and 30°, 35°, 40° and 45° angled parking. He also gave an analysis of parking style options with the comparison of existing parking spaces and reduced spaces to meet ORC. The meeting this evening is to determine the width of Main Street, not decide on the style of parking. It is, although, important to not make the street too narrow and thus limit the parking style options. Council members discussed the various widths and parking styles before opening the discussion up to the audience members. CM Bachelor stated that any decisions made regarding the Main Street design will affect the downtown for the next 50 to 100 years. We need to look at the long-term vision of the downtown.

Audience questions and comments included:

- Julie Rose of Wilson Shoes asked what the width of the parking spaces would be. A majority of their clientele is elderly, and it is crucial that the parking accommodates them. Current angled spaces are at an 11' width. ORC minimum width is 8.5', but the proposed angled parking drawings have a 10' space width.
- How much sidewalk width will be given up? 6" of sidewalk would be given up with parallel parking. Angled parking will give up between 1'6" and 3'9" depending on the degree. An 18"-24" overhang from vehicles on angled parking also needs to be remembered.
- Deb Borns commented that she agrees with CM Bachelor's comments on the long-term effects this decision will make. Once the sidewalk width is given up, we will not be able to get it back. During a visit to a neighboring community, she found that their 10' sidewalk width did not allow for two pedestrians to easily walk side by side.
- Bob Heitkamp stated he conducted a poll, and the majority of business owners voted to keep the downtown parking the way it is. He stated that in his opinion, he would rather have the smaller width of the sidewalk to get more storefront parking spaces. Store owners and customers need to be given the opportunity to vote on what they want. This decision will have a direct effect on their businesses.
- Theresa Howick voiced her fear that council will hold an emergency meeting and vote on the parking without the audience being able to voice their feelings. President Rodriguez stated that by law, notifications of all meetings are sent to the news media to be publicized.
- Vance Nation commented that he feels parallel parking will make the downtown look aesthetically pleasing. The buffer zone will help with the safety of backing into the space.

Additional municipal downtown parking lots would help with the parking situation. Director Bryan stated that administration is looking at sites for parking lots. Two options being explored would allow for an additional 60 spaces. Other options are also being looked at. Extra lighting and security cameras would be utilized to help prevent vandalism.

- Nancy Otis commented that the proper design of the downtown is crucial for its future and she is appreciative of Council giving the public the opportunity to voice their concerns and opinions of the downtown parking decisions.

Director Bryan reported that the signage at the Market and Ash Street intersection is being looked at to improve on diverting semi truck traffic off Main Street.

CM Sell made a motion to amend Section One of the Resolution to designate the width “from back of curb to back of curb”. CM Bachelor seconded the motion. Roll vote 7-0 Aye. CM Sell made a motion to pass the Resolution to second reading with the street width designation of 70.5 feet. CM Larmore seconded the motion. Roll call vote 6-1 Aye, CM Jeffries voted nay.

President Rodriguez encouraged residents and business/property owners to continue talking with Council members on this issue.

President Rodriguez adjourned the meeting at 8:43 p.m.

Joan S. Wurster, Interim Council Clerk

AGENDA
Regular Meeting of City Council
Monday, February 23, 2009
GAC Facility – 7:00 P.M.

- TO: President Rodriguez, Members of Council, Mayor LaRue
Safety-Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice
- 1) Call To Order and Roll Call
 - 2) Acceptance of Agenda
 - 3) Executive Session – Real Estate Negotiations
 - 3) Corrections and acceptance of February 9, 2009 Regular Council Meeting minutes
 - 4) Committee Reports
 - 5) Communications
 - 6) Audience Communication
 - 7) New Business: (First Reading)
10-09-O: An Ordinance accepting the public rights-of-way and improvements for Holiday Drive, and declaring an emergency.
 - 8) Old Business: (Second Reading)
9-09-O: An Ordinance to make appropriations for current expenses and other expenditures of the City of Celina, State of Ohio, during the fiscal year ending December 31, 2009, and declaring an emergency.

(Third Reading)
3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.

2-09-R: A Resolution approving the permanent pavement width for the Main Street Reconstruction Project, and declaring an emergency.
 - 9) Administrative Reports
 - 10) For the Good of the Order
 - 11) Adjournment

Jackie L. Lacy, Clerk of Council

REGULAR MEETING OF CELINA CITY COUNCIL March 23, 2009

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

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 March 9, 2009 Regular Council Meeting as corrected, seconded by CM King. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM King reported that the Parks & Recreation Committee met on March 10th. They looked at preliminary plans on restroom drawings. She briefly went over the minutes and said the committee's next meeting will be March 24th at 4:30 p.m.

CM Jeffries stated that the Streets & Alleys Committee met on March 12th. The topics they discussed were:

- Speed limits on St. Rt. 197
- Speed limit on Grand Lake Road
- J-turns

He briefly went over the minutes.

CM Scott said there was a Utilities Committee Meeting on March 19th. Minutes were not available but he said they discussed street projects coming up and what will be involved with utilities.

COMMUNICATIONS: None

AUDIENCE COMMUNICATIONS:

Katlyn Leugers, 324 N. Walnut Street, said she is working on a recycle program called Greening Up Celina. She explained what she has done so far and what she is hoping to do.

NEW BUSINESS: (First Reading)

22-08-O: An Ordinance regulating traffic within the corporate limits of the City of Celina, Ohio; incorporating into the Codified Ordinances of the City of Celina, Ohio, and providing certain penalties, and declaring an emergency. Director Hazel said that Section Two should be removed because it is related to j-turns and the rest of the sections renumbered. CM Sell asked if he knows how many violations we've had in this area Director Hazel said he could find out but doesn't have that information with him tonight. CM Bachelor said he feels the ordinance should have an emergency clause and explained why. CM Sell asked how long it would take to have signage change and Director Hazel said it could be done overnight. CM Scott commented that the city doesn't want this, just to change it, but the conditions in the area have changed. CM Bachelor made a motion to amend the ordinance by deleting Section Two, renumber the other sections, and add an emergency clause. CM Sell made a second to the motion. Roll call vote 7-0, Aye. A motion to suspend the rules was made by CM Sell, seconded by CM King. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye. CM

23-09-O: An Ordinance accepting a donation from the Wal-Mart Foundation for the purchase of Police Equipment, and declaring an emergency. CM Scott asked if this money has to go toward a tazer and Director Hazel said yes. CM King asked if this is the sixth tazer and Director Hazel answered no, the fourth. Director Hazel explained the correction needed of Wal Mart Foundation and what committee it should say in the ordinance. CM King made a motion to amend the ordinance as Director Hazel stated, seconded by CM Sell. Roll call vote 7-0, Aye. CM Bachelor made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

24-09-O: An Ordinance authorizing the Safety-Service Director to advertise for bids and to enter into contracts for certain materials, services, supplies and equipment needed during 2009, and declaring an emergency. CM Sell asked why we need a specific ordinance for this. Director Hazel said a bid in excess of \$25,000 is required by law. He said this ordinance is for general operations. CM Bachelor made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM Larmore. Roll call vote 7-0, Aye.

25-09-O: An Ordinance to transfer funds and authorize the Safety-Service Director to enter into a contract for emergency repairs to the public works building and shelter house roofs, and declaring an emergency. CM King asked if some of the damage was caused by wind and if it could be covered by insurance. Director Hazel said yes, some of it was by wind but it would be hard to ascertain what portion. CM Jeffries stated that he feels the estimate is too low. Director Hazel said that only part of the roof will be done. There was a short discussion on the type of roof and material to be used. CM Scott said he feels we need to do something with this building because we keep putting money in it. CM Sell said it seems like a band aid approach but understands we need to do something now. CM Larmore said it's not really a band aid since we are getting a company to do it right over the area that's needed done. A motion to suspend the rules was made by CM King, seconded by CM Sell. Roll call vote 7-0, Aye. CM Bachelor made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 7-0, Aye.

OLD BUSINESS: (Second Reading)

17-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$400,000, in anticipation of the issuance of bonds, to pay the costs of making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, together with all necessary appurtenances, and declaring an emergency. CM Bachelor asked when we have the bids and Director Bryan said we are two to three weeks away to begin the bidding process. CM Sell questioned if it should be "not to exceed" on the amount. Auditor Stewart stated that we can't put that in on the amount but can on the interest rate. There was a short discussion on if this should be passed or passed to third reading. CM Sell made a motion to pass the ordinance to third reading, seconded by CM Bachelor. Roll call vote 7-0, Aye.

18-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$800,000, in anticipation of the issuance of bonds, to pay costs of making storm sewer improvements along West Logan Street from Portland Street to the west City limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances, and declaring an emergency. A motion to pass the ordinance to third reading was made by CM Bachelor, seconded by CM Scott. Roll call vote 7-0, Aye.

19-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$300,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline along Buckeye Street from Market Street to Myers Street, together with all necessary appurtenances, and declaring an emergency. CM Bachelor said he heard this may not bid until September. Director Bryan said he heard from ODOT and it will bid in early September. He explained what will be done in the fall. CM Bachelor asked if there is a completion date and Director Bryan answered that ODOT has not set a date. CM Bachelor said he has concerns about tearing up city streets with Main Street and Buckeye Street being worked on at the same time. There was further discussion on start date and money source. CM Scott made a motion to pass the ordinance to third reading, seconded by CM Buxton. Roll call vote 7-0, Aye.

20-09-O: An Ordinance authorizing the Mayor and Safety Service Director to enter into a TIF Compensation Agreement with the Celina City School District Board of Education. Director Bryan said the agreement was revised on the 40% cap wording before it was given to the school. He suggested that council not pass this until the school does which is anticipated to happen in April. CM Sell asked about the amount that will be given to the schools. Director Bryan said it should be around \$100,000. CM Bachelor made a motion to pass the ordinance to third reading, seconded by CM Larmore. Roll call vote 7-0, Aye.

21-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$350,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, together with all necessary appurtenances, and declaring an emergency. CM King asked if there is a possibility of another revenue source for at

least one of the facilities. Director Bryan explained there is a money source possible when bids are known. CM Bachelor expressed his concerns on tapping into TIF funds with other possible things coming down the road. CM Jeffries questioned the amount of the restrooms. Director Bryan explained the numbers discussed in committee meeting to the ordinance and explained why. CM Sell asked if we are down to two restrooms. Director Bryan said he will be bringing committee two drawings, one larger and one smaller facility. The size will need to be decided before the third reading. A motion to pass the ordinance to third reading was made by CM Bachelor, seconded by CM Buxton. Roll call vote 7-0, Aye.

ADMINISTRATIVE REPORTS:

Director Hazel reported:

- Restrooms are open except at Eastview
- Fountains in parks are not turned on yet
- Patching for pot holes but not with hot patch, this material not available until mid April
- Spring pick up is going well, the amount is down from last year at this time
- 7500 recycle bags were sold in stores in November and December 2008

FOR THE GOOD OF THE ORDER:

CM King asked if restrooms will be unlocked in the evenings. Director Hazel said only Westview has doors and are working on getting locks for them.

CM King said she would like to have a Community Betterment Committee meeting to get things moving on property maintenance issues. A tentative date was set for April 20th at 6:30 p.m. in the utility building.

CM Jeffries asked the range on the tazers and Director Hazel said he thought it's about 20 feet.

CM Sell said he received a call with someone questioning if the lights on the water tower could be turned off except for the red one. Also someone called about having wind turbine on the west bank. Director Hazel said it would be impossible to get an EPA permit because of the bird migration. He also explained a little about the cost and said it would not be efficient yet.

CM Sell said the varsity softball coach complimented on the back diamond saying it was very good for this time of year.

CM Scott commented that the parks are looking good. He complemented Mahargs on the spring pick up. He also said there was an article in the Dayton paper about cleaning up the lake.

Director Bryan said he met with Katlyn Leugers on recycling. They also talked about the lake algae. He said he is waiting on the potential funding with the stimulus before he brings anything to council on the algae.

CM Buxton said he heard comments about the Havemann substation not being built. Director Hazel said at this time it is on hold because the current one is doing its job.

CM Bachelor asked about the next EPA permit for the water plant and expressed concerns about phosphorus removal cost. Director Hazel said the next permit is not for two years.

Council agreed that there will not be a council meeting on May 25th because of the holiday.

President Rodriguez adjourned the meeting at 8:31 p.m.

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, April 13, 2009
GAC Facility – 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue
Safety-Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call To Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of March 23, 2009 Regular Council Meeting minutes
- 4) Committee Reports
- 5) Communications
- 6) Audience Communication
- 7) New Business: (First Reading)
 - 26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency.
 - 27-09-O: An Ordinance authorizing a lease agreement between the City of Celina and Freedom Days Family Picnic, Inc. for the lease of Lakeshore Park, and declaring an emergency.
 - 4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency.
 - 5-09-R: A Resolution authorizing the Mayor or her designee to submit an application to the Natural Resources Conservation Service through the USDA for a grant aimed at establishing a permanent floodplain easement, and declaring an emergency.
- 8) Old Business: (Third Reading)
 - 17-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$400,000, in anticipation of the issuance of bonds, to pay the costs of making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, together with all necessary appurtenances, and declaring an emergency.
 - 18-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$800,000, in anticipation of the issuance of bonds, to pay costs of making storm sewer improvements along West Logan Street from Portland Street to the west City limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances, and declaring an emergency.
 - 19-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$300,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline along Buckeye Street from Market Street to Myers Street, together with all necessary appurtenances, and declaring an emergency.

20-09-O: An Ordinance authorizing the Mayor and Safety Service Director to enter into a TIF Compensation Agreement with the Celina City School District Board of Education.

21-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$350,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, together with all necessary appurtenances, and declaring an emergency.

(Tabled)

3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.

- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Clerk of Council

REGULAR MEETING OF CELINA CITY COUNCIL April 13, 2009

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

CM Sell made a motion to accept the agenda, seconded by CM Larmore. Roll call vote 5-0, Aye.

CM Sell made a motion to accept the minutes of the March 23, 2009 Regular Council Meeting as written, seconded by CM Buxton. Roll call vote 5-0, Aye.

COMMITTEE REPORTS:

President Rodriguez reported that Council as a Whole met on April 8th and went into executive session.

COMMUNICATIONS: None

AUDIENCE COMMUNICATIONS:

President Rodriguez welcomed a Public Administration Class from Wright State.

Mayor LaRue asked a young man to introduce himself. Joe Heeb said he is a scout working on his communication badge.

Teresa Howick, 7531 St. Rt. 197, addressed the council on a couple of items.

- Feels trees cut at Eastview needed to be done but cost to donate a tree is expensive
- Light still attached to an old tree – Director Hazel said the electric is being rerouted and then it will come down
- Suggested to council to vote on what option the parking will be downtown – President Rodriguez said it is not necessary at this time. CM Sell said it's not that far along in the project yet. CM Buxton said the state has not approved the project yet.

John Arnold, 1606 Settlers Lane, asked if there was a policy to hire retired employees back. He thought at one of the meetings it was said that hiring was put on hold. Director Hazel said there is no policy. One retired employee was hired back but he's left already. There may be one other employee coming back for inspection work.

NEW BUSINESS: (First Reading)

26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency. CM Buxton asked if the agreement should be an attachment to the ordinance. Director Hazel said we usually don't do that for this type of position because it could change as the project goes along. CM Buxton pointed out that the agreement has some errors as far as mentioning "he" and "she" in different spots. CM King asked if the hours should be filled in. CM Hazel said this will vary depending on what's needed. CM Sell asked if this is a CDBG reimbursement. Mayor LaRue said there is a \$60,000 administration fee built in the grant and this is the amount for the length of the grant. CM Larmore asked if this position could be done in house. Mayor LaRue said this position is specific in the grant. CM Jeffries said he feels the downtown manager and this position could be done by the same person. Mayor LaRue said there are specific positions in the grant along with another position that will be appointed later. She said the downtown manager was approved out of the city budget. We are required to take out of the grant for the coordinator position. Director Stewart reminded Director Hazel the \$60,000 has not been appropriated. Director Hazel said he will make changes in the ordinance for the next meeting. CM King made a motion to pass the ordinance to second reading, seconded by CM Buxton. Roll call vote 5-0, Aye.

27-09-O: An Ordinance authorizing a lease agreement between the City of Celina and Freedom Days Family Picnic, Inc. for the lease of Lakeshore Park, and declaring an emergency. CM Sell asked if they will be under our insurance policy. Director Hazel said no, we are a rider on their insurance. CM King asked if we usually charge for utilities

and Director Hazel said no. A motion to pass the ordinance to second reading was made by CM King, seconded by CM Sell. Roll call vote 4-0, Aye. CM Jeffries abstained.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency. Director Hazel said this is necessary with this grant. This came through our consultants Pogemeyer. CM King asked if we know of any tribal grounds. Director Hazel said that's the reason for this study. CM King asked if we should list the area of this grant. Director Hazel said it is explained in the grant. After further discussion, CM Sell made a motion to pass the ordinance to second reading, seconded by CM Larmore. Roll call vote 5-0, Aye.

5-09-R: A Resolution authorizing the Mayor or her designee to submit an application to the Natural Resources Conservation Service through the USDA for a grant aimed at establishing a permanent floodplain easement, and declaring an emergency. CM Jeffries stated that he doesn't like these things that come to us after the fact. Director Hazel said this is part of stimulus money. This came to us a week ago Friday and is a one shot thing. CM Sell questioned what program the funds are coming through and Director Hazel explained. CM Larmore asked if this is stimulus money with no match and Director Hazel said that is correct. CM Sell asked when we'll know if we get this. Director Hazel said the Soil and Water Conservation staff didn't have a specific time. After further comments, CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 6-0, Aye. A motion to pass the resolution was made by CM King, seconded by CM Sell. Roll call vote 6-0, Aye.

OLD BUSINESS: (Third Reading)

CM Larmore made a motion to table 17-09-O, 18-09-O, 19-09-O, and 21-09-O until Director Bryan and CM Bachelor are present for further explanation. The motion was seconded by CM King. Roll call vote 6-0, Aye.

20-09-O: An Ordinance authorizing the Mayor and Safety Service Director to enter into a TIF Compensation Agreement with the Celina City School District Board of Education. CM Sell asked if the school was still on board with this and Director Hazel said yes. CM Scott asked if the school has had their meeting and Director Hazel said he is not sure. CM Sell made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 6-0, Aye.

ADMINISTRATIVE REPORTS:

Director Hazel said he included in packet articles on power.

FOR THE GOOD OF THE ORDER:

CM Sell said he receive some complaints on trash out by Wal Mart. Director Hazel said he is getting ready to address that problem.

CM Buxton asked if the path at Eastview Park will be graded. Director Hazel said yes ultimately it will also be paved and trees will be planted.

CM Jeffries asked about the trees along Grand Lake Road, if they will be getting cleaned up. Director Hazel said yes, plans have been made to take care of them.

A Special Council Meeting was set for Saturday the 18th at 8:00 a.m. in the utility building.

A Council as a Whole Committee meeting was set to follow the Community Betterment Committee meeting on Monday the 20th at 6:30 p.m. in the utility building.

President Rodriguez adjourned the meeting at 8:22 p.m.

Jackie L. Lacy, Council Clerk

SPECIAL MEETING OF CELINA CITY COUNCIL April 20, 2009

President Rodriguez called the Special Meeting of Celina City Council to order at 7:30 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.

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

Old Business: (Second Reading)

27-09-O: An Ordinance authorizing a lease agreement between the City of Celina and Freedom Days Family Picnic, Inc. for the lease of Lakeshore Park, and declaring an emergency. An amended version was passed out and CM Bachelor explained the changes. In the agreement, CM Bachelor suggested to be more date specific in number four by saying "on or before April 1st" and in number five by saying "prior to April 1st". A motion to accept the amended version that was passed out was made by CM Scott, seconded by CM King. Roll call vote 7-0, Aye. CM Sell made a motion to suspend the rules, seconded by CM King. CM Buxton said he feels council needs to give the public a chance to comment on the lease before passing. Director Hazel said he originally wrote specific activity in the ordinance but council didn't feel it was needed. Council has now decided it should be specific in the ordinance. CM Sell and CM King withdrew their motions to suspend the rules. CM Bachelor made a motion to pass the ordinance to third reading, seconded by CM Scott. Roll call vote 6-0, Aye. CM Jeffries abstained.

President Rodriguez adjourned the meeting at 7:42 p.m.

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL April 27, 2009

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

CM Sell made a motion to accept the agenda passed out tonight, seconded by CM Larmore. Roll call vote 6-0, Aye.

CM Scott made a motion to accept the minutes of the April 13, 2009 Regular Council Meeting as written, seconded by CM Buxton. Roll call vote 6-0, Aye.

CM Sell made a motion to accept the minutes of the April 20, 2009 Special Council Meeting as corrected, seconded by CM King. Roll call vote 6-0, Aye.

COMMITTEE REPORTS:

CM Scott reported that the Utility Committee met on March 19th to review utilities specifically related to upcoming projects. He briefly went over the minutes.

CM Scott stated the Utility Committee met again on April 17th and discussed two lift stations north of Meyer Road. He briefly went over the minutes from the meeting.

CM Sell said the Community Betterment Committee met on April 20th. The committee discussed existing zoning codes and he briefly explained the discussion.

President Rodriguez stated that the Council as a Whole Committee met April 20th and said the purpose was to discuss the four note ordinances that were tabled.

COMMUNICATIONS: None

AUDIENCE COMMUNICATIONS:

Don Kohnen, 903 Sycamore, questioned if anyone checked to see how much value of property went down because of the structure that was built that Mrs. King has been concerned about. Director Bryan said he did not go to the auditor's office to check. CM King tried to explain her feelings on the property.

Teresa Howick, 7531 St. Rt. 197, commented on the pamphlet that she received with her utility bill and the statement about being in compliance. Director Hazel explained how we can figure we are in compliance without a water sample.

Teresa Howick asked if the city has heard anything on Main Street. Director Hazel said nothing has come back from ODOT yet. She asked about the approval for sidewalks, alleys, etc. Director Bryan said the plan goes to state the first part of June. The alleys do not need state approval, they fall under the city.

NEW BUSINESS: (First Reading)

28-09-O: An Ordinance repealing and replacing Ordinance 25-09-O, to authorize expenditure of funds, and authorize the Safety Service Director to enter into a contract for emergency repairs to the Public Works Building and shelter house roofs, and declaring an emergency. CM Jeffries asked if 25-09-O was the ordinance we passed for \$30,000 for the public works building roof. Director Hazel said yes, and explained this time we are looking at the office area of the building. CM Sell asked if we are repealing 25-09-O and doing this ordinance because of transferring funds. Director Hazel said yes and explained what the state auditor department said. He explained how far back the repair will go. After a further short discussion, a motion to

suspend the rules was made by CM Sell, seconded by CM Scott. Roll call vote 6-0, Aye. CM Scott made a motion to pass the ordinance, seconded by CM King. Roll call vote 6-0, Aye.

29-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a First Supplement to the 2009 Annual Appropriations, and declaring an emergency. CM Sell asked about the Occupant Protection Coordinator Grant. Director Hazel explained the difference was because their fiscal year is different from our fiscal year. CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 6-0, Aye. CM King made a motion to pass the ordinance, seconded by CM Sell. Roll call vote 6-0, Aye.

30-09-O: An Ordinance accepting a donation from the Celina Lodge No. 1473 Loyal Order of Moose, Incorporated and appropriating the same for the purchase of a water rescue suit for the Celina Fire Department, and declaring an emergency. CM Sell asked what this suit was. Director Hazel said it is a specific suit for rescue, Mustang is the brand. He stated we do have other suits but not necessarily this brand. CM Sell made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM King, seconded by CM Buxton. Roll call vote 6-0, Aye.

31-09-O: An Ordinance authorizing the Safety Service Director to enter into a professional services agreement for administration of the CDBG Tier II Grant, and declaring an emergency. Director Bryan explained there is \$60,000 for administrative fees; this \$28,000 comes out of that. The grant will close out in two years (sometime in 2010). There was some discussion on property owners' involvement and the grant amount allotted. CM Buxton asked what happens if we don't meet involvement and dollar amount. Director Bryan said state would say we didn't meet the grant agreement we signed and may ask for money back. CM Sell questioned the way Section One is worded. Director Bryan said Poggemeyer is making sure all paperwork is correct, i's dotted and t's crossed, for when we're audited. He explained how we leveraged this project with the state. A motion to suspend the rules was made by CM Sell, seconded by CM King. Roll call vote 6-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM King. Roll call vote 6-0, Aye.

6-09-R: A Resolution authorizing the City of Celina to submit a grant application to the Bureau of Justice Assistance Recovery Act Justice Assistance Grant Program for police programs and equipment, and declaring an emergency. Chief Slusser said this is stimulus money that was made aware to us by a sales person. This does not require a match so far but if it's like other JAG Grants it would be 10%. He said right now he has a couple projects in mind, a printer and lap tops in cruisers. CM Scott asked if we can we refuse the grant if it requires a match. Chief Slusser said yes, this resolution is just asking council permission to apply. CM King asked if we have to pay the salesman that brought this to us a finder fee. Chief Slusser said no, he is just hoping to make a sale. CM King made a motion to suspend the rules, seconded by CM Buxton. Roll call vote 6-0, Aye. CM Sell made a motion to pass the resolution, seconded by CM King. Roll call vote 6-0, Aye.

OLD BUSINESS: (Second Reading)

26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency. CM Bryan explained why Jerry Lacy was chosen and what he's been doing so far. He explained the budgeted hours. He said it's not a requirement of the grant to split the downtown manager position and this position. Director Bryan said he feels the state wants to see once this grant is done we want to continue to grow and approve downtown and he believes the downtown manager position helps with this. CM Scott asked about the flow of command. Director Bryan said both positions are under contract and officially answer to the Mayor. He said each morning we all sit down and discuss what is happening. He further explained why two roles and their duties. CM Sell made a motion to amend the ordinance in the second Whereas by changing the words "is required by the grant program", to read "administration desires". CM King made a second to the motion. Roll call vote 6-0, Aye. A motion to pass the ordinance to third reading was made by CM Sell, seconded by CM Scott. Roll call vote 6-0, Aye.

CM Buxton asked if the city has a five year or 10 year plan for the city. Director Bryan said yes, it was adopted last year but needs to be looked at and put together with more specific plans. There was a short discussion on stimulus and grant money possibilities.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency. CM Sell made a motion to pass the resolution to third reading, seconded by CM King. Roll call vote 6-0, Aye.

(Third Reading)

27-09-O: An Ordinance authorizing a lease agreement between the City of Celina and Freedom Days Family Picnic, Inc. for the lease of Lakeshore Park, and declaring an emergency. CM Scott made a motion to accept the amended version dated 4/20/09, seconded by CM King. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 5-0-1, Aye. CM Jeffries abstained.

CM Scott made a motion to take 17-09-O and 18-09-O off the table, seconded by CM Sell. The motion passed by voice acclamation.

17-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$400,000, in anticipation of the issuance of bonds, to pay the costs of making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, together with all necessary appurtenances, and declaring an emergency. Director Bryan passed out an updated sheet with projects and dollar figures. He explained he confirmed some numbers from the past information he gave council, only put numbers into debts we already have, and showed TIF dollars. A motion to amend the ordinance in Section Three by changing the date to May 8, 2009 was made by CM Scott, seconded by CM Sell. Roll call vote 6-0, Aye. CM Scott made a motion to pass the ordinance, seconded by CM Sell. Roll call vote 6-0, Aye.

18-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$660,000, in anticipation of the issuance of bonds, to pay costs of making storm sewer improvements along West Logan Street from Portland Street to the west City limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances, and declaring an emergency. Director Bryan passed out bid numbers he received and explained them. CM Sell made a motion to amend the ordinance by changing the amount from \$800,000 to \$660,000 in the title, Section One, and Section Three and also changing the date to May 8, 2009 in Section Three. CM Larmore made a second to the motion. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Larmore, seconded by CM Buxton. Roll call vote 6-0, Aye.

CM Sell made a motion to take 19-09-O off the table, seconded by CM Larmore. The motion passed by voice acclamation. Director Bryan said the bid date will be the first week of September. He questioned if we borrow money now or borrow from ourselves later. Auditor Stewart said she believes it is doable to borrow from ourselves on a 60-90 day length. She explained the funds. She feels it's possible for one project but not both Buckeye Street and the restrooms. Director Bryan recommended not to pass 19-09-O and sit on the debt. CM Sell made a motion to withdraw 19-09-O from the agenda, seconded by CM Buxton. Roll call vote 6-0, Aye.

21-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$350,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, together with all necessary appurtenances, and declaring an emergency. Director Bryan said he would like to get bids out. With some of the other bids we've been getting he thinks bids may look good. There was a short discussion on funding. CM Sell made a motion to amend the ordinance in the title and Section One by changing the words "restrooms, together with all necessary appurtenances" to read "Capital Improvement" and to change the date in

Section Three to May 8, 2009. The motion to amend was seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 6-0, Aye.

ADMINISTRATIVE REPORTS:

Director Bryan explained:

- EPA scoring we received on the water project
- Have gotten bids on Lakeshore Seawall to look at
- Low bid of \$134,000 to move material from Mersman property
- To receive \$10,000 from Tony Hawk Foundation for skate park

Director Hazel reported:

- Hosted AWWA spring meeting, gave 110 tours of GAC plant
- Fence row at Wal Mart cleaned and fence will be coming down
- Newer shelter house near Montgomery Field paid for by Bryson Trust
- Playground mulch starting to go in at Eastview and Westview
- Cleared some scrub trees by Pullman Bay
- Significant amount of tree trimming done

Reminder of Personnel & Finance Committee meeting at 4:30 p.m. on May 5th in the utility building.

Streets & Alleys Committee meeting set for May 4th at 4:30 p.m. in the utility building.

Parks & Recreation Committee meeting set to follow Streets & Alleys Committee meeting.

FOR THE GOOD OF THE ORDER:

CM Scott asked if it is possible that someone is taking the mulch by the old dump out by the dump truck load.

Director Hazel said yes, we don't monitor how it taken. We have had some communities, such as Rockford, come get mulch.

CM Buxton said if we don't have a rehiring policy, should we have one. Director Hazel said that can be discussed in a committee meeting.

CM Buxton said the Reserve Subdivision does not have final pavement down and asked what can be done. Director Hazel said he will have to look at paperwork on rules of subdivisions.

CM Jeffries asked what the status is of the boat docks of condo owners at West Bank. Director Bryan said we don't own them.

President Rodriguez adjourned the meeting at 9:35 p.m.

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, April 27, 2009
GAC Facility–7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue
Safety-Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call To Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of April 13, 2009 Regular Council Meeting minutes
- 4) Committee Reports
- 5) Communications
- 6) Audience Communication
- 7) New Business: (First Reading)
29-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a First Supplement to the 2009 Annual Appropriations, and declaring an emergency.

30-09-O: An Ordinance accepting a donation from the Celina Lodge No. 1473 Loyal Order of Moose, Incorporated and appropriating the same for the purchase of a water rescue suit for the Celina Fire Department, and declaring an emergency.

6-09-R: A Resolution authorizing the City of Celina to submit a grant application to the Bureau of Justice Assistance Recovery Act Justice Assistance Grant Program for police programs and equipment, and declaring an emergency.
- 8) Old Business: (Second Reading)
26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency.

(Third Reading)
27-09-O: An Ordinance authorizing a lease agreement between the City of Celina and Freedom Days Family Picnic, Inc. for the lease of Lakeshore Park, and declaring an emergency.

(Tabled)
17-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$400,000, in anticipation of the issuance of bonds, to pay the costs of making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, together with all necessary appurtenances, and declaring an emergency.

18-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$800,000, in anticipation of the issuance of bonds, to pay costs of making storm sewer improvements along West Logan Street from Portland Street to the west City limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances, and declaring an emergency.

19-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$300,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline along Buckeye Street from Market Street to Myers Street, together with all necessary appurtenances, and declaring an emergency.

21-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$350,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, together with all necessary appurtenances, and declaring an emergency.

3-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.

- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Clerk of Council

REGULAR MEETING OF CELINA CITY COUNCIL May 11, 2009

President Pro Tem Bachelor 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 Safety Service Director Hazel, Planning & Community Development Director Bryan, City Auditor Stewart, and City Law Director McKirnan.

CM Sell made a motion to accept the amended agenda dated 5/11/09, seconded by CM Larmore. Roll call vote 7-0, Aye.

CM Scott made a motion to accept the minutes of the April 27, 2009 Regular Council Meeting as corrected, seconded by CM Sell. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM Jeffries reported the Streets & Alleys Committee met on May 4th. He said the committee discussed a drive-up window at Java Nation, sidewalk dining at Ron Amstutz property, and paving plans for various areas around town. A brief discussion by council on the drive-up window followed.

CM King said the Parks & Recreation Committee met on May 5th to discuss a skate park. The city was notified of a \$10,000 grant received from the Tony Hawk Foundation.

CM Bachelor stated that the Personnel & Finance Committee met May 5th. They went into an executive session on a personnel matter. After the executive session the committee reviewed the current status of expenditures. There are two projected short falls, one in the water department and the other in the wastewater department.

COMMUNICATIONS:

Chief Slusser explained the Secure Our Schools Program Grant. He said it has to come through the city and the application is due Friday. There is no cost to the city other than administrative cost of it passing through the city. CM Sell made a motion to allow Chief Slusser to put his signature on the grant application and to proceed with the application, seconded by CM King. Roll call vote 7-0, Aye.

AUDIENCE COMMUNICATIONS:

Don Kohnen asked the status with the school's participation on the TIF issue. Director Bryan said the school has not taken any action yet. It is in their hands to be addressed.

Craig Miller, of Millers Towing, questioned how the wrecker services are called by the police department. He said he hasn't received calls lately. Chief Slusser explained local services are on the list twice and out of local only once. Millers Towing is considered a local service and the Chief said he would check to see how the computer is set up on calling services.

Chief Slusser appeared before council to receive comments on 6-09-R. A requirement of the JAG Grant application is for the public to have an opportunity to ask questions. He explained some of the other requirements for the grant and explained what the police department would like to use the grant for.

NEW BUSINESS: (First Reading)

32-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for construction of a sanitary sewer bypass as part of the decommissioning project of the Stauffer Lift Station, and declaring an emergency. CM Scott asked if this is going to be decommissioned is there anything salvageable. Director Hazel said some parts may be. CM Sell asked about the cost of the preliminary design. Director Hazel explained the cost and said it came from the contingency fund. CM Scott asked if this is in conjunction with Wabash Communications and Director Hazel said yes. He explained what they want to do with cable and

phone lines. CM King made a motion to suspend the rules, seconded by CM Scott. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

33-02-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement through Mercer County One Stop Employment with Job Works, Inc. for the employment of individuals entering the workforce, and declaring an emergency. CM King asked if we had partnered with them before and Director Hazel said he doesn't recall anytime. CM Sell asked if this is more stimulus money and Director Hazel said yes. CM Bachelor asked if we are looking to hire any minors. Director Hazel said he is not looking to; we typically don't other than for the pool. CM Bachelor said the agreement talks about overtime and asked what the threshold overtime is. Director Hazel said 40 hours but we don't plan to work any overtime. He explained that they pay them not the city. We don't set the pay rate. CM Bachelor asked how many individuals we're expecting. Director Hazel said at this time three total, all in different departments. A motion to suspend the rules was made by CM Sell, seconded by CM Larmore. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

34-09-O: An Ordinance amending various categories within ordinance 9-09-O as a Second Supplement to the 2009 Annual Appropriations, and declaring an emergency. CM Scott asked about a stop gap, how long will this plug up the hole. Auditor Stewart said it depends on how much we spend. CM Bachelor briefly explained how they came up with some of the numbers. Auditor Stewart said this balances the budget. CM Larmore asked for verification that we are taking from the fire capital improvement fund and Director Hazel said yes. He explained what things are looked at for this ordinance. CM Jeffries asked how with cost rising we could cut back in supplies for the water department and Director Hazel explained. CM Scott made a motion to suspend the rules, seconded by CM Buxton. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM King, seconded by CM Larmore. Roll call vote 7-0, Aye.

7-09-R: A Resolution appointing a representative from the City of Celina to the Ohio Public Works Integrating District 13 Board, and declaring an emergency. CM Sell asked how many districts there are and Director Bryan said he believes there are 17 in the state. CM Sell asked what we are integrating. Director Bryan said this means putting government entities together to form a board. CM Jeffries said it was one year before and now it is three years and asked if something changed. Director Bryan said he was filling the position left by Jay Korte before. CM Scott made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0, Aye. CM King made a motion to pass the resolution, seconded by CM Larmore. Roll call vote 7-0, Aye.

8-09-R: A Resolution authorizing the Celina Fire Chief to execute a Memorandum of Understanding with Mercer County Fire Departments to participate in a grant application to the 2009 Assistance to Firefighters Regional Grant Program for the purchase of enhanced and or upgraded communications equipment, and declaring an emergency. CM Sell asked if other communities are contributing to the match. Director Hazel said yes, it depends on the amount they receive. CM Bachelor asked what we are buying. Director Hazel said a communication system. Coldwater has the lead on the grant. This is more stimulus money. A motion to suspend the rules was made by CM Sell, seconded by CM Larmore. Roll call vote 7-0, Aye. CM Buxton made a motion to pass the resolution, seconded by CM Scott. Roll call vote 7-0, Aye.

OLD BUSINESS: (Third Reading)

26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency. CM Bachelor questioned if the ordinance should have a not to exceed amount. He asked if Jerry has started already. Director Bryan said yes, he has been doing some work and attended one day of training. CM Bachelor questioned if the extension section should be taken out in the contract. CM Sell questioned the hours per week worked. CM Bachelor recommended scratching the hours per week because when the money is gone Jerry's job is over. CM Scott said he was asked two questions from someone; why he was chosen and do you feel there is a conflict of interest. Some council members said they don't see a conflict of interest since the clerk doesn't vote. Director Bryan explained why he was chosen and said he sees no conflict of interest. Law Director McKirnan said he would need to know what they feel is a

conflict before he could answer if there is one. There was a short discussion on hours he is working or might be working. A motion to accept the amended ordinance dated 5/11/09 was made by CM Sell, seconded by CM King. Roll call vote 7-0, Aye. CM Sell made a motion to amend the ordinance by adding the words “not to exceed \$30,000” in Section One, seconded by CM Buxton. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Larmore, seconded by CM Sell. Roll call vote 7-0, Aye.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency. CM Scott made a motion to table the resolution, seconded by CM Sell. Roll call vote 7-0, Aye.

ADMINISTRATIVE REPORTS:

Director Hazel reported:

- EMS Star of Life Award to be given to Bob Schulte, Chris Cline, Brian Davis, Matt Schlater, and bystanders Bart Beck, Jerry Bergman, and Joe Yahl.
- Playground equipment in place at Eastview Park
- Hot mix plant has yet to open

Director Bryan reported:

- He sees nothing in Tony Hawk Agreement that would preclude us from using the park for other events
- Bids opened last Wednesday for Johnson Ave. – low bidder was Shinn Brothers

Director Hazel said he’s received information to shingle the roof of the public works building. He would like to take the balance of the \$30,000 not used on the front part of the roof plus up to \$4,000 from the contingency fund. CM Sell made a motion to allow Director Hazel to use up to \$4,000 from the contingency fund to complete the roof at the public works building, seconded by CM Scott. Roll call vote 7-0, Aye.

FOR THE GOOD OF THE ORDER:

CM Jeffries said the sign at the boat ramp needs some work. Half the letters are missing and it’s hard to see the walkway when backing a boat up.

CM Scott said the time signal at Lilac and Myers Road will not pick up his motorcycle, it needs adjusted.

CM Buxton asked three questions:

- Have subdivision rules been looked at for finishing pavement – Director Bryan said nothing has been done yet
- Length of grass issues being taken care of – Director Hazel said they have started citing property owners
- Having problems with Time Warner getting their lines buried – Director Hazel he can’t order them but can speak with them about this

CM Bachelor asked about the engineering on the Market Street waterline project. Director Bryan said it is not engineered yet but have put it on our list that it is a shovel ready project.

President Pro Tem Bachelor adjourned the meeting at 9:08 p.m.

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, May 11, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Safety Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of April 27, 2009 Regular Council Meeting minutes
- 4) Committee Reports
- 5) Communications
- 6) Audience Communications
- 7) New Business: (First Reading)
32-09-O: AN ORDINANCE authorizing the Safety-Service Director to advertise and accept bids for construction of a sanitary sewer bypass as part of the decommissioning project of the Stauffer Lift Station, and declaring an emergency.

33-02-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement through Mercer County One Stop Employment WITH JobWorks, Inc. for the employment of individuals entering the workforce, and declaring an emergency.

7-09-R: A Resolution appointing a representative from the City of Celina to the Ohio Public Works Integrating District 13 Board, and declaring an emergency.

8-09-R: A resolution authorizing the Celina Fire Chief to execute a Memorandum of Understanding with Mercer County Fire Departments to participate in a grant application to the 2009 Assistance to Firefighters Regional Grant Program for the purchase of enhanced and or upgraded communications equipment, and declaring an emergency.
- 8) Old Business: (Third Reading)
26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program, and declaring an emergency.
- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, June 8, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Safety Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Executive Session – Property Acquisition
- 3) Acceptance of Agenda
- 4) Corrections and acceptance of May 11, 2009 Regular Council Meeting minutes
- 5) Committee Reports
- 6) Communications
- 7) Audience Communications
- 8) New Business: (First Reading)
 - 35-09-O: An Ordinance appropriating funds and authorizing the Auditor to establish certain accounts for recording of the receipt and expenditure of Ohio Public Works Commission State Capital Improvement Program Funds, and declaring an emergency.
 - 36-09-O: An Ordinance authorizing the Mayor to enter into an agreement with the Mercer County Commissioners as a sub-recipient of an Ohio Department of Development Grant awarded to Mercer County for economic development and appropriating the receipt and expenditure of such funds for the West Logan Street Improvement Project, and declaring an emergency.
 - 37-09-O: An Ordinance appropriating funds for the Johnson Avenue Utilities and Street Reconstruction Project and Kessler Lift Station Improvement Project, and establishing the Kessler Lift Station Improvement Fund, and declaring an emergency.
 - 38-09-O: An Ordinance amending Chapter 917 of the Codified Code of the City of Celina, Ohio as enacted in Ordinance 19-02-O pertaining to the sewer discharge prohibitions and associated penalties.
 - 39-09-O: An Ordinance amending Ordinance 42-06-O, establishing water rates, passed in August 2006, and declaring an emergency.
 - 40-09-O: An Ordinance amending Ordinance 42-08-O and revising City and Rural wastewater rates, passed in September 2008, and declaring an emergency.
 - 41-09-O: An Ordinance authorizing the Safety Service Director to enter into a grant agreement, accepting a grant from the Tony Hawk foundation for construction of a skate park, establishing funds for recording the receipts and expenditures, and appropriating the funds.
 - 9-09-R: A Resolution declaring the necessity of constructing and repairing certain sidewalks and curbs in the City of Celina, Ohio, and requiring abutting property owners to construct and repair the same (Ward II, Sidewalk Program) and declaring an emergency.

9) Old Business: (None)

(Tabled)

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program, and declaring an emergency.

10) Administrative Reports

11) For the Good of the Order

12) Adjournment

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL June 8, 2009

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, Planning & Community Development Director Bryan, City Auditor Stewart, and City Law Director McKirnan.

CM Sell made a motion to add personnel to the executive session, seconded by CM Scott. Roll call vote 7-0, Aye. At 7:02 p.m. CM Sell made a motion to go into executive session to discuss property acquisition and a personnel matter, seconded by CM Scott. Roll call vote 7-0, Aye. At 7:38 p.m. CM Bachelor made a motion to come out of executive session, seconded by CM Larmore. Roll call vote 7-0, Aye.

CM Bachelor made a motion to add 42-09-O to the agenda and accept the amended agenda, seconded by CM King. Roll call vote 7-0, Aye.

CM Sell made a motion to accept the minutes of the May 11, 2009 Regular Council Meeting as written, seconded by CM Bachelor. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM Bachelor reported that there was a joint meeting of the Personnel & Finance Committee and the Utilities Committee on June 2nd. He said they discussed three things and he briefly went over them:

- Review of budgetary status
- Wastewater and Water rates
- Diffused Air Flotation (DAF) Pilot Project

COMMUNICATIONS:

CM Bachelor asked the administration about an article he saw in the paper. It said the city was buying twenty signs and 120 parking meters. Director Bryan said we are not buying these and was not sure what the paper was talking about but would look into the article.

There was no objection from council to the liquor license transfer from P & J Zeidan LLC, DBA Docksiders Marathon to Amrit Petroleum II Inc, DBA Docksiders Marathon.

AUDIENCE COMMUNICATIONS:

Paul Scheideberg, 424 N. Main Street, expressed concerns about problems at the corner of Wayne and Main Streets with tractor trailers cutting the corner short when they turn. He said it damages property as well as being a safety issue. Jeremy Hinton said that the road is going to be repainted. The right hand turn lane will be eliminated with adjustments to the radius. Further discussion followed on possibilities of what could be done.

Don Kohnen said the presentation at the park last night was very nice but he wondered why the National Anthem was missing at the start of the show.

NEW BUSINESS: (First Reading)

35-09-O: An Ordinance appropriating funds and authorizing the Auditor to establish certain accounts for recording of the receipt and expenditure of Ohio Public Works Commission State Capital Improvement Program Funds, and declaring an emergency. Director Bryan said this has been presented previously and in order to move the contract along he is asking to suspend the rules. CM Bachelor said the 10% fund match has been budgeted. Director Bryan explained where the match is coming from. He said in the past payments were reimbursed but the state may pay direct this time. We still need to appropriate the fund. A motion to suspend the rules was made by CM Sell, seconded by CM King. Roll call vote 7-0, Aye. CM Bachelor made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

36-09-O: An Ordinance authorizing the Mayor to enter into an agreement with the Mercer County Commissioners as a sub-recipient of an Ohio Department of Development Grant awarded to Mercer County for economic development and appropriating the receipt and expenditure of such funds for the West Logan Street Improvement Project, and declaring an emergency. Director Bryan passed out the letter of understanding. He said the grant is between the State of Ohio and Mercer County. The contractor will submit the bill to the city, city to county, and county to state. CM Jeffries asked for clarification if this affected the school or Celina Tent. Director Bryan said Celina Tent. This grant was in place about a year ago. CM Scott made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0, Aye. CM Jeffries made a motion to pass the ordinance, seconded by CM King. Roll call vote 7-0, Aye.

37-09-O: An Ordinance appropriating funds for the Johnson Avenue Utilities and Street Reconstruction Project and Kessler Lift Station Improvement Project, and establishing the Kessler Lift Station Improvement Fund, and declaring an emergency. Director Bryan asked that the two amounts in the ordinance be changed and explained why. CM Bachelor asked if we will be able to make indentured payments. Auditor Stewart said yes. CM Bachelor made a motion to amend the ordinance by changing the amount in the second WHEREAS from "\$226,000" to \$236,000" and the amount in the third WHEREAS and in Section Two from "\$376,000" to "\$386,000". CM Sell made a second to the motion. Roll call vote 7-0, Aye. A motion to suspend the rules was made by CM Sell, seconded by CM King. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM King, seconded by CM Buxton. Roll call vote 7-0, Aye.

38-09-O: An Ordinance amending Chapter 917 of the Codified Code of the City of Celina, Ohio as enacted in Ordinance 19-02-O pertaining to the sewer discharge prohibitions and associated penalties. CM Bachelor made a motion not to read the numbered section in Section One, seconded by CM Scott. The motion passed by voice acclamation. CM Sell asked if penalties were attached to our 2002 ordinances. Kerry Duncan, Wastewater Superintendent, said yes. CM Sell asked if anyone was cited and Kerry said no. CM Scott asked if this should go to committee. Kerry said section one is critical and section two could go to committee. CM King asked if anyone has been cited and Kerry said a notice of violation has been issued but there has been no monetary collection. We have two significant companies this affects. Director Bryan said we have worked with the companies. CM Larmore asked if the EPA can fine. Kerry said currently we can fine if in violation of our ordinance limits and EPA can fine company if in violation of industrial discharge permit. CM Larmore asked Kerry how he established the fines. Kerry said he didn't, that was between Director Hazel and Assistant Law Director Nickel. He said the limitations have been adjusted and explained the significance of section one. CM Bachelor asked about the deadline. Kerry explained. Director Bryan said from the discussion tonight maybe this should be sent to committee and be discussed at the next meeting. CM Sell made a motion to pass the ordinance to second reading, seconded by CM Larmore. Roll call vote 7-0, Aye.

39-09-O: An Ordinance amending Ordinance 42-06-O, establishing water rates, passed in August 2006, and declaring an emergency. CM Bachelor said the minimum rural rate bill should be \$26.19. CM Sell asked how much the increase in 2006 was and CM Bachelor explained. There was a short discussion on the trailer park rate. CM Larmore asked if this is paying back the loan from the fire truck fund and CM Bachelor said yes. CM Bachelor said this is figured so the loan will be paid off by the first of December. After that there will be a 3% increase as scheduled with this rate staying in place. He explained the yearly cost with this rate would be approximately \$46.00. CM King asked if there was a chance the usage goes down drastically that this would not be enough to pay the loan and CM Bachelor said that is a possibility. CM Bachelor made a motion to amend the ordinance by changing the rural rate minimum bill from "\$17.46" to "\$26.19", seconded by CM King. Roll call vote 7-0, Aye. CM Bachelor made a motion to suspend the rules, seconded by CM Larmore. 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.

40-09-O: An Ordinance amending Ordinance 42-08-O and revising City and Rural wastewater rates, passed in September 2008, and declaring an emergency. CM Jeffries said in the fourth whereas it shows December 31st

as the pay off and asked if we can't have it paid off by then will we have to borrow again. CM Bachelor said yes to stay in compliance we would. CM Sell asked why the wastewater increases and the water increases were different dates. CM Bachelor explained and also said wastewater minimal bill is based on 2,000 gallons instead of 3,000. CM Sell asked what the average bill would be. CM Bachelor said the yearly average wastewater would be \$425 and water \$475. CM Bachelor made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM King, seconded by CM Larmore. Roll call vote 7-0, Aye.

41-09-O: An Ordinance authorizing the Safety Service Director to enter into a grant agreement, accepting a grant from the Tony Hawk foundation for construction of a skate park, establishing funds for recording the receipts and expenditures, and appropriating the funds. CM Larmore asked when the clock starts on the two year time frame. Director Bryan said the contract needs signed by June 26th so the two years begins then. CM Scott asked if we have plans to have it operational in two years. Director Bryan said yes, we have plans for phase one. When we wrote the grant we explained it was a five phase project. CM Jeffries expressed concerns about other parks on where they stand at this time. CM King asked if we have an idea where the rest of the money is to come from. Director Bryan said no, the adults are working with the kids on fund raisers. CM Buxton asked if this is a one time grant opportunity or if we can apply again. Director Bryan said they know this is a multi phase program and we will be going back to them again on a grant for another phase. There was further short discussion on funds. President Rodriguez asked who would supply the written report to the foundation and Director Bryan said it would come out of his office. A motion to amend the ordinance by adding the emergency clause was made by CM Bachelor, seconded by CM Larmore. Roll call vote 6-1, Aye. CM Jeffries voted Nay. CM Bachelor made a motion to pass the ordinance to second reading, seconded by CM King. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

42-09-O: An Ordinance authorizing the conveyance of real property in accordance with and for the purpose of its plan for urban redevelopment pursuant to neighborhood revitalization projects within the City of Celina, Ohio. Director Bryan said there has been discussion between our office and the private business for a couple years. This is cleaning up an old issue. CM Jeffries asked Director Bryan to explain the property this involves for benefit of the audience and he did. CM Bachelor made a motion to add, "and declaring an emergency" in the title, seconded by CM Larmore. Roll call vote 7-0, Aye. A motion to suspend the rules was made by CM Larmore, seconded by CM Buxton. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

9-09-R: A Resolution declaring the necessity of constructing and repairing certain sidewalks and curbs in the City of Celina, Ohio, and requiring abutting property owners to construct and repair the same (Ward II, Sidewalk Program) and declaring an emergency. CM Sell asked why there is no expense given to alleys, are we not doing them. Jeremy Hinton explained they are hard to set expense because they are so bad. Director Bryan said there are some other concerns because of alley directions. He needs to sit down with Karen. CM Jeffries asked about the cost increases. Jeremy explained the cost difference on handicap section and said there are some increases in costs of material. CM Bachelor noted that \$60,000 has been budgeted and we are already at \$57,600. CM Jeffries asked about Lot 90 Meadows property. Jeremy explained there is no house there but the lot abuts up to properties on both sides with sidewalks and required by ordinance. CM Scott made a motion to pass the resolution to second reading, seconded by CM Larmore. Roll call vote 7-0, Aye.

10-09-R: A Resolution authorizing the Mayor to submit an application to participate in the Ohio Public Works Commission Local Transportation Improvement Program and to execute contracts as required, and declaring an emergency. Director Bryan said he found out details of this at the district meeting and he explained 23 ½. CM Sell stated it would be nice if there would be enough money to adjust the radius at Wayne and Main. Director Bryan said plans are for a new traffic signal and ADA ramp so this could help with the corner. CM Bachelor asked if we will file this to the county. Director Bryan said County Engineer Jim Wiechart is on the executive committee so it will go to him first. Director Bryan said there are no plans to make changes past Fulton Street and the waterline is still separate. CM Scott made a motion to suspend the rules, seconded by CM Sell. Roll

call vote 7-0, Aye. A motion to pass the resolution was made by CM Larmore, seconded by CM King. Roll call vote 7-0, Aye.

OLD BUSINESS: (None)

ADMINISTRATIVE REPORTS:

Director Bryan presented five names for the Design Revue Board the Mayor has chosen. He asked for council approval and explained their job. CM Bachelor asked if they would go through training. Director Bryan said it is offered to them but administration would help answer questions. CM Sell made a motion to accept the names, seconded by CM Bachelor. The motion passed by voice acclamation.

Director Bryan said he made a mistake and asked council to look at 4-09-O. CM Sell made a motion to take 4-09-O off the table, seconded by CM Larmore. Roll call vote 7-0, Aye.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency. CM Bachelor made a motion to accept the amended ordinance, seconded by CM Scott. Roll call vote 7-0, Aye. CM Bachelor asked who our liaison with SHPO is and Director Bryan said himself and Jerry Lacy. CM Sell asked what SHPO stood for. CM Bachelor said State Historic Preservation Officer. Director Bryan briefly explained the program. CM Bachelor noted that two public hearings need to be held and several things have been added. This is enforced until November 2011. Director Bryan said November 2011 is the end of our grant. CM Jeffries questioned the May 1st deadline. Director Bryan said this is not really a specific date. CM Sell made a motion to suspend the rules, seconded by CM Scott. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Bachelor, seconded by CM King. Roll call vote 7-0, Aye.

Mayor LaRue reported:

- Mike Sudman and Todd Hone are going for testing tomorrow
- Tank 8 – carbon change on June 11th
- Brush pick up done
- East Jefferson lines are 80% cleaned
- Gazebo has been painted
- CA is finished this week
- Wednesday will be a goose round up
- Sunday concert series has started

The Mayor passed out a draft ordinance on parade, demonstrations, and public assembly for council to start looking at.

FOR THE GOOD OF THE ORDER:

A Utilities Committee meeting was set for Monday, June 15th at 4:30 p.m. in the utility building.

A Community Betterment Committee meeting was set for Monday, June 15th at 5:30 p.m. in the utility building.

CM Sell asked how much time they have to fill Mr. Hazel's position on AMP Ohio Board. The Mayor said they can miss three meetings before they go off the board.

CM Sell asked the time line to fill the Safety Service Director position. Mayor LaRue said advertisements will be going out this week. He asked if she is looking at an interim position and she said yes. The Mayor said her main concern now is the budget; she wants someone who can look at these numbers.

CM Buxton asked if there is any answer on sub division pavement and Director Bryan said no.

CM Buxton asked why East Market Street is 25 MPH. Director Bryan said it has been that way for some time but would have to check with the Chief about why. Other council members said it was changed for safety because of all the drives from businesses.

CM Buxton said Mr. Miller was in last meeting about tow service and asked if all the people we use have proper license etc. The Mayor said that would be a question for the chief.

CM King asked if the Safety Service Position description will be posted on line. The Mayor said she had not planned on it.

CM Scott asked to please have a chuck hole at Market and Brandon fixed.

CM Jeffries said a couple of railroad crossings need work, one at Sugar Street and one at Warren Street.

President Rodriguez adjourned the meeting at 10:24 p.m.

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, June 22, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Safety Service Director Hazel, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Executive Session – Property Acquisition and Personnel
- 3) Acceptance of Agenda
- 4) Corrections and acceptance of June 8, 2009 Regular Council Meeting minutes
- 5) Committee Reports
- 6) Communications
- 7) Audience Communications
- 8) New Business: (First Reading)
43-09-O: An Ordinance approving certain Then and Now Certificates for expenditures by various departments, and declaring an emergency.
- 9) Old Business: (Second)
38-09-O: An Ordinance amending Chapter 917 of the Codified Code of the City of Celina, Ohio as enacted in Ordinance 19-02-O pertaining to the sewer discharge prohibitions and associated penalties.

41-09-O: An Ordinance authorizing the Safety Service Director to enter into a grant agreement, accepting a grant from the Tony Hawk foundation for construction of a skate park, establishing funds for recording the receipts and expenditures, and appropriating the funds and declaring an emergency.

9-09-R: A Resolution declaring the necessity of constructing and repairing certain sidewalks and curbs in the City of Celina, Ohio, and requiring abutting property owners to construct and repair the same (Ward II, Sidewalk Program) and declaring an emergency.
- 10) Administrative Reports
- 11) For the Good of the Order
- 12) Adjournment

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL June 22, 2009

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

CM Sell made a motion to amend the agenda by moving the Audience Communications to the beginning, seconded by CM Larmore. Roll call vote 6-0, Aye.

AUDIENCE COMMUNICATIONS:

Several people were present who expressed their concerns about a draft ordinance concerning permits needed for parades, demonstrations, and public assembly. Those expressing their concerns were:

- Robert Budde of 4510 Meadowview, Lima
- Kenneth Chappel of 320 Lexington Ave., Eaton
- Linda Ellinger of Riley St., Celina
- Katlyn Leugers of 324 N. Walnut St., Celina
- Ron Hammons of 1135 West Bank Rd., Celina
- Bob Valentine of 107 N. Wayne St., St. Marys
- Jim Tesno of 100 N. Main St., Celina
- Tim Townsend of 9420 Rice Rd., Celina
- Teresa Leugers of 324 N. Walnut St., Celina
- Kenny Slorp of 621 Hoying St., Celina
- Judy Wayne of 804 Briarly Circle, Celina
- Marilyn Frank of 232 Jackson Dr., Celina
- Kumar Sivagnanam of 516 Locust St., St. Marys
- Leon Post of 1377 Township Line Rd., Celina
- Virginia Wood of 117 Mariners Point, Celina
- Jason Now of 5192 Gause Rd., Coldwater

CM Sell thanked everyone for attending. He said the committee discussion was about preventing two community groups from being at the same place at the same time. Originally the permit had a fee attached of \$25 but the committee said no fee.

Mayor LaRue said the situation that happened last year at Freedom Days was new to us. They waited for the trial to be over and then asked the law department to look at this. They wanted to do something so this situation would not happen again.

Law Director McKirnan stated that last year's situation went to court with one gentleman being found not guilty and the other gentleman guilty. The law department was asked to see what they could come up with to help with this situation not happening again. He explained how they came up with the ordinance. He said it does not regulate free speech but establishes procedure for permit so that other activities are not affected, there is proper police coverage if needed, traffic control etc.

Chief Slusser said they are trying to make sure there is not a direct confrontation between two groups no matter what the groups stand for.

Assistant Law Director Nickel showed the audience several pages of notes so this would help them understand that the administration and council are not taking this ordinance lightly. She said they will continue to discuss this.

President Rodriguez explained that council does a lot of work on issues in committee meetings and thanked them for that.

After approximately one hour of audience communications, President Rodriguez thanked everyone for coming and took a brief recess before starting the remainder of the meeting.

CM Sell made a motion at 8:15 p.m. to go into executive session for property acquisition and personnel matters, seconded by CM Scott. Roll call vote 6-0, Aye. At 9:12 p.m. a motion to come out of executive session was made by CM Sell, seconded by CM Scott. Roll call vote 6-0, Aye.

CM Sell made a motion to accept the minutes of the June 8, 2009 regular council meeting as written, seconded by CM Larmore. Roll call vote 6-0, Aye.

COMMITTEE REPORTS:

CM Scott reported that the Utilities Committee met on June 15th. They discussed wastewater pollutants limitations and fines. He said the committee revised some of the fines and explained those. The committee also added an emergency clause to the ordinance.

CM Sell said the Community Betterment Committee met June 15th and discussed permit requirements which was discussed during the audience communication tonight.

COMMUNICATIONS:

Director Bryan reported:

- CDBG Formula grant was sent in to the county
- OPWC grant due July 1st
- More funds available through CDBG
- \$210,000,000 grant money available for fire stations, application due July 10th
- Tonight, the school board may be taking action to give the City 12 feet of right of way to put sidewalks in, Chapman's is giving us right of way for this on their property (Logan Street)

NEW BUSINESS: (First Reading)

43-09-O: An Ordinance approving certain Then and Now Certificates for expenditures by various departments, and declaring an emergency. CM Sell made a motion to suspend the rules, seconded by CM Jeffries. Roll call vote 6-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 6-0, Aye.

OLD BUSINESS: (Second)

38-09-O: An Ordinance amending Chapter 917 of the Codified Code of the City of Celina, Ohio as enacted in Ordinance 19-02-O pertaining to the sewer discharge prohibitions and associated penalties and declaring an emergency. A motion to accept the amended version presented tonight was made by CM Sell, seconded by CM Scott. The motion passed by voice acclamation. CM Scott made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Larmore, seconded by CM Buxton. Roll call vote 6-0, Aye.

41-09-O: An Ordinance authorizing the Safety Service Director to enter into a grant agreement, accepting a grant from the Tony Hawk Foundation for construction of a skate park, establishing funds for recording the receipts and expenditures, and appropriating the funds and declaring an emergency. CM Jeffries explained what he found out about the skate park in Delphos. CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 6-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 6-0, Aye.

9-09-R: A Resolution declaring the necessity of constructing and repairing certain sidewalks and curbs in the City of Celina, Ohio, and requiring abutting property owners to construct and repair the same (Ward II, Sidewalk Program) and declaring an emergency. Director Bachelor explained there are several projects on the list that we don't have enough money to do but still want them on the list so we know they have been noted that they need repair. A motion to suspend the rules was made by CM Scott, seconded by CM Sell. Roll call vote 6-0, Aye. CM Larmore made a motion to pass the resolution, seconded by CM Sell. Roll call vote 6-0, Aye.

With Mr. Bachelor resigning his council seat, CM Scott made a motion to nominate CM Sell as President Pro Tem, seconded by CM Jeffries. Roll call vote 5-0, Aye. CM Sell abstained.

ADMINISTRATIVE REPORTS:

CM Scott asked how the contractor was chosen for the Mersman project. Jeremy Hinton said the bid was listed on the web site. Director Bachelor said bids go to the controlling board and they respond by numbers put together by our consultant.

CM Jeffries asked what effect the brick dust is going to have on our water. Director Bryan said that Mike Sudman has been working at the intake building and there has been no indication of problems.

Jeremy Hinton explained that Johnson Ave. will have the curb line straighten to the best it can be without having to go to property owners. There will be new sidewalks and street lights.

Mayor LaRue reported:

- Triathlon cancelled in July
- July 6th is Celina Day at the Mariners Game

Director Bachelor reported:

- OEPA is drawing water samples
- Parks & Recreation baseball season is coming to an end
- In 2nd week of craft program
- 40 teens in attendance at teen night at the pool
- July 10 & 11 there will be 12 teams in a girls softball tournament
- Thanked Mrs. King and volunteers who worked in Eastview Park
- Foundations poured for new traffic lights at Portland & Logan
- Wastewater treatment plant bid documents ready by end of week
- Went over some revenue numbers

President Rodriguez appointed CM Buxton chair for the Personnel & Finance Committee.

FOR THE GOOD OF THE ORDER:

CM Larmore asked where we stand with Main and Wayne intersection. Jeremy Hinton said that in early July it will be newly painted with the turn lane taken out and parallel parking will be marked in that area.

CM Larmore said that Rotary has a check for nice trash cans along the walkway.

CM King said she received a call thanking the City for the mulch at the playground equipment.

A Parks & Recreation Committee meeting was set for July 6th at 4:30 p.m. at the utility building.

CM Sell had a couple items:

- He received a call about huge pot holes in the alley between Anthony & Wayne.

- Asked if there was any money available to do the 500 block of Hierholzer. Director Bryan explained that he tried to include that area in a CDBG grant but didn't receive enough surveys back to include them.
- Asked if city hall repair work is done. Director Bryan said he's not sure. If it is not, he will check to see when they will be back to finish.

CM Jeffries commented that he was at the light at Wayne and Main and saw a big semi make the turn with no problems.

CM Scott gave his cell number to council. He no longer has a land line. He also asked if anything has been looked into on bike sales on Touvelle St. Director Bryan said not yet.

CM Buxton had a couple questions:

- He asked about Reserve Subdivision pavement. Director Bryan said he is still looking into that.
- He asked about lights being put in on new piers. Director Bryan said there will be and they will be up as soon as possible.
- He asked if wrecker services used by the City meet all the requirements with insurance, etc. Chief Slusser said yes, they do meet the requirements of liability insurance, permanent phone, and storage building to name a few.

CM Scott mentioned that he noticed up to the City limit sign on the walkway that it is nice and clean but the other way is dirty so the City is doing a good job.

President Rodriguez adjourned the meeting at 10:30 p.m.

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL July 13, 2009

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

CM Sell made a motion to accept the amended agenda dated 7/13/09, seconded by CM Larmore. Roll call vote 5-0, Aye.

Public Hearing on 2010 July Budget – Auditor Stewart said projected numbers were used. A preliminary budget needs to be turned in to the county. Director Bachelor said the projected income is 5.4 million and the projected expense is 6.348 million. Currently there is 6.5 million in the contingency fund and 1.2 million in the unencumbered general fund. Director Bachelor gave a brief update of income tax collection. Auditor Stewart said the county gives us certain numbers we have to use when figuring the budget. At 7:09 p.m. in Public Hearing ended.

CM Sell made a motion to accept the budget, seconded by CM Buxton. Roll call vote 5-0, Aye.

At 7:10 p.m. CM Sell made a motion to go into executive session to discuss a property acquisition and a personnel matter, seconded by CM Larmore. Roll call vote 5-0, Aye. At 8:02 p.m. CM Sell made a motion to come out of executive session, seconded by CM Larmore. Roll call vote 5-0, Aye.

A motion to accept the minutes of the June 22, 2009 Regular Council Meeting as written was made by CM Sell, seconded by CM Larmore. Roll call vote 5-0, Aye.

CM Sell made a motion to amend the agenda by adding 45-09-O to new business, seconded by CM Larmore. Roll call vote 4-1, Aye. CM Jeffries voted Nay.

COMMITTEE REPORTS:

President Rodriguez said there was a Council as a Whole Committee meeting on June 27th. The committee went into executive session to discuss a property acquisition.

CM Scott reported the Parks & Recreation Committee met on July 6th to discuss the location of the skate park.

COMMUNICATIONS:

Director Bachelor informed council on:

- Administration is in the process of putting together revised positions in the public works. He briefly explained why, grade positions, and salary.
- AMP Inc. asked if we would be interested in adding wind or solar to our portfolio. Director Bachelor explained the cost. He said this is not binding but just gives AMP Inc. a planning tool. His recommendation would be to add 10% wind and 0% in solar. Council agreed to this.

AUDIENCE COMMUNICATIONS:

Kenny Slorp, 621 Hoying Street, asked a couple questions.

- Why is there no city corporation sign along West Bank Road? Director Bryan explained the annexation line goes to the edge of the pavement on the west side of the road. The hopes were that the state would maintain the road. Where Sugar Street comes into West Bank Road the city line goes into the water. This is an awkward area on ownership. CM Jeffries commented on the dinky white corporation sign on Havemann Road close to Visions.

- Can the humps on West Bank Road be taken out? Director Bryan explained what causes these humps and said it would be costly to fix.
- Why the three way stop sign on West Bank Road? Director Bryan said this is for safety reasons during construction.
- As the Rotary Walkway progresses are you going to continue to have green space? He feels this attracts the geese. Director Bryan said that would be evaluated in the future.

Don Gehle, 634 Lysle Street, expressed concerns about time frame the executive session began at the Parks & Recreation Committee meeting on July 6th. President Rodriguez explained they go by the clock in the meeting room and there may have been a couple different clocks. CM Sell explained after voting to go into executive session they close the door.

NEW BUSINESS: (First Reading)

44-09-O: An Ordinance authorizing the Safety Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency. CM Sell asked for clarification of the difference in the legislation passed out tonight and what they received in the packets. Director Bachelor explained that they took out the parking lot and the fence or barricade and he explained why. CM Scott asked if we are going to be responsible for any environmental issues. Director Bryan said we're responsible only for what we do after we take the lease. CM Buxton asked if he has talked to Roberts. Director Bryan said he has left a message on his voice mail and explained the response he got from his attorney. Director Bryan explained the lease cost and length of the lease. CM Jeffries questioned the storage tanks issue with #13 in the agreement. Director Bryan said this is language they can try to get clarified. The intent is something we would do once we lease the property. Law Director McKirnan said that is how he reads it, things we do after our lease. CM Sell wondered about how marketable we're making it if we go in and clean the property up. After further discussion, a motion to pass the ordinance to second reading was made by CM Sell, seconded by CM Larmore. Roll call vote 5-0, Aye.

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located west of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio. Director Bryan explained the property and the ordinance and what has taken place so far concerning this property. CM Sell made a motion to change "west" to "east" in the title and Section Two, seconded by CM Buxton. Roll call vote 5-0, Aye. CM Sell made a motion to pass the ordinance to second reading, seconded by CM Larmore. Roll call vote 4-1, Aye. CM Jeffries voted Nay.

11-09-R: A Resolution authorizing the Safety Service Director to represent the City of Celina as a member of the board of trustees of American Municipal Power, Inc. and declaring an emergency. CM Jeffries asked if this is simply replacing someone who is no longer with us. Director Bachelor said Amp Ohio did change its name to AMP Inc. but this is replacing that person. A motion to pass the resolution to second reading was made by CM Sell, seconded by CM Larmore. Roll call vote 5-0, Aye.

OLD BUSINESS: (None)

ADMINISTRATIVE REPORTS:

Director Bryan requested some committee meetings.

A Utilities Committee Meeting was set for July 22nd at 4:30 p.m. in the utility building.

A Community Betterment Committee Meeting was set for July 22nd at 5:15 p.m. in the utility building.

CM Scott said the Johnson Ave. project has created a mess but appreciates the contractors getting out of the way when not working so the street can be used. Director Bryan said at some point it won't be usable with the construction.

Director Bryan stated the legal notice on the downtown project in the newspaper mentioned parking meters. He contacted the state and they said to put a correction in the paper.

Mayor LaRue said it was a very successful Freedom Days Picnic.

CM Jeffries said he helped with the kids fishing derby. There were 164 kids with over 100 of them under eight years old. Trophies were awarded and they had their picture taken with the Mayor.

Director Bachelor reported:

- Carbon cost down due to Mike Sudman's contact with Calgon.
- Looking at buying a machine to test algae. The test Mike was doing was dictated by EPA.
- Public works repairing storm sewer on Sunset Dr.
- Lines are being repainted around town. Wayne & Main repainting not completed yet.
- Wastewater department has tested Eastview pond and it is safe for swimming.
- Movie in park had 100 viewers. Next movie is August 8th.
- Friday and Saturday the state acme tournament will be hosted at Montgomery Field.

FOR THE GOOD OF THE ORDER:

CM Scott brought up a couple of items:

- Someone asked to have a pot hole filled in between the bank and Muhlenkamp CPA in the alleyway
- He got a call about the Piper property at Godfrey and Warren
- Noted there was a huge grass fire west of town

CM Buxton had a couple of items:

- Digging on Queensbury east side of street between sidewalk and street. Director Bryan thought that might be cable but would check.
- Old roller rink property looks bad.
- Is the book shed in Mercelina Park going to be moved? Director Bryan stated that the group who owns that knows at some point it will need to be moved.
- Regatta is selling raffle tickets for a fund raiser.

CM Sell asked again about the pot holes in the alley between Wayne and Anthony. And he asked again if the renovation of city hall needs finished. Director Bryan stated that they have not been paid the full amount yet.

President Rodriguez adjourned the meeting at 9:36 p.m.

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, July 13, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Public Hearing – 2010 July Budget
- 4) Executive Session – Property Acquisition and Personnel
- 5) Corrections and acceptance of June 22, 2009 Regular Council Meeting minutes
- 6) Committee Reports
- 7) Communications
- 8) Audience Communications
- 9) New Business: (First Reading)
44-09-O: An Ordinance authorizing the Safety-Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.

11-09-R: A Resolution authorizing the Safety-Service Director to represent the City of Celina as a member of the Board of Trustees of American Municipal Power, Inc. and declaring an emergency.
- 10) Old Business: None
- 11) Administrative Reports
- 12) For the Good of the Order
- 13) Adjournment

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL July 27, 2009

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

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

The public hearing section of the minutes of the July 13, 2009 Regular Council Meeting, stating that the current balance of the contingency fund is 6.50 million was corrected to show the correct balance of \$68,500. A motion to accept the corrected minutes was made by CM Sell, seconded by CM Larmore. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM Scott reported the Utilities Committee met July 22nd. Water Plant Superintendent Sudman and Director Bryan gave a presentation on DAF Water pretreatment system, which could cut down on chemical usage and produce a by-product for use in other revenue producing processes. Further research is being done for funding of the project.

CM Sell reported that the Council of a Whole Committee met July 22nd for discussion of the acquisition and demolition of the former Gibbons Hospital and adjoining home for use of a parking lot. The estimated project cost is \$150,000 with funding being researched further. The overall downtown parking is also still being looked at. No recommendation was made.

COMMUNICATIONS:

Liquor Permit for CJ's Highmarks. Members questioned if this will change their current liquor permit or if it is just a renewal. Law Director McKirnan remarked that the responses do not need to be in until August 14, which can give him time to inquire on the permit. But, generally speaking, the City would only request a hearing if there is an issue with the permit holder, and that he knows of there has been no problems with CJ's Highmarks. He will however inquire on the permit and come back with his findings.

AUDIENCE COMMUNICATIONS:

Bryan Dupes, 219 Godfrey Avenue reported that the alley between Godfrey and Brandon Ave. is in dire need of repair. They have a problem with water collecting in the alley every time it rains. He also requested something be done about the property at 501 W. Warren Street. A raccoon has been seen running to and from the property. Director Bryan responded that the City may have an opportunity to get a grant to have the building demolished and property cleaned. Administration will need to work with the property owner to allow this work to be done.

Mary Ann Baker, 701 Lilac Drive, Coldwater announced she is a realtor and has been hearing on the street for over a year about the general lack of Celina's concern for business people. She understands the interest Celina has for the lot that Robert's Town Tavern is using for parking. However, it is hard for restaurants and taverns to make a go of it. The railroad company cared less what was happening with their property until the City wanted it. Now both the railroad and the City are concerned with the liability of using the lot for the tavern's parking. She believes everyone needs to work together as a group and what the City is doing does not show a good sign of unity. Ms. Baker also stated that eminent domain, in regards to the former Versa Pak property, needs to be carefully used. There are other areas around the lake that could be better used. She understands that Celina chose not to buy the property when it was for sale, but now has decided they want it. She does not think the purpose for obtaining the property is right or a good public use.

CM Bryan replied that he wanted to present facts to the property acquisition process. The first contact made with the former owner, Rod Boring, was in 2004. At that time the City did not have \$400,000, which was the

asking price. The building was then leased to Jaqua Catering in 2005, but was again vacant in 2006. In April 2007, contact was made with Mr. Boring indicating interest in the property. When the City met with Mr. Boring, a concern of prior use was discussed. Mr. Boring stated an environmental review was done and he would send the results showing the property was clean. No information was received by the City. A week later, the City was informed that the building was sold to Direct TV. September 6, 2007, Kent talked to Mr. Larbus and indicated the City's interest in the property. One day later, the deed transferring ownership to Mr. & Mrs. Larbus was recorded. (5 months after notification that it was sold) Administration asked Mr. Larbus for a sale price, but could not get one. He was told that the City would work with him to relocate his business to another building in Celina, but indicated he had a location in Findlay that his operation would be moved to. On June 23, 2008, Mr. Larbus gave the City permission to go into the building to get an appraisal. After the appraisal, the City's attorneys gave him a verbal offer of \$275,000 and followed up with a written offer. No counter offer was made in order to openly negotiate a sale price. Therefore the eminent domain process was started to give the City ownership and allow the owner to get fair market value.

Mr. Larbus responded that he saw a for sale sign on the building and met with Mr. Boring. After that meeting he went to the City office and met with Kent about the property. He was told that the City had no eminent plans for the property. A couple months later, he went back to the City and asked about the use of the building. The lady downstairs (engineering department) told him his use fit the area. He then proceeded with the finalization of the sale. There was never any intent on his part to offer the building for sale. The City requested a price for purchase of the building, but he was informed that the Mayor wanted to be involved in the negotiations. At that time, the Mayor was not available, due to an illness. He had not heard anything else until receiving a call from the appraisal firm wanting to go over the appraisal with him. He informed the appraisal firm that he had no interest. A letter from the City was then received offering \$275,000 or if not accepted eminent domain would be pursued. He then turned it over to his attorney who sent correspondence to the City of which no response was received back.

CM Sell asked Mr. Larbus what the number of employees is at the site. He replied they have one director of training, and a number of employees come from multiple locations for training on the site. The building's high ceilings make a good location for ladder training. Mr. Larbus went on to say that he takes difference to the statements made that the building is not being maintained. The disarray has come from vandalism. There was a delay in some repair while waiting for an insurance settlement.

CM Scott asked Mr. Larbus if he wants to sell the property. Law Director McKirnan cautioned against the Council members asking questions of the owner. McKirnan stated that Mr. Larbus is in attendance to create public record. Mr. Larbus responded that upon advice from his counsel, he is not willing to discuss a purchase price.

CM Sovinski stated he would be interested in seeing the income tax records for proof of employment. Auditor Stewart advised that the tax department can only give that information out with the permission of the employer or by court order. Mr. Larbus stated he would be willing to provide that information to Council.

CM Jeffries stated he has seen that windows have been replaced only to be broken again. Mr. Larbus commented that they have been replacing the glass with plexiglass.

CM Sell asked if property at the industrial park would be of any interest. Mr. Larbus responded that they have a building in Findlay, but they have had a lot of flooding at that location. They would lose the unique characteristics of this building and see increased training costs with extra travel and lodging.

Don Gehle, 634 Lisle Street, told Council that that the minutes from the last meeting which they just approved are not accurate. On page two, under his communications to Council, it says the executive session was for the July 6th Parks and Recreation Committee, when it was a Council of a Whole meeting. He said the Council's job is to keep accurate minutes and it must be corrected. Director McKirnan told Mr. Gehle that Council does not

need to agree with him just because he thinks he is right. Council President Rodriguez informed Mr. Gehle that she would like to stay with the current subject of discussion which is the Larbus property. She told him he is not being denied the right to speak and asked three times if he had anything else to say.

Mr. Bryan returned to the previous conversation concerning the Larbus property. He stated under the guidance of the attorneys, the City has not had communications with Mr. Larbus since its official offer in April.

Don Kohlen, 903 Sycamore St, said at one time the building belonged to the Spieler family, who were chemical/mechanical engineers. Since he is the only living relative, he can tell the new owner some of the history of the building.

Mary Ann Baker commented that with the City's financial situation, eminent domain should be avoided. She thinks the City should work with the owners on other property to supplement the cost.

CM Bryan said that they could get with the two legal firms to arrange both parties to sit down and work through due process and come to a common ground. CM Scott stated that he thinks the City should continue with the process and use the eminent domain as a last resort. CM Sell stated if there is a willingness to discuss a negotiation, he would be in favor of tabling tonight's legislation. Law Director McKirnan said Mr. Larbus may be here to stop the action. He recommended council proceed with passage of the legislation to the next reading.

Don Kohlen asked if the former Gibbons Hospital has been tested for asbestos. Director Bryan stated no tests have been conducted, but the owner assures it has been removed. The City is currently negotiating with the owners to demolish the buildings, and the City would buy the bare ground.

John Arnold, 1606 Settlers Lane, questioned the City's policy of rehiring retired personnel. He is aware of a retired employee being rehired at \$13.50 per hour. With the lack of concern with the 8% increase of water rates, he questioned if the council members get their water and sewer for free. He also asked if they are willing to take a cut in pay for 2 years or until the economy improves. Director Bachelor explained that the City rehired one retired employee back as an inspector. This employee is classified as temporary full-time. He also explained that water rates needed to be increased to keep the water budget solvent. Funds were borrowed from a Fire Department account, which must be repaid. Bachelor informed Mr. Arnold that he would be willing to meet with him explain the City's funding sources.

Bryan Dupes asked what a decent time frame to follow up on his previous statements of concern in his neighborhood. Director Bryan indicated that there was no guarantees on the property clean up, but he will be making contact with the property owner within the week.

NEW BUSINESS:

46-09-O: An Ordinance accepting funds from the Amp Community Connections Program and appropriating to the Celina Governor's Cup Regatta and declaring an emergency. Auditor Stewart explained this is just a pass-through. The check was made out to the City, and the money will be passed on to the Regatta committee. CM Jeffries made a motion to suspend the rules, seconded by CM King. Roll vote 7-0 Aye. CM Sell made a motion to pass the Ordinance, seconded by CM Larmore. Roll call vote 7-0 Aye.

CM Scott made a motion to read Ordinance 47-09-O by title, all Whereas sections, Sections 1, 2, 3 and 5 in their entirety, and only the Public Works Department section of Section 4. Motion passed by voice acclamation.

47-09-O: An Ordinance establishing certain position classifications and salary grades and abolishing certain position classifications within the Public Works Department and declaring an emergency. Director Bachelor explained that this legislation will add three Wastewater Collection Worker positions to public works and abolishes one of the two Public Works Assist Superintendent positions. Two WW Collection Worker II and one WW Collection Trainee positions will be filled, unless we get an applicant with appropriate certifications to

fulfill the WW Collection Worker I position. Currently, the Public Works Maintenance Crewleader position is vacant, and discussions of abolishing this position will be included in the next contract negotiations. The emergency clause is on the legislation to allow the City to move forward with the hiring process for the collection crew to meet the CMOM requirements. CM King made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0 Aye. CM Scott made a motion to pass the Ordinance, seconded by CM Larmore. Roll call vote 7-0 Aye.

48-09-O: An Ordinance authorizing the Auditor to transfer the remaining balance of the Mersmans Demo Fund into the General Fund pursuant to O.R.C. 5705.14(d). Auditor Stewart explained that a reduction of revenue was erroneously booked for this fund. All the bills have been paid, and this legislation will fix the accidental booking. CM Jeffries stated, in relation to the Mersman demolition project, the residents across the street have been very patient waiting for the final clean up of the brick piles. Jeremy Hinton said the property owner wants to use the remaining brick, and will get it moved at their expense. They had two years with the grant agreement to have the property cleaned up. Administration will check when that deadline date is. CM Sell made a motion to pass the Ordinance to second reading, seconded by CM Larmore. Roll call vote 7-0 Aye.

49-9-O: An Ordinance accepting a donation for the purchase of trash receptacles for the beautification of Lakeshore Drive and declaring an emergency. CM King thanked the anonymous donor. This donation will purchase 3+ trash receptacles. The Rotary Club also donated money for additional receptacles. CM Scott made a motion to suspend the rules, seconded by CM Sovinski. Roll call vote 7-0 Aye. CM Larmore made a motion to pass the Ordinance, seconded by CM Buxton. Roll call vote 7-0 Aye.

OLD BUSINESS: (Second Reading)

44-09-O: An Ordinance authorizing the Safety Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency. Kent reported that the railroad company has indicated to the City that they have no intention of making any deals with Roberts Town Tavern, and do not want them to use the area for their patron parking. Discussion continued on alternate parking solutions for the tavern. Kent will work with the owner to address the parking for both the tavern and the bait shop. CM Sell made a motion to pass the Ordinance to third reading, seconded by CM King. Roll call vote 6-1 Aye. CM Jefferies voted nay.

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio. Further discussion continued on the purchase negotiations. CM King made a motion to pass the Ordinance to third reading, seconded by CM Buxton. Roll call vote 4-2-1 Aye. CM Jeffries and CM Sell voted nay. CM Larmore abstained.

11-09-R: A Resolution authorizing the Safety Service Director to represent the City of Celina as a member of the board of trustees of American Municipal Power, Inc. and declaring an emergency. The mayor reported that Director Bryan is attending the board meetings. The legislation was amended to include “her” and “she” throughout. CM Scott made a motion to accept the amended Resolution, seconded by CM Jeffries. Roll call vote 7-0 Aye. CM Scott made a motion to pass the Resolution, seconded by CM Sovinski. Roll call vote 7-0 Aye. CM Buxton made a motion to pass the Resolution, seconded by CM King. Roll call vote 7-0 Aye.

ADMINISTRATIVE REPORTS:

Mayor LaRue reported that Celina had another great Lake Festival. She also gave CM Scott a personal message. Patricia says “Mr. Scott gets the job done!” She thanks him for his assistance with getting a pothole fixed.

Director Bachelor reported:

- Wellman Bros. will be back on August 17th to continue City Hall Work.
- Lakeshore docks will be installed this week.
- The Police Department is planning a community event at Lakeshore Park for National Night Out August 4th.
- The Police Department has new uniform patches.
- Chief Slusser was pictured in the newspaper riding a Segway, which St. Rita's Hospital loaned to the City for use at the Lake Festival.
- Thanked Maharg Trash Service for their help picking up the trash this weekend. They do this service at no additional cost to the City for the Freedom Days, Lake Festival and Regatta events.
- The pool had 400 attendees for the family swim night.
- The next movie in the park will be held at Eastview Park hill on August 8th.
- Water services lines are being installed on Johnson Ave. The street will be closed to through traffic, but open to residents starting Tuesday.
- Carbon will be exchanged in tank #1 Tuesday. Sudman has reported that the refill times have been expanding. This tank was last exchanged 8 weeks ago.

Director Bachelor then gave a brief update on the budget:

- The solid waste impact fees are down \$5,500 from last year. The spring pick up expense was also smaller.
- \$107,107 in Stormwater fees has been collected. We are at 46.6% of the anticipated revenue. If we keep with the same trend, we will collect \$215,000 for the year.
- As expected, interest income is down \$100,000 from last year.
- The General Fund unencumbered balance was \$1,015,430.88 at the end of June. \$338,969 of last year's carryover has been expended, which is on track of what was projected. The Auditor added that 52.3% of the General Fund appropriations have been expended as of the end of July.

Council President Rodriguez thanked Bachelor for his work on the budget. She also welcomed Mike Sovinski, who was appointed to fill Bachelor's vacated seat on Council.

FOR THE GOOD OF THE ORDER:

Director Bryan requested a committee meeting for a walk through of the total DAF and water renewable energy project. A Council of a Whole committee meeting was set for Monday, August 3 at 4:30 pm at the utilities office.

CM Scott stated in reference to Don Gehle's previous comments, the minutes should be cleaned up if it was the Council of a Whole committee instead of the Parks and Recreation committee. CM King said the meeting notification will be reviewed to determine the correct meeting and will be brought back to the next meeting.

CM King asked:

- Director Bryan the status on the Eastview Park restrooms. He replied that the final designs are done and requested a committee meeting to review the final draft. A Parks and Recreation Committee meeting was set for Wednesday, July 29 at 4:30 pm at the utilities office.
- Auditor Stewart if the percentage discrepancies on the financial reports have been cleared up. The auditor responded there are about 17 standard reports that CMI is checking them all for accuracy.
- Where we stand with the building and construction guidelines. Director Bachelor reported that the department heads have until Friday to give their comments on the draft. He hopes to have the final draft ready for Council review by the second meeting in August.

CM Larmore reported that the alley between Godfrey and Brandon from Logan to Warren Street is also in need of repair. He also reported that the Rotary Club donated money towards the trash containers and would like a photo op.

CM Buxton asked:

- Jeremy Hinton about the dirt piles being left by the contractors installing the fiber optic lines for Wabash Communications. Jeremy stated that he assumes they will have a landscape crew come back and level them all at the end of the project, instead of handling each pile as they go.
- If the old roller rink property owner has been notified to clean it up. Administration will follow up with the police department.
- Where the City is in regards to the top coating on streets for subdivisions. Jeremy stated certified letters have been sent to Westbury and White Tree Investments, with no response to date. He will be following up with the owners.

CM Jeffries stated he received two calls of tile falling off the 2nd and 3rd floor of the scrapbook building on Main Street. Kent said the property owner is taking part in the downtown grant for improvements to the building. The tiles have been checked, but he will have them looked at again.

CM Sell reported:

- He received a complaint about the curb cut at Myers Road and Grand Lake at too steep an angle. Kent and Jeremy will look into it.
- He received a complaint about a vehicle parked over the sidewalk on Princeton Ave. He was advised that the police department needs to be told about those situations.
- He was asked how much the cost is for the lights that shine on the water tower at night.
- He received a complaint about the alley in the 400 block of Anthony and Wayne. Administration will have the public works department look at it.

President Rodriguez received letters from residents in opposition of the Amp coal plant. The mayor stated that the Ohio Citizens Action Group was going door to door giving residents information on the project. She has received 50 to 60 letters, and feels people are mistaken about the location of the plant. Bachelor explained that the plant is in Meigs County, and Celina has committed to 19 megawatts, which will result in 1/3 of our total power. The life expectancy of the plant is 50 years. Celina is also involved in hydroelectric, NYPA, and Prairie State energy projects through AMP. A representative from AMP will be meeting with Administration Wednesday (July 29) for updates on Celina's electric power supply. CM Sovinski stated that there are "buy green" programs that customers can participate in like the wind power, but at a higher cost.

Mayor LaRue stated that is uplifting to hear the positive remarks people have been giving about the City and the lake projects. She thanked Council for allowing Administration to do these projects.

President Rodriguez adjourned the meeting at 9:36 p.m.

Joan S. Wurster, Interim Council Clerk

AGENDA
Regular Meeting of City Council
Monday, July 27, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of July 13, 2009 Regular Council Meeting minutes
- 4) Committee Reports
- 5) Communications
 - a. Liquor Permit – CJ’s Highmarks
- 6) Audience Communications
- 7) New Business: (First Reading)

46-09-O: An Ordinance accepting funds from the Amp Community Connections Program and appropriating to the Celina Governor’s Cup Regatta and declaring an emergency.

47-09-O: An Ordinance establishing certain position classifications and salary grades and abolishing certain position classifications within the Public Works Department and declaring an emergency.

48-09-O: An Ordinance authorizing the Auditor to transfer the remaining balance of the Mersmans Demo Fund into the General Fund pursuant to O.R.C. 5705.14(d).

49-9-O: An Ordinance accepting a donation for the purchase of trash receptacles for the beautification of Lakeshore Drive and declaring an emergency.
- 8) Old Business: (Second)

44-09-O: An Ordinance authorizing the Safety Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located west of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.

11-09-R: A Resolution authorizing the Safety Service Director to represent the City of Celina as a member of the board of trustees of American Municipal Power, Inc. and declaring an emergency.
- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL August 10, 2009

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

CM Larmore made a motion to move the audience communication before the executive session and accept the agenda, seconded by CM Jeffries. Roll call vote 6-0, Aye.

AUDIENCE COMMUNICATIONS:

Don Kohnen asked council to consider having the audience communications before executive sessions from now on.

Bryan Dupes, 219 Godfrey Avenue, turned in a petition to council on cleaning up the property on Godfrey Avenue. There was a discussion with council and their thoughts on what to do with the property. Mr. Dupes made note of the flyer that he receives with his utility bill that it mentions the ordinance on weeds and grass. Director Bryan mentioned that he has been looking at a grant program with stimulus money from the state for demolition and removal of buildings. He said he has a verbal commitment from the property owner to follow through with the grant if the city gets it.

Warren Menchhofer, 302 S. Brandon, expressed his concerns about the same property and there was further discussion with council.

Law Director McKirnan stated that concerning the starting time on meetings really comes to the person starting the meeting. It starts when they say the meeting starts. CM Scott said it was a Committee as a Whole meeting in question not a Parks & Recreation meeting.

CM Sell made a motion to go into an executive session at 7:32 p.m. to discuss a land acquisition. The motion was seconded by CM Larmore. Roll call vote 6-0, Aye. At 8:30 p.m. CM Buxton made a motion to come out of executive session, seconded by CM Larmore. Roll call vote 6-0, Aye.

CM Sell made a motion to accept the minutes of the July 27, 2009 regular council meeting as corrected, seconded by CM Larmore. Roll call vote 6-0, Aye.

COMMITTEE REPORTS:

CM King reported that the Parks & Recreation Committee met on July 29th to review Eastview Park Restrooms.

President Rodriguez stated that the Council as a Whole Committee met August 3rd. She said everything is in the minutes unless someone has a question.

COMMUNICATIONS:

Liquor Permit for CJ's Highmarks: Law Director McKirnan said he spoke with Highmarks and the reason for the license is because of a law change for liquor sales on Sunday. Council had no objections.

Director Bachelor gave an update on budget numbers and noted differences from last year.

NEW BUSINESS:

50-09-O: An Ordinance authorizing the Safety Service Director to advertise and accept bids and to enter into an agreement for construction of restrooms at Eastview Park, and declaring an emergency. CM Jeffries asked if

the stone being put on the building can be cleaned when kids spray it with paint. Director Bryan said he would check. Director Bachelor said he thinks there might be a sealer that can be used. CM Scott made a motion to suspend the rules, seconded by CM King. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 6-0, Aye.

51-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a third supplement to the 2009 Annual Appropriations, and declaring an emergency. CM Sell asked if we did not budget enough in the original budget. Auditor Stewart explained about the loan amount. CM Sell asked if the shortfall at the pool was because of attendance. Director Bachelor said he feels the attendance has been good. CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 6-0, Aye. CM Scott made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 6-0, Aye.

52-09-O: An Ordinance authorizing the advance of funds from the General Fund Contingency Account to the Water Fund for the purposes of funding the Dissolved Air Flotation Pilot Project, and declaring an emergency. CM Jeffries said at the committee meeting it was questioned what was stated on the figures. Director Bachelor explained now that Mike has gone through some supplies and has better numbers. CM King asked if \$10,000 is taken from the contingency what this will leave us. Director Bachelor said \$58,000. The water fund will pay back the contingency fund over twelve months. He explained this funding versus using the fire truck fund. He explained where the funds are coming from and appropriations, and how some other funds can be moved. A motion to suspend the rules was made by CM King, seconded by CM Sell. Roll call vote 5-1, Aye. CM Jeffries voted Nay. CM King made a motion to pass the ordinance to second reading, seconded by CM Larmore. Roll call vote 5-1, Aye. CM Jeffries voted Nay.

OLD BUSINESS: (Second Reading)

48-09-O: An Ordinance authorizing the Auditor to transfer the remaining balance of the Mersmans Demo Fund into the General Fund pursuant to O.R.C. 5705.14(d). CM Sell made a motion to pass the ordinance to third reading, seconded by CM Larmore. Roll call vote 4-2, Aye. CM Buxton and CM Jeffries vote Nay.

(Third Reading)

44-09-O: An Ordinance authorizing the Safety Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency. Director Bryan said that nothing has changed since the last meeting. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 5-1, Aye. CM Jeffries voted Nay.

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio. Director Bryan explained the communications that have taken place since the last council meeting. They are pursuing an appraisal. Director Bryan recommended to table at this time for them to get their appraisal. CM Sell made a motion to table the ordinance, seconded by CM King. Roll call vote 5-1, Aye. CM Larmore abstained.

ADMINISTRATIVE REPORTS:

Chief Slusser reported:

- The police department has qualified for a drawing to win a car. September 2nd is the date of the drawing.
- National Night Out event was held the 1st Tuesday in August. The department talked to people and showed them their equipment.

- Gold Wings will be in town in September. There will be 900-1200 motorcycles staying at the fairgrounds. A neon parade of 100-150 riders will take place around town Saturday, September 26th at dusk.
- Received the stimulus grant for computer mounts in all cruisers etc.

Director Bachelor reported:

- 127 garage sale was a big hit
- Water department update
- Johnson Avenue project update
- Public Works finished brush pick up
- 75 attended movie night
- 24 soccer teams signed up
- 126 players signed up for football
- September 25th – employee appreciation lunch between 11:30 and 1:00 at the GAC
- Met with county budget commission. May get up to \$340,000. We will get 49% of what the county gets in local government fund.

FOR THE GOOD OF THE ORDER:

CM Sell asked for an alley update in the Wayne Street area. Director Bryan said they are on Joe's list to take care of.

CM Jeffries had a complaint on the clean up job at Mersman property. He would like to see the clean up done.

CM King said she heard good things about the pool this summer.

CM Buxton said the pier at North Shore looks good with the new docks. He invited everyone to the Regatta on August 22nd and 23rd.

CM Sell said he was asked if we have a 50 year obligation contract with coal on the Ohio River. Director Bachelor said no and explained what we have.

CM Scott stated that the Chapman property on Logan looks nice with the sidewalk. He expressed some concerns about traffic flow around East School.

There was a short discussion about line changes at Wayne and Main Street.

A Streets & Alleys Committee meeting was set for August 17th at 4:30 p.m. in the utility building.

President Rodriguez adjourned the meeting at 9:30 p.m.

Jackie Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, August 10, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Executive Session – Land Acquisition
- 4) Corrections and acceptance of July 27, 2009 Regular Council Meeting minutes
- 5) Committee Reports
- 6) Communications
 - a. Liquor Permit – CJ’s Highmarks
- 7) Audience Communications
- 8) New Business: (First Reading)

50-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids and to enter into an agreement for construction of restrooms at Eastview Park, and declaring an emergency.

51-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a third supplement to the 2009 Annual Appropriations, and declaring an emergency.
- 9) Old Business: (Second Reading)

48-09-O: An Ordinance authorizing the Auditor to transfer the remaining balance of the Mersmans Demo Fund into the General Fund pursuant to O.R.C. 5705.14(d).

(Third Reading)

44-09-O: An Ordinance authorizing the Safety Service Director to enter into a lease agreement with Norfolk Southern Railway Company and declaring an emergency.

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.
- 10) Administrative Reports
- 11) For the Good of the Order
- 12) Adjournment

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, August 24, 2009
GAC Plant - 7:00 P.M.

- TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice
- 1) Call to Order and Roll Call
 - 2) Acceptance of Agenda
 - 3) Corrections and acceptance of August 10, 2009 Regular Council Meeting minutes
 - 4) Committee Reports
 - 5) Communications
 - 6) Audience Communications
 - 7) New Business: (First Reading)
12-09-R: A Resolution accepting the amounts and rates for the City of Celina as determined by the Mercer County Budget Commission, authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency.
 - 8) Old Business: (Second Reading)
52-09-O: An Ordinance authorizing the advance of funds from the General Fund Contingency Account to the Water Fund for purposes of funding the Dissolved Air Flotation Pilot Project, and declaring an emergency.

(Third Reading)
48-09-O: An Ordinance authorizing the Auditor to transfer the remaining balance of the Mersmans Demo Fund into the General Fund pursuant to O.R.C. 5705.14(d).

(Tabled)
45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.
 - 9) Administrative Reports
 - 10) For the Good of the Order
 - 11) Adjournment

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL September 14, 2009

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

SM Sell made a motion to accept the agenda, seconded by CM Sovinski. Roll call vote 6-0, Aye.

CM Sell made a motion to accept the minutes of the August 24, 2009 regular council meeting as corrected, seconded by CM Scott. Roll call vote 6-0, Aye.

COMMITTEE REPORTS:

CM Scott reported the Utility Committee met August 31st to discuss possible short fall in the water department due to cost of chemicals. He said there is a debt we need to address. Director Bachelor said ideas were discussed but nothing was decided. There is a water rate increase of 3% to take effect January 2010 as voted on a couple of years ago. We need to come up with 21% more on water rates. After further discussion, CM Scott said right now it is all fact finding, nothing has been approved at this time.

COMMUNICATIONS:

Director Bryan said there are several business owners in the audience and believes they are here concerning a parking lot on the old Gibbons property. There is nothing to bring to council tonight on this. Administration is looking at funding and he has been in contact with the property owner.

Director Bachelor reported:

- Went over some figures on information that was in council packets
- Gas aggregation needs to be locked in by end of month to not have to go through a multi-step procedure to lock in. There was further discussion with council.
- CTL in town this week to do street sample cores in Eaglebrook Parkway Phase II and the Reserve Subdivision.
- Eastview Park restroom bids in on Friday
- Kerry Beamer hired for trainee position and Joe Hartings hired for Worker II position in the wastewater department
- Wednesday the county will be doing chip and sealer on W. Market St. There was a question brought up if the county knew about the Gold Wing Rally coming to the fairgrounds.

AUDIENCE COMMUNICATIONS:

Nancy Otis, 200 Walnut Shore Drive which is outside city limits, spoke in regards to the parking lot. She said she walked around town and with property owners. There are 148 Masonic Lodge members, 190 Eastern Star members, a dance studio with 90 plus students, people who live downtown, shoppers, and business owners who would benefit from the parking lot.

Brian Dupes, 219 Godfrey Avenue, asked for an update on plan A for the Warren Street property. Director Brian explained the grant possibility amount and the package that's being worked on for the application. There would be a time limit on getting the project done if the grant is received. CM King asked if the property could have some restrictions so it is not junked up again. Director Bryan said once the property is torn down and cleaned up the grandfather clause would be gone and it would be residential. There was further discussion on grant amount & uses and contract for work to be done if we receive the grant.

Brian Dupes asked about an update on alley. Director Bryan said he doesn't have an answer on that until he follows up with Joe Wolfe.

Don Kohnen said he called Pat at the Standard about the article in the paper on water rates and there was a correction the next night. He gave his gas rates so administration could compare them for gas aggregation.

Ron Amstutz, a property owner downtown, said there is a lot going on downtown and feels the parking lot would be a plus. While the street is torn up it would help with parking. The Gibbons building is old and needs to come down.

Deb Borns said she just recently went to a conference and came away with real appreciation for our administration for looking into funding and getting it for our community.

Kim Nation, a property owner downtown, said she doesn't think we can afford not to take the building down and put in a parking lot. She feels it would be a very wise investment.

CM Larmore said the council knows there is a need for parking and we need to get on top of this but money is an issue.

NEW BUSINESS:

54-09-O: An Ordinance authorizing the advertising and awarding of bid(s) for construction and or repair of sidewalks and curbs in accordance with Resolution No. 09-09-R and declaring an emergency. CM Jeffries said he would like to see three corners fixed next year at Morton, Elm, and Walnut. A motion to suspend the rules was made by CM Sell, seconded by CM Scott. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Jeffries. Roll call vote 7-0, Aye.

55-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a Fourth Supplement to the 2009 Annual Appropriations, and declaring an emergency. CM King said the pool payroll seems high. Auditor Stewart said that it's the actual payroll amount. Director Bachelor said the budget was the same amount as last year and did not include the adjusted pay rates. The staff showed up to work when they were scheduled. CM King asked about the refunds with the utilities, have that many people moved. Director Bachelor said there have been more transient this year. CM Sell said he has heard a lot of compliments on the pool this year. He asked if the utility refunds show up some where else as income. Director Bachelor it does if the move is within the city but not if they move out of the city. CM Scott made a motion to suspend the rules, seconded by CM Sovinski. Roll call vote 7-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

56-09-O: An Ordinance to approve, adopt and enact the current replacement pages to the Codified Ordinances, and declaring an emergency. CM Scott made a motion not to read Section Two, seconded by CM Sell. The motion passed by voice acclamation. CM Sell asked if the state publishes these so the general public can see them or if someone would have to look them up. Law Director McKirnan said he believes you would have to look them up. CM Sovinski said he believes the library gets a copy. Auditor Stewart said she gives a copy to the court and she thinks that Leroy makes a copy for the library. CM King made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Sovinski, seconded by CM King. Roll call vote 7-0, Aye.

13-09-R: A Resolution authorizing the Mayor to submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program and to execute contracts as required, and declaring an emergency. Director Bryan passed out the funding breakdown and went over the figures. CM Jeffries asked how the loan would be paid back. Director Bryan said possibly would use the electric funds for the traffic signals. CM Sovinski asked if the start date would be impacted with this loan.

Director Bryan answered the state usually approves in June so we should be okay. With the timing of ODOT it looks like we would start on the north end of Main Street and work south. CM Scott clarified that it depends on where we spend the money on where we come up with funds for the loan. Director Bryan said yes, that's correct. We would be very specific when we write this application. A motion to suspend the rules was made by CM Sell, seconded by CM Larmore. Roll call vote 7-0, Aye. CM Sell made a motion to pass the resolution, seconded by CM King. Roll call vote 7-0, Aye.

OLD BUSINESS: (Third Reading)

52-09-O: An Ordinance authorizing the advance of funds from the General Fund Contingency Account to the Water Fund for the purposes of funding the Dissolved Air Flotation Pilot Project, and declaring an emergency. CM Jeffries asked what the total cost would be to put in this system and Director Bryan said \$4-5 million. CM Scott this ordinance is simply money put aside to run the pilot project. Director Bryan said that's correct. There was a short discussion on funding for putting in this system. CM Buxton asked how soon we can get the system in for the pilot project if this is passed tonight. Director Bryan said two weeks. CM Sell asked when the bill would come due (\$4-5 million) and how far away from harvesting blue green algae to help offset the cost. Director Bryan explained the harvesting process and when the administration would bring something to council for funding the \$4-5 million. A motion to pass the ordinance was made by CM King, seconded by CM Sell. Roll call vote 6-1, Aye. CM Jeffries voted Nay.

ADMINISTRATIVE REPORTS:

Director Bryan gave a brief report on the Johnson Ave. project. He said the curb crew will be in on Wednesday and out by Friday. The grinding crew will come in the next week. There will be a two week period for sidewalks and lights. The second week of October it should be paved.

Mayor LaRue said September 25th will be the annual employee appreciation lunch at noon.

Director Bachelor reported:

- Last brush pick up has been completed
- There has been a serious problem in getting material for street patch
- Legislation will be brought at the next meeting regarding note renewals

Committee Meetings Set:

Streets & Alleys Committee – September 21st at 4:30 p.m. in the utility building

Utilities Committee – September 21st at the end of Streets & Alleys, approximately 5:15-5:30 p.m.

Parks & Recreation Committee – October 1st at 4:30 p.m. in the utility building

FOR THE GOOD OF THE ORDER:

CM Sell said the alley at the 400 block of E. Wayne St. was filled with gravel by a property owner. He asked if a stop sign could be placed on power pole to help with traffic. CM Sovinski said stop signs are not good on power poles since it's against our ordinance. Director Bryan said he would get with the police chief to see what could be done.

CM Sell said he received a call about a trench that was cut in the back yard at 1014 Briar Lane. They want to know if it can be fixed so they are able to mow. Director Bryan said he will check on it.

CM Scott said he received a call about there not being a banner at the fair for the city and asked if there should have been one. Mayor LaRue said no, the city did not do a donation this year or have a booth at the fair.

CM Scott said we need to talk with the county about the chip and seal on Market St. because of the motorcycle rally. He also said he walked with Nancy Otis around town and it was a real eye opener for him.

CM Buxton reminded council of the information in their packets on “Walk the Talk” and said everyone could help.

CM Larmore asked if something should be put in writing for the organizations when they hand something off to the city, example the lighthouse, for maintenance responsibility or other reasons. Both Director Bryan and Director Bachelor said they are not aware of anything like that. CM Larmore asked if there would be any liability involved. Law Director McKirnan said there is always liability. Someone can always phantom something.

President Rodriguez said she received a call from someone at the 500 block of Ash Street. The individual requested that a fence be taken down that is in the middle of the alley. CM Sovinski said there is some question if that is a dedicated alley. Director Bryan said they will look into it.

President Rodriguez adjourned the meeting at 9:11 p.m.

Jackie Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL September 28, 2009

President Rodriguez called the Regular Meeting of Celina City Council to order at 7:00 p.m. Council Members Buxton, Jeffries, Larmore, Scott, Sell, and Sovinski answered roll call. Council Member King was absent. Also present were Mayor LaRue, Safety Service Director Bachelor, City Law Director McKirnan, and City Auditor Stewart.

SM Sell made a motion to accept the amended agenda passed out tonight, seconded by CM Sovinski. Roll call vote 6-0, Aye.

CM Sell made a motion to accept the minutes of the September 14, 2009 regular council meeting as written, seconded by CM Scott. Roll call vote 6-0, Aye.

COMMITTEE REPORTS:

CM Jeffries reported the Streets & Alleys Committee met on September 21st. He briefly went over the topics discussed:

- Alley vacated in connection with bike path
- Fence in alley at 500 block of Ash Street
- No turn on red restrictions at Logan & Portland Streets
- Speed limit on E. Wayne St. past Grand Lake Rd.
- Core samples taken at Reserve & Eaglebrooke Subdivisions

Some discussion on E. Wayne Street speed limit followed.

CM Sovinski reported the Utilities Committee met September 21st. He briefly went over the topics discussed:

- Havemann Rd. substation equipment
- Review of electric rates
- Review of GAC debt service
- Study of water rates

Some discussion on GAC debt service and water rates followed. CM Jeffries made a correction on the minutes concerning the start time. He said it was 5:15 and not 4:30 as stated.

COMMUNICATIONS:

Director Bachelor reported:

- Update on some financial figures
- Gas aggregation update
- Received bids for fire department ventilation project and Eastview restroom project
- Need Streets & Alleys Committee meeting
- DAF project up and running

AUDIENCE COMMUNICATIONS: None

NEW BUSINESS:

57-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for the Main Street Waterlines Improvement Project and declaring an emergency. CM Sell asked if a “not to exceed” clause should be included. Director Bachelor said this is just asking for bids. He said that water and storm lines are both in this ordinance and explained. CM Sell asked how much is budgeted at this time. Director Bachelor said \$495,000 for water at this time from Wayne Street back to town. He explained we need to have this done before ODOT comes in next summer. CM Jeffries asked if the water line is behind the curb and where the storm line is. Director Bachelor said both are behind the curb. CM Scott made a motion to suspend the rules, seconded by CM Sell. Roll call vote 6-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 6-0, Aye.

58-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for the Buckeye Street Waterlines Improvement Project and declaring an emergency. CM Larmore asked if the plan for this is to be done right after the Johnson Ave. project. Director Bachelor said theoretically, yes, and he explained the information received from ODOT. He explained what we are looking to do on the project. He further explained some of the funds that might be used. CM Larmore asked if there is a schedule at all to start the project. Director Bachelor said if we could get bids before other projects get out in November he hopes we will get better bids. He hopes the water lines will be a winter project. CM Jeffries asked the cost and Director Bachelor said he is anticipating \$350,000-\$550,000. It will be a 12” line and eventually tie in to Market St. A motion to suspend the rules was made by CM Sell, seconded by CM Sovinski. Roll call vote 6-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 6-0, Aye.

59-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for major electrical equipment to be installed in the Havemann Road Substation and declaring an emergency. CM Sell asked if this was going to be west of the old Wal Mart. Director Bachelor explained it is by Celina Moving & Storage behind the Dollar General Store. CM Sovinski asked why two consultants were used and Director Bachelor said he is not sure, it was done in 2006. CM Sovinski asked if this is just for equipment and would we get possession. Director Bachelor said yes, it is equipment and we would take possession and store it until needed. CM Larmore asked if this is one transformer. Director Bachelor said yes, it is designed for two of this size. The size could handle ½ of the city if needed. CM Larmore asked if we could possibly bid for two to show them our interest and maybe get a better price. CM Scott asked if we need to do this bid. Director Bachelor said we don’t have to do this but was told this is a good time to get prices. Equipment right now, no, but substation yes soon. CM Sovinski said he agreed if we can get a better price we should bid two transformers and the equipment needed. CM Jeffries asked for confirmation that this is just for bid, not purchase. Director Bachelor said that is correct. CM Buxton asked if we have talked to any companies in that end of town for their projections of needs. Director Bachelor was not sure. CM Sovinski made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 6-0, Aye. CM Buxton made a motion to pass the ordinance, seconded by CM Sell. Roll call vote 6-0, Aye.

60-09-O: An Ordinance amending Ordinance 47-09-O by changing Wastewater Collection Worker II, I and Trainee job titles to Sewer Collection Worker II, I and Trainee and declaring an emergency. A motion to suspend the rules was made by CM Sell, seconded by CM Sovinski. Roll call vote 6-0, Aye. CM Sell made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 6-0, Aye.

61-09-O: An Ordinance amending Ordinance 66-07-O establishing Debt Retirement Assessments for the Water Treatment Facility Project and declaring an emergency. CM Jeffries asked what happen to 2 a. Director Bachelor said 2” and 2” compound are same rates and he is not sure why it was different on the previous ordinance. CM Sell asked how much of a reserve fund there would be and Director Bachelor answered basically enough to cover debt each year. CM Sell asked what percent increase this would be.

Director Bachelor said he didn't know the percent. CM Larmore commented that we knew what was allocated and is not sure why we didn't base rates accordingly. Director Bachelor said it was based on what numbers we knew at that time. We should come in less than 20 years. A motion to pass the ordinance to second reading was made by CM Sovinski, seconded by CM Larmore. Roll call vote 6-0, Aye.

62-09-O: An Ordinance amending Ordinance 42-06-O passed in August 2006 and Ordinance 39-09-O passed in June 2009 establishing water rates and declaring an emergency. CM Jeffries asked what the rates are now and Director Bachelor gave them. He said \$450,000 was originally budgeted for carbon. He explained what carbon has been along with recharge times. Director Bachelor said this is set up to capture current cost and not past cost. There was further discussion on costs and rates. CM Scott made a motion to pass the ordinance to second reading, seconded by CM Sovinski. Roll call vote 6-0, Aye.

63-09-O: An Ordinance appropriating the remaining balance of the Mersmans Demo Fund for transfer into the General Fund. CM Sell asked if this was just a little house cleaning and Director Bachelor said yes, we didn't have appropriate language before. CM Scott made a motion to add an emergency clause, seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to suspend the rules was made by CM Sovinski, seconded by CM Jeffries. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Buxton, seconded by CM Larmore. Roll call vote 6-0, Aye.

64-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$1,325,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, and making storm sewer improvements along West Logan Street from Portland Street to the west city limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances and declaring an emergency. CM Sovinski made a motion to read by title only, seconded by CM Sell. Motion passed by voice acclamation. Director Bachelor explained changes with the rest being pretty standard language. CM Larmore said most of these projects are done and allocated money for restrooms. Auditor Stewart stated we borrowed money for the restrooms, this is what we owe. Director Bachelor said these are notes that we're just rolling for interest rates. Auditor Stewart said this is procedure; we need to pass to pay notes. CM Sell made a motion to pass the ordinance to second reading, seconded by CM Larmore. Roll call vote 6-0, Aye.

65-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$1,515,000, in anticipation of the issuance of bonds, to pay costs of making improvements to the Municipal Water System, including but not limited to the construction of a new water tower, making improvements to the Municipal Water System, including but not limited to the construction and installation of the Enterprise-Livingston Waterline Replacement Project, improving Wayne Street by installing sidewalks, curbing, pavement and signalization on and along Wayne Street between certain termini, improving State Road 29 West by widening State Road 29 West and installing storm sewers and drainage ditches along State Road 29 West between certain termini, and improving Grand Lake Road by reconstructing and paving Grand Lake Road between certain termini, together with all necessary appurtenances and declaring an emergency. A motion to read by title only was made by CM Sovinski, seconded by CM Sell. The motion passed by voice acclamation. CM Jeffries asked where the new water tower mentioned is located and Director Bachelor said that is the one on Summit Street. CM Scott made a motion to pass the ordinance to second reading, seconded by CM Sell. Roll call vote 6-0, Aye.

14-09-R: A Resolution concurring with the Ohio Department of Transportation (ODOT) warranted speed limit on State Route 197 (E. Wayne Street) from Myers Road to Golfview Drive. CM Sell made a motion to

pass the resolution to second reading, seconded by CM Larmore. Roll call vote 5-1, Aye. CM Scott voted Nay.

15-09-R: A Resolution amending Resolution 12-09-R accepting the amounts and rates for the City of Celina as determined by the Mercer County Budget Commission, authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency. Director Bachelor explained that the only thing changed is in Section Three. We had amended to outside and should be inside as it was. The rates have not changed. CM Sovinski made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to pass the resolution was made by CM Buxton, seconded by CM Scott. Roll call vote 6-0, Aye.

OLD BUSINESS: None

ADMINISTRATIVE REPORTS:

Director Bachelor reported:

- Next week is fire prevention week
- 191 applications for the meter reader position
- Pullman Bay Park entrance under construction
- Update on various paving areas
- Leaf pick up to begin shortly
- New shelter house at Eastview will be completed by St. John's Builders
- Week ago Friday had a power outage due to a line hit at Thieman Tailgate

Committee meeting set:

Streets & Alleys on October 8th at 4:30 p.m. in the utility building

Personnel & Finance on October 8th at 5:15 p.m. in the utility building

FOR THE GOOD OF THE ORDER:

CM Buxton asked if the red tent in Lake Shore Park is going to come down before it gets ripped like last year. Director Bachelor said he thought it would be.

CM Buxton asked if the drive and walkway were going to be paved at Eastview Park yet this year. Director Bachelor said if it's not done yet he guessed it would not be.

CM Sovinski asked about cracks on the 600 block of Ash Street being sealed. Director Bachelor said that Joe Wolfe hasn't said anything about sealing but he would check with him. CM Sovinski said he was also asked about sidewalks on the east side of Myers Road.

President Rodriguez adjourned the meeting at 9:15 p.m.

Jackie Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, September 28, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of September 14, 2009 Regular Council Meeting minutes
- 4) Committee Reports
- 5) Communications
- 6) Audience Communications
- 7) New Business: (First Reading)
 - 57-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for the Main Street Waterlines Improvement Project and declaring an emergency.
 - 58-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for the Buckeye Street Waterlines Improvement Project and declaring an emergency.
 - 59-09-O: An Ordinance authorizing the Safety-Service Director to advertise and accept bids for major electrical equipment to be installed in the Havemann Road Substation and declaring an emergency
 - 60-09-O: An Ordinance amending Ordinance 47-09-O by changing Wastewater Collection Worker II, I and Trainee job titles to Sewer Collection Worker II, I and Trainee and declaring an emergency.
 - 61-09-O: An Ordinance amending Ordinance 66-07-O establishing Debt Retirement Assessments for the Water Treatment Facility Project and declaring an emergency.
 - 62-09-O: An Ordinance amending Ordinance 42-06-O passed in August 2006 and Ordinance 39-09-O passed in June 2009 establishing water rates and declaring an emergency.
 - 14-09-R: A Resolution concurring with the Ohio Department of Transportation (ODOT) warranted speed limit on State Route 197 (E. Wayne Street) from Myers Road to Golfview Drive.

8) Old Business: None

(Tabled)

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.

- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, October 12, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Corrections and acceptance of September 28, 2009 Regular Council Meeting minutes
- 4) Committee Reports
- 5) Communications
- 6) Audience Communications
- 7) New Business: (First Reading)
 - 66-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$500,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline and storm sewers along Buckeye Street from Market Street to Myers Road, together with all necessary appurtenances, and declaring an emergency.
 - 67-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$500,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline and storm sewers along Main Street from the Water Treatment Plant to Johnson Avenue, together with all necessary appurtenances, and declaring an emergency.
 - 68-09-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement related to the marketing of competitive retail natural gas supply.
- 8) Old Business: (Second Reading)
 - 61-09-O: An Ordinance amending Ordinance 66-07-O establishing Debt Retirement Assessments for the Water Treatment Facility Project and declaring an emergency.
 - 62-09-O: An Ordinance amending Ordinance 42-06-O passed in August 2006 and Ordinance 39-09-O passed in June 2009 establishing water rates and declaring an emergency.
 - 64-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$1,325,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Capital Improvements, Main Street to Holly Street, and making storm sewer improvements along West Logan Street from Portland Street to the west city limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances and declaring an emergency.

65-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$1,515,000, in anticipation of the issuance of bonds, to pay costs of making improvements to the Municipal Water System, including but not limited to the construction of a new Summit Street water tower, making improvements to the Municipal Water System, including but not limited to the construction and installation of the Enterprise-Livingston Waterline Replacement Project, improving Wayne Street by installing sidewalks, curbing, pavement and signalization on and along Wayne Street between certain termini, improving State Road 29 West by widening State Road 29 West and installing storm sewers and drainage ditches along State Road 29 West between certain termini, and improving Grand Lake Road by reconstructing and paving Grand Lake Road between certain termini, together with all necessary appurtenances and declaring an emergency.

14-09-R: A Resolution concurring with the Ohio Department of Transportation (ODOT) warranted speed limit on State Route 197 (E. Wayne Street) from Myers Road to Golfview Drive.

(Tabled)

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.

- 9) Administrative Reports
- 10) For the Good of the Order
- 11) Adjournment

Jackie L. Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL October 12, 2009

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

CM King made a motion to move 68-09-O to the first item of new business, seconded by CM Scott. Roll call vote 7-0, Aye. CM Larmore made a motion to accept the amended agenda, seconded by CM King. Roll call vote 7-0, Aye.

CM Sell made a motion to accept the minutes of the September 28, 2009 regular council meeting as corrected, seconded by CM Sovinski. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

CM King reported the Parks & Recreation Committee met on September 29th, not July as shown on the minutes. They reviewed the restroom bids. CM King briefly went over the minutes.

CM Jeffries stated the Streets & Alleys Committee met on October 8th. He said core samples for Reserve and Eaglebrooke Subdivisions came back and he briefly went over the results that were reported. CM Jeffries said that two catch basins will be put in at Pullman Bay drive that is currently be doing.

CM Sovinski reported the Personnel & Finance Committee met October 8th. The draft form of the 2008 audit was discussed in executive session. After the executive session, there was a review of the TIF districts.

COMMUNICATIONS:

Mayor LaRue reported:

- October 23rd will be fire chief Kuhn's last day, he is retiring
- Wellman Brothers will be finishing the top of the city hall building this year
- Various department updates on activities
- Leaf pick up starts tomorrow
- Thanked community servants who worked on the shelter house roof

AUDIENCE COMMUNICATIONS:

Theresa Howick, 7531 St. Rt. 197, briefly gave some information concerning Issue 2 and asked everyone to vote yes on the issue.

Dave Donnerberg, 3503 Wild Cherry Highland Park, expressed his concerns on the water rate increases.

Brian Dupes, Godfrey Avenue, asked how things are going with the grant for demolition of a property in his neighborhood. Director Bryan explained there was a set back because of the property being commercial and he is still trying to get clarification. Mr. Dupes said he and others feel with the ordinances on record why they are not being enforced. Further discussion on the property followed.

NEW BUSINESS:

68-09-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement related to the marketing of competitive retail natural gas supply. Terry Leach from AMP explained about the natural gas opt-out aggregation program. He said the current supplier is Direct Energy LLC. There was some

discussion on the intention of Section Two. The time frame of importance for the ordinance was explained. Mr. Leach explained what is available to the groups not being served by this Direct Energy program currently. CM King made a motion to pass the ordinance to second reading, seconded by CM Scott. Roll call vote 7-0, Aye.

66-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$500,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline and storm sewers along Buckeye Street from Market Street to Myers Road, together with all necessary appurtenances, and declaring an emergency. Director Bryan passed out a new ordinance. He explained the interest rate is different. We anticipate issuance of note November 3, 2009 in anticipation of bond one year away. CM Sell questioned if Section Two should say not to exceed on interest rate. CM Sovinski said he understands that Section Two is anticipating for 2010 and Section Three is for 2009. Auditor Stewart said these are estimated rates for 2010 and an ordinance will come back later with the rate for 2010. CM Scott made a motion to only read title through Section Three and Section Fourteen, seconded by CM King. Roll call vote 7-0, Aye. A motion to suspend the rules was made by CM Sell, seconded by CM Sovinski. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Scott. Roll call vote 7-0, Aye.

67-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$500,000, in anticipation of the issuance of bonds, to pay costs of constructing and installing a waterline and storm sewers along Main Street from the Water Treatment Plant to Johnson Avenue, together with all necessary appurtenances, and declaring an emergency. CM Scott made a motion to read title only, seconded by CM Sell. Roll call vote 7-0, Aye. CM Sovinski made a motion to suspend the rules, seconded by CM Buxton. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM Buxton. Roll call vote 7-0, Aye.

69-09-O: An Ordinance authorizing the Safety Service Director or Mayor to enter into an agreement with the Ohio Department of Health for coordination of the Ohio Buckles Buckeyes Program, and declaring an emergency. CM Sell asked if this didn't use to be ODOT. Chief Slusser explained what department it started and where it is now. He briefly explained the ordinance and what the program does. CM Scott asked if matching funds are needed and Chief Slusser said no. CM Sell made a motion to amend the ordinance by changing the date "June 30, 2010" to "September 30, 2010", seconded by CM Scott. Roll call vote 7-0, Aye. CM Scott made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0, Aye. CM King made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 7-0, Aye.

OLD BUSINESS: (Second Reading)

61-09-O: An Ordinance amending Ordinance 66-07-O establishing Debt Retirement Assessments for the Water Treatment Facility Project and declaring an emergency. A motion to pass the ordinance to third reading was made by CM Sovinski, seconded by CM Larmore. Roll call vote 7-0, Aye.

62-09-O: An Ordinance amending Ordinance 42-06-O passed in August 2006 and Ordinance 39-09-O passed in June 2009 establishing water rates and declaring an emergency. Concerns again were expressed by Mr. Donneburg. Director Bryan explained the actual carbon costs have not doubled, but to be on the conservative side, the amount budgeted for carbon in 2009 was double the engineering estimates. He explained how it was decided to build the current building instead of putting tanks in old building. A motion

to pass the ordinance to third reading was made by CM King, seconded by CM Larmore. Roll call vote 7-0, Aye.

64-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$1,325,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, and making storm sewer improvements along West Logan Street from Portland Street to the west city limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances and declaring an emergency. Director Bryan explained the changes to the amended ordinance passed out. CM Sell made a motion to change the amount “\$1,325,000” to “\$1,075,000” through out the ordinance, seconded by CM King. Roll call vote 7-0, Aye. A motion to accept the amended ordinance was made by CM Sovinski, seconded by CM Scott. Roll call vote 7-0, Aye. CM Larmore made a motion to suspend the rules, seconded by CM King. Roll call vote 7-0, Aye. CM Buxton made a motion to pass the ordinance, seconded by CM Sovinski. Roll call vote 7-0, Aye.

65-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$1,515,000, in anticipation of the issuance of bonds, to pay costs of making improvements to the Municipal Water System, including but not limited to the construction of a new water tower, making improvements to the Municipal Water System, including but not limited to the construction and installation of the Enterprise-Livingston Waterline Replacement Project, improving Wayne Street by installing sidewalks, curbing, pavement and signalization on and along Wayne Street between certain termini, improving State Road 29 West by widening State Road 29 West and installing storm sewers and drainage ditches along State Road 29 West between certain termini, and improving Grand Lake Road by reconstructing and paving Grand Lake Road between certain termini, together with all necessary appurtenances and declaring an emergency. Director Bryan explained the changes. CM Sovinski made a motion to accept the amended ordinance passed out, second by CM Scott. Roll call vote 7-0, Aye. CM Sell made a motion to suspend the rules, second by CM Larmore. Roll call vote 7-0, Aye. A motion to pass the ordinance was made by CM Buxton, seconded by CM King. Roll call vote 7-0, Aye. Director Bryan pointed out we are reducing \$500,000 of principal from last year.

14-09-R: A Resolution concurring with the Ohio Department of Transportation (ODOT) warranted speed limit on State Route 197 (E. Wayne Street) from Myers Road to Golfview Drive. CM Scott said he feels 45 is too fast in that area. CM Sell said there is nothing we can do if ODOT says 45. Director Bryan said the state is lowering from 55 to 45. CM Sell made a motion to pass the ordinance to third reading, seconded by CM King. Roll call vote 6-1, Aye. CM Scott voted Nay.

ADMINISTRATIVE REPORTS:

A Committee as a Whole meeting was set for October 19th at 4:30 p.m. in the utility building.

Director Bryan said the paving company is supposed to be in town tomorrow for Johnson Street and they will also be doing Ash Street.

FOR THE GOOD OF THE ORDER: None

President Rodriguez adjourned the meeting at 9:11 p.m.

Jackie Lacy, Council Clerk

REGULAR MEETING OF CELINA CITY COUNCIL October 26, 2009

President Rodriguez called the Regular Meeting of Celina City Council to order at 7:00 p.m. Council Members Buxton, Jeffries, King, Larmore, Scott, Sell, and Sovinski answered roll call. Also present were Mayor LaRue, Safety Service Director Bachelor, City Law Director McKirnan, and City Auditor Stewart.

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

CM Scott made a motion to accept the minutes of the October 12, 2009 regular council meeting as written, seconded by CM Sell. Roll call vote 7-0, Aye.

COMMITTEE REPORTS:

President Rodriguez reported there was a Council as a Whole Committee meeting on October 19th. She asked CM Sell to make the report since she needed to leave the meeting early. CM Sell briefly went over the topics that were discussed.

COMMUNICATIONS:

Director Bachelor reported:

- Gas aggregation update – rate locked in at \$7.64 for six months, December through May 2010. There was a brief discussion on rates, budget rates, opt in-opt out, and past ordinances
- City income collections down compared to last year
- Interest income down compared to last year
- Total general fund income down compared to last year
- Total general fund expenditures down from 2008
- General fund as of today is 1.1 million
- Johnston Avenue paving complete
- Ash Street between Blake and Wayne is paved
- Low bidder for Main Street is Tumbush Construction from St. Henry
- Bids coming November 6th for Buckeye Street and Havemann sub station

AUDIENCE COMMUNICATIONS:

Laura Kesson, Lima Ohio, explained the possible closing of the postal distribution center in Lima and what it could mean to 458 zip codes. She asked that council consider passing a resolution to keep mail service locally and to contact local state representatives and congressmen. Laura said the closing could mean over 100 employees could lose their jobs in eight counties. She gave some statistics comparing Lima to Toledo center.

NEW BUSINESS:

70-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a fifth supplement to the 2009 Annual Appropriations, and declaring an emergency. CM Scott asked the Chief Slusser if this is everything he would need. Chief Slusser said this ordinance is just to cover purchase of vehicle. If we would have to buy everything else needed it would be less than \$3,000 but we will use what we can from other vehicle first. Director Bachelor explained where the money would come from for the roller. CM King made a motion to suspend the rules, seconded by CM Sell. Roll call vote 7-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM Buxton. Roll call vote 7-0, Aye.

71-09-O: An Ordinance establishing the 2009 Sidewalk/Curb Project fund, appropriating funds, and declaring an emergency. Director Bachelor said we have appropriated \$60,000 from the general fund for this. \$12,000 is for unforeseen things that might come up. We failed to establish funds in the last ordinance. A motion to suspend the rules was made by CM Scott, seconded by CM Sell. Roll call vote 7-0, Aye. CM King made a motion to pass the ordinance, seconded by CM Larmore. Roll call vote 7-0, Aye.

OLD BUSINESS: (Second Reading)

68-09-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement related to the marketing of competitive retail natural gas supply. A motion to pass the ordinance to third reading was made by CM Sell, seconded by CM Sovinski. Roll call vote 7-0, Aye.

(Third Reading)

61-09-O: An Ordinance amending Ordinance 66-07-O establishing Debt Retirement Assessments for the Water Treatment Facility Project and declaring an emergency. Director Bachelor explained the change from 66-07-O. CM Larmore made a motion to pass the ordinance, seconded by CM King. Roll call vote 7-0, Aye.

62-09-O: An Ordinance amending Ordinance 42-06-O passed in August 2006 and Ordinance 39-09-O passed in June 2009 establishing water rates and declaring an emergency. Director Bachelor explained this is based on total chemical cost and he further explained difference in cost. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 7-0, Aye.

14-09-R: A Resolution concurring with the Ohio Department of Transportation (ODOT) warranted speed limit on State Route 197 (E. Wayne Street) from Myers Road to Golfview Drive. CM King made a motion to pass the resolution, seconded by CM Sovinski. Roll call vote 6-1, Aye. CM Scott voted Nay.

ADMINISTRATIVE REPORTS:

Director Bachelor reported:

- Leaf pick up in full swing
- Health department inspected city landfill
- Workers comp will be in to review all departments
- 50 soccer teams in for tournament this past week end
- November 7th will be a football tournament of 12 teams

Chief Slusser said there was a robbery at Dollar General a week ago. They are still working on the case. The department did catch suspects setting dumpster fires.

Auditor Stewart on the notes being rolled over the city got a 1.5% interest rate. There will be additional fees of \$8,000 - \$9,000 for recording fees etc.

A Streets & Alleys Committee meeting was set for November 2nd at 4:30 p.m. in the utility building.

FOR THE GOOD OF THE ORDER:

CM Sell asked if there was any discussion in the county on H1N1 vaccines coming. No one knew of anything.

CM Buxton asked a couple questions:

- Is flushing hydrants being done on overtime? Joe Wolfe said no, this is not overtime.
- Man holes on Johnson Ave. are down about 2", is that normal? Joe explained that the streets will settle down some.
- Is Staeger Rd. work done? Director Bachelor said they are working on regulators.

CM King said signs keep popping up for Celina Singles. Chief Slusser said they have been pulling signs every time they see them. Joe explained they have tried to catch them putting them up but have not been able to. He said they put them up at night very quickly.

CM Scott said he still has someone asking why the lights are on at the water tower when we are trying to save money. Chief Slusser said it is a security issue.

President Rodriguez adjourned the meeting at 8:04 p.m.

Jackie Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, October 26, 2009
GAC Plant - 7:00 P.M.

- TO: President Rodriguez, Members of Council, Mayor LaRue,
Interim Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice
- 1) Call to Order and Roll Call
 - 2) Acceptance of Agenda
 - 3) Corrections and acceptance of September 28, 2009 Regular Council Meeting minutes
 - 4) Committee Reports
 - 5) Communications
 - 6) Audience Communications
 - 7) New Business: (First Reading)
70-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a fifth supplement to the 2009 Annual Appropriations, and declaring an emergency.

71-09-O: An Ordinance establishing the 2009 Sidewalk/Curb Project fund, appropriating funds, and declaring an emergency.
 - 8) Old Business: (Second Reading)
68-09-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement related to the marketing of competitive retail natural gas supply.

(Third Reading)
61-09-O: An Ordinance amending Ordinance 66-07-O establishing Debt Retirement Assessments for the Water Treatment Facility Project and declaring an emergency.

62-09-O: An Ordinance amending Ordinance 42-06-O passed in August 2006 and Ordinance 39-09-O passed in June 2009 establishing water rates and declaring an emergency.

14-09-R: A Resolution concurring with the Ohio Department of Transportation (ODOT) warranted speed limit on State Route 197 (E. Wayne Street) from Myers Road to Golfview Drive.

(Tabled)
45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.
 - 9) Administrative Reports
 - 10) For the Good of the Order

Revised 10-23-2009

11) Adjournment

Jackie L. Lacy, Council Clerk

AGENDA
Regular Meeting of City Council
Monday, November 9, 2009
GAC Plant - 7:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

- 1) Call to Order and Roll Call
- 2) Acceptance of Agenda
- 3) Executive Session – Property Acquisition
- 4) Corrections and acceptance of October 26, 2009 Regular Council Meeting minutes
- 5) Committee Reports
- 6) Communications
 Jared Ebbing, Mercer County Community Development Director, Resolution 17-09-R
- 7) Audience Communications
- 8) New Business: (First Reading)
 72-09-O: An Ordinance authorizing the City of Celina to accept the Clean Ohio Trail Funds Grant for construction of Phase II of the West Bank Walkway, to advertise and accept bids, and further authorize the Board of Control to award the bid and the Safety Service Director to enter into a contract, and declaring an emergency.

 73-09-O: An Ordinance amending Ordinances 42-08-O and 40-09-O by changing all references of April 2013 to May 2013.

 74-09-O: An Ordinance to approve the form and authorize the execution of Power Sales Contracts with American Municipal Power, Inc. and taking other actions in connection therewith regarding Meldahl and Greenup Hydroelectric Project participation and declaring an emergency.

 75-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a sixth supplement to the 2009 Annual Appropriations, and declaring an emergency.

 16-09-R: A Resolution requesting the US Congress to delay the United States Postal Service from moving its facility for processing mail originating in the 458 zip code from the Lima Processing and Distribution Center to the Toledo facility until the effect of such proposal on costs and delivery standards is fully investigated, and declaring an emergency.

 17-09-R: A Resolution of interest and support to participate in the Grand Lake Watershed “Balanced Growth Plan” and declaring an emergency.
- 9) Old Business: (Third Reading)
 68-09-O: An Ordinance authorizing the Safety-Service Director to enter into an agreement related to the marketing of competitive retail natural gas supply and declaring an emergency.

(Tabled)

45-09-O: An Ordinance on intent to appropriate a thirty-five thousand one hundred eighty-six square foot, more or less, fee simple interest, along with the structure on that property, from John and Cheryl Larbus, said acreage located east of Ash Street and contiguous to the City of Celina Park, City of Celina, County of Mercer, State of Ohio.

- 10) Administrative Reports
- 11) For the Good of the Order
- 12) Adjournment

Jackie L. Lacy, Council Clerk

AGENDA
Special Meeting of City Council
Monday, December 21, 2009
Celina Municipal Utilities Office - 5:00 P.M.

TO: President Rodriguez, Members of Council, Mayor LaRue,
Safety Service Director Bachelor, Planning & Community Development Director Bryan
City Auditor Stewart, City Law Director McKirnan
News Media - WCSM, WKKI, The Daily Standard, Time Warner, Public Notice

1) Call to Order and Roll Call

2) New Business:

82-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$1,200,000, in anticipation of the issuance of bonds, to pay costs of the construction and installation of a walkway along Westbank Road and Lakeshore Drive adjacent to Grand Lake referred to as the "Celina Rotary Walkway Project," and including restrooms, shelter house(s), parking, and connecting bike paths, together with all necessary appurtenances thereto, and declaring an emergency.

83-09-O: An Ordinance amending various categories within Ordinance 9-09-O as an eighth supplement to the 2009 Annual Appropriations, and declaring an emergency.

3) Adjournment

Jackie L. Lacy, Council Clerk