

Minutes of Logan City Council Regular Meeting
City Council Chambers 7:00 P.M. November 10, 2020

(Due to the need for Covid-19 related need for social distancing, meetings are held at the Logan-Hocking Middle School Library.)

Guests: Safety-Service Director Bruce Walker, Law Director Abby Saving, City Auditor Chris Robers, Phillip Lightfoot, Diane Sargent, Michael Elliott and Leland Vogel Absent: Mayor Greg Fraunfelter, Treasurer Jen Fickel, and Logan Daily News Alexsei Pavloff

Call to Order: The meeting was called to order by President Pro Tem Jim Robinson at 7:05 p.m. and led the Pledge of Allegiance with prayer following.

Roll Call: Present –Shirley Chapman, Dave Driscoll, Judie Henniger, James Martin, Jim Robinson and Ed Tucker Absent: Mike Berry and Council President Fred Hawk

Chapman made a motion to excuse Councilman Berry’s absence, which was seconded by Driscoll. After a voice vote the motion unanimously passed.

Approval of Proceedings: Chapman made a motion to approve the October 27, 2020 minutes as submitted and was seconded by Henniger. After a voice vote the motion unanimously passed.

People Appearing Before Council:

Michael Elliott – Elliott, who appeared first before Council one month ago, came to give them an update on developments and updates made since that time. One aspect he explained would be a 5 member quasigovernmental panel with two members appointed by the city, one member being the mayor and another appointed by the city council. He explained when the panel would meet and their responsibilities. He answered several questions for Sargent which brought her up to date on the development of the project.

Diane Sargent –County Treasurer Sargent appeared before Council to confirm if she was up to date with all information now available concerning the development of the proposed industrial site at the Logan Industrial Complex on Chieftain Drive. She was assured by Elliott that she had access to the most updated information, the same information everyone else had. There were aspects of the project she had not previously understood but after further explanation by Elliott tonight she felt more comfortable that this project would be a good thing for the community.

REPORTS:

Mayor - No report

Safety-Service Director – Walker said they were still excavating the new Water Plant

site and landscaping was being planted; work was near completion. Tucker asked if there was still an open house planned for the plant and through discussion it was determined there would not be a public open house due to the corona virus but there would be at some point an opportunity for council members to tour the plant.

City Auditor – Robers submitted the October Auditor’s report for approval. Tucker made a motion to accept the report as submitted which was seconded by Driscoll. After a voice vote the minutes were unanimously accepted.

City Treasurer – Robers submitted for approval the October Treasurer’s report for the absent Jen Fickel. Driscoll made a motion to accept the report as submitted which was seconded by Tucker. After a voice vote the minutes were unanimously accepted.

Law Director – Saving explained that she was providing a corrected version of Resolution No. 23 and Ordinance No. 57 and 59. She will need council members to make a motion to accept the amended version of each as we proceed. She also said that under the weight of so much legislation she had incorrectly numbered one of tonight’s emergency legislations. Emergency Resolution No. 29 will need changed to No. 32 since No. 29 has already been used. She will need a councilman to make a motion to make this amendment.

Finance – Robinson submitted the minutes for the November 2, 2020 meeting. He said he would explain specific new legislation as we progressed through the First Readings. The next Finance Committee meeting will be Monday, November 16, 2020 at 9 a.m. in council chambers.

Public Utilities - No report

Recreation - No report

Water & Sewer – Since Berry was absent, Robinson also submitted minutes for the November 2, 2020 committee meeting where proposed changes to the water and sewer capacity fees, and inspection fees were finalized, in the hope of simplifying the process for the water department staff. They also addressed some general wording and nomenclature within the proposed document. Finally, the committee had been informed of a potentially inadequate water pressure situation in South Logan. The mayor would keep council apprised of developments.

Streets and Alleys –Henniger provided minutes for November 2 at 8:30 meeting. The committee approved the vacation of the alley between 556 and 546 Church Street from Church to the service alley between Church and Third Streets. They discussed if it was necessary to bring proposed street vacations should be brought to the Planning Commission for approval before presenting the vacation to Council but Law Director Saving said that upon reviewing the Ohio Revised code this was not necessary.

Public Safety – No report

Planning and Annexation –Chapman submitted meeting minutes for November 2, 2020. The committee met with Jesse Fuller who is seeking a zoning change from M-2R-3 for property that is between the Hocking Hills Senior Center Annex and the WLGN radio station. Chapman explained to Fuller that the City has adopted a comprehensive plan for the large area east side (that includes his property) which is intended for a wide variety of business uses. She explained that Fuller has the burden to prove that his proposed zoning amendment is justified as better than the City's current plan. Robinson and Chapman agreed that it was not likely that Council as a whole would approve a zoning change for his small, singular piece of property. They advised Fuller to contact the CIC to get information about individuals interesting in purchasing business property with an M-2 zoning code.

Cemetery & Parks – No report

Reading of Communications – None

LEGISLATION:

EMERGENCY:

Ordinance No. 67, 2020

AN ORDINANCE APPROPRIATING FROM UNAPPROPRIATED MONEY IN THE LOCAL CORONA VIRUS RELIEF FUND THE SUM OF \$369,242.23 AND INCREASING EXPECTED REVENUE IN THELOCAL CORONA VIRUS RELIEF FUND BY \$369,242.23 AND DECLARING AN EMERGENCY. Robinson explained this was new CARES Act funding and this legislation would provide appropriate tracking of the money. Driscoll moved to suspend the rule of council to eliminate the second and third reading. This motion was seconded by Tucker and unanimously passed after a roll call vote. Chapman moved to pass the ordinance which was seconded by Tucker. After a roll call vote the motion passed, all voting yea.

Chapman made a motion to amend Resolution No. 29 to Resolution No. 32. This motion was seconded by Driscoll and after a roll call vote the motion unanimously passed.

Resolution No. 32, 2020 (previously No. 29, 2020)

A RESOLUTION AUTHORIZING THE MAYOR AND/OR THE SERVICE DIRECTOR OF THE CITYOF LOGAN, OHIO TO EXPEND LOCAL CORONA VIRUS RELIEF FUNDS TO PURCHASE ITEMS FOR THE POLICE DEPARTMENT DEEMED NECESSARY DUE TO THE CORONA VIRUS PANDEMIC, AND DECLARING AN EMERGENCY. Chapman moved to suspend the rule of council to eliminate the second and third reading. The

motion was seconded by Henniger and unanimously passed after a roll call vote. Tucker moved to pass the resolution which was seconded by Driscoll. After a roll call vote the motion passed, all voting yea.

Resolution No. 30, 2020

A RESOLUTION ESTIMATING AGGREGATE AMOUNT OF THE CEMETERY ENDOWMENT FUND TO BE AWARDED AS INACTIVE DEPOSITS; NOTING THAT BIDS OF INACTIVE FUNDS AND APPLICATIONS FOR DEPOSITS OF ACTIVE FUNDS WILL BE RECEIVED; AND SETTING DATE OF MEETING FOR DESIGNATION OF DEPOSITORY, AND DECLARING AN EMERGENCY. Auditor Robers explained that this money is an endowment to fund for cemetery maintenance. The money had previously been in a CD and Meeder Investments had advised it be put back into a CD. Driscoll moved to suspend the rule of council to eliminate the second and third reading. This motion was seconded by Martin and unanimously passed after a roll call vote. Chapman moved to pass the resolution which was seconded by Henniger. After a roll call vote the motion passed, all voting yea.

THIRD READING:

Ordinance No. 53, 2020

AN ORDINANCE CREATING TWO NEW LINE ITEMS WITHIN THE WATER IMPROVEMENT FUND AND APPROPRIATING FROM UNAPPROPRIATED MONEY IN THE WATER IMPROVEMENT FUND THE SUM OF \$11,241,365.48 TO THE NEWLY CREATED LINE ITEMS AND INCREASING EXPECTED REVENUE IN THE WATER IMPROVEMENT FUND BY \$11,241,365.48.

Chapman moved to pass the ordinance which was seconded by Tucker. After a roll call vote the motion passed, all voting yea.

Ordinance No. 54, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$35,000.00 FROM UNAPPROPRIATED MONEY IN THE CAPITAL IMPROVEMENT FUND. Driscoll moved to pass the ordinance which was seconded by Tucker. After a roll call vote the motion passed, all voting yea.

Ordinance No. 55, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$4,000.00 FROM UNAPPROPRIATED MONEY IN THE WATER FUND. Tucker moved to pass the ordinance which was seconded by Driscoll. After a roll call vote the motion passed, all voting yea.

Ordinance No. 56, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$4,000.00 FROM UNAPPROPRIATED MONEY IN THE SEWER FUND. Chapman moved to pass the ordinance which was seconded by Martin. After a roll call vote the motion passed, all voting yea.

Resolution No. 21, 2020

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LOGAN TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DOT'S 2020 TRANSPORTATION ALTERNATIVES PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED. Driscoll moved to pass the ordinance which was seconded by Henniger. After a roll call vote the motion passed, all voting yea.

SECOND READING:

Resolution No. 22, 2020

A RESOLUTION APPROVING A PETITION, ARTICLES OF INCORPORATION AND INITIAL PLAN FOR THE CITY OF LOGAN (HOCKING COUNTY), OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT.

Resolution No. 23, 2020

A RESOLUTION DECLARING THE NECESSITY OF ACQUIRING AND CONTRACTING CERTAIN PUBLIC IMPROVEMENTS IN COOPERATION WITH THE CITY OF LOGAN (HOCKING COUNTY), OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT AND THE HOCKING COUNTY PORT AUTHORITY AND DECLARING AN EMERGENCY.

Ordinance No. 57, 2020

AUTHORIZING THE CITY'S PARTICIPATION IN FINANCING SPECIAL ENERGY IMPROVEMENT PROJECTS IN COOPERATION WITH THE CITY OF LOGAN (HOCKING COUNTY), OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT; AUTHORIZING THE EXECUTION OF DOCUMENTS TO EFFECTUATE SUCH FINANCING; AND DECLARING AN EMERGENCY.

Ordinance No. 58, 2020

AN ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT, OF CERTAIN PUBLIC IMPROVEMENTS IN COOPERATION WITH THE CITY OF LOGAN (HOCKING COUNTY), OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT AND DECLARING AN EMERGENCY.

Ordinance No. 59, 2020

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN COOPERATION WITH THE CITY OF LOGAN (HOCKING COUNTY), OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT AND DECLARING AN EMERGENCY.

Ordinance No. 60, 2020

AN ORDINANCE AMENDING CHAPTER 157, SECTION 157.064 OF THE CODIFIED ORDINANCES OF THE CITY OF LOGAN TO CORRECT THE SECTION TITLE.

Ordinance No. 62, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$7,100.00 FROM UNAPPROPRIATED MONEY IN THE SEWER FUND.

Ordinance No. 63, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$42,100.00 FROM UNAPPROPRIATED MONEY IN THE WATER FUND.

Ordinance No. 64, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$27,000.00 FROM UNAPPROPRIATED MONEY IN THE GENERAL FUND.

Ordinance No. 66, 2020

AN ORDINANCE ADOPTING CHAPTER 150.7, TITLED SIGN REGULATIONS, OF THE ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF LOGAN, AND REPEALING SECTION 15.201-150.217 OF THE ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF LOGAN

Resolution No. 24, 2020

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LOGAN OR THE SERVICE DIRECTOR TO BORROW THE SUM OF \$426,588.00 FROM HUNTINGTON PUBLIC CAPITAL CORPORATION FOR THE LEASE OF A VACTOR 2110 COMBINATION SEWER CLEANER. Robinson explained that although the total amount owed was still \$426,588.00, they had changed the payment timeline to five years from six, thus increasing the yearly payments on the debt to \$70,965.95. Robinson made a motion to amend the payment to the correct amount. Tucker seconded the motion and after a roll call vote the motion unanimously carried.

Resolution No. 25, 2020

A RESOLUTION TRANSFERRING THE SUM OF \$39,000.00 FROM THE WATER FUND

TO THE DEBT RESEVE FUND.

Resolution No. 26, 2020

A RESOLUTION TRANSFERRING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND TO THE RECREATION TRUST FUND.

Resolution No. 27, 2020

A RESOLUTION ACCEPTING THE BID, AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF LOGAN AND/OR THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT BETWEEN THE CITY OF LOGAN AND GOOD BUILDERS INC. FOR THE PROJECT DESCRIBED AS THE GOODYEAR NO. 1 LIFT STATION PROJECT IN THE AMOUNT OF \$161,362.00, DESIGNED BY STANTEC CONSULTING SERVICES, INC. Chapman inquired if Good had submitted the required bond for this project. Robers said no, and Robinson inquired, "Will they?" It was expressed that Walker and Robers should insure that they do.

Resolution No. 28, 2020

A RESOLUTION ACCEPTING THE BID, AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF LOGAN AND/OR THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT BETWEEN THE CITY OF LOGAN AND D.V. WEBER CONSTRUCTION, INC. FOR THE PROJECT DESCRIBED AS THE EVELYN STREET SEWER IMPROVEMENT PROJECT IN THE AMOUNT OF \$48,542.00, DESIGNED BY STANTEC CONSULTING SERVICES, INC. Chapman again inquired if a bond had been submitted for the project and again the answer was no. Again, it was stated that it was important to insure that a bond had been submitted.

FIRST READING:

Robinson indicated that Ordinance No. 68- No. 71, 2020 represented recommendation from the state for the movement of funds and the creation of line items regarding the pool funds.

Ordinance No. 68, 2020

AN ORDINANCE CREATING NEW LINE ITEMS WITHIN THE CAPITAL IMPROVEMENT FUND AND APPROPRIATING FROM UNAPPROPRIATED MONEY IN THE CAPITAL IMPROVEMENT FUND THE TOTAL SUM OF \$62,685.20 TO THE NEWLY CREATED LINE ITEMS.

Ordinance No. 69, 2020

AN ORDINANCE REDUCING APPROPRIATIONS IN THE POOL CAPITAL

IMPROVEMENT FUND, CREATING A REVENUE LINE ITEM AND INCREASING EXPECTED REVENUE IN THE POOL CAPITAL IMPROVEMENT FUND BY THE TOTAL AMOUNT OF \$17,589.20.

Ordinance No. 70, 2020

AN ORDINANCE CREATING TWO NEW LINE ITEMS WITHIN THE POOL DEBT FUND, A REVENUE AND EXPENSE LINE ITEM, INCREASING THE REVENUE LINE ITEM BY \$45,096.00 AND APPROPRIATING FROM UNAPPROPRIATED MONEY IN THE POOL DEBT FUND THE SUM OF \$45,096.00 TO THE EXPENSE LINE ITEM.

Ordinance No. 71, 2020

AN ORDINANCE CREATING A NEW LINE ITEM WITHIN THE CAPITAL IMPROVEMENT FUND AND APPROPRIATING FROM UNAPPROPRIATED MONEY IN THE CAPITAL IMPROVEMENT FUND THE SUM OF \$110,232.00 TO THE NEWLY CREATED LINE ITEM.

Ordinance No. 72, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$7,500 FROM UNAPPROPRIATED MONEY IN THE WATER FUND.

Ordinance No. 73, 2020

AN ORDINANCE VACATING LIGHTFOOT ALLEY, PURSUANT TO SECTION 723.05 OHIO REVISED CODE AND WITH THE CONSENT OF THE OWNERS OF PROPERTY ABUTTING THE ALLEY THAT IS TO BE VACATED. At this point, Chapman expressed that she didn't think alleys should be vacated just because a person owns the property on either side of it. She felt it was inappropriate to "give" that property to anyone; they should have to pay. Law Director Saving agreed, saying a fee structure needed to be created for this; the city had \$800.00 invested in vacating the alley with no income to offset the cost.

Before discussing Ordinance No. 74, 2020, Robinson said a mistake had been found in the budget for 2021. At one point instead of being labeled 2021 it was mistakenly written as 2018. Tucker made a motion to amend the stated year of 2018 to the correct year 2021. The motion was seconded by Driscoll and after a roll call vote the motion unanimously passed.

Ordinance No. 74, 2020

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LOGAN, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021. Robinson said this annual appropriations legislation represented the budget for 2021. Much effort had been made to anticipate expenses based on expected need and designate the funds judiciously.

Ordinance No. 75, 2020

AN ORDINANCE TO INCREASE THE SALARY OF A CERTAIN CITY EMPLOYEE.
(Service Director). Robinson said several supervisory positions within the city had not had salary increases following the contract negotiations with the various collective bargaining units so it was agreed their salaries should be increased by 3%.

Ordinance No. 76, 2020

AN ORDINANCE TO INCREASE THE SALARIES OF CERTAIN CITY EMPLOYEES.
(Police Chief, Police Captain, Fire Chief and Code Enforcement Officer)

Ordinance No. 77, 2020

AN ORDINANCE TO INCREASE THE SALARY OF A CERTAIN CITY EMPLOYEE.
(Waste Water Treatment Plant Superintendent)

Ordinance No. 78, 2020

AN ORDINANCE TO INCREASE THE SALARY OF A CERTAIN CITY EMPLOYEE.
(Water Treatment Plant Operator)

Resolution No. 31, 2020

A RESOLUTION TRANSFERRING THE TOTAL SUM OF \$62,685.20 FROM THE CAPITAL IMPROVEMENT FUND TO THE POOL DEBT FUND AND THE POOL CAPITAL IMPROVEMENT FUND.

ADJOURN: A motion was made by Chapman and seconded by Martin to adjourn. The motion passed by voice vote – all yea. The meeting adjourned 8:05 p.m.

Merrilee Carlson, Clerk

Fred Hawk, Council President