

Minutes of Logan City Council Regular Meeting
City Council Chambers 7:00 P.M. October 27, 2020

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

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

Call to Order: The meeting was called to order by President Fred Hawk at 7:05 p.m. and led the Pledge of Allegiance. Jim Robinson gave the prayer.

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

Approval of Proceedings: Chapman made a motion to approve the October 13, 2020 minutes as submitted and was seconded by Henniger. After a voice vote the motion unanimously passed.

People Appearing Before Council:

Phillip Lightfoot – Lightfoot said had spoken to Henniger who had requested he obtain a signature indicating permission to vacate the alley from the person whose property was closest to the alley. Lightfoot obtained that signature and signed the document as well. He submitted the document to Law Director Saving; he had previously given a check to Auditor Robers for the full bid amount for the property Lightfoot is purchasing from the city. This purchase is in connection to the vacation of an alley between his two pieces of property so he can ultimately have one deed for one combined, large piece of property. Saving reminded Lightfoot that the bid price did not include the closing costs so there would still be closing costs he would owe the city. Saving said the legislation for the proposed vacation of the alley between his properties to him would appear on the agenda for the next meeting as a First Reading.

Jesse Fuller – Fuller expressed interest in changing a zoning designation of a one plus acre lot on Radio Lane, from M2 (commercial) to R3 (residential). He understands there is a concern this would be considered spot zoning. He was directed to attend a Planning and Annexation Committee meeting to first consult them on the issue. Chapman will inform Fuller of the meeting date.

Michael Elliott and Leland Vogel – Elliott, an attorney and Vogel, the project developer of a proposed industrial site, which will be funded by C-PACE

(Commercial Property Assessed Clean Energy), a special funding available for energy efficient structures. Elliott said they were there to answer any questions regarding the special legislation (First Readings on tonight's agenda) necessary to support the next steps of development for the commercial building. Saving informed Elliott that the legislation pertaining to this project appeared on the agenda using emergency language so the legislation be effective immediately following the Third Reading.

Diane Sargent – As County Treasurer, Sargent expressed concern that she and the County Auditor had not been informed by Elliott and Vogel of the development of this project. As treasurer she felt there were many things that demanded her involvement. After much discussion, Elliott and Vogel acknowledged they needed to schedule a meeting soon to clarify information and make appropriate connections with Sargent.

REPORTS:

Mayor – Fraunfelter distributed information about city investments to council members.

Safety-Service Director – Walker said that the old water treatment plant demolition and wells was complete and now bringing the site was up to “final grade” and that all the city water projects were in the final stages.

City Auditor – No report

City Treasurer – Fickel informed council she had completed her certification in commercial paper, qualifying her to do investment management. Due to stock market instability, commercial paper can be maneuvered more easily, making this a safer investment option.

Law Director – No report

Finance – Robinson submitted the minutes for the Budget Committee meetings of October 19, 20, and 26, 2020. The city 2021 budget was approved at the October 26th meeting and will be on the agenda for the next meeting for the First Reading. At the October 19th meeting Gary Silcott explained that the USDA did an interim loan that they wanted the city to pay back the interest by taking out a bank loan. After some discussion it was determined the city could pay back the interest without taking out a loan and was the best course of action. Also, the capital improvements, special funds and storm water fund portions were all discussed and completed.

At the October 20th meeting, Robers explained there was a need for extra funding from major funds to cover payroll since there is an extra pay period in this fiscal year. Normally there are 26 pay periods, this year there is 27, a situation that occurs every seven years. This need was not addressed in the 2020 appropriations.

Consequently, the need in General Fund is \$27,000, Sewer Fund is \$7,100, and Water Fund is \$42,100. Numerous other requests for movement of money were made, which will be individually described with the legislation pertaining to each one.

Public Utilities - No report

Recreation - No report

Water & Sewer – Berry said the committee met October 20, 2020. Wenger is researching comparable sized city’s approach to fee determination but they will need another meeting to resolve the issue. The next meeting will be Monday November 2 at 10:00 a.m. in Council Chambers.

Streets and Alleys –Henniger scheduled the next committee meeting for Monday, November 2 at 8:30 a.m. in Council Chambers.

Public Safety – No report

Planning and Annexation – No report but Chapman scheduled the next committee meeting for Monday, November 2 at 11:30 a.m. in Council Chambers.

Cemetery & Parks – No report

Reading of Communications – None

LEGISLATION:

EMERGENCY:

Resolution No. 29, 2020

A RESOLUTION AMENDING RESOLUTION NO. 17, 2020 TO CORRECT THE PERCENTAGE PAID FOR INFRASTRUCTURE IMPROVEMENTS UNDER THE OHIO PUBLIC WORKS STATE CAPITAL IMPROVEMENT PROGRAM TO FIFTY ONE PERCENT (51%) AND DECLARING AN EMERGENCY. Robinson moved to suspend the rule of council to eliminate the second and third reading. This motion was seconded by Driscoll and unanimously passed after a roll call vote. Robinson moved to pass the ordinance which was seconded by Tucker. After a roll call vote the motion passed, all voting yea.

THIRD READING:

Ordinance No. 51, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$100,000.00 FROM UNAPPROPRIATED MONEY IN THE GENERAL FUND. Chapman moved to pass the ordinance which was seconded by Tucker. After a roll call vote the motion passed, all voting yea.

Ordinance No. 52, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$4,900.00 FROM UNAPPROPRIATED MONEY IN THE WATER FUND. Robinson moved to pass the ordinance which was seconded by Driscoll. After a roll call vote the motion passed, all voting yea.

SECOND 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. This is to create documentation of the grant funds received.

Ordinance No. 54, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$35,000.00 FROM UNAPPROPRIATED MONEY IN THE CAPITAL IMPROVEMENT FUND. This money is to complete payment for the new pool.

Ordinance No. 55, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$4,000.00 FROM UNAPPROPRIATED MONEY IN THE WATER FUND.

Ordinance No. 56, 2020

AN ORDINANCE APPROPRIATING THE SUM OF \$4,000.00 FROM UNAPPROPRIATED MONEY IN THE SEWER FUND. Both ordinance No. 55 and 56 are for special legal employee situation.

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.

FIRST 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. This legislation authorizes the creation of the Special Improvement District. Other projects can be added to this district at later times. This legislation prompted many questions and much discussion. Henniger inquired if the developer was buying this property from the CIC, and Elliott responded yes. Henniger then asked if the city is a partner with you, is there a financial investment for the city in buying the property and the answer was no. The city has no financial liability in this purchase. This agreement simply makes the special assessment financing possible by levying a special assessment on the property, at the behest of the owner of the property. Elliott said the lender of the purchase funds is does not hold a mortgage but uses the special assessment levied by the city. The benefit to the lender is this is better than a mortgage and the benefit to the borrower is he can get better terms by doing it this way. Hawk asked what happens if the borrower defaults on his payment and Elliott explained that the city treasurer would step in and would issue a tax lean just as if there had been a delinquent property tax payment. Berry inquired if the payments of the assessment would be made through the city bookkeeping or the county and Elliott clarified it would be the county. Hawk asked Sargent if she had any questions and she said she had many since this was the first any of this was being explained. The semi-annual payment for the developer would be approximately \$58,000.00 for twenty years. Again, they acknowledged Elliott and Vogel needed a specific meeting with the County Treasurer since this type of assessment had never been done here before.

Resolution No. 23, 2020

A RESOLUTION DECLARING THE NECESSITY OF ACQUIRING AND CONSTRUCTING 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. This legislation determines the city is on board with this project being developed and is willing to proceed. Berry inquired, "So the only reason you need the city on board is to be eligible for this special assessment?" and Elliott said ""yes, this is the only involvement the city has. No liability at all." The city is responsible for declaring the special assessments but they will be collected by the county.

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. A mistake had been made in the labeling of a section title in the city code book; this ordinance corrects that mistake.

Ordinance No. 61, 2020

AN ORDINANCE APPROPRIATING FROM UNAPPROPRIATED MONEY IN THE POOL DEBT SERVICE FUND THE SUM OF \$45,096.00 AND INCREASING EXPECTED REVENUE IN THE POOL DEBT SERVICE FUND BY \$45,096.00. Robinson made a motion to table this ordinance indefinitely, which was seconded by Driscoll. After a roll call vote the motion unanimously passed. Ordinance No 61, 2020 is indefinitely tabled.

Ordinance No. 62, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$7,100.00 FROM UNAPPROPRIATED MONEY IN THE SEWER FUND. This money is to pay overtime to city workers repairing several recent water line leaks.

Ordinance No. 63, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$42,100.00 FROM UNAPPROPRIATED MONEY IN THE WATER FUND. This money is to pay overtime to city workers repairing several recent water line leaks.

Ordinance No. 64, 2020

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$27,000.00 FROM UNAPPROPRIATED MONEY IN THE GENERAL FUND. This money is to pay overtime to city workers repairing several recent water line leaks.

Ordinance No. 65, 2020

AN ORDINANCE RENAMING A LINE ITEM WITHIN THE CAPITAL IMPROVEMENT FUND AND TRANSFERRING THE SUM OF \$45,096.00 FROM THE CAPITAL IMPROVEMENT FUND TO THE POOL DEBT SERVICE FUND. Robinson made a motion to table this bill indefinitely which was seconded by Tucker. After a roll call vote the motion unanimously passed. Ordinance No. 65, 2020 is indefinitely tabled.

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. The Planning and Annexation Committee developed new wording and specifications of outdated, poorly written legislation. Old signs will be grandfathered in. Robinson acknowledged the hard work of the committee and Chapman to make these necessary and extensive changes.

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.

Resolution No. 25, 2020

A RESOLUTION TRANSFERRING THE SUM OF \$39,000.00 FROM THE WATER FUND TO THE DEBT RESEVE FUND. This transfer was requested by Auditor Robers.

Resolution No. 26, 2020

A RESOLUTION TRANSFERRING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND TO THE RECREATION TRUST FUND. This money is being transferred from one fund to another per instructions of the State Auditor.

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.

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. This funding is for the installation of a sewer line for 4 houses located below Huddles Tire Center on Evelyn Street that had been promised when that area had been annexed into the city.

ADJOURN: A motion was made by Driscoll and seconded by Chapman to adjourn. The motion passed by voice vote – all yea. The meeting adjourned 8:35 p.m.

Merrilee Carlson, Clerk

Fred Hawk, Council President