



CITY OF PATASKALA

COUNCIL MEETING

February 1, 2010

The Council of the City of Pataskala met in regular session on February 1, 2010 at 7:00 PM at City Hall, located at 621 W. Broad Street. The pledge of allegiance was given and an invocation was provided. Roll Call: Brush, King, Lenzo, McKinstry, Raybourne, Sagar, and Triplett-present. Mayor Stephen J. Butcher presiding and Rufus B. Hurst, Law Director was present.

Citizens Comments:

Larry Lloyd gave an update on the Solid Waste District Proposed Plan and explained the need for a rate increase.

Martha Tykodi addressed Council regarding the purchase of a house and the creation of the Needham/Mead Museum

Evelyn Shaw, Mr. Varney, Jin Helfrich, Jack Jacox, Mike Fox, and Dave Hughes provided public comments and these comments are available by audio recording through the Office of the Clerk of Council.

Approval of Minutes:

McKinstry made a motion to approve the minutes from the January 11, 2010 Council Workshop. Seconded by Sagar. Roll Call: Brush-yes, King-yes, Lenzo-yes, McKinstry-yes, Raybourne-abstained, Sagar-yes, and Triplett-abstained. Mayor Butcher declared the motion passed.

McKinstry made a motion to approve the minutes from the January 19, 2010 Council Study Session. Seconded by Raybourne. Roll Call King-yes, Lenzo-yes, McKinstry-yes, Raybourne-yes, Sagar-yes, Triplett-abstained, and Brush-yes. Mayor Butcher declared the motion passed.

McKinstry made a motion to approve the minutes from the January 19, 2010 Council Meeting. Seconded by Raybourne. Roll Call: Lenzo-yes, McKinstry-yes, Raybourne-yes, Sagar-yes, Triplett-abstained, Brush-yes, and King-yes. Mayor Butcher declared the motion passed.

Unfinished Business:

McKinstry made a motion to have the third reading of Ordinance 2009-3953. Mayor Butcher declares motion dies for a lack of a second.

Brush made a motion to have the second reading of Ordinance 2010-3955. Seconded by Raybourne. The Clerk read the following:

ORDINANCE 2010-3955 Second Reading An ordinance amending Ordinance No. 2009-3941 passed November 16, 2009, which authorized the issuance of not to exceed \$3,210,000 of bonds for the purpose of paying part of the costs of acquiring and constructing improvements to the sanitary sewer system, to increase the maximum principal amount of such bonds to \$4,000,000, and matters related thereto.

Triplett made a motion to have the second reading of Ordinance 2010-3959. Seconded by Sagar. The Clerk read the following:

ORDINANCE 2010-3959 Second Reading An ordinance to enact Chapter 171 of the Pataskala Codified Ordinances and beginning July 1, 2010 the establishment of a one percent (1.0%) income tax and beginning July 1, 2011 a two percent (2.0%) income tax with up to a one percent (1.0%) credit to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City of Pataskala.

Brush made a motion to have the second reading of Ordinance 2010-3961. Seconded by Raybourne. The Clerk read the following:

ORDINANCE 2010-3961 Second Reading An ordinance of the City of Pataskala declaring the necessity for a tax levy of 7.0 mills for current expenses in excess of the ten mill limitation and establishing a schedule for the imposition thereof.

Discussion was regarding the need for a clarification if these funds could grow with additional development, improvements, or increased valuations.

Reports:

Barb Triplett, Council President expressed her appreciation to Council for her re-election as Council President. She also inquired what the procedure was for calling the first meeting of the Charter Review Commission.

Tim Boland, City Administrator indicated that the difference in the pay for the employee previously discussed would be about \$12,000.00. Mr. Boland reviewed his report to Council. He also noted that he had received notification of receiving a Litter Clean-up Grant. Mr. Boland referenced the Mayor's Court Report that he had just received today. Council noted that they had not received the report. The Clerk indicated that she had received the report for Council's packet today and that it would be in their packet on Friday.

Rufus Hurst explained which employees will receive cost of living adjustments and pay increases as scheduled in 2010. He also reaffirmed his recommendation regarding the date of passage of Resolution 2010-003 and or Resolution 2010-39004.

Jason Car, Finance Director reviewed his report to Council.

New Business:

McKinstry made a motion to have the first reading of Ordinance 2010-3962. Seconded by Brush. The Clerk read the following:

ORDINANCE 2010-3962 First Reading An ordinance to amend Chapter 1203, definitions, and Chapter 1255, Planned Development Districts, of the Zoning Code of the Codified Ordinances of the City of Pataskala, Ohio.

No action was taken on Resolution 2010-003.

No action was taken on Resolution 2010-004.

Brush made a motion to adopt **RESOLUTION 2010-005**, a resolution enacted by the council of the City of Pataskala, Licking County, Ohio, authorizing the City to participate in the Licking County Neighborhood Stabilization Program (NSP) and further authorizing the City Administrator to sign documents on behalf of the City related to the proposed demolition of blighted structures on NSP eligible city-owned properties. Seconded by King. Roll Call: King, Lenzo, McKinstry, Raybourne, Sagar, Triplett, and Brush-yes. Mayor Butcher declared the motion passed.

Brush made a motion to amend Council Rules of Order as presented on January 19, 2010. Seconded by Lenzo. Roll Call: Lenzo, McKinstry, Raybourne, Sagar, Triplett, Brush, and King-yes. Mayor Butcher declared the motion passed.

Raybourne made a motion to remove Motion 4 a motion to appoint Monica Gernert as City Representative to the Board of Directors of the Pataskala Corporate Park Joint Economic Development District and amended for the Development Committee to meet and to make a recommendation to the Council as to the appointment of the City representative. Seconded by King. Roll Call: McKinstry, Raybourne, Sagar, Triplett, Brush, King, and Lenzo-yes. Raybourne made a motion to amend to remove Monica Gernert and insert Tim Boland. Seconded by King. Roll Call: Raybourne, Sagar, Triplett, Brush, King, Lenzo, and McKinstry-yes. Mayor Butcher declared the motion passed. Roll Call on the original motion as amended: Sagar, Triplett, Brush, King, Lenzo, McKinstry, and Raybourne-yes. Mayor Butcher declared the motion passed.

Triplett made a motion authorizing City Administrator to enter into contract with EMH&T to perform a Study to Establish the Right-Of-Way along Main Street from Broad Street to Front Street and from Atkinson Street to Mill Street in an amount not to exceed \$13,000 in anticipation of Federal Stimulus Phase II funding. Seconded by King. Roll Call: Triplett, Brush, King, Lenzo, McKinstry, Raybourne, and Sagar-yes. Mayor Butcher declared the motion passed.

Addition Citizens Comments

Mike Fox, Dave Hughes, and Scott Starzyk provided public comments and these comments are available by audio recording through the Office of the Clerk of Council.

Brush made a motion to approve the renewal applications for Agricultural Districts for Mr. Reelhorn and Mr. and Mrs. Slonaker. Seconded by Raybourne. Roll Call: Brush-yes, King-yes, Lenzo-yes, McKinstry-abstained, Raybourne-yes, Sagar-yes, and Triplett-yes. Mayor Butcher declared the motion passed.

Brush announced there would be an Agriculture Committee Meeting held on February 16, 2010 at 5:15 PM to continue the review of applications for Agricultural Districts.

Brush noted that unless other members of the Building and Grounds Committee wished to meet he saw no reason to meet as long as the requested improvements were within the limitations under the authority of the Administrator, were within the limits of the budget, and was considered to be a safety measure.

Brush made a motion to authorize the President of Council to set the date and time for the Charter Review Commission Organizational Meeting. Seconded by McKinstry. Roll Call: King, Lenzo, McKinstry, Raybourne, Sagar, Triplett, and Brush-yes. Mayor Butcher declared the motion passed.

Brush made a motion to excuse Mrs. Triplett and Mr. Raybourne from the January 11, 2010 Council Workshop. Seconded by McKinstry. Roll Call: Lenzo-yes, McKinstry-yes, Raybourne-yes, Sagar-yes, Triplett-abstained, Brush-yes, and King-yes. Mayor Butcher declared the motion passed.

Brush made a motion to excuse Mrs. Triplett's absence from the January 19, 2010 Council Study Session and Council Meeting. Seconded by McKinstry. Roll Call: McKinstry-yes, Raybourne-yes, Sagar-yes, Triplett-abstained, Brush-yes, King-yes, and Lenzo-yes. Mayor Butcher declared the motion passed.

Brush requested time to make a motion to go into Executive Session regarding the pending litigation.

McKinstry gave an update on the Open House held on January 30, 2010. She explained that there was support for an income tax and there were constructive criticisms to keep it simple and all comments were presented in a respectful manner. She also noted that Bill Wilkins former Tax Commissioner for the State of Ohio as well as the former Director of the Office for Budget Management, and the Director of Administrative Services was there to present his prospective.

Lenzo thanked Martha Tykodi for coming and expressed his support for the museum and her commitment to the community. Lenzo also noted that Mr. Wilkins comments were above reproach. He also expressed interest in establishing a consistent process for Council appointments within the Council Rules of Order at the Council Workshop. Mayor Butcher explained that the agenda for the Council Workshop is full. Lenzo asked that it be included even if it can't be addressed that evening and is moved on to another meeting.

Triplett agreed with Mr. Lenzo and noted that Council is constantly working to provide basic services. She also expressed her appreciation to Mr. Smiley.

Sagar made a motion to appoint Monica Gernert to the Oaks Equalization Board. Seconded by Raybourne. Brush made a motion to table. Seconded by Sagar. Roll Call on the motion to table: Sagar-yes, Triplett-yes, Brush-yes, King-no, Lenzo-yes, McKinstry-yes, and Raybourne-yes. Mayor Butcher declared the motion to table passed.

Sagar noted that she was unable to attend the Open House on Saturday but heard what a great job Mrs. McKinstry did and offered congratulations.

King expressed an interest in establishing an alternate method for tracking absences in view of the numerous meetings held in a single evening.

Brush made a motion to go into Executive Session Pursuant to Ohio Revised Code section 121.22(G) (3), for a conference with an attorney, for the public body, concerning disputes involving the public body that are the subject of pending or imminent court action. Seconded by McKinstry. Roll Call: Triplett, Brush, King-no, Lenzo-yes, McKinstry-yes, Raybourne-no, and Sagar-yes. Mayor Butcher declared the motion passed.

Council entered into Executive Session at 8:45 PM.

Brush made a motion to come out of Executive Session. Seconded by McKinstry. Roll Call: Brush, King, Lenzo, McKinstry, Sagar, and Triplett-yes. Mayor Butcher declared the motion passed.

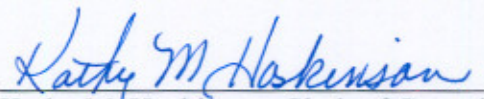
Council returned to open session at 9:10 PM.

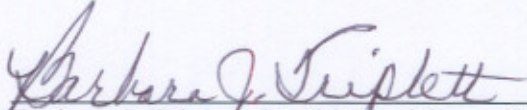
Brush made a motion to adjourn. Seconded by King. Roll Call: King, Lenzo, McKinstry, Sagar, Triplett, and Brush-yes. Mayor Butcher declared the motion passed.

Meeting Adjourned.

Minutes approved February 16, 2010.

ATTEST:


Kathy M. Hoskinson, Clerk of Council


Barbara J. Triplett, President of Council