

President Jennifer Hitt called the regular meeting of the London City Council to order. She led those present in the Pledge of Allegiance and observed a moment of silent reflection.

**CLERK ROLL CALL:** Trint Hatt, present; Rex Castle, present; Brenda Russell, present; Dick Minner, present; Lora Long, present; Josh Peters, present; Megan Douglas, present.

**MINUTES** of the previous meeting were approved as received. All were in favor by responding "aye".

**COMMUNICATIONS/ANNOUNCEMENTS:** None

**PUBLIC HEARINGS:** Ordinances Nos. 159-16, 161-16, and 162-16

Motion by Castle to enter into public hearing for 159-16 AN ORDINANCE AMENDING CHAPTER 1060, SOLID WASTE AND RECYCLING, OF THE CODIFIED ORDINANCES OF LONDON, second by Hatt.

Roll: Castle, yes; Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes.

Mayor Closser thanked council for not voting on this last week. He asked that it be voted down this evening. The Board of Public Utilities is working on a new plan with some very good scenarios. It should be a good balance to accommodate all.

He still felt it was important to have the public hearing for residents' to voice their opinions. There may be ideas presented that haven't even been thought of yet.

Mayor Closser thanked the BPU for listening to concerns and working as a team to resolve the issues.

Roger Bechtel, 150 E. High Street, addressed council. He shared that he is not just a concerned citizen, but also has 15 years of experience working with a trash and recycling company. Mr. Bechtel said he didn't have any specific suggestions. He just asked that everyone consider the expense of equipment, storing it, and possible replacement if stolen.

The trash containers are too heavy and cumbersome for senior citizens. He said that he was not complaining about increase, as it's a done deal, but just physical requirements.

He felt the proposal was inappropriate and if this was the best the board could come up with, then maybe they should consider replacing the board if it continues to function as is.

President Hitt thanked Mr. Bechtel for his comments and shared that they've heard many of the same concerns.

Brian Wood, 147 Liberty Street, addressed council. He felt the price of trash cans were too high and asked if they'd checked at Lowes, Home Depo, or Menards.

Mr. Wood was concerned of the price of replacement if the cans are stolen, due to not having a garage.

He noted that there had been concern of reducing workers compensation claims. He confessed that he was guilty of putting too heavy of materials out for trash, but added that operating 2:30-4:00 p.m. hours at the dump, are not convenient. He suggested hiring someone part time to keep the transfer station open later occasionally or even a Saturday.

Mr. Wood also felt it would be beneficial to expand on the recycling program as its good for the environment.

Motion by Hatt to enter in to public hearing for Ordinance No. 161-16, second by Douglas. Roll: Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes.

Mr. Chad Hyman, 150 Washington Avenue, would like to close the alley to build a garage. He will have the alley re-surveyed after it is closed.

Councilman Hatt noted council received a copy of correspondence between Law Director Siddiqi and the utility companies. The utility companies do not have a problem with the alley closure. They just need to maintain an easement.

Mr. Hyman stated the alley closure would cut down on traffic and theft in the area.

Councilwoman Douglas, a joining property owner, said she is in favor of the closer. She agreed with Mr. Hyman that there is a lot of vandalism in the area and the closure should help deter potential thieves.

Councilman Hatt just wanted to make sure that Ohio Edison and the other utilities would always have access to their equipment.

Mayor Closser suggested amending the ordinance regarding an easement for the utilities.

Motion by Long to enter into public hearing for ordinance No. 162-16, second by Russell. Roll: Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes.

Matt Miller, Willis Avenue, stated that the alley is not maintained. He plans to clean up the alley. The neighbor current parks there and will have access to continue to do so.

The public hearings adjourned.

**AUDIENCE CONCERNS:** None

**COMMITTEE REPORTS:** Councilman Castle attended the Board of Public Utilities meeting.

There will be no December finance committee meeting. The next meeting is January 16, 6:00 pm.

Councilwoman Long attended the BPU meeting.

Councilman Peters announced that the next public service meeting is December 8, 6:00 p.m.

Councilwoman Douglas pointed out January 16<sup>th</sup> is a holiday.

Councilman Castle will come up with another date for the January finance committee meeting.

There is no public safety committee meeting scheduled at this time.

President Hitt reminded everyone that the next city council meeting is Wednesday, December 14, instead of the regular Thursday date.

Mayor Closser asked that finance and safety meetings set a date for January.

**CITY OFFICIAL REPORTS:** Mayor Closser thanked everyone for coming in this evening and voicing their concerns.

He addressed council with his administrative report. (attached)

Mr. Stan Kavy, Board of Public Utilities, updated everyone on the water tower and new plant.

**OLD BUSINESS:**

ORDINANCE 134-16 AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$1,550,000 FOR THE PURPOSE OF RENOVATING AND IMPROVING AN EXISTING FACILITY FOR MUNICIPAL ADMINISTRATIVE PURPOSES, INCLUDING SITE IMPROVEMENTS AND APPURTENANCES THERETO; FURNISHING AND EQUIPPING THE SAME; AND ACQUIRING LAND AND INTERESTS IN LAND AS NECESSARY IN CONNECTION THERETO; AND AUTHORIZING AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS Sponsored by: Rex Castle

**TABLED**

ORDINANCE NO. 154-16 CONSENT TO LEGISLATION FOR MICROSURFACING Motion by Douglas to place on fifth reading, second by Hatt. Clerk read. Councilman Peters explained that the ordinance needs to be amended to add "not to exceed \$175,000.

Safety Service Director Mosier hoped that the project can begin by fall of 2017. Their "walk about" found many more items needed. They will get back with the engineers.

Councilman Hatt asked if the ordinance needs to be amended to add turn lanes or does it have to pass it as is and that's it.

Mr. Mosier responded that the additional items should be under the "not to exceed \$175,000.00".

Motion by Peters to amend to add "not to exceed \$175,000", second by Douglas. Roll to amend: Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes; Minner, yes.

Motion by Long to adopt, second by Douglas. Roll to adopt: Peters, yes; Douglas, yes; Hatt, no; Castle, yes; Russell, yes; Minner, yes; Long, yes.

**ADOPTED.**

ORDINANCE 157-16 Sponsored by: Rex Castle AN ORDINANCE DECLARING THE NECESSITY FOR PLANTING, MAINTAINING, TRIMMING, AND REMOVING SHADE TREES IN AND ALONG THE STREETS OF THE CITY OF LONDON, ESTIMATING THE COST THEREOF AND PROVIDING FOR THE LEVY OF SPECIAL ASSESSMENT Motion by Long to place on 5<sup>th</sup> reading, second by Douglas. Clerk read.

Motion by Castle to amend to add .22 mill, second by Long. Roll to amend: Douglas, yes; Hatt, yes; Castle, yes; Russell, yes; Minner, yes; Long, yes; Peters, yes.

This is a slight increase from previous years.

Motion by Castle to adopt, second by Russell. Roll to adopt: Hatt, yes; Castle, yes; Russell, yes; Minner, yes; Long, yes; Peter, yes; Douglas, yes.

**ADOPTED.**

ORDINANCE 159-16 Sponsored by: Josh Peters AN ORDINANCE AMENDING CHAPTER 1060, SOLID WASTE AND RECYCLING, OF THE CODIFIED ORDINANCES OF LONDON (attachment) Motion by Long to place on fourth reading, second by Douglas. Clerk read.

Motion by Peters to adopt, second by Hatt. Roll to adopt: Hatt, no; Castle, no; Russell, no; Minner, no; Long, no; Peters, no; Douglas, no.

**DEFEATED**

ORDINANCE 161-16 AN ORDINANCE VACATING AN ALLEY Sponsored by: Lora Long (attachment) Motion by Russell to place on fourth reading, second by Peters. Clerk read.

Motion by Hatt to amend to read "WHEREAS, Council, after public hearing, and the consent of all property owners abutting the alley, is satisfied that there is good cause for such vacation, that it will not be detrimental to the general interest, and will maintain clear and permanent access for the easement rights of utilities and that it should be made"; second by Castle.

Roll to amend: Castle, yes; Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, abstain; Hatt, yes.

Councilwoman Douglas commented that she's excited to see something going in on this lot that has sat vacated for seven years.

Motion by Castle to adopt, second by Russell. Roll to adopt: Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, abstain; Hatt, yes; Castle, yes. **ADOPTED**

ORDINANCE 162-16 AN ORDINANCE VACATING AN ALLEY Sponsored by: Brenda Russell (attachment) Motion by Russell to adopt, second by Hatt. Clerk read.

Councilwoman Russell commented that this will be an eye sore taken care of.

Motion to Hatt to amend to read "WHEREAS, Council, after public hearing, and the consent of all property owners abutting the alley, is satisfied that there is good cause for such vacation, that it will not be detrimental to the general interest, and will maintain clear and permanent access for the easement rights of utilities and that it should be made"; second by Long.

Roll to amend: Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes.

Motion by Russell to adopt, second by Hatt. Roll to adopt: Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes; Minner, yes. **ADOPTED.**

RESOLUTION 164-16 Sponsored by: Rex Castle AN ORDINANCE AMENDING CHAPTER 230 OF THE CODIFIED ORDINANCES Motion by Russell to place on third reading, second by Douglas. Clerk read.

Councilman Castle explained that this will allow for the mayor to have insurance. Currently, elected, part time positions of the law director and auditor have insurance. "We need to take care of our three top elected official positions."

Councilman Hatt stated he will be opposed to this. The whole conversation around this was because of the affordable health care act, that if employees worked 30 hours per week for a year, then the Feds would force us to give health insurance to those employees. There is no case law currently under ACA for elected officials. We are not sure if the affordable care act is going to be around with the new presidency.

"I think the new mayor needs to prove to us that he is working, I know he is, a year's worth of work, then we will provide insurance if the law applies."

Councilman Castle agreed with what was said, but council is not responsible for the two positions we supply insurance for. He thought there were requirements for the law director to work full time, but not the auditor. He felt council needs to be consistence in the way we do things.

"If we need to wait one more month to proof that he's working 30 hours, we can do that. But if we average out 11 months, I'm sure he's already done it."

Councilman Hatt commented that if this legislation included the auditor's position, he'd still be opposed to it. The auditor position was given insurance way before any of the current members served on council. Council has the ability to a make a change moving forward.

Mr. Hatt wasn't sure the Mayor's position warranted insurance. The additional costs incurred will be passed on to residents.

Councilwoman Long opinioned that this needs to wait to offer the insurance with next election, so that other people will have the opportunity. "Nothing personal."

Councilman Castle shared that even council members in other cities get health insurance. He wasn't by any means stating that our council should, but that we to take care of those who run the city. We tried to do this last year, but we postponed it to make sure he was working 30 hours per week for one year.

Motion by Castle to adopt, second by Minner: Roll to adopt: Douglas, yes; Hatt, no; Castle, yes; Russell, no; Minner, yes; Long, no; Peters, yes. **ADOPTED.**

RESOLUTION 166-16 Sponsored by: Trint Hatt A RESOLUTION AUTHORIZING Board of Public Utilities TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE City OF London FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN Motion by Russell to place on third reading, second by Peters. Clerk read.

Motion by Hatt to adopt, second by Russell. Roll to adopt: Castle, yes; Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes. **ADOPTED.**

ORDINANCE 167-16 Sponsored by: Rex Castle AN ORDINANCE AMENDING 1060.11 OF THE CODIFIED ORDINANCES Motion by Long to place on third reading, second by Douglas. Clerk read.

Councilman Castle explained that this is an opportunity to regulate the bins. He read over the proposed regulations.

Mr. Castle added that he is happy that the donation bin is gone from his neighborhood and there are no more problems in his ward!

Unfortunately, there are now other dumping sites in front of Walmart and Crown. There's a huge amount of trash.

Mayor Closser noted that the property owners have to give permission to have bins placed on their property.

Councilman Hatt commented that the bins can't be "policed" all the time. The Goodwill store is right there for clothing donations. The bins are more of a nuisance than anything.

Councilman Minner asked if notices were sent out as a reminder to Walmart that the city is not happy about this.

Mayor Closser replied that his administrative assistant, Amy Reece, sent out notices and invited the property owners to attend council meetings.

Motion by Castle to adopt, second by Hatt. Roll to adopt: Castle, yes; Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes.  
**ADOPTED.**

ORDINANCE NO. 168-16 Sponsored by: Rex Castle AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF LONDON, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017. Motion by Douglas to place on third reading, second by Long. Clerk read.

Councilman Castle explained that the auditor has 11 full months of revenue information in, so he made adjustments to the revenue budget. He was pleased to announce that with these adjustments, the budget presented is reflective of a \$199,998.00 deficit! The city is getting closer to a neutral budget. He thanked the auditor.

Mayor Closser thanked the auditor and his staff, Mr. Mosier, all council, and especially Mr. Castle. He commented that it seemed easier this year, everyone working as a team. "It's a good budget with a decrease in the percentage of increases. It would go up 9% every year. This budget is below percentage increase for the past many years."

Councilwoman Russell thanked administration, the auditor, Councilmen Castle and Hatt. They were very helpful in helping her understand the budget process. She appreciated all the time they put into the budget.

Councilman Castle asked Auditor Szabo if the mayor's insurance should be included in this budget ordinance.

Auditor Szabo commented that that was fine.

Councilman Castle motioned to amend the ordinance to increase the following line items by \$20,000; Mayor personal services - \$56,300.00; mayor total - \$71,500.00; general fund total - \$4,264,490.00; and grand total - \$17,473,071.10.

Motion was second by Long. Roll to amend: Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, no; Castle, yes.

Motion by Castle to adopt, second by Douglas. Roll to adopt: Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes.

**ADOPTED.**

RESOLUTION 169-16 Sponsored by: Dick Minner A RESOLUTION APPROVING TENTATIVE AGREEMENTS BETWEEN CITY OF LONDON AND LONDON FIREFIGHTERS, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 3509 Motion by Douglas to place on second reading, second by Russell. Clerk read.

Councilwoman Long shared her concern about the paramedics quarterly incentive pay. The strength ordinance has no more than four paramedic's eligible to receive the pay.

She contacted the law director for a legal opinion, who informed her that their contract does supersede our strength ordinance. So, if passed, the fire chief can choose to pay all his paramedics the quarterly incentive. "I think that is an issue."

Councilman Minner said he'd have to agree with her. He was not aware of this.

Councilwoman Long asked if the contract could be amended as she felt it could be a valid issue.

Councilman Minner asked it's been an issue yet.

Mrs. Long responded "not yet". It should say in the contract, "not more than four".

Councilman Hatt asked if it could go back to the union and changed.

Mr. Mosier said the contract has already been ratified, so it is a done deal.

Mrs. Long responded, "So we just gave him permission to give incentives to all. That's a lot of money."

Councilman Hatt stated he can be held accountable.

Mrs. Long was very concern if he would be held accountable.

Councilwoman Russell shared that last year the fire chief was specifically asked that he give the incentive pay to only four paramedics. He stood there and said "yes".

Mrs. Russel went on to say that we as a council will hold administration responsible to keep him in line. There is nothing we can do about the contract, but we can do something about administration.

Mrs. Long asked why council is even voting on it if there is nothing they can do about it.

Mrs. Russell said they can change it in two years. There's nothing we can do at this point, but to ride it out. "Live and learn."

Mrs. Long hoped that administration will stand up to the fire chief and do their part.

Mayor Closser stated that it is administration's job to manage those individuals and he didn't think they've done anything in the past 11 months to let council think they weren't going to be accountable.

Mayor Closser asked if Councilwoman Long had an email from Law Director Siddiqi.

Councilman Long replied "no", that she had spoken to him.

Councilman Hatt commented that it was an oversight on council's part.

Councilman Castle asked if the strength ordinance could be changed.

Safety Service Director Mosier said he talked with Brian Butcher about it.

Motion by Hatt to suspend rules, second by Minner. Roll to suspend: Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell; yes; Minner, yes.

Motion by Hatt to adopt, second by Brenda. Roll to adopt: Peters, yes; Douglas, yes; Hatt, no; Castle, yes; Russell; yes; Minner, yes; Long, no.

**ADOPTED.**

#### **NEW BUSINESS:**

ORDINANCE 171-16 Sponsored by Richard Minner AN ORDINANCE AMENDING ORDINANCE 194-11 TO REFLECT A RANGE OF SALARIES OF DEPARTMENT HEADS AND NON-UNION PERSONNEL (attachment) Motion by Douglas to place on first reading, second by Long. Clerk read.

Councilman Castle explained that since the unions are giving department heads raises, the city's non-union employees need to be compensated. Department heads should be making more than their employees.

Mr. Stan Kavy, board of public utilities, addressed council. He explained that the water superintendent will be taking on more work when the new plant is completed, so additional personnel do not have to be hired. They are requesting an additional 5% salary increase for just him. The figure will be calculated.

Councilman Hatt agreed with that department heads should be making more than their employees, but didn't feel it was a good reason just to make an automatic raise because the unions did.

Councilman Castle reminded that we are dealing with the unions. "They can rake us over the coals, but haven't. We have no recourse but to give department heads raises."

Councilman Hatt pointed out that if union contracts allow for pay raises every year and we try to keep up with them, we'll be giving all our money to our employees.

Mr. Stan Kavy commented that for three or four years department heads received no raises.

**LEFT ON 1<sup>ST</sup> READING.**

RESOLUTION 172-16 Sponsored by: A RESOLUTION APPROVING TENTATIVE AGREEMENTS BETWEEN CITY OF LONDON AND AFSCME (CASE NO(S). 2016-MED-06-0681, 0680, and 0679) Motion by Douglas to place on first reading, second by Peters. Clerk read. **LEFT ON 1<sup>ST</sup> READING.**

RESOLUTION 173-16 Sponsored by Richard Minner AN ORDINANCE AUTHORIZING ELECTED OFFICIALS WAGE ADJUSTMENTS Motion by Douglas to place on first reading, second by Russell. Clerk read. Adjust elected officials.

Councilman Hatt stated that he will be against this. He didn't feel that elected officials should get pay raises. He hoped that they didn't do it for the money. He pointed out that there are too many other things to worry about in the city such as the recreation department, department heads, etc. "It's the principle of it. We should not be padding our pockets."

President Hitt noted that this will not affect city council members.

Councilman Castle stated that there are many elected positions running the city. A higher salary may entice more applicants. The city wants qualified individuals.

Councilwoman Russell agreed.

Councilman Minner pointed out that it is a very small amount at 3% and is just a one-time shot.

Auditor Szabo asked that this be left on the first reading.

It was mentioned that the law director has not gotten a raise in eight years.

The three percent increase is more of an embarrassment.

**LEFT ON 1<sup>ST</sup> READING.**

RESOLUTION 174-16 Sponsored by: Rex Castle A RESOLUTION AUTHORIZING AUDITOR'S WARRANT FOR PAYMENT Motion by Douglas to place on first reading, second by Long. Clerk read.

Mr. Dan Leavitt, waste water superintendent, explained that the tests are scheduled at the beginning of the year for twice a year. He explained that it was a total oversight his part.

Motion by Castle to suspend rules, second by Douglas. Roll to suspend: Castle, yes; Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes.

Motion by Castle to adopt, second by Russell. Roll to adopt: Russell, yes; Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes. **ADOPTED**

RESOLUTION 175-16 Sponsored by: Rex Castle A RESOLUTION AUTHORIZING AUDITOR'S WARRANT FOR PAYMENT Motion by Russell to place on first reading, second by Peters. Clerk read.

Motion by Castle to suspend rules, second by Hatt. Roll to suspend: Minner, yes; Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes.

Motion by Hatt to adopt, second by Douglas. Roll to adopt: Long, yes; Peters, yes; Douglas, yes; Hatt, yes; Castle, yes; Russell, yes; Minner, yes.

**ADOPTED.**

## **ROUND TABLE**

Councilwoman Douglas thanked everyone for coming in this evening.

She also thanked our law enforcement in light of issues at the Ohio State University.

Councilman Castle thanked everyone for coming in this evening. He will check the calendar for a non-holiday date for the next finance committee meeting.

President Hitt thanked everyone for coming in this evening.

She gave a special thank you to Councilman Castle for his work with the bin legislation.

## **ADJOURN**

Motion by Russell to adjourn.

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Arlene Duffey, Clerk of Council

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Jennifer Hitt, President