

Nelsonville City Council met in regular session Monday, February 28, 2011, at 7 PM in Council Chambers. Mr. Dotson called the meeting to order. Mr. VanBibber offered the opening prayer. All present stood and recited the Pledge of Allegiance. **ROLL CALL:** All Council members were present. Mr. Joe Scherer, City Manager, and Mr. Garry Hunter, City Attorney, were also present.

Mr. Taylor made a motion to approve the minutes of the last regular meeting as presented. Mr. Hall seconded the motion. **ROLL CALL:** All Council members voted yea.

AUDITOR'S/TREASURER'S REPORT

The Clerk gave the Auditor's/Treasurer's Report for January 2011. Total cash on deposit for January 2011 was \$4,413,325.34. Year-to-date expenditures totaled \$503,479.23 or 8.79% of the total annual budget. Year-to-date revenues collected totaled \$454,686.05 or 8.39% of the estimated total revenue for 2011. Mr. Holmes made the motion to approve the Auditor's/Treasurer's report as presented. Mr. Taylor seconded the motion. There was no Council discussion or public comment. **ROLL CALL:** All Council members voted yea.

MAYOR'S REPORT AND ROLL CALL

The Clerk gave the Mayor's Court Report for January 2011. Mr. Hall made a motion to approve the report as read. Mr. Smith seconded the motion. **ROLL CALL:** All Council members voted yea.

CITIZEN'S COMMENTS

William Franklin Theisen spoke to Council regarding his treatment by the police. He said he is clean and does not do drugs any more but feels he has been harassed by the Nelsonville police. They have been very professional. He does not know what the problem is. He is not the same Frank Theisen he was and asked that if he is doing something wrong to take him to jail. If not please leave him alone. He is trying to get a business together. He noted that the sidewalks are really bad in some places in town and because of a knee problem he sometimes walks in the street.

COMMITTEE DISCUSSION

Mr. Holmes reported the **Police and Fire Committee** met February 22 to review staffing in the Fire Department. There is legislation tonight.

Mr. Smith said there is a **Utility Committee** meeting scheduled for tomorrow evening at 6 PM.

Mr. Hall announced a **Planning and Development Committee** meeting for March 8 at 6:30 PM.

Mr. Dotson announced a **Finance Committee** meeting March 8 at 7:30 PM.

FIRST READING

Mr. Hall introduced Ordinance 10-11
ORDINANCE 10-11. AN ORDINANCE AMENDING THE 2011 APPROPRIATIONS ORDINANCE TO APPROPRIATE THE SUM OF TEN THOUSAND DOLLARS (\$10,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE PERMISSIVE TAX FUND #220 TO LINE ITEM #220-170-21600 (ROAD SALT AND GRIT).

Mr. Hall introduced Ordinance 11-11
ORDINANCE 11-11. AN ORDINANCE TRANSFERRING TWENTY-FOUR THOUSAND THREE HUNDRED DOLLARS (\$24,300.00) FROM THE GENERAL FUND TO THE PARKING METER FUND.

Mr. VanBibber introduced Ordinance 12-11.
ORDINANCE 12-11. AN ORDINANCE AMENDING THE 2011 APPROPRIATIONS ORDINANCE TO APPROPRIATE THE SUM OF TWENTY-FOUR THOUSAND THREE HUNDRED DOLLARS (\$24,300.00) FROM THE UNAPPROPRIATED BALANCE OF THE PARKING METER FUND #825 FOR PERSONNEL AND OTHER COSTS.
Frank Theisen said some parking meters don't work and some do. Mr. Smith said parking has not been enforced and that is why someone is being hired.

Mr. Holmes introduced Ordinance 13-11.
ORDINANCE 13-11. AN ORDINANCE AMENDING THE 2011 APPROPRIATIONS ORDINANCE TO APPROPRIATE THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE STREET LIGHT LEVY FUND 350 TO LINE ITEM #350-275-60012 (REPAIRS AND MAINTENANCE).

Mr. Taylor introduced Ordinance 14-11.
ORDINANCE 14-11. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EMPLOY SEASONAL EMPLOYEES DURING 2011.

Mr. VanBibber said he has had a couple of complaints that some lifeguards did not receive the same amount of hours as others and they apparently had better credentials. He doesn't know if this is accurate but asked if someone could check into it. Mr. Dotson suggested talking with the pool manager

Mr. Holmes introduced Ordinance 15-11.
ORDINANCE 15-11. AN ORDINANCE MODIFYING THE STAFFING ORDINANCE FOR THE FIRE DEPARTMENT.

Gary Arnold, staff representative for AFSCME Ohio Council 8, asked Council to consider the safety issue. The staffing that is being proposed is putting not only firefighters at risk but also the public, and he urged Council to look at this as a safety issue and work with the union and the Fire Department to try to work out the staffing. Mr. VanBibber asked what the safety issues were. Mr. Arnold did not have a specific issue to address. He is speaking at the request of fire department personnel, but eliminating one or two positions is a safety issue.

Mr. Smith said in the last year we have operated with two firemen and a Chief, and he feels the Police and Fire Committee was trying to make improvements. Many communities the size of Nelsonville have volunteer fire departments, but we have always tried to keep full time firemen at the Fire Department. We have some of the best equipment around, and he looks at this ordinance as an improvement. He knows the old ordinance was four but there haven't been four there for a long time and we are providing for two part time firefighters. We are spread thin, but there is a limit to the money we have and we are doing the best we can. The City of Nelsonville has a proud history with our Fire Department and this Council has worked very hard to keep it a paid department. This is the best we can do right now. If the Chief needs more people he is sure the City Manager would recommend it to Council. Mr. Dotson said the Fire Chief was consulted during the 2011 budget process and this is the staffing level he recommended saying it would cut down on overtime and work for him. Frank Theisen said the City has expanded and he sees both sides of this issue.

Mr. Hall introduced Ordinance 16-11.
ORDINANCE 16-11. AN ORDINANCE EXTENDING THE PUBLIC DEFENDER CONTRACT FOR SIX MONTHS FROM JANUARY 1, 2011 THROUGH JUNE 30, 2011.

Mr. VanBibber introduced Resolution 2121.

RESOLUTION 2121. A RESOLUTION DESIGNATING DEPOSITORIES FOR ACTIVE MONIES FOR DEPOSIT IN PUBLIC DEPOSITORIES PURSUANT TO OHIO REVISED CODE CHAPTER 135; AND DECLARING AN EMERGENCY.

Mr. Smith made a motion to suspend the rules. Mr. Taylor seconded the motion. There was no public comment. Council discussion: Mr. VanBibber said he has noticed we have lost \$65,000 because of the interest. He asked if we have a better negotiated interest rate this year. Most of the City's money was in these same banks last year and he doesn't want to go through a year where we lost money because we are friendly and they are in our community. Mr. Hunter said this is for the active monies of the City, the monies needed in a six month period of time or less. The inactive monies are bid out periodically by the Auditor/Treasurer's office as CD's come due. We are not permitted to negotiate but we can solicit proposals and bids from financial institutions on a competitive basis. Mr. Holmes asked the Auditor if there are other banks that could have qualified. The Auditor said every five years we go through this application phase. It is widely advertised in newspapers and letters are sent to local banks. The banks listed in the Resolution are the only ones that responded. Mr. Smith said he didn't think anyone is getting good rates on CD's right now. Mr. Taylor said interests rates won't go up until inflation becomes a problem, but we didn't actually lose money. We lost potential interest because when we renewed the CD's the rates were not nearly as high as we had been accustomed to. **ROLL CALL:** All Council members voted yea.

Mr. Hall made a motion to adopt the rules. Mr. Smith seconded the motion. There was no public comment or Council discussion. **ROLL CALL:** All Council members voted yea.

Resolution 2121 passed on first reading under suspension of the rules.

CITY MANAGER'S REPORT

Mr. Scherer reported the Police Department has received a \$7,300 grant from Homeland Security for computer hardware upgrades that will allow them to purchase new towers and three laptops to be used in the cruisers. Six officers also received training on the Marks radio system, a high band FM frequency system, that a lot of public safety departments use. We do not have the radios yet because they are very expensive and will have to wait for another grant.

The Fire Department responded for mutual aid to a brush fire in Doanville on February 19. They used the brush truck to get behind the fire and help contain it before it could spread up the hill close to houses.

The Street Department is continuing with pothole repairs when the weather is dry enough. Because of the recent rain the flood pumps were operated last Friday to keep water from getting up to the City streets. The Street Department has identified several storm catch basins that need to be cleaned out. Some were cleaned out today and others will be done tomorrow. Beaver Construction was contacted regarding two blocked catch basins on Pleasantview. We need to coordinate with them to get those fixed.

Mr. Scherer has received a copy of the EPA approval documents and a memo from our engineer regarding the approved waste disposal process for the new water treatment plant. He will distribute these to Council. The approved process takes the waste into a holding tank which would then be slowly released into the sanitary sewer system and then treated at the wastewater plant.

GOOD OF THE ORDER

Mr. Holmes asked for an update on the pool repairs. Mr. Scherer said he has two estimates and is waiting for a third. Once he gets these he will take them to the Recreation Committee for review. If he does not have the third estimate by the end of this week he will move forward with the two bids.

Mr. Taylor made a motion to adjourn. Mr. Smith seconded the motion. **ROLL CALL:** All Council members voted yea.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council