

## RECORD OF PROCEEDINGS

Minutes of

February 16, 2023

Meeting

Casto &amp; Harris Inc. Form S-301 E1412692LD

Held \_\_\_\_\_

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**London City Council**

20 S. Walnut Street, London, Ohio 43140

February 16, 2023 at 6:30pm

**Call to Order** The meeting was called to order by President Comer at 631PM**Roll Call** Eades-here, Peters-Here, Robinson-Here, Hays-Present, Hitt-Here, Stahl-Present**Minutes** The minutes of the February 2, 2023 meeting were approved by a voice vote.**Public Hearing** - None**Communications/Announcements** – Liquor License- President Comer advises he just received a request for a liquor license transfer to F & M Enterprises doing business as Mad Cow. Mayor Closser advises that he reads this as the previous owner is transferring the D5 & D6 license to Mad Cow.**The License transfer was approved by a voice vote.****Audience Concerns**Doug Pyles 323 Bishop Drive – First concern is that the public cannot see any of the items that you are discussing can be seen. The past legislation can be seen, but not anything that you are discussing tonight. This is wrong. The second item is that you are misleading the public with the rates increases that you are considering tonight. The increases are 3%, 3& and 3% which equal 9%. These also go on forever, but these should be limited. This is not fair to property owners and businesses.Anita Likens - 157 E First Street – Continued reading the syllabus of the Supreme Court decision overturning Roe vs Wade.Tommy Boyd – 48 N Union Street – There has been a complaint about the lights from the Art Guild being too bright and bothering neighbors. The brick street by the Courthouse. It was discussed at a previous committee meeting that we should tear it out. Going thru BPU expenses and revenue, in the improvements part, is that is what is going to the repairs of the infrastructure? About the Amherst Blvd flooding, is this is what creating the need for the 13 million project. Is this because of the expansion of the houses. Why are we allowing changes to be made in the last 9 months of a 4 year term? We need to fix the water plant, and fix the infrastructure. Please say no tonight and request new legislation and request 5 million to

SSD Castle responded to the light situation. I had the Street Superintendent look into it and have determined that is coming from the Bus Garage, and that's out of our jurisdiction.

Mayor Closser responded to the brick road discussion- That is not what was said. This was discussed when I brought up that we should get back on a schedule of repairing streets. If we tear that out or repair it, it will be very costly. Instead of fixing 4-5 other streets, that's the amount of money it would probably take to fix that one small road.

Richard Duncan, Wastewater Superintendent answered the question about the BPU budget items (He did not use a microphone, and cannot be heard on the recording)

President Comer advised Mr. Boyd that most of his questions will be answered in the legislation.

**Committee Reports**

Eades – Attended the finance Meeting, most of these items will come before council tonight as new business.

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Peters – Attended the Finance meeting, and they will come before us tonight.

~~Held~~  
Robinson- Next Service Committee meeting is March 1<sup>st</sup>.

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Hays- Attended the Safety Committee meeting. Received reports from the fire & Police Departments. The Safety Service Director brought forth Zoning changes that will come before us tonight. The first is to change Lexington Green from a B-1 district to an R3 district. There will also be a Zoning change for W Lincoln Ave to change an area from B-1 to R-3 zoning. We are going to transfer funds for the Street Department to take care of some trucks. We also discussed the Feral cat issue (Tammy Braskett gave presentation, as below)

Hitt- Attended the Safety Committee meeting. Read Fire Chiefs report

Stahl – Attended the Safety Committee meeting. Read Police Chiefs report

Tammy Braskett – Gave a presentation about Feral cats, and how quickly they multiply. We are asking the City to set up a fund to take care of the voucher fee, and the \$10 co pay. We are approaching this as a reimbursement. This is everyone's problem. This is good as it gets.

Eades – Attended the BOPU special meeting: Not all of the money will be used for debt service. Of the \$20.83 increase that was being considered, \$2.35 is being used for the Sanitation Department for their operations, and will not be used for the debt service. The 3% increase for the Water service will be used for the debt service, so the actual amount to be used for debt service is \$18.48. We did not know that the Commercial water increase will generate about \$22,000 a month to be used for debt service. Mr. Lelonek stated that the funds would be collected on 3500 accounts, however our legislation states that the charges will apply to ALL accounts, and there are currently 3891 accounts according to Carol at the BOPU office. We did discuss the 3% that will be on forever. Mr. Scaggs was not in favor of an annual increase, Chairman Vest and Mr. Lelonek were in favor of keeping this. We discussed the debt service, and when it is paid off, should the fees stay the same. All members were in favor of keeping this on. Prepayment of the loans was discussed, as loans can be paid early. The BOPU may be interested in using excess funds to pay off the loans early, but they did not commit to this. The Loans are actually being projected as a slightly higher rate than they may actually be.

President Comer – The debt service is being calculated at 4%, but may actually be 3.5%, It is prudent to project a little higher in case the rates do increase. As for the 3% annual increase, it should probably be higher than this as there are many other issues that need to be addressed in the infrastructure.

#### City Official Reports

Mayor Closser gave his presentation.

#### Old Business

-Tabled Items

- Ordinance 151-22 - Sponsored by Rich Hays - An Ordinance amending official zoning

(LEFT ON THE TABLE)

#### 3rd Reading:

-ORDINANCE 115-23-Sponsored by: Rich Hays and Henry Comer-AN ORDINANCE AMENDING SECTION

1048.05 OF THE CODIFIED ORDINANCES (Attachment)

Councilman Hays – This will increase the rates for sewer service starting in July 2023, then again Jan 24, and January of 25. There will then be a 3% increase every January 1<sup>st</sup> there after.

Councilman Hays- He would like to discuss the 3% increase every year. There is a lot of concern from residents, including former Council members, that feels that we should not have the increase every year thereafter.

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President Comer – The 3% that is built in on these ordinances probably should have been put in place in the past. The increase should benefit the City of London perpetually. 20

Councilman Eades – City Council acts as the checks and balances to the BOPU when it comes to the rates. They should have to come back and justify changing the rates. If we pass the perpetual increase then we will no longer be the checks and balances. I would be in favor of limiting the time of the increases.

Councilman Hitt – How would it be worded?

Councilman Robinson – We could review it every 5 years.

Councilman Hitt – The increases that are happening in the first three years, will this cover the debt service?

Safety Service Director Castle – The increases for the first three years are to pay for the debt service, and the additional 3% is to pay for operational costs.

Councilman Hays – The Sanitation Department expenses have went up by 16.5%, the Sanitary Sewer has went up by 14.9%, and the Water Department has went up by 31.3%.

SSD Castle – Most of that has been due to repairs. Those departments have went up by 10-13 in the last 3 years.

Councilman Peters – Why don't we look at this every 2 years, since council changes every 2 years.

Councilman Robinson – I would suggest we leave the increases in place until 2028, and then review them.

**COUNCILMAN ROBINSON MOVED TO AMEND THE LANGUAGE OF THE 3% ANNUAL INCREASES TO BE REVIEWED IN 2028, AND THEN EVERY 5 YEARS. SECOND BY COUNCILMAN HITT.**

Roll Call for the Amendment: Eades- No. Peters-Yes. Robinson-Yes. Hays-Yes. Hitt -Yes, Stahl-Yes

Motion to Adopt by Robinson, 2<sup>nd</sup> by Stahl.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes.

**115-23 ADOPTED AS AMENDED**

**-ORDINANCE 116-23-Sponsored by: Rich Hays and Henry Comer-AN ORDINANCE AMENDING SECTION**

**1042 OF THE CODIFIED ORDINANCES (Attachment)**

Councilman Hays – This establishes the rates for Water services. He read the rates as shown on the attachment.

Councilman Eades – On 115-23 it was legislated in the ordinance what the rate increase would be. On 116 and 117 the new rates are on an attachment, is this an acceptable document? Also, I have the same objection as to the continual increase every January 1<sup>st</sup>.

President Comer – This document is legal, and we have other attachments that we have used in the past.

**Councilman Robinson moved to Amend 116 to read that the 3% increase will continue, but it will be reviewed in 2028 and every 5 years there after. 2<sup>nd</sup> by Councilman Hitt.**

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**Amendment Adopted**

**Motion to adopt the amended ordinance by Councilman Stahl. 2<sup>nd</sup> by Councilman Hays.**

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**ORDINANCE 116-23 WAS ADOPTED AS AMENDED.**

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~~RESOLUTION 117-23~~ Sponsored by: Rich Hays and Henry Comer A RESOLUTION AMENDING  
THE Field \_\_\_\_\_ 20 \_\_\_\_\_

**CURRENT TRASH RATES (Exhibit)**

Councilman Hays – The current rate is \$17.80 a month, and will increase by \$2.35, so the new rate will be \$20.15 a month. Hays also read from the exhibit. There will be a 3% increase every year.

Councilman Peters – How come the Commercial rates didn't change?

Sanitation Superintendent Les Geyman – Compared to other places, we are kind of high.

Councilman Eades – I object to the 3% annual increase thereafter. There is also nothing that indicates that the rates change in 2023, there is an indication that the 3% increases start January 2024.

**Councilman Robinson moved to amend resolution 117-23 to state the current rate goes into effect July 1 2023, and the 3% increases will continue, but it will be reviewed in 2028, and every 5 years thereafter.**

Second by Councilman Hitt.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**The Amendment was approved.**

**Motion to Adopt as Amended by Councilman Stahl, 2<sup>nd</sup> by Councilman Hays.**

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**RESOLUTION 117-23 HAS BEEN ADOPTED AS AMENDED**

Ordinance 118-23 Sponsored by John Stahl -A resolution adopting the recommendations of the planning commission for preliminary development plan.

Councilman Stahl – This is for the Keny Station Apartments. The Public hearing has been changed to March 16<sup>th</sup>. He questioned why the entrance was moved, as in the past entrances were lined up across from each other. Also wondered if Keny will need to be re lined as the road was originally built to have a turn lane.

Mayor Closser – The citizens at the condos across the street felt this would cause issues when try to leave their area. We can look at re lining the road.

Councilman Robinson – Why was the Public Hearing moved?

President Comer – The letters were not sent in time for the original Public hearing, so it was moved back.

**LEFT ON FOR 4<sup>th</sup> READING****New Business**

RESOLUTION 121-23 Sponsored by: Josh Peters A RESOLUTION INCREASING APPROPRIATIONS

Councilman Peters – This is to pay for the annual fireworks. We went with \$20,000 this year.

Motion to suspend the rules by Councilman Hays, seconded by Councilman Stahl.

Roll Call to suspend the rules: – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Stahl, Seconded by councilman Hays.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**RESOLUTION 121-23 ADOPTED**

RESOLUTION 122-23 Sponsored by: Greg Eades A RESOLUTION INCREASING APPROPRIATIONS

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~~Coleman & Hays, Inc. Form S-311 E14157352~~  
 Councilman Eades – This is to pay for sandblasting the pool, painting the pool, and pay for concrete repairs. 20

Recreation director Landon McKenzie – Coleman & Sons submitted a quote for the Sandblasting and Painting. The total was \$61,698, and if we do both, they will discount this by 15%, so the total will be \$52,422. They also advised that once the sandblasting is done, there will need to be concrete repairs. Which is how we came up with \$75,000 total.

Motion to suspend the rules by Councilman Eades, second by Councilman Robinson.

Roll Call to suspend the three reading rule– Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Hays, second by Councilman Hitt.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

#### **RESOLUTION 122-23 ADOPTED**

RESOLUTION 123-23 Sponsored by: Greg Eades A RESOLUTION INCREASING APPROPRIATIONS

Councilman Eades – This came out of the Finance Committee. The school pays to rent the garage, and as the landlord we should make sure that they have a furnace in the building.

SSD Castle – They pay a little over \$17,000 a year to rent the facility.

Motion to suspend the rules by Councilman Robinson, second by Councilman Eades

Roll Call to suspend the three reading rule – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Hays, second by Councilman Stahl.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

#### **RESOLUTION 123-23 ADOPTED**

RESOLUTION 124-23 Sponsored by: Rich Hays A RESOLUTION DECREASING APPROPRIATIONS

Councilman Hays – We originally appropriated \$230,000 to purchase a new plow dump truck. There is \$13,245 that is not needed for the purchase, so we need to out the money back into the fund.

Motion to suspend the three reading rule by Councilman Hays, second by Councilman Stahl.

Roll Call to suspend the three reading rule– Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Stahl, second by Councilman Hays.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

#### **RESOLUTION 124-23 ADOPTED**

RESOLUTION 125-23 Sponsored by: Rich Hays A RESOLUTION INCREASING APPROPRIATIONS

Councilman Hays- We are going to re appropriate the \$13,245 so the Street Department can buy pumps and tanks to put on our trucks for “wetting” which will be to pre treat the roads with a salt brine, or beet juice solution before a snow.

Motion to Suspend the three reading rule by Councilman Hays, second by Councilman Stahl.

Roll Call to suspend the three reading rule – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Stahl, second by Councilman Hays.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

#### **RESOLUTION 125-23 ADOPTED**

ORDINANCE 126-23 Sponsored by: Josh Peters AN ORDINANCE AMENDING ORDINANCE 193-19

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## SETTING THE SALARIES FOR PARKS AND RECREATION EMPLOYEES

Held  
 Councilman Peters – Currently our minimum rate is below the minimum wage. Our new minimum rate will now be the minimum wage moving forward. <sup>20</sup>

Motion to suspend the three reading rule by Councilman Robinson, second by Councilman Hays.

Roll Call to suspend the three reading rule– Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by councilman Hays, second by Councilman Stahl.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**ORDINANCE 126-23 ADOPTED**

RESOLUTION 127-23 Sponsored by: Josh Peters A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO SELL PROPERTY UNNEEDED, OBSOLETE OF UNFIT FOR MUNICIPAL PURPOSES VIA INTERNET AUCTION

Councilman Peters – The Recreation Department has unneeded equipment and property, which will exceed \$1,000. We would like to auction these items on govdeals.com.

Councilman Hitt- So these items are no longer needed?

Mayor Closser – On social media people have wondered why we didn't let people come in and buy items. There was an auction about 10 years ago, and people bought anything of value at that time. This is to sell the basketball hoops, scoreboards, padding.

Motion to suspend the three reading rule by Councilman Hays, second by Councilman Stahl.

Roll Call to suspend the three reading rule – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Stahl, second by Councilman Hays.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**RESOLUTION 127-23 ADOPTED**

RESOLUTION 128-23 Sponsored by: Josh Peters A RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR PERSONAL PROPERTY NO LONGER NEEDED FOR CITY PURPOSES

Councilman Peters – The Street Department has a 1999 International Dump truck with a plow they would like to sell. This will be a sealed bid process.

Motion to suspend the three reading rule by Councilman Hays, second by Councilman Stahl.

Roll Call to suspend the three reading rule – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

Motion to Adopt by Councilman Stahl, second by Councilman Hays.

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

**RESOLUTION 128-23 ADOPTED**

RESOLUTION 129-23 Sponsored by: Greg Eades A RESOLUTION AUTHORIZING THE BOARD OF PUBLIC UTILITIES TO PURCHASE A PUMP SLUDGE DIGESTER WITH A COST IN EXCESS OF THE \$25,000 LIMITATION

Wastewater Superintendent Richard Duncan – Every piece of equipment that is critical in our operation has a redundant piece. We had to have one repaired and it took a year to get it back. The other pump probably needs repaired now. This would be a spare in case we need it.

Motion to suspend the three reading rule by Councilman Hays, second by Councilman Stahl.

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Roll Call to suspend the three reading rule – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

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Motion to Adopt by Councilman Stahl, second by Councilman Hays

Roll Call – Eades-Yes, Peters-Yes, Robinson-Yes, Hays-Yes, Hitt-Yes, Stahl-Yes

## RESOLUTION 129-23 ADOPTED

RESOLUTION 130-23 Sponsored by: Andrew Hitt A RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE PLANNING COMMISSION FOR PRELIMINARY DEVELOPMENT PLAN

Councilman Hitt – This is for the real estate from Eagleton/Keny over to 38. There will be a public hearing on April 6<sup>th</sup>.

Councilman Eades – Is this for the first phase of Lexington Green?

Mayor Closser – This is already a PUD, and this is the preliminary plan submitted by MTB. They are not developers, and will be working with developers.

## LEFT ON FOR 2<sup>nd</sup> READING

ORDINANCE 131-23 Sponsored By: John Stahl AN ORDINANCE AMENDING OFFICIAL ZONING

MAP

Councilman Stahl- This is for the small section of Lincoln Avenue to change the zoning from a B1 to an R3. There used to be a small store there.

## LEFT ON FOR 2<sup>nd</sup> READING

### Round Table

Councilman Stahl – We passed a lot of good things for the City.

Councilman Hitt – Thanked the BPU, and thanked people for showing an interest.

Councilman Hays – Thanked the BPU. Thanked City employees for a job well done. This is the start of it and we need to be ready as people want to move here.

Councilman Robinson- Thanked everyone for coming out. Thanked the BPU for their hard work in putting the plans together.

Councilman Peters – Excited for the Future, we are set for the infrastructure. Expects London to grow, and it will be neat to see.

Councilman Eades – We received a letter from lady who objected to the rate increases and feels she will have to make a decision to not vote for the Fire Levy. Hopes that people don't feel that they have to make that decision as we need a Fire department, and the issues of the Fire Department have been a long time coming. Thanked everyone for coming out and having great, valid viewpoints.

President Comer – Thanked the BPU. These decisions are not easy to make. Thanked the Community for input, and we made adjustments based on their objections. Thanked Council for working together to improve the City, and not kick the can further down the road.

Adjournment – Meeting adjourned at 830PM.

  
City Council Clerk

  
City Council President