

Nelsonville City Council will meet in regular session Monday, December 13, 2021, at 7 PM at City Hall in Council Chambers.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Opening Prayer
4. Roll Call
5. Minutes from the last regular meeting and December 6 special meeting
6. Citizen's Comments
7. Business and Organizational Comments
8. Committee Discussion: Recreation, Street, Utility, Finance, Judiciary, Planning & Development, Police & Fire
9. Department Updates
10. First Reading
ORDINANCE 99-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK TO AWARD TAM CONSTRUCTION INC. THE CONTRACT FOR THE VFW LIFT STATION REPLACEMENT PROJECT.
11. Review and Sign Council Code of Conduct
12. City Manager's Report
13. Good of the Order
14. Executive Session O.R.C. 121.22(g) for Personnel and Legal Matters
15. Adjourn

Nelsonville City Council met in regular session Monday, November 22, 2021, at 7PM. President Dunfee called the meeting to order. All stood to recite the Pledge of Allegiance. Mr. Booth offered the opening prayer. **ROLL CALL:** All Council members were present.

Ms. Jones a motion to approve the minutes of the last regular meeting with a date correction.. Mr. Booth seconded the motion. **ROLL CALL:** All Council members voted yea.

AUDITOR'S/TREASURER'S REPORT

The Auditor gave the Treasurers report. Total funds as of October 31, 2021, totaled \$3,685,700.07. Year to date interest on invested funds total \$1,408.33.

The Auditor reported year to date expenses totaled \$6,849,965.03 and year to date revenue totaled \$7,801,024.16. Revenue outpaced expenses in the month of October. The General Fund continues towards a healthy balance which Mr. Sappington hopes to achieve by the end of 2022. The Street Fund is preparing for major expenses and the water and sewer funds need to keep large surpluses to meet debt payments in January and June.

The Auditor said the abatement letters have been sent out and he encouraged everyone to sign up for coverage. He also reminded everyone that the new procedures for water shut off go into effect January 1, 2022.

Mr. Dunfee made a motion to accept the Auditor's/Treasurer's reports as presented. Mr. Sherman seconded the motion. **ROLL CALL:** All Council members voted yea.

MAYOR'S COURT REPORT AND ROLL CALL

Mr. Sherman said the new bailiff has started but there is no Mayor's Court Report tonight. Seventeen people showed up of the 74 cited. There was discussion that the reason so few showed up was confusion because Mayor's Court had been suspended until the new bailiff took over the position.

Mr. Dunfee made a motion to approve the Mayor's Court Report. Mr. Sherman seconded the motion **ROLL CALL:** All Council members voted yea.

COMMITTEE DISCUSSION

Mr. Booth reported on the **Planning and Development Committee** meeting where there was discussion for future plans to the old sewer plant site. They discussed having recreation space, dog park and soccer field. Ms. Jones asked about the plans for demolition of the plant. Mr. Frank said it will be totally demolished and will become green space. He wants to keep the administration building for storage, etc. There will be a study of the area to possibly be able to have a canoe livery for boaters which will also give the Fire Department another emergency access area to the river.

Mr. Dunfee reported on the **Police and Fire Committee** meeting where there was discussion of the Nelsonville Police Department taking over the policing of Buchtel. The negotiations have gone well, and he feels it will be a win-win. There is legislation tonight to approve the plan.

Ms. Grant reported on a **Finance Committee** meeting where the 2022 budget was discussed.

POLICE DEPARTMENT UPDATE

Police Chief Fitch gave statistics for the department from January 2021 to present and talked about officer training. Officer Jones and Officer Atilla are both coming into their own. Atilla is a huge success and along with Officer Jones have been instrumental in the departments' success in drug arrests. The department will hold a Gun Lock Day on December 11 where they will give free gun locks to anyone who need one. The Sergeants' test is scheduled for December 1 and Chief has a panel of local police chiefs to do interviews. He mentioned he would like to have two sergeants positions sometime in the future. Chief Fitch would like to purchase the LexaPro system for the department. It would be very helpful with policy and

procedures and would strengthen the department. The system is pricy at \$21,000 the first year which includes implementation and \$7,900 per year after that. Chief has been working with the Village of Buchtel on the policing agreement. The issues in Buchtel are the same as Nelsonville experiences and he feel the department could adequately provide police service to both areas. There will be minimal fuel cost and response time would be very good.

SECOND READING

ORDINANCE 92-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK AND CITY AUDITOR TAYLOR SAPPINGTON TO ENTER INTO NEGOTIATIONS ON OUTSTANDING BILLS.

Ms. Joes made the motion to adopt. Mr. Booth seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 92-21 adopted on second reading.

ORDINANCE 93-21. AN ORDINANCE INCREASING THE SEWER RATES EFFECTIVE JANUARY 1, 2022 AND TRASH RATES EFFECTIVE APRIL 1, 2022.

Mr., Sherman made the motion to adopt. Mr. Dunfee seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea except Ms. Grant who voted no.

Ordinance 93-21 adopted on second reading.

FIRST READING

Mr. Booth introduced Ordinance 94-21.

ORDINANCE 94-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK TO ENTER INTO CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR PID NO. 112676 AND DECLARING AN EMERGENCY.

Mr. Taylor made a motion to suspend the rules. Mr. Sherman seconded the motion. **ROLL CALL:** All Council members voted yea.

Mr. Dunfee made the motion to adopt. Mr. Taylor seconded the motion. Discussion: Mr. Sherman said this contract is for the lights on the bypass. **ROLL CALL:** All Council members voted yea.

Ordinance 94-21 adopted on first reading under suspension of the rules.

Mr. Booth introduced Ordinance 95-21.

ORDINANCE 95-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK AND POLICE CHIEF SCOTT FITCH TO ENTER INTO A CONTRACT WITH THE VILLAGE OF BUCHEL FOR THE NELSONVILLE POLICE DEPARTMENT TO PROVIDE POLICE SERVICES AND MUTUAL AID TO THE VILLAGE OF BUCHEL AND DECLARING AN EMERGENCY.

Mr. Taylor made a motion to suspend the rules. Mr. Booth seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Dunfee made the motion to adopt. Mr. Booth seconded the motion. Discussion: Mr. Frank explained that this is a two-year contract. Buchtel officials have had multiple meetings on the subject, so they are informed. The contract is \$32,000 annually made in four payments, and either party can opt out with 90 days' notice. **ROLL CALL:** All Council members voted yea.

Ordinance 95-21 adopted on first reading under suspension of the rules.

Mr. Booth introduced Ordinance 96-21.

ORDINANCE 96-21. AN ORDINANCE AUTHORIZING COUNCIL PRESIDENT TONY DUNFEE AND CITY AUDITOR TAYLOR SAPPINGTON TO ENTER INTO A CONTRACT WITH LOCAL GOVERNMENT SERVICES ("LGS") FOR NEW FINANCIAL STATEMENT SOFTWARE AND DECLARING AN EMERGENCY.

Mr. Booth made a motion to suspend the rules. Mr. Taylor seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Sherman made the motion to adopt. Mr. Taylor seconded the motion. Discussion. Mr. Sappington explained that this part of our routine audit and is a renewal of our agreement with LGS. **ROLL CALL:** All Council members voted yea.

Ordinance 96-21 adopted on first reading under suspension of the rules.

Mr. Taylor introduced Ordinance 97-21.

ORDINANCE 97-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK TO ACCEPT AND ENTER INTO THE 2022 WATER SYSTEM IMPROVEMENTS NORTH WATER MAIN RIVER CROSSING REPLACEMENT AGREEMENT.

Mr. Taylor made a motion to suspend the rules. Mr. Taylor seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Booth made the motion to adopt. Mr. Sherman seconded the motion. Discussion: Mr. Frank explained the reason for the large amount of the loan is due to the fact that they will have to drill through solid rock instead of dirt, which was the original quote of about \$60,000. He hopes to find other funding but as yet there is nothing available to the City. **ROLL CALL:** All Council members voted yea.

Ordinance 97-21 adopted on first reading under suspension of the rules.

Mr. Booth introduced Resolution 2253.

RESOLUTION 2253. A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO EPA WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF NELSONVILLE FOR CONSTRUCTION OF THE 2022 WATER SYSTEM IMPROVEMENTS PROJECT, AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR LOAN FINANCING.

Mr. Taylor made the motion to adopt. Mr. Booth seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Resolution 2255 adopted on first reading.

Mr. Taylor introduced Resolution 2254.

RESOLUTION 2254. A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO EPA WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF NELSONVILLE FOR CONSTRUCTION OF THE 2022 WATER SYSTEM IMPROVEMENTS PROJECT, AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR LOAN FINANCING..

Mr. Sherman made a motion to table Resolution 2254 due to confusion in the language. Mr. Dunfee seconded the motion. **ROLL CALL:** All Council members voted yea.

Resolution 2254 tabled.

CITY MANAGER'S REPORT

Mr. Frank said leaf pick-up has been suspended until November 26 due to staff shortage and the Thanksgiving holiday and will continue until December 15.

The Fire Department has been busy with call for medical/suicide calls. He encourage residents to look out for neighbors and friends with the holiday season upon us.

Mill Street has been paved and curbed. There is some clean-up necessary to complete the project. Walnut Street has been switched to the new main and paved, a new 6" line has been installed on Watkins Street and will be turned on soon, and a crew is boring a new 6" line on Kimberly Road. St. John Street is a wreck. The

asphalt crumbled and since the asphalt plant has closed for the season Mr. Frank is trying to find a solution.

Fire hydrants are still being replaced and about 50% of the new water meters have been installed.

The City is looking for a qualified engineer to be the City's only engineer. It would be easier to work with only one engineer on projects.

Mr. Frank wanted everyone to be aware that the school complex will be using a helicopter to install air conditioning units at the facility.

GOOD OF THE ORDER

Ms. Grant welcomed the new Council and she wished everyone a safe and happy Thanksgiving.

Mr. Booth thanked Ms. Grant for her time on City Council. He also thanked the Police Department for all their efforts to keep the City safe.

Ms. Jones thanked Ms. Grant for her service to the City. She put a lot of time and thought into doing the job. There will be a Christmas parade and tree lighting December 4.

Mr. Taylor wished everyone a safe Thanksgiving and hopes families can get together this year. Ms. Grant will be missed.

Mr. Sherman said winter is here and he cautioned everyone to be careful when turning their gas on. He thanked Ms. Grant for her time on Council and presented her with a gift card from Council.

Mr. Dunfee thanked Ms. Grant for her serviced. He also congratulated his son, Tanner, who will graduate from the Air Force boot camp on December 2.

Ms. Jones made a motion to adjourn. Mr. Dunfee seconded the motion. **ROLL CALL:** All council members voted yea.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

Nelsonville City Council will meet in a special session Monday, December 6, 2021 at 7:30 pm.

The purpose of the meeting is to:

- Swear in newly elected council members
- A Resolution to authorize the city manager to enter into a contract with Cochran Wrecking and Salvage to demolish the structure at 192 Fayette Street
- An Ordinance to accept 192 Fayette Street, Nelsonville, Ohio 45764 as a gift to be turned into a green space and park

Mr. Dunfee called the meeting to order.

The newly elected Council members, Mr. Clement, Mr. Taylor, Ms. Jones, Mr. Sherman and Mr. Booth, were sworn in by the City Attorney. Michael Mulane, City Treasurer, was also sworn in.

ROLL CALL: All Council members were present except Mr. Smith.. Mr. Scott Frank, City Manager, was also present.

Ms. Jones introduced Resolution 2255.

A RESOLUTION TO ACCEPT A HOME FROM AN ANONYMOUS DONOR LOCATED AT 192 Fayette St, PARID: P030130010500, NELSONVILLE, OHIO.

Mr. Booth made the motion to adopt. Ms. Jones seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Resolution 2255 adopted on first reading.

Mr. Booth introduced Ordinance 98-21.

ORDINANCE 98-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK TO ENTER INTO A CONTRACT WITH COCHRAN WRECKING AND SALVAGE TO DEMOLISH AND CLEAN UP 192 FAYETTE STREET, NELSONVILLE, OHIO AT A PRICE OF NINE-THOUSAND FOUR-HUNDRED DOLLARS AND ZERO CENTS (\$9,400.00) AND DECLARING AN EMERGENCY.

Ms. Jones made a motion to suspend the rules. Mr. Booth seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Booth made the motion to adopt. Ms. Jones seconded the motion. Discussion: Mr. Frank explained the funds for the demolition and clean-up had already been appropriated under the Code budget. The fill to be used on the property is from the new water plant so no other City funds will be used. The dirt will be piled on the site now to save money and distributed next spring. **ROLL CALL:** All Council members voted yea.

Ordinance 98-21 adopted on first reading under suspension of the rules.

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

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

ORDINANCE 99-21

AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK TO AWARD TAM CONSTRUCTION INC. THE CONTRACT FOR THE VFW LIFT STATION REPLACEMENT PROJECT.

WHEREAS, the City has been engaged in the VFW Lift Station Replacement Project, and a bid process was held for the contract.

WHEREAS, TAM Construction Inc. submitted a bid on December 3, 2021 hereto attached.

WHEREAS, the City wishes to award TAM Construction in the contract for the VFW Lift Station Replacement Project at a total contract price of Two Hundred Seventy Thousand Dollars and Zero Cents (\$270,000.00).

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, ATHENS COUNTY, OHIO AS FOLLOWS:

1. City Manager Scott Frank is authorized to award and enter into a contract with TAM Construction Inc. at a price of Two Hundred Seventy Thousand Dollars and Zero Cents (\$270,000.00) for the VFW Lift Station Replacement Project.
2. This Ordinance is being passed as an emergency measure pursuant to O.R.C. 731.30 because the immediate passage of the Ordinance is necessary so that construction may start as soon as possible, and this Ordinance shall be in full force and effect upon its adoption.

Duly enacted by Council on first reading under suspension of the rules on the 13th day of December, 2021.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

First Reading: 12/13/21

Adopted Under Suspension of the Rules

3.