

THE CITY OF FREMONT, OHIO

Journal of Council

August 15, 2013

The regular meeting of Fremont City Council was called to order at 7:30 p.m. in the form prescribed by the General Rules of Council, with President James Weaver presiding.

The following members answered roll call: Gross, Knisely, Kreilick, Leake, Marker, Nalley and Ruiz.

The minutes of the August 1, 2013 meeting were approved as written and received.

Upon a question from President Jim Weaver, Ruiz moved and Knisely seconded a motion to add one more item, # 8, to the agenda and the motion carried 7 yea votes.

Third reading of an ordinance enacting a new section 941.05 of Chapter 941 of the codified ordinances of the City of Fremont entitled "Rules and Regulations for Fishing and Watercraft at the Fremont Reservoir," and declaring an emergency. On a motion by Marker and seconded by Knisely to amend the ordinance to change the language in Sec 1 #b to say "the use of gasoline-powered motors, motion carried 5-2. Leake and Kreilick voted no on the motion.

Joe Michles of Birchard Avenue, addressed council saying the money was given to the city to provide clean water and the ordinance violated that promise. Mayor Jim Ellis said the city has done nothing wrong in not wanting gas motors on the reservoir while ODNR has orchestrated a public campaign to say city is not fulfilling its obligations. He does not believe that a court will order the city to repay ODNR. He urged council to vote down the ordinance. Mike Koebel, 830 Morrison St., agreed with the mayor and also urged council members to vote no on the ordinance. Jim Scherk, 2215 Buckland Ave., asked council to vote down the ordinance because nothing in the agreement holds the city liable. Fred Snyder, retired fisheries biologist, urged the council to vote for the ordinance since there is no danger of contamination from gas-powered motors. He cited a study to support his point of view. Rich Unger, president of Lake Erie Charter Boat Association, asked that council vote for the ordinance as amended. He said money from his business is used to help build reservoir. David Dorobek, Stone St., said he's not sure what is gained by allowing motors on reservoir. He said council should consider what he thinks the majority of residents want. Then, Kreilick read a statement regarding the issue. She said ODNR created too many errors with the project and officials still want to control the city's actions. She reminded all that the project was established to provide clean water to the city. Amy Rathfelder, of Fremont city, said she just wants to have clean water, while Ken Snyder of 119 Cottage St., asked council to vote against the ordinance. He said he would rather return the money to ODNR than have gas motors on the reservoir. Bernie Witt, of Bait Supply of Fremont said he's not against the motors. He asked council to consider what city will lose if the ordinance is not approved. Leake asked if there's information on the economic impact of the reservoir. To this Dave Witt of Port Clinton responded that each fisherman who comes to the community spends about \$200 each. Leake said the reservoir project was an ill-conceived project and he wishes it did not have problems associated with it. On motion to adopt by Knisely, seconded by Ruiz, motion carried 5-2 yea votes. Leake and Kreilick voted against the ordinance. (Ord. 2013-3647)

Second reading of an ordinance amending appropriations within the Revolving Loan Fund 265, and declaring an emergency.

First reading of a resolution authorizing the approval and issuance of a warrant for payment of \$3,698.00 to M&B Asphalt Co. Inc., and declaring an emergency.

First reading of an ordinance authorizing an advance of \$550,000.00 from Fund 201 (Municipal Income Tax) to Fund 420 (Fire equipment), and declaring an emergency. On motion to suspend rule 4 by Marker, seconded by Knisely, motion carried 7 yea votes. On motion to adopt by Knisely, seconded by Kreilick, motion carried 7 yea votes. (Ord. 2013-3648)

First reading of an ordinance amending appropriations within both Municipal Income Tax Fund 201 and Fire Equipment Fund 420, and declaring an emergency. On motion to suspend rule 4 by Marker, seconded by Gross, motion carried 7 yea votes. On motion to adopt by Marker, seconded by Knisely, motion carried 7 yea votes (Ord. 2013-3649)

First reading of an ordinance authorizing the Safety Service Director to sell excess city dirt for the amount of \$35.00 a cubic yard with a limit of 1,000 cubic yards per purchase, and declaring an emergency.

First reading of an ordinance to authorize the expenditure and direct the Safety Service Director to enter into a contract for the 2013 Street Re-surfacing project, and declaring an emergency. On motion to suspend rule 4 by Knisely,

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seconded by Ruiz, motion carried 7 yea votes. On motion to adopt by Knisely, seconded by Nalley, motion carried 7 yea votes. (Ord. 2013-3650)

First reading of an ordinance amending appropriations within motor vehicle license Fund 223, and declaring an emergency. On motion to suspend rule 4 by Marker, seconded by Ruiz, motion carried 7 yea votes. On motion to adopt by Nalley, seconded by Marker, motion carried 7 yea votes. (Ord. 2013-3651)

Committee reports

Marker said he was unable to attend the last Rec Board meeting, but Gross attended the meeting and learned that the Rec department has lost money in July due to 14 days of rain; he added that the pool will close after August 25.

Council Comments

Nalley encouraged everyone to attend the county fair set for August 20-25 and congratulated Dan & Barb Henning on their retirement.

Gross, Marker, Ruiz, Kreilick, Leake, and Knisely echoed Nalley's comments about the Hennings.

Ruiz added that she is relieved the issue with the reservoir rules is over and even though everyone will not be happy, the council made a decision with the best information they had.

Kreilick thanked council for the hard work each one put in as they tried to do what they each thought was right regarding the reservoir rules.

Leake echoed her comments, saying the political process worked and he hopes everything works out well so that the decision is not regretted. Also, he referred to an anonymous letter he received regarding the rally in honor of Trayvon Martin the NAACP conducted in Fremont, asking that the letter's author contact him personally so they can have a conversation regarding the comments outlined in the letter.

Law Director Jim Melle also congratulated Hennings and said he is looking forward to a great fair week, then added that the bicentennial celebration was good. Auditor Paul Grahl and City Treasurer Holly Elder also congratulated the Hennings. Grahl added that the bicentennial celebrations were well done. Elder thanked the residents who shared their comments regarding the reservoir rules, and said democracy worked at the meeting.

Safety Service Director Ward reminded residents that the final round of brush clean-up from the storm will be Aug. 19, adding brush should be at curbs or in the alleys. He said he has received complaints regarding residents not picking up after their dogs at the reservoir. He reminded residents that North Street will be closed from August 19-25 for the county fair and added that the city has done all that's possible regarding Quail Drive's flooding problems.

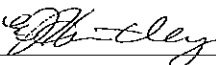
The mayor also congratulated the Hennings, thanked the bicentennial committee especially George Keller, Ms. Rice, Dave Dorobek, Ken Dumminger, the city crews, the police and fire departments for all the work to make the bicentennial celebrations a great community event. He added that the Rec Department will distribute a survey at the fair to gather input from residents regarding fall activities they would like the Rec Department to conduct.

Public comments

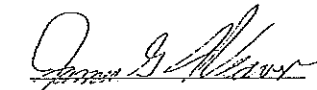
Anthony Taylor, 1513 Croghan St., addressed the council as a candidate for council saying he would like a clean race for the Fourth Ward, and that he believes in the city and its future. He said he is excited about the possibility of being a council member since he believes he can be a good ambassador for business in community.

Murray Faraday, 327 Morrison St., asked council and the city administration to get rid of truck traffic on Morrison Street since such vehicles destroys city streets.

Weaver announced that there will be a public hearing on Sept 19 at 7:10 p.m. for the final hearing for the B-2 commercial zoning for Sean Drive area and another at 7:20 p.m. for the vacation of Bridge Street. He also congratulated the Hennings and thanked them. Then, Nalley presented the Hennings with a gift of two pens on behalf of the council. There being nothing further to come before council, on motion to adjourn by Marker, seconded by Ruiz, motion carried 7 yea votes. Meeting adjourned at 9:25 p.m.



Clerk of Council



Council President