

# THE CITY OF FREMONT, OHIO

## *Journal of Council*

December 20, 2012

The regular meeting of Fremont City Council was called to order at 7:35 p.m. in the form prescribed by the General Rules of Council, with President James Weaver presiding.

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

The minutes of the December 6, 2012 meeting were approved as written and received.

After being asked by President Jim Weaver, on motion by Root, seconded by Nalley, motion carried to add an ordinance to the agenda, making it item #10.

Third reading of an ordinance to authorize the mayor to enter into an agreement with the Ohio Department of Natural Resources for public fishing at the Fremont reservoir, and declaring an emergency. A motion to adopt was made by Root and seconded by Marker. However, Mayor Jim Ellis shared with council a letter he received today, Dec. 20, that he said is not clear regarding the text of the ordinance. Council President Jim Weaver asked council if they wanted to wait to approve the ordinance. On motion to table the ordinance by Ruiz, seconded by Leake, motion carried 7 yea votes.

Third reading of an ordinance amending the pay scale for all part-time, intermittent, temporary, seasonal, and interim employees, and boards and commissions of the City of Fremont, and declaring an emergency. On motion to adopt by Root, seconded by Nalley, motion carried 7 yea votes. (Ord. 2012-3517)

Third reading of a resolution authorizing the City of Fremont to establish a position that corporations should not receive same legal rights as natural persons, that money is not speech, and that independent expenditures should be regulated, and declaring an emergency. Eric Schmidt, 339 Rawson Ave., addressed council in support of the resolution. On motion to adopt by Leake, seconded by Ruiz, motion carried 4-3. Root, Kreilick and Knisely voted against the resolution. (Res. 2012-1875)

Second reading of a resolution by Fremont City Council opposing passage of HB 601, and declaring an emergency.

First reading of an ordinance to authorize the expenditure and direct the Safety Service Director to enter into a contract or the 2013 pavement marking program with Zimmerman Paint Contractors Co. in the amount of \$79,515.90.

First reading of a resolution authorizing the mayor to enter into a grant agreement with OSS Solid Waste Management District, and declaring an emergency. On motion to suspend rule 4 by Root, seconded by Marker motion carried 7 yea votes. On motion to adopt by Root, seconded by Marker, motion carried 7 yea votes. (Res. 2012-1876)

First reading of an ordinance to transfer \$1,100,000 from the Water Operating fund 510 to the Water Reservoir fund 542, 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 Marker, seconded by Ruiz, motion carried 7 yea votes. (Ord. 2012-3618)

First reading of an ordinance amending appropriations within the Probation Services Fund 232, Municipal Court Computer Fund 235, Continuing Professional Training Fund 263, Revolving Loan fund 265, Water Operating Fund 510, Water Reservoir fund 542, and State Highway patrol fund 765, and declaring an emergency. On motion to suspend rule 4 by Marker, seconded by Root, motion carried 7 yea votes. On motion to adopt by Root, seconded by Nalley, motion carried 7 yea votes. (Ord. 2012-3619)

Liquor permit for Bishop Hoffman schools. Melle suggested he and council take time to look at it. Knisely recommend Weaver talk with superintendent of Bishop Hoffman schools.

First reading of an ordinance to make temporary appropriations in the amount of \$49,504,059 for expenses and expenditures for the 2013 fiscal year, January 1 through March 31, 2013, for the City of Fremont, State of Ohio and declaring an emergency. On motion to suspend rule 4 by Root seconded by Marker, motion carried 7 yea votes. On motion to adopt by Marker, seconded by Ruiz, motion carried 7 yea votes. (Ord. 2012-3620)

### Committee reports

Knisely reported that he received correspondence from Fremont schools that the district's strategic plan working well and everything in the district is progressing well.

Leake reported that his committee met at 6:30 p.m. and discussed the ordinance council is considering that would establish the position within the city that corporations should not receive the same legal rights as natural persons. He thanked all who provided input during that meeting.

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Marker reported that the Recreation Dept's board will meet in January and will discuss rental fees for the facilities managed by the department.

### Council members' comments

Nalley wished all Happy Holidays and said he is looking forward to working with council and the administration in 2013.

Marker also wished all Happy Holidays as did all other council members.

Knisely also thanked Fremont resident Dave Forgatsch for his work on the ordinance that allowed the city to take the position that corporations do not have the same rights as individuals.

Kreilick said she realizes that for the first-time council members, the first year has ended, and she thanked all for their assistance as the new council members learned the ropes of serving on a city council. She also thanked the residents for their comments in the earlier committee meeting, saying she enjoyed the sharing in that meeting.

Leake complimented Weaver on his handling of a resident who spoke longer than allowed, and said he echoes Kreilick's comments regarding the assistance in helping him learn the city council process.

Melle updated the council on the property owned by Justin Terry saying the city filed a lawsuit to get the property cleaned up. He said the city now has a signed agreement with Abdo who will have it cleaned by Feb. 1.

The mayor thanked council for its work in 2012, saying the next year will be better. He wished all Fremont residents Happy Holidays and thanked all department heads for their help during his first year as mayor. He informed council about the Ohio Municipal League about the legislative luncheon set for Feb. 6 at the Statehouse Atrium, and encouraged them to attend.

### Public comments

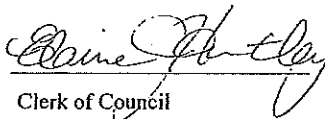
Dave Mosser, Keller Drive, thanked council for approving the personhood resolution.

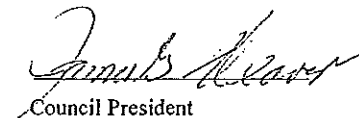
Dave Forgatsch, Croghan Street, also thanked council for the same resolution.

Joe Michels, 1614 Birchard, shared with council regarding a Supreme Court decision that says use of fuel tax fees for anything other than roads, is illegal. Shared documents regarding use of outboard motors on reservoirs and what the ORC says regarding the issue. Said he is concerned for the safety and health of the community residents.

John Willey, director of regional planning commission, told council that there is a real concern about running gasoline-powered boats on the reservoir, emphasizing that it has a potentially negative impact on water quality. He promised to provide council with more information on the issue later.

There being nothing further to come before council, on motion by Root, seconded by Ruiz, to adjourn, motion carried 7 yea votes. Meeting adjourned at 8:35 p.m.

  
Clerk of Council

  
Council President