

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

April 19, 2016

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser

ABSENT: none

President J Slough opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

ACCEPTANCE OR CHANGES OF MINUTES AND PUBLIC HEARINGS:

Councilman Harrington moved to accept the April 5, 2016 Regular Session City Council meeting minutes. Councilman Watson seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Monday moved to add the following to tonight's agenda. Councilman Klein seconded the motion. All were in favor. Motion carried. Filed.

ADD-ONS:

- **WATER AND SEWER COMMITTEE** report – rotary fees for 10595 Twp Rd 94 (**COMMITTEE REPORTS** section).
- Ordinance No. 2016-042 authorize the Service-Safety Director to enter into a contract with Helms & Sons Excavating for the emergency sanitary sewer project no. 3566500 (**LEGISLATION** section).

REPLACEMENTS:

- Resolution No. 016-2016 (**LEGISLATION** section)
 - Changed appropriation amount of \$5,100 to now be \$51,100

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 015-2016 (*Eric Habegger retirement*)

first reading

adopted

A RESOLUTION COMMENDING FIRE INSPECTOR ERIC HABEGGER FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

Councilman Monday moved to adopt the Resolution, seconded by Councilman Klein. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record.

PROCLAMATIONS: - none.

PETITIONS: - none.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Tony Grotrain – drug task force database

Mr. Grotrain commended Findlay and Hancock County for recent good news about being named the country's #1 Micropolitan Community, Marathon's #1 status, 4% unemployment rate which is down, continued growth in economic development, education, a progressive government, and a healthy bank account, noting that the problem for providing a continuing work force of 1,600 workers is being addressed. All of these are great and successes will continue to grow, but unfortunately, another problem is growing too. He is the patriarch of a family that belongs to a club that none of them ever wanted to join. They were forced to join this club when heroin took the life of his twenty (20) year old grandson Aaron. Unfortunately, anyone may find themselves in this same club someday too because this disease of addiction is an equal opportunity killer.

Ohio is now ranked as the second worst state for overdose deaths. It is the number one worst state for Heroin overdose deaths. Ohio saw 2,482 deaths from overdoses in 2014 with roughly a 1,000 of those coming from Heroin. A new poll was released in April showing more Ohioans now know of a family member or friend who is struggling with addiction to pain medication or to Heroin. 1 out of every 4 know of someone with an opiate problem. This is up from a year ago when the poll showed 2 out of 10 Ohioans that knew someone. Every 19 minutes, a baby is born in America to a mother who struggles with opiate addiction. Locally in 2014, there were 700 individuals involved in substance abuse treatment. Of that 700, 233 received treatment for opiate use such as prescription painkillers and heroin. Some of those numbers translate into drug overdose death rates of 6 in 2012, 7 in 2013, 12 in 2014, and 16 in 2015. At the current rate, we will surpass last year's number. Since 2011, the number of adults who misused prescription drugs in Hancock County has doubled. This information came from the 2015 Hancock County Community Health Assessment.

9% of Hancock County adults reported misusing drugs in the last 6 months. He asked Council to help reduce this number by taking part of the drug drop-off event taking place on Saturday, April 23, 2016 from 9:00am-12:00pm in the Municipal Building parking lot. Everyone is encouraged to take outdated, unwanted, unneeded drugs to the medication collection drop-off that day.

His dream, hope, and vision is to someday call Findlay a drug-free city which would be a fine thing to add to the description of the number one Micropolitan community in the country. If we become too complacent, that dream will never become a reality. He urges everyone to not turn a blind eye or a deaf ear to this epidemic of disease and addiction and the tragic habit it is creating.

Discussion:

Councilman Monday noted that the statistics Mr. Grotrain just provided are alarming. He appreciates what Mr. Grotrain has done and continues to do to combat this epidemic. He asked Mr. Grotrain to continue what he is doing and maybe someday his dream will be fulfilled. Mr. Grotrain replied that he promised 6 years ago that as long as God gives him the strength to keep doing what he is doing, he will continue to do so for the rest of his life. He is not about to quit.

Ginger Sampson – transparency project

Auditor Staschiak notified Council that about a week and a half ago, he asked Ms. Sampson to address Council and to bring them up to speed on where his office is at on transparency initiative.

Ms. Sampson came before Council to inform them that the Auditor's Office is on schedule to implement the transparency initiative as promised by Auditor Staschiak. The decision to do an online transparency program has not been taken lightly. The Auditor's Office has been looking into options on how to accomplish this since late 2014. The Auditor's Office has had multiple discussions with the State Treasurer's Office as well as other vendor options.

The Auditor's Office is committed to doing the transparency. To start with, they will be using an enhancement to the financial system rather than what was demonstrated by the State Treasurer's Office. This is not to say that they still won't use the State Treasurer's site, but would be taking a different path to get there.

They anticipate rolling out the transparency program by mid-summer 2016, but there are several server and program updates and upgrades that are needed to address first. The next upgrade is scheduled for early summer which is the final piece that needs to be put into place prior to the public release of the transparency program.

Council was presented with a demonstration of the State's system, but getting the information into their system is not as easy as simply downloading information into a spreadsheet and sending it off to the State. Although City records are all public records, not all records are open records. There are millions of transactions that would need to be reviewed which would mean that the City's data could only be posted to the State's site possibly only once per year due to the time involved in that process. Large communities our size or larger have had to hire outside accounting firms to assist them in providing the information for the State's program. The Auditor's Office's solution solves this problem. By using the program that they have decided upon, they are able to use the existing financial system's structure to more easily vet the data in minimal time.

The information will be updated weekly rather than annually and will also show revenues in addition to expenses to make a more complete checkbook. Per discussions with the State Treasurer's Office, their system can only show expenses.

The Ohio House had proposed a bill dealing with transparency early in 2015 that Ms. Sampson has been following closely. This is the legislative issue that Auditor Staschiak has referred to that needed to be addressed. Originally, this bill as it was written, would have required any entity that started presenting online transparency to continue ad infinitum with the software program the entity started with. Ms. Sampson has had multiple discussions with OML regarding concerns she noticed in this bill and she was invited to the statehouse. She also has had multiple discussions with State Representative Robert Sprague about her concerns. She went to Columbus with the intent of testifying in opposition to this bill. Not because she doesn't believe in transparency, but because of the unfunded burdens this would have placed on government entities throughout the state. Due to her concerns, Representative Sprague arranged a personal meeting with one of bill sponsors Representative Mike Duffey who acknowledged many of her concerns.

Also, in discussions with the State Treasurer's Office, she found out that their transparency system is not free. Treasurer Mandel has only committed to pay for the cost of their program for a limited time. It would cost the state approximately \$18,000 per year just to add Findlay to their site. The solution the Auditor's Office came up with is significantly less expensive, directly tied to the City's financial system. It will provide more data and will be updated weekly. If the Ohio House passes HB130 in some other form, the Auditor's Office solution is a better solution financially for the City.

Discussion:

Councilwoman Frische thanked Ms. Sampson for her update and likes that she is adding the revenues side into it as it is really important to discuss that with the State.

Councilman Russel asked if it will be the same interface that Treasurer Mandel's office provides have access to our data. Ms. Sampson replied that we are not able to make a link directly onto Treasurer Mandel's site because Findlay's financial system and the system that the State Treasurer's Office is using are competing companies which is the reason our Auditor's Office is starting with the financial system that is in place right now and have had in place for several years. Once the data is updated, it will make it easier for her to download the information into the State Treasurer's Office site. Councilman Russel then asked if this is an extension under the MUNIS system. Ms. Sampson replied that is correct. Councilman Russel then asked if there are any MUNIS users that are on Treasurer Mandel's site. Ms. Sampson replied that are MUNIS users on Mandel's site, but are doing other things as there are other entities that are hiring outside accounting firms.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Mayor Lydia Mihalik – appointment to Civil Service Commission

Mayor Mihalik is requesting the following appointment to the Civil Service Commission. John Urbanski has expressed a desire and willingness to serve the community in this capacity. This appointment will be effective through December 31, 2021. This appointment does not require confirmation by Council. Filed.

Mayor Lydia Mihalik – appointment to Blanchard Valley Port Authority

Mayor Mihalik is requesting the following appointment to the Blanchard Valley Port Authority. Paul Sears has served as a joint City of Findlay/Hancock County appointment to the Port Authority since its inception in 2007. Mr. Sears has expressed a desire and willingness to serve the community as a member of the Blanchard Valley Port Authority. This reappointment will be effective through June 30, 2020. This appointment requires confirmation by Council.

Councilman Klein moved to accept this appointment. Councilman Wobser seconded the motion.

Discussion:

Councilman Wobser asked how long this appointment is for. Mayor Mihalik replied through June 30, 2020.

All were in favor of this appointment. Filed.

Findlay Municipal Court Activities Report – March 2016. Filed.

Findlay Police Department Activities Report – March 2016.

Discussion:

Councilwoman Frische thanked the Service-Safety Director for getting this report updated. It now breaks it down monthly. Filed.

Precipitation and Reservoir levels report – January-March 2016. Filed.

Findlay Fire Department Activities Report – March 2016. Filed.

Findlay W.O.R.C. Financial Analysis Report – January 1, 2016 through March 31, 2016. Filed.

Service-Safety Director Paul Schmelzer – insurance payment on FFD truck damage

The City has received the insurance payment in the amount of \$26,418.37 for the repair of a Fire Department truck that was damaged while fighting the fire on North Main Street. It has been deposited in the General Fund. An appropriation of funds is requested.

FROM: General Fund (insurance proceeds)

\$ 26,418.37

TO: Fire Department #21014000-other

\$ 26,418.37

Ordinance no. 2016-039 was created. Filed.

City Auditor Jim Staschak – summary financial reports

A set of summary financial reports for the prior month follows including:

- Summary of Year-To-Date Information as of March 31, 2016
- Cash & Investments as of March 31, 2016
- Open Projects Report as of March 31, 2016
- Financial Snapshot for General Fund as March 31, 2016

Discussion:

Councilwoman Frische pointed out that there are a couple of Ordinances on tonight's agenda to appropriate funds over to the Capital Plan. Due to the balance in the CIT Restricted Fund and with the incoming income tax collections, there are enough funds currently available that allows us not to have to appropriate the \$1,500,000 request. There is approximately \$270,000 left over in the CIT account without taking the additional appropriation, so there are enough funds to continue the projects. She suggested Council address the open projects with the potential of \$3,000,000 sitting out there and that there are some projects that may be able to be closed that could also gain some additional revenue. She asked if the Appropriations Committee has looked at those or has any input for it. Mayor Mihalik replied that the \$1,500,000 transfer request was discussed during a Committee of the Whole meeting and also in various Appropriations Committee meetings that listed projects within the Capital Improvements Plan that Council has agreed to. In order to get those projects finalized, the transfer of funds needs to take place. Councilwoman Frische feels those funds do not need to be transferred right now. Once the funds are transferred, they cannot be moved back to the General Fund and if they end up not being needed, they cannot be used for staffing levels. There is enough money to continue to do the projects at this point without making this appropriation. The money does not need to be moved yet and should be left in the General Fund until it is needed. Mayor Mihalik replied that the Administration looks at the entire City's operations and not just in one specific revenue source and/or one specific spending line item. It is important to maintain, if not eventually grow staffing levels. The Administration has a plan that has been put in place. Without planning, the City would not be where it is today. It is Council's choice if this is something they want to do or not. There are lagging capital needs that have been ignored for many years. If Council wants to continue with the 5-year Capital Plan that everyone has moved forward on for the last four (4) years going on five (5) years, then the transfer of funds is necessary. Councilwoman Frische noted that the transfer is not necessary at this time. There are open projects that have been sitting open for awhile that need to be reviewed, maybe at a Committee of the Whole meeting or an Appropriations Committee meeting. There are pending purchase orders of approximately \$1,500,000 and available spending of \$1,700,000 totaling over \$3,000,000. Significant tax revenue is coming in monthly. She asked if the City continues with the projects and still has a couple hundred thousand dollars left, why the funds need to be appropriated now. She asked why now and not wait. Mayor Mihalik replied that it is all a part of the approved plan and noted that it is important to have the capital dollars in place moving forward throughout the plan to make acquisitions via goals and other equipment, for bidding out projects for road and alley work. Those repairs/projects require cash. In order to make that happen, this transfer of funds is needed now. Councilwoman Frische feels it is important to move money at the right time and not early. If there is not a reason to move it now, it is irresponsible of Council to do so at this time and instead need to look at the entire picture. Mayor Mihalik asked Councilwoman Frische if she has reviewed the Capital Plan and if she is familiar with the projects that are in place. Councilwoman Frische replied that she has looked at it and is familiar with the projects and is not objecting to the projects, but doesn't want to move funds at this time if it is not needed. Mayor Mihalik replied that in order to get the projects done that are in place for the 2016 Capital Plan, the City is required to have cash on hand. Councilwoman Frische asked the Auditor if he has any input on this discussion and asked if she is out of line in her thought process. Auditor Staschak replied that Councilwoman Frische is not out of line on her views. Based on the Capital Plan that has been submitted and the appropriations that have been done, there is ample cash to fulfill those needs. Councilwoman Frische is also correct that there is just over \$224,000 remaining in the Capital restricted account and noted that should this transfer of funds happen, there will be an excess of \$300,000 in the Capital Funds. In the last three (3) years, \$3,000,000 dollars of General Fund money has been moved to the Capital Improvements Restricted Account. The five (5) year Capital Plan requires there to be a balance in excess of the \$3,000,000. He has some concerns with cash management, budgeting, etc. Council is in a position to be able to wait to move the funds until they have a chance to fully evaluate where the City is at and not jeopardize current spending.

Councilman Russel asked if what the Auditor means is that if Council were to approve this fund transfer, if it will jeopardize spending for the City, and if so, how. Auditor Staschiak replied that is not what he said. If Council does not transfer the \$1,500,000, there will be a balance of \$224,000, based on proposed legislation, in the Capital Fund Restricted Account for Capital Improvements, and the projects, appropriations, and everything that has been done to date according to the plans that have been submitted and the appropriations that have come through his office, are fully funded. Councilman Russel then asked if the transfer of funds to the Capital Plan will put the City in a dire financial situation. Auditor Staschiak replied that if he were a Councilmember, he would have to ask himself if he would want to transfer \$1,500,000 with a \$12,000,000 balance out of a fund that cannot be put back into that fund with any guarantee and without having knowledge of what the needs are in that fund over the next three to five (3-5) years. In his opinion, it would not be a wise decision to transfer that money without a five (5) year operating plan. Councilwoman Frische noted that this transfer could be an issue because there is no five (5) general year plan. During recent activities and flood discussions, it is still unknown what the City's role is and if any appropriation of funds is needed. She feels transferring the funds now could potentially jeopardize something when Council does not have the full picture and there is not a need, so she feels the funds should not be moved. Councilman Russel asked Councilwoman Frische if she is suggesting Council suspend this year's and future Capital Plans until flood money and other decisions can be made. Councilwoman Frische replied no. The money is there to do what is needed. Councilman Russel then asked Councilwoman Frische why she brought up flood money in this discussion. Councilwoman Frische replied because it is an additional part of the picture which could be a substantial part of it when it is unknown on what the future holds. It is unclear what the City's responsibility is on what the Mayor is discussing with the County on flood, so it is a big part of the picture just as the General Fund should have a five (5) year plan. Council President Slough noted that while this dialog is very good, there are a lot of questions still out there, so instead of debating it tonight, he recommended a Committee of the Whole meeting for further discussion. Councilman Russel replied that there have been Committee of the Whole meetings on this. Council President Slough agrees there have been, but that this issue is still not resolved. Mayor Mihalik added that it is obvious that this continues to be a very fluid situation. Just two meetings ago, discussions were that there are not enough funds in the Capital Plan to do the projects that there are bids out for. There is a 5-year Capital Plan that the Administration is trying to move forward with. There are needs in this community that have to be taken care of. It is the Administration's opinion that it is necessary to transfer the funds. The Administration has goals, priorities and objectives to get things done for this community because that is what they were elected to do. It is Council's choice whether they want to move forward with the plan or not.

Councilman Klein noted that Council will have the opportunity to express their views on this when the legislation is voted on later in tonight's meeting. His opinion is to see how the vote goes during the vote on the legislation. Filed.

Parks and Recreation Board minutes March 21, 2016. Filed.

Service-Safety Director Paul Schmelzer – GovDeals.com PD sales

The Police Department recently sold items on GovDeals.com and would like to use the proceeds from the sales to purchase thirty (30) 760-870 3DB antennas for Police Department vehicles to improve reception. Legislation to appropriate funds is requested.

FROM: General Fund (auction proceeds)	\$ 780.00
TO: Police Department #21012000-other	\$ 780.00

Ordinance No. 2016-039 was created. Filed.

Shade Tree Commission Chair Thomas Mills – proposed new Tree Ordinance

The Tree Commission is presenting a replacement Tree Ordinance for review and adoption during tonight's meeting. The Shade Tree Commission has finished the year-long work to develop a tree ordinance that reflects the changing times of our urban forest city-wide, and efforts of the Public Works Department and volunteers.

A comparison was emailed by the Council Clerk to City Councilmembers and the Administration on Wednesday, April 13, 2016 to show the old ordinance with the new additions and deletions. The Tree Commission dates back over thirty (30) years, and much has changed in practice along our streets, arboriculture technical details, types of trees available, plans for the future, and programs that may help secure grants, volunteers and provide better trees in the right places. An ordinance is now needed that makes better sense for our community.

The Shade Tree Commission thanks City Councilman Niemeyer, former Councilwoman Spence, Service-Safety Director Schmelzer, Public Works Department team of Matt Stoffel, Dave Honse and AJ Copus, Law Director Rasmussen, City Clerk Kathy Launder, Council Clerk Denise DeVore, and Ohio Department of Natural Resources Division of Forestry Stephanie Miller for their collective efforts and support these past months. Thanks to Mayor Mihalik for the care, concern, and funding support of Findlay, our Tree City USA Community and our Urban Forest Program.

After the Shade Tree Commission ordinance is adopted, the Tree Commission is ready with an educational plan to communicate the ordinance to residents, contractors, developers and others working along our City streets to keep them safer and more beautiful. Ordinance No. 2016-040 was created. Filed.

Service-Safety Director Paul Schmelzer – Airport Runway 18/36 (FY 16) & Taxiway A rehabilitation (FY17)

The City has the opportunity to apply for grant funding through the Aviation Division of the Ohio Department of Transportation (ODOT). If approved, the grant funds would be used as follows:

- FY16 – 5% match funds to supplement the City's share of the Runway 18/36 rehabilitation project. FAA will pay 90% of the estimated \$2.6 million construction costs. This project is included in the 2016 Capital Improvements Plan.
- FY17 – 84% of the eligible construction costs for rehabilitation of a portion of the parallel taxiway to Runway 18/36 (Taxiway A). Estimated project cost is \$443,700 and will be included in the 2017 Capital Improvements Plan.

Legislation authorizing the Service-Safety Director to sign the grant applications and agreements is requested. Resolution No. 017-2016 was created. Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to financially support Findlay High School We The People team to compete in state and national competition in Washington D.C. at the University of Maryland and on Capitol Hill from April 22 through April 25, 2016.

The committee decided not to address the issue.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for the Blanchard River Sediment Control Project No. 31954800. Ordinance No. 2016-031 received its first reading during the April 5, 2016 City Council meeting.

FROM: General Fund	\$ 7,250.00
TO: Blanchard River Sediment Control Project No. 31954800	\$ 7,250.00

We recommend table for further info.

Councilman Monday moved to adopt the committee report. Councilman Klein seconded the motion. All were in favor. Filed.

A **COMMITTEE OF THE WHOLE** meeting was held on Tuesday, April 12, 2016 to discuss amendments to the Franchise Agreement between the City of Findlay and Hancock Wood Electric Cooperative (Ordinance No. 2016-035). Ordinance No. 2016-035 received its first reading during the April 5, 2016 City Council meeting.

Councilman Klein moved to adopt the committee report. Councilman Watson seconded the motion. All were in favor. Filed.

The **STREETS, SIDEWALKS, & PARKING COMMITTEE** to whom was referred a request from Evan Ramage, Secretary of the FOP Lodge #20 to discuss a sidewalk variance for the new FOP Lodge to be located at 1769 Romick Parkway.

The property is located in an I-1 area (light industrial). No other properties in the area have sidewalks. Residential areas are several hundred yards away. We recommend a variance be granted.

Councilman Shindledecker moved to adopt the committee report. Councilwoman Frische seconded the motion. Abstain: Monday. All others were in favor. Filed.

The **WATER AND SEWER COMMITTEE** to whom was referred a request to discuss waiving rotary fees for 10595 Township Road 94.

The **WATER AND SEWER COMMITTEE** previously met on March 8, 2016 to discuss this request where it was recommended that a rotary tap fee committee meeting be scheduled in thirty (30) days.

We recommend table request for further information from the Law Director. Scheduled meeting for Tuesday, April 19, 2016 at 9:00am.

Councilman Monday moved to adopt the committee report. Councilman Watson seconded the motion. All were in favor. Filed.

The **WATER AND SEWER COMMITTEE** to whom was referred a request from W. Rob Moden III to discuss waiving rotary fees for 10595 Township Road 94.

The **WATER AND SEWER COMMITTEE** previously met on March 8, 2016 to discuss this request where it was recommended that a rotary tap fee committee meeting be scheduled in thirty (30) days. It was recommended that this be tabled for further information from the Law Director and it was rescheduled for Tuesday, April 19, 2016 at 9:00am.

The **WATER AND SEWER COMMITTEE** met on ~~March 19, 2016~~ April 14, 2016 to continue discussions on this matter.

We recommend see "Exhibit A" which is attached hereto and incorporated herein as if fully rewritten herein.

Discussion:

Councilman Harrington noted that the Water and Sewer Committee met on April 14, 2016, not March 19, 2016 as the committee report states.

Councilman Harrington moved to adopt the committee report as amended. Councilman Watson seconded the motion.

Discussion:

Councilman Russel asked if this is saying that that Council can expect that when the new rotary policy is in place, it would be similar to what is being proposed. Law Director Rasmussen replied not necessarily. In this particular case, it is moving the point of the tap from the northwest corridor sewer and extending it to those three (3) properties which would be the rotary point where the owners would extend the construction of the sewer line to the eastern point of his property. The rotary fee would be based on what the City would normally collect and then as properties tap in on the south and north side, they will then pay the rotary fee. Instead of charging Mr. Moden the full amount in the beginning, each property owner will each pay their own tap fee. The only change will be that it will slow the process for the City to receive the tap fees.

All were in favor. Filed.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 015-2016 (Eric Habegger retirement)

See page 1 above.

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Resolution its second and third readings. Seconded by Councilwoman Frische. Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische. The Resolution received its second and third readings. Councilwoman Frische moved to adopt the Resolution, seconded by Councilman Russel. Ayes: Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

RESOLUTION NO. 017-2016 (Airport Runway 18/36 (FY16) & Taxiway A rehabilitation (FY17))

A RESOLUTION AUTHORIZING THE MAYOR OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO FILE A GRANT APPLICATION AND, IF AWARDED, TO SIGN A GRANT AGREEMENT WITH THE AVIATION DIVISION OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE REHABILITATION OF RUNWAY 18/36 (FY16) AND A PORTION OF TAXIWAY A (FY17) AT THE CITY OF FINDLAY AIRPORT.

Councilman Klein moved to suspend the statutory rules and give the Resolution its second and third readings. Seconded by Councilman Russel. Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. The Resolution received its second and third readings. Councilman Harrington moved to adopt the Resolution, seconded by Councilman Russel. Ayes: Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

ORDINANCES

ORDINANCE NO. 2016-027 AS AMENDED (Runway 18/36 Rehab (AIP-26) Project No. 35264900)

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE AIP-26, CONSTRUCTION OF RUNWAY 18/36 REHABILITATION, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday.

Discussion:

Auditor Staschiak noted that the second paragraph of the Ordinance has the City's matching share listed incorrectly. It lists it as \$2,610,000. It should be \$261,000.

Councilman Russel moved to amend the Ordinance to reflect this change, seconded by Councilman Hellmann. Ayes: Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer.

Councilman Harrington moved to adopt the Ordinance as amended, seconded by Councilman Russel. Ayes: Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel.

The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-027 and is hereby made a part of the record.

ORDINANCE NO. 2016-030 (Capital Improvement appropriation)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its third reading. Seconded by Councilman Klein. Ayes: Watson, Wobser, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker. Nays: Frische. The ordinance received its third reading. Councilman Monday moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Wobser, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2016-030 and is hereby made a part of the record.

ORDINANCE NO. 2016-031 (Blanchard River Sediment Control project)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Ordinance its third reading. Seconded by Councilman Klein. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. The ordinance received its third reading. Councilman Klein moved to adopt the Ordinance, seconded by Councilman Monday.

Discussion:

Councilwoman Frische asked why the statutory rules are being suspended when this was tabled under the Appropriations Committee and that there is no rush since it is being done between May-October. Councilman Monday replied that this was tabled per Councilman Wobser's request for additional information. Councilman Wobser received the additional information he needed via an email today. Councilman Wobser added that the Service-Safety Director forwarded him the information that kept the committee from making a final decision on this ordinance. This ordinance includes mussel studies (Osborne bridge and the Riverside Park). All of his questions have been answered. Councilwoman Frische asked if both studies are included in this \$7,250 appropriation. Mayor Mihalik replied that both studies are included in one contract. The City will be responsible for only the study behind the dam. The County will be responsible for the work associated with the bridge.

Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2016-031 and is hereby made a part of the record.

ORDINANCE NO. 2016-033 (2016 resurfacing program (Contracts A & B) Project no. 32861200)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

second reading

adopted

Councilman Russel moved to suspend the statutory rules and give the Ordinance its third reading. Seconded by Councilwoman Frische. Ayes: Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington. The ordinance received its third reading. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Watson.

Discussion:

Councilman Russel appreciates the City starting road projects earlier than last year. Starting the work early will enable the best pricing and provides flexibility if the City ends up with a surplus financial situation enabling add-ons at the end of paving season. It also builds good rapport with those doing the work, which further helps the City. It is putting our cash to use. He appreciates the work the City's Engineering Department, Street Department and crew, and the Service-Safety Director does to get the City to this point.

Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2016-033 and is hereby made a part of the record.

ORDINANCE NO. 2016-035 (HWE Franchise Agreement)

second reading

AN ORDINANCE GRANTING TO HANCOCK-WOOD ELECTRIC COOPERATIVE, INC. ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF FINDLAY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY AND OTHER SERVICES TO PARTS OF THE CITY OF FINDLAY AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH AND ACROSS SAID CITY OF FINDLAY, STATE OF OHIO, SUBJECT TO AND IN COMPLIANCE WITH THE CERTIFIED TERRITORIES FOR ELECTRIC SUPPLIERS ACT (OHIO REVISED CODE SECTIONS 4933.81 TO 4933.90).

Discussion:

Councilman Wobser asked the Law Director if he has heard from AEP on this topic. Law Director Rasmussen replied he has not. Councilman Wobser recalls giving them the opportunity after the Committee of the Whole meeting to talk with the Law Director and provide what would be acceptable legislation. He asked if they have done so. Law Director Rasmussen replied they have not.

Second reading of the Ordinance.

ORDINANCE NO. 2016-037 (Cory St TAP)

second reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ALTER THE CORY STREET TRANSPORTATION ALTERNATIVE PLAN (TAP), AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2016-039 (insurance payment on FFD truck damage; GovDeals.com PD sales)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

first reading

adopted

Discussion:

Councilman Russel asked Fire Chief Eberle, in the audience, what happened to Ladder #1. Fire Chief Eberle explained that there was severe ice buildup on the aerial ladder that caused the majority of the damage. The ice buildup was due to overspray from the other master streams they had in operation during suppression operations.

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings. Seconded by Councilman Klein. Ayes: Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. The ordinance received its second and third readings. Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2016-039 and is hereby made a part of the record.

ORDINANCE NO. 2016-040 (Shade Tree Commission & Tree Regulations)

first reading

AN ORDINANCE REPEALING CHAPTER 913 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ESTABLISHING A NEW CHAPTER 913 ENTITLED ESTABLISHMENT OF SHADE TREE COMMISSION AND TREE REGULATIONS ORDINANCE FOR THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2016-041 (Blanchard Valley Port Authority)

first reading

adopted during
Old Business

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO PROVIDE A CERTIFICATE OF APPROVAL, AS THE HIGHEST APPLICABLE ELECTED REPRESENTATIVES, IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT LEASE OBLIGATIONS TO BE ISSUED PRUSUANT TO A MASTER LEASE-PURCHASE AND SUBLEASE-PRUCHASE AGREEMENT BY AND AMONG FIFTH THIRD BANK, THE BLANCHARD VALLEY PORT AUTHORITY AND THE UNIVERSITY OF FINDLAY, AND DECLARING AN EMERGENCY.

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH HELMS & SONS EXCAVATING FOR THE SANTEE AND ELY SANITARY SEWER PROJECT NO. 35665500, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings. Seconded by Councilman Klein. Ayes: Russel, Shindedecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer. The ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Shindedecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2016-042 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS

Mayor Mihalik requested Council revisit Ordinance No. 2016-041 as it is essential for the Port Authority being able to move forward with the project for the University of Findlay as discussed in an email a couple of weeks ago.

Councilwoman Frische moved to suspend the statutory rules and give the ordinance its second and third readings. Seconded by Councilman Harrington. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindedecker. The ordinance received its second and third readings. Councilwoman Frische moved to adopt the ordinance, seconded by Councilman Harrington. Ayes: Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindedecker, Watson. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2016-041 and is hereby made a part of the record.

Auditor Staschiak noted that a couple of employees asked him to check the status of when he wrote to Council about unionized employees (Police and Fire) having one hundred thousand dollars (\$100,000) in life insurance, and accidental death and dismemberment. Non-union employees have not requested Council to consider it. Council sent it back to the Administration asking them to provide some information back to Council for discussion. Councilman Russel asked the Auditor if this was sent directly to him or to the Appropriations Committee. Auditor Staschiak replied that the intent was to get more information on benefit packages, etc., and if it is appropriate to increase life insurance, and accidental death and dismemberment to fifty thousand dollars (\$50,000) which is half of what the union employees are getting. This is in limbo waiting to see if Council still wants to pursue information on this. Councilman Russel thought this was referred to the Appropriations Committee who decided not to take action on it which could be verified by the Appropriations Committee report. Auditor Staschiak replied that the employees who asked about it were under the impression that Councilman Russel was going to provide the information back, but instead, Auditor Staschiak will let them know that it went to the Appropriations Committee who did not take action on it. Mayor Mihalik added that if there are questions regarding benefits with a specific employee under the purview of the Mayor's Office, he/she can contact the City's Human Resources Director. Auditor Staschiak replied that these do not fall under the HR Director's purview. Councilman Klein asked who the employees work for. Auditor Staschiak replied there are employees in the Courts and the Auditor's Office that do not deal with HR, but instead referred their question to his office. The Auditor's Office works with the HR Director, but his employees cannot go to the HR Director for the information they need. In this case, the question he had was simple and wants to know what happened with it and if went anywhere. Councilman Russel asked why employees cannot talk with the HR Director. Auditor Staschiak replied that they can talk to him, but do not. They go to his office instead. Councilman Russel then asked if Auditor Staschiak encourages employees to go through the HR Director. Auditor Staschiak replied he does. This are no communication problems between the HR Director and the Auditor's Office. Councilman Hellmann asked why there isn't better communication between the Auditor's Office and the Administration. Council gets put into a position to transfer funds where many times the Administration or Auditor claim action needs taken now and the other is saying it doesn't have to be done. He asked if those discussions could take place before a public meeting is held (i.e. City Council). He encourages the Administration and the Auditor's Office to do so, so that time is not wasted. Auditor Staschiak replied that the Administration's job is to propose their desires on how they want to operate the City and request the funds from Council. It is Council's responsibility to appropriate the funds. Auditor Staschiak, as well as the Administration, have made their recommendations to Council on a regular basis. Whether or not Auditor Staschiak agrees or disagrees is irrelevant. The Administration makes the request of Council, but Council has to make the final decision. If there was a Committee of the Whole meeting to discuss this, he would have been in a position to suggest more prudent methods of utilizing those funds. For example, Council could have approved paying out of the General Fund for paving. By paying it out of the General Fund and not transferring money to Capital Improvements, the money has been transferred and is never coming back to the General Fund. As he mentioned two (2) meetings ago, the funds that have been built today are not likely to build as fast. He has had conversations with the Administration to let them know where the City is at and where to go from here. There are no communication issues there. Council's interpretation of what is happening is not a communication issue. In his opinion, Council should ask questions before appropriating funds if there are not enough funds to do so. Councilman Hellmann then asked if the Auditor had those discussions with the Administration prior to this meeting. Auditor Staschiak replied he did. Councilwoman Frische noted that she sends emails and calls the Administration when she has questions, but does not get her answers, so she asks them during City Council meetings. She did talk to the Auditor's Office this morning after the 9:00am Water and Sewer Committee meeting to ask additional questions and address her concerns. As an elected Council Representative, she voices her opinion on how the appropriation of funds should be handled during City Council meetings. Auditor Staschiak noted that he does not want the community thinking there are any problems between the Administration and the Auditor's Office. When he has discussions with the Service-Safety Director, they talk about purchases and the standard growth of revenue which is just over three percent (3%). The Service-Safety Director wants expenses to grow at less than or equal to the rate of revenue growth. They also discuss money and other issues. The Service-Safety Director was in the Auditor's Office two (2) days ago for almost an hour discussing projects up north around the CUBE so that he can properly address how he wants to handle it. There is not a communications problem between the Administration and the Auditor's Office. They are communicating to make sure each has the information they need so that proper financial decisions can be discussed. Council has to decide what they want to do. The Administration and the Auditor do not have to agree, but it still is Council's decision. Councilman Hellmann asked if the Administration and the Auditor have had any conversations where they did not agree, but that this is what the Administration is presenting to Council. Auditor Staschiak replied they have and he has presented that to Council. Mayor Mihalik added that it is the Administration's prerogative. It is how things work. It does not always go that way, but is not unusual in any form of government for the Executive Branch to communicate with the Legislative Branch. The Administration put forth a plan for capital spending because they feel it's the prudent thing to do.

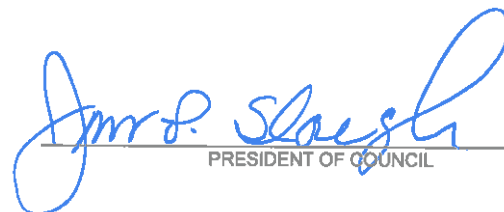
The City has a very delicate balance to try to achieve. The City's cash balances are healthy because of prudent spending of tax dollars and the savings achieved throughout the year, whether through healthcare and/or other things that may not have panned out (i.e. savings on salt this year) and the savings go back into the General Fund. There are funds in the Capital Plan because of the importance infrastructure spending is for the community. The savings are transferred it into the Capital Plan to allow for cash where it is needed especially in the beginning of the year when paving projects are being planned. By bidding early, it provides a significant amount of savings. While it is nice to have cash balances and the City's recent financial health, it wasn't that long ago when discussions were taking place on what needed to be done to prevent the \$6,000,000 worth of revenue from leaving the City in a year. This was what generated the permanent/temporary income tax. It wasn't that long ago that discussions took place on the need to spend \$7,000,000 per year on paving in order to keep up with our needs. The Administration is doing what they feel is prudent and know that it is a tough balance to try to achieve, and know that there are staffing issues that still need addressed. They are working with Department Heads to try to make that happen. As revenues continue to show growth, staffing can be added. If spending continues to be more than what is taken into our operations, then it will be deficit spending. This Administration has not taken that approach in the couple of years. In fact, the Administration has tried to stay as close to the balance as possible. With the uncertainty of revenues and not knowing how much will come in, the Administration is trying to plan for a budget that is going to meet the numbers the Auditor provides. Sometimes it works, which is great and right on track, and sometimes it is way down like it was in 2014. Luckily, there were funds left over in the budget to fill the gap. Sometimes, there is a lot more revenue than what was anticipated. Mayor Mihalik would also like to have the 5-year operational budget plan just as Councilwoman Frische's would with the revenue side being just as consistent as the expenses on the operations side. There are a lot of things that have to be considered which does not make anyone's job easy, but she appreciates Council's wiliness to work with the Administration as they try to move this community forward. Auditor Staschiak noted that his office used to regularly report different perspectives through appropriations on the City's finances. They offered different perspectives on where the money is at so that Council would go to the Administration to get their questions answered on what they want to do. Then, Council would come to the Auditor to get his/her report of where the finances are at and his/her perspective on the money. He would be happy to provide his financial details on a weekly/monthly and/or regular basis. Council should be very cautious on where they get information on the City's finances. Of all the numbers that were reported in the newspaper on income taxes and receipts, only one of them was correct. Councilman Shindledecker noted that Auditor Staschiak mentioned that once funds are appropriated to Capital Improvements they are then non-transferrable. He asked if Council were to decide for whatever reason not to do a particular project, if that money cannot ever go back into the General Fund. Auditor Statschiak replied that is correct. It is the law. As of right now, Council has appropriated \$6,700,000 in General Fund projects and have encumbered approximately \$3,400,000 of that \$3,300,000 which is just sitting there doing nothing. Councilman Shindledecker then asked if Council were to decide in 2017 to appropriate less into the Capital Improvements, could they do so. Auditor Staschiak replied that Council could change it today if they want to. The money cannot be moved, but the allocation of the income tax can be. It goes to the complexity of the question which is what is the right balance of how does each body wants to do business, and are to make decisions from an informed perspective. Council has done business in a particular way with finances over the last four (4) years where it has balanced and has worked with the City doing well. It is different than the way Council did it in years past with past Administrations. The question is what is the right balance, how do should the cash flow be handled, and how leverage of funds should be handled three to five (3-5) years down the road. He will be looking at that to make sure we are protecting ourselves because it is not likely cash balances will be built up like they have in the last four (4) years. The double benefit of an improving economy and cuts being implemented created a large cash balance. Now, the increase of the cash balance will be directly attributed to the difference between operational expenses and revenues and is not likely to grow by large leaps and bounds as it has in the recent past.

NEW BUSINESS

Councilman Russel announced that ProMedica had a situation where they needed to transport a child from Findlay's Blanchard Valley Hospital to Toledo, but needed to refuel in Findlay quickly. The pilot who knows Matt McVicker, City of Findlay Airport, asked him for fuel. Matt dropped everything to make it happen. Because of his timely response, and because the pilot knew if he asked Matt he would say yes, they were able to make the connection from Blanchard Valley Hospital to Toledo in a timely manner. A note that ProMedica sent Matt was published, which is how he came across this. Efforts like these that go above and beyond need Council's appreciation and thanks.

President J. Slough adjourned Council at 8:52pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL