

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**May 17, 2016**

**COUNCIL CHAMBERS**

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

**ABSENT:** none

President Pro-Tem Monday 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 May 3, 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 Russel moved to replace the following to tonight's agenda. Councilman Hellmann seconded the motion. All were in favor. Motion carried. Filed.

### **REPLACEMENTS:**

- Ordinance No. 2016-046 (**LEGISLATION** section)
  - Changed FROM: Capital Improvement Fund to now be FROM: CIT Fund – Capital Improvements Restricted Account

**PROCLAMATIONS:** – none.

**RECOGNITION/RETIREMENT RESOLUTIONS:** - none.

**PETITIONS:** - none.

**WRITTEN COMMUNICATIONS:** - none.

**ORAL COMMUNICATIONS:** - none.

## **REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:**

**City Income Tax Monthly Collection Report** – April 2016. Filed.

**Findlay Police Department Activities Report** – April 2016. Filed.

### **City Auditor Jim Staschiak – summary financial reports**

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

- Summary of Year-To-Date Information as of April 30, 2016
- Financial Snapshot for General Fund as April 30, 2016
- Cash & Investments as of April 30, 2016
- Open Projects Report as of April 30, 2016

Filed.

**Findlay W.O.R.C. Financial Analysis Report** – January 1, 2016 through April 30, 2016. Filed.

**Findlay Municipal Court Activities Report** – April 2016. Filed.

**Findlay Fire Department Activities Report** – April 2016. Filed.

**Board of Zoning Appeals Minutes** – April 14, 2016. Filed.

**City Planning Commission minutes** – April 14, 2016. Filed.

**Treasurer's Reconciliation Report** – April 30, 2016. Filed.

**N.E.A.T. Departmental Activity Report** – April 2016. Filed.

**COMMITTEE REPORTS:**

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Brad Koller, Fields for All Fundraising Committee for the City of Findlay to increase their contribution to the new Miracle Park facility.

FROM: Capital Improvement Fund

\$ 50,000.00

TO: Miracle Field Project No. 31940500

\$ 50,000.00

*We recommend the approval of the above.*

Councilman Harrington moved to adopt the committee report. Councilman Russel seconded the motion. All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Deric Luginbill to rezone 123 Garfield Street from R2 Single Family to R4 Duplex Triplex Residential.

*We recommend denial of the request.*

Councilman Shindledecker moved to adopt the committee report. Councilman Russel seconded the motion. All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Chuck Wilson to rezone 429 Walnut Street and 420-422 Prospect Street from C2 General Commercial to R4 Duplex Triplex Residential.

*We recommend approval as requested with conditions approved by the City Planning Commission. Ordinance No. 2016-047 was created.*

Councilman Harrington moved to adopt the committee report. Councilman Russel seconded the motion. All were in favor. Filed.

**LEGISLATION:**

**RESOLUTIONS**

**RESOLUTION NO. 019-2016**

**second reading**

*(CDBG (FY16) application, areas B-4 & B-6 (Phase II) sewer separation project no. 32556100)*

A RESOLUTION AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION FOR FISCAL YEAR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND, IF AWARDED, TO SIGN A GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT.

Second reading of the Resolution.

**RESOLUTION NO. 020-2016** *(CDBG Critical Infrastructure grant application)*

**second reading**

A RESOLUTION AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION FOR A CRITICAL INFRASTRUCTURE GRANT FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND, IF AWARDED, TO SIGN A GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT.

Second reading of the Resolution.

**RESOLUTION NO. 021-2016** *(no PO)*

**first reading**

**adopted**

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

Councilman Russel moved to adopt the Resolution, seconded by Councilman Harrington. 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.

**ORDINANCES**

**ORDINANCE NO. 2016-040, AS AMENDED** *(Shade Tree Commission & Tree Regulations)*

**third reading**

**adopted**

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.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2016-040 and is hereby made a part of the record.

**ORDINANCE NO. 2016-043** (*Stix Restaurant lease agreement*)

**second reading**

**adopted**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF FINDLAY, OHIO, TO EXECUTE A LEASE AGREEMENT WITH RENZ RAINER D. SALANGA, DBA, STIX RESTAURANT FOR APPROXIMATELY SEVEN HUNDRED EIGHTY SQUARE FEET (780<sup>sq</sup> FT), MORE OR LESS, ON THE LOT OWNED BY THE CITY AT THE CORNER OF EAST SANDUSKY STREET AND SOUTH MAIN STREET, FINDLAY, OHIO.

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

**Discussion:**

Councilman Shindledecker noted that Council has seen several restaurants occupy sidewalk space. Council should either approve or reject this ordinance tonight so that this restaurant may operate this space soon with warm weather coming instead of having to wait another two (2) weeks.

Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2016-043 and is hereby made a part of the record.

**ORDINANCE NO. 2016-044** (*Main St alleys reconstruction (CDBG FY15) project no. 32864500*)  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**second reading**

Second reading of the Ordinance.

**ORDINANCE NO. 2016-045** (*11815 TR 145 ROW dedication*)

**second reading**

AN ORDINANCE DEDICATING A CERTAIN PORTION OF RIGHT-OF-WAY (HEREINAFTER REFERRED TO AS 11815 TOWNSHIP ROAD 145) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

**ORDINANCE NO. 2016-046** (*Miracle Field contribution*)

**first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2016-047** (*429 Walnut St/420-422 Prospect rezone*)

**first reading**

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 429 WALNUT STREET AND 420-422 PROSPECT STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "R4 DUPLEX TRIPLEX RESIDENTIAL".

First reading of the Ordinance.

**ORDINANCE NO. 2016-048** (*Toledo-Lucas County Port Authority grant*)

**first reading**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO SIGN AND EXECUTE A COOPERATE PROJECT MANAGEMENT AGREEMENT WITH THE TOLEDO-LUCAS COUNTY PORT AUTHORITY, AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO RECEIVE AND ADMINISTER A GRANT SUB-AWARD THROUGH THE TOLEDO-LUCAS COUNTY PORT AUTHORITY IN THE AMOUNT OF THREE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$355,000.00), AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**UNFINISHED BUSINESS:**

**OLD BUSINESS:** - none.

**NEW BUSINESS** - none.

President Pro-Tem Monday adjourned Council at 7:41pm.

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL