

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**July 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 July 5, 2016 Regular Session City Council meeting minutes. Councilman Niemeyer seconded the motion. All were in favor. Motion carried. Filed.

## **ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:**

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

### **REPLACEMENTS:**

- Ordinance No. 2016-071 – amendment to salary ordinance (**LEGISLATION** section)
  - Waterline Maintenance Technician – Class I License . . . . . 0170 N/A
  - Waterline Maintenance Technician – Class II License . . . . . 0171 N/A

Changed to now be:

- Waterline Maintenance Technician – Class I License . . . . . 0160 N/A
- Waterline Maintenance Technician – Class II License . . . . . 0161 N/A

### **ADD-ONS:**

- Letter from SSD – 1001 Blanchard Ave demo (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section)
- Ordinance No. 2016-080 – 1001 Blanchard Ave demo contract & appropriation of funds (**LEGISLATION** section)

**PROCLAMATIONS:** – none.

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

**PETITIONS:** - none.

**WRITTEN COMMUNICATIONS:** - none.

**ORAL COMMUNICATIONS:** - none.

President J Slough introduced Ben Garcia from the audience. Ben is with Boy Scout Troop 319. He is sponsored by Knights of Columbus. He is working on his citizenship and communication badges.

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

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Red Red Wine LLC dba Red Red Wine, located at 319 South Main Street, Findlay, Ohio, for a D1, D2 and D3 liquor permits. This requires a vote of Council.**

Gregory R. Home, Chief of Police – Red Red Wine LLC dba Red Red Wine, located at 319 South Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

Robin L. Gardner

Councilman Harrington moved for no objections be filed. Seconded by Councilman Klein. 9 Council members in favor, 1 opposed. Filed.

**Precipitation and Reservoir levels report – April-June 2016. Filed.**

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

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

**Findlay Municipal Court Activities Report – June 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 June 30, 2016
- Financial Snapshot for General Fund as June 30, 2016
- Cash & Investments as of June 30, 2016
- Open Projects Report as of June 30, 2016

**Discussion:**

Auditor Staschiak informed Council that these financial reports will be reviewed during the mid-year review meeting on July 28, 2016. He will also demonstrate the citizen transparency system at that meeting. The article in the newspaper was not correct. This is an automated system that will provide the comprehensive financial data for our community including revenue and expenses online. Once complete, it will be used to generate all the reports necessary to post the information to OhioCheckBook.com in 2016. Filed.

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

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

**Service-Safety Director Paul Schmelzer – City Insurance payment on City vehicle**

The City of Findlay has received payment for the repair of a City vehicle from an accident from the City's insurance company in the amount of seven hundred ninety-six dollars and twenty-eight cents (\$796.28). Legislation to appropriate funds is requested. Ordinance No. 2016-079 was created.

FROM:	General Fund (insurance proceeds)	\$ 796.28	
TO:	Police Department #21012000-other		\$ 796.28

Filed.

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

**City Auditor Jim Staschiak – revenue estimates for fiscal year 2017**

Ohio clearly defines a budgetary process which includes the requirement that municipalities prepare an annual tax budget by July 20, 2016. The County Budget Commission has not required the filing of a complete tax budget for many year and requires the City of Findlay only provide the attached Estimated Revenues for submission to the Budget Commission for the next fiscal year. In order to meet the statutory requirements for the distribution of the local government money, this document should be formally accepted by Council at the July 19, 2016 meeting so it can then be filed with the County Auditor by July 20, 2016. A motion for acceptance of the revenue estimates will be needed during the July 19, 2016 City Council meeting. As required by statute, the Council Clerk has scheduled a public hearing before this meeting, notice of which must have been published ten (10) days before the hearing. A public hearing for this was held on July 19, 2016 at 7:15pm.

**Discussion:**

Councilman Monday moved to adopt the FY17 tax budget as presented. Councilman Wobser seconded the motion. All were in favor. Filed.

**Service-Safety Director Paul Schmelzer – demolition of 1001 Blanchard Ave project no. 31966000**

By authorizing of Ordinance No. 2016-053. bids were opened for this project on July 14, 2016. Bids were received from eight (8) contractors ranging from \$58,888 to \$150,220. The lowest and best bid was received from ALL Excavating & Demolition of McComb. In order to move forward with the demolition, an appropriation of funds is needed for the contract and contingency. All costs associated with the demolition will be tracked and assessed to the property. Ordinance No. 2016-080 was created.

FROM:	General Fund	\$ 70,000.00	
TO:	Demolition of 1001 Blanchard Ave Project No. 31966000		\$ 70,000.00

**Discussion:**

Councilman Monday requested the letter be read in full. The Council Clerk read the letter in its entirety.

Councilman Shindledecker was advised by former School Board members that cost of demolition could be considerably higher if there is asbestos present. He asked if that has been looked into. Service-Safety Director Schmelzer replied that like most environmental properties, the rumor mill gets going and costs escalate unnecessarily. This was bid at \$58,000 which is what they are obligated to tear it down and remove it for. Contingency funds are included in that. He used a prior environmental study on the findings of minor asbestos found in the window caulking. Councilman Shindledecker noted that Councilmembers did receive that report. School Board members were told several years ago that the costs could be much more substantial. New methods of removal might be in place now that weren't at that time. Some of the buildings being taken down on Main Street are of about the same age and are being taken down for much less. He asked the Service-Safety Director if he is comfortable with this company's bid. Service-Safety Director Schmelzer replied he is and believes there are a lot of misunderstandings about what asbestos mitigation is and what is left in the building. Most asbestos costs skyrocket when they are friable which is usually associated with burning.

Councilman Klein asked if this is the same company who has done most of the City's demolitions. Service-Safety Director Schmelzer replied it is. He had been asked if it would be necessary for this to be passed on emergency. He put it on tonight's agenda for Council's consideration because of all the recent talks on it. He reached out to the contractor to see what their schedule looked like. They are a couple of projects behind, so passing this immediately tonight would not necessarily mean that the contractor will be there tomorrow.

Councilwoman Frische asked why the dollar range of the bids was so wide. Service-Safety Director Schmelzer replied that it has to be taken into consideration where some of the companies come from. Some companies charge less for their labor. Some take their materials to different disposal sites. Those are the biggest variables involved in demolition. There are a couple of companies that we have been fortunate enough to deal with who have provided cost-conscious demolitions. This is one of those companies. Councilwoman Frische asked if their bid is firm or if there are any unknown costs. Service-Safety Director Schmelzer replied that he is putting a contingency on this for the condition of the land after the demo and after the foundation is looked at.

Councilman Russel asked how long the process for this will be. Service-Safety Director Schmelzer replied approximately four (4) weeks. Councilman Russel asked if the school bus facility has moved to their new location. Service-Safety Director Schmelzer replied they have. They will be running maintenance personnel out the existing facility. They want to get their IT personnel back in there.

Councilman Wobser asked if the \$60,000 goes against the property and asked how the City will recoup expenses. Law Director Rasmussen suggested the City run parallel paths and assess their property tax. He also noted that the City has the right to sue them. As soon as all the costs are documented, he will send another certified letter to the property owner. If nothing is resolved with that attempt, a suit against them will be filed here (they will have to come here). Councilman Wobser then asked if there have been any further communications with them since last discussions. Law Director Rasmussen replied he has not. None of the phone numbers or addresses did not work, so further contact was not available. Filed.

## **COMMITTEE REPORTS:**

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Theresa Heidlebaugh and Marcus Price to vacate Connell Avenue from Fishlock Avenue east to the north-south alley located between Fishlock Avenue and Williams Street (60 ft x 160 ft).

The **PLANNING & ZONING COMMITTEE** met on June 9, 2016 to discuss this request where it was recommended that it be tabled per CITY PLANNING COMMISSION.

*We recommend to table this.*

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 Clouse Construction Corp on behalf of the Hancock County Agricultural Society to rezone 1017 East Sandusky Street, aka Hancock County Fairgrounds from R2 Single Family Medium Density to PO Park and Open Space District.

*We recommend to approve the rezone as requested. Ordinance No. 2016-078 was created.*

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

## **LEGISLATION:**

**RESOLUTIONS** – none.

### **ORDINANCES**

**ORDINANCE NO. 2016-059** (final Health Department merger items – complete funding for the merger) **third reading** **adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-059 and is hereby made a part of the record.

**ORDINANCE NO. 2016-063** (E Lima St vacation) **third reading** **adopted**  
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS EAST LIMA STREET VACATION) IN 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 2016-063 and is hereby made a part of the record.

**ORDINANCE NO. 2016-064** (1101 North Blanchard Street rezone – Habitat for Humanity) **third reading** **adopted**  
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 1011 NORTH BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "R3 SINGLE FAMILY HIGH DENSITY".

Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington. Abstain: Hellmann. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2016-064 and is hereby made a part of the record.

**ORDINANCE NO. 2016-065** (Kennington Dr rezone – condo complex) **third reading** **adopted**  
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 KENNINGSTON DRIVE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "CD CONDOMINIUM".

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2016-065 and is hereby made a part of the record.

**ORDINANCE NO. 2016-070** (Marion Township revenue sharing agreement - McLane) **third reading** **adopted**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE BOARD OF TOWNSHIP TRUSTEES FOR MARION TOWNSHIP, HANCOCK COUNTY, OHIO, FOR REVENUE SHARING PURSUANT TO RESOLUTION NO. 19-1995.

Councilman Klein moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2016-070 and is hereby made a part of the record.

**ORDINANCE NO. 2016-071, AS AMENDED** (amendment to salary ordinance) **second reading**  
AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2015-100, ORDINANCE NO. 2016-013, ORDINANCE NO. 2016-007, AS AMENDED AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2016-072** (bridge easement) **second reading**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO EXECUTE A PERPETUAL HIGHWAY EASEMENT AGREEMENT WITH THE BOARD OF HANCOCK COUNTY COMMISSIONERS FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A BRIDGE. LOCATED ON CITY OWNED PROPERTY ON, OVER, AND AROUND MCMANNESS AVENUE, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2016-076** (HRPC hiring of 2 interns) **second reading** **adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Hellmann moved to suspend the statutory rules and give the Ordinance its third reading. Councilman Harrington seconded the motion. Ayes: Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday. The Ordinance received its third reading. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-076 and is hereby made a part of the record.

**ORDINANCE NO. 2016-077** (GovDeals.com PD sales) **second reading** **adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Ordinance its third reading. Councilman Klein seconded the motion. Ayes: Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel. The Ordinance received its third reading. Councilman Monday moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-077 and is hereby made a part of the record.

**ORDINANCE NO. 2016-078** (Fairgrounds 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 THE HANCOCK COUNTY FAIRGROUNDS REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "PO PARK AND OPEN SPACE DISTRICT".

First reading of the Ordinance.

**ORDINANCE NO. 2016-079** (City insurance payment)

first reading

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Ordinance its second and third readings. Councilwoman Frische seconded the motion. Ayes: Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson. The Ordinance received its second and third readings. Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-079 and is hereby made a part of the record.

**ORDINANCE NO. 2016-080** (1001 Blanchard Ave demo)

first reading

adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH ALL EXCAVATING AND DEMOLITION OF McCOMB, OHIO, FOR DEMOLITION OF THE STRUCTURE LOCATED AT 1001 BLANCHARD AVENUE, FINDLAY, OHIO, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Klein moved to suspend the statutory rules and give the Ordinance its second and third readings. Councilman Niemeyer seconded the motion. Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. Nays: Frische. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-080 and is hereby made a part of the record.

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilman Harrington pointed out that with all the violence against law enforcement officials in the news lately, he expressed his appreciation of what Findlay's Officers do on a day to day basis. While Findlay is a quiet community, it still has its share of problems. When Officers put their uniforms on, it is unknown if their life is in parallel. He appreciates what our Officers do and noted that what our Firefighters do is also underestimated. When they go on calls, they put their lives in danger for the citizens of Findlay.

**NEW BUSINESS:**

President J. Slough adjourned Council at 7:59 pm.

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL