

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

August 16, 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 August 2, 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: - none.

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS:

Status of Morger (Williams Street) Annexation

On June 14, 2016, annexation documents for the Morger (Williams Street) annexation were received and have been in the office of the City Clerk the required 60 days. The petitioner for this annexation is George H. Ranzau Revocable Trust and the Camille A. Ranzau Revocable Trust. This annexation will be referred to as the Morger (Williams Street) Annexation. Philip L. Rooney is the authorized agent for the petitioners. Resolution No. 014-2016 (services the City will provide if annexed into City limits) was adopted during the April 5, 2016 City Council meeting. Ordinances No. 2016-082 and 2016-083 were created and will receive their first reading during the August 16, 2016 City Council meeting.

Zoning amendment request – 2411 North Main Street

Mike Couchot, on behalf of Couchot Homes Inc. would like to change the zoning to R-4 Duplex Tri-Plex. It currently is zoned as R-3, single family, high density. Referred to City Planning Commission and Planning & Zoning Committee.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Peggy Grandbois/Craig VanRenterghem (Education Director) –Arts Partnership

Peggy Grandbois, Executive Director of the Arts Partnership, informed Council on how the Arts Partnership has used the funds received from the City and how it impacts the community. She also highlighted their programming plans for the coming year. During the 2015-2016 season, their education programming impacted nearly seventeen thousand five hundred (17,500) students and adults which is a forty-six percent (46%) increase from their 2014-2015 season. That was made possible due to the continued support of the community, including the City hotel/motel tax. This additional programming has been well-received by community members. Programming is important to the many new families moving to this community. The Arts Partnership provides opportunities to students of all ages and helps make this community a more attractive place to live.

Craig VanRenterghem informed Council how their programming has impacted the community this past year. They had over six hundred eighty (680) students participate in their youth theatre program, and five thousand three hundred seventy (5,370) audience members came to see many of their productions, camps, and workshops. They also have an after-school drama club and a Hancock County Childrens' Choir. Many of their youth theatre students were able to experience three (3) professional theatre productions. Last year, they were able to add seven (7) additional programs involving over two thousand one hundred fifty (2,150) participants and audience members. They had their first ever Hancock County Children's Choir with fifty (50) youth in grades 2 through 5 participate last year. They performed for over one thousand five hundred (1,500) audience members including the American Boys Choir Concert, Santa's Village in downtown Findlay on the steps of the Hancock County Courthouse. They participated in the Memorial Day Parade this year, as well as area senior living facilities. They started a middle school drama club with fifty (50) participants and three (300) attendees at the event. The Arts Special Needs Camp in conjunction with area groups in Findlay started with ten (10) participants, ten (10) team assistants, and thirty (30) attending the event. The Arts Workshop had twenty-four (24) youth participants. The Major Camp had fourteen (14) youth participants and sixty-five (65) audience members. They had a first ever Presidents' Day Theatre Fun Day with fifty-one (51) students participating. They started a Youth Toastmasters Club and a Homeschool Drama Class which involved thirty-five (35) participants. They have a very strong school day performance at the Marathon Center for the Performing Arts with five thousand six hundred twenty (5,620) student from Findlay, Hancock County and their teachers attended which is one thousand eight hundred fifty (1,850) more than the previous year. One hundred (100) teachers participated in their Professional Development Workshops with five thousand four hundred thirty-seven (5,437) students impacted by their Arts in the Schools Program. Two hundred (200) seniors participated in their senior programming. Through their programs, they have been able to impact the community in many different ways.

Ms. Grandbois highlighted what upcoming programs they have for the coming year. They are offering their Musical Theatre Camp at 50North with twenty-five (25) enthusiastic senior campers who are doing visual arts, music, and singing this week. They already had a Youth Performing Arts Camp last month, and rehearsal for the musical Godspell has begun. Two (2) camps will be offered this year. One (1) will be for the students and one (1) for the seniors at 50North. The Hancock County Childrens Choir will be holding auditions in a couple of weeks and will be performing throughout the community again this year. Additional school day performances will be held, including a performance by Lightwire Theatre who were a finalist on America's Got Talent a couple of years ago. Holiday favorite The Nutcracker will also be performed this year. There will be an additional Arts in the School Program where the artists go into the schools and classrooms to work directly with the students, including a week long residency in the schools, and a public performance by The Dancing Wheels Company & School in Cleveland. This is a professional dance troop of disabled and able-bodied dancers. Many of these artists that will be participating in their programming next year are from out of town. They will be occupying approximately one hundred (100) hotel rooms throughout the coming year.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Income Tax Monthly Collection Report – July 2016. Filed.

Findlay Police Department Activities Report – July 2016. Filed.

Board of Zoning Appeals Minutes – July 21, 2016. Filed.

Findlay Fire Department Activities Report – July 2016. Filed.

Mayor Lydia Mihalik – CIT labor costs

During the December 2015 budget hearings and to account for the highest cost scenario, it was briefly mentioned that the budget expenses for much of the Income Tax Department's expected 2016 labor costs were recorded primarily in the personal services section of the department's budget (subcodes 100000-200000). As planned, as a temporary measure, money for contract labor has been transferred from the Refunds subcode to the 440900 Clerical Services subcode until such time as those funds need to be replenished from the personal services section. This transfer requires an act of Council. In anticipation of Council's approval, Law Director Rasmussen has prepared emergency legislation for the August 16, 2016 City Council meeting to authorize the transfer. Resolution No. 028-2016.

Discussion:

City Auditor Staschiak requested this letter and Resolution be referred to the City Income Tax Board as a point of order. Per the Ordinance, the Income Tax Board shall review budget requests. This one is important because it is the difference between using temporary staffing instead of City employees for reviewing and monitoring the City's income tax receipts.

Councilwoman Frische moved to refer this to the City Income Tax Board. Seconded by Councilman Wobser.

Councilman Hellmann asked if he understood correctly that this is part of the City Ordinance now. City Auditor Staschiak replied that is correct. Under 193.08 Section D, it says that this board shall review the budget for this department. All were in favor. Filed. Referred to the City Income Tax Board.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for 1127 Properties LTD, dba Pony Express Carryout Drive-Thru, located at 902 Blanchard Avenue, Findlay, Ohio, for C1 and C2 liquor permits. This requires a vote of Council.

Gregory R. Horne, Chief of Police – 1127 Properties LTD, dba Pony Express Carryout Drive-Thru, located at 902 Blanchard Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Matthew J. Saunders

Councilman Harrington moved for no objections be filed. Seconded by Councilman Klein.

Discussion:

Councilman Niemeyer asked if this is a change of ownership. Law Director Rasmussen replied it is a transfer.

9 Council members in favor, 1 opposed. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for 2020 Tiffin LLC, dba Jeds BBQ and Brew, located at 2020 Tiffin Avenue, Findlay, Ohio, for a D5 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – 2020 Tiffin LLC, dba Jeds BBQ and Brew, located at 2020 Tiffin Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Jamie Deen

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

Findlay Municipal Court Activities Report – July 2016. Filed.

N.E.A.T. Departmental Activity Report – July 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 July 31, 2016
- Financial Snapshot for General Fund as July 31, 2016
- Cash & Investments as of July 31, 2016
- Open Projects Report as of July 31, 2016

Filed.

City Auditor Jim Staschiak – Estate Tax overpayment and refund

Notice from the Hancock County of an overpayment of Estate Tax and a refund is due. The County was notified by the State of Ohio and an amount of \$18,834.73 is due from the City of Findlay. It has already been refunded to the State by the County. Legislation to appropriate funds is requested. Ordinance No. 2016-085 was created.

FROM: General Fund \$ 18,834.73
TO: General Expense #21010000-other \$ 18,834.73

Although it is not critical, the amount being reimbursed has already been paid on our behalf by the County, therefore, legislation with the emergency clause is being requested so that the funds can be paid expeditiously.

Discussion:

Councilman Monday asked the City Auditor if he is requesting the emergency clause to make it law as soon as the Mayor signs it or if it can wait thirty (30) days after it is passed. City Auditor Staschiak replied he is asking for the clause to be on it to suspend the rules. He is leaving it up to Council's discretion if it is effectively immediately, or after thirty (30) days. If Council is willing to do it, and as long as the Law Director feels it is an appropriate expenditure under the emergency rules, then it should probably be done in light of good relations between the City and County. It is a courtesy. Filed.

Mayor Lydia Mihalik – Raise the Bar

Over the last several years, this community has been working together to develop a comprehensive workforce development strategy. Raise the Bar – Hancock (RTB) is a partnership of education, business, social services, and community leaders focused on aligning and integrating the Hancock County, Ohio community learning system with economic growth and a high quality of life.

The mission statement for this organization is "Having a prepared, expanding workforce allowing for growth now and in the future to fulfill our economic potential".

RTB has set out to accomplish the following:

- A. To collaborate with employment and training organizations as partners in designing and delivering a comprehensive and cohesive system of services which address the immediate workforce needs of employers and people seeking employment;
- B. To implement an effective, long-term cradle to career employee development strategy through collaboration by and between governmental, educational, and social service institutions, local businesses and foundations, and community-based employment and training organizations (collectively, the "Partners"); and
- C. To coordinate with the Partners to share resources, ideas, and systems to ensure quality, efficiency, and effectiveness in meeting the demands of the local marketplace.

The United Way of Hancock County, The Findlay/Hancock County Community Foundation, the Hancock County Commissioners, Economic Development are partnering with the City of Findlay to execute these objectives. As discussed in the last quarter of 2015, the City of Findlay has been asked to contribute \$30,000 a year for the next five (5) years.

Measurable results are already happening in this community as a result of this unprecedented collaboration. As we continue to grow and evolve as a top community in the country, our ability to tackle our workforce issues will be key to our success.

I look forward to continuing this discussion with you at your next Appropriations Committee meeting. I know our partners are eager to as well. Ordinance No. 2016-084 was created. Referred to the Appropriations Committee.

Discussion:

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

COMMITTEE REPORTS: - none.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 027-2016 (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 Monday moved to adopt the Resolution, seconded by Councilwoman Frische.

Discussion:

Councilman Russel asked why a purchase order was not made for this. It is a regular occurring bill. Service-Safety Director Schmelzer replied that the bill was received before a purchase order was assigned. They sent the bill, we receipted it, and then paid it. We do not tell them to take the bill back so we can get a purchase order first. It is a routine occurrence.

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.

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

First reading of the Ordinance. Referred to the City Income Tax Board during REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS.

RESOLUTION NO. 029-2016 (fleet vehicle alternative fuel use grant application)

first reading

adopted

A RESOLUTION SUPPORTING THE SUBMITTAL OF A GRANT APPLICATION TO THE LOCAL GOVERNMENT INNOVATION FUND IN ORDER TO FUND A FEASIBILITY STUDY TO EXAMINE COST SAVING OPPORTUNITIES FROM FLEET VEHICLE ALTERNATIVE FUEL USE, AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules and give the Resolution its second and third readings. Seconded by Councilman Russel. Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindedecker, Watson, Wobser, Frische. The Resolution received its second and third readings. Councilwoman Frische moved to adopt the Resolution, seconded by Councilman Russel.

Discussion:

Councilman Russel asked for more information about this program. Service-Safety Director Schmelzer replied that it is a grant that the City could be eligible for up to fifty thousand dollars (\$50,000). It includes the County and Findlay City Schools. Clean Fuels Ohio will help with applying for the grant and can serve as one of the consultants on the evaluation of the fleets. It includes alternative energies such as electric, propane and natural gas. Councilman Russel asked if it will be used for examining the Police Department and the Parks and Recreation Departments fleets. Service-Safety Director Schmelzer replied that is correct. It is through the local government innovation fund. When he talked with the representatives from Plainfield, Ohio about the City being able to fund the examination of our fleet through the grant, part of the discussions related to resources that are available to the community. Right now, there is a C and G facility available, but not one available for liquid propane. Liquid propane for the City's and the County's fleet is a better fit. Compressed natural gas is a better fit for school buses. There is a better opportunity if we have a market for an additional resource. We will get additional points on the grant application if we involve other partners. When we took a look at the fleet sizes that were available and what a consultant could actually accomplish for up to the fifty thousand dollars (\$50,000) limit, it was determined that the County and City Schools are a good fit as partners for the grant application. Councilman Russel asked what the end product is for this. Service-Safety Director Schmelzer replied to obtain an independent analysis of each fleet and a comparison on the return on investment on the vehicle types that we own. It will also be good information for vehicles. There is no obligation for us to do any kind of conversion. There is no cost to us as long as the grant application consultant fee is under the fifty thousand dollars (\$50,000). We do have in-kind work that is related to it because we have to put all the fleet information together and review it. That all goes towards our match for the fifty thousand dollars (\$50,000).

Ayes: Hellmann, Klein, Monday, Niemeyer, Russel, Shindedecker, 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.

ORDINANCES**ORDINANCE NO. 2016-078** (Fairgrounds rezone)

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 THE HANCOCK COUNTY FAIRGROUNDS REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "PO PARK AND OPEN SPACE DISTRICT".

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann.

Discussion:

Councilwoman Frische is abstaining because she is on the Fair Board.

Ayes: Klein, Monday, Niemeyer, Russel, Shindedecker, Watson, Wobser, Harrington, Hellmann. Abstain: Frische. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2016-078 and is hereby made a part of the record.

ORDINANCE NO. 2016-082 (Morger-Williams Street annexation 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 ZONING THE FOLLOWING DESCRIBED PROPERTY AS R2 SINGLE FAMILY MEDIUM DENSITY (HEREINAFTER REFERRED TO AS THE MORGER-WILLIAMS STREET ANNEXATION).

First reading of the Ordinance.

ORDINANCE NO. 2016-083 (Morger-Williams Street annexation accept and approve)

first reading

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF MARION, COUNTY OF HANCOCK, STATE OF OHIO, AND SITUATED IN THE SOUTHWEST FOURTH (1/4) OF SECTION 20, T1N, R11E, A TRACT OF LAND CONSISTING OF 0.172 ACRES OF LAND, MORE OR LESS AND FURTHER DESCRIBED HEREIN, AND TO PETITION THE COUNTY COMMISSIONERS TO ALTER THE BOUNDARIES IN ACCORDANCE WITH SECTION 503.07 (HEREINAFTER REFERRED TO AS THE MORGER-WILLIAMS STREET ANNEXATION).

First reading of the Ordinance.

ORDINANCE NO. 2016-084 (RTB/Alliance Jobs Coordinator position)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

first reading

First reading of the Ordinance. Referred to the Appropriations Committee.

ORDINANCE NO. 2016-085 (Estate Tax overpayment and refund)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

first reading

Councilman Monday moved to suspend the statutory rules and give the Ordinance its second and third readings. Councilman Russel seconded the motion. Ayes: Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. The Ordinance received its second and third readings. Councilman Monday moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2016-085 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilwoman Frische asked if Resolution No. 028-2016 that was referred to the City Income Tax Board earlier tonight should be tabled since the board does not meet for awhile. Mayor Mihalik replied she will call a City Income Tax Board meeting so that this can be discussed so that the second and third readings of the Resolution stay on schedule. The City Income Tax Board meets once a quarter, but this would be considered a special meeting.

Councilman Wobser asked if those who can answers questions about Raise the Bar (RTB) will be at the September 13, 2016 Appropriations Committee meeting. Mayor Mihalik replied they will be there.

NEW BUSINESS:

President J. Slough adjourned Council at 7:58 pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL