

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

January 3, 2017

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 Russel moved to accept the December 20, 2016 public hearing minutes for 15110 Flag City Dr (Menards) rezone (Ordinance No. 2016-113). Councilman Hellmann seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Russel moved to accept the December 20, 2016 public hearing minutes for 516, 518, 518 ½ Liberty St rezone (Ordinance No. 2016-112). Councilman Shindledecker seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Hellmann moved to accept the December 20, 2016 Regular Session City Council meeting minutes. Councilman Klein 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:

Street vacation request – Lippincott Avenue

Joe VanDenEynde is requesting to vacate Lippincott Avenue between Fishlock Avenue and Williams Street. Referred to City Planning Commission and Planning & Zoning Committee.

Alley vacation request – Lippincott Avenue

Joe VanDenEynde is requesting to vacate the north-south alley between First Street and Lippincott Avenue to the north bank of Lye Creek and the east-west alley right-of-way between Fishlock Avenue and Williams Street between First Street and Lippincott Avenue. Referred to City Planning Commission and Planning & Zoning Committee.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Jerry Arkebaker and Leon Wyden – University of Findlay bond issue

Mr. Arkebaker, Director of the Port Authority asked City Council to adopt tonight's ordinance that authorizes the Mayor to sign, as the highest applicable elected official, the issuance of tax-exempt bonds that the Blanchard Valley Port Authority would issue. The Port Authority Board has taken action to authorize the issuance of these bonds. They have already had the Internal Revenue Service's required public hearing and explained that the purpose of these bonds which is to assist the University in finalizing the construction costs for its new Student Activities Center and College of Business building. Ten million dollars (\$10,000,000) worth of bonds were issued earlier this year, and now it is their goal that another five million dollars (\$5,000,000) worth of bonds will be issued next week. In order for that to happen, City Council will have to authorize the Mayor to sign the required IRS form as the highest applicable elected official approval. This is a good project for the City and for the University.

Mr. Wyden, Vice President of Business Finance for the University of Findlay, explained that the University is mid-way through the construction of the lights in College of Business building. The brick is going up on the outside. The building's completion date is scheduled for July 31, 2017. The finance date is critical to have that plan move forward so that it is ready for students when they return this fall. It will be a beautiful building with a lovely entrance way and a wall that will recognize Findlay veterans as well as other veterans, helping to connect students with local veterans. The first floor will be a dining center with various food options for students. There will also be several different meeting rooms and areas that students, faculty, and staff will have access to. The College of Business will be on the second floor with state of the art classrooms, meeting rooms, and approximately thirty (30) offices for faculty. They are looking forward to having this building available this fall.

Discussion:

Councilman Monday asked if Mr. Arkebaker and Mr. Wyden's goal is for Council to suspend the rules and waive the readings tonight in order to pass this ordinance so that they can move through the bonds next week. Mr. Arkebaker replied it is. The set bond rate will expire next week, so the bonds have to be closed next week. It would be very helpful to keep this on schedule so they can do so.

Councilwoman Frische asked if Council has already done this for the University before and if it is a standard request. Service-Safety Director Schmelzer replied that every time the University does a project, this is required. Mr. Arkebaker added that every time they do a tax-exempt project, a bond issue has to be done in this manner. They have to have the Mayor sign to comply with the IRS.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

N.E.A.T. Departmental Activity Report – November 2016. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Red Wine LLC, dba Red Wine, located at 317 South Main Street, Findlay, Ohio, for D1, D2 and D3 liquor permits. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Red Wine LLC, dba Red Wine, located at 317 South Main Street. 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.

City Planning Commission agenda – January 12, 2017; **minutes** – December 8, 2016. Filed.

Service-Safety Director Paul Schmelzer – 2017 Capital Improvements Plan

The proposed version of the 2017 Capital Improvements Plan is nearly ready for review. It is anticipated to be ready next week, therefore, the Service-Safety Director is requesting the opportunity to present the proposed 5-year plan at the next Appropriations Committee meeting. As done in the past, copies of the draft plan will be available for pickup on Friday, January 6, 2017. Assuming the Appropriations Committee will meet on Tuesday, January 10, 2017, will allow members time for review prior to the meeting. Filed.

City Auditor Jim Staschiak – RLF Administration

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for September 2016 through November 2016. This is now a routine request where Council has approved requesting the appropriation without going to committee each time. Legislation to authorize a draw from the Revolving Loan Fund account and appropriate \$1,283.31 from the RLF to General Expense #21010000-449400 to pay the invoice. Ordinance No. 2017-004 was created. Filed.

COMMITTEE REPORTS: - none.

LEGISLATION:

RESOLUTIONS – none.

ORDINANCES

ORDINANCE NO. 2017-001 (*appropriations for current expenses & other expenditures for 2017*) **first reading** **adopted**
AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Monday asked if the City Auditor could summarize what changes were made since the meeting in December. City Auditor Staschiak replied there are five (5) changes. The numbers in this ordinance reflect the numbers that were provided to City Council and the public during the finance presentation via the 2017 budget book. Fifty-seven thousand nine hundred dollars (\$57,900) was added to the general expense line 449300 which is a new line called Hotel/Motel – others. It is for the hotel/motel bed tax that the City collects. Twenty-five hundred dollars (\$2,500) was added to unemployment in the Recreation Department, four thousand dollars (\$4,000) was added to the HR budget for some incentives (a letter on it went out), and one hundred ten thousand dollars (\$110,000) was added to the Severance Payout Reserve due to a retirement that was not known about at the time the budget book was presented. The total General Fund budget is sixty-four thousand four hundred dollars (\$64,400) higher than the numbers that were received and reviewed during the budget meeting on December 15, 2016.

Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische. The ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-001 and is hereby made a part of the record.

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

City Auditor Staschiak pointed out that the total amount of this appropriation corresponds with Ordinance No. 2017-001, page 4, Sanitary Sewer Maint line. The personal services account for those water lines do not add up to \$263,807. This ordinance is to remain in compliance with the State of Ohio.

Councilman Russel asked if the only reason a separate ordinance for storm water is not done and one is done for sewer is to keep in compliance with the State of Ohio. City Auditor Staschiak replied it is restricted monies. Money is appropriated out of the regular fund as part of Ordinance No. 2017-001, but since they are restricted, it requires a specific release of those restricted funds out of the storm water funds.

Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. The ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-002 and is hereby made a part of the record.

ORDINANCE NO. 2017-003 (University of Findlay tax-exempt financing)

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-PURCHASE AGREEMENT BY AND AMONG FIFTH THIRD BANK, THE BLANCHARD VALLEY PORT AUTHORITY AND THE UNIVERSITY OF FINDLAY, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the ordinance its second and third readings. Councilman Hellmann seconded the motion. Ayes: Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. The ordinance received its second and third readings. Councilman Hellmann 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 2017-003 and is hereby made a part of the record.

ORDINANCE NO. 2017-004 (RLF administration)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

City Auditor Staschiak pointed out that this is the first billing from this group where they have adjusted their billing processes down to fifteen (15) minute intervals. In the past, they would bill by the hour. In the long term, this method will save the City money.

Ayes: Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel. The ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-004 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS: - none.

NEW BUSINESS:

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on January 12, 2017 at 4:00pm in the first floor Council Office (CO)
agenda: Downtown Review District legislation

Councilman Monday: **APPROPRIATIONS COMMITTEE** meeting on January 10, 2017 at 4:00pm in the third floor conference room CR1)
agenda: 2017 Capital Improvements Plan

President J. Slough adjourned Council at 7:47pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL