

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**January 17, 2017**

**COUNCIL CHAMBERS**

**PRESENT:** Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, 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 January 3, 2017 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 Russel moved to replace and add the following on tonight's agenda. Councilman Shindledecker seconded the motion. All were in favor. Motion carried. Filed.

### **REPLACEMENTS:**

- Resolution No. 004-2017 ODOT HAN-US 224/SR 12/37/568, PID 93651
  - Added SR 37
- Ordinance No. 2017-005  
*Hancock Park District annual Community Park Improvement Program grant; Insurance payment on damaged PD cruiser*
  - Changed first appropriation account number to now be 31966400 (was #31970100)
- Ordinance No. 2017-008 *CIT funds - re-allocation*
  - Changed: CIT-Capital Improvements Fund in Section 1b and 1c to now be: 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:**

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

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

**Precipitation and Reservoir levels report** – October-December 2016. Filed.

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

### **Service-Safety Director Paul Schmelzer – annual Community Park Improvement Program grant**

The City of Findlay has received grant monies in the amount of five thousand dollars (\$5,000.00) from the annual Community Park Improvement Program Grant through the Hancock Park District. These grants will be used to replace and repair shelter house roofs in Riverside Park. The Public Works Department will be performing all the labor on the project. Legislation to appropriate funds is requested. Ordinance No. 2017-005 was created.

FROM: HPD Grant	\$ 5,000.00
TO: 2017 HPD Grant – Riverside Roof Repairs #31970100-other	\$ 5,000.00

Filed.

### **Service-Safety Director Paul Schmelzer – State of Ohio Continuing Education funds**

The Police Department received fourteen thousand seven hundred forty dollars (\$14,740) from the State of Ohio for required CPT training. These funds will be used to pay for training for the City's Police Officers. Legislation to appropriate funds is requested. Ordinance No. 2017-005 was created.

FROM: General Fund	\$ 14,740.00
TO: Police Department #31966800	\$ 14,740.00

Filed.

**City Income Tax Monthly Collection Report – December 2016.**

**Discussion:**

Councilwoman Frische, in a prior City Council meeting, had requested the City Income Tax Administrator include the tax deferral information with his monthly report, in which he did so with this report, but it is still confusing, so she requested he explain it to Council. City Income Tax Administrator Thomas, from the audience, replied that the City Income Tax Department did not notify any businesses or individuals this month to make estimate payments. Down towards the bottom of the report is a cumulative quantity of two (2) individuals and seventy-eight (78) businesses. Of those seventy-eight (78) businesses, ten (10) of those no longer file with the City of Findlay, and fourteen (14) of them have no tax liability because of current or carry-forward losses. Councilwoman Frische then asked if a million eighty-two thousand dollars (\$1,082,000) is what is being deferred in 2017 calendar year or what was deferred last year. City Income Tax Administrator Thomas replied that is for taxes for the 2016 year that will be due in April or October of 2017. Councilwoman Frische asked if the City is deferring approximately one million eighty-two thousand dollars (\$1,082,000) at this point including fifty-four (54) businesses, and two (2) individuals. She asked for an additional explanation on what is provided to the City Auditor. City Income Tax Administrator Thomas replied he provides a report on the total collections and the year those taxes are applied to the three (3) categories. Councilwoman Frische requested that the City Income Tax Administrator continue to work on the reporting because what has been provided does not match what the ordinance states is to be provided. She requested that information be available for the next report that is provided to City Council. She is willing to get with the Law Director and/or the City Income Tax Administrator if needed.

City Auditor Staschiak asked if the one million eighty-two thousand five hundred thirty-seven dollars (\$1,082,537) is the total of all estimated payments that were, could have been, or normally would have been paid in 2016 that have been pushed into 2017, or if it is a portion of it. City Income Tax Administrator Thomas replied he is unsure what the businesses and individuals would have paid. These are the business declarations that they gave him when he asked for them. City Auditor Staschiak pointed out that as City Auditor, his statutory duty is to project the City's estimated revenue and asked if the numbers they are looking at are inclusive of all the revenue that the businesses, had they paid as they normally would have in the past under estimated filings but the City potentially deferred or pushed those estimated payments into 2017, if that amount will likely exceed one million eighty-two thousand dollars (\$1,082,000). City Income Tax Administrator Thomas replied that they are the estimated declarations that were provided to him. He cannot say if it is how much they would have paid the City or not, but would speculate it probably would be higher. City Auditor Staschiak then asked if every business or only a portion of them provided an estimate declaration. City Income Tax Administrator Thomas replied that since the passing of the ordinance, his department has processed tax returns and has gotten in contact with them. What he has obtained so far is in this report. City Auditor Staschiak asked if there were businesses that did not file estimated filings and will likely pay taxes in April or October. He asked if he can use this total in his projections, and if not, should his projections be somewhere between two to three and a half million dollars (\$2,000,000-\$3,500,000) that are attributable to the prior year. City Income Tax Administrator Thomas replied it would not be that much. City Auditor Staschiak asked if it would likely be greater than a million dollars (\$1,000,000). City Income Tax Administrator Thomas replied yes.

City Auditor Staschiak added that the City Income Tax Administrator does a nice job on reporting the total number increase for the prior year 2016 compared to 2015 which was seven percent (7%). When the income tax was projected, an increase was expected last year. The actual number that the twenty-five million dollars (\$25,000,000) is two and one-tenths percent (2.1%) greater than what was projected by his office which is well within the five percent (5%). Even though its seven percent (7%) greater, it is a positive thing, plus it is slightly greater than the estimates, so we are staying within reason. Filed.

**City Engineer Brian Thomas – HAN-US224/SR 12/37/566, PID93651**

The Ohio Department of Transportation (ODOT) is finalizing the details for this project. On September 20, 2016, the preliminary legislation from ODOT (Ordinance No. 2016-94) was adopted by Council. As indicated in the preliminary legislation, the City will share in the cost of construction that is within the City corporation limits.

The City's original estimated share of two hundred thirty thousand dollars (\$230,000) is included in the 2017 Capital Improvements Plan. The final resolution was prepared by ODOT and reflects a revised estimate of two hundred sixty-six thousand seven hundred forty-two dollars and forty cents (\$266,742.40) for the City's share of the project. This final resolution accomplishes the following:

- 1. Appropriates the City's share of funds
- 2. Authorizes the City's signatures on any necessary ODOT documentation

ODOT has requested to receive the final legislation package no later than February 10, 2017. ODOT-generated Resolution No. 004-2017 was created.

**City Engineer Brian Thomas – TR94 waterline extension and oversizing, project #35766100**

On October 2016, the Water and Sewer Committee approved the waterline oversizing for this project. At that time, the estimated footage of the waterline to be installed was 870 lf. The final footage installed was 932 lf. This resulted in an additional amount being owed to the property owner who paid for the waterline installation.

In addition, there is a water rotary fee due to the property owner who installed the waterline. Legislation to appropriate funds is requested. Ordinance No. 2017-007 was created.

FROM: Water Fund	\$ 620.00
TO: TR94 Waterline Oversizing Project #35766100	\$ 620.00
FROM: Water Fund – 2007 Rotary Restricted Account	\$ 4,500.00
TO: Utility Billing #25072000-other	\$ 4,500.00

**Discussion:**

City Auditor Staschiak asked that the Water and Sewer Committee or the Administration invite the Auditor's Office whenever there are discussions about oversizing and reimbursement. This particular one was done slightly different than what has been done in other years and creates some administrative difficulty for Engineering and the Auditor's Office. Councilwoman Frische asked if the City Auditor is referring to the first or second appropriation. City Auditor Staschiak replied the second one. Councilwoman Frische noted that we are in the process of redoing that rotary and asked if that will address the City Auditor's concerns. City Auditor Staschiak replied yes in this particular case. His office should be a part of the discussions on the rotary redo so that they are aware of what is going on. Filed.

**Service-Safety Director Paul Schmelzer – insurance payment on Police cruiser**

The City has received payment for the repair of a police cruiser from an accident from the insurance company in the amount of \$1,478.68. It has been deposited in the General Fund. Legislation to appropriate funds is requested. Ordinance No. 2017-005 was created.

FROM: General Fund (insurance proceeds)

\$ 1,478.68

TO: Police Department #21012000-other

\$ 1,478.68

**Discussion:**

City Auditor Staschiak noted that this particular receipt came in 2016 and most likely was accounted for as part of the year-end budgeting and 2017's budgeting, so if Council does appropriate these funds within the ordinance that they are included in, Council would actually be appropriating approximately one thousand five hundred dollars (\$1,500) extra. Councilman Russel asked the City Auditor if he is implying that this should not be appropriated. City Auditor Staschiak replied he is not saying that. He is just saying that if Council does appropriate this, they are appropriating extra money. In another words, you could easily remove it from the ordinance and it not cause a problem. It was accounted for in 2016, not 2017. It does not affect the Auditor's Office books. He just wants Council to be aware that it is 2016 money that is being asked for in 2017. He believes Council will be okay if they remove it from the ordinance which would keep his office's books completely inline with what was done in the past. Councilwoman Frische asked if it would be a double appropriation. She asked if this request was done in 2016, if it is completed and needs to be removed from the ordinance. City Auditor Staschiak replied that the funds we received in 2016 and monies that were accounted for in the 2017 budget, so this would add monies to the 2017 budget with funds that were collected in 2016. It should be part of the 2016 budget, but he knows that department has more than ample funds, so Council could go either way. He just wants Council to know that this is 2016 money, not 2017 money. Councilwoman Frische asked if the money came in 2016 and went into the General Fund. City Auditor Staschiak replied that is correct. Councilwoman Frische then asked if in 2016, if Council moved the money over to the Police Department since it was insurance money for a police cruiser. City Auditor Staschiak replied that over the last five (5) years, Council has gotten into the habit of appropriating every dollar that comes in for insurance proceeds. If grant money is received, it is appropriated to the department. Same thing for insurance money received. Every dollar that comes in that is over and above the budgeted appropriation has typically been appropriated to the department for their use. Since money is budgeted to other and general, it gives the department head discretion to use those monies as they see fit. But, at the same time, Council regularly appropriates beyond the full needs of the departments. Significant monies are being returned back to the General Fund at the end of the year. It can be reasonably assumed that the 2017 budget has monies to cover the funds in this appropriation. If it is appropriated, it will add extra money that came in 2016 but would be accounted for in the 2017 budget. If it is removed from the ordinance, it probably will not hurt the department. He believes if the Police Department got to the point where they needed fourteen plus hundred dollars (\$14,000+), they would come to Council and ask for it. It is a small amount of money, but is a process that Council needs to be aware of. The process is more important than the dollar amount in this particular case. Councilwoman Frische asked the Law Director if the Police cruiser was fixed and if the repairs were paid for in 2016. Law Director Rasmussen replied he does not know if they did or did not spend the money in 2016. Councilwoman Frische then asked if they fixed it in 2016. Law Director replied that it is his understanding that the money was spent in 2016 and is appropriated in this year's budget. They spent it last year and now Council is appropriating more. City Auditor Staschiak added that his concern is not with the books, but wanted to make sure Council understands the process that took place for this. If this was a larger amount of money, it would be very important that Council understood the difference on how the budget is handled. With this appropriation being a small dollar amount, it is a good opportunity to discuss the process. Filed.

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

**Mayor Lydia Mihalik – Shade Tree Commission appointment**

Mayor Mihalik appointed Mary Flickinger to the City of Findlay Shade Tree Commission. His appointment will be effective through December 31, 2019. This appointment does not require Council's confirmation. Filed.

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

**Board of Zoning Appeals Minutes – December 8, 2016.** Filed.

**COMMITTEE REPORTS:**

The APPROPRIATIONS COMMITTEE to whom was referred a request from the Service-Safety Director to discuss the 2017 Capital Improvements Plan.

We recommend approval of the 2017 Capital Improvements Plan subject to review of the \$1.5m request. Ordinance No. 2017-006 was created.

Councilman Harrington moved to adopt the committee report. Councilman Wobser seconded the motion.

**Discussion:**

City Auditor Staschiak was asked by Councilman Monday to comment on this. The committee report recommends that there be consideration of the \$1.5m transfer. The point of that being is to make sure Council is fully informed on the City's financial situation and circumstances, especially in light of the comments in the newspaper regarding less revenue coming in 2017. As Councilman Klein appropriately mentioned, this should be considered by a Committee of the Whole. He feels that is appropriate because Council has never passed a capital plan that wasn't reviewed by a Committee of the Whole. During the meeting last week, half of members were there, which is normal for an Appropriations Committee. Council passes money for two (2) reasons: capital and operations. In this case, it was a ten million dollar (\$10,000,000) request.

City Auditor Staschiak feels the committee report might not completely reflect the events that took place at the meeting in that Councilman Harrington was there, but left well prior to the discussions on the motion and the amendment to the motion, as well as the acceptance of the motion. He feels it is appropriate that Councilman Harrington's name and signature appear on the committee report, but that his vote is not appropriate on the committee report as it sets a dangerous precedent for this Council. Councilman Harrington replied that he had asked the Chairman of the committee prior to his leaving, what the discussion was to be to which he decided at that point, he would be willing to accept the recommendation that the Chairman of the committee had already proposed, therefore, he signed the committee report and marked aye, but would be more than happy to remove his name if it is illegal or improper. He will leave that up to the Chairman of the committee and the rest of the Councilmembers. Councilman Monday replied that he would seek the advice of the Law Director. He asked him if Councilman Harrington's name should be removed based on the circumstances presented. Law Director Rasmussen replied that the question would be for what part was Councilman Harrington there for the discussion, as the Law Director was not present at the meeting, therefore, he does not know. If it had been discussed and Councilman Harrington decided he would in fact vote that way, he was present at the meeting as he did sign the report, so if that is his vote, then that is his vote. If it is something that he signed afterwards, then he should probably not have his name on the committee report. City Auditor Staschiak added that the interesting part in this situation is that fact that the one and a half million dollars (\$1,500,000) referral to the Committee of the Whole did not occur until well after Councilman Harrington had left which is a significant addition to this amendment, and in hence why he brought this up. Law Director Rasmussen noted that in reality, this committee report has no standing whatsoever because Council has accepted the committee report, but Council has not acted on either of these items. He feels it is a good idea that it go to a Committee of the Whole instead of just the Appropriations Committee so that the whole Council can discuss the one and a half million dollars (\$1,500,000) issue, as well as the budget itself.

Councilwoman Frische agrees that this should go to the Committee of the Whole and is surprised that it went to the Appropriations Committee, in which she brought that point up that night at Council. She asked if all the department heads will be in attendance for the Committee of the Whole meeting like they did for the Appropriations Committee. She asked if it will be a full process all over again. The Appropriations Committee meeting on it was a three (3) hour process. Law Director Rasmussen replied that his understanding is that the Service-Safety Director is not going to attend. If Council wants to call in the department heads, they can do so. Councilwoman Frische asked why the Service-Safety Director will not be attending. Law Director Rasmussen replied that he already spent a lot of time on this and it should have gone to the full committee to begin with. Councilwoman Frische requested this be discussed at a Committee of the Whole with the Service-Safety Director present as it is his job. She also recommended, if a recommendation needs to be given, that Councilman Harrington remove his name as voting on this committee report before Council approves it. President Pro-Tem Monday informed Councilwoman Frische that if she wishes to do so, her request needs to be in the form of a motion.

Councilwoman Frische moved to amend the committee report to remove Councilman Harrington as a voting member as he did not stay for the entire meeting before approving this committee report. Seconded by Councilman Wobser.

**Discussion:**

Councilman Wobser explained why he seconded the motion. At this point in time, it really does not matter. Council needs to get procedural issues off the table so that there are no back issues that may come up at a later date. Councilman Harrington replied that he does his homework prior to the committee meetings, but this particular meeting went extensively long and he had other plans with family and was unable to stay for the entire meeting. He does not want to feel like he is being punished for leaving early, but with what the City Auditor and Councilwoman Frische are asking of him, he feels that is exactly what is happening. He is more than happy to remove his name off the committee report. He agrees with the Law Director that this is just a committee report and is not a resolution or ordinance. It is no bearing on being passed legally. It is just whether or not he agrees with what the committee report recommends. The committee report asks for his vote of aye or nay, to which he indicated aye.

Motion to amend the committee report to remove Councilman Harrington's name from the committee report. Ayes: Frische, Wobser. Nays: Harrington, Heilmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson. The Nays prevail, therefore Councilman Harrington's name will remain on the committee report.

Councilman Harrington requested that his name be removed from the committee report. Council President Pro-Tem Monday replied that with no objections from Councilmember. Councilman Harrington's name will be removed per Councilman Harrington's request.

Motion to accept the committee report as is: All were in favor.

Council President Pro-Tem Monday noted that a date and time for the Committee of the Whole meeting on this will be set during Old Business. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Hancock Regional Planning Director Matt Cordonnier to continue discussions on the Downtown Design Review Board regulations.

*We recommend that Planning & Zoning meet again to continue to discuss this issue.*

Councilman Russel moved to adopt the committee report. Councilman Klein seconded the motion.

**Discussion:**

Councilman Russel updated Council on where they are at with this. They met in December to go over the initial review of the legislation and brought up some discussion points with the HRPC Director who did some research. They are looking at removing this from the building code and moving it into the zoning code because it will make enforcement easier. They have looked at approximately ten (10) neighboring communities that are doing things like this. One in particular is Urbana, Ohio and their similar legislation within the zoning code which are approximately seventy to eighty percent (70-80%) of the cases they have in their zoning code instead of their building code. During New Business portion of tonight's meeting, a Planning and Zoning Committee meeting will be scheduled. At that meeting, the committee will start going through the ordinance line by line. He only expects that to take a single meeting. There will be an initial discussion on the proposed map of the improvement district with the thought of making it more sensible than the way it is currently proposed. There is not a lot of rhyme or reason. The reasoning for it does not fit what the district should be about. He anticipates it being about a month away from getting to full Council for consideration.

Councilman Wobser concerns with Councilman Russel's comments. The changes will be significant to where we currently are at making this a very viable part of our downtown revitalization as well as the TAP program. He invited other Councilmembers to attend the next meeting. The changes will be a pretty big deal for changes in the downtown business district.

All were in favor. Filed.

## LEGISLATION:

### RESOLUTIONS

**RESOLUTION NO. 001-2017** *(no PO/over PO amount)*

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

**RESOLUTION NO. 002-2017** *(internet auction)*

first reading

adopted

A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.

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

#### Discussion:

Councilman Wobser asked if this is a standard resolution that Council passes every year. City Auditor Staschiak replied that is correct. The Law Director puts it together and then the Auditor's Office puts the items online via GovDeals.com, administers the sale and receipt of the funds, and then releases the property. It has been phenomenal for the City. The City used to do auctions twice a year out of the Street Department building, but did not obtain near the funds for items like they do via the website. People from all over the country purchase the City's items.

Councilman Russel asked for dollar amounts obtained for 2015 and 2016. City Auditor Staschiak replied he does not have the dollar amounts with him, but provided some examples. Police cruisers used to be sold for a few hundred dollars each. Now, on GovDeals.com, they are sold between two to three thousand dollars (\$2,000-\$3,000) each. Life-time warranty tools used to accidentally end up in the auction, but now the bidding process is very thorough where they are checked and double-checked, and are authorized by the Administration prior to being listed which saves the City money on equipment. As an internal control way to increase receipts on the equipment has been phenomenal. Councilman Russel asked what the website address is. City Auditor Staschiak replied it is GovDeals.com. There is also a direct link on the City's website to it. Everything from traffic lights to vehicles are posted on it.

Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

**RESOLUTION NO. 003-2017** *(allows Auditor to request advances on tax settlements at the County)*

first reading

adopted

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2017 PURSUANT TO OHIO REVISED CODE §321.34.

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

**RESOLUTION NO. 004-2017** *(HAN-US 224/SR 12/37/568, PID 93651)*

first reading

adopted

A FINAL RESOLUTION COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE REHABILITATION OF ROADWAY ON US 224, SR 12, SR 568, AND SR 37 INCLUDING CURB RAMPS AND PAVEMENT MARKINGS WITHIN THE CORPORATE LIMITS OF CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

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

#### Discussion:

Councilman Wobser asked what the reason is for pushing this through. Councilman Klein replied so that the City can get moving on these projects and so that ODOT does not have to wait to see if the City is onboard for the project.

Ayes: Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

## **ORDINANCES**

**ORDINANCE NO. 2017-005** (*Hancock Park District annual Community Park Improvement Program grant; insurance payment on damaged PD cruiser*)  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY. **first reading** **adopted during**  
Old Business

**ORDINANCE NO. 2017-006** (*2017 Capital Improvements*) **first reading**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2017 DEPARTMENT EQUIPMENT LIST WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A, APPROPRIATING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2017-007** (*TR94 waterline extension and oversizing*) **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2017-008** (*CIT funds - re-allocation*) **first reading** **adopted**  
AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, 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: Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann.

### Discussion:

Councilman Wobser noted that this seems to be a little late coming to the table. Council has discussed the appropriation amount and the percentage division and have already had the budget halfway done. City Auditor Staschiak replied that normally, there are a full set of ordinances that Council normally passes the first meeting in January. Some of them are critical like the budget that is passed under emergency at the very first meeting. The CIT allocation in this case and the internet auction legislation would normally have been dealt with at the first City Council meeting of the year, but there were some staffing issues that were happening during that period of time. These need to be passed by this meeting to stay in good shape. In this particular case, he does not do the allocation for January's income tax receipts until the month has been closed. By passing on emergency tonight, the City will be well within the time constraints for him to move the money around within the first ten (10) days of February.

Ayes: Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-008 and is hereby made a part of the record.

## **UNFINISHED BUSINESS:**

### ***OLD BUSINESS:***

President Pro-Tem Monday pointed out that Council President Slough, who chairs the Committee of the Whole, has requested a Committee of the Whole meeting to be on Wednesday, January 25, 2017 either at 4:00pm or 4:30pm. A motion to establish the meeting date and time will need to be made.

### Discussion:

Councilman Harrington asked that the meeting start at 4:00pm if the meeting is going to last as long as the Appropriations Committee meeting did on this subject matter. He is an Assistant Coach for a hockey team that his grandson is on, which is why he had to leave early during the Appropriations Committee meeting, and would have to leave early for this meeting if it is as lengthy as the Appropriations Committee was due to the number of questions that were addressed. Since the subject matter is being reviewed a second time, he asked if it could be a summary instead of a full-blown briefing by all the department heads.

Councilman Wobser concurs with Councilman Harrington's request and would like to have the Service-Safety Director attend to answer questions without having the department heads have to go through their part of it again. It would save a lot of time. If the date and/or time does not work for the Service-Safety Director, the date and/or time should be changed to when he is available to attend. Councilman Hellmann agreed. Council President Pro-Tem Monday asked if Council wants to wait until he has talked with the Service-Safety Director to see when he is available, or if Council wants to establish a date and time and if the Service-Safety Director is not available, change the date and/or time. Councilman Wobser replied that he would prefer to set the date and time and change it if the Service-Safety Director would not be able to attend.

Councilwoman Frische moved to have the meeting on January 25, 2017 at 4:30pm to discuss the capital budget with the Service-Safety Director in attendance. Councilman Harrington requested it be at 4:00pm. Councilwoman Frische replied that there is a Councilmember that works for the schools that travels out of town and comes back in for meetings. It would be nice to consider all Councilmembers when scheduling the meeting so that that particular Councilmember could make it for the entire meeting. All were in favor.

**COMMITTEE OF THE WHOLE** meeting on Wednesday, January 25, 2017 at 4:30pm in the third floor conference room (CR1).  
agenda: 2017 Capital Improvements Plan

Councilman Russel moved to reconsider Ordinance No. 2017-005 which is for an allocation of grant money from the Hancock Parks District so that the Public Works Department can begin work on some shelterhouses. It is a five thousand dollar (\$5,000) allocation. Seconded by Councilman Hellmann. All were in favor. Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings. Seconded by Councilman Hellmann. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Hellmann.

**Discussion:**

Councilwoman Frische asked if the Police Cruiser appropriation should be removed or leave the ordinance as is. Councilman Russel replied he is comfortable with leaving it as is. City Auditor Staschiak added that he does not have an issue with that at all.

Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-005 and is hereby made a part of the record.

**NEW BUSINESS:**

Councilman Russel: **PLANNING AND ZONING COMMITTEE** meeting on Tuesday, January 24, 2017 at 4:00pm in the third floor conference room (CR1).

agenda: Downtown Review District legislation

President Pro-Tem Monday adjourned Council at 8:17pm.

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL PRO-TEM