

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

June 20, 2017

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindlecker, 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 Hellmann moved to accept the June 6, 2017 Public Hearing minutes for 527 West Sandusky Street rezone (Ordinance No. 2017-040). Councilman Niemeyer seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Klein moved to accept the June 6, 2017 Regular Session City Council meeting minutes. Councilman Hellmann seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Letter from Tim Mayle, Executive Director for the Economic Development
 - Design Review District #Ordinance No. 2017-059 (*WRITTEN COMMUNICATIONS* section)
- Letter from Director of Public Service/Acting City Engineer Brian Thomas
 - Downtown Revitalization – HAN-FINDLAY Cory St/Main St (ODOT PID 98797), Project No. 31942400 (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section)

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS:

VanHorn, Hoover & Associates, Inc. President Daniel Stone, P.E., P.S. – Southridge Estates 3rd Addition public right-of-ways
VanHorn, Hoover & Associates, Inc. on behalf of County Club Acres requests to accept the roadways in the Southridge Estates 3rd Addition as public right-of-ways. This subdivision is an extension of Southridge Estates 1st Addition and has been reviewed and approved by the City Planning Commission. Ordinance No. 2017-061 was created. Filed.

Petition for Annexation – north and west of the City of Findlay on Township Road 99, owned by KGD Properties, Ltd. (Koehler Annexation - Findlay Commerce Park – north)

A petition for annexation to the City of Findlay filed by Philip Rooney, Rooney & Ranzau, Ltd. on behalf of KGD Properties, Ltd. on May 30, 2017. A legal description for said property is attached with the petition. The property requested to be annexed is in Allen Township, Hancock County. Referred to Law Director for a Resolution of Services. Resolution No. 016-2017 was created. Filed.

Zoning amendment request – 301/305 W Front Street, 210 S West St

Phil Lawson, on behalf of the property owners Brian Keith Bryson and Jamie B. Smith would like to change the zoning to C3 Downtown Business District. It currently is zoned C2 General Commercial District. Referred to City Planning Commission and Planning & Zoning Committee who will meet on July 13, 2017 to discuss. Filed.

Whitson Properties, John M. Whitson – Holiday Inn Express cul-de-sac name change

John Whitson, Whitson Properties, would like to change the name of a yet-to-be constructed roadway that was recently accepted as part of a plat at the Findlay Recorder's Office. Whitson Properties plans to begin construction of a 112-room Holiday Inn Express next month. To access that building, a cul-de-sac will be built off of Interstate Drive West. Plans for that development refer to the cul-de-sac as King Court. After researching the issue for an extraordinarily brief time, it was discovered that there is no royal lineage in their family, therefore, he is asking for permission to amend the plan to change the cul-de-sac name from King Court to Express Way. This name gives a nod to both the structure that will be built and its location along Interstate 75. Ordinance No. 2017-068 was created. Filed.

WRITTEN COMMUNICATIONS:

Tim Mayle, Executive Director for the Economic Development – Design Review District (Ordinance No. 2017-059)

Over the past several years, there have been many investments in downtown Findlay. Projects have ranged from new retail stores like The Dressing Room Boutique, to restaurant upgrades like Japan West and The Bistro to Marathon's new campus and hotel. In addition to entrepreneurs and business investing, the City of Findlay is also investing in downtown. Just this week, the Transportation Alternative Plan (TAP) is beginning and Dorney Plaza is under construction.

The Design Review District is an important piece of legislation that will protect investments that have been made and establish clear design regulations for future investments. Over the past two to three (2-3) years, he has been involved in working on the proposed Design Review changes. The process of reviewing the Design Review District has been a good example of public-private partnership. Regional Planning, the City of Findlay led by Councilman Russel, downtown businesses and downtown building owners thoroughly reviewed the existing Design Review District and considered many changes and implementation methods. The letters of support to the Planning and Zoning Committee in November 2016 from The Dressing Room Boutique, Lowenoak landscape Development, The Bourbon Affair, Divine Wine, Eye on Main, AR Marketing, Marathon Petroleum and Marathon Center for the Performing Arts are evidence that the City of Findlay has arrived at a well thought out Ordinance. He supports the Design Review District as presented.

Discussion:

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

ORAL COMMUNICATIONS:

George Walton, President and CEO of Hancock-Wood Electric Cooperative/Randy Payne, External Affairs Manager with American Electric Power (AEP)–Franchise Agreement

Mr. Walton informed City Council that American Electric Power (AEP) and Hancock-Wood Electric (HWE) are currently in negotiations to try to resolve their dispute. A proposal is in AEP's hands, but is not a done deal yet. Both he and Randy Payne, Community Affairs Manager for AEP Ohio, have met and have agreed that they will try to come up with a proposal that is acceptable to both organizations. He requested Council not take any action tonight on any of the proposals which will allow HWE and AEP to work out the details of the agreement and anticipates having an agreement within the next three to four (3-4) weeks. He asked Council to consider taking no action tonight to give them time to work out the details of the agreement.

Discussion:

Councilman Wobser thanked Mr. Walton for coming before Council to explain where they are at. He asked what has changed and why all of the sudden they are coming to him now when the last time with Romark, they did not do so, but are now with Campbells. Mr. Walton replied that he and Mr. Payne have to work together. They met last week as their first meeting where they both agree that even beyond this issue they are dealing with tonight, as utility companies in Findlay, they still have to work together. AEP has reached out to them (HWE) to try to settle. They never wanted to bring this before City Council, but felt they had to. He would prefer to work out an agreement between the two (2) utility companies and keep City Council out of it. There is nothing definite until the two (2) companies review the proposal and see if they can come to some type of agreement that is fair to both organizations. Councilman Wobser asked what has brought Mr. Payne to the table, why now when a letter was sent a year ago stating what Council needed them to do, but that they did not do it then, and asked why all of the sudden today he is here. Mr. Payne replied that when Council had their meetings a year ago, information came out of those meetings that sparked some ideas and some comments that were made in those meetings of some things between the two (2) organizations that he was not aware of led to an idea he had. Mr. Walton called him one night and told him about that idea. Councilman Wobser asked Mr. Payne if he was not aware of what was happening prior to Council's meetings. He asked if he was not aware that AEP was not doing what they had done all along. Mr. Payne replied that they were aware of everything that was going on. Some comments that came out of the Council meetings a year ago were some things he was not aware of, so when he saw that this was coming up before City Council again, he decided to approach HWE with some ideas and see if they were receptive to them.

Councilman Harrington commended both companies for playing nice, and hopes it works out for them. He hopes they work hard and work smart and come to a mutual agreement.

Councilman Hellmann asked if the resolution that has come out of discussions are applicable only to the City of Findlay or to others and noted that they are in situations like this across the State of Ohio, and probably in other states. He asked if this is something they can apply in other regions. Mr. Walton replied that their initial discussions brought out that this would only be applicable to the City of Findlay, but there may end up being an agreement that may be applicable to every co-op where AEP serves a municipality throughout the state. It is very preliminary at this point in time.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals Minutes – April 13, 2017. Filed.

Findlay Police Department Activities Report - May 2017. Filed.

Findlay Municipal Court Activities Report – May 2017. 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 May 31, 2017
- Financial Snapshot for General Fund as of May 31, 2017
- Open Projects Report as of May 31, 2017
- Cash & Investments as of May 31, 2017

Discussion:

Councilman Russel asked why the unappropriated fund balances had not appeared on the reports the previous four (4) months. City Auditor Staschiak replied it is never listed on the January report. It was not listed until the de-appropriation met statutory funding compliance which was did not happen until it was resolved, so Ginger just held off putting it in. She did not feel it was a major concern. It was her intention of doing it beginning in June. Filed.

Service Director/Acting City Engineer Brian Thomas – Clearwell Retaining Wall, Project No. 35756300

Construction is now underway on the Clearwell Retaining Wall project at the Water Treatment Plant. The original plan was to chip away the bad sections of the retaining wall and patch it, but the condition of the existing retaining wall is worse than anticipated and the only option is to remove the existing wall entirely and construct a new wall. In addition, there is an additional eighty-eight feet (88') of retaining wall that was not in the original scope that needs to be added to the project. At this time, an appropriation for additional construction costs is needed to cover the additional repair work. Legislation to appropriate funds is requested. Ordinance No. 2017-062 was created.

FROM: Water Fund \$ 25,000
TO: Clearwell Retaining Wall Project No. 35756300 \$ 25,000

Filed.

Service Director/Acting City Engineer Brian Thomas – Blanchard St & Lincoln St bike lane/shared lanes-design Project No. 32876000

This project is included in the 2017 Capital Improvements Plan. At this time, an appropriation of \$126,500 is needed in order to begin the project. Legislation to appropriate funds is requested. Ordinance No. 2017-063 was created.

FROM: CIT Fund – Capital Improvement Restricted Account \$ 126,500
TO: Blanchard St & Lincoln St Bike Lane/Shared Lanes-Design Project #32876000 \$ 126,500

Filed.

Service Director/Acting City Engineer Brian Thomas – Municipal Building Tuck/Point and Seal Brick Project No. 31970900

As part of the 2017 Capital Improvements Plan, \$15,000 was budgeted for this project. At this time, an appropriation is needed to begin the work. Legislation to appropriate funds is requested. Ordinance No. 2017-064 was created.

FROM: CIT Fund – Capital Improvement Restricted Account \$ 15,000
TO: Municipal Building Tuck/Point and Seal Brick Project #31970900-551400 \$ 15,000

Filed.

President of Council James Slough – franchise agreement with City of Findlay

President of Council is sending a letter to George Walton, Hancock-Wood Electric Cooperative (HWE) regarding the franchise agreement with the City of Findlay. A copy of this letter will also be sent to Randy Payne at American Electric Power (AEP). The letter reads as follows:

Thank you for your willingness to meet with Council several times over the last few months. Council values both AEP and HWE as electric utilities both inside and outside the city limits. Franchise agreements are necessary agreements to have in place to service our community's electric needs. We appreciate both utilities competitive rates and customer satisfaction that was shared by your customers.

Our goal for the community is to make sure the customer is able to get the best rates and service available. We feel that the PUCO is where changes and negotiations need to continue to take place because they manage the territorial lines. Because both utilities are good community partners, City Council does not want to decide who gets a customer if a piece of territory is acquired outside the standard process of the PUCO and a case is taken to the commission for final decision.

Please let this letter be a reminder that we strongly encourage both utilities to follow the long standing process of working out swaps through the PUCO and not using the overlap in territories as a way to acquire customers outside the standard process. Although we did not vote to change the HWE franchise agreement at this time and if the standard process we have followed for the last 30 years does not continue, we are open to readdressing this matter.

Again, thank you for the service you provide to Findlay and Hancock County.

Filed.

Findlay Fire Department Activities Report – May 2017. Filed.

Service Director/Acting City Engineer Brian Thomas – I-75 Sanitary Sewer Relocation Project #35649300

This project is relocating two (2) separate sanitary sewers that will be affected by the Interstate 75 widening project. There has been some additional costs for the project due to soil conditions. At this time, an appropriation of an additional twenty-five thousand dollars (\$25,000) is needed to complete the project. Since this project was necessary for the I-75 widening and reconstruction, the City will receive reimbursement from ODOT after the project is completed. Legislation to appropriate funds is requested. Ordinance No. 2017-066 was created.

FROM: Sewer Fund \$ 25,000
TO: I-75 Sanitary Sewer Relocation Project #35649300 \$ 25,000

Filed.

Service Director/Acting City Engineer Brian Thomas – W Hardin St Sewer Separation Project No. 32542700

This project was funded with Ohio Public Works Commission (OPWC), Sewer Funds, and Stormwater restricted account funds. The OPWC funds were granted to cover work on both W. Hardin Street and Central Avenue and they were split equally between the projects when appropriated. The W. Hardin Street project has been completed.

The sewer separation project on Central Avenue was started last week. Due to soil conditions, more of the pavement is going to have to be replaced than expected. At this time, the total cost needed for the extra pavement replacement cannot be determined but engineering would like to transfer the unused funds from the Hardin Street project to the Central Avenue project to have as a contingency. Legislation to appropriate funds is requested. Resolution No. 017-2017 was created.

FROM: W. Hardin Sewer Separation Project #32542700 \$ 70,184.13
TO: Central & Dayton Sewer Separation Project #32556200 \$ 70,184.13

Filed.

Service Director/Acting City Engineer Brian Thomas – Insurance proceeds for 547 Center St property damage

The City has received insurance proceeds in the amount of nine thousand eight hundred seven dollars and six cents (\$9,807.06) that have been held in escrow for a property damaged by fire at 547 Center Street. The property owner has failed to reply to communication sent by the N.E.A.T. Department for clean up of the property. The City of Findlay is ready to proceed with cleaning up the property utilizing the funds from the insurance. Ordinance No. 2017-067 was created.

FROM: Guaranteed Deposits Fund \$ 9,807.06
TO: N.E.A.T. Department #21016000-other \$ 9,807.06

Discussion:

Councilwoman Frische asked if this is to clean up or demo the property and if the amount requested will cover the full cost of it or if additional money will be needed. Service Director/Acting City Engineer Brian Thomas replied he has tried to reach out to them, but has not had any communication with them, so he is asking to take funds from escrow to take care of the issue. Councilwoman Frische asked what the full cost to demo the building will be. She asked if it is exactly \$9,000, if it is less than that, or what the total amount will be. Service Director/Acting City Engineer Brian Thomas replied it should not be more than the amount requested in this letter/ordinance. He did not receive an exact amount from the N.E.A.T. Department. Councilwoman Frische then asked if the procedure is to place a phone call, then certified mail, then if there is no response, if the City is covered if they demo it. Service Director/Acting City Engineer Brian Thomas replied that is correct.

City Auditor Staschiak asked if the property is being cleaned or tore down. The letter implies it is cleaning the property. If this is a N.E.A.T. project, those funds were held in escrow specifically for fire damage. The City does that pay for it when there is a structure fire in the community. The City retains between twelve to thirteen percent (12-13%) of the insurance proceeds in case the owner walks away from the demo. He wants to make sure this is an appropriate use of those funds. Mayor Mihalik replied it is a demolition. City Auditor Staschiak noted that since it is a full demolition, it falls right in line with the use of these monies. Filed.

Safety Director Paul Schmelzer – W.O.R.C. budget

W.O.R.C. was closed permanently on March 31, 2017. Jodi Mathias was transferred to the Zoning Department. He is requesting the balance of the money budgeted for Personal Services in the W.O.R.C. budget in the amount of forty-nine thousand one hundred ninety-seven dollars and fifty cents (\$49,197.50) be transferred to the Zoning Department to cover the expenses associated with the personnel transfer. Also, there will be additional miscellaneous expenses associated with this personnel transfer, so he is requesting the balance of the money be budgeted for miscellaneous expenses and office equipment expense in the amount of thirteen thousand two hundred sixty-seven dollars and twenty-four cents (\$13,267.24) be transferred to the Zoning Department.

The Building that housed W.O.R.C. will remain City property. Expenses associated with operations of the building will now be paid out of the Building Maintenance budget. He is requesting the balance of the money budgeted for these types of expenses in the W.O.R.C. budget in the amount of nineteen thousand eight hundred seventy-two dollars and seventy-six cents (\$19,872.76) be transferred to the Building Maintenance budget. Costs associated with the radios that W.O.R.C. used will be paid from the Safety Director budget. He also requests that the balance of the money budgeted for radios in the amount of two hundred forty-one dollars and sixty-eight cents (\$241.68) be transferred to the Safety Director budget. Legislation to appropriate funds is requested. Resolution No. 018-2017 was created.

FROM: W.O.R.C. #21019000-personal services \$ 49,197.50
TO: Zoning Department #21032000-personal services \$ 49,197.50

FROM: W.O.R.C. #21019000-other \$ 33,381.68
TO: Zoning Department #21032000-other \$ 13,267.24
TO: Building Maintenance #21022000-other \$ 19,872.76
TO: Safety Director #21017000-other \$ 241.68

Discussion:

Councilwoman Frische requested this letter be read. The Council Clerk read the letter in its entirety. Filed.

Director of Public Service/Acting City Engineer Brian Thomas – Downtown Revitalization – HAN-FINDLAY Cory St/Main St (ODOT PID #98797)

The Engineering Department has reviewed the alternates for the project and plans on approving the following alternates:

- Alternate 2 – Irrigation system for flower baskets hanging on the exiting street lights - \$99,564.50
- Alternate 3 – Lighting for landscaped areas - \$279,211.50
- Alternate 4 – Audio Systems – will replace existing DFID rooftop mounted system - \$197,930
- Alternate 5 – Wireless microphone that can be used on Dorney Plaza to broadcast over the audio system for parades, public announcements, etc. - \$7,500

Total cost for the alternates listed above is \$584,206. DFID has agreed to contribute a total of \$150,000 (at a rate of \$15,000/year for 10 years) to go towards the irrigation system and audio system alternates. An additional contribution request of \$200,000 will be made to Marathon Oil Company to cover the additional expense of the alternates and to provide a contingency for the project. Once the additional funds have been deposited, an appropriation will be requested to move it into the project. Filed.

Discussion:

Councilwoman Frische requested this letter be read. The Council Clerk read the letter in its entirety. Filed.

COMMITTEE REPORTS: - none.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 012-2017 (*opposition of State Governor's proposed 2017-2018 budget*) **tabled after first reading on 4/18/17**
A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO GOVERNOR'S PROPOSED 2017-2018 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND OTHER PROVISIONS RELATED TO THE MUNICIPAL INCOME TAX WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 015-2017 (*Safety Director Department*) requires three (3) readings **second reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Resolution its second and third readings. Seconded by Councilman Klein. Ayes: Harrington, Hellmann, Klein, Monday, Russel, Shindledecker. Nays: Frische, Niemeyer, Watson, Wobser. Motion failed.

Second reading of the Resolution.

RESOLUTION NO. 016-2017 **first reading adopted**
(*Koehler Annexation - Findlay Commerce Park north - services City will provide*) requires three (3) readings
A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE EAST HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 35, T2N, R10E, A TRACT OF LAND CONSISTING OF 11.768 ACRES OF LAND, MORE OR LESS.

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

Discussion:

Councilwoman Frische asked if the City is paying for the services they will provide that are stated in this resolution. She asked what "make available" in Section 1 means. Service Director/Acting City Engineer Brian Thomas replied it is the services that will be there. The City is not paying to put them in. Once street lights are in, they will go under the City account. The sewer and water lines will be put in when it is developed. Councilwoman Frische asked if Section 1 is worded properly. Service Director/Acting City Engineer Brian Thomas replied it is.

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

RESOLUTION NO. 017-2017 (*W Hardin St Sewer Separation Project No. 32542700*) requires three (3) readings **first reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Resolution.

RESOLUTION NO. 018-2017 (*W.O.R.C. budget*) requires three (3) readings **first reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Resolution.

ORDINANCES

ORDINANCE NO. 2017-021 AS AMENDED (*bicycle riding in downtown business district*) **tabled after thrd reading on 4/18/17**
AN ORDINANCE AMENDING SECTION 373.11(a)(2) AND REPEALING SECTION 373.13 OF CHAPTER 373 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

During NEW BUSINESS portion of the May 2, 2017 City Council meeting, a motion was made and seconded to accept the proposed amendments (second amendment to the Ordinance), which was approved. A motion was then made to lift it from the table, but no second to that motion was given, so it was not lifted from the table and remains tabled.

ORDINANCE NO. 2017-047 **third reading adopted**
(*607 Central Ave rezone - Habitat for Humanity*) requires three (3) readings. Public hearing on 6/20/17.
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 607 CENTRAL AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "R3 SINGLE FAMILY HIGH DENSITY".

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser Frische, Harrington. Abstain: Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2017-047 and is hereby made a part of the record.

ORDINANCE NO. 2017-048 (*Graceland Ave (800 6th St) vacation*) requires three (3) readings **third reading adopted**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS GRACELAND AVENUE ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Monday, Niemeyer, Russel, Shindlededecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2017-048 and is hereby made a part of the record.

ORDINANCE NO. 2017-049 (*221 W Hardin St rezone*) requires three (3) readings. Public hearing on 6/20/17. **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 221 WEST HARDIN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "R4 DUPLEX/TRIPLEX HIGH DENSITY".

Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Shindlededecker. Ayes: Niemeyer, Russel, Shindlededecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2017-049 and is hereby made a part of the record.

ORDINANCE NO. 2017-056 (*HWE Franchise Agreement*) requires three(3) readings **second reading**
AN ORDINANCE GRANTING TO HANCOCK-WOOD ELECTRIC COOPERATIVE, INC. ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF FINDLAY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY AND OTHER SERVICES TO PARTS OF THE CITY OF FINDLAY AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH AND ACROSS SAID CITY OF FINDLAY, STATE OF OHIO, SUBJECT TO AND IN COMPLIANCE WITH THE CERTIFIED TERRITORIES FOR ELECTRIC SUPPLIERS ACT (OHIO REVISED CODE SECTIONS 4933.81 TO 4933.90).

Second reading of the Ordinance.

ORDINANCE NO. 2017-059 (*Downtown Design Review Board*) requires three (3) readings **second reading**
AN ORDINANCE ENACTING NEW CHAPTER 1138 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, ENTITLED DESIGN REVIEW REGULATIONS ORDINANCE FOR THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

ORDINANCE NO. 2017-061 (*Southridge Estates 3rd Addition public right-of-ways*) requires three (3) readings **first reading adopted**
AN ORDINANCE ACCEPTING THE STREET RIGHT-OF-WAY DEDICATION AS SHOWN ON THE SOUTHRIDGE ESTATES 3RD ADDITION RIGHT-OF-WAY DEDICATION PLAT, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Harrington. Ayes: Russel, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer. Abstain: Shindlededecker. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Abstain: Shindlededecker. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-061 and is hereby made a part of the record.

ORDINANCE NO. 2017-062 (*Clearwell retaining wall*) requires three (3) readings **first reading adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Watson moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Russel. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindlededecker. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Watson. Ayes: Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindlededecker, Watson. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-062 and is hereby made a part of the record.

ORDINANCE NO. 2017-063 (*Blanchard St/Lincoln St bike lane/shared lanes design*) requires three (3) readings **first reading adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilwoman Frische noted that the reason she voted against suspending the statutory rules and giving this its second and third readings was because she does not recall having a lot of discussion on this and asked for additional information. Service Director/Acting City Engineer Brian Thomas replied that last year, the City applied for a grant application for another TAP project. This project will tie into the bike path on Cory Street. It will run along Lincoln Street to Blanchard, then from Blanchard to Emory Adams Park north to the existing bike path at the water plant. The City was awarded the grant. This is to hire a consultant for the design work so that when the plans are done, they are ready to go. The City will not receive the money from ODOT for construction until their fiscal year 2019. It takes awhile to get through the design process. Councilwoman Frische asked if the total of the \$126,500.00 being asked is just for a consultant. Service Director/Acting City Engineer Brian Thomas replied that is correct. Councilwoman Frische asked if the consultant has been chosen yet. Service Director/Acting City Engineer Brian Thomas replied they have not been. Councilwoman Frische then asked if this is also part of the consideration for Sandusky Street. Service Director/Acting City Engineer Brian Thomas replied it was put in the grant application, but they did not fund it, so that is not part of this project.

Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindlededecker, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-063 and is hereby made a part of the record.

ORDINANCE NO. 2017-064 (*Muni Bldg tuck/point/seal brick*) requires three (3) readings
AN ORDINANCE APPROPRIATING AND TRANSERRING FUNDS AND DECLARING AN EMERGENCY.

**first reading adopted
during Old Business**

Discussion:

Councilman Hellmann asked if this work is underway. Service Director/Acting City Engineer Brian Thomas replied it is not.

ORDINANCE NO. 2017-065 (*Ashland Business Park Phase II cul-de-sac final plat/ROW*) requires three (3) readings
AN ORDINANCE ACCEPTING THE CUL-DE-SAC RIGHT-OF-WAY DEDICATION AS SHOWN ON THE ASHLAND BUSINESS PARK PHASE II RIGHT-OF-WAY DEDICATION PLAT, AND DECLARING AN EMERGENCY.

first reading

First reading of the Ordinance.

ORDINANCE NO. 2017-066 (*I-75 Sanitary Sewer Relocation Project #35649300*) requires three (3) readings
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

first reading adopted

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-066 and is hereby made a part of the record.

ORDINANCE NO. 2017-067 (*insurance proceeds for 547 Center St property damage*) requires three (3) readings
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

first reading adopted

Councilman Hellmann moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Niemeyer. Ayes: Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-067 and is hereby made a part of the record.

ORDINANCE NO. 2017-068 (*Holiday Inn Express cul-de-sac name change*) requires three (3) readings
AN ORDINANCE CHANGING THE NAME OF KING COURT TO EXPRESS WAY, IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

first reading adopted

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Harrington. Ayes: Russel, Shindledecker, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer. Nays: Watson. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-068 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS

Councilman Russel requested Ordinance No. 2017-064 be reconsidered. He asked if the tuck pointers are ready to go. Service Director/Acting City Engineer Brian Thomas replied they are. 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 Hellmann moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX Page 2017-064 and is hereby made a part of the record.

Councilwoman Frische asked if Resolution No. 015-2017 should go to the Appropriations Committee before its third (3rd) reading at the next City Council meeting. Councilman Monday replied that there is not an Appropriations Committee meeting scheduled before the next City Council meeting, but could have a special meeting for it. In order to have a special meeting, he requests a motion, a second, and an affirmative vote of Council to do so. Councilman Harrington asked if that meeting needs to be a special meeting or an Appropriations Committee meeting. Councilman Monday replied it would be a special Appropriations Committee meeting. Councilwoman Frische replied that since some Councilmembers have tried to suspend the readings twice now, and there were four (4) Councilmembers in tonight's roll call vote to suspend the readings that were not in favor of it, so she thinks there is an interest in understanding of the position before Council funds the account. She leaves it in the Appropriations Committee's hands to deem as the feel appropriate. Councilman Monday asked Councilwoman Frische if she is requesting a special meeting of the Appropriations Committee. Councilwoman Frische replied she is not on the Appropriations Committee. She just made a statement of what she feels and is leaving it to the Appropriations Committee to decide if they want to do that or not. Councilman Monday replied if there is a motion, a second, and if the majority of Council wants to have a special Appropriations Committee meeting there will be one, otherwise, there will not be one. Councilman Wobser moved to refer this to the Appropriations Committee, seconded by Councilman Watson.

Discussion:

Councilman Hellmann asked if this is for the Appropriations Committee to meet. Council President Slough replied it is in special session. Councilman Wobser pointed out that there is not a regular session of the Appropriations Committee scheduled before the next City Council meeting which is when it is due for its third (3rd) reading. Council is now voting if they want to have a special session of the Appropriations Committee meeting or not.

Ayes: Frische, Harrington, Hellmann, Niemeyer, Watson, Wobser. Nays: Klein, Monday, Russel, Shindledecker.

Councilman Monday: **APPROPRIATIONS COMMITTEE** meeting on Wednesday, June 28, 2017 at 4:30pm in the first floor Council Office (CO).

agenda: 1. Safety Director Department (Resolution No. 015-2017)

NEW BUSINESS

Councilman Russel announced that tomorrow beginning around 3:30pm, the annual Law Enforcement Torch Run will begin from the State Highway Patrol Barracks heading towards Sixth Street, then ending at the Blanchard Valley School. There will be representatives from the State Highway Patrol, Hancock County Sheriff's Office, Findlay Police Department, Ohio Division of Wildlife, the Hancock County Juvenile Court, and Findlay Municipal Court joining together to run for a worthy cause.

Mayor Mihalik pointed out that there have been some staff changes at the Water Treatment Plant. Jeff Newcomer has resigned. His replacement is Jason Phillips from whom is highly recommended and has a wonderful track record in village operations at the Village of Ottawa. He will start leading the department upon Jeff Newcomer's departure at the beginning of July. He began with the City this past Monday. The City was very lucky to hire someone with his caliber in that position. Mayors across the country consistently worry about what is happening with their water and sewer infrastructure. The City of Findlay's Water Department is in really good hands and continues to be so.

Councilman Harrington noted that in Council's packet tonight was a letter from the Ohio Department of Agriculture announcing they will be starting aerial treatment for Gypsy Moth. They started this yesterday. He noticed them spraying today near his office and was not aware that it was going on. Mayor Mihalik replied that they have done this for the past three (3) years. The City of Findlay received notification early two (2) years ago, and last year, our Airport was contacted because they flew out of our Airport for the last two (2) years. They did not this year, so this came to us as a surprise and caused quite a ruckus within Police Dispatch as well as the Mayor's Office. Even the FAA called asking what was going on. It is not a chemical. It is an organic compound that prohibits the activity of the Gypsy Moths.

Councilwoman Frische noted the Mayor, along with some other Department Heads went out west to the convention and asked for an update on it. Mayor Mihalik replied that part of their strategic plan, they have been focusing on trying to do the best we can for the residents we serve. For the last four (4) or five (5) years, they have put some measurements in place to see if what they set out to do, they actually are doing. This year, they are looking at performance measurements relative to key performance indicators (i.e. run times, lost time incidents related to safety, pothole repairs response time, etc.). These are items that are being undertaken by large cities across the country who are doing them very well. Findlay is one of the few mid-size cities that is undertaking this effort. Elicia Mitchell is helping with these efforts. Governing Magazine invited us out to be a part of their summit on performance and innovation which was a great conversation amongst several cities about what they are doing as best practices. Conversations ranged from infrastructure management and the way communities communicate with their residents to a presentation from Richmond, VA on their center for community wealth building which is a similar process that Findlay is doing relative to workforce development around Raise The Bar (RTB), only it is a more formalized government-lead process. It was the first time that they traveled as a contingent like that. It was a great opportunity for our Department Heads to be able to get some exposure to their peers who are working in bigger spaces and having some success. They are trying to do the best they can with the resources they have in the space that they work in. She hopes to come to Council within the next couple of months with a better understanding of what those key performance indicators are, how they are being measured, what the targets are, whether or not they are hitting them, and if they are not hitting them, why. It is all part of an accountability measure that was put in place with the strategic plan to prove they are actually working on things. Councilman Hellmann asked when the group was out there working on those items, if they met anyone and worked on best practices on abandoned properties. Mayor Mihalik replied that was not a topic, but noted that it would be nice if there was an easier process to go through to get rid of some of the blighted properties.

Councilman Monday moved to adjourn into executive session to consider a personnel matter at 8:27pm. Seconded by Councilman Harrington. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser. Councilman Harrington made the motion to adjourn out of executive session and back into regular session at 8:53pm. Councilman Klein seconded the motion. All were in favor. Filed.

President J. Slough adjourned Council at 8:27pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL