

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

September 5, 2017

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindedecker, Watson, Wobser

President J. Slough opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Harrington moved to accept the August 15, 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 noted the following changes to tonight's agenda.

CHANGES:

- Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for LaTapachula LLC dba Puerto Bravo.
 - Chief of Police John Dunbar is listed as "Acting" Chief of Police. Should be Chief of Police.
- Brian Thomas's letter re: waterline extension to County Landfill Project No. 3571408.
 - Should be Project No. 35710800.
- ~~Brian Thomas's~~ letter re: 2017 Capital Improvements – Fire Department cancer prevention
 - Should be from Safety Director Paul Schmelzer
- ~~Brian Thomas's~~ letter re: 2017 Capital Improvements – Fire Department Capital Considerations
 - Should be from Safety Director Paul Schmelzer
- Ordinance No. 2017-089 = PROJECT NO. 3571408 (in the header)
 - should be PROJECT NO. 35710800.

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS:

Street vacation request – Aberdeen Drive, Wesleyan Dr, Winston Dr, and Penrose Court

Philip Rooney is requesting to vacate the following streets:

All of Aberdeen Drive, Wesleyan Drive, Winston Drive, and Penrose Court, and all that portion of Penrose Drive located north of the south lot line of Lot 76 as extended in the Spring Lake 1st Addition.

Referred to City Planning Commission and Planning & Zoning Committee. Filed.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Jeremy Kent – waterline improvements at his property (12385 Twp Rd)

Mr. Kent is before City Council tonight to answer any questions Councilmembers might have on the waterline improvements on his property on Township Road 215.

Discussion:

Councilwoman Frische pointed out that Mr. Kent was not present at the Committee of the Whole or the Water and Sewer Committee meetings on this matter, but Katie Treadway was and was to bring One Energy's intention for growth back to Council, how they are expanding, what kind of buildings they are putting up, or if they have any intention for growth. There were some discussions on the size of the water line taking the water line. She asked if the City does not participate in the twelve inch (12") line because it is outside the city limits, if One Energy will go back to an eight inch (8") line and only take it to their building, and if so, if it would affect their other property for growth. Mr. Kent replied One Energy has no defined plans but have invested twenty-five million dollars (\$25,000,000) in the community in the last four (4) years. They are actively marketing the five hundred thousand square feet (500,000 sq ft) of the building that is available on their site. Economic Development is actively marketing the land immediately around them. One Energy is paying one hundred percent (100%) of the cost for the installation to their building. It seemed like a good opportunity to allow the City to improve the overall infrastructure and do the project jointly, but they do not have a dog in the fight considering they are paying all of their needs. It seemed like a good neighborly thing to do to allow the City to join in on a project that they had already been contemplating. Councilwoman Frische added that the City does not contemplate putting infrastructure outside the City even if it is known that there is a potential for growth in that direction. Part of the discussions with Katie Treadway was that One Energy had already started the project. She asked if One Energy is going to go ahead with the twelve inch (12") line if the City does not participate or if they instead will go with an eight inch (8") line, or if they will continue with the twelve inch (12") to improve their property for marketing and selling purposes. Mr. Kent replied they will start the larger than necessary line immediately, will stop all lines and the needs of their building, and will not continue the loop. The loop is not a necessity for their building. It is a necessity to improve the overall infrastructure. Councilwoman Frische asked if it is a necessity to One Energy's overall land. Mr. Kent replied it is not. Councilwoman Frische asked if it is for the marketing of One Energy's property. Mr. Kent replied it is for the current needs of One Energy and that they are paying one hundred percent (100%) of it. This project was on the City's books and in the budget long before One Energy had anything to do with it which is a matter for the City Engineer and the Mayor.

Councilman Hellmann asked if the agreement states that One Energy will automatically be annexed into the City. Mr. Kent replied he does not believe that is the exact wording. One Energy would sign the standard agreement agreeing to not contest an annexation. There is some standard form that has been used on all other deals that they have agreed to sign.

Councilman Wobser asked if One Energy has any plans to improve this property. Mr. Kent replied they do have plans to improve their property but will most likely be either a sell-off in that subdivision of that property for someone else to invest in and use some of it for industrial land. One Energy is not in the business of building industrial buildings. They do have several hundred thousand square feet of building pad available that is actively being marketed. One Energy is not going to build a facility there, but does expect someone else will. He is unsure when that could happen. Councilman Wobser asked if One Energy's plan is to sell the property they own. Mr. Kent replied they will either sell the property they own or do some sort of long-term lease for someone else to build. Councilman Wobser asked if he is understanding correctly that One Energy plans to either sell or do a long-term lease and asked if there is any additional value to have the water supply for someone who might actually need it. Mr. Kent replied that the value is in the fact that the water supply is already adjacent and is one property away as they have already proven by connecting their cells there. Councilman Wobser asked if anyone else coming in would need more than an eight inch (8") line that One Energy is already pulling off of. Mr. Kent replied if they pull a line for themselves, it will be a private line that will be completely their line and will only serve them. Whenever someone else needs additional water or sewer, it would be some other arrangement with the City to pay for additional infrastructure. In those cases, they are usually involve state grants or the City comes in and invests in it. If at some point their property or any of the other three hundred (300) or four hundred (400) acres immediately adjacent to it that loop would serve, it would seem that most likely that money would be spent which is why they agreed to let the City make the decision to try to incorporate the two projects together. Councilman Wobser does not necessarily agree with Mr. Kent's idea that the money was going to be spent. Mr. Kent replied it is already in the City's budget. Councilman Wobser replied it is, but has not been appropriated.

Councilwoman Frische asked if the private line is an extension off a City line or if it is a tap line and asked if it is going to be a private line. Service Director/Acting City Engineer Brian Thomas replied it would be a private line. Councilwoman Frische then asked if One Energy could or if the City is allowing them to. Safety Director Paul Schmelzer replied it is within the current rules. Councilwoman Frische asked if that means that anyone who installs a waterline can keep it private and can run City water through it. Safety Director Paul Schmelzer replied that is correct. Mr. Kent added that if it only services one customer, which it does in this case, it would be their private line. Councilwoman Frische asked when a project comes through Regional Planning, and Engineering determines if a line needs to be looped or oversized and those plans are approved, if that business can still make the decision not to do what the City is saying is best for our infrastructure if they want to tap in. Service Director/Acting City Engineer Brian Thomas replied that if they want to keep it a private line, they can have a smaller line because it is only there to serve them and they are only paying for their part of it. Councilwoman Frische asked if the sewer line would also be kept private. Mr. Kent replied that is correct. Councilwoman Frische asked if they would have to grant it back over to the City in order for the City to service it. It is much longer than a tap and asked how many hundred feet it is. Mr. Kent replied he believes it is roughly two thousand two hundred feet (2,200 ft). It is a private line. It would be One Energy's responsibility up to the tap point. Service Director/Acting City Engineer Brian Thomas added that if there is a break in the private line, One Energy would have to fix it. Private lines are the owner's responsibility to maintain and the upkeep on it. Councilwoman Frische asked how that affects the City's infrastructure and asked if it could backfire on the City with a tap that long. Service Director/Acting City Engineer Brian Thomas replied it would not. No one else could use it in the future. Councilwoman Frische asked if they would have to sell it with their property. Service Director/Acting City Engineer Brian Thomas replied that if another building goes in or if the City would want to tie into it to loop it, the City cannot do that because it is a private line, so the City does not have permission to tie into it, nor would anyone else unless One Energy gives them an easement or allow them to use it. Councilwoman Frische asked if they do an eight inch (8") line and not a twelve inch (12"), if another two (2) or three (3) buildings could tap into it and asked if there would be enough pressure for it if it is not looped. Service Director/Acting City Engineer Brian Thomas replied it depends on the use. If it is warehouse with one (1) restroom equipped for ten (10) people to utilize, they will not need much water. If it is going to be an office building of five hundred (500) employees, that is a different matter. Councilwoman Frische noted that there were discussions of not putting the street through and keeping it private because of turbines dropping ice in the winter and for safety reasons. Mr. Kent replied that at the moment, they are keeping it private because they are going to pay for it. If they are going to pay for it, they might as well own it.

Councilman Monday asked if the private line is going to go in regardless of what Council's action is tonight. Service Director/Acting City Engineer Brian Thomas replied a line is going to go in one way or another. Councilman Monday asked if the City thinks it is to their advantage to oversize for future development and if it is up to the City to pay for the oversize for the future development. Service Director/Acting City Engineer Brian Thomas replied that is correct. Councilman Monday asked if a larger line would be beneficial and if it is available to move in. He recalled doing this before where the City oversized the waterline for future development with other lines such as the County Landfill, out at the Airport, and Williams Road for the City's advantage. Service Director/Acting City Engineer Brian Thomas replied that is correct.

City Auditor Staschiak shared his comments from during the Appropriations Committee meeting. What Council chooses to do is their privilege. His concern as the City's Financial Officer is that a completed fully-comprehensive study has not been done of the City's infrastructure (water, sewer, storm system) to show where the need to invest hundred of thousands if not millions of dollars over time might be. He cautioned Council to be well-considered and well-thought when spending a large amount of money in lieu of a potential on return and not a guaranteed return. If it is not known what the return on investment (ROI) will be, he cautions Council that a long-term study of the system as a whole should be done to determine where the best place to put the resources across the entire system would be.

Councilwoman Frische informed those who were not in attendance at the Appropriations Committee meeting that it is in the budget to do an assessment for a long-term study. The Service Director/Acting City Engineer was in the process of putting it out to bid, but probably will not happen until next year. In the past, oversizing was for material only, but this appropriation does not appear to be split out. The Service Director/Acting City Engineer was working on getting the material only and asked if the City does material only, if One Energy will go ahead with the project. Mr. Kent replied that they bid the project out two (2) ways. All contractors were required to turn in two (2) numbers: a base design that served their needs only and a full design that met with what the City's intentions were. The way they proposed the sharing is just the difference in upgrade costs. They are paying for one hundred percent (100%) of their costs which includes all of the labor, the upgrading which would be the larger material or the loop which would be paid by the City. They provided both of those numbers. There are no additional costs of redoing any digging. Councilwoman Frische noted that the dollar figure Council has is not split out. She asked if Mr. Kent has it split out if he could provide that to Council. Mr. Kent replied he does not have that number because they did not ask their contractors to bid it that way and he cannot make them provide those numbers. Councilwoman Frische asked the Service Director/Acting City Engineer if there is any way to provide that to Council. Service Director/Acting City Engineer replied the labor is going to be the same. Councilwoman Frische pointed out that the City is not paying the labor and is only paying the material. Service Director/Acting City Engineer replied the labor is included so when subtracting the oversizing from his part, he would subtract the labor. Councilwoman Frische replied that still does not make sense to her and she would still like to see that number and asked what part of the acreage does Mr. Kent own or his family own.

Mr. Kent replied One Energy owns the entire seventy-five (75) acre parcel and the five (5) acre parcel adjacent to it. Councilwoman Frische asked who owns the remaining property around it. Mr. Kent replied the Oman family owns parcels to the north, Whirlpool also owns parcels to the north, and also Ms. Wolfe owns parcels to the east, as well as others own several hundred acres adjacent to their eighty (80) acre property. Councilwoman Frische asked if One Energy would be looking at future development to the eighty (80) acres they own. Mr. Kent replied that is correct. They have what they need on their parcel. They have their headquarters blocked out. They have roughly nine (9) acres of building pad available for development which is approximately five to six hundred thousand square feet (500,000-600,000 sq ft) of building pad that is actively being marketed. Councilwoman Frische pointed out that Mr. Kent sits on the Alliance Board for economic development and asked if he is aware of any development happening out there within the next three (3) years. Mr. Kent replied that the Economic Development and the Alliance are actively responding to bid requests through Regional Planning and State Initiatives and are actively working on several deals, but does not have specific information. Councilwoman Frische asked if they are on his property or not. Mr. Kent replied he does not have specific information that he can address in this meeting.

Safety Director Paul Schmelzer pointed out that it is of his opinion that the City does need to look at development outside the City of Findlay, and always has. When looking at the Wastewater Treatment Plant and the Water Treatment Plant capacity, the fact that we are only running it at half capacity means that someone at some point said we are going to grow. If anywhere is going to grow, they need to take a look at the service area that has been set. Even as far back as when Quest Engineering redid their trunk sewer, at that point, it went into the County at a much larger size than required at the time because given where we are at with topography, there is a logical point of return. To some extent, the City is in the business of selling utilities. When anyone can get an investment of pennies on the dollar even if it may take so time to recoup and/or this is no immediate rate of return as our Auditor has pointed out, the service areas still need to be looked at and they could be a prudent investment that could pay out in the future, which is part of the City's responsibility. Councilman Hellmann agrees with Safety Director Schmelzer that it is the City's responsibility, but asked how this gets done. He asked if a consultant is hired to look at it. Safety Director Schmelzer replied that Council can look at the information that is already available. The service areas have already been set up to get to this area with the trunk sewers that were invested in twenty (20) years ago. For instance, the service areas that were just done in Hillcrest and off of Williams Road were what we could get to because of gravity sewer. If the City does not put in any matching funds to a project, then the developer has to determine whether it is worth it or not. In many cases, it takes some additional funding up front for the City to carry that burden and recoup it via rotary fees. The Hillcrest service area was added because the City increased the depth. If the waterline on 236 in the Lakeview Park area had not been done back in 1995, that area probably would not exist today. The City has to be a little more forward thinking. Councilman Hellmann pointed out that Forest Lake is not within City limits. Safety Director Paul Schmelzer replied that is correct. It is not in City limits, but there are utilities extended into the County all over the place. Not all of them were a cost share, but in some cases, some of those extensions were facilitated by oversized utility lines. Councilman Hellmann asked if it is prudent not to have Forest Lake in the City. Safety Director Schmelzer replied that is getting real philosophical about whether or not it is prudent to annex residential properties versus not annexing them. It is definitely worthwhile to have places for people to live here when they serve jobs here. They pay a premium for their water and sewer.

Councilman Wobser noted that many time we go into these projects saving pennies on the dollar by ways of structuring deals that have worked out well. In this case, three hundred fifty-seven thousand dollars (\$357,000) is requested for a project that would cost the City more if they did it themselves, but asked the Safety Director if he feels this is still the right thing to do in a year that the City is a budget deficient, even though it is in the budget to do so. Safety Director Paul Schmelzer replied he thinks this is a very prudent investment given the service area which is all he looks at. These are two (2) different funds. Water and Sewer Funds are different than the General Fund. It is all about what it will cost versus what service area we are buying. It will essentially land-lock the City's growth to the north if One Energy puts in private utilities. He does not believe the City would ever do this project if it wasn't on a cost-share basis.

Councilwoman Frische recalled the Safety Director stating that it is not prudent to annex residential properties and asked if he thinks it is prudent to annex commercial properties into the City. Safety Director Schmelzer replied he does. Councilwoman Frische then asked if the City should be looking at making a contiguous annexation for all the property in between One Energy and where our line ends. Safety Director Schmelzer replied absolutely if you can negotiate those. Councilwoman Frische asked what there is to negotiate when something is annexed. Safety Director Schmelzer replied the City does not have the authority to annex a property. Councilwoman Frische asked if the City can force someone to annex into the City. Safety Director Schmelzer replied they can if there is an annexation agreement. There are some properties that have utilities outside the City that do not have pre-existing annexation agreements. It was common with many prior Administrations to have annexation agreements. When an outside entity extends and asks permission to extend, they sign an annexation agreement that states they will not fight annexation which then gives the City the legal right upon being contiguous to annex their property as part of an annexation petition. Councilwoman Frische asked if it was calculated how long it would take for the City to recoup its costs on paying for the oversizing to One Energy. Safety Director Schmelzer replied he has not done so because it is impossible to do so. It could be done based on rotary and tap fees collected. Councilwoman Frische asked how long it would take to recoup costs. Safety Director Schmelzer replied that is impossible to calculate based on water sales. Councilwoman Frische noted that a regional line was put in where the company tapped into which was done through a TIF and have not yet recouped their cost. The concern is if the County is not recouping their costs how long it will take the City to recoup their costs. Safety Director Schmelzer replied he understands the concern and is giving the basis for his opinion as to whether or not the City should invest in infrastructure or not and has nothing to do with an ROI over a certain period of time. City Auditor Staschiak suggested Council strongly consider a legal opinion from an annexation expert on what the City can and cannot do because the Hard Water Policy that is in place in the water and sewer rules where it specifies that if you took our water and took our sewer and we intended to annex, to become a significant benefit to the City. The State has identified the income tax as an area that wants to see the amount of money that is collectively reduced, however, annexing commercial businesses with a large number of employees, and a large percentage of those employees not working within this community, will have a very significant impact on the City's revenues. There was a study done in early 2003 or 2004. He does not recall the exact number, but does remember three million (\$3,000,000) being thrown around for some annexations. It would be prudent for Council to consider getting a professional opinion on what can be annexed and what cannot, and questions on investments on recapture. As the Safety Director stated, there is not enough information to make an informed decision if there will be a return on investment (ROI) or not. So, Council is throwing the dice in the sense that there will be a ROI since it is a prime piece of real estate and is a great area to invest in, but there is no way to know what costs the City will recoup if they do not pursue annexation. The City may or may not see the funds recouped within the next ten to fifteen (10-15) years.

Mayor Mihalik pointed out that Findlay is a well-known area for Industrial and manufacturing facilities. Recently, Findlay just filled up their second (2nd) industrial park, so land that is shovel-ready is very limited, so this project is another opportunity for the City to extend utilities to have adequate service to supply any potential developer out there. Economic Development Advisory Board meetings have dealt with things that Findlay is getting a lot of attention on, in a really good way. Land prices are very competitive. Findlay's logistical advantage make us a hot commodity for some. Findlay is a regional draw for employment. More than fifty-six percent (56%) of our workforce comes into the City of Findlay or County every day to work here.

A lot of that reason is the fact that Findlay has infrastructure that is ready and is adequately sized, so Findlay continues to grow. This project will be helpful to the extension of One Energy and also gives proper fire suppression activity for Whirlpool who are somewhat limited at this point. There are other expansions and new development opportunities in that part of the City which is where our growth is going to be which is in the northern part of the City and then traveling east to 212, which is where the majority of it has been in the past few years. This is an investment for the City that will make us more able to compete with other communities. Findlay has done this for several companies and residential projects, so it is not out of the ordinary.

Councilman Wobser asked if the three hundred fifty-six thousand nine hundred dollars (\$356,900) is the hard number we are dealing with. Service Director/Acting City Engineer Brian Thomas replied there is a water and a sewer amount. The sewer portion is seventy-four thousand five hundred thirty dollars (\$74,530) and the water portion is three hundred eighty-one thousand five hundred seventy-five dollars (\$381,575). He asked if the City does the upsizing who will own it. Service Director/Acting City Engineer Brian Thomas replied it would be a public utility. Mr. Kent added that he would own the three hundred feet (300') that goes to his building off of that line like anyone else would.

Councilman Russel asked what the City's cost would be including a new ditch, new trenching, etc. if One Energy did not pay their portion of it. Service Director/Acting City Engineer Brian Thomas replied it would be more than that. The estimate he came up with by scaling off a one hundred (100) scale map, not having drawings, with prevailing wages and all the regulations the City has to follow for both projects was approximately one million five hundred thousand dollars (\$1,500,000) which is probably a little conservative, but is what they had to go on. When Mr. Kent put his bid in, it came in around nine hundred thousand dollars (\$900,000) because he does not have to follow the prevailing wages, he bid it at the right time, and he has a contractor who is looking for work and needs something to do. The City cannot build it for the nine hundred thousand dollars (\$900,000) that Mr. Kent can build it for. Councilman Russel asked Mr. Kent what his timeline on this is. Mr. Kent replied he plans on moving into his corporate office by the end of this month. He has people actively building right now at the south end of the property.

Councilwoman Frische echoed Mayor Mihalik saying she made some really good comments about what direction Findlay's developments are going. During the committee meeting, taking the water at an angle instead of straight was discussed. She asked if it is better to go with a larger area rather than a smaller area and/or better to go more to the east. This project is completely focusing on One Energy's seventy-five (75) acres. She also went back to the conversation between Councilman Russel and the Service Director/Acting City Engineer's on what the City would do if a trench was built and we put in the lines. She feels it is safe to say that we wouldn't do that because some kind of action is happening and usually the business is participating in it, and it would cost one million five hundred thousand dollars (\$1,500,000) or more if the City were to do it themselves. It would not be an apples to apples discussion because we would not be doing it for businesses like One Energy to be a community partner. Without having the full picture, there will be a lot of debate.

Marathon Petroleum Company Paul Smith – Downtown Design Review

Marathon Petroleum Corporation (MPC) has been a property owner in downtown Findlay for more than one hundred (100) years. From 2014 to 2016, MPC has executed projects at its downtown campus in excess of one hundred million dollars (\$100,000,000). They are currently in the midst of an additional twenty million dollar (\$20,000,000) investment in the development of the construction of the Hancock Hotel. Their campus provides a gateway to the southern portion of the central business district of downtown Findlay. MPC supports the proposed update of the Downtown Design Review Board Regulations including the expansion of the Geographic Review District. As the Board will review renovations on new construction within this district, it will help preserve and enhance the historic commercial character and charm of downtown Findlay. Ultimately, their actions will protect the investments made by MPC as well as other businesses in downtown Findlay.

Patrick Ball – Downtown Design Review

Mr. Ball owns several properties downtown and represents some of the other downtown property owners and small business owners with limited budgets. In theory, the Design Review Board is a great project, but the way the ordinance is written, there needs to be some clarifications to help the small business owners understand it and make it affordable for them. The desire is wonderful, but there are many individual items that cause a lot of negativity. He picked up the packet earlier and noticed it states that twenty-two (22) are in favor of this proposal, however there is also a lot of negativity towards the proposal from those who have not made their opinion public which is why he is before Council tonight. The way it is written, all the positions are appointed by the Mayor, so it is their assumption that those appointed have expertise in those areas of the oversight, but does not state that they have any skin in the game and are not downtown property owners within the confines of the Design Review District. For those who do not have any skin in the game, it is easy to make regulations that do not affect them. He would like to see a majority of the Boardmembers be property owners within that district so that there is proper representation on their needs and desires and what is affordable and what is not. He does not have any issues with new construction as long as it matches the design plan and knows that revitalization in downtown Findlay is very important to everyone. There are concerns that existing properties will have to conform to certain standards such as what kind of façade they will have to have on their building that is not economically feasible for the small business owner that only employees a couple of people. It is tough enough for them to survive the downtown water problems. Another issue they have is that the appointed body has the ability to enforce the regulations that they created which gives too much government oversight to a non-elected body to mandate regulations upon the downtown business owners. He asked for further review before the ordinance comes off the table.

Discussion:

Councilwoman Frische asked Mr. Ball who he feels should appoint the boardmembers if the Mayor does not do that. Mr. Ball replied he is not saying the Mayor should not appoint them. He thinks there should be some criteria for those appointments. Councilwoman Frische asked what criteria Mr. Ball would like to see. Mr. Ball replied who they are and that they should have some skin in the game. They should be downtown business owners. While Marathon puts a lot of money into our local economy, there are a lot of small downtown business owners who are affected by this. The small downtown business owners would like to have a voice and/or have someone represent them. Councilwoman Frische pointed out that Mr. Ball's other comment was on how the outside looks. The only thing downtown business owners are able to discuss about the plan is the outside structure and cannot address anything on the inside. Mr. Ball replied the whole section is way too vague on what they have control over. Downtown business owners fear the Downtown Design Board will want to create some type of Jeffersonian or Edwardian type theme downtown that they would have to comply with. A lot of downtown business owners are cautious about the intent. This process was tried once before about ten (10) years ago that met a lot of opposition and is now back on the table again. Street scape was also attempted several years ago that died off and is now back on the table again. He asked if the way to get things through is to table them and then years later bring them back up again. There are a lot who want this plan slowed down some, but have not spoken up. The group he is representing is asking for a little more consideration and a little more criteria within the ordinance to make them feel comfortable.

Councilman Shindledecker pointed out that he is a member of the committee who has spent several months going over this and admits that when it was first presented, he had some of the same concerns, particularly with the maintenance situation. What Mr. Ball has explained would be the worst case scenario. He was surprised at the small amount of opposition Council received from business owners in the district when it was first presented. He expected to see more. Those who had concerns had adequate opportunity to make those concerns known. At least one, and probably more of the individuals that have been discussed as potential members of this committee are property owners in the downtown area. If you live and work or at least live and reside in the City, there is an obligation more so than someone who has a forty (40) acre farm and would have a different obligation such as not to spoil the soil with runoff. Downtown business owners have an obligation to be somewhat responsible to their neighbors on either side of their business in the downtown area. The opposition that Council has heard has been very minor. At least one downtown property owner has been at almost every meeting offering advice and has expressed their concerns. He believes Council has come up with a pretty good plan and does not believe that anyone would take advantage of an ability to nitpick on construction and maintenance.

Councilwoman Frische understands where Mr. Ball is coming from. While this Council and/or the next Council is looking to put something into place, the next Council may have a different idea of how they want to handle it and might be more nit-picky than the current Council is. There will be guidelines in place that the downtown business owner will need to understand what they need to do, or it could become an issue. She asked Mr. Ball if he ever attended any of the meetings. Mr. Ball replied he did not. Councilwoman Frische asked if he has been invited to them. Mr. Ball replied he has not. Being a property owner, he has never received any invites, but one of his neighbors did. He was not made aware of the ordinance until about a month ago.

Councilman Russel noted that the first thing the Design Review Board would put together would be their guidelines that would have to be approved by Council. Mr. Ball's representation on this are the ten (10) elected Councilmembers. If the Board had the Jeffersonian architecture in the downtown, he would vote against it. Part of the reason this Board developed was because of the historic district in the downtown that mandate that businesses in that area have to maintain standards, but were not being followed because they were close to impossible to follow. This was a way to step back and look at the historic district to continue with the spirit that Mr. Ball favors. The challenge is the membership of the Board and how it is created. Two (2) downtown property owners have expressed an interest in being on the Board. One with some expertise in design and the other with no expertise in design, but has expertise in other areas, so he is lobbying for their membership on the Board. If Mr. Ball is interested in being on the Board, he would be interested in championing his membership also. Mr. Ball is correct that there should be downtown property owners on the Board which is why he reached out to the DFID, and even had some meetings with their President Duane Wires to discuss this with him and expressed his support of it. He also talked with Mike Mallett who expressed one of his concerns that the Board will be too slow. The concerns Mr. Ball has mentioned tonight are ones that the committee has discussed in great detail and has worked its way through the Planning and Zoning Committee. If any part of the plan comes up short, downtown business owners can present those concerns to Council and adjustments can be made. Everyone is doing this plan for the same purpose of continuing to improve downtown. Council and the Board have to take the downtown property owners concerns into an account because if they do not, then they have failed.

Councilman Niemeyer has been in business for at least thirty-five (35) years in various businesses, so he understands Mr. Ball's concerns and would like to see Mr. Ball on the Board. At one time, he was told the City was going to close down his Dairy Queen business, but responded by saying they cannot close down an adult bookstore. He appreciates Mr. Ball's concerns.

Councilwoman Frische asked if it is better to pass this ordinance without having the criteria detail in place or to have more of the process in place so that downtown business owners have a better idea of what they are putting into play. Councilman Russel replied that the question before Council tonight is if they want to go forward with a Downtown Review District and appoint a Board to come up with Design Review Guidelines. A Board cannot be appointed unless there is legislation to appoint them. After they are appointed, they will come up with the guidelines that will be presented to Council for consideration and voted on before anything is to be done by the downtown property owner. Mr. Ball pointed out that one of the major items was the demographics of the appointed committee. The small business owner has to be represented the same as the large business owner. The small business owner does not seem to get any breaks with the government bureaucracy involved in it that overlooks the small business owner. Councilman Russel shares Mr. Ball's concerns with the governmental bureaucracy that is encumberant on Council to either fix it or get rid of it.

Mayor Mihalik pointed out that there have only been a couple of individuals who have stated they would be interested in being on the Board and there are a lot of slots to fill. Giving a downtown business owner or building owner priority makes much more sense than not. If Mr. Ball is interested in being on the Board, he can be added to the list. They are not going to be easy positions to fill similar to Board of Zoning Appeals, Park and Recreation Board. Mr. Ball replied that his theory is if you are not willing to step up, then shut up.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Treasurer's Reconciliation Report – July 31, 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 July 31, 2017
- Open Projects Report as of July 31, 2017
- Cash & Investments as of July 31, 2017
- Financial Snapshot as of July 31, 2017

Filed.

N.E.A.T. Departmental Activity Report – July 2017. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for La Tapachula LLC dba Puerto Bravo, located at 1908 Tiffin Avenue & Patio, Findlay, Ohio for a D5 and D6 liquor permit. This requires a vote of Council.

John E. Dunbar, Chief of Police – La Tapachula LLC dba Puerto Bravo, located at 1908 Tiffin Avenue & Patio, Findlay, Ohio. A check of the records shows no criminal record on the following:

Ana M. Banales
Roman Zarazua

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

Service Director/Acting City Engineer Brian Thomas – farmland leases

The City has farmland located in the vicinity of the Airport (approximately 181 acres), the Reservoirs (approximately 64 acres), and Carlin Street property (approximately 23 acres). The land is leased to local farmers for cultivation based on bids received through the formal bidding process. Legislation authorizing the Service Director to enter into a lease agreement(s) for a period of three (3) years beginning in 2018 is requested. Ordinance No. 2017-086 was created. Filed.

Discussion:

Councilman Monday asked the City Auditor what income the City receives on these three (3) properties. City Auditor Staschiak replied that he does not know what the bid amounts are. He referred the question to the Service Director/Acting City Engineer. Councilman Monday then asked what it was for the previous year. City Auditor Staschiak replied he does not know and suggested to get a quick answer, to check the transparency site.

Councilman Wobser asked when this was bid out for lease and if it requires the eventual winner of the bid to use the land if there are any requirements for the farmers to do what they are supposed to do within the watershed without making the algae bloom worse than it is. Service Director/Acting City Engineer Brian Thomas replied he assumes so. This is the first time he has bid it, so he cannot say for sure, but growing up on a farm, he knows farmers do not put fertilizer if they do not need it. It costs money and they are also in the business to make money. He will look at the bid documents to make sure. Councilman Wobser added that for a property owner that has turned the land into farm property, it should be something to consider.

City Auditor Staschiak noted that one of the biggest challenges he has seen during the bid process was when someone, a few years ago, bid it very high, higher than what the market rates were, which caused it to be very difficult for them to make the payments. He worked very closely with the Law Director and the individual who bid high, to make sure the City was paid. Payments at that time were in the range of thirty to forty thousand dollars (\$30,000-\$40,000)/year.

City Auditor Jim Staschiak – Resolution accepting millage rates and amounts

The County Budget Commission has completed their work and returned our Certificate of Estimated Resources for our 2018 budget. Our tax millage has been certified exactly as submitted; 2.6 mills for the General Fund and 0.3 mills each for Police and Fire Pension Funds to a total of 3.2 mills. Local government money is estimated to be \$427,832.02 for 2018 subject to likely adjustments by the State. Council should now accept the amounts and levy the tax rates as certified by the Budget Commission. The proper Resolution must be adopted and returned to the County Auditor no later than September 30, 2017. Legislation for this is requested and only requires one reading. Resolution No. 023-2017 was created.

Discussion:

City Auditor Staschiak requested this letter be read. All were in favor. The Council Clerk read the letter in its entirety. Filed.

City Auditor Jim Staschiak – flood appropriation

The City of Findlay is nearing the end of the expenses dealing with the July 2017 flood and it is now necessary for an appropriation to the project. Legislation to appropriate funds is requested. Ordinance No. 2017-088 was created.

FROM: General Fund	\$ 77,000.00
TO: July 2017 Flood Project #31977200	\$ 77,000.00

Discussion:

City Auditor Staschiak explained that this was primarily for fees at the dump and also for some miscellaneous things such as mulch floating away, etc. It was all for services and supplies. No personnel costs were included. Personnel costs were not tracked in the Auditor's Office because a FEMA claim is not being done. Had FEMA been involved, it would have been done totally different.

Mayor Mihalik pointed out that the Administration tracked personnel costs and spent a significant amount of money in overtime in the safety services area and the employees at the Public Works and the Water and Sewer Offices for the clean up. It is the Administration's intention to seek reimbursement from the County Commissioners through the flood fund for dump fees associated with the clean up. They are also offering this same opportunity to the Township Trustees for the services they provided for the clean up. Once all of those dollar amounts have been computed, the Administration will send a letter to the County Commissioners requesting the reimbursement.

Councilwoman Frische asked if that request will include this seventy-seven thousand dollars (\$77,000) request and all the labor. Mayor Mihalik replied it will include any labor that was part of the clean up and the dump fees associated with that. She is unsure what makes up this seventy-seven thousand dollar (\$77,000) request. This is the first time she has seen it. She will provide a copy of the letter that goes to the County Commissioners to Council. Councilwoman Frische asked why the Mayor and the City Auditor are not on the same page on this. City Auditor Staschiak replied he believes it is a situation where the Administration is tracking labor for operational issues and concerns and objectives. The Auditor's Office is tracking finances to make sure money is being appropriated correctly once a project has been opened. He knows there will not be any more incidental fees, so it incorporates all of the dump fees that were necessary, unless someone has a trailer with dump items currently sitting on it. He asked the Mayor if she is requesting the County Commissioners pay the City's labor. Mayor Mihalik replied that if the County Commissioners are offering to pay the services provided for clean up out in the township with flood dollars, then she will also request the same for City expenses.

This is the first she has heard about the seventy-seven thousand dollar (\$77,000) request, but has been told it is a number that has been put together and has been evaluated over the last week or so, which is why she has not seen it yet and why she commented on it. She is unsure what makes up that number. The Administration will evaluate what all that includes and will make sure that the request is appropriate to the County Commissioners for funding reimbursement. City Auditor Staschiak added that he and the Administration will work together to make sure the MUNIS system is understood a little better since everything that makes up the seventy-seven thousand dollars (\$77,000) are vouchered and are approved prior to the Auditor's Office booking it.

Councilman Russel asked if there is an estimated overtime cost for the Safety, Service and Public Works departments. Mayor Mihalik replied that she will provide an answer during tonight's OLD BUSINESS portion of the meeting after she finds that number on her laptop. Filed.

Service Director/Acting City Engineer Brian Thomas – waterline extension to County Landfill, project no. 35710800

This project has been a part of the Capital Improvement Plan since 2011. The County has now obtained all easements and are in the process of getting plan approvals so that they can bid the project. This project is broken into two (2) parts. The first part of the project will extend the existing dead-end waterline on State Route 613 to Township Road 107 and then to the landfill. This part will be paid for by the County. This will accomplish the County's goal of getting a waterline to the landfill.

The second part of the project will extend the waterline from Township Road 107 and connect it into the existing waterline on County Road 99. This portion of the project will be paid for by the City of Findlay. This part of the project will benefit the City by creating a loop from Van Buren to County Road 99. The loop will help with Chlorine levels and TTHM levels in the existing waterline and will also serve as a second water supply to Van Buren if something happens to the watermain on County Road 220.

The County has requested that the cooperative agreement be signed before they bid the project. Once the project has been bid and an exact dollar amount is known, a request will be made to go to the appropriate committees to discuss the appropriation and transfer of funds into the project.

The Engineer's estimate for the City's portion of the project is three hundred fifty-six thousand nine hundred dollars (\$356,900). This is less than the six hundred ninety thousand dollars (\$690,000) that is listed in the Capital Plan and the bids should come in lower than this amount, but wants to provide Council with what possible request amount may come about when making the decision to sign the cooperative agreement. Legislation authorizing the Mayor to sign and enter into the cooperative agreement and between Hancock County and the City of Findlay for the participation in the waterline project is requested. Ordinance No. 2017-089 was created. Filed.

Safety Director Paul Schmelzer – 2017 Capital Improvements – Fire Department cancer prevention

The Fire Department has been proactive in moving forward with a cancer prevention plan. Exhaust removal is one of the steps that will hopefully reduce long-term exposure to carcinogens. The grant application for the exhaust removal systems at the fire stations was not approved during the latest attempt. Matching funds for the project were included in the Capital Plan, but since the grant was not approved, there is insufficient funding to install the units. I would like to move forward with one station this year so that the effectiveness of the system can be evaluated. The Capital Plan estimate for the match was twenty-three thousand (\$23,000). Station 2 unit is estimated to be twenty-seven thousand dollars (\$27,000). Project is to be completed yet in 2017. There will be further discussions on the other stations during the Capital Planning session for 2018. Legislation to appropriation and transfer funds is requested. Ordinance No. 2017-090 was created.

FROM: CIT Fund – Capital Improvement Restricted Account	\$27,000.00
TO: Fire Station Exhaust Removal System #319767	\$ 27,000.00

Filed.

Safety Director Paul Schmelzer – 2017 Capital Improvements – Fire Department Capital Considerations

As part of the Capital Planning effort, several issues that affect pricing for next year have been looked at. One significant impact is the proposed Fire Department Engine. The current plan includes purchasing a vehicle estimated at seven hundred fifty thousand dollars (\$750,000). Chief Eberle has done his due diligence researching the best approach to replace Engines 4 and 5 that were purchased in 1997. The best plan for replacing both is estimated at eight hundred twenty thousand dollars (\$820,000). That price will be held until the end of November of this year. After which, the annual price increase of two percent (2%) will be added. It would be proactive to discuss this appropriation yet this year. Discussions on it in greater detail can taken place at the next Appropriation Committee meeting. Referred to the Appropriations Committee.

Discussion:

Councilwoman Frische requested this letter be read. All were in favor. The Council Clerk read the letter in its entirety.

City Auditor Staschlak asked if the City will be bidding this. Safety Director Paul Schmelzer replied if it isn't already on the State bid. City Auditor asked when the cash outlay will likely be. Safety Director Schmelzer replied it would be up to Council. There are a number of things to consider: the increase in costs over what was looked at in the Capital Plan, the timing, and where it is funded from. He anticipates all of those to be discussed at an Appropriations Committee meeting.

Councilman Hellmann noted that the letter states that it is estimated that a replacement Engine would cost seven hundred fifty thousand dollars (\$750,000) and below that it states to replace both Engines, it would cost an estimated eight hundred twenty thousand dollars (\$820,000) and asked if it is almost a two for the price of one. Safety Director Paul Schmelzer replied that when he was looking at the planning back when Chief Lonyo was here, one of the things he wanted to do was to take a look at what the outlay is going to be for Capital to replace two (2) Engines. At the time, discussions were leading up to a much higher number than eight hundred twenty thousand dollars (\$820,000) for two (2) Engines, so they discussed purchasing a different vehicle called a Quint that would operationally take the place of two (2) Engines, but Chief Eberle would rather see two (2) Engines. He has been discussing different models including Ferrara with Sutphen in Columbus, and Spartan in Michigan with different vendors to get a ballpark figure for this type of request. It would be his preference to spend a little extra over what the one Quint would cost and go with two (2) Engines which is why there is a replacement for one (1) vehicle in the Capital Plan, but this request is for two (2) vehicles. It would essentially get two (2) vehicles seventy thousand dollars (\$70,000) more than what is in the Capital Plan. Filed.

City Planning Commission agenda – September 14, 2017; minutes – August 10, 2017. Filed.

COMMITTEE REPORTS:

The APPROPRIATIONS COMMITTEE to whom was referred a request to discuss the City paying for the cost of oversizing of the Township Road 215 Waterline Extension Project #357743 and Distribution Drive Sanitary Sewer Extension Project #356755.

FROM:	Sewer Fund	\$ 74,530.00
TO:	Distribution Drive Sanitary Sewer Extension Project No. 35675500	\$ 74,530.00
FROM:	Water Fund	\$ 381,575.00
TO:	TR 215 Waterline Extension Project No. 35774300	\$ 381,575.00

We recommend approval and request further information from the Service Director/Acting City Engineer. Ordinance No. 2017-085 was created.

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

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 012-2017 (opposition of State Governor's proposed 2017-2018 budget) **tabled after 1st 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. 023-2017 (millage rates and amounts) requires one (1) reading **first reading adopted**
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

RESOLUTION NO. 024-2017 (no PO) requires one (1) reading **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 Monday.

Discussion:

Councilman Russel asked who the City is paying for law enforcement liability or if it is an insurance policy. City Auditor Staschiak nodded in agreement.

Councilwoman Frische asked what kind of insurance policy it is or if it was a payout, and what the detail of the policy is. City Auditor Staschiak replied it is the part of the standard liability renewal that is done. As part of the general entry, the purchase order was not entered, but the bill was due. This is nothing new. Council has done this in the past. It protects the City when there are situations that requires liability insurance for the City's Police force. It is typically billed out of the Mayor's Office.

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.

ORDINANCES

ORDINANCE NO. 2017-021 AS AMENDED (bicycle riding in downtown business district) **tabled after 3rd 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. 2017-059 (Downtown Design Review Board) requires three (3) readings. Public hearing on 8/15/17. **adopted during Old Business**
This Ordinance was tabled after the 3rd reading on 7/5/17.
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.

ORDINANCE NO. 2017-073 (HWE Franchise Agreement) requires three (3) readings **tabled after 3rd reading on 8/15/17**
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).

ORDINANCE NO. 2017-076 (301/305 W Front St & 210 S West St rezone) requires three (3) readings **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 301/305 WEST FRONT STREET AND 210 SOUTH WEST STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "C3 DOWNTOWN BUSINESS DISTRICT".

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Hellmann, Klein, Monday, Niemeyer, Russel, Shindedecker, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2017-076 and is hereby made a part of the record.

ORDINANCE NO. 2017-077 (S Main St vacation) requires three (3) readings **third reading adopted**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS SOUTH MAIN STREET ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Klein, Monday, Niemeyer, Russel, Shindedecker, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2017-077 and is hereby made a part of the record.

ORDINANCE NO. 2017-079 (CR 95 rezone) requires three (3) readings **second reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS COUNTY ROAD 95 REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "I1 LIGHT INDUSTRIAL".

Second reading of the Ordinance.

ORDINANCE NO. 2017-080 (830 E Sandusky St vacation) requires three (3) readings **second reading**
AN ORDINANCE VACATING A CERTAIN STREET (HEREINAFTER REFERED TO AS 830 EAST SANDUSKY STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

ORDINANCE NO. 2017-084 (gas aggregation) requires three (3) readings **second reading**
AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE MAYOR TO EXECUTE A SUPPLY AGREEMENT WITH VOLUNTEER ENERGY SERVICES, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND NOVEMBER 2017 WHEN THE CURRENT SUPPLY AGREEMENT ENDS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2017-085 requires three (3) readings **first reading adopted**
(Township Road 215 Waterline Extension (Project #357743) and Distribution Drive Sanitary Sewer Extension (Project #356755))
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS 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: Monday, Niemeyer, Russel, Shindedecker, Watson, Harrington, Hellmann, Klein. Nays: Wobser, Frische. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Shindedecker.

Discussion:

Councilwoman Frische asked why Council is suspending the rules to give the ordinance its second and third readings when further information was requested during the Appropriations Committee meeting and she has not received anything. Councilman Monday replied as Chairman of the Appropriations Committee, he recalls that it is to go back to the Appropriations Committee unless the committee members received the additional information, plus, there was in excess of a half hour to ask any unlimited number of on questions to both the representatives of the company and the City Engineer during that Appropriations Committee meeting, and he feels they obtained sufficient information, so he would not put this back on the Appropriations Committee agenda. There was ample opportunity to ask any questions anyone wanted to ask, in which Councilwoman Frische asked many questions that night. Councilman Russel replied he asked for this ordinance to be given it second and third readings so it could be given consideration. What changed his view on this was Mr. Kent's timeline on the development. Mr. Kent stated his crews would be to the point next Friday for him to move into his corporate office. He feels Council has all the information necessary to keep that work going. His other reason to suspend the rules was to be able to have discussion on it, so the rules needed to be suspended, plus Council can table it if they so desire. He asked the City Engineer what the costs would be to do this if the City did it on their own. Service Director/Acting City Engineer replied it would be approximately one million five hundred thousand dollars (\$1,500,000). If One Energy pays their part, it would cost the City approximately four hundred sixty thousand dollars (\$460,000). This has been on the Capital Plan for many years. The opportunity to get a million five hundred thousand dollar (\$1,500,000) waterline for four hundred sixty thousand dollars (\$460,000) should be given consideration.

Councilwoman Frische pointed out that this request went to the Water and Sewer Committee with little discussion, but also went to the Appropriations Committee where there was fantastic discussions. When she left the Appropriations Committee meeting, there were three (3) things asked of the City Engineer: to find out what the cost would be and the interest for Whirlpool to tap into and if it would lessen the cost, the material breakout (according to Jeremy, that will never be available), what One Energy's intention is to do with the rest of their property in developing it, if they want to improve their property for further development, or if they are just worried about their one building. She does not feel those requests were fulfilled to enable suspending the rules. Councilman Russel, who is on the Appropriations Committee, is using a one million five hundred thousand dollar (\$1,500,000) figure for a four hundred sixty thousand dollars (\$460,000) project which is not an apples to apples comparison because we would not be extending infrastructure into the County if there wasn't something going in like One Energy or another business participating and paying for it, and for Whirlpool to tap in to do their loop that they would be paying for. Council does not have the answers to those questions, so she asked some questions tonight which is her job and her prerogative. She is at a loss for words on why Council wants to speed up a project that One Energy took upon themselves to start and knew what they were getting into. If Council does not have their answers, how they will be able to make an educated vote.

Councilman Wobser pointed out that in a year when the City is in a budget deficient, they have the opportunity to look at a different way of running these numbers to pay One Energy back for their outlay of cash to do this project above and beyond what he needs to extend their line when the property is developed. When it is developed, the City should then pay him back. If it is three (3) properties, the City should give them a third (3rd) back every time one is developed and starts using the water. That was his suggestion during the Appropriations Committee and still is now. He does not believe all questions have been answered and is surprised Council is pushing this through as fast as they are.

Councilman Russel clarified that he has the answers he needs in order to make the motion to suspend rules and vote on that motion in order to move forward with this ordinance. Councilwoman Frische replied she would like to know the answers to the questions that were asked for during the Appropriations Committee. If Councilman Russel has those answers, she requested he provide them to her and then she would be glad to vote.

Councilman Harrington called for the question.

Ayes: Niemeyer, Russel, Shindledecker, Watson, Harrington, Hellmann, Klein, Monday. Nays: Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-085 and is hereby made a part of the record.

ORDINANCE NO. 2017-086 (*farmland leases*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A LEASE AGREEMENT(S) TO FARM APPROXIMATELY ONE HUNDRED EIGHTY-ONE (181) ACRES IN THE VICINITY OF THE AIRPORT, APPROXIMATELY SIXTY-FOUR (64) ACRES IN THE VICINITY OF THE RESERVOIR, AND APPROXIMATELY TWENTY-THREE (23) ACRES AT THE CARLIN STREET LOCATION, ALL OWNED BY THE CITY, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Monday. 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 Niemeyer. Ayes: Shindledecker, Watson, Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-086 and is hereby made a part of the record.

ORDINANCE NO. 2017-087 (*mid-year review – retirement severance payout*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2017-088 (*flood appropriation*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2017-089 (*waterline extension to County Landfill*) requires three (3) readings **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE BOARD OF HANCOCK COUNTY COMMISSIONERS FOR THE WATERLINE EXTENSION TO THE COUNTY LANDFILL PROJECT NO. 35710800 DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2017-090 (*2017 Capital Improvements – Fire Dept cancer prevention*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Russel noted that he, Councilman Klein, and the Mayor attended a meeting held at the University of Findlay a few months ago where a Firefighter from Columbus came and spoke about his personal experiences in battling cancer. One of the things that came out of that conversation between the Administration and the Fire Department was to adopt a lot of the things that were discussed with this on firehouse safety. Council has discussed some of these items before and the Fire Department has implemented them, so this is just another step. When the last grant that Chief Eberle had championed was received, after that meeting, he and Councilman Klein asked that this legislation be adopted so that the installation of this exhaust system could take place. He appreciates Safety Director Schmelzer creating the legislation and putting it in place. Firestation 2 will be looked at and tested and asked how it will play out with installation, testing and whatever else will happen. Safety Director Paul Schmelzer replied that once they get the system installed, they will look at the emissions in the building and take a measurement to see what kind of effect it had. It stands to reason that when there is a system to remove the exhaust from an Engine that is started inside of a building, that it will have some success, but he wants to make sure that the vendor that has been selected to potentially spend some more money with, is doing a good job with it, which is why they decided to move forward with one system since that presentation. The Chief has done a good job looking at different systems, so there is a good compromise to move ahead full-force and get this one in and evaluate it to make sure it is doing what the vendors say it is going to do, and then take a look at the other stations when they get into Capital. Councilman Russel asked if that will be in the 2018 Capital conversations. Safety Director Schmelzer replied that is correct.

Mayor Mihalik added that the presentation centered around what the Firefighters could do to protect themselves from being exposed in a negative way to a particular fire. A lot of it is personal responsibility on those Firefighters. She commented to the Fire Chief that night that if his team were to commit to what has been learned today, commit to do all of those things, and take on that personal responsibility themselves, then the City will get them what is needed in order to make it work. They have committed to it. This is just the next step in the cancer prevention program. She is thankful that there are Firefighters who are as dedicated to the public as they are to their own health.

Councilman Hellmann asked for the Mayor or the Fire Chief to articulate some of those items to Council. Fire Chief Josh Eberle from the audience agreed that a lot of it is the Firefighter's personal responsibility. They are to treat each fire scene as a hazardous materials scene. Everything that is contained within the smoke is carcinogenic. It is not just breathing the smoke, but is also absorbed through the skin. Every five degrees (5°) that skin temperature goes up, the absorption rate also goes up four hundred percent (400%). Even with the turnout gear they wear, there is absorption where the body acts as a sponge. Each Fire Engine has a five gallon (5 gal) bucket of formulated rescue wipes (fancy baby wipes) and a garden hose in it to use for de-contamination process after every fire. It is the commitment of a Self-Contained Breathing Apparatus (SCBA) all the way through overhaul. They used to only do this process when the smoke was heavy where they would just take it off and just cough their way through the rest of it, which is not the way to go. It is part of the personal responsibility of the Firefighter, is policy driven, and personal responsibility driven. From his standpoint, cancer prevention is easy because not only does he have pressure from within the Fire Department, he has the City Administration that is committed to it, and has Councilmembers that are asking for it, so he is in the middle, and wants to do it. It is a matter of doing it prudently. Instead of doing all four (4) stations at once, they will do one (1) and evaluate it to see how it works, then go forward with the other three (3) stations. They are still in the process of trying it out. The extractors and the turn-out gear dryers that were purchased the beginning of this year was another part of getting everyone a second set of turnout gear so that they can swap out their dirty gear after each fire. They are taking a lot of different steps, but will ultimately lead them to where they need to go.

Councilman Russel asked how the Smoking Sensation Program is going with the Firefighters. Chief Eberle replied he is unsure, but knows it worked fantastically for the Fire Department's Administrative Assistant. There is a concern with the new hires that are smokers. He does not think it is coincidental that they also served time overseas in the military, and will probably see a high correlation there. About fifty percent (50%) of the Firefighters are Veterans and he sees that percentage rising in the future. They will have to be careful and be diligent with making sure everyone knows that program is available and pressure them to take it. City Auditor Staschiak added that under the Health Insurance plan, the City is required to offer a Smoking Sensation Program for free which is part of the health benefits they have in place. Although the City is hiring a lot of employees who smoke, there are some that successfully complete the program. Employees who smoke pay a larger percentage of the premium every month, almost double compared to an employee who does not smoke. There is a discount for being a non-smoker. Under the current health rules, that plan allows the discount as long as they go through the program. Employees can save themselves money simply by going through the Smoking Sensation Program. Councilman Hellmann asked if it possible to make it mandatory to go through the program when they are hired similar to the drug screen. City Auditor Staschiak replied there have been discussions about it. The City has the right not to hire someone because they smoke, but are not doing that. He is uncertain if it can be made mandatory. Safety Director Paul Schmelzer added that the City cannot fire someone because they smoke after they are hired. Even if there is a policy that states the City does not hire smokers, if an employee starts to smoke after they are hired, the City cannot fire them.

Councilwoman Frische asked what monthly savings on insurance a smoker receives. City Auditor Staschiak replied it depends whether it is a single or family plan, it could average one hundred plus dollars (\$100+)/month. Councilwoman Frische then asked if they would have to complete the Smoking Sensation Program every year. City Auditor Staschiak replied the idea is that they would do the program once and quit. Chief Eberle added that there have been employees who have gone through the programs who say it is much more improved than the old programs.

Ayes: Wobser, Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2017-090 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS

Councilman Russel moved to lift Ordinance No. 2017-059 (Downtown Design Review Board) off the table, seconded by Councilman Shindledecker. Ayes: Frische, Harrington, Hellmann, Klein, Monday, Niemeyer, Russel, Shindledecker, Watson, Wobser.

Discussion:

Councilman Russel pointed out that this ordinance received a motion to approve it and was seconded during the July 5, 2017 meeting, and asked if it is now up for discussion. President Slough replied it is. Councilman Russel noted that this ordinance has been in the works for approximately a year and a half (1½). When discussions on it initially began with Economic Development, he, Councilman Shindledecker and others were skeptical and argued against it. One of the points that changed his mind was listening to those who work on the development, especially in the downtown area who have stated that there are many investors who will not invest in an area that does not have legislation in place. When those statements are made by the ones who put their money on the line, he tends to listen. He also did a lot of investigating on this, including discussions with Urbana and with Ohio's Economic Development about their Downtown Design Review legislation asking what they liked about it and what they didn't like about it, what worked and what didn't work. It was interesting to hear their first hand stories about what they have had in place for many years now. It has had some successes, but probably not as much as they had wanted. There is a lot of good in this. As Mr. Ball stated earlier, the devil is in the details. The success of this ordinance will rely on the operation of a good Downtown Design Review Board. The competition of that Board will be key. They will have to be able to move quickly to work with the development activities, be impartial, and have the interests of the area which has to be the primary concern at all times. The exterior maintenance requirements are incumbent on the Administration to have a procedure in place to enforce what is legislated, otherwise it is not worth the paper it is written on. There is a strong desire to have buildings that are in good shape that will not cause hazards to pedestrians. He hopes that that the infrastructure will be put in place to make it work fairly, in a timely manner, and will work much better than the N.E.A.T. department procedures are currently working. He supports this and is going to vote in favor of it, but there is much work to do after the ordinance is passed.

Councilman Shindledecker noted that about a year ago, he and his wife came up Route 68 through Urbana. At that time, Council was working on this downtown plan, but he had no idea if Urbana was a part of it or not. As they approached the downtown area, they both simultaneously remarked that it looked good and looks a lot better than the last time they remembered going through it. There are some intangible as well as tangible benefits that he noticed first-hand.

Councilwoman Frische has had some discussions with some of those on the original Design Review Board, one being County Commissioner Tim Bechtol, and the other was Eric VanRenterghem. They might be two (2) good individuals to get good information from, and/or have at least one (1) of them on the Board. According to them, it was more historical back then and dealt more with the inside than the outside.

Ayes: Harrington, Hellmann, Klein, Monday, Russel, Shindledecker, Watson, Wobser, Frische. Nays: Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2017-059 and is hereby made a part of the record.

NEW BUSINESS

Councilman Monday noted that this is the last quarter of this term of City Council. Before the quarter is over, an ordinance establishing pay for the next term of City Council and City Treasurer is needed. City Auditor Staschiak replied that in the past, it was done before the primary. Councilman Monday added that it needs to be done before the first meeting in January and needs to be done yet this year because Council cannot give themselves a pay during their term in office, which the new term starts January 1, 2018. As President Pro-Tem, he has the authority to assign an Ad-Hoc Committee which is how it has been done in the past. That Ad-Hoc Committee comes back with a recommendation via a committee report. If Council approves the committee report, then an ordinance is presented to Council and needs to be passed before the third (3rd) Tuesday of December. Having said that, he had appointed Councilman Russel to an Ad-Hoc Committee on how to pick that committee. They came up with an idea that was never approved through Council. That idea was to have Council approve two (2) representatives and the Mayor approve two (2) representatives with both Council and the Mayor agreeing on a chairperson to be on that Ad Hoc Committee. If there are no objections from this Council, he would be glad to come up with a couple of names that he would seek Council's advisement on, and he would write a letter on those recommendations that would have to be approved by Council by way of a motion, a second, and approval. Then, he and the Mayor will determine a chairperson that he will add to that recommendation letter. The two (2) representatives that the Mayor picks would not have to be approved through Council because under the old guidelines, she can pick two (2) representatives. The Mayor is to announce who she has picked and does not need Council's approval. He stated that if there are no objections from Council, he will start this process. He would like to start the process as soon as possible as it is getting late in the year and there needs to be three (3) Tuesdays to present it, and if the emergency clause is not put in, it will take thirty (30) more days to become law. No objections were given to Councilman Monday's request.

Discussion:

Councilman Harrington asked if the chairperson is a fifth (5th) person since there will be two (2) representatives appointed by the Mayor and two (2) appointed by Council, because if not, having an even number of representatives could cause an issue if there is a tie. Councilman Monday replied that the chairperson votes, so it would not be an issue for that. He votes in the Appropriations Committee as the chairperson. Councilman Hellmann asked if it is a committee of five (5) with the President, or a committee of four (4). Councilman Monday replied it is five (5) with the President. The number of representatives can be a different amount. Five (5) is what Councilman Russel came up with but was never approved by Council.

Councilman Monday asked if there is anyone who would be a good candidate for that committee and/or as the chairperson to let him know. He and the Mayor will discuss the candidates. All that has to be agreed on between him and the Mayor is the chairperson. No objections given. Councilman Monday will move forward with his request.

Councilwoman Frische noticed the Law Director is not present tonight and asked what the practice will be when he is not going to be at Council. In the past, Alan Hackenberg sat in, but tonight, there has not been anyone to answer legal questions. With the Law Director not present, Council does not have a Parliamentarian to answer questions. Mayor Mihalik replied she is not the Law Director, nor will she pretend to speak for the Law Director. Typically, his most senior Assistant Prosecutor fills in. She is not sure if he/she had another conflict with scheduling. Councilwoman Frische asked if that is an issue for Council not to have a Parliamentarian present. Councilman Monday suggested that the President of Council, when he knows that the Law Director is not going to be at a meeting, make contact with the Law Director or his senior assistant to have him/her here. He agrees with Councilwoman Frische that in the past, when former Law Director David Hackenberg was not able to be here, an Assistant Prosecutor present. He feels Council does need a Law Director present at Council meetings in case there are legal questions that come up, not just for Parliamentarian purposes. He asked President Slough to make sure someone is here. President Slough agreed.

Councilman Watson asked Mayor Mihalik if she has the estimated overtime costs number for Safety, Service, and Public Works Departments that she was looking for on her laptop earlier tonight. Mayor Mihalik replied she does. Total overtime from Police, Water Pollution Control, Fire, Public Works, and the Engineer's Office is approximately sixty-five thousand five hundred ninety-one dollars (\$65,591.00). Councilwoman Frische asked how many days that covered. Mayor Mihalik replied there were two (2) full shifts from the Fire Department side, thirty-six (36) hours from the Police Department side, and the Public Works Department worked a week and a half to get things cleaned up. Flood events cost money. She was very disappointed with the lack of sensitivity from FEMA on the damage that every residence and business suffered during the last flood event. It did not raise to a FEMA standard or EMA standard for a Federal or State declaration, but phone calls, emails, and inspection results given by victims was significant. There was not a corner of this community that was not touched by it. Some might think that since Findlay was not declared a disaster, it was not a big event, but it was a substantial event. As always in this community, we seem to come together and pull from our resources to be able to help those who need it. She is hopeful it was enough with the United Way and the Red Cross's contributions. Even five to eight inches (5-8") of rain can cause havoc, but saw significantly more which has a bigger impact. She wishes there was a more standardized way to evaluate and establish the damage estimates. Red Cross uses something different than the EMA uses. If there isn't a Federal declaration, then the State kicks in. It is very interesting to look at the damage estimates received from residents. The event was significant. Sixty-five thousand dollars (\$65,000) in overtime falls in comparison to probably the hundreds of thousands of dollars in property damage Findlay residents received from this event.

City Auditor Staschiak passed out the budget schedule before tonight's meeting. He would like to condense the process and save some time by having the pre-budget meeting at 6:00pm before the October 3, 2017 City Council meeting. By doing so, it would cut a week off the budget prep time. He asked Council if they want to do so.

Councilman Russel asked the Mayor if she has a total cost of flood damage from Findlay citizens. Part of flood mitigation efforts have to be the cost of floods to residences. It would be interesting to know an estimate of what the last flood meant to City residents. Mayor Mihalik replied it would be great to have that number for many reasons, but it is not necessarily given up freely. Not everyone wants to share the value of their losses. We are running into that right now in administering a flood damage introduction ordinance. The National Flood Insurance Program requires flood development permits from residents. If someone is in the floodplain and are doing repairs, they are to tell the City what the value of their damages were or an estimate of what the value of the damage was so that the City can determine whether or not it was substantially damaged. If a there is fifty percent (50%) or more damage to the value of a home, then it is considered substantially damaged. In that case, they have two (2) options: they can elevate their home if they are in the floodplain and have flood insurance, or they can demolish the structure and can move on. It has been very difficult to get this information from residents. We are better at it than we were in 2007 when the City was completely inundated. Findlay has the highest number of flood insurance policies in the State of Ohio and have the highest number of claims in the entire FEMA Region V which means we have a flooding problem. In 2007 when we had the disaster declaration, everyone who received assistance was required to get flood insurance which has an impact on why we have that many policies and the number of claims. Just because someone gets five (5) or six (6) inches of water on their first floor does not necessarily mean there is substantial damage. It is just something they have to clean up and move on with. She does not have a total flood damage cost number and wishes there was an easy way to correlate a foot of water in a home with so many thousands of dollars in damage. The dollar amount of the total amount of claims is in excess of a million dollars (\$1,000,000). It is significant, not necessarily for this last flood, but is still significant.

Safety Director Paul Schmelzer: **APPROPRIATIONS COMMITTEE** meeting on September 12, 2017 at 4:30pm in the third floor conference room of the Municipal Building (CR1).
agenda: Fire Department Capital Consideration

Councilman Hellmann noted that there was a strategic plan/master plan for water and sewer and some of those issues that surround them with the annexation issue. He is in favor of what was done tonight, but thinks there should be a better handle and a better understanding on it. He asked how they proceed. Service Director/Acting City Engineer Brian Thomas replied they will be going out for qualifications for consultants to do a study of the water system to try to come up with a system that includes a map and a rating on the waterlines so that they will know where to spend the money. The oldest waterline is not always in the worst condition. The quality of the ductile iron does not hold up. There could be clay pipe that is in better condition than ductile iron pipe. They are working on getting someone to look at the age of the pipe of when it was installed, how many breaks there have been, etc. to put together a rating and a detailed study to look at. He is working on a letter to send out to consultants to let them know what they need to submit. It is not something he does every day, so he is having to do some research to make sure he has everything correct. Councilman Hellmann asked if that will address the water side of it. Service Director/Acting City Engineer Brian Thomas replied that is correct. Councilman Hellmann asked what will be done on the sewer side of it. Service Director/Acting City Engineer Brian Thomas replied that Sewer Maintenance is televising sewer lines every year. He will sit down with them and figure out a timeframe it take to get through everything. A camera is needed each year in order for that to happen. If it is something that they do not have the time or cannot do that much in a year, then he is looking at putting together another program that might include someone coming in from the outside. Whatever the City is unable to get done in a particular timeframe may involve having a consultant come in and do the rest in order to get it done. The issue he is running into is that it takes awhile to do that. If it is something that is ranked as an average condition and takes fifteen (15) years to get back to it, is it still average by the time they get back to it. He is trying to do the same thing with the roads. He is trying to get the numbers so he knows where they need to focus. Mayor Mihalik added that this is all around the data driven decision-making.

They are trying to evaluate what they are doing and what needs to be done to catch up with what they want to do. Councilman Hellmann asked if it will help Council in making decisions about extending water and sewer lines with or without annexations. If how much sewer line that needs replaced is known, a dollar amount can be given towards it and will know how much needs to be spent within a certain timeframe. Mayor Mihalik added that the extension of utilities is proper and prudent when development opportunities and/or leveraged resources become available. It is the same thing that is being done on the waterline to the County Landfill. The City is partnering up with the County Commissioners to get it done. It is not an unusual thing for the City to leverage different pots of public or private money to get some public utilities done. It is definitely good to know where we are headed and if what Brian is planning on will help to do. When opportunities present themselves and seem like a good deal for us, which this one does, then we should take advantage of it.

Councilman Russel: **PLANNING AND ZONING COMMITTEE** meeting on September 14, 2017 at 4:00pm in the first floor Council Office of the Municipal Building (CO).
agenda: Aberdeen Drive, Wesleyan Dr, Winston Dr, and Penrose Court street vacation

President J. Slough adjourned Council at 9:33pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL