

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

March 6, 2018

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson

ABSENT: Wobser

President Pro-Tem Russel 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 February 20, 2018 Public Hearing minutes for 632 Davis Street rezone (Ordinance No. 2018-009). Councilman Slough seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the February 20, 2018 Regular Session City Council meeting minutes. Councilman Shindledecker seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Watson moved to add-on and replace the following to tonight's agenda. Councilman Harrington seconded the motion. All were in favor. Filed.

ADD-ONS:

- Letter from Service Director/Acting City Engineer re: Ohio 629 Roadwork Development grant funds Ordinance No. 2018-023 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)

REPLACEMENTS:

- Ordinance No. 2018-018 AS AMENDED (**LEGISLATION section**)
 - Removed "for the furnishing of scoreboards at the following locations:
 - two (2) at the CUBE
 - one (1) at Cooper Field
 - one (1) at the football complex
- Ordinance No. 2018-019 AS AMENDED (**LEGISLATION section**)
 - Changed 2nd appropriation of \$689,000
 - (4th TO:) Reservoir #35073000-*other* to now be Reservoir #25073000-*other*
 - Changed 3rd appropriation of \$497,500
 - (6th TO:) Blanchard River Greenway Trail Extension – Design Phase #31980300-*other* to now be Blanchard River Greenway Trail Extension #31980300-*other*
 - Changed 4th appropriation of \$600,000
 - (1st TO:) Asset Management Per OEPA/Master Plan #35781900-*other* to now be Water Asset Management OEPA/Master Plan #35781900-*other*
 - (2nd TO:) Replacement of Hypo Chloride Tanks #35781700-*other* to now be WTP Replacement of Hypo Chloride Tanks #35781700-*other*
 - (3rd TO:) SCADA Upgrade #3578100-*other* to now be WTP SCADA Upgrade #35781800-*other*
 - (4th TO:) Planning for Office Renovations #35782200-*other* to now be Utility Billing Office Renovations #35782200-*other*
 - Changed 5th appropriation of \$170,000
 - (1st TO:) Annual Sewer & Manhole Lining Program #35680200-*other* to now be 2018 Sewer & Manhole Lining Program #35680200-*other*
 - (2nd TO:) Annual Sewer Televising #35681100-*other* to now be 2018 Sewer Televising #35681100-*other*
 - (3rd TO:) Annual Combined Sewer Overflow (CSO LTCP) #35680500-*other* to now be 2018 Combined Sewer Overflow (CSO LTCP) #35680500-*other*
 - (4th TO:) Clarifier 1 & 2 Rehab #35681500-*other* to now be WPC Clarifier 1 & 2 Rehab #35681500-*other*
 - (5th TO:) UV Replacement Phase 1 #35681200-*other* to now be WPC UV Replacement #35681200-*other*
 - (7th TO:) LTCP Evaluation Study, Phase 2 #35674500-*other* to now be LTCP Evaluation Study #35674500-*other*
 - Changed 6th appropriation of \$50,000
 - (1st TO:) Annual Stormwater Management (MS4) #35580900-*other* to now be 2018 Stormwater Management (MS4) #35580900-*other*
 - (2nd TO:) Annual Ditch Maintenance #35580600-*other* to now be 2018 Ditch Maintenance #35580600-*other*

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PROCLAMATIONS: - none.

PETITIONS:

Zoning amendment request – 113 Alexander Place

Daniel Stone on behalf of Pro-Tech Rental Properties, would like to change the zoning to M2 Multi-Family. It currently is zoned as R2 Single Family. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS: - none.

Law Director Rasmussen introduced Brian Yeo who was sitting beside him during tonight's meeting. Brian is a junior at Findlay High School currently in their mentorship program. Mr. Yeo has visited Findlay Municipal Court and now is witnessing a City Council meeting. Next stop will be the Common Pleas Court to witness some pre-trials and participate in some discussions behind the scenes.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Auditor Jim Staschiak – RLF Administration

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for October 2017 through December 2017. This is now a routine request where Council has approved requesting the appropriation without going to committee each time. Legislation to authorize a draw from the Revolving Loan Fund account and appropriate \$1,032.10 from the RLF to General Expense #21010000-449400 to pay the invoice is requested. Ordinance No. 2018-021 was created. Filed.

Service Director Brian Thomas – City insurance payment on a City vehicle

The City has received payment for the repair of a pickup truck that was damaged in an accident from the City's insurance company in the amount of six hundred ninety-eight and forty-four cents (\$698.44) and has been deposited into the Water Fund. Legislation to appropriate funds is requested. Ordinance No. 2018-022 was created.

FROM: Water Fund (insurance proceeds)

\$ 698.44

TO: Water Treatment Plant #25050000-other

\$ 698.44

Filed.

City Income Tax Monthly Collection Report – February 2018. Filed.

Council President Monday – Council Representative appointment to TIRC

Pursuant to Section 5709.85 of the Ohio Revised Code, Council President Monday is appointing Councilmember John Harrington to serve as Council's Representative to the Tax Incentive Review Council (TIRC). This does not require Council confirmation.

Discussion:

Councilman Harrington informed Council that he and Auditor Staschiak attended yesterday's TIRC meeting. All discussions during that meeting were in compliance. Discussions included paperwork between the County and City. TIRC meets once a year. The next meeting will be around the same time next year. Filed.

Findlay Fire Department Activities Report – January 2018. Filed.

Service Director/Acting City Engineer Brian Thomas – Ohio 629 Roadwork Development grant funds (Ordinance No. 2018-023)

Autoliv-Nissin Brake, 2001 Industrial Drive, would like to invest in a new 216,000 sq ft facility on Bright Road just south of Owens Community College to be up and running by next October. Ordinance No. 2018-023 is on tonight's agenda to authorize him to accept grant funding from and execute any and all grant agreements of the Development Services Agency Roadwork Development (629) Grant Program. No appropriation of funds is needed at this time. Legislation to support an agreement between the City and Autoliv-Nissin Brake for these 629 grant funds is requested. Ordinance No. 2018-023 was created.

Discussion:

Councilwoman Frische asked for additional information on how this came about and why the City will be managing the grant. Service Director/Acting City Engineer Thomas replied that this is the same process that the City went through for both the McLane and the Campbells Soup projects. The City is able to obtain some State funds, but the City has to be responsible for the project. This project will be handled the same way. The developer will build it per City standards with infrastructure with the City inspecting it. When the project is done, they will turn their invoices over to the City. The City will give those invoices to the State who will reimburse the City, and then the City will send the money to the developer. Councilwoman Frische asked if it is road or building infrastructure. Service Director/Acting City Engineer Thomas replied it will be for the extension of Production Drive from the intersection to the west. It includes the drainage for the roadway. Councilwoman Frische asked if the County is involved with this project. Service Director/Acting City Engineer Thomas replied they are not because this is just in City limits.

Councilman Russel asked what the timing on this is and if it is something that needs to be quickly. Service Director/Acting City Engineer Thomas replied it needs to be done quickly so that the City can enter into an agreement with the developer and apply for grant money. The State has the money now, but as projects come in, the money will get used up, so the sooner this goes through, the sooner the City can secure the money.

COMMITTEE REPORTS:

An AD HOC COMMITTEE met on February 15, 2018 to continue discussions from the December 12, 2017 and December 19, 2017 AD HOC COMMITTEE meeting to review Council's Rules of Procedures for the 2018-2019 Council term.

We recommend to have continued discussions on this topic and have Grant Russel create a draft of suggested changes for consideration at the next Ad-Hoc meeting.

Councilman Harrington moved to adopt the committee report. Councilman Slough seconded the motion. All were in favor. Filed

The INTER-GOVERNMENT RELATIONS & LEGISLATION REVIEW COMMITTEE to whom was referred a request to discuss a new location for the Health Department.

We recommend continued discussions between the City of Findlay Administration and Hancock County Commissioners and other interested agencies to explore financing instruments available to assist in finding a new location for the City-County Health Department.

Councilman Shindledecker moved to adopt the committee report. Councilman Hellmann seconded the motion.

Discussion:

Councilman Harrington asked what the City's role is in the County Health Department. Safety Director Schmelzer replied the Health Department is a County Health District of which the City is a greater than a fifty percent (50%) participant. The concern with the facility is accreditation. During a conversation a couple of years ago, it was pointed out that one of the driving forces of the economics of the Health Department is the ability to continue to receive state funding through accreditation. The merger was a big hurdle. The current Health Department facility is not accreditable. They have been looking at a building that would cost approximately nine hundred thousand dollars (\$900,000). He has informed the County Commissioners to help with the funding of that building.

Councilwoman Frische noted that the City still owns the building on Main Cross that was purchased with flood funds and asked what the plans are for that building. Safety Director Schmelzer replied part of the reason the City is still sitting on that property is because it is tied to FEMA who provided eighty thousand dollars (\$80,000) to relocate the Health Department. The City purchased that building with the intent to move the Health Department into that location. After some further due diligence and conversations regarding a merger, it was determined that facility would have taken a large investment to make it functional for a joint department than it was worth. After the new location of the combined Health District is determined, Karim is going to attempt to contact FEMA to get the dollars appropriated from the grant to the new facility. At that point, there will not be a connection between that building, the grant, and the City Health Department. Councilwoman Frische then asked if the City will still own the building and if the grant dollars will be moved to where they need to be. Safety Director Schmelzer replied that is correct. Councilwoman Frische asked if this is something that they want to move quickly on. Safety Director Schmelzer replied he believes it is their intent to move quickly.

Councilman Shindledecker added that the conversation during the committee meeting last week indicated that they would prefer to have this happen sooner rather than later. They have looked at a number of facilities and did not tell the committee where the preferred location is, but did say it was on the western edge of the City. The committee felt the County Commissioners should be involved in some way with the financing of this. The committee left this in the hands of the Commissioners and the Administration to make a recommendation.

Councilman Russel asked where this goes from here. Safety Director Schmelzer replied there will be continued discussions if the Commissioners do not want to fund the project. The long term affect will mean that the Health Department will not get accredited which means we will have to pay someone else to run our Health District in the County. He indicated to Karim that his first attempt should be with the County Commissioners in which that conversation has already taken place.

Councilman Slough asked what the City wants to do with the building. It is just sitting there, we own it, and is dilapidated. He asked why the City wants to hang onto it instead of selling it and invest the funds from the sale elsewhere. Safety Director Schmelzer replied it is as much a question for Council as it is for anybody. It is an asset. Council makes a determination on the short and long term need and then decides what they want to do with it. The grant dollars are tied to that location for as long as it could potentially be a Health Department building. Until the Health Department ultimately finds a new location that is suitable, that option is still available regardless of how much needs to be invested there. In his opinion, it would not be financially prudent to put it there, but he is not the one to make that decision.

Councilman Harrington pointed out that the building that sits there is in disrepair. One building the Health Department looked at was not adequate. The one thing the City-owned Main Cross building does have is location and its available lot of that size in the downtown proximity to the City and County offices. It may have some value for some downtown development. If the City were ever to sell it, they would be required to put it up for auction.

Councilman Hellmann noted that it gives him heartburn to know that there was more than one entity that partnered in it, but didn't end up as planned, similar to the Dorney Plaza project. He asked if the City needs to send a strong message back to the Commissioners that they need to step up to the plate.

Councilwoman Frische asked when the accreditation expires. Safety Director Schmelzer replied 2021. Councilwoman Frische agrees with Councilman Hellmann that everyone needs to be on the same page, especially with the Health Department since it is a joint effort. She feels it is not accurate to state that the City-owned building on West Main Cross is dilapidated when it has been used for storage, so there is a use for it, plus the location of it is good. Continued discussions on it should probably take place in committee meetings.

All were in favor. Filed

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 006-2018 (*Humble Robinson/Strauch Annexation (services City will provide)*) requires three (3) readings **second reading**
A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN MARION TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE SOUTHWEST FORTH (1/4) OF SECTION 5, T1N, R11E, A TRACT OF LAND CONSISTING OF 49.068 ACRES OF LAND, MORE OR LESS.

City Council adopted Resolution No. 028-2017 (services City will provide if annexed into the City) during the December 19, 2017 City Council meeting, but the County Commissioners are changing the acreage from 48.920 to now be 49.068 to include a portion of Crystal Avenue right-of-way.

Second reading of the Resolution.

ORDINANCES

ORDINANCE NO. 2018-013 (*waterline extension to County Landfill*) requires three (3) readings **third reading adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-013 and is hereby made a part of the record.

ORDINANCE NO. 2018-015 (*fire hydrants*) requires three (3) readings **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-016 (*HAN-Findlay FY18 Resurfacing (PID100183)*) requires three (3) readings **second reading adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Slough. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. Nays: Frische. The Ordinance received its third reading. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Niemeyer.

Discussion:

Councilwoman Frische thought the whole point of splitting out the Capital Plan appropriations to move funds was to give one of the ordinances all three (3) readings. She asked why Council has now decided to give the third reading tonight instead of during the next City Council meeting. She asked if something has changed that it needs to be passed tonight. Service Director/Acting City Engineer Thomas replied that this ordinance is for the resurfacing for FY18 which is the ODOT resurfacing. It is not for Capital. It is not the City's resurfacing. It is ODOT money.

Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-016 and is hereby made a part of the record.

ORDINANCE NO. 2018-017 (*WPC Bar Screens, Project No. 35620900*) requires three (3) readings **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-018, AS AMENDED (*renewal Coca-Cola Enterprises, Inc. contract*) requires three (3) readings **second reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO RENEW THE CONTRACT WITH COCA-COLA ENTERPRISES INC., THAT EXPIRED ON MAY 31, 2017 AS STATED IN ORDINANCE NO. 2012-042, FOR AN ADDITIONAL FIVE (5) YEARS WITH A NEW EXPIRATION DATE OF MAY 31, 2022, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-019, AS AMENDED (*5-year Capital Plan*) requires three (3) readings **second reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS ROJECTS IN ACCORDINANCE WITH THE 2018 DEPARTMENT EQUIPMENT LIST WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A, APPROPRIATING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-021 (RLF Administration) requires three (3) readings

first reading

adopted

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Frische, Harrington, Hellmann. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Frische, Harrington, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance volume XXI, Page 2018-021 and is hereby made a part of the record.

ORDINANCE NO. 2018-022 (City insurance payment on a City vehicles involved in accidents)

first reading

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Shindledecker pointed out that is just funds received from an insurance payment. It is a routine appropriation that comes up every once and awhile.

City Auditor Staschiak noted that this appropriation is a small amount, less than seven hundred dollars (\$700). He is unsure at what point it costs the City more to do this than it does to let the money sit there when taking into consideration the time to draft a letter, utilize administrative services, enter it into the system, and all of those who are involved in the process. When small amounts of money come in, excluding when there is money donated from the general public, Council may want to consider letting the money sit idle since budgets are passed, appropriated, and are in good shape. It would not be prudent to spend six hundred dollars (\$600) of administrative time appropriating six hundred dollars (\$600) worth of cash. President Pro-Tem Russel asked if there is a minimum amount Council should consider. City Auditor Staschiak replied Council and the Administration might want to discuss a minimum amount, but suggested anything under a thousand dollars (\$1,000). He does not want to see the City lose money by going through a bureaucratic process on small amounts of money. Over time, it adds up.

Ayes: Shindledecker, Slough, Watson, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel. The Ordinance was declared adopted and is recorded in Ordinance volume XXI, Page 2018-022 and is hereby made a part of the record.

ORDINANCE NO. 2018-023 (629 grant funds)

first reading

adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ACCEPT GRANT FUNDING FROM AND EXECUTE ANY AND ALL GRANT AGREEMENTS OF THE DEVELOPMENT SERVICES AGENCY ROADWORK DEVELOPMENT (629) GRANT PROGRAM FOR THE PURPOSE OF INTERSECTION UPGRADES WITHIN THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Hellmann asked if this is a specific grant for a specific project or if it is an open-ended program. Service Director/Acting City Engineer Thomas replied it is a grant to be used for infrastructure only, so it can be used on roadway and storm sewers. It cannot be used on water lines or sanitary sewers. It has to be tied to job creation or job retention. In this case with the Autoliv project, the jobs it will create qualifies them to obtain these funds and will allow the City to get the public street put in per the City's standards. A portion of it will be paid with State dollars instead of it all being the City's money or the developer's money. Councilman Hellmann then asked if there has been a grant request already submitted where the City was already awarded a 629 grant of a certain dollar amount. Service Director/Acting City Engineer Thomas replied that the City has received a letter from them stating that they would award a certain amount. They do that before the application is submitted.

Councilwoman Frische asked how much the City will be contributing to this and what amount 629 will put in. She asked what the total project amount is. Service Director/Acting City Engineer Thomas replied that the City submits a preliminary estimate that they look at. In this case, 629 said they would pay twenty-five percent (25%) up to one hundred sixty-three thousand dollars (\$163,000). The developer will pay for everything up front who will give the City the receipts, then the City will turn them in. As of right now, the City's share may be a small amount for the water line, but the roadway should be taken care of.

Councilman Hellmann asked if there are any other projects that this money can be used for besides the Autoliv project. Service Director/Acting City Engineer Thomas replied that each project has to apply as they come up. It is not for all of 2018. It is just for this one project. If another project comes in that qualifies, it will have to go through this same process.

Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance volume XXI, Page 2018-023 and is hereby made a part of the record.

UNFINISHED BUSINESS:
OLD BUSINESS – none.

NEW BUSINESS

City Auditor Staschiak noted that the City received over five thousand (5,000+) flag holder brackets and were asked to sell them on GovDeals.com for a couple hundred dollars, but found out that they retail for approximately seven dollars (\$7.00) each. Five thousand (5,000) brackets at seven dollars (\$7.00) each equals thirty-five thousand dollars (\$35,000). These brackets were used when flags were put on wooden poles on Main Street. The group that does the flags on Main Street had these brackets in a warehouse, but had the City's ownership on them. His office is going to do some research to prove the City's ownership on them so that there are no issues there. Council has an opportunity to partner with another group and sell them for more than a couple of hundred dollars. Since Findlay is Flag City USA and with Memorial Day coming up, there might be a group that the City could partner with and possibly give them away and tie them to some type of flag promotion. He has not contacted anyone on them yet.

Councilman Harrington: **PLANNING & ZONING COMMITTEE** meeting on March 8, 2018 at 12:00pm in the first floor Council Office of the Municipal Building (CO)

- agenda:
1. 1205 E Sandusky St re-establish non-conforming use
 2. 2350 Keith Pkwy rezone
 3. 916 S Main St vacation
 4. South St vacation

Councilman Russel made a motion to excuse the absence of Councilman Wobser. Seconded by Councilman Harrington. All were in favor. Filed.

President Pro-Tem Russel adjourned Council at 7:39pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL PRO-TEM