

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

May 15, 2018

COUNCIL CHAMBERS

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

ABSENT: none

President Monday introduced Boy Scout Troop 322 in the audience led the Pledge of Allegiance. They are sponsored by Stonebridge Church of God. They are working on their citizenship in the community badge.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Ordinance No. 2018-053 = Deer Landing waterline oversizing (*LEGISLATION* section)

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Councilman Slough moved to accept the May 1, 2018 Public Hearing minutes for the Design Review District changes to the Zoning Code (Ordinance No. 2018-035). Councilman Niemeyer seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the May 1, 2018 Regular Session City Council meeting minutes. Councilman Harrington seconded the motion. All were in favor. Motion carried. Filed.

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

Councilman Hellmann moved to bring Ordinance No. 2018-038 (2131 Spruce Drive rezone) up on the agenda so that those in the audience that are here for this matter would not have to stay for the entire meeting tonight, seconded by Councilman Wobser. All were in favor.

Discussion:

Councilman Russel asked if public comment will be allowed on this prior to Council's discussion and if other Oral Communications will be given as not everyone in the audience is here for this matter. President Monday replied that he will let the public have their comments on the issue prior to bringing the ordinance to the floor. Councilman Russel asked if Council will then resume with the regular meeting. President Monday replied Council will then follow with the regular agenda.

Councilman Hellmann pointed out that Council's rules limits public comment to just two (2) individuals to speak for four (4) minutes on the same subject matter and asked if that can be extended to allow more than that to speak. President Monday replied that can happen upon motion from Council. Council first needs to vote on the first motion given to move the Ordinance up on the agenda. All were in favor. The Ordinance will be discussed right before the PETITIONS portion of the meeting.

Councilman Hellmann moved to extend the allowed amount for those wanting to speak on this matter to be a maximum of eight (8), seconded by Councilman Niemeyer. President Monday noted that he has only received notice via an ORAL COMMUNICATIONS form that two (2) individuals want to speak on the matter and asked if Council wants to allow the public to speak on this matter without filling out the form. Councilman Hellmann replied they do because some may not have known that they have to fill out the form. All were in favor.

ORDINANCE NO. 2018-038 (2131 Spruce Dr rezone) requires three (3) readings **third reading** **defeated**
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 2131 SPRUCE DRIVE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY, MEDIUM DENSITY" TO "R4 DUPLEX/TRIPLEX, HIGH DENSITY RESIDENTIAL DISTRICT".

Discussion:

Councilman Russel requested a presentation be given by the Hancock Regional Planning Commission (HRPC) so that everyone understands the process of rezoning a property and what exactly is being asked for. President Monday replied that if there is no objection from Council, that can be done. There has not been a motion for the Ordinance yet, but can be done after Mr. Cordonnier is finished speaking. Councilman Russel asked if a motion should be made before discussion. His thoughts are that HRPC will present as a preliminary to public comment, then a motion. President Monday replied it can be in either order.

Mr. Cordonnier, Hancock Regional Planning Commission (HRPC) from the audience noted that there was some confusion with this request per the phone calls his office received, so he has placed a map on the projector screen at the front of the room to help clarify. The requested rezone is for parcel no. 630000084980 (laser pointed to it on the map). The property to the south is located in Marion Township. Notifications for rezoning a property are mailed to the connected property owners (laser pointed to the abutting property owners that they would have mailed a notice to for this request).

Councilman Wobser asked when those notifications went out. Mr. Cordonnier replied notifications went out for the City Planning Commission and also for tonight's public hearing as two (2) separate mailings the end of March/beginning of April. Council Clerk DeVore added that notices for tonight's Public Hearing went out the day after the first reading of the Ordinance which was during the April 17, 2018 City Council meeting, so they were mailed on April 18, 2018.

Councilman Russel asked for the timeline of when a request comes in and how it works its way through the process to the end with a public hearing. Mr. Cordonnier replied that a request to rezone a property first comes to the Council Clerk who puts it on the City Council meeting agenda as a new request. It is on the City Council meeting agenda under the PETITIONS portion of the meeting. During that meeting, it is referred to both the City Planning Commission (CPC) and the Planning and Zoning Committee (P&Z). In this case, it was discussed during the April CPC meeting. Before that CPC meeting, notices were sent out to the surrounding property owners. After CPC meets and discusses the request, they provide a recommendation to City Council. P&Z meets the afternoon of the CPC meeting and also provides a recommendation to City Council. The Ordinance to rezone it will go through three (3) readings. Tonight is the third reading of the Ordinance for this request. If passed, it will go into effect thirty (30) days after the Ordinance is adopted. If denied, nothing further is done.

Councilman Harrington asked if any other notices, such as placed in the newspaper or website, are given besides the letter to the adjoining properties. Council Clerk DeVore replied in the newspaper. Councilman Harrington then asked how many times it appears in the newspaper. Council Clerk DeVore replied twice.

Public Comment:

Mary Jo Geise, 843 Nutmeg Lane. Ms. Geise is a twenty-eight (28) year resident of the Pine Ridge Subdivision and is before City Council opposing this request. She expressed her concern that her neighborhood was not notified of this Ordinance, and that it was only through social media that they were able to know and rally against it. While she did hear tonight that it is typical practice to place notice in the newspaper a couple of times and notify adjacent property owners, some of the rest of the neighborhood would like to have known as well. She is curious on what basis the Planning and Zoning Subcommittee approved the Ordinance. She requested Councilman Harrington to reply at the end of her comments. She asked any of the guests who are in attendance that are in opposition of the Ordinance to stand up and be recognized so that Councilmembers can see how many are here for this particular Ordinance (several audience members stood). As one of the original residents of this neighborhood, she has seen the creation of the access road known as Spruce Drive and all the businesses built which now lay on the south side of Tiffin Avenue. The impact of this expansion has served to lower the property values specifically along the north side of Chestnut Lane and have brought unwanted noise, parking lot lights, trash and other issues to the neighborhood. In many cases, it has forced residents to build tall fences along the backs of their properties for the sake of security. The neighborhood is unique in that it is within the City of Findlay, but yet in Van Buren School District. She knows of one (1) young couple, who within the past year, seriously looked at a house they liked in the neighborhood as they really wanted to be in Van Buren School District, but ended up purchasing a home in the Forest Lake Subdivision which is in Findlay City Schools, mainly because the house they looked at on Lone Tree adjoined in their back yard with the apartments in Fox Run. Pine Ridge Subdivision was developed as a single-family neighborhood and the homes within the subdivision are currently valued at between two hundred thousand dollars and three hundred thousand dollars (\$200,000-\$300,000). The homeowners work hard to keep their properties up so that they have a wonderful neighborhood in which to live and raise their children. The addition of a multi-family duplex/triplex unit would add additional lighting for parking, traffic noise, possible problems such as theft, vandalism, and drugs similar to what neighbors along the back of the apartments in Fox Run and along the access road already have to deal with. The passage of this Ordinance would also open the door for additional multi-family units to be built in the future. She recognizes the need for this type of housing in Findlay, but it should not be built in the middle of an existing neighborhood of high value single-family homes. As a representative of the Pine Ridge Subdivision, she respectfully requests that Council deny this request to rezone this property for the sake of their current property values and living conditions.

Stephanie Schmidt, 2204 Chestnut Lane. Her property is to the right of the requested rezone. The only letter she received about the request was for this Council meeting, she does not get the newspaper, so she did not know this was being requested until tonight's City Council meeting. One of her concerns is that she was not notified about this until this point, the other being that she does not believe there is access to sewer for the property, so she is not sure why rezoning it is even being considered. The person who owns the property came to her residence approximately two to three (2-3) weeks ago and asked to build a single-family home there and attach to her sewer. She suggested he to talk to the owner of the driveway. He never mentioned a duplex or triplex when he came to her home. It is a single-family neighborhood. She just obtained her real estate license and knows what it means to have the highest and best use of land, and does not seem that a multi-family home would fit there. She would like for this request to be denied so that it does not affect her home value and does not want something like this in her back yard.

Councilman Hellmann noted that this is in the second ward and he has received approximately twenty (20) phone calls and emails, all expressing opposition and that they would be here tonight, which is why he thought more would speak on this matter tonight. Concerns on the density and access to the property were addressed to him.

Councilwoman Frische echoed Councilman Hellmann that she too has had a lot of notification on this. She believes that only two (2) people spoke because they follow directions and knew that only two (2) people could speak on one (1) topic as she told them that, so she is pleased that Councilman Hellmann wanted to add more. Those who spoke tonight were very clear, precise, and made a lot of sense.

Councilman Harrington asked if this parcel is part of the Pine Ridge Subdivision. The larger lot (aka farm) to the south of it is part of the township. Mr. Cordonnier replied it is not part of that subdivision. The applicant contacted HRPC a couple of weeks ago asking if he could still build a single-family home with his requested zoning change, debating whether to withdraw the request. His intent at this point is to build a single-family home. Councilman Harrington asked where water and sewer come from if not from the adjacent property owners. Mr. Cordonnier replied if an easement cannot be obtained to get service from either streets of the subdivision, it would have to come through Tiffin Avenue. Councilman Harrington asked if that would require it go down to one of the two north/south streets or obtain an easement from one of the adjacent property owners. Mr. Cordonnier replied that is correct. There is a shared access agreement with the requested rezone property and the Davidson property (2201 Tiffin Avenue), so the likelihood of getting a curb cut on Spruce Drive would be very small. They would be required to share the driveway. Councilman Harrington asked if the property to the south (large parcel) is connected in ownership to this property. Mr. Cordonnier replied that is correct.

Councilman Hellmann noted that because of the fact that the property is surrounded by single-family residences/single-family zoning, there are concerns about getting utilities to the site and the precedent it sets to put a multi-family home in there abutting up against another piece of property that could also ask for the same request. He moved to deny this request. Seconded by Councilman Slough.

Discussion:

Councilman Russel pointed out that he was on Planning and Zoning Committee when this case was heard. It is a very unique property with difficulties in getting services to it. It is the second time Council has saw this request. A couple of years ago, it was annexed into the City in an effort for it to be developed. It is a transitional piece of property as it abuts both commercial on the north and residential on the south, east and west of it. It is as about as unique as it gets. He asked Mr. Cordonnier for additional information on the recent conversation he had with the owner and if that was in response to his concern that the rezoning request would not be approved, or if he was looking for different options for the property. Mr. Cordonnier replied the owner called about three to four (3-4) weeks ago. He did not state why he wanted to build a single-family home. Councilman Russel then asked if a single-family or rezoned multi-family home was to be built on it, what the next steps would be for the development of the lot. Mr. Cordonnier replied he would have to apply for permits and meet all the zoning standards including parking, etc. Councilman Russel asked if it is multi-family if he would have to do a site plan. Mr. Cordonnier replied it would have to be less than three (3) units. Councilman Russel asked if it is were to be zoned duplex or triplex if two (2) triplex units could be put on it. Mr. Cordonnier replied there is a possibility, but it would be a very tight fit. It so close that without engineering it, he is unable to know.

Councilman Wobser noted that one of the on-going issues in Findlay is the lack of affordable housing which goes hand in hand with a shortage of workers to fill available jobs in Findlay and in the County. It has been talked about for quite some time to bring developers in and continue to build homes that are in the price range that would be affordable for those who want to come and work here. While there have been some in-roads made on that, we still have a long way to go. He does not believe that is the place to do it when there are other places in Findlay to do it. Findlay wants to encourage developers to build duplexes and triplexes, places that will provide the opportunity for someone to live more affordably, but has to be done in the right place. Since the motion was to deny this request, he will be voting in favor of the denial because he does not think this is the right place for that type of property.

Councilman Harrington pointed out that the property currently is for sale. The uncertainty for that neighborhood of not only what the current owner might do, which is nothing but hearsay at this point, and if it is sold, it is uncertain what that next owner might do. The location is unique in that the property owner has very limited choices in what he can do there. It also endures light pollution, noise pollution, and trash pollution. A single-family home there would be less than desirable than some of the other homes in that neighborhood, and would probably necessitate probably something less than the value of the surrounding homes in that area, which would not be desirable either. It is unfortunate that the property owner is not in attendance tonight to inform Council on his intentions to elevate some of the concerns. Until those concerns are addressed, he is not in support of this rezone request.

Councilman Wobser pointed out that Findlay has spent a lot of money recently developing the downtown, and rightfully so. It has been a good investment for the City. Tiffin Avenue is seeing a lot of development also. Chick-fil-a is being built in between two (2) places that are already pretty busy. There is also a Panda Express that is going to open up a couple of blocks down. For those who live off of Tiffin Avenue and in this area can attest that the traffic in that area has gotten quite heavy. From a City Planning standpoint, the increased traffic needs to be looked at as developments continue to come through. They will have to be in conjunction with the property owners in the neighborhoods that about those developments.

Mayor Mihalik pointed out that the City is constantly looking at ways to improve the way things are done. This is an opportunity to improve the way the City notifies residents and community members about zoning and changes that are potentially transpiring on a particular site. There are some best practices that some newer and more progressive communities have put in place. She will work with the Regional Planning Office and Zoning to investigate some of those best practices which could mean putting a highly visible sign up on the site so that it is understood what is being proposed for that particular area. They will also look at how the City can better notify individuals. She is certain that the Council Clerk notified the individuals that she is required to by ordinance, but there may be other opportunities to do that within a radius of the location of the zoning change. The City is constantly looking at how to do things better and recognize that there are some improvements that can be made.

Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindlecker, Slough, Watson, Wobser. The Ordinance was defeated.

PETITIONS:

City Clerk – 60-day hold in City Clerk’s office for Humble Robinson Group, LLC Annexation paperwork

On May 1, 2018, annexation documents for the Humble Robinson Group, LLC annexation were received. The owners for this annexation are Humble Robinson Group, LLC and C. Randolph Strauch and will be referred to as the Humble Robinson Annexation. Philip L. Rooney is the agent for the petitioners. These annexation documents will be in the City Clerk’s Office for the required 60-day period which will end on July 1, 2018, and then will be forwarded to the Council Clerk for Council’s action. Filed.

Humble Robinson Group, LLC Annexation - rezone

The undersigned is the agent for the petitioner for the Humble Robinson Group, LLC annexation to the City of Findlay, Ohio and is requesting to zone this property, upon annexation to the City of Findlay, as a combination of I-1 Light Industrial and M-2 Multiple-Family Residential as set forth on the map attached hereto. First reading of legislation to rezone the property will be on the Council agenda after the 60-day hold in the City Clerk’s office is up on July 1, 2018 or on July 3, 2018. Resolution No. 006-2018 (services the City will provide if annexed into City limits) was adopted during the March 20, 2018 City Council meeting. Filed.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Christopher Neely – Carroll Street right-of-way

Mr. Neely handed out copies of photos. On April 6, 2018, his partner Greg Mohr and their neighbor Pam Barto, signed and submitted a petition asking the City to vacate unimproved right-of-way, known as Carroll Street, for the following reasons:

Carroll Street is not a street at all (see photos he handed out) or even an alley. It exists only on some old County maps. It was the intent to develop the neighborhood over sixty (60) years ago, but that never came to fruition. Carroll Street is actually a grassy extension of the backyards in the neighborhood. For the past nine (9) years, they have maintained the City property at their own expense without any complaint. Cutting grass, trimming trees, and removing dead trees as needed, all to maintain their property value. Since Mathias Leguire acquired the property behind him at 830 East Sandusky Street around July 2016, things have been going down hill pretty quickly. As the photos show, Mr. Leguire has neglected to cut his grass, has started accumulating building materials, trailers, and a boat, all left out open to the elements. For those reasons, he erected the highest fence zoning would allow to block his once parklike view. His fear is that if Mr. Leguire has accumulated that much in just two (2) years, what will his property look like in five (5) year or ten (10) years. Mr. Neely is very concerned about maintaining his property value and has lived in this neighborhood that has been decimated by flooding with many of his good friends having to demolish their homes and leave the neighborhood. In addition to that, Mr. Leguire has used City property in between the houses as his own personal driveway entry to his property from Hawthorne Road where there is no street and no alley. Those right-of-ways adjoin their backyards. They are very concerned for the safety of the children and pets that play in the yards as they would not expect, and may not look out for, a car to be driven so closely to their play areas. He asked if in case of an accident, if the City is responsible since they allow Mr. Leguire to drive on the property. There is a rumor that Mr. Leguire intends to develop his property. His argument is to keep the right-of-ways open, which is a weak argument as he has two hundred forty-one feet (241 ft) of frontage on East Sandusky Street, which should be more than enough to add a curb cut, a street, and a couple of driveways if he intends to develop the property. By vacating and splitting those areas, all involved would gain twenty-five feet (25 ft). He could have his fence moved back and keep mowing beyond it for maintenance purposes and be done. He is asking City Council to vote yes to once and for all abandon the sixty (60) year old right-of-ways and let them officially become the backyards they have always been.

Discussion:

Councilman Russel noted that last Thursday after the Planning and Zoning Committee (P&Z) heard this case, which was a very unique case where P&Z recommended to not approve the vacation, the vote on it was 4-1 with four (4) in favor. The motion was made by Councilman Russel with Councilman Hellmann against it. He met with Mr. Mohr and Ms. Barto to explain what happened in the meeting and he wanted to see the property for himself. The photos Mr. Neely provided tonight do not show how close the fence is to their backyard. It is on the edge of the right-of-way. While he was out on his property, Mr. Neely's neighbor to the west was cutting his lawn (unimproved Carroll Street). What Mr. Neely and Mr. Mohr are asking for (vacation of Carroll Street) is probably not enough. The City has no interest in Carroll Street nor Vincent Street. Vincent Street is north-south. It intersects with Hawthorne. The other side of Carroll Street proceeds west towards the creek. Council should look at a total solution of vacating the entire property because since its inception, it has never been improved upon and is not likely to do so now. Council has previously heard and vacated parts of Vincent Street and other streets that are to the south of this property. Last year, the City vacated some streets, which includes Mr. Leguire's property, but should have done all of them at one time. He asked Council to consider an entire solution and not just the request being made by the applicants, and to do right by the people that have maintained the City's right-of-way for decades and have enjoyed the property use. He informed Mr. Neely that Council will continue to discuss this and will make it right by him and his neighbors.

Councilwoman Frische asked if a game plan is in the works for alleys like that up north. Safety Director Schmelzer replied this topic has been discussed multiple times. The question has always been whether or not Council goes beyond an actual vacation request to whatever the limit may be when a vacation request has not been made. For example, if a property has a creek on the property, it is unlikely that would ever be developed, but otherwise, Council would be making a judgment call about whether or not platted property would ever be developed in public fashion which is what always ends the conversation about what is vacated. In many cases, you are taking a look at a larger picture and in almost every instance, the legislation that is passed matches up exactly with what is requested just in case at some point of time, an interested property owner wants to develop right away.

Councilman Russel added that he had discussions with the City Law Director on Friday on what would be the best solution. He is willing to work with the Law Director and the applicants to get the best solution possible. That might involve working through the existing Ordinance, possibly amending it to include the rest of Carroll and Vincent Streets, or may require a separate Ordinance to vacate what needs to be vacated. He will do whatever works best for the citizens in this situation. Safety Director Schmelzer replied that Council has a request that is very specific at this time, but could create legislation for anything that is in addition to what was requested and is being considered instead of holding up a request that is already on the table.

Councilman Harrington is familiar with this neighborhood, specifically the eight hundred (800) block. He had a house listed there that he was surprised that the lot ended abruptly behind the property. The backyard was chain-linked fenced and was so small, he thought it was a containment for a pet and that the property directly south of it in a wooded area was basically a street as it had never been developed. Mr. Croy's intentions when he developed that area over sixty (60) years ago and moved his family in there was to expand it at some point, but no longer appears to be the case.

Councilman Wobser asked if this request will still go through three (3) readings even though the committee report recommends to deny the vacation and have the opportunity to look at this in a much larger sense and take a broader action on it. President Monday replied that if it is a committee report, it will not go through three (3) readings. It will be decided one way or the other yet tonight. Councilman Wobser clarified that there is a PLANNING AND ZONING committee report in tonight's packet that denied the request to vacate.

Councilman Russel disagreed that the committee report that recommended to Council that they deny the vacation ends the process. The committee does not have the authority to make the decision by itself. Council is to either accept or deny the committee report to put it into City Council's record and that an Ordinance would continue on with the request with three (3) readings. Law Director Rasmussen replied that it just brings the committee's recommendation to Council. It does not make a decision for Council. Council either approves or denies and/or moves forward with legislation.

Mike Phillips – East Hardin Street

Mr. Phillips complimented those involved with the downtown improvements including the bump outs. He rides a bicycle every night around town. Drivers either seem to slow down or stop, but are not sure what to do at the mid-block cross-overs. The cigarette receptacles that are placed every few feet on the utility poles are a nice touch. He rode down East Hardin Street and stopped in front of Marathon to take pictures, which he does every night. While he was taking a picture of the Marathon building, a security employee told him he could not take a picture of the building to which he replied he is in the street and was told by the security employee that they own the street. He had not heard that they owned the street (East Hardin between Beech and Main Street), so he called the Police to get a clarification. The Police did come out and talked with the security and also informed him that it was privately owned and that he could not ride there. The Officer asked him for his identification and took his society security number, but was one number off, so it came up with a different name. The Officer was starting to get upset, and he did not want to get a Police Officer upset. He then rode around Marathon and mistakenly rode under the canopy of the Marathon Hancock Hotel, which is all private property, to which he was again stopped by an Officer who made a police report. He went to the County Auditor's Office and was told it was City property. The next day, he rode down East Hardin Street and was pulled over again. The public can use East Hardin Street if they are polite, but if someone has an accident there, then it is private property and may come out differently than what people might expect. He is unsure if Marathon would want to post it that they own that street. He has nothing against Marathon. It was just a little misunderstanding with the security personnel. Without Marathon, Findlay would be like Mortimer. It was a situation of ambiguity that got out of hand.

Discussion:

Safety Director Schmelzer pointed out that he is in charge of the Traffic Commission and would be happy to have a conversation with Marathon on signage on that drive if that was vacated as part of the plan for the approval of the expansion. He apologized for any information that Mr. Phillips received to the contrary. It is private. They were requested to have it remain open when it was vacated so that the public could use it. He is unsure what transpired, but will take Mr. Phillips word on the photo incident. He asked if it is Council's pleasure to refer this to the Traffic Commission as that would be the appropriate place for a conversation regarding signage of the right-of-way.

Mr. Phillips spoke with the media relations at Marathon to see if he could have one of their 9½ MPH speed limit signs if they were not going to use it.

Charles Williams – Board of Zoning Appeals

Mr. Williams played a portion of an audio recording of a recent Board of Zoning Appeals hearing.

Discussion:

Councilman Slough asked Mr. Williams if he informed the individuals that were recorded that he was recording them. *The audio recording began to play before Mr. Williams answered.*

President Monday asked Mr. Williams to temporarily turn the recording off and that he can turn it back on in a few minutes. He asked what is in on the audio recording he is playing for City Council tonight. Mr. Williams replied that he met a guy at McDonalds who talked for over two (2) hours about how Findlay has mistreated him. President Monday asked if it was a private conversation. Mr. Williams replied that the individual he met asked him to come before Council on his behalf. President Monday pointed out that he wants to clarify something and asked if it was a private conversation. Mr. Williams replied it was not. President Monday asked where the conversation took place and if the other parties involved gave permission to have Mr. Williams put this out to public forum. Mr. Williams replied by asking President Monday if he knows what freedom of speech is. President Monday asked what he should do. Law Director Rasmussen asked Mr. Williams to state what the recording is and to answer the Council President's questions so that Council has some aspect of what this is about. Mr. Williams replied that the man talked for two (2) hours, but would have only been twenty (20) minutes if they would have just let him talk. It was about Lawyer Rooney and making decisions for the City of Findlay for variances. Mr. Williams restarted his audio recording.

Councilman Russel asked what meeting Council will be listening to. Mr. Williams replied Thursday, May 10, 2018 Board of Zoning Appeals.

After Mr. William's allotted four (4) minutes ended, President Monday asked Mr. Williams to turn off his audio recording he was playing.

Sue Williams – May 10, 2018 Board of Zoning Appeals meeting

Ms. Williams attended the May 10, 2018 Board of Zoning Appeals meeting. Her husband just provided an audio example of what took place during that meeting. Part of her Oral Communications tonight is on behalf of her husband. He talked with Chairman Rooney about the earlier meeting for Best Construction. Mr. Rooney replied that it was Best's lot and that he can do whatever he wants to on that property. Ms. Williams was in at the meeting and confirmed that is what Mr. Rooney stated. He does not admit to it on the tape and does not remember it, but it was so. Mr. Rooney should admit to it, but instead, he started to backpedal, but her husband quoted what the Lawyer for the City had said that Chairman Rooney is Best's lawyer and should have excused himself from the appeal. During the May 10, 2018 meeting, Mr. Rooney was very arrogant and told everyone that he has had this job for fifteen (15) years and that he was in charge of that meeting. It sounded like it was Jonnie Cochran when he represented OJ Simpson when he said "If it doesn't fit, you must acquit". She asked who Mr. Rooney thinks he is. He is corrupt and has lied for years. She asked how many lives he is going to hurt like the kids on East Sandusky Street. The Mayor is just as guilty as Chairman Rooney as both think money and power is over the people who do not have money to fight corruption. It is her hopes that when it is time to vote, that the citizens of Findlay prove that every life matters. The problems with the fence that the family on East Sandusky Street has had to endure and with the City giving them a hard time shows that the City does not care if the kids get hit by a car. She asked Council to watch the movie Walking Tall as it is a good example of corruption. Rooney has been the Chairman for fifteen (15) years which took place before the Mayor took office, but now she is part of the corruption. The first Mayor in 1878 was a woman in the state of Oklahoma where two (2) men with power put her on the ballot as a joke. She passed out flyers and won. Most of the men voted for her and she was the best Mayor that Oklahoma has ever had. Ms. Williams asked Mayor Mihalik to be that woman and fire City Lawyer Rasmussen and Chairman Rooney, put the fence back up on East Sandusky Street, do the right thing and protect small children, and a pregnant woman with twins.

Renee Leguire – 6” grass ordinance

Things have gotten out of hand with the N.E.A.T. Police, the Zoning Board, and that citizens have to comply to the standards of individuals that aren't even elected, but are making the zoning laws. Making a property owner keep their yard at six inches (6”) or less is ludicrous. It causes residents to become snitches. If they do not like their neighbor, they can call the City for whatever reason (i.e. they do not like what is in someone's yard, their grass is too long, too many weeds, etc.) causing it to become a snitch society instead of a society of honor where we go to our neighbors and offer to help. If you notice someone's grass is long, ask them if there is something wrong and ask if you can do something to help them. Instead, the City wants to make an ordinance and have to hire more compliance officers to go around and make sure that citizens comply to the City's rules. If she wanted to live in a community that was in a home owner's association, she would sign a paper that stated that she would adhere to their rules, but here in the City of Findlay, we need to have a little more grace with people. There is a property owner who has a six foot (6') fence and wanted to replace three (3) panels that were rotten, but were told they could not do that and had to pay ninety dollars (\$90.00) to get a permit to replace fence panels that were already there. She feels it has gone way too far. It is time that the City represents all of Findlay and not just an elite few. She asked Council to vote against the Ordinance. When she tried to find out about the zoning ordinance, she found out there are three hundred forty (340) pages to it so she did not feel like going through that many pages. Council needs to think about the citizens of Findlay as a whole and not just an elite few. She is the grandmother to the children with the situation on East Sandusky Street.

Discussion:

Councilman Shindledecker asked Ms. Leguire as a resident of the community (urban community – one with a lot of houses) if she feels there is some responsibility to her neighbors. Ms. Leguire replied she has responsibility to her neighbors. If her neighbor's grass was long, which it is and she has mowed her neighbor's lawn before, she would not call the N.E.A.T. Police because their grass was twelve inches (12”) high or the fact that she did not like them because they did something to her so she is going to stick it to them. Councilman Shindledecker commended Ms. Leguire for agreeing to mow her neighbor's lawn, and asked if she were not to do so and her neighbor were not to do so, if she agrees that if letting grass grow if the pollen and other things would be a problem for the neighbors. Or if the possibility of small animals nesting in tall grass is healthy. He asked if she believes she is responsible to have electricity wired properly in her house, proper drainage and sewer. Findlay is in an urban community where property owners have a responsibility to their neighbors. Ms. Leguire agreed that Findlay residents have a responsibility to their neighbors. Councilman Shindledecker noted that in some cases, legislation is needed to remind citizens that they do have that responsibility. While he commends Ms. Leguire that she is not one who needs that reminder, unfortunately, there are many that do. Ms. Leguire replied that could be true, but Findlay has allowed the City, the State, and the Federal Government to take the responsibility that neighbors and the church should take. She suggested those who are church-going, like she is, to go to the different churches to get some volunteers on a board to help out. For instance, if someone is having trouble with their grass, there will be a list of volunteers they can send over to mow the grass. Councilman Shindledecker replied that approximately nine hundred or more (900+) individuals, including himself, participated in the Back Yard Mission Trip a couple of weeks ago, but legislation is necessary. He is in favor of the legislation on this during the LEGISLATION portion of tonight's meeting.

Councilwoman Frische explained that the N.E.A.T. Department has been in existence for awhile. While she agrees with Ms. Leguire that sometimes things get out of hand and if one neighbor does not like what another neighbor is doing, they involve the N.E.A.T. Police and it gets old quick, but unfortunately, society keeps changing. There are different beliefs on how property owners want to maintain their property. There are some that do not like their neighbor and are difficult which affects one neighbor after another. There are many issues with properties not being kept up (animals, health issues, etc.). If people would just help people and take care of their neighbors and find out if someone is sick and mow their yard, they could end up being sued because they trespassed on their property. It is a vicious circle we live in. Adding the six inch (6”) grass height restriction is to make it more official. Grass height restrictions on larger properties has been discussed and are not the same as a postage stamp property. There is room for improvement and those types of properties within the City can be addressed. She would like to see that further spelled out in an ordinance in order to cover everyone's concerns before passing the six inch (6”) rule. It would be nice to just keep it as a nice neighbor policy if they just follow the rules, but that doesn't always happen. There will always be exceptions to the rules. It is her hope to address the larger lots and get a better understanding so that it is not interpreted incorrectly to hopefully take care of the issue with the grass situation. The six inch (6”) grass rule has been something they have been going off of and want to better document their process. Out of the norm properties need to be better clarified before passing the six inch (6”) rule.

Ms. Leguire feels six inches (6”) is ridiculous. Animals can live in six inches (6”) of grass. Councilwoman Frische pointed out that by the time the City is able to mow a property it is well more than six inches (6”). Many property owners know the process and how far they can go before action is taken and then it is the same cycle all over again. Some ruin it for everyone else and some just do not like their neighbors, so it is hard to determine that.

Melissa Humphress – 6” grass ordinance

Ms. Humphress concurred with the previous speaker Renee Leguire who is her sister. She thanked Councilwoman Frische for expounding on what she thinks should happen tonight and hopes it is tabled until everything is ironed out with a more clear understanding of the six inch (6”) rule so it can be recognized by all the Councilmembers. She appreciates Councilman Shindledecker going out with the rest of the church members and helping. She lived on East Edgar for nine (9) years next to a gentleman who was able-bodied, but worked long hours for Alvada Construction and did not mow his yard, so she took it upon herself to mow his yard for those nine (9) years, even taking his dog to the vet. There are different things we can do for our neighbors if we know that they are not able to do them. We need to bring back neighborliness in Findlay, Ohio. It is a beautiful city. She has lived in a beautiful home for a long time and is happy to call it home. She asked if legislating the mowing of grass means that no one could plant wild flower in their yard. The Ordinance is not as clear as it should be and she encouraged every Councilmember to vote no on this and table it until things get spelled out more clearly. Six inches (6”) of grass is not too much for a neighbor to go over and ask if they need any help. She would like to see the City goes towards neighborliness instead of legislation.

Discussion:

Councilman Watson asked if the Law Director could speak to Ms. Humphress's question about wild flower. Law Director Rasmussen replied that the six inch (6”) rule is something the City has been looking at and has been using all along. The problem is that by the time a property owners receives all their notices, the grass is then about a foot (12”) or more in height. In a couple of cities, certain size lots allow the property owner to plant wild flowers or whatever they want to plant, as long as they maintain a barrier. In the cases he has looked at, it was a fifty foot (50 ft) buffer so that the neighbor was not right up against it and that the property owner could maintain it. Tonight's Ordinance is just a clarification of the word "noxious" and "grass", not the six inch (6”) rule. It is not an issue for property owners who have received their notices and have cut their grass, but does become an issue pretty quickly if they do not.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

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

Service Director Thomas – annual bids and contracts

Each year, the City formally bids a number of chemicals, materials, and services. The contracts for these items run for a calendar year with option(s) to renew the contracts in one-year increments. In July, a review and evaluation of the current contracts and contracted vendors will be conducted. For the contracts that will not be renewed, the City will advertise and receive bids in October. Items that normally bid each year include several chemicals used by the Water Treatment Plant and Water Pollution Control Center, uniforms, services, and supplies. Legislation authorizing the Service Director to contract these items is requested. Ordinance No. 2018-047 was created. Filed.

Findlay Municipal Court Activities Report – April 2018. Filed.

Findlay Fire Department Activities Report – April 2018. Filed.

Findlay Revolving Loan Fund Administrator Matt Cordonnier – City of Findlay Revolving Loan Fund request for appropriation – overpayment of loan

On April 2, 2018, Fort Findlay Enterprises Inc. (dba Bistro On Main) completed payment on the City of Findlay Revolving Loan Fund loan that was opened in 2014. Bistro On Main has been making extra principal payments and the payoff occurred ahead of schedule. Due to the early payoff, Bistro On Main overpaid by two hundred forty-six dollars and eighty-four cents (\$246.84). Attached is a copy of the RLF Statement of Account which details each principal and interest payment made by Bistro on Main. Legislation to appropriate the funds to refund the Bistro overpayment is requested. Ordinance No. 2018-050 was created.

FROM: City of Findlay Revolving Loan Fund	\$ 246.84
TO: General Expense (Bistro on Main) #21010000	\$ 246.84

Filed.

Service Director/Acting City Engineer Thomas – budget transfer

With the retirement of Becky Greeno, the Zoning Department has taken on the duties of the N.E.A.T. Department. These additional duties have resulted in additional expenses for the Zoning Department. Legislation to transfer fourteen thousand dollars (\$14,000) from the N.E.A.T. Department to the Zoning Department to help cover the additional expenses for the extra postage, demolition or dilapidated structures, and mowing of unkempt vegetation is requested. Resolution No. 010-2018 was created.

FROM: N.E.A.T. #21016000-other	\$ 14,000.00
TO: Zoning #210132000-other	\$ 14,000.00

Filed.

Service Director/Acting City Engineer Thomas – commitment of matching CDBG grant funds

Hancock Regional Planning Commission is preparing the documentation for the 2018 Community Development Block Grant Funds. The CDBG funds will be used on the Howard Street improvement project that is included in the Capital Improvement Plan. Last year, CDBG made a change so that the City will only receive the allocation every other year. Since this was the first year of the change, a conservative allocation estimate amount of two hundred twenty-five thousand dollars (\$225,000.00) was given when preparing the Capital Improvement Plan (a little less than twice the normal allocation), but have since been told that the actual allocation will be two hundred two thousand dollars (\$202,000.00). Since the allocation is less than estimated, the additional funds will need to come from the City's commitment. The funding for the project will be broken down as follows:

CDBG allocation	\$ 202,000.00
City Commitment	\$ 1,025,570.00
Capital Fund	\$ 273,810.00
Water Fund	\$ 485,000.00
Stormwater Fund	\$ 266,760.00

Estimated project cost \$ 1,227,570.00

Legislation authorizing the Mayor to file a Community Development Block grant application, including all understandings and assurances contained therein, and provide such other information as may be required by the State of Ohio in its review of such application.

Resolution 009-2018 was created. Filed.

Service Director/Acting City Engineer Thomas – Fishlock Avenue waterline project no. 3578200

By authorization of Ordinance No. 2018-019, a bid opening was held for this project on April 30, 2018. Bids were received from three (3) potential contractors with bid amounts ranging from \$845,551.75 to \$873,453.75. an alternate bid for roadway paint was also received that ranged from \$5,083.00 to \$5,230.00. The lowest and best bid was received from JDR Excavating, Inc. of Findlay, Ohio. This project is included in the 2018 Capital Improvements Plan and the total project estimate is within the budgeted amount. Previously, \$30,000 was appropriated to the project for design and startup. At this time, an appropriation for construction, inspection and contingency is needed to complete the project. This project is scheduled to be completed prior to Hancock County Fair. In order for the project to meet this schedule, it is imperative that the money be appropriated as soon as possible so that contracts can be signed and the contractor can start the work. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-051 was created.

FROM: Water Fund	\$ 435,000.00
FROM: CIT Fund – Capital Improvements Restricted Account	\$ 410,000.00
TO: Fishlock Avenue Waterline Project No. 3578200	\$ 845,000.00

Filed.

Mayor Mihalik – District 13 Integrating Committee appointment

Mayor Mihalik is appointing Jeremy Kalb, Engineering Project Manager for the City of Findlay, to the District 13 Integrating Committee. This term will expire April 30, 2021. This appointment does not require Council’s confirmation.

Discussion:

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

Safety Director Schmelzer – dark fiber project no. 319601

The fiber project is nearing completion. The project has gone relatively smoothly, but additional funds are needed. The overall appropriation to this project thus far has totaled \$958,000:

- \$150,000 for 288 strands in the Findlay City School loop
- \$808,000 for the City/County sections (\$388,000 of which has already been invoiced to the County)

The additional costs on the project are due to make ready charges from the utility companies, and requirements in some areas to bury the utilities instead of hanging the strands from existing poles. The school fiber project incurred an additional \$12,000 and the City project will incur additional charges for make ready and underground work in the amount of \$193,000. Contingency had already been built into the project and other items such as equipment and review have come in lower than estimated. A total of \$162,000 is being requested for this project. Approximately \$32,000 of that will be invoiced and reimbursed by the County. The MOU has been prepared to that effect and has been sent to the Commissioners. This is a shared project with Hancock County. This is a shared project with Hancock County It was combined into one bid package and administered by the City in order to save on duplicate bid costs, review, contract administration and inspection efforts, saving over \$20,000. This project will greatly increase the City’s ability to communicate between facilities, add security, and avoid increases in phone system fees. Network fees for the City could increase to over \$72,000 per year without this project, and the ability to transfer data and video would be limited. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-052 was created.

FROM: CIT – Capital Improvement Restricted Account	\$ 130,000.00
FROM: Hancock County per MOU	\$ 32,000.00
TO: City Fiber Loop <i>Project #319601</i>	\$ 162,000.00

Filed.

Board of Zoning Appeals Minutes – December 14, 2017 and April 12, 2018. Filed.

Findlay Police Department Activities Report – April 2018. Filed.

COMMITTEE REPORTS:

The **WATER AND SEWER COMMITTEE** to whom was referred a request to continue discussions on the Deer Landing Waterline Oversizing Project via Ordinance No. 2017-098, AS AMENDED.

We recommend to approve an estimate of \$151,287.74.

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

Councilwoman Frische noted that the committee would like to take this matter back to the **WATER AND SEWER COMMITTEE** with additional information She moved to table the committee report, seconded by Councilwoman Ostrander. Ayes: Frische, Hellmann, Ostrander, Shindledecker, Watson, Wobser. Nays: Harrington, Niemeyer, Russel, Slough. The committee report is tabled. Filed.

The **STRATEGIC PLANNING COMMITTEE** met on May 1, 2018 to continue April 3, 2018 and March 6, 2018 discussions on year one (1) goals and expectations.

We recommend:

1. That the committee continue to work on the overall goals and structure of the committee and the strategic planning process.
2. During this time, the committee highly encourages all Ward and At-Large Council persons to hold community meetings as a vehicle to hear concerns and ideas of those we represent.

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

An **AD HOC COMMITTEE** met on May 8, 2018 to continue discussions from the April 10, 2018 and February 15, 2018 AD HOC COMMITTEE meetings to review Council’s Rules of Procedures for the 2018-2019 Council term.

We recommend to continue discussions to review Council’s Rules of Procedure at a date to be determined.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Eric and Jennifer Bishop to rezone 118 Center Street from R3 Single Family, High Density to R4 Duplex/Triplex.

We recommend to approve as requested. Ordinance No. 2018-048 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Greg Mohr to vacate part of Carrol Street lying east of Benton Street as platted in the Cory and Daniels Addition to the City of Findlay, Ohio.
We recommend that the property not be vacated as requested.

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

Discussion:

Councilman Wobser asked if additional information from the committee on this will be forthcoming. Councilman Harrington replied there will not be additional information coming from the committee as the committee already made the decision not to recommend the vacation as requested. There will be three (3) readings on this and any discussion on any alternative will be presented by either the person requesting it or any member of Council can do so at that time.

Councilman Russel added that he will work with the Law Director and the applicants to ensure that it is done the best way possible. If that entails amending the existing legislation, he will ask for the amendment. If it involves creating new legislation, he will request that. He will be in touch with the applicants tomorrow and also the Law Director. He will update Councilman Harrington, as chair of **PLANNING & ZONING COMMITTEE**, on it as needed.

Mayor Mihalik pointed out that there is no Ordinance for this vacation. Councilman Russel clarified that the Ordinance that the applicants requested to vacate their portion of Carroll Street is on tonight's agenda. Mayor Mihalik replied that no Ordinance was created for this because of the outcome of the committee report. Councilman Russel noted that he and the Law Director will work on getting an Ordinance. Mayor Mihalik pointed out that the applicants have gone through the process and have paid their fee, so the City does not want to hold them up. A yes or no decision needs to be made. If Council wants to amend it, it will make it difficult for notification. She asked if this can go through the normal process that others have and if an additional right-of-way vacation request can be taken into consideration, so that way, the process can move along and is not a waste of time for the applicants.

Councilman Harrington noted that the committee was hoping to look at not only an overall picture of the request that the applicants made, but also look at an additional request and then an Ordinance for that be taken into consideration. He asked if he is correct that a committee report would not stop the process of an Ordinance being proposed. Law Director Rasmussen replied that there was a discussion about the request, and then the discussion turned to whether or not to do what they are requesting on Carroll Street or if it should be for the entire area. During one of his conversations with Councilman Russel, it was discussed not to have the other piece here tonight since both the **CITY PLANNING COMMISSION** and also the **PLANNING & ZONING COMMITTEE** denied the request, so there would not be legislation.

Councilman Russel apologized to the applicants for the misunderstanding. He reiterated that he will work with the Law Director, Councilman Harrington, and the applicants tomorrow morning on this. There was also a second on the motion to vacate all of Carroll Street and the remaining stub of Vincent Street. Both he and Councilman Shindledecker have discussed this prior to this meeting and have agreed to co-request the legislation, so at the next City Council meeting, there will be legislation to vacate all of Carrol Street and the stub of Vincent Street. Councilman Harrington clarified that it is Bentley Street.

Councilman Wobser noted that Mayor Mihalik stated that if this committee report was amended to approve the vacation, Council would then do the three (3) readings which would be a month and a half to override it to vacate the whole street allowing the applicants their variance that they already paid for. They should not have to reapply for a variance that they have already paid for.

Councilman Harrington asked if the proposed legislation would not only include this parcel, but also additional parcels in the form of an Ordinance as a request of a Councilmember with a second to that request. Councilman Russel replied that is correct. For the applicant to proceed with their request, and if the **PLANNING & ZONING COMMITTEE** were to amend and approve it, in order for the applicant to proceed with their request, there would be some additional notification requirements at the applicant's expense, which makes it a challenge. That was taken into an account during his conversations with Law Director Rasmussen. Councilman Wobser asked if all the abutting property owners will still need to be notified at the City's expense or the applicants' expense if the Ordinance is to vacate the entire street. Councilman Russel replied at the City's expense and not the applicant's expense. The difference in completion would be the time between tonight's meeting and the next City Council meeting. What he, Councilman Shindledecker, and Law Director Rasmussen have proposed is the best way to move forward. It is tedious to change a committee report with a committee meeting, so if Council accepts the committee report as a committee report is what it is, then Council can go to the next plans.

All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Nicole Hoffman to vacate part of East Lincoln Street right-of-way west of Fishlock Avenue and adjacent to Lots 16654 and 16655 in the Tritch Addition to the City of Findlay, Ohio.

We recommend to approve as requested with the following recommendations:

1. utility easement
2. combine lots 16653 and 16654

Ordinance No. 2018-049 was created.

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

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 009-2018 (*CDBG grant funds – Howard Street improvements*) requires three (3) readings **first reading** **adopted**
A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION FOR FISCAL YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

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

RESOLUTION NO. 010-2018 (*N.E.A.T. Dept budget transfer*) requires one (1) reading **first reading** **adopted**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules and give the Resolution its second and third readings, seconded by Councilman Hellmann.

Discussion:

Councilwoman Frische asked if this is for equipment, paper products, etc. and not for salaries. Law Director Rasmussen replied it is for compliance.

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

ORDINANCES

ORDINANCE NO. 2018-037 (*113 Alexander Place 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 113 ALEXANDER PLACE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY, MEDIUM DENSITY" TO "M2 MULTI-FAMILY, HIGH DENSITY".

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-037 and is hereby made a part of the record.

ORDINANCE NO. 2018-038 (*2131 Spruce Dr rezone*) requires three (3) readings **third reading** **defeated during PETITIONS**

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 2131 SPRUCE DRIVE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY, MEDIUM DENSITY" TO "R4 DUPLEX/TRIPLEX, HIGH DENSITY RESIDENTIAL DISTRICT".

ORDINANCE NO. 2018-039 (*2nd qtr Capital expenditures*) requires three (3) readings **third reading** **adopted**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2018 DEPARTMENT EQUIPMENT LIST WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A, APPROPRIATING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-039 and is hereby made a part of the record.

ORDINANCE NO. 2018-041 (*change to junk vehicles/ noxious weeds codified ordinance*) requires three (3) readings **third reading** **adopted**
AN ORDINANCE AMENDING SECTION 521.04(c)(1) AND SECTION 521.07(a) OF CHAPTER 521 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

Councilman Shindledecker moved to adopt the Ordinance, seconded by Councilman Russel.

Discussion:

Councilwoman Frische noted that since the Law Director stated that he is working on clarifying the Ordinance, she will be voting against it tonight as she would rather see it all get done at once to address other properties and the setbacks. There is no rush as the N.E.A.T. Department and now Zoning Department have already been going by that height of grass rule.

Councilman Russel noted that one of the most common complaints he hears from citizens are N.E.A.T. issues. The City can ask for more neighborly solutions, and he applauds those who take care of their neighbors, but it does not happen for everyone and their remedy is to contact the N.E.A.T. Department. He spoke with the Zoning Department about this Ordinance who stated that without this Ordinance, their hands are tied when it comes to enforcing common sense grass height requirements and other N.E.A.T. issues. It is no picnic for those who live next to a property that has N.E.A.T. issues. He supports this Ordinance as written.

Councilman Wobser asked if there is anything pressing that the Administration would want this Ordinance approved now as is and then wait for clarifications to come through, or if it would be best to vote it down and wait for the whole thing. Law Director Rasmussen replied that the Ordinance has already received three (3) readings, so in order to enforce the grass and junk, the passage of this Ordinance is needed. Council can always go back and talk about those with large lots/acreage lots. It is basically going back to Ordinances that were prepared years ago that were changed by Walter Drane to conform with State Code that were different. The City had a Junk and materials stored Ordinance, and junk motor vehicle Ordinance that was much different than the State's which is why Walter Drane changed them and should not have. This Ordinance is just going back to what the City has enforced back when he started here in 1984. This Ordinance is needed and he can work on changing it as needed, as Ordinance are always changing and are always clarifying them.

Mayor Mihalik noted that there has not been a shortage of rain in the last couple of weeks, spring is here, and the complaints for high grass are coming in, so the longer Council waits to put teeth into the Ordinance, the longer neighbors have to put up too high of grass. Junk is a key component too. The City has been very proactive in addressing some very long-standing N.E.A.T. complaints that the City was a little lenient on in the past, so it is time to take action. Cases have been allowed to fester for too long. Residents take a lot of pride in their property, so it is up to the City to help them protect that. The quicker this Ordinance is passed, the better.

Councilwoman Frische asked if she is understanding correctly that the Law Director is working on clarifying the Ordinance, but that this Ordinance is to be able to enforce what the City is already doing. She asked if this Ordinance is passed, if it will continue to be worked on and if anything further of large lots will be clarified. Law Director Rasmussen replied that is not correct. He will be reworking 521.07 to add what Ohio recognizes as noxious weeds, so he is already thinking it should be further clarified. This is looking at noxious weeds. He will be looking to further clarify grass. Noxious weeds are not dandelions. He is taking larger lots and borders into consideration. Mayor Mihalik added that it is a lot more complicated than just stating that larger lots have to comply with certain rules. In some cases, many small lots make up a large area, so those situations also need to be investigated, such as if the lots have to be deeded together to qualify as a large lot. There are a lot of details that have to be hashed out. Just because that is not included into this Ordinance, does not mean that it is a dead issue. It is still something that needs to be taken care of.

Councilman Watson echoed what Councilman Russel stated that the number one calls he receives are about tall grass, especially in the north end, and dilapidated vehicles, so he is glad to see those issues addressed tonight and that they have gone through three (3) readings so that everyone has had a chance to give their say. He is in favor of this Ordinance.

Ayes: Shindlecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-041 and is hereby made a part of the record.

ORDINANCE NO. 2018-042 (2018 resurfacing program Contracts A & B) requires three (3) readings **third reading** **adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindlecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-042 and is hereby made a part of the record.

ORDINANCE NO. 2018-047 (annual bids & contracts) requires three (3) readings **first reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2019, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2018-048 (118 Center St rezone) requires three (3) readings **first 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 118 CENTER STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY, HIGH DENSITY" TO "R4 DUPLEX/TRIPLEX".

First reading of the Ordinance.

ORDINANCE NO. 2018-049 (E Lincoln St ROW vacation) requires three (3) readings **first reading**
AN ORDINANCE VACATING A CERTAIN STREET RIGHT-OF-WAY (HEREINAFTER REFERED TO AS EAST LINCOLN STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2018-050 (*Bistro on Main RLF refund*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Wobser. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough. The Ordinance received its second and third readings. Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2018-050 and is hereby made a part of the record.

ORDINANCE NO. 2018-051 (*Fishlock Ave waterline project*) requires three (3) readings **first reading** **adopted during**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY. **OLD BUSINESS**

ORDINANCE NO. 2018-052 (*dark fiber project*) 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 Watson. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann.

Discussion:

Councilman Wobser asked Councilman Russel why he moved to suspend the statutory rules and give all three (3) readings tonight. Councilman Russel replied that this has a Memorandum of Understanding (MOU) with the County. It is a joint City/County/Findlay City Schools project. In order to transfer money and keep the project going to get this very necessary infrastructure 2017 Capital Project moving, it is necessary to have it receive its second and third readings tonight in order to do so.

Councilwoman Frische asked what the additional overage is for. Safety Director Schmelzer replied that the area was severely underestimated so the big reason for the overage is in the make-ready costs. The bulk of that amount is an estimate of how much it will cost to co-locate on poles. The other portion was due to some overages in the school contract. The estimate he had was approximately one hundred thousand to one hundred fifty thousand dollars (\$100,000-150,000) for the two hundred eighty-eight (288) strand, but actually ended up costing twelve thousand dollars (\$12,000) more than that. There were some sections that the Engineer anticipated we would be able to go overhead and co-locate, but were not able to as dictated by the Utility Company. Instead, had to bury in those locations. Everything that has to be paid in overage is accounted for in the bid in a per foot unit price. All that documentation is in the form of change orders. The change order has not been approved, pending Council's approval of the Ordinance which keeps the City compliant with the contract. He was informed today that the County is executing the MOU in short order.

Councilman Russel asked for the layout of the projects, completion timeline, and when to expect the City to be able to enjoy the benefits of the project. Safety Director Schmelzer replied the Core Project is complete. It was the agreement that the City signed with the school. That section is done. He has been working on this project to get to all the facilities that we have discussed as the scope of work. It is at ninety-five percent (95%) completion. He is committed to have this all done and wrapped up by the end of this year so as to not incur any additional data and phone line charges. We are on track to do so. Councilman Russel asked if this removes the gear on top of the water tower and if it is part of the infrastructure removal. Safety Director Schmelzer replied there is Wi-Fi infrastructure that has been installed to help communicate with multiple properties. This will replace that Wi-Fi connection for communications at facilities. We also have additional communications that we are working with the VHF system as a backup and to MARCS that are located on towers, so we have both.

Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume XX, Page 2018-052 and is hereby made a part of the record.

ORDINANCE NO. 2018-053 (*Deer Landing waterline oversizing project*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS:
OLD BUSINESS

President Monday noted that Council tabled the Deer Landing waterline oversizing project and he requested it be referred back to the WATER AND SEWER COMMITTEE. Councilwoman Frische added that she will provide the date, time, and location of the next meeting to the Council Clerk.

Councilwoman Frische pointed out that she usually does not change her vote, but did tonight on the grass height issue. She understands it, and is holding Law Director Rasmussen and Mayor Mihalik accountable to finish clarifying that Ordinance before too much time passes and if it allows N.E.A.T. to clearly do what they need to do.

NEW BUSINESS

Councilman Russel pointed out that the cigarette receptacles that Mr. Phillips pointed out during his ORAL COMMUNICATIONS were the works of the Downtown Findlay Improvement District (DFID). He is the Council Representative for that board. The DFID is a collection of downtown property owners that chipped in money to help continue to beautify and improve the health and safety of downtown. They partnered with the City on the music system, water flowering system, and are a great asset for downtown. The DFID is in the process of renewal this year. In order to renew for the next five (5) years, there will be legislation for Council to approve their mission. He asked for support of it when it comes before Council. He would be happy to answer any questions on it.

City Auditor Staschiak reminded Council about the discussions a few weeks ago on the City's Worker's Compensation program and the phenomenal success with that program, but noted that there have been some things going on in the background and brought Council up to date on that because of the legislation Council passed on it. There is a threat to the City's ability to continue to achieve the savings that the City has been able to achieve thus far. CompManagement representative Kelly Lowry, her immediate supervisor Todd Kesperich, and Renee Monday are in the audience tonight who are very committed to seeing that the City of Findlay continues to receive the great benefits they have received so far. Carolyn Chase from the City Auditor's Office is also in the audience tonight. BWC has promised workers who are injured that they will be cared for financially. CompManagement Health Systems is the City's MCO. It administers the medical treatment for the injured workers. CompManagement is the City's Third Party Administrator (TPA) who advocates for the City with the Bureau of Workers Compensation (BWC). Communication between those organizations is essential and has to happen properly. We assess the program the City is in and the savings the City is able to obtain through the Ohio Association of Public Treasurer's (OAPT) Group within the Ohio Municipal League's (OML) group. OML is apparently attempting a coo in order to make money on the program. Simply put, the OML has disclosed to him personally that they are being paid by a competitor of CompManagement to change the program mid-contract to a company called CareWorksComp at the potential expense of several hundred thousand dollars to the City of Findlay. Due to an apparent lack of communication with an injured worker, and a potential lack of understanding of the full process, the City Law Director has hired outside Counsel at the taxpayer's expense and is duplicating services already being provided to the City of Findlay by CompManagement for one injured worker's case which concerns him because the Law Director has openly stated more than once that this particular injured worker should have been managed out a long time ago. Managing employee performance is a separate issue from an employee with an injury. The relationship that the Law Director has is unnecessarily paid for with taxpayer's dollars and appears to threaten the current program in place and the high dollar savings undermines the City's relationship with CompManagement. The City's Auditor's Office has worked to analyze the different financial aspect of programs available to the City for decades. It is a financial function. He has done this every year since taking office to make sure the City obtains the best decision possible with the data available to us at that time. The Auditor's Office has worked to save the City hundreds of thousands of dollars since 2011 while limiting the liability of exposure of real cash risk to the City. The City Auditor's Office has been in contact with all the involved parties that are in dispute. The City entered into an agreement with CompManagement per the legislation passed two (2) meetings ago and prior to the surprise announcement from OML. In his opinion, OML has been deceitful with its membership about the City's options, and the City Auditor's Office has worked directly with the BWC to ensure to maintain the high dollar premium savings and rebates that have been enjoyed the last several years using CompManagement. Emails sent by OML state only a small portion of the information needed to make an informed decision in this situation. The situation is evolving. The OAPT, OML, CompManagement, and CareWorksComp have headed down a path of likely litigation and we must wait to see where this goes. BWC has assured the City Auditor's Office that the City can move forward exactly how they have with the exact same representation. He has been assured that by October 1st, although the program name may change, that the majority of the OAPT group of the Ohio cities are unified and committed to continue the program in its historic form using CompManagement although separate from OML's recommendation. Lastly, when he spoke to Council, he was impressed that the Ohio CPA's highly recommended CompManagement, the City's Worker's Compensation partner, based on real experiences of its members. OML is being paid to recommend this competing company which says it all. The MCO and TPA renewals, the agreements were signed and nothing has changed. As always, he will keep Council informed should a change to the program become necessary.

Law Director Rasmussen replied that the City in this process and have been looking at where we are going to go. What is not true is, that he hired an attorney. They do not have attorneys as they do not present their cases. They do not have an attorney who can submit evidence to the hearing officer, so they cannot argue legally nor make legal arguments to the board. The City does have one case that has been dragging on and has tried to resolve it, but has gone nowhere. The Administration has never received the requested information from the City Auditor's Office. The Administration has requested to be copied on everything that comes in on Worker's Compensation. He has talked with CompManagement's representative Kelly Lowry several times informing her that the Administration does not receive anything from the Auditor's Office and has asked her to send it to the Administration, but still does not receive anything. The attorney simply fills out the form to obtain the information that goes to his office, and then he sends it to the Administration. If that attorney is to appear at a hearing, he will do so. This is a large case. There has been no pressure put on this case whatsoever, and the injured worker is just sitting back collecting funds without an attorney and all of his injuries are being approved and we are not getting that done which is why he and Human Resources Director Essex have talked with several potential TPAs and MCOs. He has already been contacted by the Ohio Municipal League which is why we have the low rates and not because of anything else. The City is in a pool through OML and are automatically switched, and have already been switched over to CareWorksComp. There are some lawsuits, so the City will have to wait to see what comes of those, but there is a lot more to it than what was just stated by the City Auditor.

Councilman Wobser asked if new legislation is needed if the City has already been switched over to CareWorksComp. Law Director Rasmussen replied that Council approved the MCO via legislation

Councilwoman Frische asked if Ms. Lowry can clarify anything as it is very confusing. Ms. Lowry replied it is very confusing for employers. They were surprised when it happened as there has been some negotiations and litigation going on. CompManagement is a group under OML that has several clients that represent municipalities and public entities (i.e. Ohio Water Environment Association, Public Utilities Commission of Ohio, Ohio Association of Public Treasurers, Municipal Finance Officers Association, Ohio Rural Water Association, etc.). When CompManagement represented all of them, including OML, they suggested making them a big pool as it will be better for their members, will be able to provide better discounts, which will look better for them, and they all agreed. CompManagement took those groups and filed them all under OML, so the umbrella was OML, but within OML was OAPT and the Ohio Rural Water Association subgroups under that group. The OAPT was part of the OML, but is no longer. Once all of that starting happening, the OAPT and the other groups did not want to be a part of it and stayed with CompManagement. The OML and CareWorksComp filed an AC2 which trumped CompManagement, so CompManagement put their card in, but the Ohio Water Works came in and trumped everyone including OAPT, everyone under that umbrella, so CompManagement went to their clients, those that had been with them for years prior to OML coming in like the City of Findlay, and asked them to sign a form to stay with them, and they agreed. The City of Findlay is not with CareWorksComp right now and is still with CompManagement. The documentation that was signed for group retrospective rating is for the OAPT outside the OML umbrella because it no longer exists.

Councilwoman Frische asked if that changes pricing. Ms. Lowry replied it will not. The City Auditor's Office checked with the Bureau who provided paperwork stating it will not change nor will the group the City is in for 2018. They did that because there was some misinformation from others out there. Councilwoman Frische then asked if the employee claim is caught in between CompManagement and CareWorksComp. Ms. Lowry replied it is not in between. CompManagement is still taking care of it.

Councilman Russel noted that the City Auditor made an accusation of a fraud between the OML and the other company and asked if he has taken the claim to the Ohio Attorney General's Office and/or the State Auditor's Office. If a fraud is being committed by the OML, it is expected that lawsuits would follow and that City Auditor Staschiak's testimony would be instrumental in that. He asked the City Auditor if he has done so and if not, when he expects to. City Auditor Staschiak replied that in his opinion, the OML has been deceitful with its membership. That is his opinion, it is what he said, and he stands by his words and the statement that he read which is why he wrote his statement prior to coming to tonight's meeting so that there would be no misunderstanding. Councilman Russel replied that he thought the City Auditor stated that they personally told him that they have been paid by the other company. City Auditor Staschiak replied that he was told in a phone conversation that they are being paid to recommend the other company. He was told that by an OML employee. Councilman Russel then asked the City Auditor if he is taking that information to the Ohio Attorney General and/or the State Auditor's Office. City Auditor Staschiak replied he does not know why Councilman Russel is asking the question and he has no intention to do so at this point.

Councilwoman Frische asked if the Law Director hired someone other than what the City already has. Law Director Rasmussen replied yes. He has been retained for when it is necessary to represent the City in the cases of injured workers. Councilwoman Frische asked if it is just for this one case. Law Director Rasmussen replied that is correct. The attorney would not be representing the City in all cases. This case has been going on for about a year for an employee that has had many injuries for the past twenty (20) years who has been off work and the City is trying to wrap up that case, but cannot do it because when it is time to wrap it up, the employee goes to the doctor and is approved for another sprain of the lumbar region. In this case, it is the third (3rd) or fourth (4th) sprain of the lumbar region. The City is trying to get the case resolved.

City Auditor Staschiak added that to CompManagement's credit, through due diligence, they were able to reduce the City's costs on this case by fifty percent (50%). They have worked wonders mitigating the cost of the City while representing our interests. He thanked them publicly and on the record.

Mayor Mihalik pointed out that there have been some significant claims made tonight about the OML. Before Council moves forward relative to a TPA or a MCO, we need to investigate and find out what is happening here. She is unsure if everyone understands the situation, and while it is great that the public know this, bringing it up three (3) hours into a City Council meeting by someone who represents the City making an egregious claim against the OML that represents a significant portion of municipalities in the State of Ohio, may not be the proper time to do so. There is something going on with this and Council needs to make sure they know all the facts from both sides before moving forward. The City's relationship has not been optimal with CompManagement. HR Director Essex has had issues with getting information from CompManagement. This one particular case has been costing the City money because the claims over the years has not been properly managed. She does not feel that all the details on this one specific employee's case should be addressed tonight, but encouraged Council to stay tuned and looks forward to a conversation with the City Auditor about what we are doing with the City's Workers Compensation management and to learn more about the City Auditor's very serious claim on the OML management care.

Councilman Wobser if the right information is not getting to the right people, then there are some issues that need to get resolved. He asked if anyone from CompManagement would like to address that. Ms. Lowry from the audience replied that she was under the impression that information was shared with the Administration. City Auditor Staschiak added that is correct and it was documented that it has been shared. The reason part of this is a financial function of the City is because Worker's Compensation information is excluded from the privacy rule and HIPAA, but that is not all. One of the main things to keep in mind when working through Worker's Compensation is that you are privy to information about employees that a hiring/firing authority should not be privy to because we are all human beings and can all make mistakes if it is known someone has a chronic prescription that they are taking for a past illness not related to the claim that costs the City money, or that they have a handicap that they have been hiding for years and do not want anyone to know about because they perform very well. There is a reason this is a financial function. There is a reason the Auditor's Office has made these decisions and worked to analyze this for decades. He received a request from the Law Director's Clerk to research and the Auditor's Office responds to everything. They researched back to 1995 showing that this was the Auditor's process with one exception: when individual retro was done which was when the City was self-insured for four (4) years. There is almost one million dollars (\$1,000,000) in cash sitting in funds that have been partitioned off for Worker's Compensation for future liability on existing claims. He agrees with Mayor Mihalik that there is a lot going on and he is willing to share the components, but as he mentioned earlier, he signed those documents and passed them on to CompManagement well before the announcement of the OML on the 27th. At the moment, it appears to not only be the right position to be in, but is the right position to protect the City. It takes the politics, and the money that incentives the politics, out of the decision-making process. Everything he has said tonight is written down and has not made any crazy accusations about anyone and stands by his words.

Safety Director Schmelzer noted that at the time he was asked, he did not know the answer to Council's question on what the \$14,000 appropriation from the N.E.A.T. Department to the Zoning Department was for, but as the letter states, it is for extra postage, demolition, dilapidated structures, and mowing costs.

Safety Director Schmelzer recalled a comment made on who the Mayor could hire and fire. The Law Director is not one of them as he is an elected official, neither is the head of the Board of Zoning Appeals (BZA) as that is an appointment by Council. When the Mayor discussed a couple of these points with Mr. Williams, one of his ideas was to put a camera in the Council Chambers so that the Board of Zoning Appeals meetings could not only be recorded when pushing a button, but so that the entire meeting could be heard and seen if it needed to be reviewed and would take away a lot of he said/she said. There is a meeting scheduled to discuss that and it is their hopes to accomplish issues with cameras and securities related to the fiber project. What can be done in the Council Chambers will be discussed and he will keep Council updated on that.

Mayor Mihalik asked Council to reconsider the Fishlock Avenue waterline Ordinance No. 2018-051 as that waterline project is time sensitive and would like to get it done and completed before the start of the Hancock County Fair. Going three (3) readings would really push the time on this. The Fair Board and fairgoers would be happy if this project was wrapped up before the start of the fair.

Councilman Russel moved to reconsider Ordinance No. 2018-051, seconded by Councilman Slough. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser. The Ordinance is being reconsidered. Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Slough. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Niemeyer. Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-051 and is hereby made a part of the record.

Councilman Russel informed Council that on April 30, 2018, the Flag City Honor Flight, in conjunction with 50North, finished their most recent bus trip. It went down Main Street from south to north going past Findlay Fire Station #1. They were greeted with Ladder #1 holding a flag over Main Street. The on-duty Firefighters at that station stood at attention and saluted the buses as they went by. Deb Wickerham, coordinator of the Flag City Honor Flight, made special mention of that and how much it meant to not only her, but also the returning Veterans on the bus. He thanked Battalion Chief Rich Clark, Captain Jerry Greer, and all the men and women at Fire Station #1, as well as Chief Eberle who made it happen. City Council is very proud of its Firefighters and how they go above and beyond.

President Monday adjourned Council at 9:33pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL