

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

December 18, 2018

COUNCIL CHAMBERS

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

ABSENT: none

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

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Councilman Slough moved to accept the December 4, 2018 Public Hearing to rezone Binner (Lone Tree Drive) annexation via Ordinance No. 2018-110, seconded by Councilman_Wobser. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the December 4, 2018 Regular Session City Council meeting minutes. Councilman Wobser seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

REPLACEMENTS:

- Ordinance No. 2018-123, AS AMENDED – non-elected employees salary ordinance (**LEGISLATION** section)
 - o Add SECTION 2.G.
 - o Removed SECTION 27.B.

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS: - none.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Charles Williams – What is the definition of appropriate in City Council

Mr. Williams noted that at the last meeting, the word appropriate was mentioned, so he looked up the definition in a dictionary which defined it as something that is suitable, fit and proper. He witnessed the most violent thing he has ever seen in City Council consisting of Auditor Staschiak and the Mayor, two (2) elected city officials. The Mayor questioned the City Auditor about his record on taxes and key records, and about how many employees he has. Auditor Staschiak is doing a fantastic job. He asked if what had happened there was suitable, fit and proper as he does not think so. They had to go into a special council to cool her down. That happened here in Findlay.

Lives were put in danger at 830 East Sandusky Street. Two (2) members of City Council told that family that they need to leave town. The lives of the two (2) individuals that requested the alley vacation are more important than the safety of the family of ten (10) living at 830 East Sandusky Street including a pregnant mother of twins who was put through unreal crap. They put this mother's life in danger because two (2) guys wanted their streets closed to endanger the residents' lives at 830 East Sandusky Street.

He asked if was proper for Mr. Rooney to allow a fence to be put up when he was a lawyer for Best. Mr. Williams reminded Council of the tape he brought before Council playing a recording of Mr. Rooney stating that the property owner can do anything he wants to do with it. He asked why the City is charging citizens two hundred fifty dollars (\$250.00) to go through a variance committee. Council President Monday reminded Mr. Williams that he has one (1) minute remaining on his time. Mr. Williams continued stating that it is a rip off.

Mr. Williams asked who Robert is when Council refers to Robert's Law. He asked if it is Bob Schuck. Councilman Harrington lifted up a copy of the Robert's Rules of Council book that Council follows. He informed Council that Bob Schuck said to give Council hell for their corrupt crap. He told that to his wife and she relayed that to him.

Mr. Williams noted that Findlay should be called sex in the city and not Flag City. He asked Council if they realize the lawsuits that some City Councilmembers are doing in the City of Findlay and are getting paid to take trips with it which is pathetic. Council President Monday notified Mr. Williams that his time had expired.

John Thomas – rezoning of Crystal Avenue

Mr. Thomas declined to speak due to speaking during the earlier public hearing.

Patricia Thomas – rezoning of Crystal Avenue

Ms. Thomas declined to speak due to speaking during the earlier public hearing.

David Burns – rezoning of Crystal Avenue

Mr. Burns declined to speak due to speaking during the earlier public hearing.

Matt Cordonnier – zoning

Mr. Cordonnier pointed out that in the Council packets is a letter about some zoning code amendments for the first meeting in January. Those amendments pertain to reduction, required amount of spaces for apartment buildings, and changes to the conditional use – the general language and the decision-making process with additional uses. He is unsure when, but that there will be some changes to the wind turbine ordinance as a conditional use. He is unsure what the end product will be, but is working on that.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

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

Findlay Municipal Court Activities Report – November 2018. Filed.

Findlay Police Department Activities Report – November 2018. Filed.

Treasurer’s Reconciliation Report – November 30, 2018. Filed.

Traffic Commission minutes – November 19, 2018. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for CAP Brother LLC dba Thunder Drive Thru, located at 514 North Main Street, Findlay, Ohio for a C1 and C2 liquor permit. This requires a vote of Council.

John E. Dunbar, Chief of Police – CAP Brother LLC dba Thunder Drive Thru, Findlay, Ohio. A check of the records shows no criminal record on the following:

- Calvin E. Cox
- Paul H. Martinez

Councilman Slough moved for no objections be filed, seconded by Councilman Harrington. All were in favor. Filed.

City Auditor Staschiak – summary financial reports

A set of summary financial reports for the prior month follows including:

- Summary of Year-To-Date Information as of November 30, 2018
- Financial Snapshot for General Fund as of November 30, 2018
- Open Projects Report as of November 30, 2018
- Cash & Investments as of November 30, 2018

Filed.

City Auditor Jim Staschiak – year-end items to transfer/appropriate

The following accounts require an appropriation or a transfer for this budget year so that the City may remain in compliance with ORC and audit. It is important that the rules be suspended and the legislation for these transfer be passed at the December 18, 2018 City Council meeting in order to remain in compliance.

Transfer Resolution:

FROM:	N.E.A.T. #21016000-personal services	\$ 25,000.00	
TO:	General Expense #21010000-other		\$ 25,000.00
FROM:	Recreation Functions #21044400-other	\$ 5,000.00	
TO:	Recreation Functions #21044400-personal services		\$ 5,000.00
FROM:	Cemetery Department #21046000-other	\$ 20,000.00	
TO:	Cemetery Department #21046000-personal services		\$ 20,000.00

REASON: the transfers deal with moving funds between the department’s personal services (wages and related benefits) and other (operational expenses) accounts to be able to finish the rest of the year. Legislation to transfer funds is requested. Resolution No. 030-2018 was created.

Appropriation Ordinance

FROM:	Severance Payout Reserve Fund	\$ 10,000.00	
TO:	Severance Payout Reserve #22090000-personal services		\$ 10,000.00

REASON: There have been several retirements that have already occurred and some that are scheduled to occur this year that were not included in the original budget figures because the City did not have written notification of the retirements at the time of budget development last fall. Money needs to be appropriated to cover the expense of the retirement settlements.

FROM: Energy Bond Series B #23056100 \$ 17,275.30
TO: CIT Fund – Capital Improvements restricted account \$ 17,275.30

FROM: Energy Bonds Series A #23056000 \$.01
TO: CIT Fund – Capital Improvements restricted account \$.01

REASON: The City had to appropriate the entire amount of the interest payment for the Energy Bonds for the 2018 debt payments, however, the Series B bonds are federally subsidized and we did receive a portion of our subsidy payment. Due to the federal mandated sequester, we did not receive the entire subsidy. Also, the amount that was due on the Series A bonds ended up being less than was shown on the amortization schedule and was originally budgeted. These transactions return the fronted appropriation to CIT Fund – Capital Improvements restricted account.

FROM: Police Pension Fund \$ 21,673.96
TO: Police Pension #27078000 \$ 21,673.96

FROM: Fire Pension Fund \$ 21,673.96
TO: Fire Pension #27079000 \$ 21,673.96

REASON: A portion of the amount received from the assorted property taxes from the County tax settlements is deposited into Police and Fire Pension Funds by law. The cash balance is then transferred to the General Fund at the end of the year. Although the revenue budgets for 2018 were estimated very closely, the transfers out of these funds were budgeted low. The County revises their revenue estimates after adoption of our annual appropriation ordinance, and in order to avoid potentially over-budgeting the fund on the certificate filing, the transfer out is budgeted lower than expected.

FROM: Cemetery Trust Fund \$ 15,255.47
TO: Cemetery Trust #27086000-other \$ 15,255.47

REASON: The amount of interest earned on the Cemetery Trust investment has come in higher than the original budgeted estimate. This appropriation allows for the total amount of interest earned to be transferred to the General Fund.

FROM: City Income Tax \$ 668,308.00
TO: City Income Tax Fund #27047000-other \$ 668,308.00

REASON: Based on current projections, the actual income tax collections will be more than the original estimate. The tax is allocated to the CIT Fund – Capital Improvements Restricted Account and General Fund based on actual collections. More money will be transferred than originally budgeted and need the appropriation increased by this amount in order to complete the transfer to the General Fund. Legislation to appropriate funds and to adopt on an emergency for the above listed items is requested. Ordinance No. 2018-126 was created.

Discussion:

Mayor Mihalik pointed out that there are two (2) really good news within this letter. The Cemetery Trust Fund has come in higher than the original budgeted estimate for 2018. That total amount will get transferred to the General Fund. Also, income tax collections are more than the original estimate for 2018. Both were positive news.

City Auditor Staschiak clarified that any interest that comes into the Cemetery Fund will stay with the Cemetery. When lots are sold out, the money that is generated to run the operations and maintain the Cemetery to remain in the fund. Council should look at that every five (5) years or so to make sure that they are on track with the receipts so that it does pay for the operations. Filed.

Service Director/Acting City Engineer Brian Thomas – WPC clarifier 1&2 rehab, project no. 35681500

By authorization of Ordinance No. 2018-019, a bid opening was held for this project on December 5, 2018. One bid was received from Mosser Construction of Fremont, Ohio in the amount of \$278,000. This project is included in the 2018 Capital Improvements Plan with a project estimate of \$275,000. \$20,000 was previously appropriated to the project for design and startup. An appropriation for construction, inspection, and contingency is needed at this time to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2018-127 was created.

FROM: Sewer Fund \$ 272,400.00
TO: WPC Clarifier 1 & 2 Rehab project no. 35681500 \$ 272,400.00

Filed.

Service Director/Acting City Engineer Brian Thomas – areas B4-B6 sewer separation phase 2, project no. 32556100

As part of the project, the new sewer needed to be bored under the railroad on Foulke Avenue. As part of the railroad's process, they provide an estimate for flaggers to be present during the boring process. Engineering has not received the final bill from the railroad. That bill is anticipated to be about half of the original estimate. During construction, several sanitary laterals were discovered to be in conflict with storm sewer that was being installed. Engineering would like to pay the contractor for this work, but the contingency money for this project is currently tied up in the PO for the railroad for the work previously mentioned. Since the City has not control over how long it will take to get the bill from the railroad, remaining funds from Phase 1 of the project and additional \$12,000 be appropriated into Phase 2 so that the contractor can be paid. Once the railroad bill is received and paid, the existing PO can be reduced and the remaining funds will be returned to the Stormwater Fund. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-128 was created.

FROM: Sewer Fund – Stormwater Restricted Account \$ 12,000.00
FROM: Areas B4-B6 Sewer Separation Phase 1 project no. 32556000 \$ 4,882.78
TO: Areas B4-B6 Sewer Separation Phase 2 project no. 32556100 \$ 16,882.78

Filed.

Service Director/Acting City Engineer Brian Thomas – 2019 street prevention maintenance project no. 32885200

This project is for the annual street maintenance project and it will be included in the 2019 Capital Improvement Plan. An appropriation into the project is needed so that the 2018 annual project can be closed at the end of the year and the Street Department will have funds available for any repairs that may need to be made prior to the rest of the Capital Improvement Plan being approved. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-129 was created.

FROM: CIT Fund – Capital Improvement Restricted Account \$ 50,000.00
TO: 2019 Street Preventative Maintenance project no. 32885200 \$ 50,000.00

Filed.

Service Director/Acting City Engineer Brian Thomas – Campbell Soup Ohio 629 project no. 31977100; Autoliv Ohio 629 project no. 31985300

Grant funds from the Ohio Development Services Agency were previously appropriated through Ordinance No. 2018-084 for Campbell Soup and Autoliv for the development of their site and roadway improvements. additional grant funding received from ODOT Jobs and Commerce Economic Development also needs to be appropriated to continue moving forward with the project. Legislation to appropriate funds is requested. Ordinance No. 2018-130 was created.

FROM: Ohio Jobs and Commerce Economic Development Grant \$ 355,205.00
TO: Campbell Soup Ohio 629 project no. 31977100 \$ 155,205.00
TO: Autoliv Ohio 629 project no. 31985300 \$ 200,000.00

Filed.

Hancock Regional Planning Commission Director Matt Cordonnier – amendments to the Findlay Zoning Code

Hancock Regional Planning Commission (HRPC) respectfully submits three (3) text amendments to the City of Findlay Zoning Code for review and comment. These proposed amendments are being submitted the first meeting of January 2019. The first proposed amendment to Section 1161.11.3 and 1161.11.6 reduces the number of parking spaces required for multi-family developments zoned M-1 or M-2. Over the last year, HRPC has worked with several developers who have commented that Findlay’s parking standards are much higher than the industry standards. Upon further investigation, a reduction in the number of parking spaces required from 2.5 spaces per unit to 2 spaces per unit is being proposed. Secondly, HRPC is proposing additional language to be added to Section 1161.15 Conditional Use Requirements. The proposed language outlines the criteria that the City Planning Commission (CPC) shall use when considering a conditional use. the third amendment adds language to Section 1113.20(C). This section outlines the framework of “discretion” that the City Planning Commission has when reviewing cases. Filed.

Board of Zoning Appeals Minutes – November 8, 2018. Filed.

Findlay Fire Department Activities Report – November 2018. Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from W. Anthony Scanlon on behalf of G & H Enterprises, LLC to rezone the 701-807 Adams Street and 700-714 Putnam Street from R3 Single Family High Density Residential to M2 Multiple Family Residential District.

We recommend approval as requested. Ordinance No. 2018-132 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Blanchard Valley Health Association to rezone the westernmost portion of Lot 2 of Eastern Woods Subdivisions from C1 Local Commercial to M2 Multiple-Family High Density.

We recommend approved as proposed. Ordinance No. 2018-133 was created.

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

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 030-2018 (year-and transfers) requires three (3) readings **first reading** **adopted**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

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

ORDINANCES

ORDINANCE NO. 2018-068 (*Zoning personnel enforcement rights in right-of-way*) requires three (3) readings **tabled after third reading on 8/7/18**
AN ORDINANCE ENABLING THE CITY OF FINDLAY ZONING DEPARTMENT PERSONNEL ENFORCEMENT RIGHTS WITHIN RIGHT-OF-WAY AREAS WITHIN CITY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-097 (*credit card policy*) requires three (3) readings **tabled after second reading on 10/2/18**
AN ORDINANCE APPROVING THE BANK CREDIT CARD POLICY ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A.

ORDINANCE NO. 2018-114 (*Hengsteler Annexation – accept & approve the annexation*) requires three (3) readings **third reading adopted**
AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF MARION, COUNTY OF HANCOCK, STATE OF OHIO, AND SITUATED IN THE SOUTHWEST FOURTH (1/4) OF SECTION 5, T1N, R11E, A TRACT OF LAND CONSISTING OF 36.689 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE HENGSTELER ANNEXATION).

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Wobser.

Discussion:

Councilwoman Frische asked if any other zoning options were considered. Mayor Mihalik replied that this was the zoning classification that the property owners requested. It was reviewed by the City Planning Commission and also the Planning and Zoning Committee before their recommendations came to Council via this Ordinance which has now received three (3) readings and also a public hearing.

Councilman Russel believes the zoning classification being requested is appropriate. The concerns of the abutting property owners have been addressed with the City Planning Commission. He has served on the City Planning Commission and has observed many of their meetings where they are very cognizant of making properties fit in harmony with neighbors. When they did the zoning changes a couple of years ago, they further strengthened the screening requirements, especially when two (2) zonings do not match. In this situation, it is I-1 to a county residential. The Planning Commission takes those concerns into account during the site review. Mayor Mihalik agreed stating the standards that are in place now far exceed those that were in place several years ago. It takes into consideration what the zoning classification is to an adjoining property and provides a better opportunity for screening and overall aesthetic enhancements as opposed to what was outlined in the past. In the past, it was okay to put an industrial building anywhere. Now, there are screening requirements, landscaping requirements, and what the impervious surface looks like in a building is looked at. There is a lot more consideration to protect the adjoining property owners than what was in the past.

Councilwoman Frische noted that for economic development reasons and this being the first step, she supports the ordinance for the zoning change. Adjoining property owners need to be active and diligent in meetings when it gets to the actual project. One of the adjoining property owners in the audience thanked the City for contacting them during the process.

Councilman Hellmann encouraged the Planning Commission to take a look at not only the standard things, but also any noise issues, light glare, vehicular access, and look at creating some no-access along Crystal Avenue and other streets where this comes up on. He would like to see them tighten up the site plan review more than just the standard review.

Councilman Russel pointed out that the zoning code already includes light emission that leads off the property. He is unsure how to address noise suppression, but that it is enforced through the zoning code through the site plan process. When the City Planning Commission is reviewing the site plan to a set of standards, it is the zoning code that is already in effect.

Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindlecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-114 and is hereby made a part of the record.

ORDINANCE NO. 2018-115 (*Hengsteler Annexation – 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 ZONING THE FOLLOWING DESCRIBED PROPERTY AS I-1 LIGHT INDUSTRIAL (HEREINAFTER REFERRED TO AS THE HENGSTELER ANNEXATION).

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Niemeyer, Ostrander, Russel, Shindlecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-115 and is hereby made a part of the record.

ORDINANCE NO. 2018-116 (*606 Howard Street 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 606 HOWARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "O1 INSTITUTIONS AND OFFICES".

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Ostrander, Russel, Shindlecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-116 and is hereby made a part of the record.

ORDINANCE NO. 2018-118 (*Lima Ave/Western Ave intersection*) requires three (3) readings **third reading adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Russel, Shindlecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-118 and is hereby made a part of the record.

ORDINANCE NO. 2018-119 (*Severance Payout Reserve Fund*) requires three (3) readings **third reading** **adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-119 and is hereby made a part of the record.

ORDINANCE NO. 2018-120 (*broker services for City health insurance*) requires three (3) readings **third reading** **adopted**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY TO ENTER INTO A RENEWAL CONTRACT WITH FIRST INSURANCE GROUP (PREVIOUSLY KNOWN AS CORPORATE ONE BENEFITS) TO PROVIDE BROKER SERVICES AS IT RELATES TO THE CITY OF FINDLAY HEALTH INSURANCE PLAN, AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-120 and is hereby made a part of the record.

ORDINANCE NO. 2018-121 (*2018 annual sewer televising project*) requires three (3) readings **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-122 (*Blanchard River/Stanford Pkwy waterline replacement project*) requires three (3) readings **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-123, AS AMENDED (*non-elected employees salary ordinance*) requires three (3) readings **second reading** **adopted**
AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2017-108, AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that the City Auditor's office would like to have this adopted tonight so that they can start work on implementing it for the new year.

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

Discussion:

Law Director Rasmussen pointed out that the motion just given is for Ordinance No. 2018-123 AS AMENDED.

The Ordinance received its third reading. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-123 and is hereby made a part of the record.

ORDINANCE NO. 2018-124 (*Emergency Management Services contract renewal*) requires three (3) readings **second reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH HANCOCK COUNTY EMERGENCY MANAGEMENT AGENCY TO DEVELOP AN EMERGENCY OPERATION PLAN THAT WILL ENCOMPASS ALL POLITICAL SUBDIVISIONS OF HANCOCK COUNTY, PURSUE A PROFESSIONAL DEVELOPMENT TRAINING PROGRAM, AND COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF ALL THE POLITICAL SUBDIVISIONS ACCORDING TO THE DUTIES AND REQUIREMENTS OF SECTION 5502.27 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-125 (*elected officials salaries*) requires three (3) readings **second reading**
AN ORDINANCE ESTABLISHING THE SALARIES FOR THE MAYOR, AUDITOR, AND DIRECTOR OF LAW OF THE CITY OF FINDLAY, OHIO, BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2023 AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT WHERE TO , AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2018-126 (*year-end appropriations*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Slough. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser. The Ordinance received its second and third readings. Councilman Slough moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-126 and is hereby made a part of the record.

ORDINANCE NO. 2018-127 (*WPC clarifier 1&2 rehab, project no. 35681500*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2018-128 (*areas B4-B6 sewer separation phase 2, project no. 32556100*) 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 of Council and give the Ordinance its second and third readings, seconded by Councilman Harrington. Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-128 and is hereby made a part of the record.

ORDINANCE NO. 2018-129 (*2019 street preventive maintenance, project no. 32885200*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel asked if this needs to be adopted tonight. Service Director/Acting City Engineer Thomas replied yes. There is always an issue with the street preventative program with items that need to be done before next year's program is approved. After talking with Deputy Auditor Sampson, this is the cleanest way to do it. This is for the 2019 project. It is in the Capital Plan. He is asking for some of the money to be put in the project now so that at the end of the year, the 2018 project can be closed, and so that all the money for the 2018 project is used in 2018 and that 2019 money can be used now before other appropriation money is available. It would be cleaner if money would be available now. He and the Auditor's Office would appreciate it if this was adopted tonight.

Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Wobser. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-129 and is hereby made a part of the record.

ORDINANCE NO. 2018-130 (*Campbell Soup Ohio 629; Autoliv Ohio 629*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel asked if this needs adopted now or if it can wait until January. Service Director/Acting City Engineer Thomas replied that these are two (2) projects that had funding from two (2) different sources. He had appropriated money before, but had only appropriated the money from one grant and not the other grant. This is to appropriate money from the other grant source. The projects are now ready for him to submit for reimbursement, so if this is adopted tonight, he can do so.

Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilwoman Frische. Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-130 and is hereby made a part of the record.

ORDINANCE NO. 2018-131 (*Carey & Mt Blanchard income tax*) requires three (3) readings **first reading** **adopted**
AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO REMIT INCOME TAXES TO VARIOUS MUNICIPALITIES COLLECTED ON BEHALF OF THE MUNICIPALITIES IN ACCORDANCE WITH THE SPECIFIED COLLECTION AGREEMENTS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel pointed out that this Ordinance gives the Auditor the ability to remit taxes from places that the City of Findlay are collecting. The City of Findlay will be starting to do so from Carey and Mount Blanchard who would appreciate us sending their funds back to them starting at the beginning of the year.

Councilman Russel moved to suspend the statutory rules of Council 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. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Shindledecker.

Discussion:

Councilwoman Frische asked if this Ordinance will cover any village that the City of Findlay wants to do tax collection for and that a separate Ordinance will not have to be done for each location. Law Director Rasmussen replied that is correct. This way, the City of Findlay can simply enter into a contract where it will always be remitted pursuant to the collection agreement. Councilwoman Frische asked if each new location will still come before City Council to approve. Law Director Rasmussen replied that is correct.

Ayes: Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-131 and is hereby made a part of the record.

ORDINANCE NO. 2018-132 (701-807 Adams St; 700-714 Putnam 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 701-807 ADAMS STREET AND 700-714 PUTNAM STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY HIGH DENSITY RESIDENTIAL" TO "M2 MULTIPLE FAMILY RESIDENTIAL DISTRICT".

First reading of the Ordinance.

ORDINANCE NO. 2018-133 (Eastern Woods-Birchaven Ln 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 BIRCHAVEN LANE/EASTERN WOODS LOT 2 REZONE) WHICH PREVIOUSLY WAS ZONED "C1 LOCAL COMMERCIAL" TO "M2 MULTIPLE-FAMILY HIGH DENSITY".

First reading of the Ordinance.

UNFINISHED BUSINESS:
OLD BUSINESS

Mayor Mihalik asked for some direction from Council on the City Mission's request. She is looking into the possibility of utilizing Community Development Block Grant (CDBG) funds for this request to provide emergency housing services to those in need. She was approached by several community members who are affiliated with the City Mission and would like to let them know where Council is with their request. She would like to inform them if Council wants to continue to pursue the CDBG option in conjunction with a General Fund appropriation as requested, or just the CDBG option. They would like some clarity.

Councilman Shindledecker pointed out that he volunteers at the City Mission and is well aware of their needs. They are an organization that the City vitally needs, but to use strictly City taxpayer funds for this would be improper. He supports the effort to find any grant money that might be available.

Councilman Hellmann noted that he concurs with what Councilman Shindledecker just stated and believes it is a great idea.

Councilman Harrington noted that a couple Councilmembers will continue to work on this, and he also concurs with Councilman Shindledecker's comments in that the most appropriate action would be to seek grant funds and that Council should try to do anything that they can do with the hopes to find something that can help them.

Mayor Mihalik clarified that the CDBG formula money that is received is utilized to do infrastructure projects in low to moderate income neighborhoods throughout the City. There is a program in place for that. If Council is interested in using CDBG money from formula dollars, it could potentially impact, or will impact the ability to use those dollars for infrastructure projects and would then utilize not only OPWC money, but also General Fund money to support the construction of those projects.

Councilman Niemeyer would not support using General Fund money for this as it is taxpayers money that is not proper for the City to give away. If someone wants to give money to the City Mission, they could use their own funds. He suggested that instead of individuals giving money to the United Way, they could give to the City Mission.

NEW BUSINESS

Councilman Hellmann noted that in the last COMMITTEE OF THE WHOLE meeting, it was mentioned to have the Economic Development Director Tim Mayle from the Alliance come and give a presentation to City Council to include an overview and summary of what has taken place over the last twelve to eighteen (12-18) months. It is a great story that he would like City Council to hear. He hears it every month at the board meetings. It would be beneficial for everyone else to hear it. He proposed having a COMMITTEE OF THE WHOLE meeting before the January 15, 2019 City Council meeting. Councilman Hellmann moved to have the meeting at 6:00pm, seconded by Councilman Slough. All were in favor.

Councilman Hellmann: **COMMITTEE OF THE WHOLE** meeting on January 15, 2019 at 6:00pm in the 3rd floor conference room beside the Mayor's Office (CR1).

agenda: Economic Development

City Auditor Staschiak thanked Council for passing the clean up Ordinance. He informed the general public that Council needed to do that because governmental accounting is different than private sector accounting. He reminded Council that at the first meeting in January, there will be a couple of ordinances that will need to be passed on an emergency because the way the rules work with the State, he cannot pay the money out until Council appropriates it. The entire budget is appropriated during the first meeting in January each year as reviewed by Council in their December meetings. There are no changes to the budget from the December meetings that took place a week or so ago. The budget will be in legislative form at the January 2, 2019 City Council meeting.

Councilman Harrington pointed out that the new crosswalk lights in the downtown streets add to the safety of pedestrians. He asked how those lights are tripped. Safety Director Schmelzer replied that they are a very good addition to our pedestrian crosswalks given the surrounding light sources that are out there. They are easily picked up by motorists. Both the Service Director/Acting City Engineer and the Project Manager did the research to come up with the idea. They are tripped when a pedestrian stands in the crosswalk for a number of seconds. There is a sensor on the pole, much like a traffic camera that picks up a car, they pick up a pedestrian that starts the light automatically. Councilman Harrington if they will work if there is a snow or frozen precipitation event. Safety Director Schmelzer replied that has already been thought about. The lights are used in other cold weather communities. They are frost-proof, snow-proof, and plow-proof. It is one of the reasons why they did a stamp-asphalt crosswalk instead of a poured concrete one. Eventually, they will have to be replaced.

Mayor Mihalik informed Council that within the next twenty-four (24) hours, the budget in brief will be ready for public view on the City's website that more concisely interrupts what has been submitted to Council for consideration. It is a quick source to see what the City is planning on spending dollars on, where dollars come from, and will provide some key statistics that have been accumulated throughout the year. Budget books will still be available if Council prefers them.

Safety Director Schmelzer pointed out that fifteen million dollars (\$15,000,000) is going toward flood mitigation. A handful of individuals were heavily involved in lobbying for that infrastructure, the Mayor being one of them. Anyone that has ever been impacted by any of the severe floods in the City of Findlay should thank the Mayor, as well as the members of the State Legislator who voted in favor of it. It will go a long way toward the City getting flood mitigation done here.

Council President Monday informed Council that the first meeting of January 2019 will be on Wednesday, January 2, 2019 due to Tuesday, January 1, 2019 being a holiday.

Council President Monday adjourned Council at 8:16 pm.



CLERK OF COUNCIL



PRESIDENT OF COUNCIL