

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

JANUARY 2, 2013

COUNCIL CHAMBERS

PRESENT: Collette, Monday, Murray, Nichols, Schedel, Slough, Spence, VanDyne, Ward

ABSENT: none.

President Pro-Tem Ward opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

MINUTES:

Councilwoman Spence moved to accept the minutes as circulated from the December 18, 2012 Regular Session City Council meeting. Councilman Collette seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Monday made a motion to add and replace the following. Councilman Collette seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON:

- Ordinance No. 2013-004 – Congressman Latta leased office space in Municipal Building (**LEGISLATION** section)

REPLACEMENT:

- Ordinance No. 2013-001
 - changed the following dollar figures:
 - o SECTION 3:
 - Drug Law Enforc Trust 22065000 – other was ~~\$584.00~~, now \$580.00
 - Enforcement/Education 22075000 – other was ~~\$60,369.00~~, now \$60,000.00
 - Police Pension 27078000 – other was ~~\$264,637.00~~, now \$200,000.00
 - Fire Pension 27079000 – other was ~~\$264,637~~, now \$200,000.00
 - SPECIAL REVENUE FUND TOTAL was ~~\$19,542,664.00~~, now \$19,419,017.00
 - o SECTION 9:
 - TOTAL OPERATING FUNDS was ~~\$61,377,474.42~~, now \$61,253,530.42

ORAL COMMUNICATIONS – none.

PROCLAMATIONS – none.

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

PETITIONS – none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENT:

Service-Safety Director Paul Schmelzer – 2012 Sewer Cleaning (large diameter), project 35620200

By authorization of Ordinance No. 2012-007, bids were opened for this project on December 12, 2012. Bids were received from three (3) potential contractors, and the City is now ready to award a contract. This project is included in the 2012 Capital Improvements Plan, but needs to be carried over into 2013 due to the timing of the bid process. Legislation to appropriation funds is requested. Ordinance No. 2013-002 was created.

FROM: Sewer Fund	\$ 45,000.00
TO: 2012 Sewer Cleaning (large diameter) project #35620200	\$ 45,000.00

Filed.

Mayor Lydia Mihalik – Appointment of Hancock Metropolitan Housing Authority Board

Mayor Mihalik appointed Charles Rogers to serve on the Board of Commissioners for the Hancock Metropolitan Housing Authority. This appointment will be effective through December 31, 2017. The appointment does not require Council's confirmation. Filed.

COMMITTEE REPORTS – none.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 044-2012 (CRA #1) Tabled

(first reading on 9/4/12 – requires Council motion to be lifted from table)

A RESOLUTION AMENDING RESOLUTION NO. 33-1987, AS AMENDED BY RESOLUTION NO. 37-1988, BY INCLUDING AN ADDITIONAL AREA WHICH IS CONTIGUOUS TO THE AREA ALREADY DEFINED IN SAID REINVESTMENT AREA.

RESOLUTION NO. 045-2012 (CRA #2) Tabled

(first reading on 9/4/12 – requires Council motion to be lifted from table)

A RESOLUTION AMENDING RESOLUTION NO. 38-1988, AS AMENDED BY RESOLUTION NO. 23-1990, AS AMENDED BY RESOLUTION NO. 38-1990 (TO CORRECT ERRORS IN THE LEGAL DESCRIPTION) BY INCLUDING AN ADDITIONAL AREA WHICH IS CONTIGUOUS TO THE AREA ALREADY DEFINED IN SAID REINVESTMENT AREA.

RESOLUTION NO. 001-2013**First reading****Adopted**

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2013 PURSUANT TO OHIO REVISED CODE §321.34.

Councilman Monday moved to adopt the Resolution, seconded by Councilman Slough. Aye: Collette, Monday, Murray, Nichols, Schedel, Slough, Spence, VanDyne, Ward. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

RESOLUTION NO. 002-2013**First reading****Adopted**

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

Councilman Slough moved to adopt the Resolution, seconded by Councilman Collette.

Discussion:

Councilman Slough asked if this is the one that was questioned at the last City Council meeting. President Pro-Tem Ward replied that this is an additional request. He asked for clarification on what this is for. Auditor Staschiak replied that HRPC attached a letter explaining that the invoice is for services related to fiscal year 2011 formula grant activity planning. It was to prepare the neighborhood plan that would identify flood prone properties and potential improvements to low-moderate income areas. It is not something the Auditor's Office is usually involved in other than to verify that they are properly paying invoices as they are received. Councilman Slough then asked if this is for 2011. Auditor Staschiak replied that according to the letter from HRPC, it is. Service-Safety Director Schmelzer added that formula year 2011 means for services performed in 2012. Mayor Mihalik added that the Engineering Department prepares the purchase orders for the different activities that are done for the formula grants. This one was left out because it was a planning activity and not a particular project. It was an oversight on the part of both Engineering and HRPC. It is paid through the formula grant activity. No funds come out of the General Fund. Councilman Ward noted that funds come out of the grants. Mayor Mihalik replied that is correct.

Aye: Monday, Nichols, Schedel, Slough, Spence, VanDyne, Ward, Collette. Nay: Murray. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

ORDINANCES**ORDINANCE NO. 2012-090** (1100 Interstate Drive rezone)**Tabled**

Tabled at third reading on 11/20/12 - requires Council motion to be lifted from table

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 1100 INTERSTATE DRIVE REZONE) WHICH PREVIOUSLY WAS ZONED "C1 LOCAL COMMERCIAL DISTRICT" TO "C2 GENERAL COMMERCIAL DISTRICT".

ORDINANCE NO. 2012-099 (1112 Lima Avenue rezone)**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 1112 LIMA AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "I-2 GENERAL INDUSTRIAL" TO "C-2 GENERAL COMMERCIAL".

Councilman Collette moved to adopt the Ordinance, seconded by Councilman VanDyne. Ayes: Murray, Nichols, Schedel, Slough, Spence, VanDyne, Ward, Collette, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume UU, Page 2012-099 and is hereby made a part of the record.

ORDINANCE NO. 2012-100

Mayor Mihalik referred this to the 1/8/13 Appropriations Committee after the first reading

Tabled

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, DEVELOP A 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.

ORDINANCE NO. 2012-105**Second reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2013-001**First reading****Adopted**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2013, AND DECLARING AN EMERGENCY.

Councilman Collette moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Councilman Monday seconded the motion. Ayes: Nichols, Schedel, Slough, Spence, VanDyne, Ward, Collette, Monday, Murray. The Ordinance received its second and third reading. Councilman Collette moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Schedel, Slough, Spence, VanDyne, Ward, Collette, Monday, Murray, Nichols. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-001 and is hereby made a part of the record.

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Collette moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Councilwoman Spence seconded the motion. Ayes: Slough, Spence, VanDyne, Ward, Collette, Monday, Murray, Nichols, Schedel. The Ordinance received its second and third reading. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Collette. Ayes: Spence, VanDyne, Ward, Collette, Monday, Murray, Nichols, Schedel, Slough. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-002 and is hereby made a part of the record.

ORDINANCE NO. 2013-003

First reading

Adopted

AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Councilman Collette seconded the motion. Ayes: VanDyne, Ward, Collette, Monday, Murray, Nichols, Schedel, Slough, Spence. The Ordinance received its second and third reading. Councilman Collette moved to adopt the Ordinance, seconded by Councilwoman Spence. Ayes: Ward, Collette, Monday, Murray, Nichols, Schedel, Slough, Spence, VanDyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-003 and is hereby made a part of the record.

ORDINANCE NO. 2013-004

First reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH CONGRESSMAN LATTA'S OFFICE TO LEASE APPROXIMATELY THREE HUNDRED SEVENTY SQUARE FEET OF OFFICE SPACE IN THE CITY OF FINDLAY'S MUNICIPAL BUILDING.

First reading of the Ordinance.

UNFINISHED BUSINESS:**Old Business:**

Councilwoman Spence asked why HRPC is billing back to June of 2012 and asked if this request (Ordinance No. 2012-105) could be discussed at the next Appropriations Committee meeting. President Pro-Tem Ward replied that it can be discussed then and asked that the Director of HRPC attend the meeting. He noted that Ordinance No. 2012-105 received its second reading tonight, so it will receive its third reading at the next City Council meeting. Resolution No. 002-2013 (HRPC request for \$15,000) will also be discussed. An explanation for it is not required, but would like to see a breakdown of the charges similar to what Council receives for their monthly expenses. Resolution No. 002-2013 was adopted tonight, but a breakdown would be appreciated. He also asked the Auditor to provide a list of all the charges HRPC has requested for 2012, as well as a comparison with the year before. Councilman Murray would also like to see an interim report on the neighborhood grant project. He would like to see what has been achieved, what is left to be done, and due dates.

New Business:

President Pro-Tem Ward: **APPROPRIATIONS COMMITTEE** meeting on January 8, 2013 at 4:30pm, third floor conference room of the Municipal Building (CR1).

- agenda: 1. Ordinance No. 2012-105
2. Resolution No. 002-2013

Councilman Slough Ordinance No. 2013-004 states that the City will lease approximately three hundred seventy square feet (370 sq ft) of office space to Congressman Latta. He noted that the Civil Service Commission Office on the third floor is not that large. He asked if any remodeling (i.e. tearing down walls, etc.) will be done. Service-Safety Director Schmelzer replied that they have not determined exactly where Congressman Latta will lease space from in the Municipal Building. He is looking for that amount of square footage to lease. President Pro-Tem ward thinks it's great that Congressman Latta is considering leasing space in the Municipal Building. It will be a great thing for him and for the community and his constituents. This building is an appropriate place for him to be. It is a secure building.

President Pro-Tem Ward commended the City's Street Department on keeping the streets plowed. They plowed the residential areas a lot quicker than was expected. It was a well-organized, well-thought out effort. Service-Safety Director Schmelzer added that a lot of personnel were pulled from other departments to help.

President Pro-Tem Ward adjourned Council at 7:51 pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL PRO-TEM