

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

June 4, 2013

COUNCIL CHAMBERS

PRESENT: Monday, Nichols, Russel, Slough, Spence, VanDyne, Ward

ABSENT: Murray, Schedel

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 May 21, 2013 Regular Session City Council meeting. Councilman Slough seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Monday made a motion to add the following to the agenda, seconded by Councilman VanDyne. All were in favor. Motion carried.

ADD-ON:

- Letter from HRPC Grant Administrator Aleta Foust – FY 2013 CDBG Formula Program (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section)
- Letter from Auditor Staschiak – revenue estimates for fiscal year 2014 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section)
- Resolution No. 019-2013 – FY 2013 CDBG Formula Program (**LEGISLATION** section)

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS – none.

PROCLAMATIONS – none.

PETITIONS - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENT:

Service-Safety Director Paul Schmelzer – Fostoria Avenue/Plaza Street intersection improvements ODOT PID #93061

By authorization of Ordinance No. 2012-031, bids were opened for this project on May 23, 2013. Bids were received from three (3) potential contractors. The lowest and best bid was received from The Shelley Company of Findlay, Ohio in the amount of one hundred ninety-seven thousand four hundred forty-eight dollars and eight cents (\$197,448.08). An appropriation of this amount along with contingency and inspection time is needed. The project is included in the 2013 Capital Improvements Plan with one hundred percent (100%) funding from ODOT. Legislation to appropriate funds is requested.

FROM: ODOT	\$ 250,000.00
TO: Fostoria/Plaza Intersection Project #32821200	\$ 250,000.00

Ordinance No. 2013-033 was created. Filed.

Mayor Lydia Mihalik – appointment to Blanchard Valley Port Authority

Request for confirmation for reappointment of Craig Anderson to the Blanchard Valley Port Authority through June 30, 2017. He has served as a City of Findlay appointment to the Port Authority since its inception in 2007.

Councilman Nichols moved to confirm this appointment, seconded by Councilman Monday. All were in favor.

Discussion:

Law Director Rasmussen noted that there is a typo in this letter. Mr. Anderson is not a joint City of Findlay/Hancock County appointee. He is just a City of Findlay appointee. Filed.

Service-Safety Director Paul Schmelzer – 2013 Resurfacing Program, Project #32830100

By authorization of Ordinance No. 2013-022, bids were opened for this project on May 23, 2013. Bids were received from five (5) potential contractors. The lowest and best base bid was received from Newcomer Concrete of Norwalk, Ohio in the amount of nine hundred seventy thousand dollars one hundred sixty dollars and ninety cents (\$970,160.90). In addition, three (3) alternates were included in the bid package which would bring the total contract amount to one million eighty-eight thousand nine hundred thirty-three dollars and fifteen cents (\$1,088,933.15). A budget of one million one hundred thousand dollars (\$1,100,000.00) is included in the 2013 Capital Improvements Plan. This appropriation request does not exceed the budgeted amount nor does it allow for any contingency at this time. As the project progresses, it may become necessary to request additional funds based on actual costs. Legislation to appropriate funds is requested. Ordinance No. 2013-033 was created.

FROM: CIT – Capital Improvements	\$ 1,090,000.00
TO: 2013 Resurfacing Program Project #32830100	\$ 1,090,000.00

Discussion:

President Pro-Tem Ward asked if this project ends up over the anticipated amount, if the three (3) alternates could be put on hold until funds are available for them instead of coming back to Council to ask for more funds. Service-Safety Director Schmelzer replied that if we end up with a contingency, it will be relatively small. Rather than dropping the alternates from the list, he prefers to take advantage of the pricing that the City got. Contingency amounts during the last couple of resurfacing programs were .6% and the other was negative. We should be in good shape for this one. He prefers to get the projects done.

Councilman Slough asked how many projects there are. Service-Safety Director Schmelzer replied it is one main project with three (3) alternates. He has a list of streets that will be resurfaced. This list is consistent with the paving program that was previously put together. The paving will be done at Church Hill, Yorkshire, Surrey, Oxford, 18th Street, Martin Luther King Parkway, Monroe, Brenda Court, Wedgewood, Hawthorne, East Street, Greenacre, East McPherson, and Cherry. Alternates are County Club Drive, East Main Cross, and Park Street. Filed.

Hancock Regional Planning Commission Grant Administrator Aleta Foust – FY 2013 CDBG Formula program

The Ohio Department of Development (ODOD) has advised us that this year's Community Development Block grant (CDBG) formula allocation for the City of Findlay is one hundred nine thousand dollars (\$109,000.00) which will be divided between project costs, administration and Fair Housing services. The Hope House located in Findlay will provide fair housing services for the City of Findlay. The office of Community Development allows for twenty-one thousand eight hundred dollars (\$21,800.00) to be used for Fair Housing, application preparation and grant administration. Eighty-seven thousand two hundred dollars (\$87,200.00) will be used for the City of Findlay infrastructure project. It is proposed that Council will continue the infrastructure projects in the West Park neighborhood. As with previous phases, the project will be overseen by the City Engineering Office designated to Logan Avenue and Greenwood to Lima Avenue. The first of two public hearings on this matter was held on January 31, 2013 and the second one is scheduled for June 17, 2013 in the Hancock Regional Planning Commission Office. The deadline for filing the application is June 21, 2013. Council's consent to apply for this grant is requested. Resolution No. 019-2013 was created. Filed.

City Auditor Jim Staschiak – Revenue Estimates for fiscal year 2012

Attached is a copy of the estimated revenues for fiscal year 2014. The form remains the simplified version on which only revenues are shown. General Fund, Police and Fire Pension Funds show years 2013 and 2014. All other funds show only budget year 2014. As is the case each year, the dollars shown are not meant to be a final estimate for 2013 or 2014. The estimates are reasonable and are based on year-to-date 2013 information. They provide the County Budget Commission the necessary information to use for the apportionment of the local government money. Changes will occur and dollars will be revised as we get farther into the fiscal year. In order to meet the statutory requirements, motion for acceptance of the revenue estimates will be needed during the July 2, 2013 City Council meeting so it can then be filed with the County Auditor by July 19, 2013. Council has traditionally held a public hearing prior to accepting the document.

Discussion:

President Pro-Tem Ward asked if a public hearing needs to be scheduled for this. He asked if it should be scheduled before the June 18, 2013 or July 2, 2013 City Council meeting. Law Director Rasmussen replied that a notice is prepared for July 2, 2013 which allows plenty of time for the City Auditor to get it turned into the County Auditor. Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Robert and Kathy Wagner to vacate a sixteen and one half foot (16.5') wide north-south alley lying between lots 5021 and 5022 in the Niles Addition to the city of Findlay, Ohio. *We recommend approval.* Ordinance No. 2013-030 was created.

Councilwoman Spence moved to adopt the committee report. Councilman Nichols seconded the motion. All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Kyle Reichenbach to rezone 201 West Hardin Street, as well as 610 and 614 S Cory Street, lots 237, 238, 239, 240, 241 and 242 in the Vance and Cory's Addition from C2 General Commercial District to C3 Downtown Commercial. *We recommend approval.* Ordinance No. 2013-031 was created.

Councilman Nichols 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 Mary Houtz to vacate the east nineteen and a half feet (19.5') of Morrill Boulevard between Lima Avenue and Olney Avenue. *We recommend approval.* Ordinance No. 2013-032 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to discuss Community Reinvestment Areas #1 and #2. *We recommend development of a new CRA expansion map with an emphasis on downtown redevelopment, older housing stock redevelopment and enhancement of the I-75 corridor.*

Councilwoman Spence moved to adopt the committee report. Councilman Monday seconded the motion. All were in favor. Filed.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 019-2013 (FY 2013 CDBG Formula Program)

First reading

Adopted

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION FOR FISCAL YEAR 2013 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

Councilman Monday moved to adopt the Resolution, seconded by Councilman VanDyne

Discussion:

Councilwoman Spence asked how it is decided which areas will be the focus of these grants and how long they have focused on the West Park area. Service-Safety Director Schemizer replied that the focus of where the money goes is largely driven by the Engineering Department through a plan that was laid out within the last ten (10) years. West Park has been the target because it meets the criteria for the grant. These grant funds cannot be used in all areas of the City. It is also an area that has unimproved streets. We are trying to follow the plan that was put together. Although it might look confusing to someone driving through the neighborhood, it has progressed. It is driven largely by the drainage in the neighborhood which affects the phases. We are trying to double the amount we are getting done each year. Last year, there was CDBG and OPWC funds where we combined those funds to tackle projects in West Park. We have traditionally worked on a block to a block and a half at a time. After receiving the increased funding of two hundred fifty thousand dollars (\$250,000.00) from OPWC last year, there was money left over from CDBG that was given to the Senior Center, which was an eligible agency. This year, we want to try to double the amount. We are hoping to get the same amount from OPWC. According to City Engineer Steve Wilson, odds are pretty good to get that, but there will not be any money left over, but we will be able to get double the amount done. We are putting the money there because it is needed and it meets the criteria for the grant.

Councilman Nichols added that progress is very slow because of the solid rock about two feet (2') down. They have been grinding rock out there for the last seven (7) or eight (8) years. Trying to install a storm sewer into that rock is slow going and very expensive.

Ayes: Monday, Nichols, Russel, 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.

ORDINANCES

ORDINANCE NO. 2013-026 (*Dietsch Bros – W Main Cross 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 DIETSCH BROTHERS REZONE) WHICH PREVIOUSLY WAS ZONED "11 LIGHT INDUSTRIAL" TO "C3 DOWNTOWN COMMERCIAL".

Councilman VanDyne moved to adopt the Ordinance, seconded by Councilman Monday. Ayes: Nichols, Russel, Slough, Spence, VanDyne, Ward, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-026 and is hereby made a part of the record.

ORDINANCE NO. 2013-030 (*Wagner alley vacation*) **First reading**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS WAGNER ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the ordinance.

ORDINANCE NO. 2013-031 (*Reichenbach rezone*) **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 REICHENBACH REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL DISTRICT" TO "C3 DOWNTOWN COMMERCIAL".

First reading of the ordinance.

ORDINANCE NO. 2013-032 (*Houtz alley vacation*) **First reading**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS HOUTZ ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the ordinance.

ORDINANCE NO. 2013-033 (*appropriation of funds*) **First reading** **Adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Nichols moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilwoman Spence seconded the motion. Ayes: Russel, Slough, Spence, VanDyne, Ward, Monday, Nichols. The Ordinance received its second and third readings. Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Slough, Spence, VanDyne, Ward, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-033 and is hereby made a part of the record.

UNFINISHED BUSINESS:

Old Business – none.

New Business:

Councilman VanDyne welcomed Councilman Russel and noted that his appointment by the committee was a good choice.

Councilman Monday noted that seventy (70) of our veterans and seventy (70) guardians are accompanying them in Washington DC right now to see the monuments, which is a great opportunity for them. Coordinating this is a monumental task that is always put together well. He thanked our veterans for what they have done for us.

Councilwoman Spence made a motion to excuse the absence of Councilmen Murray and Schedel as they are on the honor flight that Councilman Monday just mentioned. All were in favor.

Service-Safety Director Schmelzer noted that the Engineering Department in coordination with the Wastewater Treatment Plant are diligently trying to catch up on the MS4 program that was initiated in 2009. We are mandated by the EPA as a MS4 agency. He asked to update Council on where they are at with that program during a Water and Sewer Committee meeting preferably within the next month. Councilman Monday is the chair of that committee.

Councilman Slough asked if there is a new Director lined up for the Water Treatment facility. Service-Safety Director Schmelzer replied that Dave Beach will take over. Councilman Slough then asked when that will become effective. Service-Safety Director Schmelzer replied in July.

Councilwoman Spence received a phone call from a concerned citizen who told her that the green waste site drop-off location was not open this week. She asked what the hours are and if there was a reason it is not available this week. Service-Safety Director Schmelzer replied he is not aware of any reason why it is closed, but noted that hours have been restricted. The hours are posted on the City's website.

President Pro-Tem Ward noted that there are no agenda items for the next Appropriations Committee meeting on June 11, 2013, and asked if a meeting is needed. After a general consensus, it was determined that the June 11, 2013 Appropriations Committee meeting is cancelled.

President Pro-Tem Ward adjourned Council at 7:55pm.



CLERK OF COUNCIL



PRESIDENT OF COUNCIL PRO-TEM