

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

August 20, 2013

COUNCIL CHAMBERS

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

ABSENT: Murray, Ward

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

MINUTES:

Councilwoman Spence moved to accept the August 6, 2013 Regular Session City Council meeting minutes. Seconded by Councilman VanDyne. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA – none.

PROCLAMATIONS – none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 030-2013 (*Robert Holmes retirement*)

First reading

Adopted

A RESOLUTION COMMENDING ROBERT HOLMES FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

Councilman Nichols moved to adopt the Resolution, seconded by Councilman VanDyne.

Discussion:

Councilman Nichols noted that he cannot believe that one of his former students is retiring. He doesn't think he is retiring, but is just shifting gears because as everyone knows, he is fine craftsman and carpenter. He wished Mr. Holmes the best of luck.

Ayes: Monday, Nichols, Russel, Schedel, Slough, Spence, VanDyne. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

ORAL COMMUNICATIONS:

Patti Gill – cleaning of the Blanchard River

Ms. Gill is glad to hear the river is going to be cleaned and asked when that will start. She is very thankful Findlay did not have a big rain during the rib off or balloonfest as it would have flooded everyone around the park because when it rains, it floods that area. She does not understand why Findlay has to wait to clean the river when Arlington and Liberty-Benton are cleaning rivers in their area. Liberty-Benton is cleaning the river west of Melrose. A resident there took pictures in a couple of times and got results. Ms. Gill has been before City Council numerous times, but feels nothing has been done. She feels that no one cares about the south end of Findlay (i.e., Blanchard Street, Second, Third, Fourth and Fifth Streets) as those areas have been flooded many times. When Ms. Gill moved to Findlay thirty-five (35) years ago, the field in that area held the water, but now that there are thirteen (13) houses, it floods. She asked Councilmembers if anyone went to look at the situation on South Blanchard Street on the east side of the bridge. There is a lot of brush piled up and it continues to accumulate. Ms. Gill passed out photographs of the debris in the river. She would like the river to be cleaned out before the next rain because water cannot get through. The debris does not seem to accumulate on the west side, but does on the east side.

Discussion:

Service-Safety Director Schmelzer replied that this is a County Commissioners project. He will check on the timeline of when they will be in that area and will let Ms. Gill know.

WRITTEN COMMUNICATIONS – none.

PETITIONS:

Zoning amendment request – 124 and 124 ½ Center Street

G. Jeanne Wasboro has requested a zoning change for 124 and 124 ½ Center Street from R3 single family, high density to M2 multiple family, high density. The property is currently a duplex, and Ms. Wasboro wishes to change it to a triplex. Referred to City Planning Commission and Planning & Zoning Committee.

Zoning amendment request – 1806, 1810, 1822, and 1849 Payne Avenue

Wendy McCormick, Habitat for Humanity, has requested a zoning change for 1806, 1810, 1822, and 1849 Payne Avenue from R2 single family, medium density to R3 single family, high density. The property is currently vacant, and Ms. McCormick wishes to change it to a triplex. Referred to City Planning Commission and Planning & Zoning Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City of Findlay Board of Zoning Appeals minutes – July 11, 2013. Filed.

N.E.A.T. Departmental Activity Report – June and July 2013. Filed.

Service-Safety Director Paul Schmelzer – US Route 224 (Section 15.67); ODOT PID #92452 Tiffin Avenue Signal Synchronization; Project #32894000

The Ohio Department of Transportation (ODOT) is finalizing details for this project. Preliminary legislation Ordinance No. 2012-008 was adopted by Council on January 17, 2012, and the City's share of the construction funding was appropriated with Ordinance No. 2013-022. At this time, adoption of a final Resolution prepared by ODOT is needed. ODOT will then bid and contract the project for construction. Resolution No. 031-2013 was created. Filed.

Service-Safety Director Paul Schmelzer – ODOT FY14 Resurfacing (PID 95298), Project No. 32832300

The City is eligible for Federal Urban Allocation Funds administered through the Ohio Department of Transportation (ODOT). This project is eligible for this type of funding. In 2013, these funds were used for the manhole adjustments and resurfacing. This project will be funded by ODOT at eighty percent (80%) which is an estimated seven hundred thirty-eight thousand four hundred dollars (\$738,400.00) with a twenty percent (20%) match from the City. The City's matching share is included in the 2014 5-year Capital Improvements Plan. Legislation authorizing the Service-Safety Director to enter into a project agreement with ODOT is requested. Resolution No. 032-2013 was created.

Discussion:

Councilman Slough asked if this is for Sandusky Street. Service-Safety Director Schmelzer replied that this is not. Sandusky Street resurfacing will be done by ODOT. There is a list of routes that are eligible in the City for the MPO funding. This can be applied to that, or a project like what was done for MR manhole, or the money can be banked. He would like to use the money for resurfacing to catch up on resurfacing projects rather than bank it. Once resurfacing projects are caught up, the money can then be banked for longer term capital improvement projects. For short term projects (next 2-3 years), he recommends using the money for resurfacing. Filed.

Mayor Lydia Mihalik – transfer of funds

Mayor Mihalik will be traveling to Japan from September 6, 2013 – September 15, 2013 with a contingent of representatives from Hancock County, The Findlay-Hancock County Alliance, the University of Findlay, and a business leader in the community in order to continue the good relations the City of Findlay has with the Japanese companies that have chosen Findlay to be their home. The approximate cost of the trip is four thousand dollars (\$4,000.00). Legislation to transfer funds is requested. Resolution No. 033-2013 was created.

FROM:	Human Resources #21018000-personal services	\$ 4,000.00
TO:	Mayor #21002000-other	\$ 4,000.00

Discussion:

Councilman VanDyne noted that as Council's representative for Economic Development and also as Co-Chair of the International Committee, he is glad the Mayor is going on this trip. He has heard a lot about the trip and feels it will be an excellent trip with potential opportunities in the future.

Councilwoman Spence asked for clarification that costs for this transfer of funds is for just airfare and lodging. Mayor Mihalik replied it is. Filed.

Service-Safety Director Paul Schmelzer – 2013 Sewer Cleaning (large diameter), Project No. 35630400

By authorization of Ordinance No. 2013-022, bids were opened for this project on July 25, 2013. Bids were received from two (2) potential contractors with a contract in the amount of one hundred twenty-nine thousand three hundred dollars (\$129,300.00) being awarded to Lake County Sewer of Willowick, Ohio. The project is included in the 2013 Capital Improvements Plan. Legislation to appropriate funds is requested which allows for ten percent (10%) contingency and inspection time. Ordinance No. 2013-056 was created.

FROM:	Sewer Fund	\$ 150,000.00
TO:	2013 Sewer Cleaning (Large Diameter) Project #35630400	\$ 150,000.00

Discussion:

Service-Safety Director Schmelzer noted that the second lowest bidder for this project was United Resource with a bid of two hundred eighty-two thousand dollars (\$280,000.00). This will be about five thousand (5,000) linear feet of sewer.

Councilman Nichols noted that he is surprised that Lake County Sewer would come from Willowick, Ohio (east side of Cleveland) to Findlay to do a project. Service-Safety Director Schmelzer replied that they are consistently a low bidder. There was a one hundred sixty thousand dollar (\$160,000.00) bid difference between the first and second place bids.

Councilman Slough asked how much total we have if this will be five thousand (5,000.00) linear feet. Service-Safety Director Schmelzer replied that he does not know as this will be going from twenty-four inch (24") to sixty-six inch (66") and larger. He will check and will get back with Councilman Slough. Councilman Slough then asked if this is twenty-five percent (25%) of what we had. Service-Safety Director replied he does not think it is close to that. Filed.

City Auditor Jim Staschiak – Workers Compensation programs

Legislation authorizing the City to participate in the Bureau of Workers Compensation group retrospective rating program in on the August 20, 2013 City Council agenda. It is necessary to have Council's approval each year to enroll in the program. This Ordinance must be passed by the second meeting in September. The financial benefits of each program the Bureau offers is reviewed and analyzed throughout the year by the Auditor's Office with the assistance of Comprmanagement, Inc., the City's third party administrator. Consideration was given to each option and it has been determined that the group retrospective rating program would best serve the needs of the City in 2014. This is a change from the individual retrospective rating program the City has participated in since 2010. The group program significantly reduces our liability over the current program at no increase in overall cost. Ordinance No. 2013-055 was created.

City Auditor Jim Staschiak – 4th Bond Counsel legislation

On July 16, 2013, Council passed three (3) ordinances allowing the City to package a debt issuance with the intent on reducing interest costs and allow proper management of cash flow in the Water and Water Pollution Control Center funds. As part of debt issuance being considered, it is advantageous to pass legislation to include the current sidewalk program, estimated twenty-five thousand dollars (\$25,000.00). By adding this, it allows the City to further benefit from the economies of scale we hope to obtain. Ordinance No. 2013-050 was created by Bond Counsel. Filed.

Discussion:

Councilman Slough asked that by lumping this all together, if we are cutting down the number of years on the previous bonds that we have had. City Auditor Staschiak replied it is not. The way some of the debt issuances were originally done, we are not permitted to do that. We have to keep the same amortization and the same schedule, but if we can save on the interest in the end, it is beneficial to us. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for BWW Findlay LLC dba Buffalo Wild Wings, located at 15080 Flag City Drive & Patio, Findlay, Ohio for a D5 and D6 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – BWW Findlay LLC dba Buffalo Wild Wings, located at 15080 Flag City Drive & Patio, Findlay, Ohio. A check of the records shows no criminal record on the following:

Michael Mastro
Lori Mastro

Councilman Nichols moved for no objections be filed. Seconded by Councilman Slough. 6 Council members in favor, 1 opposed. Filed.

Treasurer's Reconciliation Report – July 31, 2013. Filed.

Budget Summary of Year-To-Date Information Report/Cash & Investments Report as of July 31, 2013. Filed.

Service-Safety Director Paul Schmelzer - Street Improvements 2013

Additional funds are being requested for the street preventative maintenance program and the street resurfacing program. Both of these are regular items on the Capital Improvements Plan and are well ahead of schedule. Service-Safety Director Schmelzer would like to move ahead on the street improvements if funding and schedule are available. He would like to appropriate one hundred fifty thousand dollars (\$150,000.00) to street preventative maintenance and three hundred fifty thousand dollars (\$350,000.00) to the 2013 street resurfacing project. The streets chosen to be improved will be taken from the pavement ranking list and coordinated with the contractor to ensure any project started will be completed. The City can waive the formal bidding process and move forward at the same unit prices because the low bid primary contractor is willing to hold the pricing established during the initial bidding of the project for this season. If Council approves the appropriation, these projects can move forward immediately allowing more work to get done as the need has already been established. The 5-year capital plan would allow funding to be available next year. With little control over the weather and with unit prices already locked in from the initial bidding process for this year, the Service-Safety Director recommends moving forward to start on this project yet this year. While he is not opposed to having this appropriation request go through the Appropriations Committee, it seems redundant and will postpone the start of the projects. Legislation to waive formal advertising and bidding, enter into a contract or contracts, and appropriate funds is requested. Ordinance No. 2013-056 was created to appropriate funds and 2013-057 was created to authorize waiving bidding processes and enter into a contract.

FROM:	Capital Improvements – CIT	\$ 500,000.00
TO:	Streets Preventative Maintenance #32820200	\$ 150,000.00
TO:	2013 Resurfacing Program #32830100	\$ 350,000.00

Discussion:

Councilman Slough asked how many more streets we will be able to pick up as a result of this. Service-Safety Director Schmelzer replied that he cannot answer that at this point because they need to get together and scope it with the contractor. He wants to make sure that if the project is started, it is finished. At this point, he needs to know if Council is interested in getting more work done this year. If so, after tonight, we will sit down with the contractor and coordinate what we can take off that list and determine what we can get done this year. Whether or not we get through the entire three hundred fifty thousand dollars (\$350,000.00) or not with the contractor is weather dependent. The Street Department is prepared to get the one hundred fifty thousand dollars (\$150,000.00) additional work done this year. Once it is scoped, he will report back to Council what will be added to the list for this year.

Councilman Nichols agrees with Service-Safety Director Schmelzer that we should put down as much blacktop as we possibly can. He asked if the contractor will give the same bid prices once the bid process is set. Service-Safety Director Schmelzer replied that through the bidding process for the one million one hundred thousand dollars (\$1,100,000.00) that has already been spent, we identified who the low bidder was. We then asked him that if the City decides to move ahead immediately, if he would hold the unit prices that he had under the current contract. He replied he would. If Council chooses to waive the advertising and bidding processes, we will be able to get the same unit prices. If it is scoped and bid out, there is no doubt we would lose at least a month and a half trying to determine what exactly it is we were going to do, put the bid packages together and may end up in the same unit price position that we are now. Filed.

Service-Safety Director Paul Schmelzer – Great Lakes Restoration initiative grant

Phil Martin with the Blanchard River Watershed Partnership is in the process of pursuing a grant through the EPA and the Great Lakes Restoration Initiative Grant for ninety-two thousand dollars (\$92,000.00) to create a riparian corridor along Lye Creek near the Blanchard River to create a wildlife habitat in this area, and if implemented, this area would no longer need to be mowed by City crews. This would not require a match from the City. If the grant is awarded, Council's permission to move grant dollars into a project for design and implementation would be needed. The maintenance dollars required after the project is completed will be minimal. Legislation authorizing the Service-Safety Director to pursue the grant is requested. Ordinance No. 2013-058 was created.

Discussion:

Councilman Schedel noted that the Service-Safety Director just got back from a meeting with the Army Corp of Engineers, so he asked if this area is going to be impacted by their proposals. Service-Safety Director Schmelzer replied that it would only impact the structural impact to this area. The Army Corp of Engineers and the EPA both look highly on this type of habitat being created in floodplains. The City might even get credit for it for this grant towards our flood mitigation efforts. Filed.

Mayor Lydia Mihalik – revamp City’s website

The City is in the process of revamping the City’s website. This will require an addition one thousand one hundred dollars (\$1,100.00) to complete the project. A transfer of funds is requested. Resolution No. 033-2013 was created.

FROM: Human Resources #21018000-personal services
TO: Mayor #21002000-other

\$ 1,450.00
\$ 1,450.00

Discussion:

Councilwoman Spence asked when the launch of the new website might be. Mayor Mihalik replied that they are hoping to get the content transfer done which will take awhile because there is a lot of redundancy that is already built into our current website. We are looking into the design. Justin Weddington in our Computer Services Department and Councilman Russel are working on this project. It is their hope to have it completed within the next four to six (4-6) months.

Councilman Russel is glad this is finally getting done. He recently completed walk through in the City where this is one of the most common complaints he heard is that our website needed work. He appreciates the fact that this has been made a priority so it can get fixed. Mayor Mihalik replied that it is a direct result of what was brought out of the strategic plan as being an important initiative and will work to follow through with our priorities. Filed.

COMMITTEE REPORTS:

A COMMITTEE OF THE WHOLE to whom it was referred a request from Councilman Murray to discuss the proposed CRA expansion. Councilman Nichols moved to adopt the committee report. Councilman VanDyne seconded the motion. All were in favor. Filed.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 030-2013 - See page 1

RESOLUTION NO. 031-2013

First reading

Adopted

(ODOT – US 224 (Section 15.67); ODOT PID #92452 Tiffin Avenue Signal Synchronization; Project #32894000)

A FINAL RESOLUTION COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE TRAFFIC SIGNAL SYNCHRONIZATION PROJECT TO REDUCE CONGESTION AND IDLE TIME ON TIFFIN AVENUE BETWEEN PLAZA STREET AND COUNTY ROAD 236; TRAFFIC SIGNAL REPLACEMENT AT THE INTERSECTIONS OF TIFFIN AVENUE/CROY DRIVE, AS WELL AS SIGNAL UPGRADES IN THE CORRIDOR, LOCATED WITHIN THE CORPORATE LIMITS OF CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

Councilman VanDyne moved to suspend the statutory rules of Council and give the Resolution its second and third readings, seconded by Councilman Slough. Ayes: Nichols, Russel, Schedel, Slough, Spence, VanDyne, Monday. The Resolution was given its second and third readings. Councilwoman Spence moved to adopt the Resolution, seconded by Councilman Nichols.

Discussion:

Councilman Slough asked if this has been going on for about eight (8) years now. Service-Safety Director Schmelzer replied it has.

Ayes: Russel, Schedel, Slough, Spence, VanDyne, Monday, Nichols. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

RESOLUTION NO. 032-2013 *(ODOT – street resurfacing)*

First reading

Adopted

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY TO ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) AUTHORIZING THE USE OF FEDERAL URBAN ALLOCATION FUNDS FOR THE STREET RESURFACING PID95298 - PROJECT NO. 32832300, AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the statutory rules of Council and give the Resolution its second and third readings, seconded by Councilman Schedel. Ayes: Schedel, Slough, Spence, VanDyne, Monday, Nichols, Russel. The Resolution received its second and third readings. Councilman Nichols moved to adopt the Resolution, seconded by Councilman VanDyne. Ayes: Slough, Spence, VanDyne, Monday, Nichols, Russel, Schedel. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

RESOLUTION NO. 033-2013 *(Japan travel expenses; revamp City’s website)*

First reading

Adopted

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS AND DECLARING AN EMERGENCY.

Councilman VanDyne moved to suspend the statutory rules of Council and give the Resolution its second and third readings, seconded by Councilman Nichols. Ayes: Spence, VanDyne, Monday, Nichols, Russel, Schedel, Slough. The Resolution was given its second and third readings. Councilman Nichols moved to adopt the Resolution, seconded by Councilman VanDyne. Ayes: VanDyne, Monday, Nichols, Russel, Schedel, Slough, Spence. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

RESOLUTION NO. 034-2013 *(correct Ordinance No. 2013-045)*

First reading

Adopted

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS AND DECLARING AN EMERGENCY

Councilman Nichols moved to suspend the statutory rules of Council and give the Resolution its second and third readings, seconded by Councilman Monday. The Resolution was given its second and third readings. Ayes: Monday, Nichols, Russel, Schedel, Slough, Spence, VanDyne. Councilman VanDyne moved to adopt the Resolution, seconded by Councilman Nichols. Ayes: Nichols, Russel, Schedel, Slough, Spence, VanDyne, Monday. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

ORDINANCES

ORDINANCE NO. 2013-046 *(Rockwell rezone)*

Second 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 ROCKWELL REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "R3 SINGLE FAMILY".

Second reading of the Ordinance.

ORDINANCE NO. 2013-047 *(Hillcrest rezone)*

Second 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 HILLCREST REZONE) WHICH PREVIOUSLY WAS ZONED "R1 SINGLE FAMILY LOW DENSITY" TO "O1 INSTITUTUIONS AND OFFICES.

Second reading of the Ordinance.

ORDINANCE NO. 2013-048 *(Griffith ROW vacation)*

Second reading

AN ORDINANCE VACATING A PORTION OF FIFTH STREET RIGHT-OF-WAY (HEREINAFTER REFERED TO AS GRIFFITH RIGHT-OF-WAY VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

ORDINANCE NO. 2013-050 *(4th Bond Council ordinance)*

First reading

Adopted

AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$25,000 FOR THE PURPOSE OF REPAIRING SIDEWALKS AND INSTALLING NEW SIDEWALKS, INCLUDING ALL APPURTENANCES THERETO; AND AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY.

Councilman VanDyne moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Russel seconded the motion. Ayes: Russel, Schedel, Slough, Spence, VanDyne, Monday, Nichols. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Schedel, Slough, Spence, VanDyne, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-050 and is hereby made a part of the record.

ORDINANCE NO. 2013-051 *(Parking Authority)*

First reading

Adopted

AN ORDINANCE AMENDING SECTIONS 147.01 AND 147.03 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman VanDyne seconded the motion. Ayes: Slough, Spence, VanDyne, Monday, Nichols, Russel, Schedel. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman VanDyne. Ayes: Spence, VanDyne, Monday, Nichols, Russel, Schedel, Slough. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-051 and is hereby made a part of the record.

ORDINANCE NO. 2013-052 *(DFID -- proceed with assessment)*

First reading

Adopted

AN ORDINANCE DETERMINING TO PROCEED WITH THE PROVISION OF THE ENHANCED PUBLIC SERVICES IN THE DOWNTOWN FINDLAY SPECIAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

Councilman VanDyne moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Nichols seconded the motion. Ayes: VanDyne, Monday, Nichols, Russel, Schedel, Slough, Spence. The Ordinance received its second and third readings. Councilman VanDyne moved to adopt the Ordinance, seconded by Councilman Nichols.

Discussion:

Councilman VanDyne asked if this is the last piece of legislation for DFID. Law Director Rasmussen replied it is and that it will have to be filed by September 9, 2013. In talking with the City Auditor, we are going to file it on September 6, 2013. Once those assessments are made, property owners have thirty (30) days to pay it in full if they so choose. We have received a check for this project, but have to return because it was for the wrong amount. Property owners can either assess it to their taxes, or pay in full. Councilman VanDyne thanked the Administration for all their hard work on this project.

Ayes: Monday, Nichols, Russel, Schedel, Slough, Spence, VanDyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-052 and is hereby made a part of the record.

ORDINANCE NO. 2013-053 *(Darway annexation - accepting annexation)*

First reading

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF LIBERTY, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF SECTION 11, T1N, R10E, A TRACT OF LAND CONTAINING 3.833 ACRES OF LAND, MORE OR LESS AND FURTHER DESCRIBED HEREIN, AND TO PETITION THE COUNTY COMMISSIONERS TO ALTER THE BOUNDARIES IN ACCORDANCE WITH SECTION 503.07 (HEREINAFTER REFERED TO AS THE DARWAY ANNEXATION).

First reading of the Ordinance.

ORDINANCE NO. 2013-054 (*Darway annexation – 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 ZONING THE FOLLOWING DESCRIBED PROPERTY AS C2 GENERAL COMMERCIAL DISTRICT (HEREINAFTER REFERRED TO AS THE DARWAY ANNEXATION).

First reading of the Ordinance.

ORDINANCE NO. 2013-055 (*join Workers Compensation programs*)

First reading

Adopted

AN ORDINANCE AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO ENROLL THE CITY OF FINDLAY IN THE BUREAU OF WORKER'S COMPENSATION (BWC) GROUP RETROSPECTIVE RATING PLAN, AND DECLARING AN EMERGENCY.

Councilman Nichols moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman VanDyne seconded the motion. Ayes: Nichols, Russel, Schedel, Slough, Spence, VanDyne, Monday. The Ordinance received its second and third readings. Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman VanDyne.

Discussion:

Auditor Staschiak noted that this is a significant and positive change for the City because when we entered into the individual retrospective rating program, we self-insured a large portion of Workers Compensation. It forced additional liability on the City in exchange for reduced cash flow. It was a good move at the time considering the economy and things that were happening with the City. Fortunately, because of the improvements and things that are happening within the City, this is a good opportunity to reduce our workers compensation liability within the next calendar year from just under a half million dollars (\$500,000.00) down to fifty thousand dollars (\$50,000.00) in outside exposure. Comparing that to the last three (3) years of individual retro expenses, total outside liability (potential incurred losses) could be as much as one million eight hundred thousand dollars (\$1,800,000.00). This is a big and positive change with the improvements and enhancements of things that have happened, so the Bureau is able to do this.

Councilwoman Spence asked why this is an emergency if it does not happen until next year. Auditor Staschiak replied because the application process is lengthy and because of what is going on at the State level. Ohio pays Workers Compensation in arrears, but we collect it in the calendar year that it is incurred for. We will apply the first part of October for Workers Compensation for 2014, and collect it throughout calendar year 2014 and pay it the first quarter of 2015. The State is going to attempt to change the program to collect forward. We are hoping they do with us what they have done with the private sector and forget six (6) months worth of premiums. If they do, by switching this program and creating the savings, and should that pan out in how they are doing it, we are switching at a time when we can take advantage of a good cash flow situation.

Ayes: Russel, Schedel, Slough, Spence, VanDyne, Monday, Nichols. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-055 and is hereby made a part of the record.

ORDINANCE NO. 2013-056 (*appropriation of funds*)

First reading

Adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Slough seconded the motion. Ayes: Schedel, Slough, Spence, VanDyne, Monday, Nichols, Russel. The Ordinance received its second and third readings. Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Slough, Spence, VanDyne, Monday, Nichols, Russel, Schedel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-056 and is hereby made a part of the record.

ORDINANCE NO. 2013-057 (*street preventive maintenance & street resurfacing programs*)

First reading

Adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS WITH NEWCOMER CONCRETE SERVICES, INC. FOR 2013 STREET PREVENTATIVE MAINTENANCE AND STREET RESURFACING PROGRAMS, AND DECLARING AN EMERGENCY.

Councilman VanDyne moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilwoman Spence seconded the motion. Ayes: Spence, VanDyne, Monday, Nichols, Russel, Schedel, Slough. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: VanDyne, Monday, Nichols, Russel, Schedel, Slough, Spence. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-057 and is hereby made a part of the record.

ORDINANCE NO. 2013-058 (*Great Lakes Restoration Initiative grant*)

First reading

Adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION THROUGH THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND THE GREAT LAKES RESTORATION INITIATIVE GRANT PROGRAM, AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Nichols seconded the motion. Ayes: Monday, Nichols, Russel, Schedel, Slough, Spence, VanDyne. The Ordinance received its second and third readings. Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Nichols, Russel, Schedel, Slough, Spence, VanDyne, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-058 and is hereby made a part of the record.

UNFINISHED BUSINESS:

New Business:

Councilman Slough thanked City employees. Parks and Recreation Department put on a softball tournament at the CUBE two weeks ago. Even though Mother Nature was not cooperating, City employees were out at 4:00am getting the fields ready to play. The end result was that the head of this tournament gave many compliments about how great our facilities were, this generating a possibility for something bigger next time which would include the eastern portion of the United States. He also thanked City employees for their involvement at the Balloonfest. For every event our community puts on, City employees are in the background putting in lots of work and hours for them. He thanked both the Parks and Recreation Department, and the Street Department for all their hard work they did in order to help these events to take place. Service-Safety Director Schmelzer added that all the volunteers that worked with the City to pull the events off have a lot of economic impact and should be recognized for that.

Councilman Russel noted that about a month ago, he attended a wedding reception at the CUBE. Everyone who attended could not believe where they were at as it was spectacular. It is probably the only facility outside of the University that can hold a reception of its size. The bride's parents were extremely complimentary of Lu Draper and her crew who were great to work with and helped pull it off. This was financially beneficial to the City.

City Auditor Staschiak added to the Mayor's comments earlier this week on the radio about the City's health plan. City employees pitched in their time and hard work. Former Mayor Sehnert had increased the cost of the plan to forty-three percent (43%) and formed a Health Committee that this Administration worked with. The City is now at the point where we now have the necessary reserve to pay those bills. With that reserve and due to the hard work of Corporate One Benefits as our new broker, plus the additional savings of less costs on the medical side, plan costs will be lower than budgeted allowing a de-appropriation of a full month of health insurance premiums of just over four hundred thousand dollars (\$400,000.00). Once we know what that exact figure is, a de-appropriation ordinance will be brought to City Council.

Councilman Nichols asked Phil Martin from the Blanchard River Watershed Partnership (BRWP) who was in the audience to come forward and inform Council on what the Great Lakes Restoration Initiative (GLRI) grant entails (i.e. what the wildlife area will be like). Mr. Martin explained that it is a guarantee grant that two years ago, the partnership wrote a watershed action plan for Lye Creek where it was endorsed. GLRI made the Blanchard River a local watershed for money for the last two years. Money that has come in is approaching four million dollars (\$4,000,000.00) from various agencies and the like. Russ Gibson from the Ohio EPA applied for monies specifically for Lye Creek because Lye Creek of the subwatersheds within the outlet of Lye Creek watershed was the one with the greatest impairments. BRWP received about five hundred fifty thousand dollars (\$550,000.00) from the US EPA for BRWP's use. Four hundred thousand dollars (\$400,000.00) of that was used for a grant that went through Hancock Soil and Water Conservation District to address agricultural BMPs within Lye Creek. Fifty-three thousand dollar (\$53,000.00) of that went to the Hancock County Board of Health to offer five thousand dollars (\$5,000.00) to ten different home owners in Lye Creek who, no matter what their income is, who need to repair or replace failing septic systems. The remaining ninety-two thousand dollars (\$92,000.00) was originally earmarked for the Hancock Park District, but the Hancock Park District does not have any land in the Lye Creek area, so Russ Gibson approached him to see whether or not the City of Findlay would be interested in that money. He and Gary Pruitt from the Hancock Park District met with City Officials to look at East Main Cross Street just by the mouth where there is about three acres that are open on both sides of Lye Creek. In working with Mike Pniewski from the Army Corp of Engineers to make sure that a riparian corridor would be good in there. What a riparian corridor does is plants floodplain hardy trees in there and ditches that are designed to absorb a lot of water slowing down floodwater and absorbs nutrients and the like. Riparian corridors are very high on the Army Corp's list of ways of taking care of problems along streams and ditches to stabilize the banks. Guaranteed monies have a due date of September 1, 2013 in order to get the application for the grant filled out on time. He already has ninety percent (90%) of the grant filled out. He now needs to meet with the Service-Safety Director to finalize some figures. There will probably be some money available for city maintenance for the first couple of years. If BRWP gets this grant in as early as August 26, 2013, the City of Findlay will receive a contract from the Ohio EPA because this is money that is actually BRWP's as long as the grant is applied for and everything is in place by early September 2013.

Councilman Schedel made a motion to excuse the absence of Councilman Murray and Councilman Ward. Seconded by Councilman Nichols. All were in favor.


Councilman Schedel (in Councilman Murray's absence): **PLANNING & ZONING COMMITTEE** meeting on August 27, 2013 at 4:30pm, third floor conference room of the Municipal Building (CR1).

Agenda: 1. CRA recommendation

Old Business:

President J. Slough adjourned Council at 8:32pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL