

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

December 3, 2013

COUNCIL CHAMBERS

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

ABSENT: Murray, Schedel

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

MINUTES:

Councilman Ward moved to accept the November 19, 2013 Regular Session City Council meeting minutes. Councilman Monday seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Ward pointed out what additions and replacements are requested for tonight's agenda. Councilwoman Spence moved to add and replace the following to tonight's agenda. Councilman Nichols seconded the motion. All were in favor. Motion carried.

ADD-ON:

- RESOLUTION NO. 050-2013 = CRA #2
- ORDINANCE NO. 2013-083 = Beecher St/Jennifer Ln replacement sanitary sewer (**LEGISLATION** section)
- ORDINANCE NO. 2013-084 = .006 acres of ROW (I-75 corridor widening project) (**LEGISLATION** section)

REPLACEMENTS:

- RESOLUTION NO. 047-2013 AS AMENDED (**LEGISLATION** section).

— **pg 2, SECTION 1:**

from:

SECTION 1: That Council hereby amends the boundaries of "Community Reinvestment Area #1" area as follows:

Situated in the City of Findlay, County of Hancock and State of Ohio:

Each and all of the parcels of land located within the corporate limits of the City of Findlay, County of Hancock and State of Ohio.

to now be:

SECTION 1: That Council hereby amends the boundaries of "Community Reinvestment Area #1" area as follows:

Situated in the City of Findlay, County of Hancock and State of Ohio:

Each and all of the parcels of land located within the corporate limits of the City of Findlay, County of Hancock and State of Ohio excepting, however, those parcels included in "Community Reinvestment Area #2."

- **pg 4, SECTION 3 (A) (2)**

from:

pg 4, SECTION 3 (A) (2):

(2) For new construction of a residential dwelling on a previously built upon parcel, wherein the median age of the homes within the subdivision are fifty (50) years of age or older, a four (4) year exemption.

to now be:

pg 4, SECTION 3 (A) (2):

(2) For new construction of a residential dwelling on a previously built upon parcel, wherein the median age of the homes in the area is fifty (50) years of age or older, a four (4) year exemption. For purposes of this section, the term "area" shall be defined as the properties located within a two hundred fifty feet (250') radius of the applicant's property.

- **pg 4, SECTION 4:**

from:

pg 4, SECTION 4:

That in the event the affected property resides within both Community Reinvestment Area #1 as well as Community Reinvestment Area #2, the applicant may elect to make application under either CRA #1 or CRA #2, whichever provides the greatest tax benefit to applicant. In no event shall applicant be entitled to receive the tax benefits provided under both CRA #1 and CRA #2 at the same time for any certain parcel or parcels of land.

to now be:

Every five (5) years, for those projects incentivized based upon investment, said investment figures shall be adjusted based upon the Midwest Region Consumer Price Index (CPI-U) for all urban consumers, for all items, as published by the Bureau of Labor Statistics. For purposes of this provision, said numbers shall not be seasonally adjusted.

PROCLAMATIONS – none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 048-2013

First reading

Adopted

A RESOLUTION COMMENDING POLICE OFFICERS DON DAWSON, DOUG MARSHALL, AND MORGAN GREENO FOR THE ACTIONS THEY TOOK DURING LIFE-SAVING EVENTS WITHIN THE CITY OF FINDLAY, OHIO.

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

Discussion:

Councilwoman Spence thanked the Police Department for all their hard work. She appreciates their efforts. This is one of those opportunities where Council gets to say thank you.

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.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS – none.

PETITIONS:

Van Horn, Hoover & Associates, Inc. Daniel Stone P.E., P.S. – waterline extension to 10472 Twp Rd 94

On behalf of their client John Murray, they request Findlay City Council to extend a city waterline to 10472 Township Road 94 in Liberty Township. They are requesting the waterline be extended from an existing twelve inch (12") waterline located at the west end of Judith Ridge Tract. That waterline was extended a few years ago. Approval of a waterline extension has been granted in the past for the development of Plantation Ridge, but the waterline was never extended. The Auditor's map showing the extension limits is provided. Referred to the Water and Sewer Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay City Board of Health minutes – October 16, 2013. Filed.

City Planning Commission agenda – December 12, 2013. Filed.

Mayor Lydia Mihalik – appointment to HRPC Board

Mayor Mihalik is asking for a confirmation of Dennis Bash to the Hancock Regional Planning Commission Board. Mr. Bash has expressed a desire to serve the community as a member of the Hancock Regional Planning Commission Board. He will be filling the unexpired term of Dan Clinger who has been appointed to the City Planning Commission. This appointment will be effective through December 31, 2014. This appointment requires the confirmation of Findlay City Council.

Councilman Nichols moved to accept the confirmation of appointing Mr. Bash to serve on the HRPC Board. Seconded by Councilman Ward. All were in favor. Filed.

Service-Safety Director Paul Schmelzer – appropriation for MARCS

The MARCS system that the City uses for radio communication requires an upgrade. The capital plan from last year showed the seven hundred thousand dollar (\$700,000.00) expenditure under the Police capital budget as the P-25 MARCS conversion. If the City is to continue utilizing the MARCS system for City communication and statewide emergency response connectivity, this hardware upgrade is a necessity. If the system is contracted before December 6, 2013, the City can receive discounts from MARCS and Motorola, as well as obtain some credit for the consoles the City already owns. An Appropriations Committee meeting to follow the Committee of the Whole meeting on November 26, 2013 is requested. If Council approves the Service-Safety Director enter into a purchase contract, he will continue negotiations with Motorola and MARCS. The latest proposal for the consoles is three hundred ninety-seven thousand six hundred sixty-one dollars (\$397,661.00). If the agreement is executed yet this year, savings will be approximately twenty-seven thousand nine hundred dollars (\$27,900.00).

The five year capital plan explains who this purchase will positively impact the overall plan. This purchase was planned and documented as a proposed purchase in 2014. He is requesting to move the purchase forward into 2013 at a lower cost in order to save money. This is similar to the process that was used when additional funding was put into the paving plan for 2013 in order to take advantage of low unit prices.

An appropriation of four hundred thousand dollars (\$400,000.00) to the P-25 MARCS conversion is requested.

The Airport has reported the need to purchase more jet fuel. An appropriation of ninety thousand dollars (\$90,000.00) is requested. This purchase would cover fuel purchases for the remainder of this year and into the beginning of 2014. Ordinance No. 2013-081 was created.

| | |
|-----------------------------|--------------|
| FROM: General Fund | \$ 90,000.00 |
| TO: Airport Fund | \$ 90,000.00 |
| FROM: Airport Fund | \$ 90,000.00 |
| TO: Airport #25010000-other | \$ 90,000.00 |

Discussion:

Councilman Slough asked if our Officers use encryption. Service-Safety Director Schmelzer replied they do. Councilman Slough then asked how it allows them to communicate with other departments or with the County. Service-Safety Director Schmelzer replied that they can turn off encryption whenever they want in order to communicate with any other department. The MARCS system is intended to be a state-wide communication system, but does not mean the City is always communicating with everyone on a state level. The City Police Department uses it as their own internal communication method. If the need arises, they have the ability to communicate with resources (Army Corp, National Guard, etc.) in the event of an emergency; they can go to other communities and utilize their infrastructure to communicate with them.

Councilwoman Spence asked if the Police Department will be using the current communicating equipment only with different frequencies when they want to communicate locally versus at the state level. Service-Safety Director Schmelzer replied that they are on seven or eight hundred megahertz frequencies, just different channels. Filed.

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

Service-Safety Director Paul Schmelzer – WTP waterline & bypass project 35711100

This project is current under construction. Based on unknown underground conditions that have been incurred during construction, change orders have been necessary. In order to keep the contractor onsite and continuing to work, an appropriation of funds is needed. Ordinance No. 2013-081 was created.

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|--------------------------------------|--------------|
| FROM: Water Fund | \$ 40,000.00 |
| TO: WTP Waterline & Bypass #35711100 | \$ 40,000.00 |

Filed.

Service-Safety Director Paul Schmelzer – Beecher St sanitary sewer replacement project 35637100, Jennifer Ln sanitary sewer replacement project 35637200

During the inspection process of lining the sanitary sewers on Beecher Street and Jennifer Lane, sections of the 10-inch concrete sewers were found to be extremely dilapidated and cannot be lined. At this time, the only solution is to completely replace the sewers. Due to the urgency of the projects, an appropriation of funds is requested.

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| FROM: Sewer Fund | \$ 160,000.00 |
| TO: Beecher St Sanitary Sewer Replacement #35637100 | \$ 100,000.00 |
| TO: Jennifer Lane Sanitary Sewer Replacement #35637200 | \$ 60,000.00 |

In addition, authorization to waive the formal bid process is necessary so that construction can begin immediately. The appropriation requests are based on in-house estimates only; a request for additional funds may be necessary. Ordinance No. 2013-083 was created.

Discussion:

Councilman Russel noted that while this replacement was not expected, the City's Sewer Maintenance Department expects some on-going maintenance and/or replacements over time. He asked how this request fits into the overall health and well-being of the sewer systems in those areas. Service-Safety Director Schmelzer replied that it is indicative of what we will continue seeing until we get to the point of where all Findlay sewers are lined or replaced with plastic. In lieu of spending funds that was discussed during an Appropriations Committee meeting, to go through and investigate every section of sewer that is not lined or made of concrete and/or vitrified. There will be a certain percentage of the sewers that the City will get to on an annual basis that will be in too bad of condition to be lined. That department will get as many sewers lined as they can annually. There will be some sewers that will need to be immediately replaced. Councilman Russel asked if this project falls into capital budget plan and if funds will be spent on an annual basis to fix sanitary sewers. Service-Safety Director Schmelzer replied that cash is reserved in restricted funds for sanitary sewer maintenance and/or replacement. Auditor Staschiak added that he will make sure the reserve and the enterprise fund accounts going forward have two months operating expenses in them, twenty-five percent (25%) in excess of debt, plus needed capital funds for that particular year. He has a formula that he uses. If he and the Service-Safety Director Schmelzer are not quite sure on some of the capital expenses, they bump up the reserve on the operations side and reserve two to three (2-3) month's worth of funds to protect themselves. It has been an area they have had to look very closely at the last couple of years, especially on this particular fund. Councilman Russel then asked what their condition would be if this formula was applied now. Service-Safety Director Schmelzer replied we are in good shape. There is an adequate reserve right now. One of the issues they have to examine is how to handle the debt going forward for the bar screen project. There isn't a way to screen that project and have adequate funds in that account for cash flow purposes in order to maintain a reserve.

Councilman Nichols asked what the life expectancy of vitrified pipes are versus plastic pipes. Service-Safety Director Schmelzer replied that the plastic has an indefinite life expectancy. It has an extensive life expectancy compared to vitrified or concrete because the gases do not attack plastic, and because it does not have the grid that some of the sewers in the City has where the sanitary slope is significantly steeper. This main reason is because the entire bottom of the sewer is corroded mainly due to friction of the solids in the sewer. The friction does not occur with plastic. Councilman Nichols then asked what the cost difference is. Service-Safety Director Schmelzer replied that plastic is much cheaper. Plastic did not exist when sewers were put into the ground years ago. The City still has some vitrified and some concrete sewers. There are some issues with large diameter concrete sanitary sewers that we are keeping a close eye on as they may need to be lined or replaced. Councilman Nichols then asked what kind of lining is used. Service-Safety Director Schmelzer replied it is a hard plastic liner that activates with hot water. When you go in afterwards and locate where all the lateral locations are, all the lateral locations can be cut out. It provides an environment where the gases are not attacking the sewer pipe and also provides some structural integrity to the pipe itself. In this case, he reviewed a video where he found areas that are in such bad shape where there are laterals connected to the sewer line. Without the video, you would not be able to accurately locate where they are at in order to be able to cut the laterals back out which is why these locations are in such poor condition. If something like this is not attended to right away, it will end up being shut down and they will lose part of the road. Anytime you see a situation like this, it is incumbent to go ahead and get the process moving as fast as you can and get it replaced.

Councilman Ward added that a reserve of funds are continually kept in the capital improvement fund for lining projects. Funds have been reserved for that fund for many years. This year, two hundred thirty-five thousand dollars (\$235,000.00) worth of lining was put in as capital improvements. It is an ongoing process that we look at. The separation that is done every year is not only to separate sewers, but sometimes requires replacing older sewers. Service-Safety Director Schmelzer added that every year, they separate the storm sewer funds from sanitary sewer system funds. Filed.

Service-Safety Director Paul Schmelzer – replacement shingles on Riverside Park shelter house roofs

The Public Works Department applied for and received a grant from the Hancock Park District in the amount of four thousand five hundred dollars (\$4,500.00) for replacement of shingles on shelter house roofs at Riverside Park. An appropriation of funds is requested. Ordinance No. 2013-081 was created.

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| FROM: | Hancock Park District Grant | \$ 4,500.00 |
| TO: | Shelterhouse Roof Repair-HPD '13 Grant #31937400-other | \$ 4,500.00 |

Discussion:

Service-Safety Director Schmelzer thanked the Public Works Department and the Park District for working together on this. It is another example of how we can get together and collaborate to help our infrastructure. Filed.

Time Warner Cable – quarterly franchise fee payment for period ending September 30, 2013. Filed.

Service-Safety Director Paul Schmelzer – William R. Webb Trust

The City of Findlay was named as a beneficiary in William R. Webb's Trust. A check in the amount of one thousand dollars (\$1,000.00) was received with instructions that it is to be used to purchase American flags or American flag banners to place along Main Street within the City of Findlay. An appropriation of funds is requested. Ordinance No. 2013-081 was created.

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| FROM: | General Fund | \$ 1,000.00 |
| TO: | Service-Safety Director #21020000-other | \$ 1,000.00 |

Discussion:

Councilman Russel met Mr. Webb while campaigning a couple of years ago. Mr. Webb left his business card on Councilman Russel's Toyota truck telling him he would not vote for him because he drives a Toyota. Councilman Russel took that as an invitation to knock on Mr. Webb's door where they struck up a conversation with many neighbors joining them. There was one thing that was obvious when talking with Mr. Webb. It was that he loved his country. He served in the Korean War. He loved Findlay. When Councilman Russel saw this donation in his Council packet, it brought back good memories. He still keeps Mr. Webb's business card at his desk. He is thrilled to see that citizens think of Findlay in this way, especially something as neat as the flags that are flown on Main Street. He thanked Mr. Webb's family. This is a great honor of his memory, his service to his country, and to Findlay. Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Gregory Meyers to vacate a two hundred foot (200') long alley lying adjacent to Lots 4, 5, 6, 7, and 8 in the Central Addition to the City of Findlay, County of Hancock, State of Ohio.

We recommend closing said alley. Ordinance No. 2013-082 was created.

Councilwoman Spence moved to adopt the committee report. Councilman Nichols seconded the motion. Six Councilmembers were in favor. Nay: Slough. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from the Ohio Department of Transportation (ODOT) to dedicate a portion of airport property at the intersection of Gray Street and Lima Avenue (.006 acres more or less) right-of-way as part of the I-75 corridor widening project.

We recommend dedicating a portion of Airport for the I-75 corridor widening project. Ordinance No. 2013-084 was created.

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

A **COMMITTEE OF THE WHOLE** to whom was referred a request from Councilman Murray to discuss the proposed CRA #1 Resolution No. 047-2013.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for the continuation of the Police Department's MARCS system conversion.

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|-------|--------------------------------|---------------|
| FROM: | CIT Capital Improvements | \$ 400,000.00 |
| TO: | P25 MARCS Conversion #31937300 | \$ 400,000.00 |

We recommend approval of the above request. Ordinance No. 2013-081 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for Airport jet fuel.

| | |
|-----------------------------|--------------|
| FROM: General Fund | \$ 90,000.00 |
| TO: Airport Fund | \$ 90,000.00 |
| FROM: Airport Fund | \$ 90,000.00 |
| TO: Airport #25010000-other | \$ 90,000.00 |

We recommend approval of the above request. Ordinance No. 2013-081 was created.
Councilman VanDyne moved to adopt the committee report. Councilman Slough seconded the motion. All were in favor. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for the continuation of the Water Treatment Plant waterline and bypass project.

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| FROM: Water Fund | \$ 40,000.00 |
| TO: WTP Waterline & Bypass project #35711100 | \$ 40,000.00 |

We recommend approval of the above request. Ordinance No. 2013-081 was created.
Councilman Ward moved to adopt the committee report. Councilman VanDyne seconded the motion. All were in favor. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds so that a 10-inch concrete sewer lining of the sanitary sewers on Beecher Street and Jennifer Lane may be replaced.

| | |
|--|---------------|
| FROM: Sewer Fund | \$ 160,000.00 |
| TO: Beecher St Sanitary Sewer Replacement #35637100 | \$ 100,000.00 |
| TO: Jennifer Ln Sanitary Sewer Replacement #35637200 | \$ 60,000.00 |

We recommend approval of the above request. Ordinance No. 2013-083 was created.
Councilman Nichols moved to adopt the committee report. Councilman Ward seconded the motion. All were in favor. Filed.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 047-2013, AS AMENDED (CRA #1)

Second reading

A RESOLUTION AMENDING "COMMUNITY REINVESTMENT AREA #1" AS ENACTED PUSUANT TO RESOLUTION NO. 33-1987, AND AS PREVIOUSLY AMENDED BY RESOLUTION NO. 37-1988.

Second reading of the Resolution.

RESOLUTION NO. 048-2013 (FPD Lifesaving awards)

See page 1.

RESOLUTION NO. 049-2013 (no PO)

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

RESOLUTION NO. 050-2013 (CRA #2)

First reading

A RESOLUTION REPEALING RESOLUTION NO. 023-1990 AND AMENDING RESOLUTION 038-1988 BY REDUCING THE SIZE OF THE GEOGRAPHICAL AREA WITHIN COMMUNITY REINVESTMENT AREA #2.

First reading of the Resolution.

ORDINANCES

ORDINANCE NO. 2013-076 (zoning code additions)

Third reading

Adopted

AN ORDINANCE AMENDING SECTIONS 1123.05, 1133.02, 1161.01.1(C)(2), 1161.12.13(B) AND 1162.05(C) OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED.

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Russel, Slough, Spence, VanDyne, Ward, Monday, Nichois. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-076 and is hereby made a part of the record.

AN ORDINANCE ENACTING SECTIONS 1161.06.4 AND 1161.11.5.1 OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED, PROVIDING FOR LANDSCAPING STANDARDS AND PARKING STANDARDS FOR CERTAIN PARKING LOTS WITHIN THE C-3 DOWNTOWN COMMERCIAL DISTRICT.

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

Discussion:

Councilman Monday noted that this regulation calls for a minimum of three and a half foot (3 ½') wall to a six foot (6') wall when putting a parking lot in. He asked if it would be creating a dam for the water to back up to the east area of Findlay or if the flood regulation would prohibit that from happening. In the case of the buildings the City tore down on North Main Street, if a parking lot and a six foot (6') wall were installed, that would defeat the purpose of tearing the flood-prone buildings down. Service-Safety Director Schmelzer replied that six foot (6') walls cannot be built in the floodway. You cannot impede the flow. Councilman Monday then asked if this regulation is for everything but the floodway. Service-Safety Director Schmelzer replied that is correct. You could pass any zoning regulation you wanted, but it would have to comply with FEMA standards for floodway regulations.

Councilwoman Spence will not be supporting this Ordinance because she thinks it is unnecessary and could possibly deter property owners from developing their properties. She does not see the necessity of adding walls.

Councilman VanDyne is in favor of this Ordinance. He has discussed this Ordinance in-depth with Councilman Murray. In the beginning of their discussions, there was some concern about the aesthetics. Councilman Murray is an Architect who would not propose or support anything that would take away from the aesthetics of this community.

Councilman Nichols also had discussions with Councilman Murray as he thought it was overkill making someone plant grass and put up a fence as some kind of barrier (brick wall, gates, etc.) and then make them spend more money on landscaping. He is concerned that there isn't a provision for property owners to have to maintain the landscaping that they are required to install. He feels this is an important piece of legislation, so he will support it, but feels the City is asking property owners to spend more time and money than they should have to. He likes the way Marathon has done their parking lot. It is an asset along Main Street.

Service-Safety Director Schmelzer had some concerns over this legislation when it was first being created, mostly with protecting existing parking lots and existing property owners that had infrastructure, from being forced to spend additional money on an infrastructure they already had in place. He also had issues with maintenance and location of the wall, and the condition of landscaping or other items that would be adjacent to the right-of-way, but this piece of legislation is as close as he will get to being satisfied with placement of the wall. It is partially focused on the fact that if you are going to put a new parking lot on Main Street, there is going to have to be some aesthetic value associated with it. As long as there is a clear separation between new and an existing property owners, that decision, and not having something forced on someone that has an existing parking lot, he is comfortable with it.

Councilman Ward noted that this proposed code states that access is required for both ingress and egress on secondary streets or alleys behind them, but also states that curb cuts onto Main Street are discouraged. That to him sounds like curb cuts on Main Street could be granted. It needs to state either the City will grant a curb cut or will not. He asked why it is stated this way and why that verbiage was put into the code at all. Service-Safety Director Schmelzer replied that condition would apply to a property that had no access behind it. Not all properties have alley access. Councilman Russel added that this would apply to a narrow parking lot such as north of Main Street Deli. You only enter it from Main Street. Angle parking exists in the alleys behind it. They kept that situation in mind while working through this piece of legislation. Councilman Ward added that they should have designated it as a narrow lot and that there could not be a turnaround. He envisions the City having more 2-lane lots coming into Main Street. He does not see a lot of buildings being torn down on Main Street yet, but there have been enough torn down. Service-Safety Director Schmelzer replied that is a function that the City Planning Commission is trusted to take a look at when they are doing site plan review. The language that is in place gives that entity the ability to make prudent decisions if there is a piece of property that has access behind it. If someone can move in and out of it with perpendicular parking, then they will have to put the wall up and will not get access onto Main Street. If that is not a possibility, as a planning authority, they can still discourage that property from being developed as a parking lot, but if they have a legal right with the zoning code to do it, then that is a different story.

Councilman Russel noted that the landscaping around the wall that Marathon put in around their new parking lot, has different aesthetics than what is around the Findlay Village Mall. Visually, parking lots are not deemed as attractive. As they continue to work and invest in the downtown area with the intent to make it a special place, minor zoning changes like these help make that happen and they help others want to invest in the downtown area. He does not see a problem with this regulation causing expenses for owners to take empty lots and turn them into parking lots. He'd rather redevelop properties than just having another Main Street parking lot. Matt Cordonnier, Councilman Murray and Councilman Russel have worked hard passing around different options and looking at how other communities do their parking lots. This is a parking lot screening.

Matt Cordonnier from the audience noted that the reason they came up with this ordinance is because downtown is a special place. It is our civic heart, our economic heart, and it is unique in that there is no place in Findlay where cars and pedestrians interact so closely. The idea of the downtown wall first came about in 2003 when he worked in Indianapolis where the town officials had implemented it. It is not purely a response to the wall that Marathon put up. He was very pleased Marathon put the wall up on their own initiative. They identified downtown Findlay as a special place where they have visitors and citizens driving through, this is one attempt to put a nice aesthetic face on downtown. When surface lots are placed directly on Main Street in the heart of our downtown, it takes away from the urban fabric and building opportunities. If someone were to build on Main Street, it will have to be built nicely. That is core of this ordinance. Another long-standing issue is that the C-3 Downtown District is the only commercial or industrial district that does not have parking lot landscaping standards. They were needed, so Councilmen Russel, Councilman Murray and Matt Cordonnier determined this was best, thus creating this ordinance. They have given the developers the freedom for the wall placement location as they see fit within a certain range. This ordinance allows the developer to place the landscaping requirements on either side of the wall to clump it at each end of the wall or place it throughout the wall so that they have the ability to do what works best for them. This regulation has some flexibility within the design standards. Councilwoman Spence asked what the cost would be to install a wall like Marathon did for their parking lot. Matt replied he is unsure. Councilwoman Spence then replied that she is unsure of the cost either, but imagines it was very expensive. Although she feels their parking lot is beautiful and so is our downtown, she does not see the necessity of adding this requirement to anyone who is going to develop a parking lot downtown.

Nay: Spence. Ayes: Slough, VanDyne, Ward, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-077 and is hereby made a part of the record.

ORDINANCE NO. 2013-079 (*IAFF FFD renewal*)

Second reading

Adopted

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 381, AFL-CIO, EFFECTIVE JANUARY 1, 2013, EXPIRING DECEMBER 31, 2015, AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the Statutory Rules and give the Ordinance its third reading. Councilman Nichols seconded the motion. Ayes: VanDyne, Ward, Monday, Nichols, Russel, Slough, Spence. The Ordinance received its third reading. Councilman Nichols moved to adopt the Ordinance, seconded by Councilwoman Slough. Ayes: Ward, Monday, Nichols, Russel, Slough, Spence, VanDyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-079 and is hereby made a part of the record.

ORDINANCE NO. 2013-080 (*Council & Treasurer salaries*)

Second reading

AN ORDINANCE ESTABLISHING THE SALARIES AND BENEFITS FOR CITY COUNCIL MEMBERS, PRESIDENT OF COUNCIL, AND TREASURER OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2013-081

First reading

Adopted

(*FPD MARCS system, Airport jet fuel, WTP waterline & bypass project, HPD grant, Webber Trust*)

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 VanDyne seconded the motion. Ayes: Monday, Nichols, Russel, Slough, Spence, VanDyne, Ward. The Ordinance received its second and third readings. Councilman VanDyne moved to adopt the Ordinance. Seconded by Councilman Russel. Ayes: Nichols, Russel, Slough, Spence, VanDyne, Ward, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-081 and is hereby made a part of the record.

ORDINANCE NO. 2013-082 (*First Street alley vacation*)

First reading

AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS FIRST STREET ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2013-083 (*Beecher St/Jennifer Ln sanitary sewer replacement*)

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 FOR REPLACEMENT OF THE SANITARY SEWERS ON BEECHER STREET AND JENNIFER LANE, APPROPRIATING FUNDS, AND DECLARING A REAL AND PRESENT EMERGENCY.

Councilwoman Spence moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Russel seconded the motion. Ayes: Russel, Slough, Spence, VanDyne, Ward, Monday, Nichols. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance. Seconded by Councilman VanDyne. Ayes: Slough, Spence, VanDyne, Ward, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-083 and is hereby made a part of the record.

ORDINANCE NO. 2013-084 (*ROW dedication I-75 corridor widening project*)

First Reading

AN ORDINANCE ACCEPTING THE STREET RIGHT-OF-WAY DEDICATION AS SHOWN ON THE GRAY STREET AT LIMA AVENUE RIGHT-OF-WAY DEDICATION PLAT.

First reading of the Ordinance.

UNFINISHED BUSINESS:

Old Business:

Auditor Staschiak informed Council that a copy of the finance book for each Councilmember for the budget meeting on December 12, 2013 at 4:00pm is in the Council Office. Department heads and those involved have been notified. He thanked those who helped to get the books out on time. Anyone who has questions can contact him.

Councilman Nichols commented that the reason Council passes so many pieces of legislation on an emergency basis and waiving their three readings in one night is because many of them need immediate attention. Many are projects that need repaired or replaced quickly. Waiving the second and third readings is a process that sometimes has to happen quickly. Beecher Street/Jennifer Lane replacement sanitary sewer ordinance on tonight's agenda is an example of why it is important to adopt it on an emergency. The sooner the work on this project starts, the better off we are in that they can possibly beat the bad weather and possibly get the project done before more costs can occur.

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Councilman Slough noted that since the City no longer picks up leaves, many citizens are not raking them and letting the wind blow them into the street. Commercial mowers can mulch leaves and blow them into the street, but with vehicles parked on the street, the City's street cleaning machines cannot get near the curbs. He feels the City should consider picking leaves up again in the near future. He fears sewers may become clogged with leaves and other debris that are being blown into the street. The City may be saving money by not picking up leaves, but many citizens are not raking their leaves and taking them to the City's drop off site causing clogged sewers lines. Service-Safety Director Schmelzer questioned why the City does not pick up leaves when he first came onboard with the City. He talked with the Street Department Supervisor who explained that since the volunteer effort to pick up bagged leaves has taken place the last two years, there are less incidents of clogged sewers than before. The main issue before the volunteer pick up effort was when residents rake their leaves into the street causing issues with storm sewers. The Street Department employees claim they have a better scenario now with the storm sewer maintenance than before the volunteer pick up. Councilman Slough added that the City street sweeper picks up what they can on the street where cars are not parked. Some Findlay streets are never cleaned because cars are parked on it 24/7. He tried to get an ordinance passed that would state during snow plowing season, drivers would have to park off the streets during heavy snowfalls, but that was never accomplished. Mayor Mihaik added that this could be discussed at a Traffic Commission meeting for possible signage on certain streets stating no parking between certain hours and/or certain days when the City street sweepers come by.

Councilwoman Spence thanked Downtown Findlay Improvement District (DFID) and Feasals on the amazing job they did on the decorations downtown. She has received a lot of positive feedback saying our community looks very festive and they appreciate the efforts.

New Business:

Councilman Ward cancelled the APPROPRIATIONS COMMITTEE meeting that would have been held on December 10, 2013 due to lack of agenda items.

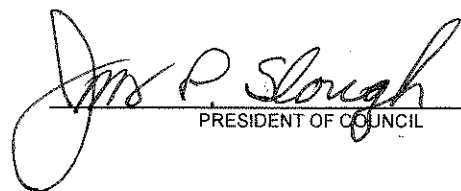
Councilman Ward had some citizens in the mall area call him asking if the City's street sweeper was going to come around to their area as they have not seen them in awhile.

Councilman Monday offered his best wishes to Councilman Schedel on a speedy recovery. He made a motion to excuse his absence, as well as Councilman Murray's absence. Seconded by Councilman Nichols. All were in favor.

President J. Slough adjourned Council at 8:29pm.



CLERK OF COUNCIL



PRESIDENT OF COUNCIL