

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

December 17, 2013

COUNCIL CHAMBERS

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

ABSENT: Schedel

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

MINUTES:

Councilwoman Spence moved to accept the December 3, 2013 Regular Session City Council meeting minutes. Councilman VanDyne seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Ward moved to remove the following from tonight's agenda. Councilman Monday seconded the motion. All were in favor. Motion carried.

REMOVAL:

An AD HOC COMMITTEE met on December 10, 2013 to select Council committee assignments and review Council's Rules of Procedures for the 2014-2015 Council term. (COMMITTEE REPORTS section)

PROCLAMATIONS – none.

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS – none.

PETITIONS – none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Income Tax Monthly Collection Report – November 2013. Filed.

Findlay Police Department Activities Report – November 2013. Filed.

N.E.A.T. Departmental Activity Report – November 2013. Filed.

Findlay W.O.R.C. Program Charge Statistics – 01/1/2013 through 11/30/2013; Findlay Work Release Program Monthly Payment Statistics Summary – 01/01/2013 through 11/30/2013; Findlay W.O.R.C. Program Monthly Tally Sheet – 01/01/2013 through 11/30/2013; Findlay W.O.R.C. Financial Analysis – 01/1/2013 through 11/30/2013. Filed.

Budget Summary of Year-To-Date Information Report/Cash & Investments Report as of November 30, 2013. Filed.

Parks and Recreation Board Minutes – August 19, 2013 and November 18, 2013. Filed.

City Auditor Jim Staschiak – Revolving Loan Fund Administration

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for October 2013 through November 2013 (copy attached). This is now a routine request, and you have approved requesting the appropriation without going to committee each time. Authorization to draw from the Revolving Loan Fund account and appropriate funds is requested. Ordinance No. 2013-085 was created.

FROM:	Revolving Loan Fund	\$ 3,297.86
TO:	General Expense #21010000-449400	\$ 3,297.86

Filed.

Treasurer's Reconciliation Report – November 30, 2013. Filed.

City of Findlay Board of Zoning Appeals minutes – November 14, 2013. Filed.

Health Commissioner Stephen Mills – Findlay Area Safe Kids

The Findlay City Health Department is currently serving as fiscal agent for the Findlay Area "Safe Kids" Chapter, special project #319242. Safe Kids is a nationwide organization dedicated solely to the prevention of unintentional childhood injuries. Child passenger safety, bike safety, and no texting while driving messages for teens have all been initiatives of their local chapter. They currently conduct a monthly fitting station for the purpose of checking child car seats for proper installation. Over the course of 2013, they have received grants, reimbursements and donations to the program in the sum of one thousand six hundred eighty-three dollars and ten cents (\$1,683.10). In order to further the Findlay City Health Department's mission, an appropriation of funds is requested. Ordinance No. 2013-085 was created.

FROM:	General Fund (Donations)	\$ 1,683.10
TO:	Safe Kids Project #31924200	\$ 1,683.10

Filed.

Service-Safety Director Paul Schmelzer – Airport Improvements (AIP-24), Airfield Electrical and Drainage Project No. 35233000

The City of Findlay was awarded a grant from the Federal Aviation Administration (FAA) for electrical and drainage work at the Airport. During the drainage work, additional asphalt was needed to be placed by the contractor. This is an expense which qualifies for grant funding. The original appropriation to the project did not include any contingency and will need to be increased in order to cover this expense. An appropriation of funds is requested. Ordinance No. 2013-085 was created.

FROM:	FAA Grant	\$ 1,032.00
FROM:	Capital improvements – CIT	\$ 115.02
TO:	Airport AIP-24 Project #35233000	\$ 1,147.02

Filed.

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

The following accounts require an appropriation or a transfer for this budget year.

Transfer Resolution:

FROM:	Council #21001000-personal services	\$ 1,500.00
TO:	Council #21001000-other	\$ 1,500.00
FROM:	Civil Service #21007000-other	\$ 3,500.00
TO:	Civil Service #21007000-personal services	\$ 3,500.00
FROM:	Computer Services #21009000-other	\$ 2,000.00
TO:	Computer Services #21009000-personal services	\$ 2,000.00
FROM:	Health Department #21030000-personal services	\$ 3,000.00
TO:	Health Department #21030000-other	\$ 3,000.00
FROM:	Traffic Signals #22043200-other	\$ 2,000.00
TO:	Traffic Signals #22043200-personal services	\$ 2,000.00
FROM:	Court Special Projects #22079000-other	\$ 6,000.00
TO:	Court Special Projects #22079000-personal services	\$ 6,000.00
FROM:	Human Resources #21018000-personal services	\$ 57,000.00
TO:	Fire Department #21014000-personal services	\$ 57,000.00

REASON: the transfers deal with moving funds between the department's personal services (wages and related benefits) and other (operational expenses) accounts to be able to finish the rest of the year. Legislation to transfer funds is requested. Resolution No. 051-2013 was created.

Appropriation Ordinance:

FROM:	City Income Tax Fund	\$ 1,198,360.00
TO:	City Income Tax #27047000-other	\$ 1,198,360.00

REASON: based on current projections the actual income tax collections will be more than the original estimate. The tax is allocated to CIT Capital Improvements and General Fund based on actual collections. We will be able to transfer more money than originally budgeted and need the appropriation increased by this amount in order to complete the transfer to General Fund.

FROM:	Energy Bonds Series B #23056100	\$ 16,989.23
TO:	CIT Capital Improvements	\$ 16,989.23
FROM:	Energy Bonds Series A #23056000	\$ 19.19
TO:	CIT Capital Improvements	\$ 19.19

REASON: The City had to appropriate the entire amount of the interest payment for the Energy Bonds for the 2013 debt payments. However, the Series B bonds are federally subsidized and we did receive a portion of our subsidy payment. Due to the federal mandated sequester, we did not receive the entire subsidy. Also, the account that was due on the Series A bonds ended up being less than what was shown on the amortization schedule and was originally budgeted. These transactions return the fronted appropriation to Capital Improvements.

FROM:	HRC Rehab Debt Service Fund #23060100	\$ 15,000.00
TO:	CIT Capital Improvements	\$ 15,000.00

REASON: The debt service for the HRC Rehab payment was initially paid with Capital Improvements money for 2013. We have received our annual pledged amount from Huntington Bank. This is our 6th payment out of the 10 pledged. This appropriation allows for the use of the contribution to pay the debt and the reimbursement of CIT Capital Improvements.

FROM:	Private Trust Fund	\$ 195.00
TO:	Private Trust #27087000-other	\$ 195.00

REASON: The amount of private trust bequests that were able to be fulfilled was slightly larger than expected. The bequests paid from the accumulated interests earned on the principal amounts deposited with the City. This appropriation allows for the total amount of charges that were initially paid from the Cemetery budget to be transferred to the General Fund as reimbursement of those costs.

FROM:	CR 236 TIF Fund	\$ 72,941.39
TO:	CR 236 Widening Debt Service #23060300-other	\$ 72,941.39
FROM:	CR 236 Widening Debt Service #23060300-other	\$ 72,941.39
TO:	CIT Capital Improvements	\$ 72,941.39

REASON: The CR 236 Debt payments were appropriated and paid initially by Capital Improvements money for 2013. We have received a total of \$72,941.39 in 2013 of TIF revenue to offset a portion of the 2013 debt payment. These appropriations allow the TIF Fund money to be used for the debt and reimburse Capital Improvements.

FROM:	County Permissive Fund	\$ 131,922.37
TO:	CR 236 Widening Debt Service #23060300-other	\$ 93,114.87
TO:	CR 236 Land Debt Service #23060200-other	\$ 38,807.50
FROM:	CR 236 Widening Debt Service #23060300-other	\$ 93,114.87
FROM:	CR 236 Land Debt Service #23060300-other	\$ 38,807.50
TO:	CIT Capital Improvements	\$ 131,922.37

REASON: The CR 236 Debt payments were appropriated and paid initially by Capital Improvements money for 2013. We were able to draw \$131,922.37 of County Permissive Fund money to pay the 2013 debt payments as an allowable use of the money. These appropriations allow the County Permissive money to be used for the debt and reimburse Capital Improvements.

FROM:	Police Pension Fund	\$ 49,098.70
TO:	Police Pension #27078000	\$ 49,098.70
FROM:	Fire Pension Fund	\$ 49,098.70
TO:	Fire Pension #27079000	\$ 49,098.70

REASON: A portion of the amount received from the assorted property taxes from the county tax settlements is deposited into Police and Fire Pension Funds by law. The cash balance is then transferred to the General Fund at the end of the year. Although the revenue budgets for 2013 were estimated very closely for the transfer into the General Fund, the transfers out of these funds were budgeted low. The County revises their revenue estimates after adoption of our ordinance, and in order to avoid potentially over-budgeting the fund on the certificate filing, the transfer out is budgeted lower than expected.

FROM:	General Fund	\$ 5,070.92
TO:	Special Assessments Sidewalks #28020000	\$ 5,070.92

REASON: The 2010 Sidewalk Repair and New Construction projects that were completed and assessed to the real estate taxes in the fall of 2012 had their first collection year in 2013. Of the 12 properties that had their assessments go to their real estate taxes, 5 did not pay the assessment totaling \$5,070.92. The City had to make the debt payments related to the projects and the fund is in need of reimbursement from the General Fund. If the property owners pay for the assessments in the future or if they property changes hands and the assessments are not written off, the General Fund should be repaid for this appropriation.

FROM:	Special Assessments Pavements	\$ 7,790.28
TO:	General Fund	\$ 7,790.28

REASON: In 2011, the City made the final debt payment on the Rockwell Avenue Pavement Special Assessment. However, there was several assessment deferrals granted at that time in addition to several property owners that had chosen to not pay the assessment. The City had to cover the costs of the debt payments with General Fund money as was to be reimbursed when the property owners finally made payment. The \$7,790.28 represents that amount of money currently showing in the special assessments pavements funds that is an accumulation of a few of the deferrals as well as properties that were shown as delinquent and have now paid. There are still properties that have outstanding obligations that we hope to receive payment on in future years.

Legislation to adopt on an emergency for the above listed items is requested. Ordinance No. 2013-086 was created. Filed

COMMITTEE REPORTS – none.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 047-2013, AS AMENDED (CRA #1)	Third reading	Adopted
A RESOLUTION AMENDING "COMMUNITY REINVESTMENT AREA #1" AS ENACTED PUSUANT TO RESOLUTION NO. 33-1987, AND AS PREVIOUSLY AMENDED BY RESOLUTION NO. 37-1988.		

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

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.

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

RESOLUTION NO. 051-2013 (transfer of funds)**First reading****Adopted**

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

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

ORDINANCES**ORDINANCE NO. 2013-080 AS AMENDED (Council & Treasurer salaries)****Third reading****Adopted**

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.

Councilman Monday moved to amend the Ordinance as follows:

SECTION 2: That the salary for the members of City Council of the City of Findlay, Ohio, be and the same are herewith established as follows:

- Calendar Year 2014 - \$6,086.00 annually, payable monthly
- Calendar Year 2015 - \$6,086.00 annually, payable monthly

SECTION 3: That the salary of the President of City Council of the City of Findlay, Ohio, be and the same is herewith established as follows:

- Calendar Year 2014 - \$6,086.00 annually, payable monthly
- Calendar Year 2014 - \$6,086.00 annually, payable monthly

SECTION 4: That the salary of the Treasurer of City Council of the City of Findlay, Ohio, be and the same is herewith established as follows:

- Calendar Year 2014 - \$6,833.00
- Calendar Year 2015 - \$6,833.00
- Calendar Year 2016 - \$6,970.00
- Calendar Year 2017 - \$6,970.00

Councilman Russel seconded the motion.

Discussion:

Councilman Murray asked for clarification from Councilman Monday on what exactly he is amending. Councilman Monday replied that all the numbers are the same as what was being paid in calendar years 2012 and 2013. He does not feel Councilmembers should be getting a raise when full-time City employees are not getting a raise. The Fire Department agreed to not receive a raise for two (2) years.

Councilman Ward is part of the Ad Hoc Committee who reviewed these changes. Departmental pay increases averaged between four to six percent (4-6%) that they have received over the last eight (8) years. Council pay has remained the same during that time, and it has been twelve (12) years since the Treasurer received a pay raise. During the years, Councilmembers and the Treasurer received the same pay without a raise. Union employees received at least a four percent (4%) pay increase over the years, and actually higher if you take into consideration the longevity they have received. Some years, non-union full-time City employees did not receive a pay raise which makes it equal to what Council did not receive over all those years. If you combine all those raises together for union and non-union employees, there is an average of 1.9% raise for everyone over those years. This is the reasoning for the pay increases on this ordinance. In comparing these salaries with other communities, these positions are in the middle to less than other communities. He feels these pay increase should be given. If pay raises continue to be declined, it puts them further behind. He feels these pay increases are justified, so he does not entertain an amendment to the ordinance.

Councilman Slough noted that when he started with City Council, Councilmembers had health insurance, but was taken away after a few years costing him six hundred dollars (\$600.00) a month. He does not feel Council has to continually beat themselves to impress the community with the services they provide. Councilmembers put in more hours than just City Council meeting nights. They put in time for committees, travel, etc. He feels it is about time they receive a pay increase as they have had highs and lows, but have always come out okay. In looking at the finances now, they are in good shape. The proposed wage increases are very small compared to the amount of time they are committed to their positions, the community, and the City. He is in favor of the pay increases.

Councilwoman Spence appreciates both Councilman Ward and Councilman Slough's opinions, discussions, and work they did on looking at other communities and the amount of years that it has been since Council has had a raise. She agrees with Councilman Monday that she does not feel it is appropriate to give raises to Council when there have been layoffs in other departments. While it is looking better for the community financially, she does not feel it is the appropriate time for pay raises.

Councilman Russel agrees with Councilman Ward and Councilman Slough that Council does put in a lot of effort and time, but when our Firefighters approve a contract that has no raises for two years, it is tough for him to vote in favor of a pay raise for himself, so he is in favor of the amendments that Councilman Monday made to the Ordinance.

Councilman Ward noted that this ordinance does not affect him or the three other Councilmembers whose term end this year, but does affect the citizens who were on the committee that made the recommendation for the pay raises because citizens are the ones that pay it. During the meeting, they gave their direction on what they wanted. He does not feel that a \$122 raise a year for Council is much. He noted that if Council is concerned with making too much money, maybe they should cut their salary in half of what they are currently making. The proposed pay increases are less than 1.2% raise over an eight (8) year period. He feels Council more than deserves the pay increase. He has served on City Council for twenty (20) years and knows that Council deserves more than a \$122 a year pay raise.

Councilman Murray agrees that Council's job is more than citizens might realize. Six hundred dollars (\$600.00) a month is not a lot for the amount of time they invest. In looking at other public servants (i.e. school boards), they do not work for a salary, not that he is recommending that for Council, but he does not believe that just because they are having their first good year, that this is the greatest time for pay increases even though they are well deserved. There are still employees who were laid off.

Ayes: Spence, VanDyne, Monday, Murray, Russel. Nay: Ward, Nichols, Slough. Motion passes.

Councilman Monday moved to adopt the Ordinance as amended, seconded by Councilman Russel.

Discussion:

Councilman Nichols suggested Council be paid a dollar (\$1.00) a year.

Ayes: Spence, VanDyne, Monday, Murray, Russel. Nay: Ward, Nichols, Slough. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-080 and is hereby made a part of the record.

Law Director Rasmussen advised Council that this ordinance will not be in effect for thirty (30) days because it was passed by a simple majority. Emergency legislation requires a 2/3 vote, so it does not pass on an emergency, therefore it does not go into effect for thirty (30) days. He requested Council allow him to also make the ordinance retroactive to January 1, 2014 so that it would be effective then versus thirty (30) days.

Council President Slough asked if Council had voted the third reading down if it would have stopped everything. He asked if the raises would have gone through. If the third reading was given and was rejected. Law Director Rasmussen replied if it was defeated, it would not be effective. The presumption would be that the last salaries approved would continue to be in place.

Councilman Ward asked if this could be brought up during old business of tonight's meeting and a motion be made to bring this back up to the table for discussion. Law Director Rasmussen replied that Council's rules allows a motion for reconsideration to be made. Councilman Ward mentioned this so that if this ordinance is adopted tonight, it could still be in effect by the first of the year.

Councilwoman Spence asked for clarification on why it matters if the amounts do not change from what was in place originally to what was just voted on now. Law Director Rasmussen replied that he has not reviewed the past Councilmember, Council President, and Treasurer salary ordinance(s), but believes they are similar in nature and are based upon specific calendar years.

Councilman Monday asked if by doing nothing, nothing changes. Law Director Rasmussen replied that is correct.

Councilman Nichols asked if the upcoming Council should take this ordinance up during the first meeting next year. Law Director Rasmussen replied they could, but any increase in salary would not be effective until the next term.

Councilman Ward noted that an ordinance is needed to give the authority for salaries for 2014 and 2015 for Councilmembers and President of Council and for 2014-2017 for Treasurer. Even if the salaries stay the same, an ordinance keeps it clear. This Council is voting in salaries for the upcoming Council that the Law Director has said that they cannot do anything to promote their own salary which is why it is done at this time. He suggested the ordinance be brought up again during old business. He requested the Law Director advise Council on how to make it effective right after it is adopted versus waiting thirty (30) days.

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

Second reading

**Adopted during
OLD BUSINESS**

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

Councilman Ward moved to suspend the Statutory Rules and give the Ordinance its third reading. Councilman Nichols seconded the motion. Ayes: Slough, Spence, VanDyne, Ward, Monday, Murray, Nichols, Russel. The Ordinance received its third readings. Councilman Ward moved to adopt the Ordinance. Seconded by Councilman Nichols. Ayes: Spence, VanDyne, Ward, Monday, Murray, Nichols, Russel, Slough. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-082 and is hereby made a part of the record.

ORDINANCE NO. 2013-084 (ROW dedication - Gray St/Lima Ave)

Second reading

**Adopted during
OLD BUSINESS**

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

Councilman Ward moved to suspend the Statutory Rules and give the Ordinance its third reading. Councilman Nichols seconded the motion. Ayes: Slough, Spence, VanDyne, Ward, Monday, Murray, Nichols, Russel. The Ordinance received its third readings. Councilman Ward moved to adopt the Ordinance. Seconded by Councilman Nichols. Ayes: Spence, VanDyne, Ward, Monday, Murray, Nichols, Russel, Slough. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-084 and is hereby made a part of the record.

ORDINANCE NO. 2013-085 (*appropriation of funds*)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading

Adopted

Councilman Ward moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman VanDyne seconded the motion. Ayes: VanDyne, Ward, Monday, Murray, Nichols, Russel, Slough, Spence. The Ordinance received its second and third readings. Councilman Ward moved to adopt the Ordinance. Seconded by Councilman Russel. Ayes: Ward, Monday, Murray, Nichols, Russel, Slough, Spence, VanDyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-085 and is hereby made a part of the record.

ORDINANCE NO. 2013-086 (*appropriation of funds*)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading

Adopted

Councilman Ward moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Nichols seconded the motion. Ayes: Monday, Murray, Nichols, Russel, Slough, Spence, VanDyne, Ward. The Ordinance received its second and third readings. Councilman Ward moved to adopt the Ordinance. Seconded by Councilman VanDyne. Ayes: Murray, Nichols, Russel, Slough, Spence, VanDyne, Ward, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2013-086 and is hereby made a part of the record.

UNFINISHED BUSINESS:

Old Business:

Councilman Ward made a motion to revisit Ordinance No. 2013-080. He asked Law Director Rasmussen if Council can make a motion to add an emergency clause to it. Law Director Rasmussen replied that a motion to reconsider the motion needs to be made and then amend the ordinance. Councilman Ward asked what needs to be done to have it be effective right after it is adopted. Law Director Rasmussen replied that if Council were to change the effective date while it was amended, it wouldn't pass by an emergency, but if Council amends it to reflect that all parts of the ordinance be effective January 1, 2014 retroactive, that would be helpful. It will not be effective until thirty (30) days after the signatures. If the ordinance states it be retroactive the first of the year, an interim pay increase would not be given because it was amended to be the same. It would be clearer if the ordinance was amended to do that. Councilman Ward asked if the ordinance should be retroactive to January 1, 2014. Law Director Rasmussen replied it should.

Councilman Ward then made a motion to amend Ordinance No. 2013-080 AS AMENDED to make it effective January 1, 2014. Councilwoman Spence seconded the motion. Ayes: Monday, Murray, Russel, Slough, Spence, VanDyne, Ward. Nays: Nichols.

Councilman Monday moved to adopt the amended ordinance. Seconded by Councilman Russel. Ayes: Murray, Russel, Spence, VanDyne, Monday. Nays: Nichols, Slough, Ward. Ordinance was declared adopted as amended and is recorded in Ordinance Volume VV, Page 2013-080 and is hereby made a part of the record.

Service-Safety Director Schemelzer asked what happens to the Gray Street right-of-way dedication Ordinance No. 2013-084 since this is the last Council meeting this year and it only received its second reading tonight. Law Director Rasmussen replied that the ordinance dies. Service-Safety Director Schmelzer then asked if it will have to go through the entire process again. Law Director Rasmussen replied that a motion to reconsider, waive the third reading, and then adopt it will have to be done. Service-Safety Director Schmelzer then asked if the same thing needs to be done for the First Street alley vacation Ordinance No. 2013-082. Law Director Rasmussen replied it will require the same process in order for it not to die.

Councilman Ward made a motion to reconsider Ordinance No. 2013-082 and give it is third reading. Law Director Rasmussen read what Council's Rules states on this. Section 5C (MOTION TO RECONSIDER) states that any member who was absent or voted with the prevailing side may move a reconsideration of any action of Council, excepting measures which shall be in immediate effect. Such a Motion for Reconsideration shall be made not later than the next regular meeting after the action to which it relates was taken. No Motion to Reconsider shall be made more than once on any measure, and such a motion shall require a majority of all members elected to Council in order to prevail. So, Council can if they do so this meeting. There was no vote during the second reading of the ordinance, so it would not be a reconsideration of the motion.

Councilman Ward asked if a motion to suspend the Statutory Rules and give Ordinance No. 2013-082 its third reading could be done now. Law Director Rasmussen replied that can be done in New Business.

New Business:

Councilman Ward made a motion to suspend the Statutory Rules and give Ordinance 2013-082 its third reading. Councilman Nichols seconded the motion. Ayes: Nichols, Slough, Spence, Murray, VanDyne, Ward, Monday. Nay: Russel. The ordinance received its third reading. Councilman Ward moved to adopt the ordinance. Seconded by Councilman Nichols. Ayes: Russel, Slough, Spence, VanDyne, Ward, Monday, Murray, Nichols. The Ordinance is adopted.

Councilwoman Spence made a motion to suspend the Statutory Rules and give Ordinance 2013-084 its third reading. Councilman Ward seconded the motion. Ayes: Slough, Spence, VanDyne, Ward, Monday, Murray, Nichols. Nay: Russel. The ordinance received its third reading. Councilwoman Spence moved to adopt the ordinance. Seconded by Councilman Slough. Ayes: VanDyne, Ward, Monday, Murray, Nichols, Russel, Slough, Spence. Ordinance is adopted.

Councilman Murray noted that an alley vacation request for Third Street was addressed during the December 12, 2013 City Planning Commission meeting. He is deferring it to next year's Planning and Zoning Committee.

Mayor Mihalik thanked the outgoing Councilmembers who have provided between two (2) to twenty (20) years of public service, which is quite an accomplishment in itself. They will be missed terribly, but hope that they will find other ways to serve the public with other opportunities as they move forward with their retirement careers.

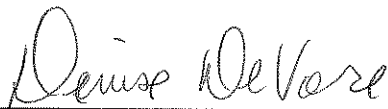
Mayor Mihalik noted that the Service-Safety Director Schmelzer forwarded Council an FYI email about Hanco nearly reaching a ninety-nine and nine tenths percent (99.9%) compliance rate with the City's ordinance. This is absolutely phenomenal and they should be commended moving to a one ambulance provider within the City of Findlay, which has proven to be outstanding.

Mayor Mihalik advised Council on the upcoming weather conditions. She was notified from the National Weather Service that a significant amount of rainfall is probable for this weekend starting on Friday. It will warm up to the forties (40s) beginning Friday with little rain which will reduce the current snow by about half. We will continue to see heavy rainfall throughout Saturday night and into Sunday with another sharp warm up. They are monitoring the situation very carefully. With Christmas around the corner, she wanted to let everyone know ahead of time about this potential serious situation. In her experience with the City for the last almost twelve (12) years, this is the first time that we have gotten a four to five (4-5) day notice on something this serious. They will keep everyone informed as they are given updates from daily conversation with the National Weather Service. There is a new Findlay alert system called Everbridge. Even if citizens were signed up with the former alert system, they still need to sign up with the new system. That can be done directly on the City's website www.findlayohio.com and then choose the Findlay Alert System link. There are several different options for citizens to receive the alerts (cell phone call and/or text, home phone call, email address, etc.) such as community events, weather related events, road closures, power outages, etc. The City went with this system to inform residents and prepare them on what is going on.

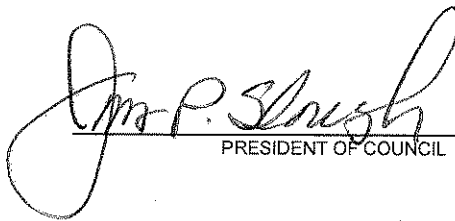
Council President Slough commended both current and incoming Councilmembers for a job well done during the budget hearings that were held the evening of December 12, 2013. The Mayor, the Auditor, and their assistants did a fine job pulling everything together. It was one of the smoothest meetings he has ever sat in on.

Councilman Russel made a motion to excuse Councilman Schedel's absence. All were in favor.

President J. Slough adjourned Council at 8:14pm.



CLERK OF COUNCIL



PRESIDENT OF COUNCIL