

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

APRIL 2, 2019

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson

ABSENT: Wobser

President of Council Monday opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

Councilman Wobser submitted prior information that he would be absent from this meeting, so with no objection from this Council, he is excused.

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Slough moved to accept the March 19, 2019 Regular Session City Council meeting minutes. Councilman Niemeyer seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Russel moved to replace the following on tonight's agenda, seconded by Councilman Slough. All were in favor. Motion carried. Filed.

REPLACEMENTS:

- Ordinance No. 2019-018, AS AMENDED (**LEGISLATION** section) Findlay Fire Department complement.
 - Added last sentence to SECTION 1: The total complement shall not exceed eighty-six (86) at any point

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS: - none.

ORAL COMMUNICATIONS: - none.

WRITTEN COMMUNICATIONS: - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Treasurer's Reconciliation Report – February 28, 2019. Filed.

Board of Zoning Appeals minutes – February 14, 2019. Filed.

President Monday – Community Reinvestment Area (CRA) appointments

Pursuant to his authority as President of Findlay City Council, Council President Monday is appointing Councilman John Harrington and Councilman Dennis Hellmann to serve on the Community Reinvestment Area (CRA) Housing Committee. Terms will expire December 31, 2019. These appointments do not require Council's confirmation. Filed.

Service Director/Acting City Engineer Thomas – March 2019 Capital Improvement appropriation

A transfer of the March Capital Improvement allocation to various departments so that they may order more equipment is requested. He would like to order pickups and dump trucks now because of the long lead time. Legislation to appropriate and transfer funds the following capital expenditures is requested. Ordinance No. 2019-025 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 31,600.00	
TO:	Traffic Lights #22043200		\$ 6,500.00
TO:	Rec Functions #21044400		\$ 10,100.00
TO:	Cemetery #21046000		\$ 15,000.00
FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 217,000.00	
TO:	Muni Bldg First Floor Window Replacement <i>Project No. 31992600</i>		\$ 40,000.00
TO:	Cooper Park & Rawson Score Boards <i>Project No. 31992800</i>		\$ 12,000.00
TO:	Parks Lights to L.E.D. and Auto Conversion <i>Project No. 31992900</i>		\$ 10,000.00
TO:	CUBE Cooling System for Condensers <i>Project No. 31993000</i>		\$ 20,000.00
TO:	2018 CUBE Code Updates <i>Project No. 31984100</i>		\$ 45,000.00
TO:	HVAC for Heat/Air in Cemetery Buildings <i>Project No. 31993500</i>		\$ 15,000.00
TO:	2019 Traffic Signals Upgrades <i>Project No. 32892700</i>		\$ 25,000.00
TO:	2019 Traffic Pole Replacement <i>Project No. 32893100</i>		\$ 50,000.00

Filed.

Service Director/Acting City Engineer Thomas – South Blanchard Street waterline replacement (Sandusky St to Sixth St) Project No. 35790100

By authorization of Ordinance No. 2019-003, a bid opening was held for this project on March 26, 2019. Bids were received from three (3) potential contractors with bid amounts ranging from \$1,430,140.60 to \$1,749,583.52. The lowest and best bid was received from Helms and Sons Excavating of Findlay, Ohio. This project is included in the 2019 Capital Improvements Plan. The total project cost is more than the estimate that was included in the Capital Improvement Plan due to soil conditions that were discovered during design. The cost of the project can be discussed at the Water and Sewer Committee meeting scheduled for April 3, 2019. This waterline needs replaced before Blanchard Street is repaved in 2020. \$5,000 was previously appropriated for design and startup. An additional appropriation is requested for construction, inspection, and contingency to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2019-026 was created.

FROM:	Water Fund	\$ 1,495,000.00
TO:	South Blanchard Street Waterline Replacement Project No. 35790100	\$ 1,495,000.00

Filed.

Service Director/Acting City Engineer Thomas – City Fiber Loop Project No. 31960100

The City has received the last payment of funds from Hancock County to cover their portion of the project. At this point, the funds need to be moved in order to pay the final invoice so that the project can be closed. Legislation to appropriate funds is requested. Ordinance No. 2019-027 was created.

FROM:	General Fund (Hancock County)	\$ 3,000.00
TO:	City Fiber Loop Project No. 31960100	\$ 3,000.00

Filed.

City Planning Commission agenda – April 11, 2019; minutes - March 14, 2019. Filed.

COMMITTEE REPORTS: - none.

LEGISLATION:

RESOLUTIONS – none.

ORDINANCES

ORDINANCE NO. 2019-015 (*2017 Ordinances & Resolution changes*) requires three (3) readings **tabled after third reading on 4/2/19**
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Councilman Russel noted that he reviewed the full length of this ordinance which was over 160 pages and found some errors and does not reflect some of the legislation that Council passed last year. He moved to table the Ordinance so that it can be sent back to Walter H Drane Company for corrections, seconded by Councilman Harrington. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was tabled.

ORDINANCE NO. 2019-017 (*Capital Improvement appropriation*) requires three (3) readings **third reading adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-017 and is hereby made a part of the record.

ORDINANCE NO. 2019-018, AS AMENDED (*FFD complement amendment*) requires three (3) readings **second reading adopted during OLD BUSINESS**
AN ORDINANCE AMENDING CHAPTER 135.01 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2019-019 (*Technology Dr rezone*) requires three (3) readings **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 TECHNOLOGY DRIVE REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "M2 MULTIPLE-FAMILY HIGH DENSITY".

Second reading of the Ordinance.

ORDINANCE NO. 2019-022 (*annual street resurfacing/curb repairs 2019 project no. 32890300*) requires three (3) readings
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

second reading

Second reading of the Ordinance.

ORDINANCE NO. 2019-023 (*ODOT Aviation Grant Airport Beacon and Windcone*) requires three (3) readings
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

second reading adopted

Councilman Russel moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Harrington. Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Frische, Harrington. The Ordinance received its third reading. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-023 and is hereby made a part of the record.

ORDINANCE NO. 2019-024 (*Bishop Lane (Krystal Ridge) final plat/ROW*) requires three (3) readings
AN ORDINANCE ACCEPTING THE RIGHT-OF-WAY DEDICATION AS SHOWN ON THE BISHOP LANE, KRYSTAL RIDGE SUBDIVISION
RIGHT-OF-WAY DEDICATION PLAT, AND DECLARING AN EMERGENCY.

second reading

Second reading of the Ordinance.

ORDINANCE NO. 2019-025 (*Capital Improvement appropriation for March 2019*) requires three (3) readings
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

first reading

First reading of the Ordinance.

ORDINANCE NO. 2019-026 (*S Blanchard St waterline replacement*) requires three (3) readings
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

first reading

First reading of the Ordinance.

ORDINANCE NO. 2019-027 (*City Fiber Loop project*) requires three (3) readings
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

first reading

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Frische, Harrington, Hellmann, Niemeyer. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Shindledecker.

Discussion:

Councilman Shindledecker asked for the status of the implementation on this project. Service Director/Acting City Engineer Thomas replied that the project is completely done. One of the change orders was done based on estimated quantities. It was split out between the City and County. The actual quantities were a little different than what was estimated. There was enough money to pay for the last invoice, but was not coming from the right entity, so he had to get some additional money from the County to cover their share of it. This Ordinance is to move the money to pay the last invoice of the project.

Ayes: Russel, Shindledecker, Slough, Watson, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-027 and is hereby made a part of the record.

UNFINISHED BUSINESS: OLD BUSINESS

Councilwoman Frische moved to reconsider Ordinance No. 2018-018 AS AMENDED, seconded by Councilman Watson. Ayes: Slough, Watson, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker. Council President Monday pointed out that the Ordinance has already received its second reading tonight. Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Slough. Ayes: Watson, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough. The Ordinance received its third reading. Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Watson.

Discussion:

Councilwoman Frische asked if the reason the Ordinance was amended was to clarify what was not spelled out correctly. She asked if the part-time complement needs to be removed and if it is something that will never have to happen. Safety Director Schmelzer replied that it was not amended to fix anything. A sentence to the end was added to clarify for the City Auditor's Office what the maximum number of total hires could be at any time. The total complement from the old Ordinance to the new Ordinance was changed. He does not see a benefit to hiring any part-time staffers. It can be added back whenever Council decides to do so via legislation.

Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-018 and is hereby made a part of the record.

Safety Director Schmelzer informed Council that the Fiber Optic project is being finalized. It has been a very successful project. It was approximately a fifty thousand dollar (\$50,000) project. Because of the contract changes and because it was shared with the schools and the County, the project will pay for itself in less than two (2) years. He praised everyone that has been involved in this project, specifically the City's Computer Services Department as they spent a lot of time on it. Councilman Hellmann asked who does the repairs and maintenance work on that. Safety Schmelzer replied that there is a maintenance agreement for the core of the loop which is the schools. The schools have a maintenance agreement set up for that section of it. The City owns and shares some of the branches with the County, and also owns some themselves. He is currently looking at a maintenance agreement with a company that will charge a few thousand dollars a year to do routine maintenance on the line and will be on call for emergency repairs (i.e. fiber line is cut, storm knocked it down, etc.). Timeliness response, response to one call, and the order of when services are repaired will be included in the agreement. When there are multiple parties involved in a strand of schools in the County and the City of Findlay, they will rotate the repair of the strands to get as many parties online as possible. There will also be some kind of fee schedule. If it is due to a natural disaster, the City's insurance will cover it. The maintenance agreement is close to be putting in place for that.

Councilman Hellmann asked if some of the lines are buried and if some are overhead. Safety Director Schmelzer replied that is correct. Councilman Watson asked if there has been any thought to expanding this beyond the three (3) current partners (City, County, School). Safety Director Schmelzer replied yes there has been. There has been some preliminary investigation into what it would take to be able to expand the network. Part of the conversation is going to be driven by what the State has permitted for the 5G and wireless capabilities, so that needs to be taken into account. Given that the core is in place, there is connectivity not only in the State, but also worldwide with the core that exists which would behoove us to take a look at different opportunities for expanding that and getting that service to the internet to be available to more citizens. Councilman Watson asked if the payback could actually be less than two (2) years if it is expanded to even more citizens. Safety Director Schmelzer replied that is correct.

Safety Director Schmelzer pointed out that the microphones in the Council Chambers are being looked at. If the hardware to replace them is not too expensive, it will be replaced.

Councilwoman Frische attended State Representative Jon Cross's prior discussions on the gas tax. She thinks it is great that Mayor Muryn took a stand on it, and asked what percentage the City will be receiving out it. The County's portion has already been calculated. Mayor Muryn replied that the legislation was just passed this afternoon, so she has not had a chance to look at what the new calculations will be. She has not received the new allocation. She is aware that local gas rate will be 10.8 cents and diesel will be 18 cents. The Municipal portions have been increased to forty-five percent (45%) with the State's portion being fifty-five percent (55%). She has not done the calculations of what it will specifically mean for our community. Councilwoman Frische asked Mayor Muryn to look into that as it is very important for the community to understand it and know what is exactly coming back to Findlay. Mayor Muryn replied that she will do so.

NEW BUSINESS

Councilwoman Frische informed Council that AEP will be coming out with Smart Meters and if customers want to opt out, there is a twenty-four dollar (\$24.00) monthly fee to do so. She asked if the City has any control over the program that they are implementing. Safety Director Schmelzer replied that the Administration is meeting with Richard Dougherty and one of their State Representatives from market this Friday to discuss Smart Meter opportunities. Councilwoman Frische asked that the results of that meeting be reported back to Council.

Councilman Harrington noted that the City's Green Waste Site location has been moved and asked where it has been moved to and why it was moved. Mayor Muryn replied that it was relocated around the corner. It was moved to get it out of the area where continual flooding occurs and to clean up that area. It is still easily accessible. New signage will be going up to direct citizens. A press release was put out on the website and the City's Facebook page.

Safety Director/Acting City Engineer Thomas pointed out that a couple of years ago, the City's Engineering Office and the City Auditor's Office went through ODOT to get a fringe rate established to start getting reimbursed for some of the inspection work the City does, and the construction engineering work that has to be done on jobs that the City obtains Federal funds for. The first one that the City can obtain funds is the 2017 resurfacing project. As he reported back then, the City received back approximately fourteen thousand seven hundred dollars (\$14,700.00). He has just submitted for the reimbursed for the 2018 repaving project, as well as, the Main Street project. Both of those have been approved, but have not received the funds yet. The City will be reimbursed seventeen thousand two hundred ninety-seven dollars (\$17,297.00) for the 2018 project, and sixty-five thousand four hundred eighty-four dollars (\$65,484) for the Main Street project. The City will receive a total reimbursement of over ninety-seven thousand dollars (\$97,000) for those three projects over the last two (2) years. He will be keeping track of the total as he will have to remind them of the reimbursement next year. It is his hopes that it will a simpler process next time since he has now been through it. It is paying off.

President of Council Monday adjourned Council at 7:22 pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL