

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

FEBRUARY 4, 2014

COUNCIL CHAMBERS

PRESENT Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindlededecker, Spence, VanDyne

ABSENT: none.

President Pro-Tem Monday opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Nichols moved to add the following on tonight's agenda. Councilman VanDyne seconded the motion. All were in favor. Motion carried.

ADD-ONS:

- Resolution No. 005-2014 (**RECOGNITION/RETIREMENT RESOLUTIONS** section).
- Letter from Mayor Mihalik – Hancock County Jail Fees (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section).

MINUTES:

Councilman Harrington moved to accept the January 21, 2014 Regular Session City Council meeting minutes as written. Councilman Klein seconded the motion. All were in favor. Motion carried. Filed.

PROCLAMATIONS - none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 005-2014 (*Councilman Mike Slough retirement*)

First reading

A RESOLUTION COMMENDING COUNCILMAN MICHAEL "DOC" SLOUGH FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

Councilwoman Spence moved to adopt the Resolution, seconded by Councilman VanDyne.

Discussion:

Councilman VanDyne thanked Mr. Slough for all of his help during the six (6) years he sat next to him during City Council meetings as he was a great help to him. His passion for the Parks and Recreation Board was evident. He will be missed.

Councilman Nichols noted that during Mr. Slough's ten (10) years on City Council, he does not recall him missing any meetings and has rarely missed any Parks and Recreation Board meetings. He recalls attending one Parks and Recreation Board meeting that Mr. Slough was not in attendance, so he thought he was at the wrong place because Mr. Slough was not there. That is the only time he recalls Mr. Slough missing a meeting during his ten (10) years of service. Mr. Slough was an outstanding representative for the community. His services were appreciated.

Acting Mayor Jim Slough commended Mr. Slough for his service. He has never seen a councilman that has worked as tirelessly as he had for his ward. He was amazed at how hard he worked, especially when he went after those who purchased property and did not maintain them.

Ayes: Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindlededecker, Spence, VanDyne. 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:

Comp Management Kelly Lowry – workers compensation

Ms. Lowry noted that City Auditor Staschiak requested she come before City Council to speak about the City's workers compensation program. Ms. Lowry works for Comp Management, Inc. who has been the City's third party administrator for workers compensation for many years. They handle compensation claims for public employers. She has been the City's Account Executive since Janet Wobser was the City's Auditor. Ms. Lowry handed out packets of information to all Councilmembers and the Administration. Included in the packets is a listing of cities in northwest Ohio that they represent which is approximately eighty percent (80%) of the cities in the state of Ohio. They are endorsed by the Ohio Municipal League, the Ohio School Board Association, the Ohio Rural Water Association, the Ohio Association of Public Treasurers, the County Commissioners Association, and the Ohio Association of School Boards. They represent the state for workers compensation, and they partner with lots of chambers around the state. They partner with the local chamber of Findlay-Hancock Alliance for workers compensation purposes.

There are two (2) ways the City can qualify for claim savings. They are handicap reimbursement and settlements. Comp Management Inc. can petition the state for a percentage off handicap claims if they are defined that way. Settlements save the City premium dollars. A comparison of Comp Management Inc. vs. their competitors on how they can save the City money for these two (2) types of claims is included in the packets she handed out. The City of Findlay has been well above other cities their size in settlements for the last five (5) years. Comp Management Inc. settled fifty-three percent (53%) more settlement claims than their nearest competitors. They are seventeen percent (17%) higher than their nearest competitor in handicap claims.

Also included in the packets she handed out is the City's executive summary of claim numbers the City has had over the last few years. They have remained relatively stable. The City of Findlay is relatively better than the average city in the state when comparing losses to losses. A city of Findlay's size is under what the Bureau would expect. The City of Findlay is doing a great job of controlling claims. Loss time claims are the cost factors where the City's money goes for premiums. In 2009, the City of Findlay had six (6) loss time claims which isn't a lot, but when comparing it to the one (1) loss time claim the City of Findlay had in 2013, the trend is going in the right direction.

Another report included in her packets is the payroll over the last few years which is relatively flat. The City of Findlay has not had a lot of new employees to increase risk, nor have they lost a lot of employees leave to decrease risk either, which is even better that there were fewer loss time claims because the same employees are in place, so for the same amount of risk, the City of Findlay had fewer claims over that period of time.

A report of premium history was also included in her packets. The highest mark was in 2009 with premium amounts consistently going down after that. The first paragraph talks about individual retrospective ratings which is a program the City decided to go into back in 2010 and continued in until 2013. It's a quasi-self-insurance program that calls for a dollar for dollar payment of the City's claims plus a little bit of premium to the state of Ohio. Over the four (4) years, the City has saved seven hundred seventy-six thousand dollars (\$776,000) in that program. It is a very good program for the City. For 2014, the City of Findlay is going with a program with a little less risk called group retrospective rating. It is projected that the City will save one hundred sixty-eight thousand dollars (\$168,000) for one year in group retrospective rating.

Another report included in her packets is how much the City has saved in handicap reimbursement. The City realized twenty thousand dollars (\$20,000.00) for the 2012 policy year, thirty thousand dollars (\$30,000.00) for the 2013 policy year, and seventy-two thousand dollars (\$72,000.00) in savings for the dollar for dollar program in the individual retro program. It is anticipated that will grow further in savings.

Comp Management Inc. will continue to work to stay at the same level of success and see what can be done better in the future.

Discussion:

Councilman Russel asked if Comp Management Inc. benchmarks the City's experience against other cities that they represent. Ms. Lowry replied that they do not specifically benchmark cities against other cities they represent, but the state has a base rate where they establish how much an average city of an average size would lose. Findlay is compared to other cities of their size. For 2014, Findlay is three percent (3%) below the average city or three percent (3%) better than the average city. Councilman Russel then asked if there are other cities below the average. Ms. Lowry replied there are, but there also are cities out there that are above the average. Councilman Russel then asked if there is anything Findlay could do that other cities are doing who are well below the average. He asked if Findlay could start implementing anything to help be even better when it comes to our workers compensation. Ms. Lowry replied that has been discussed. Some changes have already been done such as the individual retrospective rating. There is also a safety grant available that the bureau will give a four-to-one (4-1) matching grant to buy safety equipment, not personal protective equipment or capital improvement equipment, but items to improve safety.

PETITIONS:

ROSI Enterprises, LLC-managing partner Tom Roach – 516, 518 and 518 ½ Liberty Street

Mr. Roach is writing in response to a letter he received from the City's Zoning/Floodplain Administrator dated January 17, 2014 concerning a property that he owns on Liberty Street. A major fire occurred on July 29, 2012 at 516, 518 and 518 ½ Liberty Street. At that time, the property was owned by Mr. Albert Hainen. The property had such significant damage that it had to be demolished. The only structure that was salvageable after the fire was a detached garage. Unfortunately, Mr. Hainen passed away and the ownership of the property was transferred to his estate. On March 1, 2013, the ownership of the property was transferred to his two sons (Jerry and Gene) who expressed interest in selling the property in which his company began negotiating to purchase the property. On May 31, 2013, ROSI Enterprises purchased the with the intention of building a triplex on the vacant lot in the future. Although there was mention of the fire, the specifics of the zoning/building requirements were not disclosed upon closing. At the time of purchase, the Land Use Code on the Hancock County Auditor site was (Land Use Code: 401 Apartments 4 to 19 Rental Units) (attached).

ROSI Enterprises LLC owned the property for approximately seven (7) months prior to first contact from the City's Zoning/Floodplain Administrator. ROSI Enterprises LLC received a letter dated January 17, 2014 that stated they only have until July 29, 2014 to build a triplex on the property or the garage would need to be removed. They were also told that if they do not have a property built and occupied by that deadline, they would only be able to build a single-family home on the property. It would be nearly impossible for his company to design, obtain permits, and complete the building process of a triplex in less than six (6) months.

Although the current zoning is for R3 single-family high density, there is clear evidence that a triplex existed on this site prior to zoning being adopted in 1955. Since this lot contained a legal non-conforming use property, his company would like to once again have the option to build a triplex on the property (parcel #610000330760). It should be noted that his company has been taking care of the property by maintaining the grounds and have invested a significant amount of capital improving and renovating the detached garage.

Due to the unforeseen reasons state above, his company is requesting a multi-year extension to have the opportunity to build a triplex on the property formerly known as 516, 518 and 518 ½ Liberty Street. He feels that an extension is fair and reasonable given the circumstances associated with this property. Referred to City Planning Commission and to the Planning & Zoning Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS

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

Treasurer's Reconciliation Report – December 31, 2013.

Discussion:

Councilman Russel asked for an explanation on what the 5/3rd Bank error of \$999,800.89 is. City Auditor Staschiak replied that it is a transaction regarding an investment that the City bought. The error was on the bank's side of the transaction. His office balances the City's money to the penny. The investment was bought at a different price than what the custodial entity with 5/3rd Bank was instructed to buy it. The error was corrected incorrectly and the error correction crossed over the end of the fiscal year. He worked with 5/3rd Bank to get this corrected. He is grateful that Council allowed him to enter into a custodial agreement for purchasing our investments. This shows that the custodial agreement is working very well because at no time was one penny of the City's money at risk. Whether it had been a bank error, an electronic transfer error, or some other type of error from some unknown entity in the electronic world we deal in today. The relationship put in place allowed for this to be corrected. It was corrected promptly without a single penny of the City's money at risk at any time.

Councilwoman Spence noted that this is not the first time this error has occurred. She then asked if 5/3rd Bank is still the City's best banking option or should the City be looking for another source. City Auditor Staschiak replied that this service is bid out every five (5) years. About a year ago, 5/3rd Bank made a big change to how they do business with the City where we went from a very low fee service provider to a fee in excess of fifteen thousand dollars (\$15,000.00) a year on a general day-to-day banking account. The City's biggest concern is what security and services banks offer in order for the City to continue to do business the same way. 5/3rd and First National Banks years ago were all locally owned and worked well for the City's needs for many years. The Treasurer would be the best person to give some insight to the errors the report shows. His department uses a check and balance system in which he tells the Treasurer how much money there should be in the bank, and the Treasurer checks to make sure the money is there. Some common errors that occasionally happen are encoding errors where numbers are reversed, errors in the handling of deposits as there are people in the teller lines, so not everything is done electronically. Human errors happen, and computer errors occasionally happen. He does not feel there has been an excessive amount of errors with the exception of this particular error. He was very concerned with how this error happened and with the dollar amount. Filed.

Service-Safety Director Paul Schmelzer – ODOT Project I-75 and US 68/SR 15 interchange, PID #87005

Preliminary legislation has been received from the Ohio Department of Transportation (ODOT) regarding this project. This legislation verifies the City's consent to proceed with the project because portions of the project are within the corporate limits. The project will be funded one hundred percent (100%) by ODOT.

ODOT proposes the following work:

- Reconstruct and widen I-75 for a distance of approximately 5.1 miles, from 0.8 miles south of the US 68/SR 15 interchange to the CR 99 interchange.
- Reconstruct US 68/SR 15 for a distance of approximately 1.0 mile, east from its interchange with I-75, including reconstruction and reconfiguration of its interchange with I-75.
- Reconstruct and reconfigure Lima Avenue for a distance of approximately .5 miles from Lake Cascades Parkway to Byal Avenue, including a new interchange with US 68/SR 15.
- Reconstruct the Harrison Street bridge over I-75.

In order to meet ODOT's project schedule, it is requested that the ODOT-provided legislation be adopted by Council no later than February 18, 2014. Ordinance No. 2014-008 was created. Filed.

City Auditor Jim Staschiak – Necessary de-appropriation

Ordinance No. 2014-001 appropriated sixty-two thousand three hundred sixty-five dollars (\$62,365.00) to the enforcement education fund. During the annual process of closing out the prior fiscal year, it has been determined that this appropriation is in excess of the statutory allowable amount. In order to correct the item, a de-appropriation of two thousand nine hundred seventy-five dollars (\$2,975.00) is required.

FROM:	Enforcement/Education #22075000-other	\$ 2,975.00
TO:	Enforcement/Education Fund	\$ 2,975.00

Since this is a statutory requirement, Auditor Staschiak is requesting the emergency clause be added for the ordinance so that the legislation takes effect immediately. He also requests the statutory rule be suspended and the ordinance be given three (3) readings during the February 4, 2014 City Council meeting. Legislation to de-appropriate funds is requested. Ordinance No. 2014-009 was created. Filed.

Hancock County Engineer Project Manager Steven Wilson – East Main Cross Street bridge over Lye Creek

Our office has been working for several years on plans to replace the bridge on East Main Cross Street over Lye Creek. This project is programmed to receive a Federal Highway grant administered by the County Engineers Association of Ohio (CEAO) and was originally scheduled for construction in 2016. Mr. Wilson recently received word from CEAO that due to other projects in the state falling behind schedule, we can move their project to 2014 construction if they can submit their final plans by February 15, 2014.

One of the items necessary to complete the plans is approval of a right-of-way dedication plat that widens the existing right-of-way on East Main Cross to accommodate construction of the new bridge. The property adjacent to the bridge is owned by either the City of County, so there will be no taking of private property.

Time is of the essence to meet the submittal deadline. Mr. Wilson respectfully requests Council authorize acceptance of the attached plat as an emergency during the February 4, 2014 City Council meeting. They apologize for the short notice on this issue, but are anxious to see this project be constructed as quickly as possible. Legislation for Council's consideration is requested. Ordinance No. 2014-010 was created.

Discussion:

Council President Pro-Tem Monday asked if this will be in conflict with the proposed riparian corridor on the west side of Lye Creek. Service-Safety Director Schmelzer replied that the attached plat shows what the actual impact is to that parcel. If you start at the point of beginning which is in the middle of parcel 26710, you can see that by the time you get to the edge of the bank, it is approximately forty feet (40'). The net effect of that acreage will probably be one tenth (1/10) of one acre, but is on the same parcel. At the bottom right of the plat, you can see the legal where it references .188 acres for that parcel which is the City's property. It will affect the riparian corridor to about .1 acre which is a small amount relative to the total parcel.

Councilman Nichols asked if the ordinance on this needs to be adopted tonight. Service-Safety Director Schmelzer replied that the three readings will need to be suspended, but because it is a right-of-way, the emergency clause is not needed for it. Filed.

Mayor Lydia Mihalik – Hancock County Jail Fees

A discussion about the increase in fees charged by the Hancock County Commissioners for Hancock County Justice Center has been ongoing for several months. Last week, several representatives from the County, her administration, and the Municipal Court Judges convened to talk about the rate increasing from fifty-five dollars (\$55.00) per day to eighty-four dollars (\$84.00) per day.

The original jail contract was signed in 1989 and the daily rate for our city inmates has not changed since then. The County Commissioners have analyzed their costs and have come up with a new per diem rate of eighty-four dollars (\$84.00) per day.

A new contract is being negotiated between the two entities. While some language changes are being requested, the issue of major concern to this Council will be the rather large increase in the per diem rate.

This matter is time sensitive as the County Commissioners have expressed urgency in implementing the new rate. Mayor Mihalik requests this matter be referred to the Appropriations Committee so that a more detailed discussion can be had concerning the reasoning behind the increase as well as what other alternatives have been explored. Legislation authorizing the Mayor to enter into a new agreement with the Commissioners for housing city inmates at the Hancock County Justice Center is requested. Ordinance No. 2014-011 was created.

Discussion:

Councilman Klein asked for the basis for the reason the rates are being raised to the amount they are. He then asked if the \$84 rate is what other communities in our area are charging for per diem. Service-Safety Director Schmelzer replied that they have taken a look at their 2013 costs and divided it by the number of prison days to come up with this figure. The actual amount is \$88/day. Judges Starn and Fry and Court Administrator Beach have been very helpful in evaluating the situation. The cost difference from county to county is a very large range. There are some surrounding counties that still charge \$55/day, but he is unsure if those counties are accounting for their entire costs or not. Councilman Klein then asked if there are any counties that are charging \$84/day. Service-Safety Director Schmelzer replied there are some counties charging over \$90/day. He would like to provide some of the basis for what the County is looking to charge the City during the Appropriations Committee meeting. He would also like to discuss in further detail some of the things he would like to do with an alternative sentencing facility. It is his hope the County is onboard and willing to work with the City on it. This would expand the current services that are provided in the W.O.R.C. facility which is a significantly lower per diem cost than to run the jail. He will provide copies of the basis for the rate increases at the Appropriations Committee meeting.

Judge Starn from the audience noted that the contract does not require the court's signature as it is between the City and the County. The Court sentences them and the City is responsible for where they go. The Court controls the different sentencing options. The Court will continue to work with the Mayor's Office and Council on what other kinds of cost savings there might be. Court Administrator Beach has checked to see if there are other options with other counties to send inmates to other jails that have cheaper rates. They are working to get the alternative sentencing centers together which will help regardless of what the rate at the jail will be to get some substance abuse or alcohol related inmates out of the jail and into a center that costs \$25-\$30/day much of which may be reimbursed by the defendant vs. \$55-\$85/day in a jail type facility. There are sentencing options where they can decide whether to sentence individuals under State code instead of City code because the City only reimburses when an individual is sentenced under ordinance. If an individual is sentenced under State code, the State pays it. They are looking at all options as they have different effects on other aspects of budgetary issues. Both he and Court Administrator Beach will attend the Appropriations Committee meeting to answer any questions. Their primary obligation is that sentencing meets the statutory requirements. He understands the rate increase affects budgets.

Councilman Russel asked what kind of affect it will have on the City's net budget if 2013 rates would be applied to our prison population. Service-Safety Director Schmelzer replied three hundred fifty thousand dollars plus (\$350,000+).

Councilwoman Spence noted that when she worked in Municipal Court, jail space was always a problem. Once someone is sentenced, they were not always able to get into the jail because of lack of space. She asked if that is still an issue and if it is something Council still needs to consider. Judge Starn replied jail space is still a huge issue. Court Administrator Beach from the audience added that three hundred eighteen (318) individuals were turned away from the jail in 2013. Judge Starn noted that in May or June of 2013, they ran into a situation where the female population in the jail was astronomically high relative to the normal population, so they looked into utilizing Putnam County and Seneca County's facility because they had some jail beds available for the overpopulation of females. When someone reports to jail on mandatory jail time (i.e. OVI), they sometimes are turned away. They have to serve jail time and cannot be sent anywhere else, but the jail is sometimes full. This has been an ongoing problem since he has been with the City. Long term goal is to come up with a solution to get more jail beds.

Service-Safety Director Schmelzer asked what type of impact the alternative sentencing facility would have on the three hundred eighteen (318) that were turned away from the jail last year. Judge Starn replied the alternative sentencing facility would primarily focus on substance abuse. The statutory law came about as a way for him to address mandatory OVI time although it is not limited to that. Those repeatedly turned away, the mandatory OVIs are a significant portion of that. There are non-mandatory time individuals who have also been turned away. He estimates the alternative sentencing facility could impact a third (1/3) of them. It would not eliminate the entire problem. It would only affect those who are sentenced there when it exceeds the capacity. Referred to the Appropriations Committee. Filed.

COMMITTEE REPORTS:

The **INTER-GOVERNMENT RELATIONS COMMITTEE** met on January 22, 2014 to discuss re-inspection fees for businesses that are in violation of the Ohio Fire Code.

We recommend approval of the request.

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

The **WATER AND SEWER COMMITTEE** to whom was referred a request from VanHorn, Hoover and Associates, Inc. for a waterline extension to 10472 Twp Rd 95.

We recommend approval of the above project at the developers cost pursuant to the specifications of the Engineering Department and subject to annexation agreement.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Bill Johns of Johns Builders LLC to vacate the north 208.25 feet of a 16 ½ wide alley platted in the Dillinger and Kagy Subdivision, and lying adjacent to Lots 3385, 3386, 3387, and 3388 in said subdivision and adjacent to Outlot 235 in the Gage and Carlins Outlots.

We recommend approval of vacation as requested by the applicant. Motion made by Councilman Russel, and seconded by Councilman Shindledecker. Ordinance No. 2014-012 was created.

Councilman Harrington moved to adopt the committee report. Councilman VanDyne seconded the motion. All were in favor. Filed.

LEGISLATION RESOLUTIONS

RESOLUTION NO. 008-2014 *(no PO/over PO amount)*

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

ORDINANCES

ORDINANCE NO. 2014-006 *(2014 departmental equipment list)*

Second reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE PURCHASE OR LEASE OF EQUIPMENT FOR THE VARIOUS CITY DEPARTMENTS IN ACCORDANCE WITH THE 2014 DEPARTMENT EQUIPMENT LIST WHICH IS INCORPORATED HEREIN AS EXHIBIT A, AND FOR CONSTRUCTION OF VARIOUS PROJECTS, APPROPRIATING FUNDS FOR SAID EQUIPMENT AND OTHER CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2014-007 *(additional budget non-capital expenses)*

Second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2014-008 *(ODOT I-75 and US 68/SR 15 interchange)*

First reading

Adopted

AN ORDINANCE COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RECONSTRUCTION AND WIDENING OF THE I-75 AND US 68/STATE ROUTE 15 INTERCHANGE TO THE COUNTY ROAD 99 INTERCHANGE, FOR THE RECONSTRUCTION AND RECONFIGURATION OF THE US 68/STATE ROUTE 15 INTERCHANGE, FOR THE RECONSTRUCTION AND RECONFIGURATION OF LIMA AVENUE FROM LAKE CASCADES PARKWAY TO BYAL AVENUE INCLUDING A NEW INTERCHANGE WITH US 68/STATE ROUTE 15, AND FOR THE RECONSTRUCTION OF THE HARRISON STREET BRIDGE OVER I-75, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Councilman Nichols moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Harrington seconded the motion. Ayes: Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische. The Ordinance received its second and third readings. Councilman VanDyne moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-008 and is hereby made a part of the record.

ORDINANCE NO. 2014-009 *(de-appropriation of funds)*

First reading

Adopted

AN ORDINANCE DE-APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Nichols moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Douglas seconded the motion. Ayes: Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-009 and is hereby made a part of the record.

ORDINANCE NO. 2014-010 *(E Main Cross St ROW dedication plat)*

First reading

Adopted

AN ORDINANCE ACCEPTING THE STREET RIGHT-OF-WAY DEDICATION AS SHOWN ON THE EAST MAIN CROSS STREET RIGHT-OF-WAY DEDICATION PLAT.

Councilman VanDyne moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Councilwoman Spence seconded the motion. Ayes: Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols. The Ordinance received its second and third reading. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-010 and is hereby made a part of the record.

ORDINANCE NO. 2014-011 (jail services)

First reading

AN ORDINANCE AUTHORIZING MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS FOR HANCOCK COUNTY, OHIO, TO PROVIDE JAIL SERVICES TO THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Councilman VanDyne seconded the motion. Ayes: VanDyne, Harrington, Klein. Nays: Spence, Douglas, Frische, Monday, Nichols, Russel, Shindiedecker. Motion failed.

First reading of the Ordinance.

ORDINANCE NO. 2014-012 (Third St alley vacation)

First reading

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

First reading of the Ordinance.

UNFINISHED BUSINESS

OLD BUSINESS – none.

NEW BUSINESS

Councilman Nichols announced that as Council representative of the Hancock Home Builders, he provided an update on what they have been doing since the Elks has closed. The Elks bought the old Westmore Club. The Hancock Home Builders have been holding their meetings there. During their last meeting, they discussed that they will be hosting a parade of homes this fall at various subdivisions throughout Findlay. In years past, the parade of homes only included one subdivision.

Councilwoman Frische received a phone call from a citizen living on North Hill Trail. He would like to get the city income tax credit back for those living in Findlay, but working outside of city limits. She told him she would look into ask for future discussion on it when planning budgets to see if it is possible to accommodate the eleven percent (11%) credit. Council President Pro-Tem Monday asked where this request should be referred to. Councilwoman Frische suggested it go to the APPROPRIATIONS COMMITTEE for when budget planning will be done later this year to possibly bring back at least a half percent (.5%) or at least explore the opportunity. Law Director Rasmussen added that Council and the Income Tax Board have looked at this issue a number of times. It is not an issue that will be resolved early this year. The APPROPRIATIONS COMMITTEE, the COMMITTEE OF THE WHOLE, and/or the Income Tax Board might want to take a look at it. Councilwoman Frische feels it is owed to the citizen who contacted her since he has been diligent enough to come to Council two years in a row asking for this. She understands his view of the tax credit, but also understands the City's view of it also. Council President Pro-Tem Monday suggested it be referred to a COMMITTEE OF THE WHOLE meeting where this individual can attend and represent his issues. Councilman Harrington added that it would be nice to have some figures at whatever meeting this is addressed at to show how it would impact the City's budget both negatively and/or positively. Service-Safety Director Schmelzer suggested it not be discussed during the next COMMITTEE OF THE WHOLE meeting as there is already a full agenda for that meeting. He suggested it be discussed during another COMMITTEE OF THE WHOLE meeting. Councilman VanDyne noted that this request will most likely not just be granted, but that there will be some opposition. Council President Pro-Tem Monday suggested that it should be brought up a future COMMITTEE OF THE WHOLE meeting, this issue be brought up to remind everyone that it still needs to be addressed.

Councilwoman Frische thanked the City's Public Works Department for their snow plowing efforts and thanked Superintendent Matt Stoffel for having salt available in advance as many cities are running out.

Councilman Harrington noted that Marathon Oil Company announced their upcoming eighty million \$80,000,000 downtown project which is exciting news not only for the City, but also for the County, and the Region. Marathon has been a great corporate citizen of the City of Findlay for years. This new project is another indication of their love of Findlay, Hancock County, and the State of Ohio. They should be commended by all citizens including City Council for doing what they do for our city. Councilman VanDyne also thanked the City Administration and the Economic Development for their involvement in this project.

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on February 25, 2014 at 5:00pm, first floor council office of the Municipal Building (CO).


agenda: 516, 518 and 518 ½ Liberty St zoning extension

Councilman Monday: **APPROPRIATIONS COMMITTEE** meeting on February 11, 2014 at 4:30pm, third floor conference room beside the Mayor's Office of the Municipal Building (CR1).

agenda: 1. 2014 Capital Equipment Plan
2. jail service rates

Councilman Monday: **COMMITTEE OF THE WHOLE** meeting on February 11, 2014 at immediately following the APPROPRIATIONS COMMITTEE meeting, third floor conference room beside the Mayor's Office of the Municipal Building (CR1).
agenda: I-75 interchange

President Pro-Tem Monday adjourned Council at 8:31pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL PRO-TEM