

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

APRIL 1, 2014

COUNCIL CHAMBERS

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

ABSENT: Nichols

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

MINUTES:

Councilwoman Spence moved to accept the March 18, 2014 Regular Session City Council meeting minutes as written. Councilman Harrington seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Letter from the City Health Department – electronic cigarettes (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section).

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS:

Barrie Lineken – Findlay downtown transportation grant application legislation

Mr. Lineken has lived in Findlay since 1966. He is now retired and is becoming more involved with what goes on in Findlay. There is no need to debate the Findlay Downtown Transportation Project. It is a worthwhile undertaking. Council should support the application process for the grant money that is available. The funding that has been put forth for the study done by the group in Michigan is worthwhile. The data gathered from that study has been valuable in the City's efforts to put together a workable plan. The City should support legislation that is brought before City Council tonight to apply for the upcoming grant proposal. It will be the first of many that will be required to carry this project through. It would be a mistake if the City proceeds on an emergency basis for a project of this magnitude. By not proceeding on an emergency for this project, the May 4, 2014 deadline for filing the application will not be met, but there will be many more that will have to be submitted. It will be a mistake to apply the emergency measure to tonight's legislation as it would preclude an opportunity for this matter to be brought before the election in the form of a referendum. Since this project is in the formative stage, there will be many modifications, changes, and/or alterations to it. The final project in its entirety deserves a vote from the public.

Discussion:

Councilwoman Spence asked if this will be the only application the City will be filing for ODOT for this project and if the deadline for filing is May 4, 2014. Service-Safety Director Paul Schmelzer replied that the only application under ODOT's Transportation Alternative Plan is this. It has a May 4, 2014 deadline. This is for the application purpose only. After the design and other options have been worked through as they pertain to ODOT, it will come back to this body for a vote to accept the funding based upon the project scope that is determined to be eligible by ODOT.

Christopher Neely – Lye Creek riparian buffer

Mr. Neely lives at 841 Hawthorne Road. In 2009, he purchased a fixer upper in a neighborhood that he knew nothing about. The house was a disaster, the worst one on the street. It took much vision and hard work to bring it up to its full potential, but is still a work in progress. A lot of times there are a lot of surprises when remodeling a house. The biggest surprise in his case turned out to be the neighborhood. The flooding seemed to bring a unity that did not previously exist. Groups of people used to walk their dogs around the circle every evening. There were always parties and potlucks dinners to attend, but sadly, most of those have fallen to the wayside. His neighborhood is now at a crossroads. They have lost many homes to flooding and stand loose to more. The homes east of Lye Creek have been raised leaving empty lots. The view to East Main Cross Street has been opened up dramatically exposing their neighborhood to increased traffic noises. This deterioration will continue unless plans are made to stop it. The riparian buffer is an important step in the plan to revitalize the neighborhood. It needs to start with the solid infrastructure that includes not only newly paved roads and new curbs, but also create healthy creeks and rivers. At this point, Lye Creek is a muddy polluted ditch that could become more than it is. Shaded by mature trees and bushes, it has the potential to support various aquatic ecosystems, not to mention numerous species of wildlife. As the landscape matures, it will help block the view to East Main Cross Street once again making their streets more private. The best part of his neighborhood is the fact that it feels like they live in the country while right in the middle of the city. A healthy Lye Creek is an important factor contributing to the excellence of this location. Over the last five (5) years, he has invested time, hard work, and money into his home trying to bring it up to its full potential. He asked Council to consider voting for the riparian buffer giving Lye Creek and his neighborhood the opportunity to live up to its full potential.

Kurt Ramthun – Lye Creek riparian corridor

Mr. Ramthun is in favor of the riparian corridor adjacent to the Lye Creek. The pros outweigh the cons. The taller grass, bushes and hardwood trees will affect the water quality by filtering the water before it enters the creek. He would like to see the trees, bushes and grass rather than empty lots. He would also like to see this continue to the east of Lye Creek to fill in the lots where the houses were removed. The trees and bushes would fill in the gaps where nothing can be refilled. This in turn would bring back the serenity of the neighborhood. This would be a step in the right direction.

Discussion:

Councilwoman Spence thanked both Mr. Neely and Mr. Ramthun for coming before Council and expressing their interest in moving forward with this project. She and Councilman Monday went out this last week and knocked on several doors in the neighborhood. Overall, they received positive responses to this project with only one (1) gentleman saying he had more concerns about litter and that he did not want to support this project. She appreciates Mr. Ramthun's dedication to the project as this is the second time Mr. Ramthun has addressed Council on this matter.

Councilman Harrington asked Mr. Ramthun if he lives in the Lye Creek neighborhood. Mr. Ramthun replied he lives on Hawthorne.

PETITIONS:

City Auditor Jim Staschiak – 60-day hold in Auditor's Office for Ranzau/Jaqua Annexation paperwork

On March 19, 2014, annexation documents for the Ranzau/Jaqua annexation were received. The petitioner for this annexation is William M. Jaqua Revocable Trust, the George H. Ranzau Revocable Trust and the Camille A. Ranzau Revocable Trust, and will be referred to as the Ranzau/Jaqua Annexation. Philip L. Rooney is the agent for the petitioners. These annexation documents will be in the Auditor's Office for the required 60-day period which will end on May 19, 2014, and then will be forwarded to the Council Clerk. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS

Treasurer's Reconciliation Report – February 28, 2014. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Miami Valley Pizza LLC, located at 339 South Blanchard Street, Findlay, Ohio for a D1 liquor permit. This requires a vote of Council.

Gregory R. Home, Chief of Police – Miami Valley Pizza LLC, located at 339 South Blanchard Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

- Scott C. Arbuthnot
- Daniel Wright
- Anthony E. Szambecki
- A. Scott Ritchie
- Carol L. Ritchie

Councilman VanDyne moved for no objections be filed. Seconded by Councilman Harrington.

Discussion:

Councilman Harrington noted that this is for Pizza Hut.

7 Council members in favor, 2 opposed. Filed.

Findlay City Board of Health minutes – January 15, 2014 and February 19, 2014.

Discussion:

Councilman Russel noted that during the February 19, 2014 meeting, the Health Board discussed the downtown plan where they passed an endorsement of the plan by a 5-0 vote noting that it is a pedestrian/bike friendly plan that connects the downtown and the university area as it helps support public health. Filed.

Service-Safety Director Paul Schmelzer – ODOT Downtown Revitalization Project

The deadline for pursuing ODOT fiscal year 2016 funding for the Downtown Revitalization Project is May 4, 2014. ODOT has worked closely with the City and the City appreciates the time the staffs at District 1 and community members have invested in this idea. This concept started using a Traffic Impact Study as the basis, was developed in committee, given safety force and public review, then refined based on the input. The process result is a concept that increases connectivity to the University while adding functional and aesthetic value to the downtown environment. The project meets the criteria for funding under the ODOT Transportation Alternative Program. Pursuing the finding is the next step toward bringing this project to fruition. Legislation to pursue TAP funding is requested. Resolution No. 015-2014 was created. Filed.

Service-Safety Director Paul Schmelzer – ODOT Western Ave/Sandusky St and Blanchard Ave/Sandusky St intersections

There has been much discussion about the Main Street Project. During that discussion, the need to examine other intersections in the City that currently cause traffic congestion and/or safety issues it was mentioned. Western Avenue/Sandusky Street and Blanchard Avenue/Sandusky Street are prime examples. The Service-Safety Director is working with the Alliance to examine programs and pursue funding for the projects that need addressed but are not part of the ODOT Transportation Alternative Plan. He would like to pursue the improvement of these intersections, especially as they relate to the Marathon Petroleum Company expansion. Funding will not obligate the City to accept or provide matching funds. He asks for Council's support in pursuing funding opportunities to enhance the transportation system in Findlay. Resolution No. 016-2014 was created.

Discussion:

Councilman Russel asked what the timeline for these projects will be. Service-Safety Director Schmelzer replied that if he was to apply early in this month, he would find out in early May if the City is eligible for funding and would inform Council what level of funding is available. If the City would be able to obtain funding early enough this year for the Blanchard Avenue/Sandusky Street intersection project, the design work would be completed and work on that intersection could begin late this year or the beginning of next year. Filed.

Service-Safety Director Paul Schmelzer – joint health district study

At their annual meeting in early March, the Hancock County District Advisory Committee (DAC) supported a formal resolution to work on the development of a Hancock County General Health District. The district would create one entity to serve the public health needs of Hancock County. The City of Findlay needs to pass a similar resolution to formalize discussions. Ongoing discussions have been fruitful thus far, identifying issues that derailed a previous attempt. He will update Council on the progress of the discussions as soon as they become available. Legislation to participate in a joint health district study is requested. Ordinance No. 2014-026 was created.

Service-Safety Director Paul Schmelzer – Glessner Avenue Waterline project 35733600

By authorization of Ordinance No. 2014-006, bids were opened for this project on March 20, 2014. Bids were received from five (5) potential contractors with the lowest and best bid in the amount of one hundred fifty-eight thousand nine hundred sixty-one dollars and fifty cents (\$158,961.50) from R.A. Bores Excavating of Bellevue, Ohio. This project is included in the 2014 Capital Improvements Plan and twenty thousand dollars (\$20,000.00) was previously appropriated to the project. Legislation to appropriate funds is requested. Ordinance No. 2014-027 was created.

FROM: Water Fund \$ 150,000.00
TO: Glessner Avenue Waterline project #35733600 \$ 150,000.00

Filed.

Findlay Fire Chief Thomas Lonyo – Xtreme Industrial and Hazardous training

Marathon Pipeline has offered to send three (3) members of the Fire Department to the Xtreme Industrial and Hazardous Training course held at the Beaumont Emergency Services Training (B.E.S.T.) facility in Beaumont, Texas from May 4, 2014 through May 8, 2014. Fire Captain/Instructor Jeff Rampe, Firefighter/HazMat Coordinator Troy Stoner, along with Firefighter Joel Rampe will attend the week long course which specializes in emergency response at petroleum storage and pipeline facilities. The course includes classroom content, case studies, tactical studies, incident assessment, equipment evolution, foam applications and large volume advanced equipment applications. The students will also conduct field evolutions, pump operations, hose relays and live burn rotations.

The course registration fees, turnout gear and PPE rental, air travel, accommodations and meals are being provided to our members by Marathon Pipeline and at no cost to the City of Findlay. Personnel will bring back valuable information and provide training to the remaining members of our department. This collaborative effort will enable the Fire Department, Marathon Pipeline and possibly the Hancock County Hazardous Materials Response Team to conduct on-site training and drills later this year at their storage facility on Glessner Avenue. Without the support of Marathon Pipeline, the department would not have been able to attend this expensive and specialized training. The Fire Department is grateful to have such a generous corporate sponsor in our community and intend to take full advantage of this opportunity.

Discussion:

Councilman VanDyne thanked Marathon for their generous donation. He is familiar with the B.E.S.T. facility with the work he does at the University of Findlay. It will be great training for them.

Councilman Harrington noted that this is another example of the great corporate citizens that Marathon Pipeline has been, is now, and will be in the future. Filed.

Findlay Shade Tree Commission Chair Thomas Mills – Park NeighborWoods Project

The Findlay Shade Tree Commission is receiving additional funds for planting trees in the Sherman Park neighborhood late April and May. An appropriation of three thousand dollars (\$3,000.00) to be received by the City in the following weeks to the Findlay Shade Tree Commission account so that they can pay for trees and related costs. Two thousand five hundred dollars (\$2,500.00) was received from a Findlay Hancock County Community Foundation grant, and five hundred (\$500.00) was received from private funds/donations from residents in the Sherman Park neighborhood. Due to the timing of grants and donations for this project, the Findlay Shade Tree Commission plans to use their current City appropriation of two thousand five hundred dollars (\$2,500.00), actual dollar figure of two thousand four hundred thirty dollars (\$2,430.00) to secure the trees for an April 25, 2014 Arbor Day Program, and the May 10, 2014 planting day at Sherman Park. Other project related expenses would be reimbursed later.

Findlay has again been designated as a Tree City USA Community with the awards presentation on April 9, 2014. Council and the community are also invited to join neighbors, students and others at Jefferson School on Friday, April 25, 2014 for Findlay's Arbor Day Program where they will launch the Sherman Park NeighborWoods Project at that time, with trees to be planted around Sherman Park and that neighborhood on May 10, 2014. More details will be provided as they become available.

Discussion:

Councilwoman Spence is proud of the Shade Tree Commission for their hard work on the NeighborWoods projects for the community. She thanked the Hancock County Community Foundation for their support on a project last year when a similar project was done that included a big turnout at Mound Park. That project also received a lot of support from the neighborhood. The Shade Tree Commission is doing a great job.

Councilman Harrington attended the neighborhood meeting that all the residents in that area came to even though it was pouring down rain that day. Comments were given about how excited they are, that it is long overdue, and that they are very thankful. This will be a nice neighborhood enhancement program for the citizens in that area. Referred to the Appropriations Committee.

Service-Safety Director Paul Schmelzer – Findlay Swimming Pool Operating Agreement

The Findlay YMCA is interested in renewing the operating agreement for the Findlay Swimming Pool at Riverside Park for the 2014 summer season. The Parks and Recreation Board has discussed equipment for the pool that is aimed at improving the experience for children visiting the facility. Authorization to renew the agreement for the 2014 season is requested. Ordinance No. 2014-028 was created. Filed.

City Auditor Jim Staschiak – online auction site providers

In 2009, the City began using online auction sites that specialize in disposal of surplus, obsolete, and confiscated items owned by governments. Use of these sites has created many benefits including increasing the amount of revenue received from these items, as well as improving our internal control process. Since that time, additional online service providers have become available and it would be to the City's advantage to add an additional provider in order to reduce costs. Legislation to add additional providers and/or remove providers in the City's normal course of business is requested. Filed.

Health Commissioner Stephen Mills - Public Health Emergency Preparedness Grant

The Findlay City Health Department received notification from the Ohio Department of Health is eligible to receive an additional eleven thousand seven hundred twenty-two dollars (\$11,722.00) as part their 2014 Public Health Emergency Response Grant pending successful completion of a budget revision outlining the projected use of these funds. This revision was completed and submitted by the February 3 due date and an adjusted Notice of Award was just received by the Health Department on Monday, March 24. This award will be used to purchase a new computer for the Health Department's Epidemiologist and Planner, and to reimburse general revenue funds for the cost of employee emergency pager stipends, as well as some employee wages for time spent on preparedness activities. These additional funds bring the total Emergency Preparedness Grant for 2014 to ninety-five thousand two hundred nine dollars (\$95,209.00).

According to the grant guidelines, funds for equipment must be spent by April 14, 2014. Due to the short this short turn around, emergency legislation to appropriate the grant money of eleven thousand seven hundred twenty-two dollars (\$11,722.00) to project #31932900 2014 ODH PHEP Grant so that the Health Dept may begin activity as soon as possible. The Notice of Award is attached as verification along with the original ODH notice of availability. Ordinance No. 2014-029 was created.

FROM: Ohio Department of Health Grant	\$ 11,722.00
TO: 2014 ODH Emergency Preparedness Grant #31932900	\$ 11,722.00

Discussion:

Councilman VanDyne congratulated the City Health Department for this. They do a fantastic job. He asked the Service-Safety Director how much money they brought in last year. Service-Safety Director Schmelzer replied he is unsure the total dollar amount as they pursue so many grants. They are very diligent about them. These grants help the Health Department with their costs. Filed.

City Planning Commission agenda –April 10, 2014;minutes – March 13, 2014. Filed.

Mayor Lydia Mihalik – active shooter pre-plan

In November 2013, the City EMS committee recognized that there was a need to produce a concrete response plan to a potential active shooter event at a school located in the City limits. As this topic was discussed, it was decided that a shooting at either a City of County school would require a response from all first responding agencies within the County. In December 2014, a meeting was convened that included the Findlay Fire Department (FFD), Findlay Police Department (FPD), Hancock County Sheriff Office (HSO), Ohio State Highway Patrol (OSP), Hanco EMS, and Blanchard Valley Hospital. Command officers from all disciplines began discussing previous national events and quickly realized the need for a coordinated pre-plan when responding to an active shooter event at any school located in Hancock County.

Since the first meeting, this committee has expanded to include representatives from the Hancock County Fire Chiefs Association as well as the Hancock County Chapter of the American Red Cross. A countywide response policy is in draft form and nearing completion. The committee has and continues to meet every two weeks with a completion date of June 2014 for the plan. Training will occur in the summer between HSO, FPD and OSP as well as FFD and EMS.

The committee would like to create Field Operating Guides (FOG) for every patrol car (HSO, FPD, and OSP), fire apparatus, fire command vehicle, ambulance, school principal as well as the health system or hospital. These FOGs would contain a response plan for each city and county school and include information on specific rally points, incident command site, triage areas, and staging locations for incoming responders. The committee would also add a GIS map with this information on each school as well.

The goal is to create a unified response and have a quick and easy guide for the law, fire, and medical first responders to reference when responding to an active shooter event. The initial moments of a terrible event such as this is critical to establishing command, initiating law response, and caring for the wounded.

The cost to produce these guides is twelve thousand five hundred dollars (\$12,500.00). A vendor has been secured to assist in developing these FOGs and utilize a material that should get ten (10) years of use. They are heavy duty and suited for field use. The FOG will also be put into an app format for use on electronic devices. A funding source for these FOGs which will assist first responders in the unfortunate event in Hancock County is now being sought.

At this time, in recognition of the great collaboration that has taken place, the Hancock County Commissioners have agreed to split the cost of the field guides. Referred to the Appropriations Committee. Filed.

President Pro-Tem Ronald Monday – public records requests Ad Hoc Committee

At the March 18, 2014 Findlay City Council meeting, a request was made to appoint an Ad Hoc Committee to create a policy pertaining to requests for information to the Computer Services Department so that those requests will be answered fully and properly. The following Councilmembers are appointed to this Ad Hoc Committee:

- Robert Nichols, Chairman
- Andy Douglas
- Tom Klein

City Health Department Health Commissioner Dr. Stephen Mills – electronic (E) cigarettes

The Findlay City Health Department has been studying the new health concerns with regard to electronic (E) cigarettes. They along with other health agencies like the American Cancer Society, American Lung Association, and the American Heart Association all recommend strong city policies on E cigarettes. Many states and cities have blended E cigarette bans into the present smoke-free regulations for cigarettes and other tobacco products. They have asked the Law Director to review the current smoking regulations and draft a proposed legislation/ordinance to add E cigarettes to the current city policy. They will provide health data and studies for Council to review. They will include other cities regulations on E cigarettes. He recommends smoke free laws/ordinances include all E cigarettes.

Discussion:

Councilwoman Spence asked if Dr. Mills could be invited to the next Appropriations Committee meeting to discuss this topic as she would like to hear more about the studies he is referring to and have the opportunity to ask some questions. President Pro-Tem Monday replied that he could be asked to attend and Appropriations Committee, but is unsure if that committee is the proper place for it as there is no appropriation request, so it will not go to the Appropriations Committee. He suggested inviting him to attend a City Council meeting and address Council.

Acting Mayor Slough noted that a number of years ago when he was on City Council where the smoking issue came before Council, a committee was appointed to go over and talk with both sides to determine what rules and regulations might be implemented. He is unsure if this request would warrant committee study or not. Dr. Mills and another doctor were involved with it a number of years ago. There were very active discussions on it.

Councilman Russel supports Dr. Mills attending a City Council meeting to discuss this.

President Pro-Tem Monday noted that if the need for an Ad Hoc committee becomes necessary, he will appoint one. Filed.

COMMITTEE REPORTS:

A COMMITTEE OF THE WHOLE meeting was held on Tuesday, March 24, 2014, to discuss the one percent (1%) income tax for those who live in city limits but work outside of city limits.

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

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 015-2014 (ODOT – Downtown Revitalization Project)

first reading

adopted

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA) TO PREPARE AND EXECUTE AN APPLICATION TO OBTAIN TRANSPORTATION ENHANCEMENT FUNDS FOR THE DOWNTOWN REVITALIZATION PROJECT THROUGH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION (ODOT), AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Douglas asked that since May 4, 2014 is the application deadline date for this, if the emergency declaration was removed, if it could still be filed, and if so, would the City lose anything by not declaring an emergency. Service-Safety Director Schmelzer replied the City would not lose anything.

Councilman Shindledecker appreciated Mr. Lineken's comments on the emergency clause on this resolution, but clarified that this is just the first step of many. He would support passing this as an emergency, but when it comes time to actually adopt a downtown plan, that might be a different matter. Council, the Alliance, and those who have been involved in this plan have shown that they have listened to the public. The plan has been revised considerably. He has talked to many who are were in favor of the original plan and were disappointed that the plan has been revised, but are still excited about the possibilities. He reserves judgment on passing as an emergency adoption of the actual plan, but does support passing this, the application, on an emergency.

Councilman Russel asked that if this is not passed on an emergency, if it would be open to referendum. In order for a referendum to get on the ballot, it requires ten percent (10%) of the previous governor's election. If this did become a referendum to get on the ballot, he asked what would happen to the application. Service-Safety Director Schmelzer replied that the ultimate decision would not be made until the decision was made at the ballot box and the application process would proceed anyway if it is passed. Councilman Russel then asked if it would proceed as if it was passed. Service-Safety Director Schmelzer replied that is correct assuming there are enough votes to pass it. If it is passes, he will then proceed.

Councilman Douglas thanked Service-Safety Director Schmelzer, the Alliance, and the consultants who held the second public meeting that allowed for public questions which was one of the biggest concerns he heard after this was initially rolled out.

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

RESOLUTION NO. 016-2014

first reading

adopted

(ODOT - Western Ave/Sandusky St and Blanchard Ave/Sandusky St intersections)

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO SEEK FUNDING THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) JOBS AND COMMERCE GRANT PROGRAM AND THE DEVELOPMENT SERVICES AGENCY ROADWORK DEVELOPMENT (629) GRANT PROGRAM FOR THE PURPOSE OF INTERSECTION UPGRADES WITHIN THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

Councilman Russel moved to adopt the Resolution, seconded by Councilman Klein. Ayes: Frische, Harrington, Klein, Monday, 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. 2014-017 (*sign & execute Lye Creek riparian corridor grant*)

third reading

adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO SIGN AND EXECUTE A GREAT LAKES RESTORATION INITIATIVE – UPPER BLANCHARD WATERSHED GRANT AGREEMENT FROM THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND THE GREAT LAKES RESTORATION INITIATIVE GRANT PROGRAM TO ACCEPT ANY AND ALL FUNDS ASSOCIATED WITH SAID GRANT, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman VanDyne is supportive of this because the objections that were raised on this really did not change his opinion. He also thinks there are more in favor of this than what was originally thought as evident by a couple of individuals who came forward and spoke during the oral communications portion of tonight's meeting. This is exactly what should be done with parcels like this which is to return the habitat back to its original condition. If grant funding can be obtained to help support this, then he is in favor of it. He encourages others to look at it the same way.

Councilman Russel appreciates the input from the neighborhood. Last year, there was a the neighborhood meeting that Councilman Monday, the Mayor, and Councilman Russel attended where they started hearing about the plan. There was a compromise made to only have the riparian buffer on the west side of the creek which was a good compromise to see how this will play out. He appreciates the comments from both sides who have let Council know their opinions on this. He supports this because the compromise is a good path forward.

Councilwoman Spence noted that this was a challenging decision for her because she has heard so many opinions from those who are both for and against it. She went out to the neighborhood and spoke to several residents that were closest to the project where she received an overwhelming response of favor from them. A few are concerned with potential of additional litter. She asked that the City look into that concern and address it. There are some volunteers who have offered to maintain the area. She would like to have them participate in a litter cleaning pick up project. She would also like additional discussions with the Administration. Overall, the neighborhood supports the west side for this project and are happy with the compromise that Council is making.

Councilman Harrington asked for confirmation that this is only for the west side of Lye Creek and any consideration of the east side would be a different issue at a different time. Service-Safety Director Schmelzer confirmed that it is for the west side only. Councilman Harrington then asked if any consideration for anything done for the east side would be a separate issue, a different matter, and a different grant application at that time. Service-Safety Director Schmelzer that is correct.

Councilman Klein asked how many property owns on the west side are affected by this project. Service-Safety Director Schmelzer asked if he is referring to those directly abutting it. Councilman Klein replied yes, only for those directly abutting it. Service-Safety Director Schmelzer replied there is only one.

Councilman Harrington asked if those that abut Lye Creek on the east side also abut on the west side. There is one house that is on the west side of Lye Creek. That property owner has attended some City Council meetings and was in support of doing the west side. Council needs to consider the property owners that abut the creek.

Councilman Douglas noted that this project has been in discussions for a while now. Discussions started late last year. He asked why this needs to be declared as an emergency. Service-Safety Director Schmelzer replied that there is no need to have it as an emergency if Council does not want it to be. The emergency can be removed. Councilman Douglas moved to amend the ordinance to remove the emergency measure. No second to the motion was made. Motion dies for lack of a second.

Councilman Klein asked if the property owner on the west side that abuts the projected corridor is in favor or opposed to this. President Pro-Tem Monday noted that Councilman Harrington had a discussion with that property owner and asked him to respond. Councilman Harrington replied that property owner did attend the public meeting that was held here in the Municipal Building and also wrote a letter to Council in support of it.

Ayes: Klein, Monday, Russel, Shindledecker, Spence, VanDyne, Harrington. Nays: Douglas, Frische. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-017 and is hereby made a part of the record.

ORDINANCE NO. 2014-018

second reading

adopted

(*MRC Health Dept grant; intersection projects; Water Dept pick up truck insurance payment; Street Dept dump truck*)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the Statutory Rules and give the Ordinance its third reading. Councilman Klein seconded the motion. Ayes: Monday, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein. The Ordinance received its third reading. Councilman Harrington moved to adopt the Ordinance, seconded by Councilwoman Frische. Ayes: Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-018 and is hereby made a part of the record.

ORDINANCE NO. 2014-020 (*Marathon - E Hardin St vacation*)

second reading

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

Second reading of the Ordinance.

ORDINANCE NO. 2014-021 (*Marathon - Elks alley vacation*)

second reading

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

Second reading of the Ordinance.

ORDINANCE NO. 2014-022 (*Marathon - Beech Ave vacation*)

second reading

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

Second reading of the Ordinance.

ORDINANCE NO. 2014-023 (*Interstate West ROW dedication*)

second reading

AN ORDINANCE ACCEPTING THE STREET RIGHT-OF-WAY DEDICATION AS SHOWN ON THE INTERSTATE WEST RIGHT-OF-WAY DEDICATION PLAT.

Second reading of the Ordinance.

ORDINANCE NO. 2014-025 (*amend/repeal alley vacation Ordinance 2006-054 sections 1 and 2*) **second reading**

AN ORDINANCE AMENDING CERTAIN PROVISIONS CONTAINED IN SECTION 1 OF ORDINANCE NO. 2006-054 AND REPEALING CERTAIN PROVISIONS CONTAINED IN SECTION 2 OF ORDINANCE NO. 2006-054.

Second reading of the Ordinance.

ORDINANCE NO. 2014-026 (*joint health district study*)

first reading

adopted

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO EXECUTE A JOINT RESOLUTION OF THE COUNTY GENERAL HEALTH DISTRICT, DISTRICT ADVISORY COUNCIL, AUTHORIZING THE CITY OF FINDLAY TO COOPERATE AND PARTICIPATE IN A STUDY TO DETERMINE IF A JOINT HEALTH DISTRICT INCORPORATING THE CITY OF FINDLAY HEALTH DEPARTMENT AND THE HANCOCK COUNTY GENERAL HEALTH DISTRICT INTO A SINGLE ENTITY WILL BETTER SERVE THE HEALTH NEEDS OF ALL THE RESIDENTS OF HANCOCK COUNTY, OHIO AND DECLARING AN EMERGENCY.

Councilman Klein moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman VanDyne seconded the motion. Ayes: Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Russel. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilwoman Spence.

Discussion:

Councilman Shindledecker noted that this subject has been discussed for the better half of the century where it has died due to some mistrust on both sides. He feels it is important to pass this unanimously as an emergency to show that we are in support of it. This plan has a chance of passing. The City and County have been working together on it. There is no need for hurt feelings or anything else that has accrued over the past fifty (50) years. He supports passage of this immediately.

Councilman VanDyne noted that this was close to being final another time, so he is pleased to see it come before Council again. He would like to move forward with it.

Ayes: Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Russel, Shindledecker. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-026 and is hereby made a part of the record.

ORDINANCE NO. 2014-027 (*Glensner Ave waterline project*)

first reading

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman Harrington seconded the motion. Ayes: VanDyne, Douglas, Frische, Harrington, Klein, Monday, Russel, Shindledecker, Spence. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Douglas, Frische, Harrington, Klein, Monday, Russel, Shindledecker, Spence, VanDyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-027 and is hereby made a part of the record.

ORDINANCE NO. 2014-028 (*Riverside Swimming Pool 2014 program*)

first reading

adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT (CONTRACT) WITH THE YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2014 SEASON, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilwoman Frische seconded the motion. Ayes: Frische, Harrington, Klein, Monday, Russel, Shindledecker, Spence, VanDyne, Douglas. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Harrington, Klein, Monday, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-028 and is hereby made a part of the record.

ORDINANCE NO. 2014-029 (*Health Dept Public Health Emergency Preparedness Grant*)

first reading

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the Statutory Rules and give the Ordinance its second and third readings. Councilman VanDyne seconded the motion. Ayes: Klein, Monday, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilwoman Frische. Ayes: Monday, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-029 and is hereby made a part of the record.

UNFINISHED BUSINESS

OLD BUSINESS:

Councilman Russel thanked the YMCA for wanting to partner with the City again in running the pool. It has been a good partnership. It will be great this year. There will be new sliding boards, umbrellas, and physical improvements to the pool. Like Marathon Pipeline, this is another great partnership for the City.

Councilman VanDyne noted that in the rules of council, it is stated that organizations and boards will give reports to Council twice a year. A few City Council meetings ago, he had brought this to Council's attention and noted that it was overlooked, no reports had been submitted to Council and that he would fix it. His proposed fix is to have it in Council's rules that once a year starting in July, Councilmembers on the various boards and organizations will provide a report to Council. He will go first to set a precedence of how to report to Council. A two (2) or three (3) minute update on the organizations that are not on the typical list of committees that Council reports on is all that is needed. He will discuss this with the Law Director to see if a vote needs to take place to change Councils' rules. There will not be any responsibilities for anyone until July.

Acting Mayor Slough noted that Council suggested Dr. Mills come to a City Council meeting to discuss the E cigarettes issue. He believes it will not be the typical three (3) or four (4) minute discussion. He proposed a Committee of the Whole meeting where Dr. Mills and his assistant or whomever, address all of Council as a body so that however much time is needed for discussion will be allowed.

Acting Mayor Slough: **COMMITTEE OF THE WHOLE** meeting on April 29, 2014 at 5:00pm, third floor conference room beside the Mayor's Office of the Municipal Building (CR1).
agenda: E cigarettes

Councilman Klein has received phone calls from citizens about the work that is being done on Sandusky Street/Blanchard. He asked what is going on there. Service-Safety Director Schmelzer replied that all the work that is being done at those intersections relate to ODOT's paving project for Sandusky Street. Whenever ODOT does a paving project similar to the City's resurfacing, the City has to make sure that all curb ramps are up to date and American Disability Act (ADA) compliant. That is being done through ODOT's project. Even though there are some things that the City may be doing or hope to do with improvements on some of those intersections. It is part of ODOT's process to make sure that they are ADA compliant. The first thing the contractor did was redo the curb ramps and drops.

Councilman Harrington asked for an update on the US 224/Trenton Avenue closing. Service-Safety Director replied that he will keep Council updated as much as possible. He is working with ODOT and he will provide press releases. The next significant date will be when the other side of the bridge is demolished which is scheduled to be in mid-July.

NEW BUSINESS:

Councilman Russel asked the Rules Committee discuss Council's processes for verbally reading letters in detail to see if that is still an appropriate practice. President Pro-Tem Monday replied that the Rules Committee consists of Councilman VanDyne, Councilman Nichols, and Councilman Monday. Once Councilman Nichols is available, they will get together to discuss this. He asked Councilman Russel to put something in writing for the next City Council meeting on what he is proposing for the Rules Committee so they can generate a committee report to give back to Council. Councilman Russel replied he will.

Councilman Harrington made a motion to excuse the absence of Councilman Nichols. Seconded by Councilman Douglas. All were in favor.

Service-Safety Director Schmelzer introduced the new Human Resources Director Don Essex who was present at the meeting. He comes to Findlay from Fort Wayne, IN.

President Pro-Tem Monday: **APPROPRIATIONS COMMITTEE** meeting on April 8, 2014 at 4:30pm, third floor conference room beside the Mayor's Office of the Municipal Building (CR1).

- agenda: 1. Findlay Shade Tree Commission - Park NeighborWoods Project
2. active shooter pre-plan

President Pro-Tem Monday adjourned Council at 8:35pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL PRO-TEM