

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**MAY 6, 2014**

**COUNCIL CHAMBERS**

**PRESENT:** Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne

**ABSENT:** none.

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

## **MINUTES:**

Councilwoman Spence moved to accept the April 15, 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:**

Councilman Monday 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 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section).

President J. Slough welcomed Boy Scout Troop 304 from the audience who are working on their communications merit badges. Their Scout sponsor is the First Presbyterian Church.

**PROCLAMATIONS:** – none.

**RECOGNITION/RETIREMENT RESOLUTIONS** – none.

**WRITTEN COMMUNICATIONS** – none.

**ORAL COMMUNICATIONS** – none.

**PETITIONS** – none.

## **REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS**

**Traffic Commission minutes** – April 21, 2014.

Discussion:

Councilman VanDyne thanked everyone for their help with the entrance to Circle Drive that has been an issue for awhile. While he is unsure if the solution will work, he knows the residents appreciate the City's efforts. Filed.

**Parks and Recreation Board agenda** – April 21, 2014; **minutes** – March 17, 2014. Filed.

### **Service-Safety Director Paul Schmelzer – snow plow repairs**

Due to the extremely harsh winter, the wear and tear on snow plow vehicles has been excessive. Because of this, the repairs have exhausted this line item. Legislation to appropriate funds is requested. Ordinance No. 2014-038 was created.

FROM: SCM&R Fund

\$ 35,000.00

TO: Street Department #22040000-other

\$ 35,000.00

Filed.

**City Planning Commission agenda** – May 8, 2014; **minutes** – April 10, 2014. Filed.

### **Service-Safety Director Paul Schmelzer – project change**

Currently in the 2014 Capital Improvements Plan (Traffic Lights), there is a project identified as Lima Avenue/South West Street Intersection Upgrade with a budgeted amount of one hundred twenty-five thousand dollars (\$125,000.00). After considering several factors, it seems more logical to upgrade the intersection at East Sandusky Street and Osborn Avenue. One important factor is ODOT's paving of Sandusky Street. The upgrade will also provide better coordination with other area intersections that have already been upgraded or are in the process of being upgraded.

Since the projects are similar in scope, it is anticipated that the upgrades to the East Sandusky Street/Osborn Avenue intersection will be nearly the same amount as budgeted for the Lima Avenue/South West Street intersection; therefore, this change will not affect the overall budgeted amount in the 2014 Capital Improvements Plan (Traffic Lights). Legislation to transfer nine thousand dollars (\$9,000.00) from the Lima Avenue/South West Street Intersection Project #32840800 to the East Sandusky Street/Osborn Avenue Intersection Project #32846100. In addition, legislation is needed for authorization to bid and contract the East Sandusky Street/ Osborn Avenue Intersection project. Resolution No. 021-2014 was created.

Discussion:

Councilwoman Spence asked if the Lima Avenue/South West Street intersection upgrade project is being postponed for another year. Service-Safety Director Schmelzer replied that is correct.

Councilman Russel noted that there was a master trail plan that came out last year that listed work to be done on Osborn Avenue being a big connector into Riverside Park. He asked if those plans affect this type of intersection work. Service-Safety Director Schmelzer replied that when we get to the point of where that trail plan comes to fruition, if there is signalization for a crossing, it will be separate from what we are doing and will be similar to crossing that was put in at Main Cross. There is no equipment being included in the budget for this project at this time. Councilman Russel then asked if there will be any additional crosswalks. Service-Safety Director Schmelzer replied there will not be. Councilman Russel noted that there have been some issues with citizens trying to cross north to south on Sandusky Street without a walk signal. Where the location of the light is, a pedestrian trying to cross the street has no idea what the lights are doing. Service-Safety Director Schmelzer asked if he is referring to the Osborn Avenue area. Councilman Russel replied he is. Service-Safety Director Schmelzer replied he will take a look at it.

Councilman Harrington excused himself as he left the City Council meeting for a family emergency. Filed.

Findlay City Board of Health minutes – March 19, 2014. Filed.

City Income Tax Monthly Collection Report – April 2014. Filed.

Findlay W.O.R.C. Financial Analysis report – January 1, 2014 through April 30, 2014. Filed.

**Mayor Lydia Mihalik – HRPC/CPC appropriation**

The Hancock Regional Planning Commission (HRPC) provides staff review and coordination of the agenda for the City Planning Commission (CPC). They have done this now for several years. Their duties include coordination of agenda items, proper review of plans, public notification as well as administrative duties related to minutes and meeting organization. HRPC provides these duties for as cost of twelve thousand dollars (\$12,000.00) a year or one thousand dollars (\$1,000.00) a month. This cost was inadvertently left out of their budget request for 2014. Legislation to appropriate twelve thousand dollars (\$12,000.00) to the City's Planning & Zoning budget so that we may properly compensate HRPC for the vital work they provide the City of Findlay is requested. Referred to the Appropriations Committee. Filed.

**Service-Safety Director Paul Schmelzer – interior lighting upgrades at WTP**

The Service-Safety Director would like to discuss an interior lighting upgrade project at the Water Treatment complex at the next Appropriations Committee meeting. The cost of the project will be approximately thirty-six thousand dollars (\$36,000.00). Referred to the Appropriations Committee. Filed.

**Mayor Lydia Mihalik – HR Director salary**

Don Essex was hired by the City of Findlay as the Director of Human Resources and Performance Excellence. The budgeted amount for salaries is higher than the actual amount needed for salaries, therefore, a transfer of funds is requested. Resolution No. 022-2014 was created.

FROM:	Human Resources #21018000-personal services	\$ 8,200.00
TO:	Human Resources #21018000-other	\$ 8,200.00

Filed.

**Service-Safety Director Paul Schmelzer – swimming pool slide**

The Service-Safety Director is requesting previously appropriated funds in the Swimming Pool's capital equipment budget be allocated for the purchase of a pool slide be moved into a project. By moving this money, it will be easier to track the different numerous expenditures associated with installing the slide that falls under the five thousand dollars (\$5,000.00) capital equipment threshold. Resolution No. 022-2014 was created.

FROM:	Swimming Pool #25076000-551300	\$ 93,000.00
TO:	2014 Pool Improvements Project No. 35446400	\$ 93,000.00

Discussion:

Councilman Nichols noted that the legislation mentioned some pads needing to be replaced. He asked for clarification of what is being requested for this. Service-Safety Director Schmelzer replied that rubber mats were to be installed at the bottom of the swimming pool when the slide was put in. Those mats do not reach the five thousand dollars (\$5,000.00) threshold. Those in combination of permit fees are better suited to come out of a project. They should have been put in a project to begin with. He is now asking to put them in a project so they can be paid for.

Councilman Klein asked if the slide will be installed prior to the pool opening. Service-Safety Director replied it will not be. We are now waiting on the Boards of Review at the Wood County and Board of Health. The biggest hold up was whether or not the City needed to obtain a building permit from Wood County. There were some code issues on the slide we want to install. When we went to Columbus, we found out that the slide could be permitted, but waited a number of weeks to find out whether this particular slide could be installed. He did not want to purchase it before he knew if a building permit would be issued. He informed the YMCA that there could be a delay if the approving authorities do not turn around the permits in a couple of weeks which would mean the slide would not be installed until after the pool is opened. Councilman Klein then asked if the pool will remain open during the construction of the slide. Service-Safety Director Schmelzer replied it will. The area where the slide will be installed will be fenced off. It will not be a major process. Those installing it will be in and out of that area in less than five (5) days. Filed.

**Council-At-Large Grant Russel – oral reading of written communications, reports of municipal officers and municipal departments and committee reports during City Council meetings.**

Councilman Russel is requesting Council's Rules and Procedures Committee review Council's current practice of reading, out loud, letters addressed to City Council during the Written Communications, Reports of Municipal Officers and Municipal Departments and Committee Reports portion of City Council meetings. He recommends that the Rules and Procedures Committee develop and recommend procedures in which a summary of each correspondence is read unless a Councilmember or member of the Administration requests that it be read in full. The summary may be provided as part of the correspondence, as frequently done in the subject or reference section of many letters. Alternatively, the summary may be composed by the Council Clerk when such a subject/reference section does not exist.

He believes there are numerous benefits for this change. First and foremost, this current practice provides little to no benefit to the general public. With the content of the correspondences available in the Council packet, which is available on the City website and for those attending our meetings in person, this will not restrict sharing of information with the public. In addition, he does not believe the current practice results in the best use of time for the participants of a City Council meeting, including the general public and the members of the media who attend the meetings in person. This time could be better spent discussing the contents of the correspondence. Please refer this to the Council's Rules and Procedures Committee.

**Discussion:**

Councilman Monday noted that there is not a Council's Rules and Procedures Committee, at the end of each term of Council, a committee is put together to review the rules of Council and make committee assignments. He noted that if there are no objections from Councilmembers, he would like to resurrect the same committee which consists of Councilman VanDyne, Councilman Nichols, and Councilman Monday to review this request. No objections. Referred to Councilmen VanDyne, Nichols, and Monday. Filed.

**City Health Department Deputy Health Commissioner Barbara Wilhelm – appropriation of funds for vaccines**

The Findlay City Health Department has been participating in the Ohio Billable Project with the Ohio Department of Health. This pilot project has allowed the nursing division to purchase vaccine from the state and in turn bill insurance companies for this vaccine. As a result of this process, they have increased their immunization revenue by over 200%, rising from just over \$90,000 in 2011 to \$29,927 in 2013. Although their main purpose in providing vaccines is to avert the spread of vaccine preventable disease, they have found that contracting with and billing insurance companies has enabled them to realize a small profit with each vaccine which in turn helps offset the cost of other unfunded health department programs.

They have received word that in June of this year, the Billable Project will be drawing to a close and the state will no longer be providing this vaccine to them. The benefits they have realized by participating in insurance billing have convinced the Board of Health that the Health Department should continue to purchase vaccine privately. In the Billable Project, they order vaccines from the state and repay the state after they have had the opportunity to collect their insurance reimbursement. However, as they switch to privately purchasing the vaccine, they need to purchase the vaccine upfront which will cause a shift in vaccine management for them and they will need to request an additional appropriation to purchase the vaccines going forward. They currently have a significant amount of available vaccines budgeted already encumbered to cover the cost of vaccine utilized under the Billables Project as well as for flu vaccines as they are required to order this vaccine well in advance of flu season.

Based on vaccine utilization from June to December 2013, they anticipate the need to request an additional \$115,000 for vaccine purchase. During the budgeting process last year, they made conservative estimates regarding the amount of vaccines that would be needed to purchase this year along with corresponding increases in revenue. Based on current reimbursement rates, the purchase of \$115,000 worth of vaccines should result in full recovery of this cost along with a minimum of \$40,000 to \$52,000 of additional revenue. They are anticipating the need to purchase additional MMR vaccines due to current outbreaks of both mumps and measles in Central Ohio. Legislation to appropriate \$115,000 to the Health Department budget so that they may purchase additional vaccines. Referred to the Appropriations Committee. Filed.

**COMMITTEE REPORTS:**

An **AD HOC COMMITTEE** met on April 24 and 29, 2014 to create a policy pertaining to requests for information to the City of Findlay Computer Services Department.

*We recommend that we place this request on hold until more information becomes available.*

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

**A COMMITTEE OF THE WHOLE** meeting was held on Tuesday, April 29, 2014 to discuss e cigarettes regulations.

Councilman Monday moved to adopt the committee report. Councilman Douglas seconded the motion.

**Discussion:**

Councilman Monday noted that during this COMMITTEE OF THE WHOLE meeting, it was asked if an Ad Hoc Committee should be created to bring a recommendation back to Council on this issue to which Councilman Monday replied he would propose the suggestion to committee members and create an Ad Hoc Committee if they so desire. Out of the ten (10) councilmembers present, including himself, eight (8) did not want an Ad Hoc Committee, and two (2) did. He also asked Councilmembers if they wanted a resolution or a letter to Representative Sprague and Senator Hite to have something done on the state level. The results of that were that four (4) Councilmembers did want it, five (5) did not, and one (1) did not care either way, so based on the majority not wanting an Ad Hoc Committee or create a resolution for this, he is not going to do either. However, having said that, any Councilmember has the right to contact Representative Sprague, Senator Hite or anyone else on the state level to offer what they would like to see done.

All were in favor. Filed.

## LEGISLATION:

### RESOLUTIONS

**RESOLUTION NO. 020-2014** *(no PO)*

first reading

adopted

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

Councilman VanDyne moved to adopt the Resolution, seconded by Councilman Nichols. Ayes: Douglas, Frische, Harrington, Klein, Monday, Nichols, 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. 021-2014** *(E Sandusky St/Osborn Ave intersection upgrades)*

first reading

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS FOR UPGRADES TO THE EAST SANDUSKY STREET/OSBORN AVENUE INTERSECTION, PROJECT NO. 32846100, TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Resolution.

**RESOLUTION NO. 022-2014** *(transfer funds – HR Director salary; swimming pool slide)*

first reading

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

First reading of the Resolution.

### ORDINANCES

**ORDINANCE NO. 2014-030** *(self insurance settlement)*

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2014-032** *(Ranzau/Jaqua annexation – accept and approve annexation)*

second reading

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF MARION, COUNTY OF HANCOCK, STATE OF OHIO, AND SITUATED IN THE NORTH HALF OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, MARION TOWNSHIP, T1N, R11E, A TRACT OF LAND CONSISTING OF 276.627 ACRES OF LAND, MORE OR LESS AND FURTHER DESCRIBED HEREIN, AND TO PETITION THE COUNTY COMMISSIONERS TO ALTER THE BOUNDARIES IN ACCORDANCE WITH SECTION 503.07 (HEREINAFTER REFERED TO AS THE RANZAU/JAQUA ANNEXATION).

Councilman Monday moved to amend the Ordinance to include the emergency clause so that it will become law after the third reading. He did not amend the Ordinance to waive the third reading, but am adding the emergency clause when the third reading is given. Seconded by Councilman Klein. Ayes: Frische, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas. The ordinance is amended.

Second reading of the Ordinance.

**ORDINANCE NO. 2014-033** *(Ranzau/Jaqua annexation – rezone)*

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 ZONING THE FOLLOWING DESCRIBED PROPERTY AS I-1 LIGHT INDUSTRIAL DISTRICT (HEREINAFTER REFERRED TO AS THE RANZAU/JAQUA ANNEXATION).

Second reading of the Ordinance.

**ORDINANCE NO. 2014-034** *(Series 2014 Debt Issuance)*

second reading

AN ORDINANCE APPROPRIATING AND DE-APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2014-035** *(severance payout, OWDA loan payoff)*

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2014-037** (FPD GovDeals.com)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**second reading**

Second reading of the Ordinance.

**ORDINANCE NO. 2014-038** (snow plow repairs)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**first reading**

First reading of the Ordinance.

**ORDINANCE NO. 2014-039** (629 grant funds)

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ACCEPT GRANT FUNDING FROM AND EXECUTE ANY AND ALL GRANT AGREEMENTS OF THE DEVELOPMENT SERVICES AGENCY ROADWORK DEVELOPMENT (629) GRANT PROGRAM FOR THE PURPOSE OF INTERSECTION UPGRADES WITHIN THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

**first reading**

First reading of the Ordinance.

## **UNFINISHED BUSINESS**

**OLD BUSINESS** – none.

## **NEW BUSINESS:**

Councilman Klein noted that the majority of the calls he has received since he has been on Council have been about unkempt properties, dilapidated structures, and eyesores. As a follow up on these complaints, he visited the properties where he was able to acknowledge that they have legitimate complaints. The Neighborhood Enhancement and Abatement Team (N.E.A.T.) consists of only one employee. He would like to develop a task force, Ad Hoc Committee or an Advisory Committee to discuss what needs to be done to provide a team to the N.E.A.T. Department to be more aggressive in enforcing the ordinances we already have in place. There are some areas in Findlay that are eyesores that need to be remedied.

Councilman Douglas commended Chief Horne and Public Works Superintendent Matt Stoffel for their work on the speed limit issue on Hull Avenue. Motorists were not obeying the speed limit. Two (2) signs were taken down and some curb work was done. The next day, the signs were replaced. Chief Horne added some additional patrol in the area. The residents in that area who brought the issue to his attention have stopped him twice already to let him know how thankful they were to the quick response.

Councilman Russel praised N.E.A.T. Department Becky Greeno for her work on the Backyard Mission project she did two Saturday's ago. The Mayor also participated in the project. Councilman Russel worked on a house on South Main Street where he and several other individuals took a lot of stuff to the dump. The homeowners were very appreciative and amazed at the outpouring of support from their neighborhood. It was such a great project.

Councilman Russel noted that last Saturday, Officer Brian Dill was the Master of Ceremonies at the Bikes, Books and Badges Findlay City Bike Rodeo in the Marathon Petroleum parking lot. He commended Officer Dill on his work not only with this event, but also with the youth in Findlay. He has a great rapport with the students. They are very comfortable with him.

Service-Safety Director Schmelzer noted that he would be happy to sit down with Councilman Klein to further the N.E.A.T. Department team effort.

Service-Safety Director Schmelzer introduced the new Airport Superintendent Matt McVicker. Mr. McVicker comes from the Wood County Airport. Former Airport Superintendent Bob Johnston retired.

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

Councilman Monday announced that next week is National Law Enforcement week. On Monday, May 12, 2014 at 6:00pm, there will be a memorial service at the memorial at Romick Parkway south of Bright Road. It is a very emotional memorial service. In the history of law enforcement in Hancock County, we have lost six (6) Officers who were killed in the line of duty. At the ceremony, there will be a speaker who will memorialize those Officers. The public is welcome to attend.

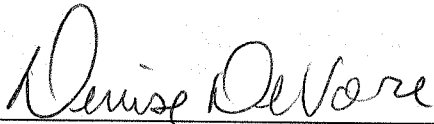
City Auditor Staschiak noted that it is now time for an annual debt report update to be reviewed by Council. The report is done annually after the first quarter ends. He asked Council when would be a good time for him to present it. This report took a little longer because of the latest debt issue that was done and the timing of it. It is an important part of the managerial process, not only for keeping Council informed, but also for process review by outside entities. He requested a date and time after the first part of the next week, but within the month of May to review the report. It should take about forty to forty-five (40-45) minutes to review.

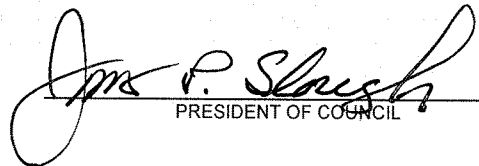
**COMMITTEE OF THE WHOLE** meeting on May 13, 2014 immediately following the **APPROPRIATIONS COMMITTEE**, third floor conference room beside the Mayor's Office of the Municipal Building (CR1).  
agenda: annual debt report

Councilman Russel **PLANNING & ZONING COMMITTEE** meeting on May 8, 2014 5:30pm, first floor Council Office of the Municipal Building (CR1).

- agenda:
1. Fifth St alley vacation
  2. Sixth St alley vacation
  3. East St alley vacation
  4. Eastern Woods Office Park zoning amendment
  5. East Hardin St/East Lincoln St zoning amendment
  6. University of Findlay - first alley east of Morey Avenue in the Howard Addition
  7. University of Findlay - second alley east of Morey Avenue in the Howard Addition
  8. University of Findlay - West Foulke Avenue between Morey Avenue and Cory Street in the Howard Addition
  9. University of Findlay - first alley west of Cory Street in the Howard Addition
  10. University of Findlay - second alley west of Cory Street in the Howard Addition

President J. Slough adjourned Council at 8:06pm.

  
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CLERK OF COUNCIL

  
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PRESIDENT OF COUNCIL