

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

MAY 20, 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:

Councilman Klein moved to accept the May 6, 2014 Regular Session City Council meeting minutes as written. Councilman Nichols seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Monday moved to add and replace the following to tonight's agenda. Councilman VanDyne seconded the motion. All were in favor. Motion carried. Filed.

ADD-ONS:

- Letter from City Auditor Staschiak (**PETITIONS** section).
 - Status of Ranzau/Jaqua annexation.

REPLACEMENTS:

- Ordinance No. 2014-050 (**LEGISLATION** section).
 - Removed "one hundred" from SECTION 2.

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS – none.

President Slough welcomed Junior Girl Scout for Vanlue Troop #20138 who are working on their Inside government badges.

PETITIONS:

Zoning amendment request – 115 Harrington Ave

Don Ratcliff is requesting a zoning change for 115 Harrington Avenue. The property is currently zoned R2 single family, medium density. Mr. Ratcliff would like to change the zoning to R4 two-family, high density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Zoning amendment request – 206 Center St

Robert Schuck is requesting a zoning change for 206 Center Street. The property is currently zoned R3 single family, high density. Mr. Schuck would like to change the zoning to M2 multiple family, high density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Alley vacation request – E Meade Ave

Steve Clymer is requesting an alley vacation for East Meade Avenue from the westerly right-of-way line of France Street to the east line of the north-south alley, as platted in the Northview Subdivision for Lots 7 through 22 in Block 7. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Zoning amendment request – 107 Allen St/1217 N Main St

Randall Schumacher is requesting a zoning change for 107 Allen Street/1217 North Main Street. The property is currently zoned C2 General Commercial. Mr. Schumacher would like to change the zoning to R4 two-family, medium density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

City Auditor Jim Staschiak – status of Ranzau/Jaqua Annexation

On March 19, 2014, annexation documents for the Ranzau/Jaqua annexation were received and have been in the Auditor's Office for the required 60 days. The petitioner for this annexation is William M. Jaqua Revocable Trust, the George H. Ranzau Revocable Trust and the Camille A. Ranzau Revocable Trust. This annexation will be referred to as the Ranzau/Jaqua Annexation. Philip L. Rooney is the authorized agent for the petitioners. Ordinances No. 2014-032 AS AMENDED and 2014-033 were created. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS

Findlay Police Department Activities Report – April 2014. Filed.

N.E.A.T. Departmental Activity Report - April 2014. Filed.

Board of Zoning Appeals minutes – March 13, 2014. Filed.

Service-Safety Director Paul Schmelzer – annual bids and contracts

Each year, the City formally bids a number of chemicals, materials and services. The contracts for these items run for a calendar with option(s) to renew the contract in one-year increments. In July, a review and evaluation of the current contracts and contracted vendors will be conducted. For those contract that will not be renewed, the City would like to advertise and receive bids in October. Items that are not normally bid each year include several chemicals used by the Water Treatment Plant and Water Pollution Control Center, uniforms, services, and supplies. Legislation to authorize the bidding and contracting is requested. Ordinance No. 2014-051 was created. Filed.

Agreement for Indigent Defense Services in Findlay Municipal Court – Referred to the Appropriations Committee. Filed.

Parks and Recreation Board agenda – May 19, 2014; minutes – April 21, 2014.

Discussion:

Councilwoman Frische thinks it is great that they are changing the tobacco signage. She asked the committee if it includes e-cigarettes because of the new wording. Service-Safety Director Schmelzer replied he can ask that question at the next Parks and Recreation Board meeting, but does not believe that is the intent. Filed.

Hancock Regional Planning Commission Director Matt Cordonnier – City of Findlay Revolving Loan Fund Request for Appropriation

On January 13, 2014, the City of Findlay Revolving Loan Fund Committee awarded a loan to Fort Findlay Enterprises Inc (dba Bistro on Main) in the amount of forty-five thousand dollars (\$45,000.00). The funding will provide working capital to assist with day to day operating costs as they bounce back from recent renovations and increase staff to accommodate guest need, thus providing additional LMI jobs in the Findlay area. Legislation to appropriate funds on an emergency basis to allow the loan to close on May 30, 2014 is requested as the timing of the loan is of great importance to the recipient. This has been reviewed by the Appropriations Committee on May 13, 2014. Ordinance No. 2014-050 was created.

FROM: Revolving Loan Fund	\$ 45,000.00
TO: Fort Findlay Enterprises Inc. RLF #31947100	\$ 45,000.00

Discussion:

Councilman Douglas asked what LMI stands for. Mayor Mihalik replied low to moderate income. Filed.

City Auditor Jim Staschiak – summary financial reports

A set of summary financial reports for the prior month follows including:

- Summary of Year-To-Date Information as of April 30, 2014
- Cash & Investments as of April 30, 2014
- Open Projects Report as of April 30, 2014
- Financial Snapshot as of April 30, 2014

Discussion:

Councilwoman Frische appreciated the review the Auditor Staschiak provided. She noticed that the unappropriated fund balances in the general column is over nine million dollars (\$9,606,373) and by taking away the reserve, it'll be in the 7s. She asked if any extra spending on roads or other items are being considered this year. Service-Safety Director Schmelzer replied he will not make decisions on additional road work until the planned projects are completed. If the contractor is aggressive and gets the work done and is willing to hold his price, he will look into possibly completing more projects. Councilwoman Frische asked if those potential projects will be addressed in September or October. Service-Safety Director Schmelzer replied it will not be discussed until after the mid-year budget.

Councilman Douglas noted that the Airport Operations Fund year-to-date is listed as twenty-seven and two tenths percent (27.2%) YTD with an annual revenue budget of thirty and seven tenths percent (30.7%) which is down. He asked if that trend will continue. Service-Safety Director Schmelzer replied he cannot answer that, but will look into it. It is down relative to where we are at in the year for expenses. A fuel purchase can make a big upswing in that.

Councilman Douglas also noted that the SCM&R Hiways Fund expenses are thirteen and three tenths percent (13.3%). He asked if this is based on seasonal work that will be done over the summer. Service-Safety Director Schmelzer replied it is.

Councilman Douglas then noted that the expenses for the Parking Fund seem to be in line of where it should be for the first third of the year, but revenue is down. Knowing it has been subsidized the last couple of years, but that we are on a trend to subsidize more than what was planned. Service-Safety Director Schmelzer replied that relative to where we are historically, we are coming off bad weather, so it is more difficult to keep track of marks on tires when everybody is snow-covered. It is most likely a trend in most City departments due to the winter we had. What we are starting to do across departments is not necessarily tracking against a calendar year, but tracking against historical trend so we know where we are relative to where we should be at this point of the year, even if it doesn't line up with the calendar month divided by twelve (12). Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Jonathan Yoxtheimer to vacate an east-west alley abutting Lots 1 and 2 in the Nidek Subdivision, Lot 4 in the Blanchard Avenue Addition, and Lot 30 in the Brookside Addition.

We recommend approval as requested. Ordinance No. 2014-040 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Jonathan Yoxtheimer to vacate a north-south alley running north from Sixth Street to the first east-west alley and abutting Lots 30, 31 and 32 in the Brookside Addition and Lots 1, 2, 3 and 4 in the Blanchard Avenue Addition, and Lot 30 in the Brookside Addition.

We recommend approval as requested. Ordinance No. 2014-041 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Rooney & Ranzau, Ltd. to vacate the east-west alley located between Lots 569 through 576 and Lots 579 through 586 in the S & P Carlin Addition, running from the intersection with East Street, in an easterly direction to the East lot line of Lots 569 and 586.

We recommend approval as requested. Ordinance No. 2014-042 was created.

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

Discussion:

Councilman Harrington will be abstaining as he is an adjacent property owner.

All were in favor with Councilman Harrington abstained. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Rooney & Ranzau, Ltd. to rezone Lots 4 through 13 and Lot A in the Eastern Woods Office Park Subdivision from C1 Local Commercial to O1 Office Institution.

We recommend approval as requested. Ordinance No. 2014-043 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Rooney & Ranzau, Ltd. to rezone Lots 565 through 576 and Lots 579-590 in the S & P Carlin Addition from C2 General Commercial District to C3 Downtown Commercial District.

We recommend approval as requested. Ordinance No. 2014-044 was created.

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

Discussion:

Councilman Harrington will be abstaining as he is an adjacent property owner.

All were in favor with Councilman Harrington abstained. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Peterman Associates, Inc. to vacate an alley running north and south between West Trenton Avenue and West Foulke Avenue being the first alley east of Morey Avenue in the Howard Addition.

We recommend approval as requested. Ordinance No. 2014-045 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Peterman Associates, Inc. to vacate an alley running north and south between West Trenton Avenue and West Foulke Avenue being the second alley east of Morey Avenue in the Howard Addition.

We recommend approval as requested. Ordinance No. 2014-046 was created.

Councilman Harrington moved to adopt the committee report. Councilman Klein seconded the motion.

Discussion:

Councilman VanDyne will be abstaining as he is a University of Findlay employee.

All were in favor with Councilman VanDyne abstained. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Peterman Associates, Inc. to vacate an alley running north and south between West Trenton Avenue and West Foulke Avenue being the second alley west of Cory Street in the Howard Addition.

We recommend approval as requested. Ordinance No. 2014-047 was created.

Councilman Klein 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 Peterman Associates, Inc. to vacate an alley running north and south between West Trenton Avenue and West Foulke Avenue being the first alley west of Cory Street in the Howard Addition.

We recommend approval as requested. Ordinance No. 2014-048 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Peterman Associates, Inc. to vacate West Foulke Avenue between Morey Avenue and Cory Street in the Howard Addition.

We recommend approval as requested. Ordinance No. 2014-049 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Findlay City Health Department Deputy Health Commissioner to appropriate funds for the purchase of vaccines.

FROM: General Fund \$ 115,000.00
TO: Health Dept #21030000-other \$ 115,000.00

We recommend approval of the request. Ordinance No. 2014-050 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Hancock Regional Planning Commission Director to appropriate funds to provide Fort Findlay Enterprises Inc. (dab Bistro on Main) working capital to assist with day to day operating costs and provide LMI jobs in the Findlay area.

FROM: Revolving Loan Fund \$ 45,000.00
TO: Fort Findlay Enterprises Inc RLF #31947100 \$ 45,000.00

We recommend approval of the request. Ordinance No. 2014-050 was created.

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

Discussion:

Councilman Monday noted that he did not sign the committee report. He is in favor of this, just forgot to sign the committee report.

All were in favor. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to appropriate funds for the City's portion of the Health Department Consulting Agreement.

FROM: General Fund \$ 20,000.00
TO: Health Dept – personal svcs \$ 20,000.00

We recommend approval of the request. Ordinance No. 2014-052 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Mayor Mihalik to appropriate funds to the City's Planning & Zoning budget to compensate the Hancock Regional Planning Commission (HRPC) for staff review and coordination of the City Planning Commission agenda.

FROM: General Fund \$ 12,000.00
TO: Planning/Zoning #21008000-other \$ 12,000.00

We recommend approval of the request. Ordinance No. 2014-052 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for an interior lighting upgrade project at the Water Treatment complex.

FROM: Water Fund \$ 36,000.00
TO: WTP Interior Lighting #35746300 \$ 36,000.00

We recommend approval of the request. Ordinance No. 2014-052 was created.

Councilman Douglas 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, May 13, 2014 to discuss the City's annual debt review.

Councilman Harrington moved to adopt the committee report. Councilman VanDyne seconded the motion.

Discussion:

Councilman Nichols thanked the Auditor's Office on a well-documented report. The graphics were great. He can that tell a lot of time was spent on it. All were in favor. Filed.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 021-2014 (*E Sandusky St/Osborn Ave intersection upgrades*)

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. **second reading**

Second reading of the Resolution.

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

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

Councilman Monday moved to suspend the statutory rules and give the resolution its third reading. Councilman VanDyne seconded the motion. Ayes: Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne. The resolution received its third reading. Councilman VanDyne moved to adopt the resolution, seconded by Councilman Russel.

Discussion:

Councilwoman Frische asked why the funds are being moved from HR salaries back into the HR general fund and asked if they have a need for additional funds on top of what they already have or if it should be going to the General Fund. Mayor Mihalik replied it is being transferred from the salary line item within the budget to go to the other line item for purposes of training and other contractual items, so it is additional needed funds.

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

ORDINANCES

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

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilwoman Spence. Ayes: Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-030 and is hereby made a part of the record.

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

adopted

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), AND DECLARING AN EMERGENCY.

Councilman VanDyne moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-032 and is hereby made a part of the record.

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

adopted

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).

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

Discussion:

Councilman Harrington asked for confirmation that the emergency clause is not needed for this ordinance. Service-Safety Director Schmelzer replied on behalf of Law Director Rasmussen, when this is annexed, it is assigned a zoning, so there is no effectiveness on this. The zoning of this annexation does not require the sixty (60) day effectiveness. The sixty (60) days is how long it has to sit in the City Auditor's Office.

Ayes: Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-033 and is hereby made a part of the record.

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

adopted

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

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman VanDyne. Ayes: Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-034 and is hereby made a part of the record.

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

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman VanDyne. Ayes: Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-035 and is hereby made a part of the record.

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

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Douglas moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-037 and is hereby made a part of the record.

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

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the ordinance its third reading. Councilman Douglas seconded the motion. Ayes: Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker. The ordinance received its third reading. Councilman VanDyne moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-038 and is hereby made a part of the record.

ORDINANCE NO. 2014-039 (629 grant funds)

adopted

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.

Councilman VanDyne moved to suspend the statutory rules and give the ordinance its third reading. Councilman Klein seconded the motion. Ayes: Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne. The ordinance received its third reading. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Douglas. Ayes: Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-039 and is hereby made a part of the record.

ORDINANCE NO. 2014-040 (Fifth St vacation – does not require a public hearing)

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2014-041 (Sixth St vacation – requires a public hearing)

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2014-042 (East St alley vacation – does not require a public hearing)

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2014-043 (Eastern Woods Office Park rezone – does not require a public hearing)

first reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS EASTERN WOODS OFFICE PARK REZONE) WHICH PREVIOUSLY WAS ZONED "C1 LOCAL COMMERCIAL" TO "O1 OFFICE INSTITUTION".

First reading of the Ordinance.

ORDINANCE NO. 2014-044 (E Hardin St & E Lincoln St rezone – does not require a public hearing)

first reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS EAST HARDIN STREET AND EAST LINCOLN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL DISTRICT" TO "C3 DOWNTOWN COMMERCIAL DISTRICT".

First reading of the Ordinance.

ORDINANCE NO. 2014-045 (U of F 1st alley east of Morey Ave alley vacation – does not require a public hearing)

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2014-046 (U of F 2nd alley east of Morey Ave alley vacation – does not require a public hearing)

first reading

AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS UNIVERSITY OF FINDLAY SECOND ALLEY EAST OF MOREY AVENUE ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2014-047 (U of F 2nd alley west of Cory St alley vacation – does not require a public hearing)

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2014-048 (*U of F 1st alley west of Cory St alley vacation – does not require a public hearing*)

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2014-049 (*U of F W Foulke Ave between Morey Ave and Cory St vacation – does not require a public hearing*)

first reading

AN ORDINANCE VACATING WEST FOULKE AVENUE (HEREINAFTER REFERED TO AS UNIVERSITY OF FINDLAY WEST FOULKE AVENUE BETWEEN MOREY AVENUE AND CORY STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2014-050 (*HPRC RLF – Ft Findlay Enterprises; Health Dept vaccines*)

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules and give the ordinance its second and third readings. Councilman Monday 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 Klein.

Discussion:

Councilman Russel noted that the Health Department has been running this vaccine program with the help of the State of Ohio for the past couple of years, but the State of Ohio recently decided to discontinue the program due to a budget funding problem, so our City Health Department is asking Council to help them continue the program. It is a testament both to the Health Department who had the where-with-all to run the program, and also our financial ability to fund it. It is of our good fiscal health to keep this program going. It is his hope that Council will approve the funding to continue the program.

Councilman VanDyne has been involved with the Revolving Loan Fund for about six (6) years. Revolving Loan Fund projects are wonderful projects that need to move at the speed of business and not at the speed of government, so he is pleased that Council suspended the rules and are moving ahead with this.

Ayes: Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-050 and is hereby made a part of the record.

ORDINANCE NO. 2014-051 (*annual bids and contracts*)

first reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2015, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2014-052 (*Health Dept Consulting Agreement; HRPC-CPC coordination; WTP interior lighting upgrade project*)

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman VanDyne is glad to see the Health Department merger be adopted as it has been going on for a long time.

Ayes: Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-052 and is hereby made a part of the record.

UNFINISHED BUSINESS

OLD BUSINESS:

Councilman Klein met with Todd Richard with the City's Zoning Office and Becky Greeno with the City's N.E.A.T. Department. They discussed different options of enhancing the enforcement of current ordinances dealing with failure to comply issues by property owners, and also mitigating repeat offenders. He hopes to have more information at the next City Council meeting once the City Law Director is back so they can discuss some of their ideas with him.

Councilwoman Frische asked for the status of having monthly Fire Departmental reports submitted to City Council meetings. Mayor Mihalik replied that a monthly report has not been a priority for the Fire Department. Chief Lonyo and Lisa Phillips are the only two administrative personnel in the Fire Department who would be providing the report. They have been working diligently on their field operating guides for the active shooter program not only within the City of Findlay, but also within Hancock County. Chief Lonyo has ensured her that the requested report will be available at the next City Council meeting to give a comprehensive idea of what the Fire Department does.

Councilman Nichols during a City Council meeting in April (the Service-Safety Director was not at that meeting) mentioned a sidewalk on Eighteenth Street had been taken out for a gas line to be installed. The sidewalk has been out for close to a year now. The hole where the gas line went in is about sixteen inches (16") deep. Two (2) pedestrians have fallen in the hole. He contacted the Street Department who told him it is not their duty to fill the hole. The hole is still there and pedestrians are still falling in it. He fears the City will find themselves in a lawsuit if it is not taken care of. Service-Safety Director Schmelzer replied he will check into it. He does not know why the gas company has not filled it as it is their responsibility to do so. If it was for the gas company's use in the right-of-way, they should have replaced it. Councilman Nichols added that all that was done was some caution tape was put up around the hole.

Service-Safety Director Schmelzer appreciated the efforts on the legislation for the swimming pool slide. He is very close to having all the permits he needs for the slide. Wood County is done. All he is waiting on is the State Board of Health. This might be done by the end of this week. Getting this project set up would be very helpful.

Service-Safety Director Schmelzer updated Council on some of the efforts of the Fire Department. Fred Wiess, Adam Kidwell, Ryan Lease and Graham Thomas received a meritorious award for their lifesaving efforts where they saved someone who was under duress from the use of drugs. When he first took the Service-Safety Director position, he was asked why the Fire Department handles situations like this. This award is an example of why they do. He congratulated them on their efforts both during this situation as well as their efforts during training. Mayor Mihalik added that a recognition resolution will be forthcoming.

NEW BUSINESS:

Councilman VanDyne congratulated those who were involved with the Ranzau/Jaqua annexation including McLane Company, Inc. It was a tremendous effort by the Mayor, Service-Safety Director, Auditor, and the Alliance Group. Being on the Economic Advisory Board, he gets to see a little bit of what they do as he can attest that they have been very busy. He congratulated them and the Administration. Mayor Mihalik added that she can now confirm that McLane Company, Inc. will be coming to Findlay. The excitement about this project is that everyone worked together to make it happen. From the Marion Township Trustees of Bob Johnston, Jim Gosche, and John Wolfe who had no issues with the annexation moving forward at the speed of business and not at the speed of government, to the Hancock County Commissioners and Hancock County Auditor Charity Rauschenberg, and the guys of Economic Development are fantastic. She cannot say enough about all the work that went into looking at the necessary infrastructure requirements for this being our second industrial park. It has taken thirty (30) years to fill the first one up. She sees this one filling up quickly which is evident from the environment we have for businesses in northwest Ohio. Also Council's efforts last year with the amendment of the community reinvestment area in Findlay has allowed us to be more creative with incentives for companies like McLane Company, Inc. to do sizeable investments in our county. She read the Memorandum of Understanding signed by Tom Anderson with the McLane Company, Inc. and the Mayor:

The City of Findlay and McLane Company, Inc. are pleased to partner together to establish a state of the art grocery distribution center. This partnership demonstrates the value of private-public partnership.

On May 7, 2014 in the attached letter, Safety-Service Director Paul Schmelzer proposed a Community Reinvestment Area structure that has up-front payments from McLane to the City of Findlay in the amount of \$500,000 to assist with related infrastructure and \$100,000 as a contribution to aid in workforce development. McLane will make these payments at or around the time of its groundbreaking. On May 9, 2014, Hancock County Auditor Charity Rauschenberg sent a letter (copy attached) to McLane summarizing the workings of and detailing the process to apply for a Community Reinvestment Area property tax exemption.

This agreement will allow McLane to efficiently realize the full value of the CRA provided tax exemption, expedite the construction of the required infrastructure, and to partner with the community.

We look forward to a long term relationship in the City of Findlay. The undersigned hereby agree to the proposed agreements described in tis and the two attached letters.

Not only does the community get a great company, we get a wonderful fantastic investment. The City will be receiving six hundred thousand dollars (\$600,000.00) from McLane to help with infrastructure and with the workforce development coalition, and the job creation tax credits that the City is affording McLane from the State of Ohio. The State will be providing us over six hundred thousand dollars (\$600,000.00) in roadwork funds to help with the infrastructure onsite. Everyone that has been involved in this project should be commended. She is excited to welcome McLane to our community.

Councilman Harrington thanked everyone for the kind words and thoughts during the loss of his mother which was why he had to leave abruptly during the last City Council meeting. It meant a lot to both he and his family.

Councilman VanDyne acknowledged Hancock Regional Planning Commission (HRPC) Director Matt Cordonnier on his efforts on the McLane process.

Councilman Nichols feels all the positive things that are happening in the community are great, but some of our citizens have expressed some concerns about floodwater and how the water is being controlled. He is pleased to hear the Service-Safety Director say that they are working on a way to regulate the ponds. Residents have told him that the ponds are not working in which he explained that there are wet ponds and dry ponds that some are retention and some are detention. He does not feel the public understands all the ins and outs of this, so he is glad to hear there will be some programs to explain this to the public. He feels it is essential that the explanations are given.

Councilman Harrington informed everyone that if they get a chance to drive through Sherman Park off of South Main Street. The Shade Tree Commission, the Parks District and residents did a fantastic job of updating that area. It is another area of where you can see the cooperation between those entities and how it came to fruition.

Service-Safety Director Schmelzer noted that we need to move on the legislation for the MS4 permit to be complaint with the EPA. There is a workshop on June 3 and 4, 2014. There will be discussions on what the law says we have to do and what we want to try and do from the process standpoint to address this.

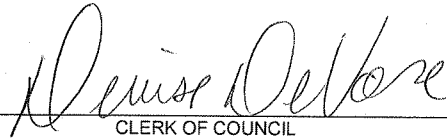
Councilman Monday: **APPROPRIATIONS COMMITTEE** meeting on June 10, 2014 at 4:30pm in the third floor conference room of the Municipal Building (CR1).

agenda: Agreement for Indigent Defense Services in Findlay Municipal Court

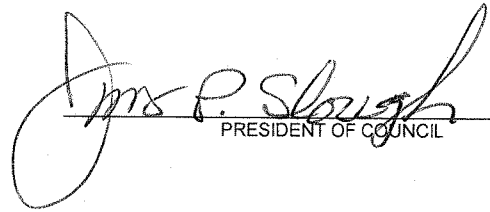
Councilman Russel : **PLANNING & ZONING COMMITTEE** meeting on June 12, 2014 at 5:30pm in the first floor Council Office of the Municipal Building (CO).

- agenda:
1. 115 Harrington Ave rezone
 2. 206 Center St rezone
 3. E Meade Ave alley vacation
 4. 107 Allen St/1217 N Main St rezone

President J. Slough adjourned Council at 8:24pm.



CLERK OF COUNCIL



PRESIDENT OF COUNCIL