

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

AUGUST 19, 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 August 5, 2014 Public Hearing minutes for the rezoning of East Hardin Street/East Lincoln Street as written. Councilman Russel seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the August 5, 2014 Public Hearing minutes for the rezoning of Eastern Woods Office Park Subdivision as written. Councilman Shindledecker seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the August 5, 2014 Public Hearing minutes for the Sixth Street vacation as written. Councilman Douglas seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Shindledecker moved to accept the August 5, 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:

- Oral Communications – Sarah Sisser (Hancock Historical Museum)
- Resolution No. 029-2014 (**LEGISLATION** section).
 - Recreation Department field maintenance \$22,000.00 transfer of funds

REPLACEMENT:

- Ordinance No. 2014-071 (**LEGISLATION** section).
 - Changed dollar amount of Health Dept Findlay Area Safe Kids from \$924 to now be \$5,447.00
 - Removed last appropriation request of \$22,000.00 and moved to Resolution No. 029-2014

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS:

Sarah Sisser – Hancock Historical Museum – 10% of bed tax funds

Sarah Sisser, Executive Director of the Hancock Historical Museum Association addressed Council tonight to request consideration of receiving ten percent (10%) of the City bed-tax funds for three (3) years beginning in 2015. Ms. Sisser informed Council on the museum's functions, recent programming, future outlook and why they believe the City's commitment would be an investment in the community. In 2013, they had nearly thirteen thousand (13,000) visitors come through their facilities, attended special events and educational programming including approximately three thousand (3,000) Hancock County School students which is about 1 in 4 students in Hancock County. Their impact on the community resource for local residents is great, and expressed what they do to bring people into the community and showcase the community, ultimately to put heads in beds to generate some of the bed tax money. More than thirty-two percent (32%) of regular visitors come from outside of Hancock County to the Hancock County Historical Museum. Events such as their Historic Barn Tour and their annual Back Street Festival highlight their local heritage where guests learn what makes Hancock County so special. These events are not just good public relations, but also have a significant economic impact. Heritage tourism has been touted by the National Trust for Historic Preservation as an important component in economic development and downtown revitalization. Their local Convention and Visitor's Bureau has recognized heritage tourism as an area of focus for 2014, and the museum has worked closely with the CVB over the last eighteen (18) months to put greater emphasis on this important component of our local economic development.

Ms. Sisser provided some examples of the reach and impact of their programming:

Last September, the Historic Barn Tour, in its inaugural year, was attended by more than seven hundred (700) individuals. It is the only one of its kind in the state. Ten percent (10%) of the attendants came from outside of Hancock County. The success of this event generated collaborative efforts with the University of Findlay, the Ohio Humanities Council, and the statewide non-profit Friends of Ohio Barns. This particular organization will hold a statewide conference in Hancock County in 2015 as a direct result of this tour. The second Historic Barn Tour will be held next month with attendance expected to exceed one thousand (1,000) individuals. This event has already generated interest from Our Ohio Magazine and the State Department of Agriculture. They provided two (2) bus tours this summer at the Hancock County Barn Quilt Trail. The museum has been a strong proponent of the trail, which is a strong initiative to raise awareness about our agricultural heritage and generates heritage tourism in the County. The first tour they hosted in June sold out quickly, and as a result, they hosted another tour in August with about sixty percent (60%) of the attendants being from outside of Hancock County from places like Columbus, Cincinnati, and Indianapolis. She is unaware of any other entity in this area that has brought people in by the bus load from outside of Hancock County touring them around Hancock County and letting them know what makes us so great.

In addition to public events, the museum serves as a venue for a number of large private events every month, including an event that was held in July of this year that opened a new Oxley Government Center. About three hundred (300) individuals attended this event including several state officials and Speaker of the House John Boehner. The event garnered statewide media attention for our community with approximately twenty-five percent (25%) of the attendants coming from outside of Hancock County and the State of Ohio, resulting in a number of overnight stays in our area. The local economic impact of this event, outside of the museum in less than 24 hours, exceeded sixty thousand dollars (\$60,000.00).

It is very unique to have a facility the size of the Hancock Historical Museum in a city the size of Findlay. Their campus has grown exponentially in recent years to include a tour of nine (9) buildings, a new interactive government center, and a new memorial garden to be dedicated yet this week. Their facilities have made the museum a destination in our region and the growth in attendance has increased statewide publicity support. The museum juggles their full calendar of events, thirteen thousand (13,000) visitors a year, and all of their school groups and large facilities with a staff of only two (2) full-time employees. The City's investment would allow them to add additional staff to oversee some of the administrative tasks, some of the event planning, and would allow them to expand events and create new events, thus increasing their statewide marketing efforts. An investment of ten percent (10%) of the City's bed tax funds would be an investment in heritage tourism and economic development in Findlay.

Discussion:

Councilman Harrington feels it is important to understand where the museum is coming from. It started with a single house on Sandusky Street with a large glass collection that was donated and now has become a large campus around main buildings with many visitors. He has always felt that it is a hidden gem in northwest Ohio. Ms. Sisser and her staff have incurred leadership on their board and have taken a challenge to bring the museum to the forefront to make sure that it is a worthwhile destination to come to Findlay and visit the Hancock Historical Museum. He asked Ms. Sisser if the City's donation would go to the museum's general fund. Ms. Sisser replied the funds would go directly to hire a new staff member to oversee some of the administrative tasks that take up a lot of her time. Councilman Harrington then asked if the museum is currently understaffed. Ms. Sisser replied that they do not currently have an Administrative Assistant or an Event Coordinator. They are an event driven organization, so they would like to fill both of those positions if possible.

Councilman VanDyne feels what the Hancock Historical Museum is doing is wonderful. A Rotary event was held at the Historical Museum a couple of weeks ago where they were able to see all the new things the museum is doing. He encouraged the museum to get more people/organizations into the museum more often. He will consider her request.

Councilwoman Spence noted that Ms. Sisser is doing a fabulous job at the museum and has been following the things she has done and some of the new programs that she has put in place. She asked how much funding ten percent (10%) of the bed tax would be. Service-Safety Director Schmelzer replied that he is unable to say what the total CVB bed tax would be, but does feel that this request and other considerations on CVB and their activities is something that warrants discussion. A full examination of what that brings in and what our Recreation Department brings to that is worth talking about.

Councilman VanDyne noted that the City supports the Arts Partnership with fifteen percent (15%) of the City's bed tax which is around thirty-five thousand to forty thousand dollars (\$35,000.00-\$40,000.00) a year.

Councilman Douglas asked how much of the City's bed tax is already set aside and guaranteed for other organizations. City Auditor Staschiak replied that might be a conversation better held during an Appropriations Committee meeting. The bed tax right now is projected to generate just over half a million dollars (\$510,000.00) for 2014. It has been at a slow steady growth over the years. It does not tend to grow significantly unless a new hotel comes to Findlay, which as we know is about to happen. The only other organization that the City funds through the bed tax is the Arts Partnership. Ten percent (10%) for the museum would be approximately fifty-one thousand dollars (\$51,000.00) plus any growth over the three (3) year period, if Council grants them a percentage commitment.

Councilman Douglas asked if there is a guideline of who could ask for bed tax funds. City Auditor Staschiak replied that it is general fund money which is used to fund the City's general fund operations, anything from Police and Fire to Street Department or Airport.

Mayor Mihalik added that historically, these funds are used to help generate uninflated Economic Development Organizational Community Development Foundation. The City is not contributing to the Economic Development at this point in time, so the only draw on the fund that the City collects is the Arts Partnership. The County collects a separate portion. The City's funds are more versatile on what their use can be compared to what the County can actually spend those on.

Councilman Nichols noted that one way to handle the hotel/motel tax in order to be fair to all the different organizations requesting funds from it is to contribute a set dollar amount instead of a percentage. He feels it would be appropriate to send the museum's request to the Appropriations Committee and bring all the organizations requesting funds in at one time/meeting. Councilman Monday replied as Chairman of the Appropriations Committee, a set dollar amount instead of a percentage could be done if Council so desires. It should probably happen around budget time at the November Appropriations Committee meeting so that the 2015 hotel/motel tax budget would be known at that time. Both the Arts Partnership and the Hancock Historical Museum, as well as any other organization requests funds from the City's bed tax should be in attendance. He asked the Council Clerk to remind him when that time approaches. Mayor Mihalik replied that this is the only other agency asking the City for funds from that bed tax. Councilman Monday added that between now and the Appropriations Committee meeting, Council may hear from other organizations.

Councilman Russel attended the Oxley Museum dedication ceremony where Congressman Pat Tiberi told him that the Hancock Historical Museum is incredible. All other museums are publically owned and financed. He was in awe that the Hancock Historical Museum is a private organization and how it is ran.

Councilman Shindledecker is a member of the museum. He replied to Councilman Harrington's question on whether or not the Hancock Historical Museum needs additional staff, a way to solve that would be to clone a couple of more Sarahs.

Councilman Harrington added that there is history of the CVB bed tax from the City funding the museum. A number of years ago, he came and made a request for funds where the request was granted. He believes that contribution was fifteen thousand dollars (\$15,000.00) for one year, which is all they asked for. At that time, they had a strong argument about the amount of people that visited the museum and the amount of publicity it brings up and down I-75 to get visitors off the exits to come into the city and spend some time and money when they do arrive. Referred to the Appropriations Committee.

PETITIONS – none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay W.O.R.C. Financial Analysis report – January 1, 2014 through July 31, 2014. Filed.

Time Warner Cable - quarterly franchise fee payment for period ending June 30, 2014. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Alexandria's of Findlay Ltd, located at 132 East Crawford Street, Findlay, Ohio for a D51 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Alexandria's of Findlay Ltd, located at 132 East Crawford Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

Michael Mallett

Councilman Nichols moved for no objections be filed. Seconded by Councilwoman Spence. 8 Council members in favor, 2 opposed. Filed.

N.E.A.T. Departmental Activity Report – July 2014. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Red Lobster Hospitality LLC dba Red Lobster #580, located at 2340 Tiffin Avenue, Findlay, Ohio for a D1, D2, D3, and D6 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Alexandria's of Findlay Ltd dba Red Lobster #580, located at Red Lobster Hospitality LLC, located at 2340 Tiffin Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Colleen M. Hunter
Joseph G. Kern
Horace G. Dawson III
Carl B. Richmond

Councilwoman Spence moved for no objections be filed. Seconded by Councilman Harrington. 8 Council members in favor, 2 opposed. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Guru Kirpa Enterprises LLC dba Punjabi Kitchen, located at 15085 Flag City Drive, Findlay, Ohio for a D1 and D2 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Guru Kirpa Enterprises LLC dba Punjabi Kitchen, located at 15085 Flag City Drive, Findlay, Ohio. A check of the records shows no criminal record on the following:

Jasvir Bajwa

Councilman VanDyne moved for no objections be filed. Seconded by Councilman Klein. 8 Council members in favor, 2 opposed. Filed.

Treasurer's Reconciliation Report – July 31, 2014. 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 July 31, 2014
- Cash & Investments as of July 31, 2014
- Open Projects Report as of July 31, 2014
- Financial Snapshot as of July 31, 2014

Filed.

City Auditor Jim Staschiak – Resolution accepting millage rates and amounts

The County Budget Commission has completed their work and returned our Certificate of Estimated Resources of our 2015 budget. Our tax millage has been certified exactly as submitted; 2.6 mills for General Fund and 0.3 mills each for Police and Fire Pension Funds for a total of 3.2 mills. Local government money is estimated to be \$422,532.38 for 2015 subject to likely adjustments by the State.

Council should now accept the amounts and levy the tax rates as certified by the Budget Commission. The proper Resolution must be adopted and returned to the County Auditor no later than August 29, 2014. This Resolution requires one reading. Legislation to accept millage rates and amounts is requested. Resolution No. 028-2014 was created. Filed.

Service-Safety Director Paul Schmelzer – Logan Avenue Improvements (Phase II), project No. 32532600

By authorization of Ordinance No. 2014-006, bids were opened for this project on August 13, 2014. Two (2) potential contractors submitted bids ranging from \$663,544.00 to \$730,929.00. The lowest and best bid was received from Helms & Sons Excavating of Findlay, Ohio. An appropriation for the construction contract along with contingency and inspection is needed.

The amount included in the 2014 Capital Improvements Plan was based on preliminary engineering estimates. Based on the bids, the actual amount needed for appropriation exceeds the budgeted amount by approximately \$128,000. The additional amount is being split between the water, sewer, and stormwater funds. The overages are due in large part to rock excavation costs.

We have double the amount of work typically undertaken in one year in order to put all eligible CDBG funds (\$109,000.00) into infrastructure. Note that we again received \$250,000.00 from OPWC, putting the grant funding at over half of the construction cost. Due to grant timing restrictions and the amount of work that needs to be done, it is imperative for the project construction to start now and finish before bad weather starts. Legislation to appropriate funds is requested.

FROM: Capital Improvements – CIT	\$ 75,000.00
OPWC	\$ 250,000.00
Water Fund	\$ 80,000.00
Sewer Fund	\$ 90,000.00
Stormwater Fund	\$ 114,000.00

TO: Logan Avenue Improvements (Phase II), *project #32532600* \$ 609,000.00

Ordinance No. 2014-074 was created.

Discussion:

Councilman Russel asked how many more phases for Logan Avenue there will be after this one. Service-Safety Director Schmelzer replied he has been asked that question multiple times and should go back and study the number of phases. The number of phases will depend on how big of sections are built. Traditionally, they have been one block at a time, but this section takes two blocks and puts them together and runs it through to Lima Avenue. If we continue to do this at the rate we have, there is at least a decade's worth of work to do there. Filed.

Health Commissioner Stephen Mills – Findlay Area Safe Kids

The Findlay City Health Department is currently serving as fiscal agent and coordinator for the Findlay Area Safe Kids Chapter, special project #319242. Safe Kids is a nationwide organization dedicated solely to the prevention of unintentional childhood injuries. Findlay Area Safe Kids was recently awarded a \$5,000 grant from Hancock-Wood Electric Company's Community Trust Fund for use in purchasing smoke detectors. This grant will allow Findlay Area Safe Kids to support the Findlay Fire Department's Project SAFE (Smoke Alarms For Everyone) project. This additional funding will help the Fire Department as they expand the program from all city elementary schools to include all county schools as well as all home schooled children in Hancock County. They are eagerly looking forward to helping with this worthy project. In addition, the Health Department has received several small donations for Safe Kids in the amount of \$447 over the first half of 2014. In order to purchase needed smoke alarms, an appropriation of funds is requested. Ordinance No. 2014-071 was created.

FROM: General Fund (Donations)	\$ 5,447.00
TO: Safe Kids <i>Project #31924200</i>	\$ 5,447.00

Filed.

Service-Safety Director Paul Schmelzer – Ohio Environmental Education and Charitable Trust grant

The City has received a check in the amount of \$14,470.00 from the Ohio Environmental Education and Charitable Trust Grant to assist the City of Findlay in funding the Environmental Law Enforcement Workshop held in Findlay. The seminar helped meet our public education requirements for compliance with our OEPA NPDES MS4 permit. Legislation to appropriate funds is requested. Ordinance No. 2014-071 was created.

FROM: Ohio Environmental Education and Charitable Trust Grant	\$ 14,470.00
TO: Stormwater Management Plan – MS4 <i>project no. 32566300</i>	\$ 14,470.00

Filed.

Service-Safety Director Paul Schmelzer – City vehicle insurance payment

The City has received payment for the repair of a vehicle from an accident from the other party's insurance company in the amount of \$1,348.79 and has been deposited in the General Fund. Legislation to appropriate funds is requested. Ordinance No. 2014-071 was created.

FROM: General Fund (insurance proceeds)	\$ 1,348.79
TO: Health Department #21030000-other	\$ 1,348.79

Filed.

Parks and Recreation Board minutes – July 21, 2014. Filed.

Traffic Commission minutes – July 21, 2014. Filed.

Board of Zoning Appeals minutes – June 12, 2014. Filed.

Service-Safety Director Paul Schmelzer – Recreation Department appropriation

In order to properly track the hours required for staff work to maintain the fields and prepare for tournaments, the Service-Safety Director is requesting the Recreation Department draw funds from Rec Maintenance for hours related to that activity. The Rec Maintenance fund was set up to also track costs from the Parks Department who started a collaborative effort with the Recreation Department this year to improve the conditions of the facility. To date, the Recreation Department has not drawn on these funds. There has been an increase in tournament activity this year, including a large turnout for the USA Softball Women's National Team which had high praise for the facility. Legislation to appropriate funds is requested. Ordinance No. 2014-071 was created.

FROM: Rec Maintenance #21042000-other	\$ 22,000.00
TO: Rec Function #21044400-personal services	\$ 22,000.00

Filed.

COMMITTEE REPORTS:

The APPROPRIATIONS COMMITTEE to whom was referred a request from the Service-Safety Director to discuss upgrades to the Findlay Fire Department crane rescue equipment.

FROM: Capital Improvement CIT	\$ 5,000.00
TO: Fire Department Equipment #21014000-other	\$ 5,000.00

We recommend approval of the above request. Ordinance No. 2014-069 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 the Service-Safety Director to discuss Findlay Fire Department Ladder 4 and Engine 4 replacement options.

We recommend the Administration be authorized to submit bids for the above request.

Councilman Klein moved to adopt the committee report. Councilman VanDyne 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 the Howard Run Ditch Cleaning Project #32549500.

FROM: Capital Improvements - CIT	\$ 2,000.00
TO: Howard Run Ditch Cleaning project #32549500	\$ 2,000.00

We recommend approval of the above request. Ordinance No. 2014-071 was created.

Councilman Douglas 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 Councilman Monday to discuss the City's continuation of financial support for three (3) years of the Blanchard River Watershed Partnership.

We recommend \$5,000.00/year in the annual expense budget for the years 2015, 2016, 2017.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate \$25,000.00 for the CUBE Condenser Project #319494.

FROM: Capital Improvements	\$ 25,000.00
TO: CUBE Evaporative Condenser Project #31949400	\$ 25,000.00

We recommend approval of the above request. Ordinance No. 2014-071 was created

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

An **AD HOC COMMITTEE** met on August 12, 2014 to discuss public records requests.

We recommend that the Administration finalizes the public document policy submitted to this committee in accordance with the Ohio Revised Code as well as finalizing the internal procedures for tracking and maintaining records to establish compliance therewith.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Michael Pizzuti to rezone 400 Cherry Street from R3 Single Family, High Density to C1 Local Commercial.

We recommend approval of the request. Ordinance No. 2014-072 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Jimmy Grose to vacate Olney Avenue from Morrival Boulevard east to Lima Avenue in the Thorpe and Andrews Subdivision.

We recommend approval of the request. Ordinance No. 2014-073 was created.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 027-2014 (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 Monday moved to adopt the Resolution, seconded by Councilman Shindledecker. 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. 028-2014 (millage rates and amounts)

first reading

adopted

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

RESOLUTION NO. 029-2014 (Rec Dept field maintenance)

first reading

adopted

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

Councilman VanDyne moved to suspend the statutory rules and give the Resolution its second and third readings. Councilman Harrington seconded the motion. Ayes: Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische. The resolution received its second and third readings. Councilman Nichols moved to adopt the resolution, seconded by Councilman Klein. Ayes: Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

ORDINANCES

ORDINANCE NO. 2014-041 (*Sixth St vacation – public hearing on 8/5/14*)

tabled

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

ORDINANCE NO. 2014-063 (*115 Harrington Ave rezone – public hearing on 8/19/14*)

third reading

adopted

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 115 HARRINGTON AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY, MEDIUM DENSITY" TO "R4 TWO-FAMILY, HIGH DENSITY".

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Douglas. Ayes: Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-063 and is hereby made a part of the record.

ORDINANCE NO. 2014-064 (*123 Walnut St rezone – public hearing on 8/19/14*)

third reading

adopted

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 123 WALNUT STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "R3 SINGLE FAMILY, HIGH DENSITY".

Councilman Shindledecker moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-064 and is hereby made a part of the record.

ORDINANCE NO. 2014-065 (*waterline construction costs at the Performing Arts Center*)

third reading

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 2014-065 and is hereby made a part of the record.

ORDINANCE NO. 2014-067 (*Municipal Building Court improvements*)

third reading

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Shindledecker, Spence, VanDyne, Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-067 and is hereby made a part of the record.

ORDINANCE NO. 2014-069 (*FD rescue equipment*)

second reading

adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to suspend the statutory rules and give the ordinance its third reading. Seconded by Councilman Harrington. 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 Councilwoman Spence. Ayes: Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-069 and is hereby made a part of the record.

ORDINANCE NO. 2014-070 (*mid-year reallocation*)

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2014-071

first reading

adopted

(*Howard Run Ditch Cleaning project; CUBE Condenser project*)

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. Seconded by Councilman Nichols. Ayes: Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Frische. Nay: Douglas. The ordinance received its second and third readings. Councilman Klein moved to adopt the Ordinance, seconded by Councilman Nichols.

Discussion:

Councilman Nichols feels it is imperative that Council suspend the rules on this Ordinance because we need to move ahead with a couple of these projects as quickly as possible.

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

Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-071 and is hereby made a part of the record.

ORDINANCE NO. 2014-072 (*400 Cherry St rezone*)

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 400 CHERRY STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY, HIGH DENSITY" TO "C1 LOCAL COMMERCIAL".

First reading of the Ordinance.

August 19, 2014 City Council meeting minutes

ORDINANCE NO. 2014-073 (Olney Avenue vacation)**first reading**

AN ORDINANCE VACATING A CERTAIN AVENUE (HEREINAFTER REFERRED TO AS OLNEY AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2014-074 (Logan Ave improvements)**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. Seconded by Councilman Monday. Ayes: Douglas, Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne. The ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Frische, Harrington, Klein, Monday, Nichols, Russel, Shindledecker, Spence, VanDyne, Douglas. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-074 and is hereby made a part of the record.

UNFINISHED BUSINESS**OLD BUSINESS:**

Councilwoman Frische noted that Ordinance No. 2014-068 was adopted at the last City Council meeting. Council separated the ordinance, which does not mean another ordinance number, but is what she thought at the time. She asked the Administration how to work through situations like that so that Council and the Administration are on the same page. For this particular Ordinance, she voted to separate it which she thought would create a new ordinance/two separate ordinance numbers as she feels it is easier to go back and reference them later. In looking at Ordinances from years past, Ordinances were always one item per Ordinance which seems easier to research and was her reason for separating this particular Ordinance. She would like Council and the Administration to be on the same page and not separate legislation during City Council meetings. She asked for input from the Administration on how to proceed. Service-Safety Director Schmelzer replied that he puts grant oriented items and Capital Plan items that have already been looked at and reviewed in the same Ordinance and separates unusual items (i.e. Fire Department equipment, additional funds needed beyond the Capital Plan, West Park project, etc.). He does not have a preference on how legislation is done. How Council wants appropriations on the agenda can be discussed with the Council President. There are some things he needs to get done and some that are not an emergency. He is open to input from Council so that the Administration provides legislation how they want it. Councilwoman Frische agrees with the Service-Safety Director that some appropriation line items can be grouped together, but some need to be separated such as tonight's Ordinance No. 2014-071. She agrees with what Councilman Nichols said earlier that some items on that Ordinance need to be passed yet tonight. She would prefer appropriation Ordinances be more separated (i.e. grants under one Ordinance, specific projects be separate, moving funds in between accounts be separate). Mayor Mihalik noted that Council can work through the Council Clerk to put together an agenda on what Council prefers. The Administration can help, but there are things that they need to get done and will let Council know those, but it is not the Administration's job to form Ordinances. If a Councilmember has a personal preference, having been involved in local government for almost thirteen (13) years now, they should work through the Council Clerk to get it the way they want to see it. Councilwoman Frische added that she agrees with the Mayor, but would also like to work with the Administration. Councilman Harrington noted that he was absent at the last City Council meeting but did read about this in the newspaper. He understands that its always Council's prerogative when legislation is presented in whatever form, whether it be one, two, or ten line items in a Resolution or Ordinance to always pick and choose if they want to take any and all of it and split it out at that time. In order to speed up our government, if that is the way our Administration would like to propose legislation, he is all for it as long as he feels that he always has the right to slow it down and pull a piece out, which it sounds like happened during last City Council meeting. Placing each appropriation line item on a separate Ordinance would be too burdensome both on Council and the Administration. Service-Safety Director Schmelzer agrees with Councilman Harrington. There seems to be the perception that he was trying to sneak something by, by putting a project with other things that were going to be appropriated on one Ordinance. He clarified that he was not trying to do that.

NEW BUSINESS:

Councilman Klein requested some time after the presentation from the Alliance during the Committee of the Whole meeting on August 28, 2014 to discuss foreclosed properties.

COMMITTEE OF THE WHOLE meeting on August 28, 2014 at 5:00pm in the third floor conference room of the Municipal Building (CR1):

- agenda: 1. Economic Development, CDBG programs
2. Foreclosure, vacant, abandoned properties

Councilman Nichols received some phone calls on properties that go through our N.E.A.T. Department. We need to be careful with efforts to speed up the processes so that we do not trample on any toes.

Councilman VanDyne noted that in a continued effort to present information on Committees and Assignments of Council, he introduced Council to the Economic Development Advisory Board. The objective of that Board is to advise the Economic Development organization on a path forward to retain and attract new business into Findlay and Hancock County. The Board meets once a month. There are thirteen (13) voting members on the Board, ten (10) of which are elected for Economic Development Council which is a paid membership to be on that Council. They take appointees from the other three (3) voters (Councilmember, Mayor, Commissioner). The Councilmember is VanDyne and the Commissioner is Phil Riegler. There are a host of members (list available in Council Office). Others who participate are Steve Wilson, Paul Schmelzer, Chair Todd Garlock, Vice Chair Matt Cordonnier. It consists of an excellent group of people and a lot of resources that can focus on economic issues and what the Alliance needs. Major topics covered at the meetings are anything that pertains to retention and attraction of business (i.e. new deals, incentives required, workforce initiatives, etc.). It gives us a chance to talk about what Council might think or what the City is thinking, a contrast and compare discussion. Major subcommittees (i.e. industrial sites, international, workforce development).

Councilwoman Spence announced that the Adopt-A-Tree program is well underway. There are approximately eleven (11) days left to turn applications in. Trees are twenty-five dollars (\$25.00).

Councilman Russel announced that there will be another drive-in movie at the CUBE on Saturday, August 23, 2014 starting at 9:30pm. Feature film is Rio II.

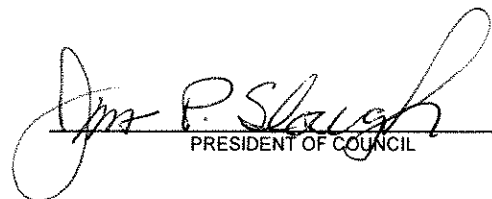
Councilman Douglas addressed Service-Safety Director Schmelzer's earlier comment about the perception of him trying to sneak appropriations in. There is no intent to insinuate that he is doing anything sneaky or trying to sneak anything through. He reiterated that he would like to see the Capital Improvements, projects, grants, etc. separated. Last Council meeting's ordeal with Ordinance 2014-068 did not go as smoothly as anticipated and got a little messy. He appreciated the Law Director's advice and guidance throughout the process. He thanked the Mayor for her advice and will take it into consideration. Service-Safety Director Schmelzer replied that he did not think any Councilmember was insinuating him sneaking anything by and has their utmost trust. It was others that seemed to insinuate that he was trying to get something by Council.

Councilman Harrington congratulated the Administration on the award of the Downtown grant and looks forward to seeing what the next step will be. Service-Safety Director Schmelzer replied that the Administration cannot take the full credit for it. They had a role in it, but so did Council and the community. Others involved were members of the Alliance, Hancock Regional Planning Commission, and the City Auditor on how to manage the money. Everyone in this community has a stake in that project. He is fired up about it. It will be great. He is thankful Marathon provided the money for the grant. We have a lot of work to do. We still have to work together on developing the scope.

Councilman VanDyne followed up on what Councilman Douglas stated earlier tonight. Some Councilmembers are in favor of splitting the ordinances, while some are not, so it needs to be discussed and not just assumed that everyone wants to.

President J. Slough adjourned Council at 8:34pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL