

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

NOVEMBER 18, 2014

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker

ABSENT: Spence, VanDyne

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

MINUTES:

- Councilman Nichols moved to accept the November 18, 2014 Regular Session City Council meeting minutes as written. Councilman Klein seconded the motion. All were in favor. Motion carried. Filed.

President J Slough introduced Councilman Jim Niemeyer. He was elected by the Central Committee to fill the position vacated by Andy Douglas.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Ordinance No. 2014-096 = Emergency Management Agency contract (**LEGISLATION** section).

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS: – none.

WRITTEN COMMUNICATIONS: – none.

ORAL COMMUNICATIONS: – none.

PETITIONS:

Alley vacation request – 337 East Lincoln Street

Philip Rooney is requesting an alley vacation for the north-south alley between Lots 594 and 595 in S&P Carlin's Addition from East Lincoln Street south to the north right-of-way line of the first intersecting east-west alley in the S&P Carlins Addition. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

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

City Income Tax Monthly Collection Report – October 2014.

Discussion:

Councilman Russel asked how the City is setting for income tax collections. Auditor Staschak replied that numbers that were tracked through September were right as projected. As of October, we are a million to a million and a half (\$1,000,000-\$1,500,000) below the Income Tax Administrator Andrew Thomas' projections. The Auditor's projections were a little more optimistic than his so, numbers are down unexpectedly. There are some things this Council could do in the future to create more awareness on what is going on with those taxes. We are discussing this in the Income Tax Board and he would be open to discussing it in appropriations.

While he is not privy to the data like the Income Tax Administrator is. A couple of years ago they started the process of tracking receipts by SIC code and are still refining that process. SIC codes are six (6) digit codes, but will back it down to only track two (2) or three (3) digits so that sectors are known (i.e. auto, retail, manufacturing, etc.). Light manufacturing is down. Some of the impact is from the Affordable Care Act, not just cost to businesses, but also with businesses that sell in the medical field. Retail also has an impact. There are a wide variety of areas with an unexpected down with the majority of it is in business tax. Issues have been discussed with the Income Tax Board that would be of benefit to this Council. Two (2) things to keep in mind are that the City has strong cash reserves in the General Fund. Income taxes make up about sixty-seven percent (67%) of the General Fund. The City is fully reserved with two (2) months of operational expenses which is about four million four hundred thousand dollars (\$4,400,000.00). It is projected to end the year with nine million dollars (\$9,000,000.00). Approximately four and a half million (\$4,500,000.00) cash beyond the reserve, so the City is in a strong cash position. Unlike the private sector, governments are expected to have years when tax revenues will be light and years when they will be strong, but cash reserves are used to get through those ups and downs. Nothing has happened with revenues that would compromise the ability to cover the costs of the City's operational expenses. There are certain opportunities to look at in the income tax revenues to become aware of situations like this sooner, as much as a year or more in advance.

Service-Safety Director Schmelzer added that this situation is why they have been so conservative with expenditures. Contrary to what some may think, the City does not have extra money. He will continue to watch revenues. Filed.

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

Findlay Municipal Court Activities Report – October 2014. Filed.

Findlay City Board of Health minutes – September 17, 2014. Filed.

Findlay Police Department Activities Report – October 2014.

Discussion:

Councilman Nichols suggested adding another column to the right of this report to show the percentage of change that takes place. He would like to see the increases and decreases each month.

Councilman Russel suggested making the report a year-to-date report and have each month listed. 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 October 31, 2014
- Cash & Investments as of October 31, 2014
- Open Projects Report as of October 31, 2014
- Financial Snapshot as of October 31, 2014

Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Ashland Bancroft LLC, located at 535 W Trenton Avenue, Findlay, Ohio for a C1 and C2 liquor permit. This requires a vote of Council.

Gregory R. Home, Chief of Police – Ashland Bancroft LLC, located at 535 W Trenton Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Jasneet Kaur

Councilman Nichols moved for no objections be filed. Seconded by Councilman Harrington. 7 Council members in favor, 1 opposed. Filed.

Parks and Recreation Board minutes – October 20, 2014. Filed.

Traffic Commission minutes – October 20, 2014. Filed.

Service-Safety Director Paul Schmelzer - McLane Distribution, Project No. 31948000

The City of Findlay is continuing to partner with McLane Distribution on the development of their site and roadway improvements. Notification from the Ohio Development Services Agency regarding grant approval has been received. In order to continue moving forward with the project, the grant funds need to be appropriated for construction. Legislation to appropriate funds is requested. Ordinance No. 2014-095 was created.

FROM:	Ohio 629 Roadwork Development Grant	\$ 637,345.00
TO:	Ohio 629-McLane <i>Project #31948000</i>	\$ 637,345.00

Filed.

Service-Safety Director Paul Schmelzer – Reservoir Raw Water Force Main, Project No. 35747800

The consultant has given their recommendation regarding repairs to the raw water force main at the reservoir. The plan is to grout the joints that appear to have the potential for leaking to see if this will solve the problem. Cost is approximately fifteen thousand dollars (\$15,000.00). Replacement of this line would be approximately one million dollars (\$1,000,000.00). Legislation to transfer funds is requested. Resolution No. 040-2014 was created.

FROM:	Supply Reservoir #25073000- <i>other</i>	\$ 20,000.00
TO:	Reservoir Raw Water Force Main <i>Project #35747800</i>	\$ 20,000.00

Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for repairs to the Reservoir raw water force main.

FROM:	Water Fund	\$ 2,000.00
TO:	Reservoir Raw Water Force Main <i>project #35747800</i>	\$ 2,000.00

We recommend approval of the above request. Included in Resolution No. 040-2014.

Councilman Monday 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 the Service-Safety Director to appropriate funds for the Ohio 629 McLane project.

FROM:	Ohio 629 Roadwork Development Grant	\$ 637,345.00
TO:	Ohio 629-McLane <i>project #31948000</i>	\$ 637,345.00

We recommend approval of the above request. Ordinance No. 2014-095 was created.

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

Discussion:

Councilman Harrington noted that Councilman Monday did not indicate his vote on the committee report. Councilman Monday replied that he neglected to indicate that his vote was aye. Filed.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 040-2014 (*Reservoir Raw Water Force Main project*) **first reading** **adopted**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS AND DECLARING AN EMERGENCY.

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

ORDINANCES

ORDINANCE NO. 2014-086 (*2440 Bright Rd rezone*) **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 2440 BRIGHT ROAD REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "I1 LIGHT INDUSTRIAL".

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-086 and is hereby made a part of the record.

ORDINANCE NO. 2014-087 (*325 Emma St rezone*) **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 325 EMMA STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "I-1 LIGHT INDUSTRIAL".

Councilman Shindledecker moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2014-087 and is hereby made a part of the record.

ORDINANCE NO. 2014-095 (*McLane project*) **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2014-096 (*EMA contract renewal*) **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH HANCOCK COUNTY EMERGENCY MANAGEMENT AGENCY TO DEVELOP AN EMERGENCY OPERATION PLAN THAT WILL ENCOMPASS ALL POLITICAL SUBDIVISIONS OF HANCOCK COUNTY, DEVELOP A TRAINING PROGRAM, AND COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF ALL THE POLITICAL SUBDIVISIONS ACCORDING TO THE DUTIES AND REQUIREMENTS OF SECTION 5502.27 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS

OLD BUSINESS: - none.

NEW BUSINESS:

Councilman Monday noted that Councilman Niemeyer will be replacing former Councilman Douglas's duties on subcommittees that he formerly served (i.e. Inter-Government Relations & Legislation Review, Planning & Zoning, and Airport Advisory Board). Councilman Harrington asked if this is in the form of a motion. Councilman Monday replied that it is not. It is an appointment by the President of Council Pro-Tem.

Councilman Russel made a motion to excuse the absence of Councilman VanDyne and Councilwoman Spence. Seconded by Councilman Harrington. All were in favor.

Councilman Monday moved to adjourn into executive session to discuss compensation of an employee. Councilman Klein seconded the request. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker. Council adjourned into executive session at 7:48pm. Council reconvened into regular session at 8:15 pm. Councilman Monday moved to adjourn out of executive session. Councilman Harrington seconded the motion. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker.

President J. Slough adjourned Council at 8:17pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL