

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

July 7, 2015

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, 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 June 16, 2015 public hearing minutes for the rezoning of 1769 Romick Parkway (Ordinance No. 2015-041). Seconded by Councilman Harrington. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the June 16, 2015 public hearing minutes for the rezoning of 706 West Main Cross Street (Ordinance No. 2015-040). Seconded by Councilman Nichols. All were in favor. Motion carried. Filed.
- Councilwoman Spence moved to accept the June 16, 2015 Regular Session City Council meeting minutes as written. Councilman Shindledecker seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Ordinance No. 2015-065 (**LEGISLATION**) – Hancock Soil & Water Conservation District & Great Lakes Restoration Initiative Grant program (tree planting along Eagle Creek).

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS: - none.

PETITIONS: - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for KBKZ LLC, dba The Links Indoor Golf, located at 2435-2441 South Main Street, Findlay, Ohio for a D1, D2, D3, and D3A liquor permits. This requires a vote of Council.

Gregory R. Home, Chief of Police – for KBKZ LLC, dba The Links Indoor Golf, located at 2435-2441 South Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

David T. Fritz
Bruce W. Boerst Jr.
Kenneth P. Gabel
Zachary M. Stechschulte

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

Discussion:

Councilman Russel asked what this establishment is about. Councilman Harrington replied that he is unsure but that it will be located in the strip-mall on South Main Street just before Olive Street. Since the address lists it from 2435-2441 South Main Street, it will be a large portion of that building.

9 Council members in favor, 1 opposed. Filed.

Service-Safety Director Paul Schmelzer – Health Department combination

The effort toward a combined Health Department continues. Much discussion is taking place regarding personnel, facilities, and accreditation. The combined board does not officially become effective until January 1, 2016. As we continue to move forward, these are expenditures that both the City and County Boards of Health will incur. The plan is to transfer funds to the Health Department so that they can pay the City's share of expenses which will be 57.5% of the total. At the last meeting, a tentative budget for 2015 was developed. The Board has estimated the 2015 budget for the combined department at \$150,000. Referred to the Appropriations Committee. Ordinance No. 2015-061 was created.

FROM: General Fund	\$ 86,250.00
TO: Health Department Merger Study/Implementation project #31947200	\$ 86,250.00

Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Bell Stores Incorporated, dba Bell Stores 145, located at 1215 West Main Cross Street & Gas Pumps, Findlay, Ohio for a C1 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – for Bell Stores Incorporated, dba Bell Stores 145, located at 1215 West Main Cross Street & Gas Pumps, Findlay, Ohio. A check of the records shows no criminal record on the following:

Douglas S. Combs
Julie K. Burrow
Mark J. Spears
Brian D. Burrow
Campbell Oil Company

Councilman VanDyne moved for no objections be filed. Seconded by Councilwoman Spence. 9 Council members in favor, 1 opposed. Filed.

Council-At-Large Anne Spence – farm animals within city limits Ad Hoc Committee

Councilwoman Spence has received numerous complaints regarding farm animals in city limits. City Codified Ordinance 505.88 states that no person shall keep or harbor any animal or fowl in the municipality so as to create noxious or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public. An Ad-Hoc Committee meeting scheduled by Council Pro-Term Monday to review the current ordinance and make a recommendation to City Council for updating this ordinance is requested, and to address domestic animal hoarding. Councilwoman Spence is volunteering to serve as one of the members on this Ad-Hoc Committee. Referred to Ad Hoc Committee. Filed.

City Engineer Brian Thomas – Sweetwater Rd waterline project #35741100

By authorization of Ordinance No. 2014-006, bids were opened for this project on June 17, 2015. Six (6) potential contractors submitted bids ranging from \$107,035.00-\$129,215.00. The lowest and best bid was received from JDR Excavating, Inc. of Findlay, Ohio. An appropriation for construction contract along with contingency and inspection is needed. The project is included in the 2015 Capital Improvements Plan. Legislation to appropriate funds is requested. Ordinance No. 2015-060 was created.

FROM: Water Fund	\$ 100,000.00
TO: Sweetwater Rd Waterline Project #35741100	\$ 100,000.00

Filed.

City Planning Commission minutes – June 11, 2015; agenda – July 9, 2015. Filed.

City Income Tax Monthly Collection Report – June 2015. Filed.

Service-Safety Director Paul Schmelzer – Main Street/Tiffin Avenue curb

The existing curb on Main Street was thought to be straight curb from prior investigation and the project was budgeted to remove and replace 8,860 LF of straight curb. It appears that the gutter pan was overlaid with asphalt more than in customary giving it the appearance of straight curb. In order for Main Street to have a good quality road, the gutter pan needs to be removed so that no cracking develops two feet (2') from the new curb. Since the new curb and gutter will be placed, the original number of 8,860 LF will need to be increased to 9,660 LF to replace all of the curb. Since all the curb on Main Street will be replaced, there will also be additional driveways, curb ramps, and sidewalks that will need to be replaced. When this project is completed, there will be a total cost increase of roughly \$110,000 over the \$1MM that was originally bid. Estimated remaining contingency of \$45,000-\$50,000 could be put towards the change in curb. \$75,000 is requested to complete the additional scope and still provide some contingency. Original plans were not to replace all of the curb, but in this case, all curb needs replaced instead of trying to get additional life out of some of it. This contract is underway and the funds need to be appropriated to the project to keep it moving. This contract is work that needs done to prepare for paving Main Street and Tiffin Avenue. An appropriation of funds is requested. Ordinance No. 2015-062 was created.

FROM: Capital Improvements – CIT	\$ 75,000.00
TO: Tiffin Avenue & Main Street Curb Replacement Project #32847700	\$ 75,000.00

Filed.

Service-Safety Director Paul Schmelzer – Municipal Building Windows Replacement, Project No. 31940200

In 2014, windows on the west side of the Municipal Building were replaced. The 2015 Capital Improvements Plan includes funding for replacing additional windows. In the next few weeks, advertisement and acceptance of bids from potential contractors will be requested. Based on the bids, a decision will be made on which windows to replace this year. The bidding process will also provide how funding levels to complete the project in 2016 and 2017. An appropriation of project startup funds is requested. Ordinance No. 2015-063 was created.

FROM: Capital Improvements – CIT	\$ 15,000.00
TO: Municipal Building Windows Replacement Project #31940200	\$ 15,000.00

Filed.

Discussion:

Councilman Russel received a phone call from the University of Findlay about pedestrian activated lights across North Main Street. He asked if more of those type of traffic control lights will be seen on Main Street, or if it is still in the infancy stages. Service-Safety Director Schmelzer replied it would be based on an engineering analysis. The City requested the University of Findlay proceed with it. Their new admissions hall in the old Stately Raven building was discussed at the Traffic Commission meeting. The number of students and families that will traverse from the University of Findlay back to that facility was discussed. At that meeting, they took a look at the mid-block crossing policy that was previously established. A representative from DGL (traffic consultant the City uses) was in attendance. Scenarios both for north and south and mid-block crossings were discussed. He provided some feedback to the consultant and is now waiting to hear back from the consultant on what kind of traffic volume they have for both pedestrian and vehicular, and for an appropriate location and device for this. Councilman Russel then asked if the plan is to install the same type of pedestrian activated lights or if it will be something different. Service-Safety Director Schmelzer replied that all of the City's intersection lights are pedestrian activated. When the City upgrades an intersection, a pedestrian activated light is always put in. The latest one was at Osborne/Sandusky. When looking at mid-block crossings, they have to determine what generator is needed for pedestrians. When looking at the mid-block crossing for Broadway/Main Cross, it was determined that there is a significant amount of pedestrian volume. Even though it is a wide road, having a crosswalk there without a pedestrian activated signal was more risky than putting one in. An answer is not as simple as taking a count. Some discretion on placement is needed. They asked the University of Findlay to take those issues into an account and compare them to the mid-block crossing policy and bring back data that they have from current admissions, as well as any implications that they might have based on future growth on the east side of Main Street.

Councilwoman Spence was approached by some Findlay citizens about a potential development north of their neighborhood in Findlay. They asked if speedbumps could be installed because they are concerned about the amount of motorist travel going to businesses on Trenton Avenue. She asked if this would be something for the Traffic Commission. She has no recollection of speedbumps in Findlay in residential areas. Service-Safety Director Schmelzer replied that the Traffic Commission would be an appropriate place to start this type of request. Filed.

Service-Safety Director Paul Schmelzer – water testing equipment

The Ohio EPA is offering grant funding for public water systems to purchase equipment capable of testing for cyanotoxins. The opportunity was created in response to the recent algae blooms infecting area water systems. This equipment will allow the City to analyze samples rather than sending samples to an outside source thus delaying response time. The cost estimate for the sampling equipment is \$16,617 and OEPA will reimburse one hundred percent (100%) of the expense. Legislation authorizing the Service-Safety Director to apply for and sign the grant application and agreement is requested. If the grant funding is approved, legislation will be requested to appropriate the grant funds at that time. Resolution 019-2015 was created.

Discussion:

Councilwoman Frische asked if this will allow for only algae bloom testing or other things. Service-Safety Director Schmelzer replied a lot of testing is done for wastewater. The City does its own sampling for a lot of chemical imbalances within the plant, but do not test for algae for the cyanotoxins. Cyanotoxins testing is outsourced. The EPA has pushed for municipalities with major reservoirs and other surface water sources to be equipped to test and come up with results especially in the summer months when a couple of weeks could make a difference. They have not specified how much funding they have available. They did say that they will make testing kits available to municipalities on a first come, first serve basis while funds are available.

Councilman Russel asked if the tests will be used & then discarded, or if it will be physical equipment that requires maintenance and/or chemicals. Service-Safety Director Schmelzer replied that the incidental items were relatively low in cost for this equipment. Filed.

Precipitation and Reservoir levels report – April-June 2015. Filed.

Clerk of Council Denise DeVore – funds for 2014 Codified Ordinance updates

When 2014 budgets were estimated, the budget amount needed for 2014 Codified Ordinance updates was not known. The invoice just received is more than what was budgeted for. An additional \$1,410.16 is needed to pay the invoice. Walter Drane Company provides the City with both online and also printed updates for binders that are housed in various City departments as well as the Traffic/General Offenses Codes that are house in the Police Department. Legislation to appropriate funds is requested. Ordinance No. 2015-064 was created.

Discussion:

Councilwoman Frische asked what the total estimate for this is. Clerk of Council DeVore replied \$6,300. \$6,000 is estimated for fifty (50) sets of full-size updates and updating the internet. \$300 is estimated for fifty (50) traffic/general offenses codes replacement pages for the Police Department. Filed.

Mayor Lydia Mihalik – appointment to City Planning Commission

Mayor Mihalik is reappointing Dan Clinger to the City Planning Commission. This appointment will be effective through July 6, 2021. This appointment does not require Council confirmation. Filed.

Mayor Lydia Mihalik – appointment to City Planning Commission

Mayor Mihalik is appointing Dan DeArment to the City Planning Commission. This appointment will be effective through December 31, 2017. This appointment does not require Council confirmation.

Discussion:

Councilman Russel noted that Dan Clinger replaced him on the Commission when he was elected into City Council. In reading through the City Planning Commission minutes over the years that Mr. Clinger served on, his comments and his views of the cases were fantastic.

Councilman Harrington noted that Joe Opperman served on the Commission for many years. Mayor Mihalik added in excess of sixty-five (65) years. Councilman Harrington feels Mr. Opperman deserves a pat on the back for his long commitment. Mayor Mihalik added that it would be appropriate to recognize him in a formal fashion if he is willing to be recognized. He was an original member. Filed.

COMMITTEE REPORTS:

An AD HOC COMMITTEE met on June 23, 2015 to discuss salaries for elected officials. This meeting is a continuation of the March 18, 2015, March 31, 2015, May 6, 2015 and May 27, 2015 Ad Hoc Committee meetings.

It was referred to the Appropriations Committee by City Council during the June 2, 2015 regular session City Council meeting where it was discussed during the June 9, 2015 Appropriations Committee meeting.

It then was referred back to the Ad Hoc Committee during the June 16, 2015 regular session City Council meeting.

We recommend repealing Section 6 of Ordinance No. 2011-088 and being forward Sections 7 and 8. We recommend that Section 9 be reworded to state "the Director of Law may not engage in the full-time private practice of law." We also recommend changing years in practice with local municipal government legal experience to just years of leave practice, but keep the same initial annual salaries, with the exception of adding a 25+ step at \$108,580. Ordinance No. 2015-059 was created.

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

Discussion:

Councilwoman Frische has no major issues with the majority of the recommendation on this committee report, but feels "full-time" practice of law should be removed. The Service-Safety Director and Law Director who hung up their private practices when they came into in their City governmental position and are making up to six figures working for the City, should not have private practices full-time or part-time when the City is paying them that kind of salary. Service-Safety Director Schmelzer replied that he does not have a private practice, but if he were to choose to, he feels he should be able to considering the licenses he has. Councilwoman Frische replied that when he came on as the City's Service-Safety Director, he should not be working at his private practice. Service-Safety Director Schmelzer replied he is not involved in the same firm, nor is he doing any private practice right now. Councilwoman Frische added that is because he works full-time for the City which demands a lot of his time. She noted that when Councilwoman Spence worked for the City in the Municipal Court system, once she was elected into City Council, it became a conflict to work in the Municipal Court and City Council. She feels "full-time" or "part-time" should not be on the legislation for this. It should state that if an elected employee works full-time for the City that is all they should be doing.

Councilman Klein commented that he does not understand why it matters if someone works outside of a City elected position or not.

Councilwoman Spence pointed out that when she was a full-time City employee, she held several part-time positions that were in no way a conflict of interest. She does not see any issues with someone wanting to have an additional income or additional employment outside of the regular hours of when he/she serves the City. Councilwoman Frische replied that she has no issue with it either, other than when it is in direct conflict with what your City position is. For instance, if the Law Director were to represent other villages or others within the community, it could become a conflict of interest and should be eliminated and not made an issue.

Councilman Harrington called the question. All were in favor. Filed.

A COMMITTEE OF THE WHOLE meeting was held on Wednesday, July 1, 2015, to discuss City Income Tax revenues.

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

Discussion:

Councilwoman Frische noted that no comment from the committee was on this report. She asked what Council has made the motion to accept. Council President Slough replied that Committee of the Whole reports do not list any comments.

All were in favor. Filed.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 014-2015 (*Ranzau/Jaqua annexation II resolution of services*) **third reading** **adopted**
A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN MARION TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND SITUATED IN THE NORTHEAST FOURTH (1/4) OF SECTION 6, T1N, R11E, A TRACT OF LAND CONSISTING OF 28.651 ACRES OF LAND, MORE OR LESS (REFERRED TO AS RANZAU/JAQUA ANNEXATION II).

Councilman VanDyne moved to adopt the Resolution, seconded by Councilwoman Spence. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindedecker, 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. 015-2015 (*ODOT FY16 Resurfacing (PIE97385) Project No. 32847600*) **second reading** **adopted**
A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY TO ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) AUTHORIZING THE USE OF FEDERAL URBAN ALLOCATION FUNDS FOR THE STREET RESURFACING PID97385 - PROJECT NO. 32847600, AND DECLARING AN EMERGENCY.

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

RESOLUTION NO. 018-2015 (no PO)**first reading****adopted**

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEEDED 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 resolutions. Seconded by Councilman Russel.

Discussion:

Councilwoman Frische asked why this resolution is needed to pay this. She asked why it couldn't be paid without the resolution. Mayor Mihalik replied that the funds were budgeted for an encumbered item. The documentation that was provided to the Auditor's Office was not sufficient to have the purchase order at the end of 2014 which carried over into 2015.

City Auditor Staschiak added that when the Accounts Payable Clerk went over her records, she found this. This is just a formality of cleaning things up.

Councilwoman Spence noted that after reviewing the production of this, she felt it was wonderfully done. Hats off to Allen Film & Video Ltd for putting together the data for this video. It was well worth the price tag.

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

RESOLUTION NO. 019-2015 (Ohio EPA water testing equipment grant)**first reading****adopted**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO FILE AN APPLICATION FOR THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) GRANT TO USE FOR THE PURCHASE OF EQUIPMENT FOR CYANOTOXINS TESTING, AND TO SIGN ALL NECESSARY AGREEMENTS TO RECEIVE THE GRANT.

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

ORDINANCES:**ORDINANCE NO. 2015-046 (Ranzau/Jaqua annexation II rezoning)****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 ZONING THE FOLLOWING DESCRIBED PROPERTY AS I-1 LIGHT INDUSTRIAL DISTRICT (HEREINAFTER REFERRED TO AS THE RANZAU/JAQUA ANNEXATION II).

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Spence, VanDyne, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-046 and is hereby made a part of the record.

ORDINANCE NO. 2015-047 (Ranzau/Jaqua annexation II accept & approve)**third reading****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 NORTHEAST FOURTH (1/4) OF SECTION 6, T1N, R11E, A TRACT OF LAND CONSISTING OF 28.651 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 REFERRED TO AS THE RANZAU/JAQUA ANNEXATION II), AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: VanDyne, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-047 and is hereby made a part of the record.

ORDINANCE NO. 2015-052 (gas aggregation program renewal)**third reading****adopted**

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE MAYOR TO EXECUTE A SUPPLY AGREEMENT WITH VOLUNTEER ENERGY SERVICES, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND NOVEMBER 2015 WHEN THE CURRENT SUPPLY AGREEMENT ENDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, VanDyne. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-052 and is hereby made a part of the record.

ORDINANCE NO. 2015-053 (BWC group retrospective rating program)**third reading****adopted**

AN ORDINANCE AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO ENROLL THE CITY OF FINDLAY IN THE BUREAU OF WORKER'S COMPENSATION (BWC) GROUP RETROSPECTIVE RATING PLAN, AND DECLARING AN EMERGENCY.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, VanDyne, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-053 and is hereby made a part of the record.

ORDINANCE NO. 2015-054 (101 Shinkle St rezone) **second reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 101 SHINKLE STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-2 SINGLE FAMILY MEDIUM DENSITY" TO "R-4 TWO FAMILY".

Second reading of the Ordinance.

ORDINANCE NO. 2015-055 (810 N Cory St rezone) **second reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 810 NORTH CORY STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-2 SINGLE FAMILY" TO "R-4 TWO FAMILY".

Second reading of the Ordinance.

ORDINANCE NO. 2015-056 (1315 & 1319 N Main St Uoff) vacation) **second reading**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS UNIVERSITY OF FINDLAY 1315 AND 1319 NORTH MAIN STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

ORDINANCE NO. 2015-057 (sediment removal at the dam at Riverside Park) **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2015-058 (Fire Chief severance payout) **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2015-059 (salaries for elected officials) **first reading**
AN ORDINANCE ESTABLISHING THE SALARIES AND BENEFITS FOR ELECTED OFFICIALS OF THE CITY OF FINDLAY, OHIO, BEGINNING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2019, REPEALING ALL ORDINANCES IN CONFLICT WHERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2015-060 (Sweetwater Rd Waterline) **first reading** **adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Ordinance its second and third readings. Councilman Klein seconded the motion. Ayes: Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, VanDyne, Frische, Harrington. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, VanDyne, Frische, Harrington, Klein. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-060 and is hereby made a part of the record.

ORDINANCE NO. 2015-061 (Health Dept merger) **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2015-062 (Main Street/Tiffin Avenue curb) **first reading** **adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Ordinance its second and third readings. Councilman Nichols seconded the motion. Ayes: Nichols, Niemeyer, Russel, Shindledecker, Russel, VanDyne, Frische, Harrington, Klein, Monday. The Ordinance received its second and third readings. Councilman Monday moved to adopt the Ordinance, seconded by Councilwoman Spence. Ayes: Niemeyer, Russel, Shindledecker, Russel, VanDyne, Frische, Harrington, Klein, Monday, Nichols. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-062 and is hereby made a part of the record.

ORDINANCE NO. 2015-063 (Muni Bldg windows replacement) **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2015-064 (2014 Codified Ordinance updates) **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2015-065 (tree planting along Eagle Creek grant)

first reading

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

Councilman Monday moved to suspend the statutory rules and give the Ordinance its second and third readings. Councilman Klein seconded the motion. Ayes: VanDyne, Harrington, Klein, Monday, Nichols, Niemeyer. Nays: Russel, Shindledecker, Spence, Frische. Motion failed. First reading of the Ordinance.

UNFINISHED BUSINESS

OLD BUSINESS:

Councilman Klein moved to approve the estimated revenues for fiscal year 2016 as presented by City Auditor Staschiak. Seconded by Councilman Russel. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, VanDyne. Nay: Spence. The estimated certificate of resources is adopted.

City Auditor Staschiak summarized Ordinance No. 2015-061 for the Health Department appropriation. This merger needs to be treated like any non-regular operational funds in any other department (i.e. if the Street Department is repaving, it would not be part of their normal operational funds). It is a capital function for the project. When the funds are appropriated, they will end up in a project where all the costs associated with the merger will be tracked and reported to Council and to the combined Health Fund on a regular basis. This will allow for good, straightforward accounting when the end of the year happens and everything is squared up. This also keeps us in line with the State. There will probably be additional expenses while this takes place.

NEW BUSINESS:

Councilman Harrington received a telephone call and a letter from a constituent that lives in West Park. He has also contacted both the Mayor and the Street Department about a steep hill on the corner of Harrison Street and Logan Avenue that is the City's responsibility to maintain. He had took it upon himself to mow it for years, but no longer does and it has not been mowed since. He is questioning why it is not being mowed by the City. Councilman Harrington looked at the hill and found it to be unsightly with weeds that are at least chest high if not higher. He asked the Administration to look into this. Mayor Mihalik replied that she has brought this to the attention to the Street Department in the past and will do it again tomorrow morning.

Councilman Harrington noted that at one point in time, it was mentioned that the ball diamond that was removed years ago at West Park due to some vandalism could be replaced. The residents in that neighborhood have taken it upon themselves to create a community watch group in the area. He asked if a backstop and bases could be put in as there is room for it. The diamond was there for years and the residents deserve to have it replaced. He asked if it could be put on the next Parks & Recreation Board meeting agenda.

Councilman Russel noted that the Pathways Action Group sent a letter to Council, the Administration, and Engineering. They are a group of citizens that are trying to bring the multi-use trails master plan to fruition that was developed for the Parks District. Their initial focus is to complete the pathway from Bright Road to Riverside Suites. The trail currently only goes about halfway behind Riverside Suites and stops at a park bench, but goes no further. It is close to connecting to Bright Road. Councilman Russel has joined this group as Council's representative. The group would like to get matching funds from sources and start mapping sections out to complete the trail.

City Auditor Staschiak: **MID-TERM BUDGET REVIEW** meeting on July 29, 2015 5:00pm in the third floor conference room of the Municipal Building (CR1).

agenda: budget update

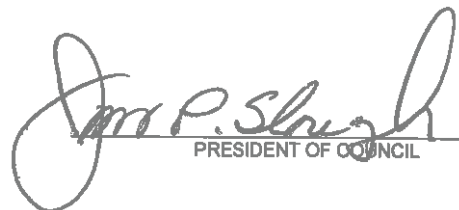
Service-Safety Director Schmelzer received information on the tree grant application yesterday. Phil Martin and Tom Mills have been working on this and have determined that \$7,000.00 is needed to get some trees planted in a number of different locations. He asked if this could be addressed at the next Appropriations Committee meeting. He will provide details on the locations of the tree planting and how they came up with the \$7,000 request at that meeting.

Service-Safety Director Schmelzer needs to finalize discussions with the County Commissioners on the Riverside Dam project. He had a brief telephone conversation with Commissioner Gazarek, but has not been able to connect with Commission Robertson other than text. He will connect with both of them before the next City Council meeting.

President J Slough adjourned Council at 8:30pm.



CLERK OF COUNCIL



PRESIDENT OF COUNCIL