

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

July 21, 2015

COUNCIL CHAMBERS

PRESENT: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, Van Dyne

ABSENT: none

President Pro-Tem Monday opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

MINUTES:

- Councilman Nichols moved to accept the July 7, 2015 public hearing minutes for the rezoning of the Ranzau/Jaqua Annexation II (Ordinance No. 2015-046). Seconded by Councilwoman Spence. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the July 7, 2015 public hearing minutes for the estimated revenues for FY2016. Seconded by Councilman Klein. All were in favor. Motion carried. Filed.
- Councilwoman Spence moved to accept the July 7, 2015 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 Nichols moved to add the following to tonight's agenda. Councilman Harrington seconded the motion. All were in favor. Motion carried. Filed.

ADD-ONS:

- Ordinance No. 2015-058 AS A,EMDED (**LEGISLATION**) – Fire Chief severance payout
- Ordinance No. 2015-067

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS: - none.

PETITIONS:

Alley vacation request – Garfield Avenue to Midland Avenue

Stephanie Inbody is requesting a vacation from Midland Avenue to Garfield Avenue between lots 2661, 2662, 2683, and 2684. Referred to City Planning Commission and Planning & Zoning Committee.

Alley vacation request – Scott Avenue to Hull Avenue

Dwayne Kimberlin is requesting a vacation from Scott Avenue to Hull Avenue between lots 2445, 2446 and the west eight feet (8') of lot 2447. Referred to City Planning Commission and Planning & Zoning Committee.

Alley vacation request – Fishlock Avenue to Williams Street

Bogdana (Donna) Fogarty is requesting a vacation from Fischlock Avenue to Williams Street between lots 16627, 16628, 16576, and 16577. Referred to City Planning Commission and Planning & Zoning Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay Police Department Activities Report – June 2015. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Fern Café Incorporated, located at 452 East Sandusky Street, Findlay, Ohio for a D1, D2, and D3 liquor permits. This requires a vote of Council.

Gregory R. Horne, Chief of Police – for Fern Café Incorporated, located at 452 East Sandusky Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

Jerry L. Aller

Councilman Nichols moved for no objections be filed. Seconded by Councilman Van Dyne. 9 Council members in favor, 1 opposed. Filed.

Findlay Municipal Court Activities Report – June 2015. Filed.

N.E.A.T. Departmental Activity Report – June 2015. Filed.

City Auditor Jim Staschak – summary financial reports

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

- Summary of Year-To-Date Information as of June 30, 2015
- Cash & Investments as of June 30, 2015
- Open Projects Report as of June 30, 2015
- Financial Snapshot for General Fund as June 30, 2015

Filed.

City Health Department Health Commissioners Stephen Mills – grant appropriations: public health emergency preparedness grant
The Findlay City Health Department has again received a notice of award from the Ohio Department of Health for grant funding for continued work to bolster public health emergency preparedness within Findlay and Hancock County. This funding will enable the Findlay City Health Department to retain Chad Master in a full-time Emergency Response Coordinator/Epidemiologist role as well as pay for MARCS radio service and pager service needed to help the Findlay City Health Department respond to disasters both natural and manmade. The approved funding level is \$80,750 for the period of July 1, 2015 through June 30, 2016.

An emergency appropriation of this grant money is requested so that activity on it may begin as soon as possible. While the Findlay city Health Department will cease to exist on January 1, 2016, they are working closely with the City and County Auditor's Offices, as well as the Ohio Department of Health to make sure the transition of these funds to the new entity is a seamless one. Ordinance No. 2015-066 was created.

Discussion:

Councilman Van Dyne congratulated Barb Wilhelm and the Health Department on a job well done and asked what the total dollar grant funding amount has been obtained so far this year. Mayor Mihalik replied she is unsure but knows that it is substantial. Filed.

Findlay W.O.R.C. Financial Analysis Report – January 1, 2015 through June 30, 2015.

Discussion:

Councilman Russel asked if a jump in numbers in June is typical. The numbers were significantly lower in previous months. He asked if the numbers are based on not being open all the time. Mayor Mihalik replied she will need to check, but noted that the WORC center has been closed for a period of time, so this could be a situation where those who wanted to serve on a particular date during the month it was closed were able to serve in June. Filed.

Treasurer's Reconciliation Report – June 30, 2015. Filed.

Board of Zoning Appeals Minutes – June 11, 2015. Filed.

Findlay Fire Department Activities Report – June 2015. Filed.

President of Council Pro-Tem R. Ronald Monday – animals in the Municipality

Pursuant to a request by Councilwoman Spence, he is appointing an Ad-Hoc Committee meeting to review Ordinance 505.88 regarding animals in the Municipality, and to make any recommendations to Council to update the ordinance. The following are appointed to serve on the committee: Anne Spence as Chairwoman, Randy Van Dyne, and John Harrington.

Discussion:

Councilman Russel was contacted by two (2) individuals asking when this committee will meet and asked if the meeting will be publicized so that citizens have an opportunity to have their voices heard. Filed.

Service-Safety Director Paul Schmelzer – Municipal Building security

Over the past number of months, the Service-Safety Director has been reviewing information with our Building Maintenance, Computer Services, and the Police Department regarding Municipal Building security. Upgrades to this system are necessary. In lieu of waiting until next year, he would like to proceed immediately with the hardware and software updates. The 2016 Capital Plan called for an estimated \$75,000 to complete the upgrade, but believe the scope of work can be accomplished for under \$50,000. The Service-Safety Director provided information for review at the Appropriations Committee with hopes that this would be passed by City Council at the July 21, 2015 meeting. This would allow it to fit into a construction schedule and avoid months of delay. Legislation to appropriate funds is requested. Ordinance No. 2015-066 was created. Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request for an appropriation of funds to update the internet and printed hard copies of the 2014 Codified Ordinance updates.

FROM: General Fund	\$ 1,410.16
TO: Council #21001000-other	\$ 1,410.16

We recommend approval of the request. Ordinance No. 2015-064 received its first reading during the July 7, 2015 City Council meeting.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to continue the Fire Chief severance payout discussions.

FROM: General Fund	\$ 32,374.64
TO: Fire Department #21014000-personal services	\$ 32,374.64

We recommend approval of the above payable as soon as possible in 2016. Ordinance No. 2015-058 received its second reading during the July 7, 2015 City Council meeting. It is being amended tonight to change the dollar amount.

Councilwoman Spence moved to adopt the committee report. Councilman Klein seconded the motion. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, Van Dyne. Nays: Frische. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for expenses associated with the City and County Boards of Health merger.

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

FROM: General Fund	\$ 10,000.00
TO: Health Department #21040000-personal services	\$ 10,000.00

We recommend approval of the above. Ordinance No. 2015-061 received its first reading during the July 7, 2015 City Council meeting.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to transfer \$50,000 from the Capital Improvement Fund into a project for replacement of certain components of the municipal building security system. Intermittent failure and unsupported software are requiring replacement ahead of next year's capital plan. Proposal has been sought from multiple vendors. Lowest proposal attached for reference.

FROM: CIT-Capital Improvement Fund	\$ 50,000.00
TO: Muni Bldg Security Upgrade #31955100	\$ 50,000.00

We recommend approval of the above. Ordinance No. 2015-066 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate \$7,500 from the General Fund to BRWP – GLRI Eagle Creek Tree Planting Grant, Project #31955200 for tree planting along Eagle Creek in Emory Adams Park. The funds will be reimbursed from the Hancock Soil and Water Conservation District.

NOTE: legislation to pursue the funding will be given a second reading in July. It is anticipated that the City will have grant approval well ahead of the next appropriation meeting.

FROM: General Fund	\$ 7,500.00
TO: BRWP – GLRI Eagle Creek Tree Planting Grant #31955200	\$ 7,500.00

We recommend approval of the above request. Ordinance No. 2016-065 to apply for the grant received its first reading during the July 7, 2015 City Council meeting. Ordinance No. 2015-066 was created for the appropriation of funds. It will receive its first reading during the July 21, 2015 (tonight's) City Council meeting.

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

LEGISLATION:

RESOLUTIONS: - none.

ORDINANCES:

ORDINANCE NO. 2015-054 (101 Shinkle 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 101 SHINKLE STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-2 SINGLE FAMILY MEDIUM DENSITY" TO "R-4 TWO FAMILY".

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Niemeyer.

Discussion:

Councilman Van Dyne asked if he were to vote nay on this if it will remain a tri-plex as it is now. Law Director Rasmussen replied that it can remain a tri-plex, but will be a non-conforming illegal use and will remain zoned R-2 Single Family. If the property were to be financed, the bank calls the Zoning Administrator where they will learn that it is an R-2 single-family residence. Councilman Van Dyne then asked if Council will be able to deal with that later. Law Director Rasmussen replied they can, but it would remain that way until something else is done later.

Councilman Russel noted that City Planning Commission (CPC) recommended the duplex. He asked that in order for Council to override CPC's recommendation, would it require a different minimum of votes. Law Director Rasmussen replied that to override it, it would be a three-quarter (3/4) or seventy-five percent (75%) vote. Councilman Russel then asked if eight (8) votes against this would be needed in order for CPC's recommendation to hold. Law Director Rasmussen replied that is correct.

Councilwoman Frische asked if this Ordinance could be amended tonight to make it legal for a tri-plex and if it has to receive eight (8) aye votes, or does this Ordinance need to be voted down and a separate ordinance be done. Law Director Rasmussen replied that Council can move to amend. He is unsure what it would have to be, but would have to be under the new code M-1 or M-2. I would have to be at least M-1.

Ayes: Harrington, Klein, Monday, Nichols, Russel, Spence. **Nays:** Frische, Niemeyer, Shindledecker, Van Dyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-054 and is hereby made a part of the record.

ORDINANCE NO. 2015-055 (810 N Cory 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 810 NORTH CORY STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-2 SINGLE FAMILY" TO "R-4 TWO FAMILY".

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, Van Dyne, Frische. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-055 and is hereby made a part of the record.

ORDINANCE NO. 2015-056 (1315 & 1319 N Main St Uoff vacation)

third reading

adopted

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.

Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, Frische, Harrington. Abstain: Van Dyne. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-056 and is hereby made a part of the record.

ORDINANCE NO. 2015-057, AS AMENDED (sediment removal at the dam at Riverside Park)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

third reading

adopted

Councilwoman Frische moved to amend to change the dollar amount from \$10,000 to now be \$7,500. Councilman Russel seconded the motion.

Discussion:

Councilwoman Frische noted that the reason for the amendment is because the Service-Safety Director spoke with the County Commissioners who are unsure if there is a flood impact to use flood dollars, so they are going to change their funding to a 50/50 split and pull from the General Fund. The original appropriation was for the City's share to be \$10,000 and the County's to be \$5,000, but only \$7,500 is needed now.

Ayes: Monday, Niemeyer, Russel, Van Dyne, Frische, Klein. Nays: Nichols, Shindledecker, Spence, Harrington.

Councilwoman Frische moved to adopt the Ordinance as amended, seconded by Councilman Russel. Ayes: Nichols, Niemeyer, Russel, Spence, Van Dyne, Frische, Harrington, Klein, Monday. Nays: Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-057 and is hereby made a part of the record.

ORDINANCE NO. 2015-058, AS AMENDED (Fire Chief severance payout)

third reading

adopted

AN ORDINANCE AUTHORIZING A SICK LEAVE SEVERANCE PAYMENT TO FORMER FIRE CHIEF LONYO.

Councilman Van Dyne moved to adopt the Ordinance, seconded by Councilman Russel.

Discussion:

Councilwoman Frische pointed out that the documentation on record with the City Ordinance from 2013 states that retirement is defined as being eligible to immediately receive retirement benefits from its employers' pension. Based on a recommendation from the City's Law Director, Council was informed that the former Fire Chief was eligible, but the letter from the State instead stated "based on your years of service, credits you are eligible for service commuted retirement effective the date following your attainment of age 48. OP&F recommends that you file a new application about 45 days prior to your 48th birthday." The former Fire Chief is not immediately eligible. It is Council's responsibility to follow ordinances in place which states he is not eligible. If the Former Fire Chief wants to take this further, the proper steps to take would be to go through legal action. If he is awarded, more power to him, but if he is not, then the ordinance stays in place. Council's job is not to negotiate or interpret. Council's job is to follow ordinances that are in place.

Councilwoman Spence will be voting in favor of this ordinance because the City Law Director wrote a very lengthy opinion giving his reasoning. The current ordinance does not follow Ohio State Law which is a concern of hers and that an Ad Hoc Committee should address this to get this negotiated and worked out for the future so there is no additional confusion. When the former Fire Chief was promoted to be the City's Fire Chief, he could have cashed in sick pay which would have been approximately the same amount that he is requesting. Based on both of those reasons, it is reasonable to approve the ordinance.

Councilman Shindledecker is also voting in favor of this, but do not believe that he is entitled to it. As the Law Director has pointed out, there is also State Law involved. Based on the City Ordinance, he is not eligible to receive this, but we do have to follow State Law as well, so he will vote in favor of this, but hopes the Ad Hoc Committee will have an announcement about it to clear this up.

Councilman Niemeyer asked if this is sick leave, retirement, or both. Law Director Rasmussen replied sick leave at retirement. If Council desires, he can read the 4-page legal opinion again. The Constitution for the State of Ohio give us home rule power. It does not allow us to do certain things that are against general laws. Courts have ruled that this section is General Law. The definition of retirement is in that code section, so that is what retirement means until we fix it.

Councilwoman Frische further pointed out that if it was that easy of a decision to be made and was allowable, it would not have taken eight (8) months to come to a decision. Councilman Shindledecker made a good comment at the Appropriations Committee that if the Mayor and Law Director want to have a severance payout to the former Fire Chief, it might be splitting hairs, but maybe the request should be coming from the Administration and not from Council because it is not Council's job. Law Director Rasmussen replied that it is Council's job to approve the payouts and appropriations. This issue did not just drag on. There were meetings. There were several meetings with the Auditor's Office where he gave his opinion, which is what dragged on. Nothing was getting done, so he had to issue his opinion.

Councilman Van Dyne noted that it took him awhile to digest all the information on this in order to decide which direction he wanted to go. He never felt that this came to Council from the Administration. Council determines what is right and what is required by State Law which is what Council votes on, not the desire of the Mayor or Law Director on what to pay the former Fire Chief.

Councilwoman Frische noted that if the ordinance was allowable, it never would have been an issue. An ordinance would have been written where Council would have voted on it and it would have been done. There has been a lot of discussion and a lot of different angles given to get this payout to the former Fire Chief over the last eight (8) months. She has a lot of respect for the former Fire Chief, but the way he has handled himself in this matter in trying to negotiate to get what he wants is not very upstanding.

Councilman Harrington called the question.

Ayes: Niemeyer, Russel, Shindledecker, Spence, Van Dyne, Harrington, Klein, Monday. Nays: Frische, Nichols. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-058 and is hereby made a part of the record.

ORDINANCE NO. 2015-059 *(salaries for elected officials)* **second 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 WHERE TO, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

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

Councilman Russel moved to suspend the rules and give the Ordinance its third reading. Councilman Harrington. Ayes: Shindledecker, Spence, Van Dyne, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel. The Ordinance received its third reading. Council Nichols moved to adopt the Ordinance. Councilman Russel seconded the motion. Ayes: Spence, Van Dyne, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-061 and is hereby made a part of the record.

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

Councilman Russel moved to suspend the rules and give the Ordinance its third reading. Councilman Van Dyne. Ayes: Van Dyne, Frische, Harrington, Klein, Monday, Niemeyer, Russel, Shindledecker, Spence. Nays: Nichols. The Ordinance received its third reading. Council Shindledecker moved to adopt the Ordinance. Councilman Russel seconded the motion. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, Van Dyne. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-063 and is hereby made a part of the record.

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

Councilman Russel moved to suspend the rules and give the Ordinance its third reading. Councilman Klein. Ayes: Harrington, Klein, Monday, Niemeyer, Russel, Shindledecker, Van Dyne, Frische. Nays: Nichols, Spence. The Ordinance received its third reading. Council Nichols moved to adopt the Ordinance. Councilman Klein seconded the motion. Ayes: Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Spence, Van Dyne, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-064 and is hereby made a part of the record.

ORDINANCE NO. 2015-065 *(tree planting along Eagle Creek grant)* **second reading** **adopted**
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.

Councilwoman Spence moved to suspend the rules and give the Ordinance its third reading. Councilman Russel. Ayes: Monday, Niemeyer, Russel, Shindledecker, Spence, Van Dyne, Frische, Harrington, Klein. Nays: Nichols. The Ordinance received its third reading. Council Russel moved to adopt the Ordinance. Councilman Harrington seconded the motion.

Discussion:

Councilwoman Spence is hopeful that this can be adopted tonight so that trees can be ordered and planted within this planting season.

Ayes: Nichols, Niemeyer, Russel, Shindledecker, Spence, Van Dyne, Frische, Harrington, Klein, Monday. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-065 and is hereby made a part of the record.

ORDINANCE NO. 2015-066 **first reading** **adopted**
(tree planting along Eagle Creek grant – appropriation; Municipal Bldg security; public health emergency preparedness grant) **during Old Business**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT FOR CALENDAR YEAR 2015 WITH THE HANCOCK COUNTY PUBLIC DEFENDER COMMISSION FOR A TOTAL OF NINETY-FIVE THOUSAND DOLLARS (\$95,000.00) FOR SAID CALENDAR YEAR, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS

OLD BUSINESS:

Councilwoman Frische asked for clarification on the voting of Ordinance No. 2015-054. She asked if the ¾ vote was needed and if it was adopted. Law Director Rasmussen replied it was in agreement with the Regional Planning Commission, so it was majority vote of six (6) ayes and four (4) nays.

Councilwoman Spence asked if the \$7,500 needs to be approved for Ordinance No. 2015-066 in order to purchase the trees in order to get moving on the Eagle Creek tree planting. Councilman Russel replied that it is his hope that the committee report would be accepted and legislation passed so that trees could be ordered. The Ordinances that are for this are Ordinance No. 2015-065 and 2015-066. 2015-065 authorizes the Service-Safety Director to apply for the grant. 2015-066 appropriates the funds. The Service-Safety Director (not present at tonight's meeting) suggested via email that they both be addressed tonight so that the trees could be purchased. Councilman Harrington noted that the only issue with adopting Ordinance No. 2015-066 is that there are two (2) other appropriations on it. He asked if the tree appropriation should be put on a separate ordinance. Mayor Mihalik replied that the Health Department would be appreciative of adopting the ordinance now. If the Municipal Building security appropriation could be adopted now, that would be great. Councilwoman Spence moved to suspend the statutory rules and give Ordinance No. 2015-066 its second and third readings. Councilman Van Dyne. Ayes: Niemeyer, Russel, Shindledecker, Spence, Van Dyne, Frische, Harrington, Klein, Monday, Nichols. The Ordinance received its second and third. Councilman Harrington moved to adopt the Ordinance. Councilman Klein seconded the motion. Ayes: Russel, Shindledecker, Spence, Van Dyne, Frische, Harrington, Klein, Monday, Nichols, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-066 and is hereby made a part of the record.

Councilman Niemeyer had a local businessman contact him about wanting to lease the Hochstetler building the City owns that has been vacated approximately three (3) years. Mayor Mihalik replied that he can contact the Mayor's Office.

Councilman Nichols asked the status of the Dazel Ditch. Mayor Mihalik replied that it is in the hands of the County Commissioners currently in a planning and design stage with the hopes of being done by end of this year or beginning of 2016, depending on the EPA.

NEW BUSINESS:

Councilman Shindledecker: **AD HOC COMMITTEE** meeting on July 27, 2015 3:30pm in the Council Office, first floor Of the Municipal Building (CO).

agenda: sick pay accrual payout

Councilman Shindledecker attended a meeting last Friday on behalf of the Mayor in Bowling Green about WBGU TV going off the air. It is a complex issue. The Mayor from Lima and Bowling Green attended the meeting. Many were very passionate in their opposition of any thoughts that the station should go off the air. On July 29, 2015 at 7:00pm, a forum will be conducted by WBGU TV and the University. It will take place in the Wellness Center at Owens Community College. Similar forums have taken place in Bowling Green and Lima.

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on August 13, 2015 at 4:00pm in the Council Office, first floor of the Municipal Building (CO).

agenda: 1. Garfield Avenue to Midland Avenue alley vacation
2. Scott Avenue to Hull Avenue alley vacation
3. Fishlock Avenue to Williams Street alley vacation

Councilwoman Frische announced that National Night Out will be on August 4, 2015 at Riverside Park.

Councilman Niemeyer asked if the Mid-Term Budget Review is still on July 29, 2015 at 5:00pm. City Auditor Staschiak replied it is.

Councilwoman Spence's friend had a fire this week. The Findlay Fire Department did everything they could to save her home and pets. They did their best to not make a tragedy. They are compassionate about their work and work diligently to make our community a better and safer place.

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

President of Council Pro-tem Monday adjourned Council at 8:30 pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL PRO-TEM