

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

November 3, 2015

COUNCIL CHAMBERS

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

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 October 20, 2015 Regular Session City Council meeting minutes as written. Councilman Harrington seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

REPLACEMENTS:

- Ordinance No. 2015-099 (**LEGISLATION section**)
 - Changed entire ordinance to waive formal advertising and bidding and authorize SSD to enter into a contract(s)

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

ORAL COMMUNICATIONS:

Denice Ziebold – animals in the Municipality

During the financial crisis of 2008 when the stock market fell, her husband lost his job and they were very quickly thrown into financial chaos where it was unknown how they would feed their four (4) children. She turned her attention from their plummeting debt to learn how to be sustainable which was the start of a new lifestyle for her family. They learned to live on less by doing more for their selves. Urban farming practices became a part of their way of life. They started with a few chickens and found that the fresh eggs each day were rewarding. Through research on symbiotic living, they were also inspired to get a couple of dwarf goats (the size of a medium dog) who are valuable and taken good care of. They have done extensive research on how to be considerate urban farmers. They have taken careful measures to ensure that their animals are living in a healthy environment. Their children have witnessed both the birth and death of their goats. They have raised chickens from fertile eggs to their family dinner, learning that they can work hard to make their own way in life. The other day, their daughter was having a conversation with another gentleman about how it is hard for her to go out of the house before 10:00am, to which the gentleman sarcastically asked if that was because she was being a lazy teenager. She told him that was not the case, but that she was busy doing chores. The gentleman raised an eyebrow at their daughter, chuckled, and asked what chores she was doing. He asked her if she was milking a cow. Her reply was that she milks goats. The pride in her voice was very rewarding as a parent. Their way of living is a unique way of living. While she would like to move their urban farm to the country, but they do not have the finances to do so. Instead, they have learned to live within their means with the resources they have. She is very full of pride when she explains to outsiders what a great city we live in that allows them the freedom to live so that each person can grow as a unique individual. If changes on this to our current laws take place, it will only halt individualism. The problems that have been recorded in the paper are already addressed with current laws in place. Additional laws are not needed to try to make a few inconsiderate individuals be good neighbors. Instead, additional laws will harm those who already work hard to be good neighbors. As the newspaper reports, farm animals constitute less than one percent (1%) of the animal problem. In regards to complaints about farm animals, a gentleman was quoted saying that it is not a big problem and that he does not see as many as he used to. She invited Council to come to her property and experience their urban lifestyle. Their way of life is in jeopardy. She is reminded that Findlay is not Camelot. There are other issues that constitute more than one percent (1%) of the problems that Council should instead be addressing. The insignificant problems that arose from urban animals already have laws to govern them. Since starting their new way of living, she has found peace, purpose, contentment and true happiness. Her family tries very hard to be good neighbors and community members, and have come to know some fantastic people along the way. She asked Council not to take this away from her. She asked to continue their unique lifestyle and to only directly address the few in the one percent (1%). She invited Council to follow their urban farm on Facebook and invited them to stop by anytime.

Discussion:

Councilman Russel asked how many chickens and goats they have. Ms. Ziebold replied they have three (3) dairy goats and approximately fifteen (15) chickens. Councilman Russel then asked how many other urban farmers in Findlay there are similar to the Ziebold's farm. Ms. Ziebold replied she does not know. Councilman Russel then asked if there is a network of urban farmers that the Ziebold's talk and share ideas with. Ms. Ziebold replied there are a few. Her family has met a lot of other farmers that they have networked with to get to know what they do and explore their unique circumstances. Councilman Russel then asked how they decided to have fifteen (15) chickens. Ms. Ziebold replied that they started with seven (7) and now have fifteen (15). Fifteen (15) is not much more than seven (7). Several years ago, they had an additional twenty (20) that they raised for fourteen (14) weeks and butchered for food for her family.

Councilwoman Spence asked Ms. Ziebold what the lot size of their urban farm is. Ms. Ziebold replied it is one hundred fifty by one hundred fifty (150 x 150). Councilwoman Spence asked Ms. Ziebold to provide their address so that she could visit her farm.

Councilman Nichols asked if Ms. Ziebold's chickens are free range or in a coop. Ms. Ziebold replied that they have a coop and have access to the outside. There is an area that they are restricted in. They installed a six foot (6') privacy fence where the animals are approximately five feet (5') from the property line. The back of their property abuts LaRiche Toyota's parking lot. Another area is fenced off that they grow a garden in. When they are done with the garden for the year (late fall/winter), they open it up and the chickens go in and do all the work for them by tilling it up.

WRITTEN COMMUNICATIONS: - none.

PETITIONS: - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals Minutes – September 10, 2015. Filed.

Findlay City Board of Health minutes – September 16, 2015. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for LT Company Inc, dba Tokyo Steakhouse of Findlay, Room 113, located at 1800 Tiffin Avenue, Room 113, Findlay, Ohio for a D5 liquor permit. This requires a vote of Council.

Gregory R. Home, Chief of Police – for LT Company Inc, dba Tokyo Steakhouse of Findlay, Room 113, located at 1800 Tiffin Avenue, Room 113, Findlay, Ohio. A check of the records shows no criminal record on the following:
Fengxiao Tao

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

City Auditor Jim Staschak – life insurance 2016 rates

The Auditor's Office is in the process of confirming life insurance coverage and rates for 2016. Currently, coverage is as follows:

- The Fire and Police Unions are at a level of \$100,000 coverage for Life and AD&D.
- The Operators Union are at a level of \$25,000 coverage for Life and AD&D.
- Non-union employees are at a level of \$25,000 coverage for Life and AD&D. Non-union employees have been at this coverage level since 2002.

The City's life insurance carrier Cigna has quoted a rate to increase the coverage of non-union employees to \$50,000. This is the amount of benefit that can be provided to an employee without tax implications. The cost of this change would be a \$10,200 increase to the City's premium for 2016 across various funds and would benefit 143 non-union employees.

It has been more than ten (10) yeas since Council has reviewed this subject. Coverage for the Fire and Police Unions last changed in 2006. Appropriations Committee's consideration is part of the annual budget process. If Council moves forward with this, the Auditor's Office will proceed with the necessary steps to ensure the change is made as part of the budget preparations for fiscal year 2016. Referred to the Appropriations Committee. Filed.

Service-Safety Director Paul Schmelzer – Municipal Building rewiring project

The current computer network wiring in the Municipal Building is in a state of disrepair and has become problematic with the use of existing systems and is not compatible with many future technologies. As part of the capital plan, the Computer Services Department proposed rewiring the building to make it compatible with VoIP and prepare for the ever increasing use of data. The main intent was to prepare for the end of support from our current phone carrier in October of 2016. Since the approval of the plan, we have worked with the County to coordinate our efforts and prepare for the system change.

We have been informed by the carrier that unless the change is made next year, there will be a significant increase in monthly phone charges. Additionally, service will likely not even be possible for the current system within the next 5-10 years due to phone companies transitioning away from copper lines. It is the Service-Safety Director's intent to do the project while the building is partially being remodeled so that workers are only disturbed once.

The original estimate for the project was \$45,000 over three (3) years. Current estimate for the rewiring scope of work is \$65,000 for the wiring and \$30,000 for equipment. Legislation to appropriate funds is requested. Ordinance No. 2015-097 was created.

FROM:	Capital Improvements-CIT	\$ 95,000.00
TO:	Municipal Building Network Rewiring Project #319508	\$ 95,000.00

Filed.

City Engineer Brian Thomas – Blaine Avenue Waterline Replacement, Project No. 35752100, Elyria Street Waterline Replacement, Project No. 35752000

Due to the poor condition of the waterline on Blaine Avenue and Elyria Street, these projects were included in the 2015 Capital Improvements Plan. During construction of the sanitary sewer in the West Park area, it was found that the existing waterlines were leaking and are in even worse condition than expected. Helms Excavating of Findlay is the contractor working on the sanitary sewer project. Since they are working in the area, they have provided a construction estimate under the bid limit of \$50,000 for each project.

Previously, \$5,000 was appropriated to each project for design and startup. At this time, an appropriation for the construction contract along with contingency and inspection is needed. Legislation to appropriate funds is requested. Ordinance No. 2015-099 was created.

FROM:	Water Fund	\$ 100,000.00
TO:	Blaine Ave Waterline Replacement Project No. 35752100	\$ 50,000.00
TO:	Elyria St Waterline Replacement Project No. 35752000	\$ 50,000.00

Filed.

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

City Planning Commission minutes – October 8, 2015; agenda –November 12, 2015. Filed.

Parks and Recreation Board minutes – October 19, 2015. Filed.

Traffic Commission minutes – October 19, 2015. Filed.

Hancock Regional Planning Commission Director Matt Cordonnier – amendment to the Findlay Zoning Code

Hancock Regional Planning Commission and the City of Findlay Zoning Department in coordination with the City Planning Commission and the Council Planning and Zoning Committee have spent the last year working on a lengthy update to the City of Findlay Zoning Code. The City of Findlay has had an opportunity to work with the new City Zoning Code that was adopted at the end of 2011. While enforcing the code over the last three (3) years, regulations that do not work as well as intended have been identified. One overarching theme identified is that several of the regulations were too restrictive. This code update attempts to balance the zoning code and reduce the number of repeat variances requested. Referred to Committee of the Whole.

Discussion:

Councilwoman Spence asked if it would be appropriate for Matt Cordonnier to come to an Appropriations Committee meeting to inform the committee on what the changes are. Councilman Monday is the chair of the Appropriations Committee. He would have no objections to Mr. Cordonnier attending, but does not feel this should go to the Appropriations Committee. He suggested it go to a Committee of the Whole meeting. Councilwoman Spence replied that she meant to say the Committee of the Whole. Filed.

COMMITTEE REPORTS:

The AD HOC COMMITTEE met on October 21, 2015 to continue discussions on animals in the Municipality. The also met on August 24, 2015 to review Ordinance 505.88 regarding this matter.

We recommend reviewing other cities of similar size's ordinances, add additional verbiage regarding permitting and will reconvene to discuss in an additional meeting.

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

An AD HOC COMMITTEE met on October 27, 2015 to continue discussions on sick pay accrual payout upon retirement from the City of Findlay. This meeting is a continuation of the July 27, 2015 Ad Hoc Committee meeting.

We recommend Council accept the Law Director's revision of Section 20 of the city code to bring the definition of sick pay in line with state regulations .

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

Discussion:

Councilwoman Frische is on this Ad Hoc Committee, but was unable to attend the last meeting. The recommendation on this committee report does not inform Council on what the revision is. She asked the other committee members to clarify some questions before Council accepts this committee report. She asked what research the Ad Hoc Committee did outside of the Law Director's recommendation of changes to come to the report's recommendation. Councilman Shindledecker replied that they relied on the Law Director who drafted the proposed legislation to bring it in line with State regulations. He also had a lengthy discussion and some other short discussions with the Auditor. The committee believes the Law Director is correct with the draft as it brings it into compliance with what the State regulations are. Councilwoman Frische asked if the changing of the definition of retirement and how it will affect other City employees if they leave employment early was discussed. Councilman Shindledecker replied that they did. It was the consensus of the two (2) other committee members who were present at the meeting that if they chose to make any changes in the matter in which the definition of retirement or how payout should take place, it will be discussed in a Committee of the Whole meeting instead of an Ad Hoc Committee meeting. Councilwoman Frische then asked if this Ad Hoc committee has looked at other city's sick pay ordinances to see how they handle it and what their verbiage is. Councilman Shindledecker replied that the charge for this Ad Hoc Committee meeting was to bring the City ordinances in line with the State regulations and definitions of retirement. Councilwoman Frische replied that was not the reason for this Ad Hoc Committee meeting. The Ad Hoc Committee has not completed the research. She has no issues with the Law Director's recommendation if it covers all basis so that that City does not end up in this same boat again like they did with the Lonyo situation. Before the Law Director draws up legislation, there is more that needs done. Councilwoman Frische did the research and has information from other cities in the State of Ohio, as well as the Audit Department for the State if the Ad Hoc Committee decides to look at it before the committee makes a recommendation. She made a motion to not accept this committee report and continue discussions on it. No second to the motion was given.

Council President Slough pointed out that the motion and a second to the motion to accept the committee report was given, so a voice vote will be given. 9 were in favor, nays = 1. Filed.

The **COMMITTEE OF THE WHOLE** met on October 27, 2015 to discuss the forming of a Citizens Compensation Committee.

This meeting is a continuation of the March 18, 2015, March 31, 2015, May 6, 2015, May 27, 2015, June 23, 2015, and October 14, 2015 Ad Hoc Committee meetings. During the October 14, 2015 Ad Hoc Committee meeting, the committee recommended this topic be discussed during the October 27, 2015 Committee of the Whole meeting prior to legislation being drawn up.

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.

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

Discussion:

Councilman Russel noted some parts of the committee report need changed. They are:

The last sentence has a date of 2016 and should be 2015. The Ad Hoc Committee met to recommend salaries for elected officials for 2016, 2017, 2018, and 2019. They made a recommendation to form a Citizens Compensation Review Committee. He has attended all the committee meetings listed in this report, but feels this committee report is confusing. The intent was to summarize the Ad Hoc Committee's conversations about the Citizens Compensation Review Committee with the Committee of the Whole.

All were in favor of adopting the committee report. Filed.

A **COMMITTEE OF THE WHOLE** meeting was held on Tuesday, October 27, 2015, for the Workforce Development Coalition to present to City Council their findings and strategies to help address some pressing workforce needs for the short and long term.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 028-2015 (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 Van Dyne. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindedecker, Spence, Van Dyne. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

ORDINANCES:

ORDINANCE NO. 2015-088 (Corporate One Benefits renewal)

third reading

adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY TO ENTER INTO A CONTRACT WITH CORPORATE ONE BENEFITS TO PROVIDE BROKER SERVICES AS IT RELATES TO THE CITY OF FINDLAY HEALTH INSURANCE PLAN, AND DECLARING AN EMERGENCY.

Councilwoman Spence moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindedecker, Spence, Van Dyne, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-088 and is hereby made a part of the record.

ORDINANCE NO. 2015-092 (year-end appropriations)

second reading

adopted
during Old Business

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-093 (601 N Main 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 601 NORTH MAIN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "R-4 MULTI-FAMILY".

Second reading of the Ordinance.

NEW BUSINESS:

Councilman Klein noted that the Crawford Street parking project appears to be a success. Everyone he has talked to only has had praise for it. He was on Crawford Street last Friday after it was completed and could not find a place to park as every parking spot was full. He thanked the Street Department for all their extra efforts to make it happen. It looks great. He has heard a lot of great things about it. Councilman Nichols saw the first person travel down Crawford Street the wrong way. Councilman Van Dyne came down Crawford Street mid-day Sunday to try it out. About eighty percent (80%) of the angle parking spots were taken up.

Councilman Nichols noted that during the Committee of the Whole meeting the other day, Tony Iriti asked the group what could be done to make this community more attractive for outsiders to want to move here. Councilman Nichols attended the University of Findlay back in 1957, and ever since then, he fell in love with this community where he decided to make it his permanent home. He is going to write down all the reasons that attracted him to want to live here and possibly send a letter to the editor. He came from the suburbs of Cleveland which is a much larger city. He enjoys being able to go wherever he wants and it only taking him about five (5) minutes to get there. If he were still in Cleveland, it would take about a half hour to forty-five (30-45) minutes to get anywhere he would want to go. He encouraged Council to submit reasons why Findlay is a good place to live.

Councilman Harrington noted that in 1985, his father sold their Chevrolet dealership to LaRiche and was then left without a job. He decided to move to Springfield, Ohio for a couple of years where he worked in the auto business. He later moved back to Findlay to raise his family. Once you leave Findlay, you miss the quality of life that Findlay provides. Findlay is conservative. Kids often complain that there is nothing to do in Findlay, but the alternatives out there are a lot worse. Some of the stories he has heard on why citizens stay in Findlay might make it a little easier to recruit outsiders to Findlay.

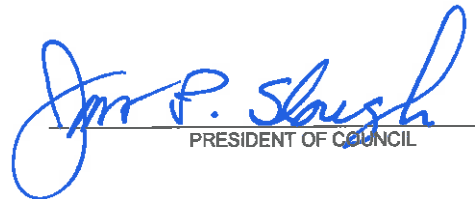
Councilman Monday: **APPROPRIATIONS COMMITTEE** meeting on November 10, 2015 at 4:00pm in the third floor conference room of the Municipal Building (CR1).
agenda: 2016 life insurance rates

Service-Safety Director Schmelzer asked if a date for a Water & Sewer Committee meeting has been scheduled to discuss the Rotary Policy. Councilwoman Spence replied it has not. The Service-Safety Director Schmelzer had mentioned that a date in late November would be best. She asked if he had a timeframe in mind. Service-Safety Director Schmelzer replied he does not, but wants to first get through some things before he turns his attention to that policy. Anytime within the next three (3) weeks work.

Council President Slough: **COMMITTEE OF THE WHOLE** meeting on November 10, 2015 4:30pm in the third floor conference room of the Municipal Building (CR1).
agenda: amendments to the Findlay Zoning Code.

President J. Slough adjourned Council at 8:09 pm.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL