

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**December 1, 2015**

**COUNCIL CHAMBERS**

**PRESENT:** Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Shindledecker, Van Dyne, Wobser

**ABSENT:** Russel

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

## **MINUTES:**

- Councilman Harrington moved to accept the November 17, 2015 public hearing minutes for the rezoning of 301 & 305 East Lima Street rezone (Ordinance No. 2015-094). Seconded by Councilman Shindledecker. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the November 17, 2015 public hearing minutes for the rezoning of 601 North Main Street rezone (Ordinance No. 2015-093). Seconded by Councilman Nichols. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the November 17, 2015 Regular Session City Council meeting minutes as written. Councilman Van Dyne seconded the motion. All were in favor. Motion carried. Filed.

## **ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:**

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

### **ADD-ONS:**

- WATER AND SEWER COMMITTEE report – City Mission permit fees (**COMMITTEE REPORTS** section).
- WATER AND SEWER COMMITTEE report – Hillcrest 8<sup>th</sup> Addition water oversizing project (**COMMITTEE REPORTS** section).
- WATER AND SEWER COMMITTEE report – Rotary Policy (**COMMITTEE REPORTS** section).
- Ordinance No. 2015-109 – Hillcrest 8<sup>th</sup> Addition water oversizing project (**LEGISLATION** section).

**PROCLAMATIONS:** - none.

**RECOGNITION/RETIREMENT RESOLUTIONS:** - none.

**WRITTEN COMMUNICATIONS:** - none.

**ORAL COMMUNICATIONS:** - none.

**PETITIONS:** - none.

## **REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:**

### **Anne Spence – resignation**

Councilwoman Spence is asking Council to accept her written letter as her formal notice of resignation from her Findlay City Council, At-Large seat. Effective immediately, she is no longer able to continue as a Findlay City Council Representative because she has accepted a position with the Auditor of State's Office. In addition to her notice, she has prepared and will submit a similar notice to the Hancock County Board of Elections and the Hancock County Republican Party. She has appreciated the opportunity to serve her community on Findlay City Council and cherishes the guidance and support of her fellow Council Representatives. Filed.

### **City Engineer Brian Thomas – intersection upgrades**

The following projects are included in the 2015 Capital Improvements Plan with estimated construction costs of \$125,000 for each project. Previously, \$10,000 was appropriated to each of the projects for startup. The City will be responsible for purchasing the traffic signal poles and signalization equipment. A contract will be hired for installation of the poles and equipment. At this time, appropriations are needed to proceed with construction of the projects. The project estimates have been decreased based on actual quotes from vendors and contractors. Legislation to appropriate funds is requested. Ordinance No. 2015-107 was created.

FROM: Capital Improvements – CIT	\$ 360,000.00
TO: W Lincoln St/S West St Intersection Upgrade Project #32850400	\$ 90,000.00
W Sandusky St/S West St Intersection Upgrade Project #32852700	\$ 90,000.00
Lima Ave/S West St Intersection Upgrade Project #32840800	\$ 90,000.00
Center St/McManness Ave Intersection Upgrade Project #32850500	\$ 90,000.00

Filed.

**City Planning Commission agenda –December 10, 2015.** Filed.

### **Hancock Regional Planning Commission Director Matt Cordonnier – 2015 Revolving Loan Invoice**

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for August 2014 through November 12, 2015 (copy attached). The invoice includes \$5,335.66 in billable hours and \$1,221.88 in reimbursable expenses provided by Coward Pinski and Associates for a total invoice of \$6,557.54. The services provide by HRPC on behalf of the City of Findlay and paid out of the Revolving Loan Fund. As of November 15<sup>th</sup>, the balance of the Findlay Revolving Loan Fund was \$243,309.00. Included with the invoice is a detailed ledger of the billable hours and copies of the paid Coward Pinski and associates invoices. This is now a routine request, and City Council has approved requesting the appropriation without going to committee each time. Authorization to draw from the Revolving Loan Fund account and appropriate funds is requested. Ordinance No. 2015-108 was created.

FROM: Revolving Loan Fund	\$ 6,557.54
TO: General Expense #21010000-449400	\$ 6,557.54

Filed.

## COMMITTEE REPORTS:

A COMMITTEE OF THE WHOLE meeting was held on Monday, November 23, 2015, to discuss the Salary Ordinance (Ordinance No. 2015-100). Councilman Nichols moved to adopt the committee report. Councilman Klein seconded the motion. All were in favor. Filed.

A COMMITTEE OF THE WHOLE meeting was held on Monday, November 23, 2015, to discuss the Income Tax Ordinance (Ordinance No. 2015-101).

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

The WATER AND SEWER COMMITTEE to whom was referred a request from the City Mission to assist with fees associated with their building expansion.

*We recommend a \$900.00 discount from the City fees.*

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

The WATER AND SEWER COMMITTEE to whom was referred a request from the Service-Safety Director to discuss an additional appropriation of funds for the Hillcrest 8<sup>th</sup> Addition water oversizing project, per material and alignment changes as requested by the Engineering Department.

FROM: Water Fund	\$ 17,600.00
TO: Woods @ Hillcrest Waterline Oversizing Project #35754400	\$ 17,600.00

*We agree with the request. Ordinance No. 2015-109 was created.*

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

The WATER AND SEWER COMMITTEE to whom was referred a request from the Service-Safety Director to discuss the Rotary Policy.

*We recommend Engineering examine alternatives to the current Water & Sewer Rotary Policies.*

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

## LEGISLATION:

### RESOLUTIONS:

**RESOLUTION NO. 029-2015** (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 Harrington moved to adopt the Resolution. Seconded by Councilman Monday. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Shindledecker, Van Dyne, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXIII, and is hereby made a part of the record.

### ORDINANCES:

**ORDINANCE NO. 2015-098** (zoning code)

third reading

tabled

until 12/30/15 public hearing

AN ORDINANCE REPEALING THE CURRENT ZONING CODE, CHAPTER 1101 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING A NEW CHAPTER 1101 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO; TO BE KNOWN AS "CITY OF FINDLAY ZONING ORDINANCE"; ADOPTING, APPROVING, AND INCORPORATING THE CURRENT ZONING MAP, ALONG WITH THE ENTIRE TEXT OF NEW CHAPTER 1101 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AS IF FULLY REWRITTEN HEREIN.

Councilman Harrington moved to table the Ordinance. Seconded by Councilman Klein. Ayes: Harrington, Klein, Monday, Shindledecker, Van Dyne, Wobser, Frische. Nays: Nichols, Niemeyer.

**ORDINANCE NO. 2015-100** (salary ordinance)

second reading

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2015-007 AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2015-101** (income tax ordinance)

second reading

AN ORDINANCE ENACTING CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY ENTITLED "CHAPTER 194, INCOME TAX."

Second reading of the Ordinance.

**ORDINANCE NO. 2015-102** (*FFD contract renewal*) **second reading** **adopted**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 381, AFL-CIO, EFFECTIVE JANUARY 1, 2016, EXPIRING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.

Councilman Monday moved to suspend the statutory rules and give the Ordinance its third reading. Seconded by Councilman Nichols. Ayes: Klein, Monday, Nichols, Niemeyer, Shindledecker, Van Dyne, Wobser, Frische, Harrington. The Ordinance received its third reading. Councilman Monday moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Monday, Nichols, Niemeyer, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-102 and is hereby made a part of the record.

**ORDINANCE NO. 2015-103** (*401 Oakland Ave ROW vacation*) **second reading**  
AN ORDINANCE VACATING A CERTAIN PORTION OF RIGHT-OF-WAY (HEREINAFTER REFERED TO AS 401 OAKLAND AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

**ORDINANCE NO. 2015-104** (*Health Dept merger*) **second reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2015-105** (*MARCS radio fees*) **second reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2015-106** (*Health Dept – Home Visitor training; Findlay Area Safe Kids*) **second reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2015-107** (*intersection upgrades*) **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2015-108** (*HRPC RLF expenses*) **first reading** **adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules and give the Ordinance its second and third readings. Seconded by Councilman Van Dyne. Ayes: Nichols, Niemeyer, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Niemeyer, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-108 and is hereby made a part of the record.

**ORDINANCE NO. 2015-109** (*Hillicrest 8<sup>th</sup> Addition water oversizing project*) **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilwoman Frische asked if an additional Income Tax Board meeting needs to be scheduled in order to adopt the Income Tax Ordinance (Ordinance No. 2015-101) since there was not quorum at the last Income Tax Board meeting. Law Director Rasmussen replied it is a board review not a board of approval, so an additional Income Tax Board meeting is not needed.

**NEW BUSINESS:**

Council President Slough welcomed Councilman Wobser to City Council.

City Auditor Staschiak noted that budget books have been handed out. They have been scanned and will be posted online by tomorrow morning so that the general public has access to it.

Councilman Harrington explained why the zoning code ordinance (Ordinance No. 2015-098) was tabled tonight. A public hearing needs to take place before the ordinance can be adopted. The public hearing is scheduled for December 30, 2015 at 4:00pm. A quorum of Councilmember is required in order to adopt the ordinance that night. Law Director Rasmussen added that a special meeting will be held immediately following the public hearing. During that special meeting,, Council will vote on the ordinance. If the ordinance does not get adopted during that special meeting and goes past the end of this year, it will die and have to start over during the new Council term. Councilman Harrington encouraged all Councilmembers, if available, to attend the public hearing and special session City Council meeting.

Councilman Monday made a motion to excuse the absence of Councilman Russel. Seconded by Councilman Van Dyne. All were in favor.

Councilman Monday: **APPROPRIATIONS COMMITTEE** meeting on December 8, 2015 at 4:00pm in the third floor conference room of the Municipal Building (CR1).

- agenda: 1. Health Department merger
- 2. MARCS radio fees

President J. Slough adjourned Council at 7:54 pm.

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL