

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**December 15, 2015**

**COUNCIL CHAMBERS**

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

**ABSENT:**

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

**MINUTES:**

- Councilman Klein moved to accept the December 1, 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 add the following on tonight's agenda. Councilman Van Dyne seconded the motion. All were in favor. Motion carried. Filed.

**ADD-ONS:**

- Re-appointment of Doug Warren to BZA (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section*).
- Ordinance No. 2015-113 – amendment to combined General Health District agreement (*LEGISLATION section*).

**PROCLAMATIONS:** - none.

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

**WRITTEN COMMUNICATIONS:**

**Todd Thiry – sidewalk variance**

Mr. Thiry is requesting a sidewalk variance for two (2) new homes that he owns at 407 and 409 E. Hobart Avenue. He already has a variance in place for 403 and 405 E. Hobart Avenue that he owns. He is asking for an extension until the rest of the street is required to install them. This is the last block on the street that dead ends into the railroad tracks. Referred to Streets, Sidewalks, Streetlights & Parking Committee. Filed.

**ORAL COMMUNICATIONS:** - none.

**PETITIONS:** - none.

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

**Findlay Municipal Court Activities Report – November 2015.** Filed.

**City Income Tax Monthly Collection Report – November 2015.** Filed.

**City Health Department Health Commissioner Stephen Mills – 2015 Hancock County Community Health Assessment**

The Findlay City Health Department has been working diligently with community partners to complete a community wide health assessment in 2015. Surveys have been collected from parents of children under the age of 12, youth in our schools between the ages of 12 and 18, and among adult residents of Hancock County. The assessment will be an invaluable tool in positioning our community for future grants to address the health issues identified in the assessment. A preliminary report will be available shortly with a full roll out of information to the community in early 2016.

This project is a collaborative effort of Blanchard Valley Health System, The Findlay-Hancock County Community Foundation, United Way of Hancock County, Hancock County Health Department, Hancock County ADAMHS Board and the Community Partnership, Hancock County Family First Council, and the Findlay City Health Department. The assessment process and compilation of data is being handled by The Hospital Council of Northwest Ohio.

The Findlay city Health Department has been acting as a fiscal manager for this worthwhile project and has already collected financial contributions and grants to work on this venture. In addition, they have recently received contributions from partner agencies in the amount of \$22,000 to complete the project. An appropriation of funds is requested. Since the Findlay City Health Department will be merged with the Hancock County Health Department as of January 1, 2016, adoption of the ordinance prior to the end of the year is requested. Ordinance No. 2015-110 was created.

FROM:	Multiple Health Assessment Contributions & Grants	\$ 22,000.00
TO:	2015 Health Assessment project #31950300	\$ 22,000.00

Filed.

**Findlay Police Department Activities Report – November 2015.** Filed.

**N.E.A.T. Departmental Activity Report – November 2015.** Filed.

**City Auditor Jim Staschiak – summary financial reports**

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

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

Filed.

**Findlay Fire Department Activities Report – November 2015. Filed.**

**Findlay Municipal Court Judge Jonathan Starn – IDAT Fund**

This fund is created by the Ohio Revised Code specifically to pay for the cost of alcohol and/or drug addiction assessments and treatment. No General Fund money is channeled through this fund and the control of this fund is placed solely and exclusively with the Findlay Municipal Court by Ohio Revised Code.

By Judgement Entry file stamped September 22, 2015, Judge Fry and Judge Starn declared a surplus in the Indigent Drivers Alcohol Treatment Fund and Ordered that the amount of twenty-six thousand dollars (\$26,000.00) be made payable to Glenbeigh Alcohol and Drug Addiction Treatment Facility for the assessment and treatment of a defendant under Findlay Municipal Court Case Number 15-CRB-00013 (copy of the Judgment Entry Declaring Surplus is attached hereto). This payment has not yet been issued.

The use of these funds is for the express purpose of payment to Glenbeigh Alcohol and Drug Addiction Treatment Facility for Court Ordered assessment and treatment. Judge Starn has spoken with Auditor Staschiak on this matter and that an ordinance from this Council is not required for the payment of these funds. Although Auditor Staschiak did not dispute that the Court controls the use of the IDAT Funds, he did request a few days to verify with the State Auditor what documentation he is required to maintain since an expenditure of funds in this fashion is significantly different from the normal appropriation process.

Although an ordinance for the payment of an expenditure of IDAT Funds is not required since the Court, by statute, has sole and exclusive control over those funds, Judge Fry and Judge Starn understand the important need for the Auditor to appropriately document the expenditure of funds. In an effort to address both the need of Auditor Staschiak to obtain additional information regarding proper documentation and the Court's need to ensure the immediate payment of a service provider, adoption of an additional appropriation ordinance, in conformity with the attached Order, to authorize the Auditor to immediately issue the \$26,000.00 payment from the IDAT Fund surplus. Ordinance No. 2015-111 was created.

FROM:	Indigent Drivers Alcohol Treatment Fund	\$ 26,000.00.
TO:	Indigent Drivers Alcohol Treatment #22070000-other	\$ 26,000.00

**Discussion:**

Councilwoman Frische asked the City Auditor if he received the answers he needed and if this is ready to go. City Auditor Staschiak replied it is ready for the appropriation, but the budgetary loan and matters that we have to deal with to make sure our files are correct, we are still doing that research and working with the appropriate state funds. Filed.

**City Auditor Jim Staschiak – year-end items to transfer/appropriate**

The following accounts require an appropriation or a transfer for this budget year.

**Transfer Resolution:**

FROM:	Electronic Imaging 22084000-other	\$ 200.00
TO:	Electronic Imaging 22084000-personal services	\$ 200.00
		\$ 1,500.00

REASON: the transfers deal with moving funds between the department's personal services (wages and related benefits) and other (operational expenses) accounts to be able to finish the rest of the year. Legislation to transfer funds is requested. Resolution No. 031-2015 was created.

**Appropriation Ordinance**

FROM:	City Income Tax Fund	\$ 1,313,000.00
TO:	City Income Tax #27047000-other	\$ 1,313,000.00

REASON: based on current projections, the actual income tax collections will be more than the original estimate. The tax is allocated to CIT Capital Improvements and General Fund based on actual collections. We will be able to transfer more money than originally budgeted and need the appropriation increased by this amount in order to complete the transfer to General Fund. Also includes 2014 receipts that could not be transferred until 2015.

FROM:	Energy Bonds Series B #23056100	\$ 17,155.35
TO:	CIT Capital Improvements	\$ 17,155.35

FROM:	Energy Bonds Series A #23056000	\$ 25.44
TO:	CIT Capital Improvements	\$ 25.44

REASON: the City had to appropriate the entire amount of the interest payment for the Energy Bonds for the 2015 debt payments. However, the Series B bonds are federally subsidized and we did receive a portion of our subsidy payment. Due to the federal mandated sequester, we did not receive the entire subsidy. Also, the amount that was due on the Series A bonds ended up being less than was shown on the amortization schedule and was originally budgeted. These transactions return the fronted appropriation to Capital Improvements.

FROM:	Police Pension Fund	\$ 16,493.74
TO:	Police Pension #27078000	\$ 16,493.74

FROM: Fire Pension Fund \$ 16,493.74  
TO: Fire Pension #27079000 \$ 16,493.74

REASON: a portion of the amount received from the assorted property taxes from the county tax settlements is deposited into Police and Fire Pension Funds by law. The cash balance is then transferred to the General Fund at the end of the year. Although the revenue budgets for 2015 were estimated very closely for the transfer into the General Fund, the transfers out of these funds were budgeted low. The County revises their revenue estimates after adoption of our annual appropriation ordinance, and in order to avoid potentially over-budgeting the fund on the certificate filing, the transfer out is budgeted lower than expected.

FROM: Cemetery Trust Fund \$ 696.56  
TO: Cemetery Trust #27086000-other \$ 696.56

REASON: the amount of interest earned on the Cemetery Trust investment has come in higher than the original budgeted estimate. This appropriation allows for the total amount of interest earned to be transferred to the General Fund.

FROM: Severance Payout Reserve Fund \$ 27,000.00  
TO: Severance Payout Reserve #22090000-personal services \$ 27,000.00

REASON: the retirement settlements for 2015 will exceed the currently appropriated amount for the year by approximately \$27,000.00. This appropriation allows the retirement settlements to be made.

Legislation to adopt on an emergency for the above listed items is requested. Ordinance No. 2015-112 was created. Filed.

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

**Board of Zoning Appeals Minutes – November 12, 2015.** Filed.

**Treasurer's Reconciliation Report – November 2015.** Filed.

**City Planning Commission minutes – November 12, 2015.** Filed.

**Mayor Lydia Mihalik – reappointment of Doug Warren to BZA**

This letter will serve as my request for your confirmation for the reappointment of Douglas Warren to the Board of Zoning Appeals. The term will expire December 31, 2019. Doug has done an outstanding job as a member of the BZA and wishes to continue his service. Councilman Monday moved to confirm this appointment. Seconded by Councilman Klein. All were in favor. Filed.

### **COMMITTEE REPORTS:**

A COMMITTEE OF THE WHOLE meeting was held on Tuesday, December 1, 2015, to discuss the state checkbook. Councilman Harrington moved to adopt the committee report. Councilman Nichols seconded the motion. All were in favor. Filed.

The APPROPRIATIONS COMMITTEE to whom was referred a request from the Service-Safety Director to appropriate funds for the Health Department merger.

FROM: General Fund \$ 550,000.00  
TO: Health Department Merger Project #31947200 \$ 550,000.00

*We recommend approval of the above and also for the Law Director and Auditor to revise the language of Section 4, Paragraph 7 of the combined Health District contract.*

Ordinance No. 2015-104 was already created for this and will receive its third reading tonight.

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

The APPROPRIATIONS COMMITTEE to whom was referred a request from the Service-Safety Director to appropriate funds for the MARCS radio fees.

FROM: General Fund \$ 100,000.00  
TO: Police Department #21012000-other \$ 100,000.00

*We recommend approval of the above.*

Ordinance No. 2015-105 was already created for this and will receive its third reading tonight.

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

Discussion:

Councilman Monday neglected to sign the committee report, but meant to. He is in favor of this. All were in favor. Filed.

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 030-2015** *(over PO amount)*

**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 Klein. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, 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.

**RESOLUTION NO. 031-2015** *(year-end transfers)*

**first reading**

**adopted**

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules and give the Resolution its second and third readings. Seconded by Councilman Nichols. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische. The Resolution received its second and third readings. Councilman Harrington moved to adopt the Resolution. Seconded by Councilman Shindledecker. Ayes: Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington. 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**

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.

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

**third reading**

**adopted**

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, AN REPEALING ORDINANCE NO. 2015-007 AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

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

**Discussion:**

Councilwoman Frische asked if this Ordinance has to be adopted before the end of this year, or if it can be tabled tonight. She asked if the Civil Service/Engineering position that had been discussed is resolved or if it will cause a change in the salary ordinance. She also noticed that the salary ordinance has a large pay range on a couple of the job classifications and asked if the range should be narrowed down so that they are more in line with the rest of those specific job classifications. There was a short Committee of the Whole meeting on this where it was determined it would be just regular maintenance work, but when she is looking at budgeting funds and bringing back Firefighters and Police Officers, she looks at the little details. Mayor Mihalik asked which job classifications she is referring to. Councilwoman Frische replied the bi-weekly pay for the HR Director and the Service-Safety Director. Those two (2) pay ranges have a wide range between the minimum and maximum compared to other positions and looking at past history. Most of the other positions only have about a thousand dollars (\$1,000.00) range difference. Mayor Mihalik replied that the changes that were made are relative to the maximum pay. Those positions would be different than the Fire Chief or others. Councilwoman Frische noted that going off of history of what positions filled and unfilled, and by what extra duties the Service-Safety Director took on, she feels some of the pay ranges in salary ordinance should be narrowed down, and asked if the larger pay ranges are an issue for Council. Mayor Mihalik replied it is not an issue for her which is why it appears the way it does. It is Council's ordinance, so if it is their preference to make changes to it, she is open and willing to discuss it. In order for the ordinance to be passed by this Council, it has to be done yet tonight because all legislation that is not adopted tonight falls off the agenda because there will be a new Council beginning January 1, 2016. She also noted that the Civil Service/Engineering Clerk position was resolved today, so the Ordinance does not need to be changed.

Councilman Harrington called the question.

Ayes: Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Harrington, Klein. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-100 and is hereby made a part of the record.

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

**third reading**

**adopted**

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

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

**Discussion:**

Councilwoman Frische asked if this is adopted if the Auditor's Office will be able to increase life insurance. City Auditor Staschiak replied that would be for the prior ordinance for salaries.

Ayes: Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-101 and is hereby made a part of the record.

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

Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Niemeyer. Ayes: Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Nichols. Abstain: Monday. Ordinance was declared adopted and is recorded in Ordinance Volume VV, Page 2015-103 and is hereby made a part of the record.

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

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Klein. Ayes: Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-104 and is hereby made a part of the record.

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

Councilman Van Dyne moved to adopt the Ordinance, seconded by Councilwoman Frische. Ayes: Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-105 and is hereby made a part of the record.

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

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-106 and is hereby made a part of the record.

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

Councilman Monday moved to suspend the statutory rules and give the Ordinance its third reading. Seconded by Councilman Van Dyne. Ayes: Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne. The Ordinance received its third reading. Councilman Shindledecker moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-107 and is hereby made a part of the record.

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

Councilman Klein moved to suspend the statutory rules and give the Ordinance its third reading. Seconded by Councilman Wobser. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische. The Ordinance received its third reading. Councilman Klein moved to adopt the Ordinance, seconded by Councilman Nichols. Ayes: Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-109 and is hereby made a part of the record.

**ORDINANCE NO. 2015-110** (*2015 Hancock County Community Health Assessment*) **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. Seconded by Councilwoman Frische. Ayes: Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Shindledecker. Ayes: Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-110 and is hereby made a part of the record.

**ORDINANCE NO. 2015-111** (*Municipal Court IDAT Fund*) **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 Klein. Ayes: Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols. The Ordinance received its second and third readings. Councilman Van Dyne moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Russel, Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-111 and is hereby made a part of the record.

**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 Wobser. Ayes: Shindledecker, Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel. The Ordinance received its second and third readings. Councilman Nichols moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Van Dyne, Wobser, Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-112 and is hereby made a part of the record.

**ORDINANCE NO. 2015-113** (amendment to combined General Health District agreement)

**AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN AGREEMENT TO AMEND SECTION IV, PARAGRAPH 7 OF THE CONTRACT FOR THE COMBINATION OF THE HANCOCK COUNTY GENERAL HEALTH DISTRICT AND THE CITY OF FINDLAY HEALTH DEPARTMENT AGREEMENT, AND DECLARING AN EMERGENCY.**

Councilman Harrington moved to suspend the statutory rules and give the Ordinance its second and third readings. Seconded by Councilman Russel. Ayes: Frische, Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser. The Ordinance received its second and third readings. Councilman Klein moved to adopt the Ordinance, seconded by Councilman Niemeyer. Ayes: Harrington, Klein, Monday, Nichols, Niemeyer, Russel, Shindledecker, Van Dyne, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance volume VV, Page 2015-113 and is hereby made a part of the record.

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilwoman Frische asked if the Police Department monthly report will be like other monthly departmental reports so Council can see each month as we go through the year. Service-Safety Director Schmelzer replied it will.

Councilwoman Frische asked if the terms of the West Park tap fees issue needs to be worked out yet this year, or if it can wait until next year. Legislation was passed to allow for the tap fees to be adjusted two (2) different ways. Service-Safety Director Schmelzer replied it does not need to be done by the end of this year. City Auditor Staschiak added that it needs to be done before any payment is received so they know how to apply it. It will go through the Engineering Department. Councilwoman Frische asked if a Water and Sewer Committee meeting will be scheduled for the beginning of next year to clean this issue up or if the Law Director will be providing what is needed. Law Director Rasmussen replied that the last discussion he heard/emails he saw was that it will be handled through the Engineering Department. Councilwoman Frische asked if the Water and Sewer Committee will be dealing with it. Law Director Rasmussen replied they will not be. It can be tracked internally. City Auditor Staschiak added that the issue is not tracking it, but how they will define the payment. Councilman Harrington added that this could be on the agenda for the first Water and Sewer Committee meeting so if there is still an issue at that point and time, it could be addressed then.

Councilman Russel asked if Council is going to meet as a body after the 4:00pm public hearing on December 30, 2015 for Ordinance No. 2015-098. Mayor Mihalik replied there is a special session of City Council immediately following the 4:00pm public hearing to vote on the ordinance.

**NEW BUSINESS:**

Councilman Harrington noted that this will be the last regular session City Council meeting for Councilman Nichols who dedicated twenty-six (26) years of service as a City Councilman, and Councilman Van Dyne who dedicated eight (8). Both have served the City well. Both of them, along with Councilwoman Spence will be recognized at the next regular session of City Council on January 5, 2016.

President J. Slough adjourned Council at 8:05 pm.

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL