

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION JANUARY 06, 2009 COUNCIL CHAMBERS

PRESENT: Collette, Monday, Schedel, Seng, J. Slough,
Urbanski, Ward

ABSENT: M. Slough, Van Dyne

President Schuck opened the Council Meeting with the Pledge of Allegiance and a moment of silent prayer.

MINUTES: Mr. J. Slough moved to accept the minutes, as circulated, of the December 16, 2008, Council meeting. Mr. Ward seconded the motion. Motion carried. Filed.

Mr. Ward moved to add the following items to the agenda:

1. City Auditor letter
2. Service Director letter
3. NEAT report
4. Ordinance No. 2009-4, 2009-5, 2009-6

Mr. Collette requested an FYI letter regarding Fee Increases, submitted by Safety Director Jim Barker, be added to the agenda for discussion.

Mr. J. Slough moved to second the motion. Motion carried.

WRITTEN COMMUNICATIONS:

Robert E. Schuck, Attorney at Law – Executor & Attorney for the Estate of Martha L. Van Scoit

Ms. Van Scoit, in her Will, requested sufficient funds to be set apart for perpetual grave decoration to be placed on her late husband's grave at Maple Grove Cemetery. The Auditor's Office advises that the sum of \$10,000 will be sufficient to fulfill this request. A motion to allow the Auditor to accept these funds for this purpose must be made and passed by City Council. President Pro-Tem Ward will handle this business. Mr. Monday moved to accept these funds, seconded by Mr. J. Slough. Motion carried 7-0. Filed.

Time Warner Cable – Developments Affecting Time Warner Cable Subscribers

Two letters were received from the above. They were not read into the minutes per Rules and Procedures of Council.

ORAL COMMUNICATIONS:

Ray DeWinkle, GFI – Support for Cooper Tire and Rubber Co.

Thanked the Administration and staff for their efforts to retain 1100 jobs in the City of Findlay by reducing costs for Cooper. Asked that Council agree to the reduction of costs for Cooper as a viable solution. Filed.

PETITIONS:

None.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Mayor Pete Sehnert – Proposed Incentives – Cooper Tire and Rubber Co.

The Mayor requests that the proposed incentives of Cooper Job Creation and Job Retention Tax Credits be referred to the Appropriations Committee. Referred to the Appropriations Committee. Filed.

City Auditor Robert Cole Sprague – A. Schulman Annexation

The annexation documents for the above have been in the Auditor's Office for the required 60-day period. They are being forwarded to Council for their action. Referred to the City Planning Commission and the Planning and Zoning Committee. (A zoning request is necessary for committee action). Filed.

Chief Engineer Brian Hurt – Traffic Signal Removal at Main Street (US 224) and Garfield Avenue

The Ohio Department of Transportation has been preparing a study of US 224 corridor through Findlay to identify safety improvements throughout the corridor that would balance mobility needs with community access. This report recommends the removal of the traffic signal at the above intersection because the signal warrant has not been met due to vehicular volume. Their traffic counts showed that the light did not meet any of the warrants. The City of Findlay Engineering Department confirmed this recommendation through their own warrant analysis study. The procedure to remove this signal begins with the process to inform the local media, schools, governmental agencies, and local emergency/safety forces of the intent to study the intersection for removal. This letter serves as the required public notification. The next step will be to place stop signs and place the signal in flashing operation for sixty days. After the sixty-day period, the signal heads will be bagged or removed and the traffic signal turned off for another sixty-day period. Following this period, the signal heads, poles, and foundations will be removed. Filed.

Chief Engineer Brian Hurt – SR568/CR236 Intersection Improvements, PID #8041 2, Project No. 328907

The Ohio Department of Transportation has sent preliminary legislation regarding the above-referenced project, which will include adding left-turn

lanes southbound on CR 236 and eastbound on SR568. The City's share of the project is estimated to be \$163,600, which will be included in the 2009 Capital Improvements Plan. Adopting this legislation assures ODOT that the City is willing to cooperate and partially fund the project. Filed.

Chief Engineer Brian Hurt – Capital Improvements Plan for 2009

The proposed 2009 Capital Improvements Plan has been drafted and is ready for review by Council. Mr. Hurt request s the plan be referred to the January 13, 2009, Appropriations Committee. The list of equipment and projects with descriptions will be available by 4:00 PM on Friday, January 9, 2009. Referred to the Appropriations Committee. Filed.

Chief of Police Spraw – Grant Funds

Open Arms Domestic Violence and Rape Crisis Services Agency received grant funds to implement Brian's Project in Hancock county/City of Findlay. A portion of the funds are available to reimburse the Police Department for overtime paid to police officers investigating internet sexual predators. A check has been received from the Agency in the amount of \$10,745 to be used over the next three years of the grant period. Chief Spraw requests an appropriation from Open Arms Grant/Brian's Project to Brian's Project Account No. 31985600-Other and the opportunity to discuss this at the next Appropriations meeting. Referred to the Appropriations Committee. Filed.

Chief Thomas Lonyo – DHS Assistance to Firefighters Grant

A grant was awarded to the Findlay Fire Department by the Department of Homeland Security in the amount of \$334,900 for a mobile two-story propane-fueled fire simulator. The federal share of this grant is \$301,410. The simulator will be used by the Department to simulate live fire training and includes three separate fire areas ranging from small incipient fires to flashover scenarios. The unit is fueled by an 840 lb. propane fuel source which burns clean fuel and poses no run-off threat to the environment. Chief Lonyo requests legislation to formally accept the DHS AFG EMW-2008-FO-025 60 grant. The appropriation of the federal share of \$301,410 in addition to the City's share will be included in the 2009 Capital Improvement budget, Project No. 31990600-FY 08 FEMA AFG grant program. Referred to the Appropriations Committee. Filed.

David D. Beach, Director of Court Services, Findlay Municipal Court

The City of Findlay entered into a contract with the Hancock County Public Defender Commission on January 31, 2003. The contract expired December 31, 2007. The contract contained an automatic extension provision under which operation is currently maintained. Recently, a meeting was held with Director of Law David Hackenberg by Mark Miller, Hancock County Prosecutor; Robert Cole Sprague, Findlay Auditor; members of the Hancock County Public Defender Commission; and David D. Beach, Director of Court Services. A request is being made to speak with the Appropriations Committee regarding this matter. Referred to the Appropriations Committee. Filed.

City Income Tax Monthly Collection Report to Findlay Council – December 2008. Filed.

Treasurer's Reconciliation for November 30-2008. Filed.

City Auditor Robert Cole Sprague – 19% Capital Improvements, 81% General Fund

Legislation added to the agenda will allocate 19% of net income tax collections to Capital Improvements and 81% to General Fund. The legislation also allocates any windfall 50% to Capital Improvements and 50% to the Rainy Day Fund until the Rainy Day Fund reaches \$1M, whereupon 100% of the windfall is allocated to Capital Improvements. Filed.

Service Director Hardy – Resolution of Transfer Request

Regarding a letter from Water Pollution Control Center, Council's authorization to accelerate the purchase of influent grinder pumps #3 and #4 for the Bright Road Pumping Station in 2009 instead of in 2009 and 2010 as originally proposed is requested. Poor performance is being received from the installed grinders. Currently we are spending about \$48,000 yearly to maintain these grinders. This same amount will more than pay for the approximate \$45,000 cost of one influent grinder pump. It is anticipated we will have better performance (less maintenance expense and less downtime) from the proposed influent grinder pump set up than the existing pump and separate grinder system we have presently. A Resolution of Transfer is requested as follows:

From: Water Pollution Control Equipment Fund	\$45,000	
Saratoga Impact Fee Account	\$45,000	
To: Water Pollution Control (25006100-551300)		\$90,000

Referred to the Appropriations Committee. Filed.

NEAT Departmental Activity Report – December 2008. Filed.

COMMITTEE REPORTS:

The Water and Sewer Committee met on Monday, December 29, 2008, at 2:00 pm regarding water and sewer abatement for Cooper Tire and Rubber Co. We recommend entering into an agreement with Cooper Tire and Rubber Co. for a period of three years for water and sewer abatement. Also the dollar amount of the abatement does not exceed the yearly average for the past three years. Mr. Collette moved to accept the committee report, seconded by Mr. Ward. Motion carried. Filed.

Ordinance, seconded by Mr. J. Slough. Ayes: J. Slough, Urbanski, Ward, Collette, Monday, Schedel, Seng. The Ordinance was declared adopted and is recorded in Ordinance Volume SS, Page 2009-2, and is hereby made a part of the record.

ORDINANCE NO. 2009-3

First reading

Adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Mr. Ward moved to suspend the Statutory Rules and give the Ordinance the second and third reading. Mr. J. Slough seconded the motion. Ayes: Urbanski, Ward, Collette, Monday, Schedel, Seng, J. Slough. The Ordinance received the second and third reading. Mr. Ward moved to adopt the Ordinance, seconded by Mr. Collette. Ayes: Ward, Collette, Monday, Schedel, Seng, J. Slough, Urbanski. The Ordinance was declared adopted and is recorded in Ordinance Volume SS, Page 2009-3, and is hereby made a part of the record.

ORDINANCE NO. 2008-4

First reading

Adopted

AN ORDINANCE ENACTED BY THE CITY OF FINDLAY, OHIO, HERINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT. (CR 236 AND SR 568).

Mr. Collette moved to suspend the Statutory Rules and give the Ordinance the second and third reading. Mr. J. Slough seconded the motion. Ayes: Collette, Monday, Schedel, Seng, J. Slough, Urbanski, Ward. The Ordinance received the second and third reading. Mr. J. Slough moved to adopt the Ordinance, seconded by Mr. Collette. Ayes: Monday, Schedel, Seng, J. Slough, Urbanski, Ward, Collette. The Ordinance was declared adopted and is recorded in Ordinance Volume SS, Page 2009-4, and is hereby made a part of the record.

ORDINANCE NO. 2009-5

First reading

Adopted

AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Mr. Collette moved to suspend the Statutory Rules and give the Ordinance the second and third reading. Mr. J. Slough seconded the motion. Ayes: Seng, J. Slough, Urbanski, Ward, Collette, Monday, Schedel. The Ordinance received the second and third reading. Mr. Collette moved to adopt the Ordinance, seconded by Mr. J. Slough. Ayes: J. Slough, Urbanski, Ward, Collette, Monday, Schedel, Seng. The Ordinance was declared adopted and

is recorded in Ordinance Volume SS, Page 2009-5, and is hereby made a part of the record.

ORDINANCE NO. 2009-6

First reading

Adopted

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY OF THE CITY OF FINDLAY, OHIO, TO HAVE BID SPECIFICATIONS PREPARED, AND TO PROCEED TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR A MOBILE PROPANE FUELED FIRE SIMULATOR, AND DECLARING AN EMERGENCY.

Mr. Collette moved to suspend the Statutory Rules and give the Ordinance the second and third reading. Mr. J. Slough seconded the motion. Ayes: Urbanski, Ward, Collette, Monday, Schedel, Seng, J. Slough. The Ordinance received the second and third reading. Mr. Collette moved to adopt the Ordinance, seconded by Mr. J. Slough. Ayes: Ward, Collette, Monday, Schedel, Seng, J. Slough, Urbanski. The Ordinance was declared adopted and is recorded in Ordinance Volume SS, Page 2009-6, and is hereby made a part of the record.

UNFINISHED BUSINESS:

Mr. Hackenberg: The Parking Fees were referred to the Parking Authority's January 7, meeting. The Zoning Permits and Inspection Fees should be referred to the City Planning Commission and the Planning and Zoning Committee.

Mr. Monday: **HUNTERS CREEK RESIDENTS MEETING – JANUARY 15, 2009, AT 7:00 PM – COUNCIL CHAMBERS REGARDING DRAINAGE ASSESSMENT.**

PLANNING AND ZONING COMMITTEE MEETING – TUESDAY, JANUARY 13 – 4:00 PM – COUNCIL OFFICE.

- Agenda:
1. Alley vacation – Third Street (Starr)
 2. Alley vacation – E-W alley between Edith/Lester Ave.
 3. Zoning Permits and Inspection Fees

Mr. Ward: **APPROPRIATIONS COMMITTEE MEETING – TUESDAY, JANUARY 13 – 4:30 PM – THIRD FLOOR CONFERENCE ROOM.**

- Agenda:
1. Center for Safe & Healthy Children funding
 2. Chief Spraw – Brian's Project appropriation
 3. Cooper Tire & Rubber Co.
 4. 2009 Capital Improvements Plan
 5. Resolution of Transfer – Influent Grinder Pumps #3 & #34
 6. Contract – Hancock co. Public Defender Commission
 7. Chief Lonyo – appropriation

Mr. Ward extended an invitation to the entire Council.

Mr. J. Slough: Moved to excuse the absence of Mr. M. Slough and Mr. R. Van Dyne. Mr. Ward seconded the motion. Motion carried.

President Schuck adjourned the meeting at 8:08 PM

CLERK OF COUNCIL
Martha Stelzer

PRESIDENT OF COUNCIL
Robert E. Schuck