



## **WRITTEN COMMUNICATIONS:**

### **Haylea N. Baumlein, Liberty-Benton Senior- Condition of River Road**

This communication was not read according to Rules of Council.

### **Bishop-Kandel Rentals, LLC – Assessment on Property Located at 124 W. Front Street**

The Downtown Findlay Improvement District, established pursuant to Resolution No. 10-2009, adopted by Council on February 17, 2009, approves the plans, specifications and estimate of cost for enhanced public services and are on file in the Office of the Clerk of Council. Objections to the special assessments or the amount or apportionment of those special assessments must be filed in writing in the Office of the Clerk of Council within two weeks from the date of completion of the service of the notice. Dennis Bishop, 624 Crystal Avenue, is opposed to the assessment for property located at 124 W. Front Street. Referred to Equalization Board. Filed.

### **Douglas and Lois McCracken – Assessment on Property Located on West Front and South Main Street**

Object this “Special assessment” and request reconsideration on this matter. Referred to Equalization Board. Filed.

### **The American Legion Ralph D. Cole Post #3 – Objection to Assessment**

Officers and members of the above object to the special assessments for enhanced public services. They are a private, non-profit veteran’s organization. Referred to Equalization Board. Filed.

### **James Tebbe – Assessment on Property Located at 240 East Front Street, Automotive Electronics Service**

Objection to the Special Assessment for enhanced services for the Downtown Improvement District. Referred to Equalization Board. Filed.

## **ORAL COMMUNICATIONS:**

### **Misty Lawrence – 5542 Roundhead Rd., Deshler, OH – Layoff of Police and Fire Personnel**

Families are affected by laying off thirteen police officers and eleven fire fighters, she stated. She asked how much the City would have to pay out in unemployment, vacation time, and sick time. The City will lose protection, one fire station will be closed, and home owners’ insurance will be affected. She believes this is not the route to take. “You need policemen and firemen”. Filed.

**Kurt Bishsop – 4140 W US 224, Findlay – Downtown Improvement District**

The Business District makes a lot of common sense in good economic times, but this is not the time, he stated. Tax receipts are down, lay offs, no swimming pool this year, one fire station closing, money assessed for the Downtown District. "I do not understand the time logic of raising property taxes during a recession. I do not understand laying off police and fire." He asks that it be reconsidered in a year or so. Filed.

**Shihan Nowlhas Caseres, 108 E.Front St. – Against Downtown Business District**

"Now is not the time to increase our expenses", he stated. He believes the Business District is a good idea, but not at this time. He believes the assessments were not based on 75% of the property owners, but 75% of the land, and some properties are located outside the Business District— Senecca Avenue. Both the City and the County will have to pay \$25,000— spend that money on our fire and police. He asked what kind of a salary will the people running the project be paid. Filed.

**PETITIONS:**

**Zoning Amendment Petition – Lot 31, Woodside Addition**

Request for rezoning 1414 Tiffin Avenue, Woodside Addition, from A-Residential with Tiffin Avenue Overlay to C-Residential with Tiffin Avenue Overlay. Referred to the City Planning Commission and the Planning & Zoning Committee. Filed.

**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENT:**

Chief of Police William Spraw – Findlay Police Department Report – March 2009. Filed.

City Planning Commission Minutes – March 12, 2009. Filed.

Findlay Municipal Court Monthly Report – March 2009. Filed.

Traffic Commission Minutes – April 1 3, 2009. Filed.

**Chief Engineer Brian Hurt – East Melrose Improvements**

Request for appropriation for utility relocation costs. These costs were included in the 2009 Capital Improvements Plan. The Director of Law is requested to prepare legislation a follows:

From: County Permissive License Fund	\$45,000	
To: East Melrose Improvements		\$45,000
Project #32844600		

Filed.

## COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to who was referred a request due to reduced budgeted amounts in the Dispatch overtime and call-in line items, Chief Spraw requests the following be appropriated:

From: Police Dispatch	\$20,184.00	
Fund No. 21015000-331300		
To: Police Dispatch		
Fund No. 21015000-111101	\$15,184.00	
Police Dispatch		
Fund No. 21015000-111102	5,000.00	

The funds being appropriated are from funds budgeted for E911 maintenance fees that will not be needed due to them being paid from E911 wireless funds. We recommend approval of the transfer of funds. Mr. Ward moved to accept the committee report, seconded by Mr. J. Slough. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request regarding a zero-turn radius lawnmower for use at the reservoirs to replace a similar mower purchased in 2002, which is in need of major repairs. The following appropriation is requested:

From: Water Fund	\$10,000	
To: Supply Reservoir		\$10,000
25073000-551300		

We recommend approval of transferring the funds. Mr. J. Slough moved to accept the committee report, seconded by Mr. Van Dyne. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Chief Engineer Hurt for legislation to transfer and appropriate funds for equipment to be utilized for testing and analyzing traffic signalization controls. The funds could be transferred from a previously appropriated balance available in the US 224 Safety Study Project and an appropriation from SCM&R Highways Fund as follows:

From: US 224 Safety Study		
Project No. 32870600	\$4,800	
SCM&R-Highways	\$5,000	
To: Traffic Lights		
#22043200-5513		\$9,800

We recommend tabling the project for further review. Mr. J. Slough moved to accept the committee report, seconded by Mr. Urbanski. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Chief Engineer regarding manhole repair on Country Creek Drive in the Hunters Creek Subdivision. It was found to have a significant amount of ground water leaking into it, and repairs will need to be made to the manhole.

The project qualifies for funding from tap permit fees. The following appropriation is requested:

From: Southeast Interceptor Impact Fees	\$20,000	
To: Country Creek Dr. Manhole Repair		\$20,000
Project No. 35692500		

We recommend approval of transferring funds. Mr. Ward moved to accept the committee report, seconded by Mr. J. Slough. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Robert Cole Sprague, City Auditor, regarding the Worker's Comp bill for 2008. We recommend approval, see attached document. Mr. J. Slough moved to accept the committee report, seconded by Mr. Van Dyne. Mr. J. Slough thanked Jim Barker for his efforts to lower our Worker's Comp expenses. When the funds are available, a Human Resource person needs to be hired to help cut expenses. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the City Auditor regarding retro-pay for the Fire Department. The following appropriation is requested:

From: General Fund	\$223,087.85	
To: Fire Department – Personal Services		\$223,087.85

We recommend approval of the transferring of funds. Mr. J. Slough moved to accept the committee report, seconded by Mr. Urbanski. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Mayor Sehnert to discuss a Cooperative Agreement with the Blanchard Valley Port Authority for bond financing services. We recommend entering into a cooperative agreement with the BVPA and the City of Findlay. Mr. J. Slough moved to accept the committee report, seconded by Mr. Van Dyne. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Dale Brouger, Board President, Habitat for Humanity, to waive \$6,000 in fees. They include zoning permit fees, sidewalk permit fees, and water and sewer tap fees in the estimated amount of \$6,000 (\$1,500 per house) within the 1800 block of Payne Avenue in the West Park Community. We recommend waiving the \$6,000 in fees. Mr. J. Slough moved to accept the committee report, seconded by Mr. Ward. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from Chief Thomas Lonyo to transfer \$1,479.00 from the General Fund into Fire Department line item 321102. The Fire Department received grant approval through the Ohio Department of Public Safety for that amount, which will be used to procure future EMS supplies for the remainder of 2009. We recommend the approval of transferring funds. Mr. Ward moved to accept the committee report, seconded by Mr. J. Slough. Motion carried. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Director of Law to appropriate funds to pay for additional legal counsel services for the City's contract negotiations. The following appropriation is requested:

From: General Fund	\$20,000	
To: Law Director Department		\$20,000
Personal Services #21005000		

We recommend the transfer of \$20,000 from General Fund to the Law Director's Department Personal Services. Mr. J. Slough moved to accept the committee report, seconded by Mr. Ward. Motion carried. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to rezone from Residential to Business, Lot Nos. 1160, 1161, 1162, 1163, 1192, 1193, 1194 and 1195 in the Byal's Second Addition. We recommend the approval of rezoning the above-stated lots from Residential to Business. Mr. J. Slough moved to accept the committee report, seconded by Mr. Urbanski. Motion carried. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from the Blanchard Valley Health System to rezone from B-1 to C-Residential, part of Lot Two in the Eastern Woods Subdivision. Findlay City Planning Commission requests that the land to the west of the proposed 2.9 acres, which is the site of two ponds, be added to the area to be rezoned. The 2.9 acres would be carved out of the middle of the lot creating an odd zoning pattern, designating that piece as C-Residential with both sides of it still zoned as B-1. We recommend approval of request. Mr. J. Slough moved to accept the committee report, seconded by Mr. M. Slough. Motion carried. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to zone the Blanchard Valley Health System-Hammond Annexation to the City of Findlay, Ohio, as a B-1 Local Business zoned area. We recommend approval of the request. Mr. Ward moved to accept the committee report, seconded by Mr. J. Slough. Motion carried. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to zone the A. Schulman Invision property, upon annexation to the City of Findlay, as a I-1 Light Industrial zoned area. We recommend approval of the request. Mr. Ward moved to accept the committee report, seconded by Mr. J. Slough. Motion carried. Filed.

**LEGISLATION:**

**RESOLUTIONS:**

RESOLUTION NO. 21-2009                      First reading                      Adopted

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

Mr. J. Slough moved to suspend the Statutory Rules and give the Resolution the second and third reading. Mr. Collette seconded the motion. Ayes: Seng, J. Slough, M. Slough, Urbanski, Van Dyne, Ward, Collette, Monday. The Resolution received the second and third reading. Mr. Ward moved to adopt the Resolution, seconded by Mr. J. Slough. Ayes: J. Slough, M. Slough, Urbanski, Van Dyne, Ward, Collette, Monday, Seng. The Resolution was declared adopted and is recorded in Resolution Volume XXXI, Page 21-2009, and is hereby made a part of the record.

RESOLUTION NO, 22-2009                      First reading                      Adopted

A RESOLUTION AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO, TO WAIVE PERMIT FEES REQUIRED THROUGH THE CITY'S ENGINEERING DEPARTMENT, FOR FOUR (4) HABITAT FOR HUMANITY SINGLE-FAMILY HOMES THAT WILL BE LOCATED WITHIN THE 1800 BLOCK OF PAYNE AVENUE OF THE WEST PARK COMMUNITY.

Mr. J. Slough moved to adopt the Resolution, seconded by Mr. Urbanski. Ayes: M. Slough, Urbanski, Van Dyne, Ward, Collette, Monday, Seng, J. Slough. The Resolution received the second and third reading. The Resolution was declared adopted and is recorded in Resolution Volume XXXI, Page 22-2009, and is hereby made a part of the record.

RESOLUTION NO. 23-2009 – Page 1

RESOLUTION NO. 24-2009 – Page 1

**ORDINANCES:**

ORDINANCE NO. 2009-31                      Third reading                      Adopted

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF MARION, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE NW ¼ OF SECTION 4, T1N, R11E, A TRACT OF LAND CONTAINING 49.086 ARES OF LAND, MORE OR LESS, AND FURTHER DESCRIBED HEREIN, AND TO PETITION THE COUNTY



IDENTIFIED IN EXHIBIT A, "B-1 LOCAL BUSINESS", AS HEREINAFTER DESIGNATED. (Zone BVHS Annexation)

First reading of the Ordinance.

ORDINANCE NO. 2009-44

First reading

AN ORDINANCE AMENDING CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY ZONING THE FOLLOWING DESCRIBED PROPERTY, IDENTIFIED IN EXHIBIT A, "I-1 LIGHT INDUSTRIAL, AS HEREINAFTER DESIGNATED. (Zone Schulman Annexation)

First reading of the Ordinance.

ORDINANCE NO. 2009-45

First 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 WHICH PREVIOUSLY WAS ZONED "B-2 GENERAL BUSINESS DISTRICT" TO "B-3 CENTRAL BUSINESS DISTRICT". (First Lutheran Church)

First reading of the Ordinance.

ORDINANCE NO. 2009-46

First 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, WHICH PREVIOUSLY WAS ZONED "B-1 LOCAL BUSINESS DISTRICT" TO "C-RESIDENTIAL DISTRICT". (Rezone Eastern Woods)

First reading of the Ordinance.

ORDINANCE NO. 2009-47

First reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY REGARDING BOND FINANCING THROUGH THE PORT AUTHORITY, AND DECLARING AN EMERGENCY.

Mr. Mr. Collette moved to suspend the Statutory Rules and give the Ordinance the second and third reading. Mr. Ward seconded the motion. Ayes: Van Dyne, Ward, Collette, Monday, Seng, J. Slough, M. Slough, Urbanski. The Ordinance received the second and third reading. Mr. Collette

moved to adopt the Ordinance, seconded by Mr. Ward. Ayes: Ward, Collette, Monday, Seng, J. Slough, M. Slough, Urbanski, Van Dyne. The Ordinance was declared adopted and is recorded in Ordinance Volume SS, Page 2009-47, and is hereby made a part of the record.

ORDINANCE NO. 2009-48

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: Collette, Monday, Seng, J. Slough, M. Slough, Urbanski, Van Dyne, Ward. The Ordinance received the second and third reading. Mr. Collette moved to adopt the Ordinance, seconded by Mr. Ward. Ayes: Monday, Seng, J. Slough, M. Slough, Urbanski, Van Dyne, Ward, Collette. The Ordinance was declared adopted and is recorded in Ordinance Volume SS, Page 2009-48, and is hereby made a part of the record.

ORDINANCE NO. 2009-49

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. Collette seconded the motion. Ayes: Seng, J. Slough, M. Slough, Urbanski, Van Dyne, Ward, Collette, Monday. The Ordinance received the second and third reading. Mr. Collette moved to adopt the Ordinance, seconded by Mr. J. Slough. Ayes: J. Slough, M. Slough, Urbanski, Van Dyne, Ward, Collette, Monday, Seng. The Ordinance was declared adopted and is recorded in Ordinance volume SS, Page 2009-49, and is hereby made a part of the record.

### **UNFINISHED BUSINESS:**

Mr. Monday: Two property owners have requested an appeal process for the stormwater assessments. Mr. Monday conferred with Administration. There is no appeal process. "It would be futile to have a meeting to tell them that there is nothing we can do", he said. No written request was received from Mr. Warnimont, who addressed the last Council meeting, asking for an appeal process. The Clerk was asked to remove the referral from the Flow Chart. Mr. Hackenberg said he supported Mr. Monday 100%.

Mr. Van Dyne: Flood Mitigation meeting with Ottawa scheduled for April 27 has been cancelled. It will be rescheduled at a later date, probably late in May.

Mr. Urbanski: The Committee of the Whole meeting April 23—4:00 or 4:30? It is scheduled for 4:30 PM on April 23 in the Council Chambers.

Mr. Ward: Requested legislation for the May 5 meeting regarding the appointment of an Equalization Board for the Downtown Business District. Referred to the Director of Law. Filed.

Mr. Monday: Requested information for the Committee of the Whole meeting:

1. What is the exact savings to be realized after the layoffs with the deduction of unemployment expenses, vacation pay, etc.
2. What would be the savings to the City of Findlay if Service and Safety Director jobs are combined.

Mr. Sprague replied that he would have the figures ready for the Committee of the Whole meeting.

Mr. M. Slough: Do you foresee any large employer amounts in the coming months? Mr. Sprague: We were hoping there would be some kind of a large withholding coming in. It did not happen. Withholding—10% decline. If we run out of money, the State will come in and make their decisions. We want to address things on a quarterly basis. It allows us the most insight. First quarter of 2009—payroll withholding declined 9.75% for the first quarter. This decline is partially offset by the elimination of the ½% income tax credit for residents working in other municipalities. If this continues to the end of the year, City tax collections will have declined \$6.4M over two years. Because of the decline in income taxes, the City's General Fund has changed from a yearly surplus to an ongoing deficit of \$3.5M per year, if current spending levels are maintained. This \$3.5 M deficit is barely sustainable until the end of 2009. If this same deficit is carried through 2009 into 2010, the City will run out of money in early 2010, and the State of Ohio will take over operations of the City.

President Schuck asked for a motion to excuse Mr. Schedel. It was so moved by Mr. Monday and seconded by Mr. Ward. Motion carried.

President Schuck adjourned Council at 8:55 PM.

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CLERK OF COUNCIL  
Martha Stelzer

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PRESIDENT OF COUNCIL  
Robert E. Schuck