

FINDLAY CITY COUNCIL MINUTES

REGULAR SESSION

JULY 20, 2010

COUNCIL CHAMBERS

PRESENT: Monday, Nichols, Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward

ABSENT: Collette

President Schuck moved to open with the Pledge of Allegiance and a moment of silent prayer.

MINUTES:

Mr. J. Slough moved to accept the minutes, as circulated, of the July 6, 2010 City Council meeting. Mr. Ward seconded the motion. Motion carried.

ADD-ONS:

Mr. Ward moved to add the following item to the agenda. Mr. J. Slough seconded the motion. Motion carried. Filed

(place in *REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section after Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for District Petroleum Products Inc. DBA: BP Food Mart 7445):

1. Letter from Safety Director Jim Barker – funds for N.E.A.T. Department.

(place in the *REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section after item No. 1 listed above):

2. Letter from HRPC Director William Homka – zoning code rewrite status.

(place in *REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section after item No. 2 listed above):

3. Letter from Service Director Bruce Hardy – appropriate funds to purchase of Water Treatment Department sludge truck

(place in *REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section after item No. 3 listed above):

4. Letter from Service Director Bruce Hardy – appropriate funds to purchase sanitary vector to replace the City's existing 1996 model

(place in the *COMMITTEE REPORTS* section after The *APPROPRIATIONS COMMITTEE* request to appropriate \$ 34,500.00 from SCM&R Highways to Main Street/Walnut Street Traffic Signal Upgrade, Project #32891300):

5. A COMMITTEE OF THE WHOLE meeting was held on Monday, July 19, 2010, to discuss mid-year review.

(place in the *LEGISLATION* section after Ordinance No. 2010-043):

6. Ordinance No. 2010-044 – appropriation ordinance

REPLACEMENTS:

Ordinance No. 2010-040:

- added "FROM: General Fund \$ 5,000; TO: N.E.A.T. #21016000-other \$ 5,000.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 030-2010 First reading ADOPTED
A RESOLUTION COMMENDING THE UNIVERSITY OF FINDLAY'S WESTERN INTERCOLLEGIATE HORSE SHOW ASSOCIATION (IHSA) TEAM FOR WINNING THE 2010 NATIONAL COMPETITION, AND THE ENGLISH TEAM FOR RECEIVING THE RESERVE NATIONAL CHAMPIONSHIP PLACING.

Mr. J. Slough moved to adopt the Resolution, seconded by Mr. VanDyne. Ayes: Monday, Nichols, Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record.

RESOLUTION NO. 031-2010 First reading ADOPTED
A RESOLUTION COMMENDING TERRY BOREN FOR THE EXCELLENCE OF HIS SERVICES FOR THE CITY OF FINDLAY, OHIO.

Mr. J. Slough moved to adopt the Resolution, seconded by Mr. Ward. Ayes: Nichols, Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward, Monday. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record.

RESOLUTION NO. 032-2010 First reading ADOPTED
A RESOLUTION COMMENDING RAND REEG FOR THE EXCELLENCE OF HIS SERVICES FOR THE CITY OF FINDLAY, OHIO.

Mr. Ward moved to adopt the Resolution, seconded by Mr. Nichols. Ayes: Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward, Monday, Nichols. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record.

WRITTEN COMMUNICATIONS:

none.

ORAL COMMUNICATIONS:

none.

PETITIONS:

none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Budget Summary of Year-To-Date Information as of June 30, 2010. Filed.

City Auditor Robert Cole Sprague – HRPC Expenses/Staff Time for Revolving Loan Fund – March through May 2010

Legislation is requested to appropriate \$2,995.86 from the RLF Administration to General Expense #21010000-449400 to pay the March through May 2010 invoices. Ordinance 2010-040 was created.

FROM:	City Revolving Loan Fund	\$ 2,995.86	
TO:	General Expense #21010000-449400		\$ 2,995.86

Filed.

Findlay W.O.R.C. Program Monthly Tally Sheet – January 1, 2010 through June 30, 2010; Findlay W.O.R.C. Program Charge Statistics – January 1, 2010 through June 30, 2010; Findlay Work Release Program Monthly Payment Statistics Summary – January 1, 2010 through June 30, 2010; Findlay W.O.R.C. Financial Analysis – October 6, 2009 through July 14, 2010. Filed.

City Engineer Brian Hurt – Invision Drive Extension to Tall Timbers, Project No. 328938

Designs for the Invision Drive extension to Tall Timbers, Project No. 328938 has been provided by the County Engineer. The City is responsible for the administering, bidding, contracting, and constructing the project which is included in the 2010 Capital Improvements Plan. Construction of the project will be funded by a grant from the Ohio Public Works Commission (OPWC) and other grant sources. Legislation to authorize bidding, contracting, and to appropriate grand funds is requested. Ordinance 2010-043 was created.

FROM:	OPWC	\$ 200,000.00	
TO:	Invision Drive Extension to Tall Timbers, Project #328938		\$ 200,000.00

Filed.

In addition, a separate appropriation request of \$1,000 from the Capital Improvements Fund to the project for project incidentals such as advertising and printing needs to be considered. Referred to the Appropriations Committee. Filed.

Hancock Regional Planning Commission Grant Administrator Lydia Mihalik – Edward Byrne Memorial Justice Assistance (JAG) Program Grant

The City of Findlay is eligible to apply for the Edward Byrne Memorial Justice Assistance (JAG) Program Grant of twelve thousand two hundred ten dollars and no cents (\$12,210.00) to purchase six (6) police cruiser laptops and one (1) Mobile Cop server. Mobile Cop servers and laptops are required for officers to effectively and accurately communicate with the command center and other officers while on duty. With the development in technology over the past five (5) years, the need to update and replace servers and laptops is immediate. Authorization to apply for this grant is requested. Resolution 033-2010 was created. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for District Petroleum Products Inc. DBA: BP Food Mart 7445 at 1831 Fostoria Avenue, Findlay, Ohio to apply for a liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Liquor Permit – District Petroleum Products Inc. DBA: BP Food Mart 7445 at 1831 Fostoria Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Steven V. Schlicht
Suzan S. Woods

Mr. J Slough moved for no objections be filed. Seconded by Mr. VanDyne. 6 Council members in favor, 2 opposed. Filed.

Safety Director Jim Barker – Funds for N.E.A.T. Department

Additional funds of \$5,000 are requested for the N.E.A.T. Department budget for mowing of lots at properties that have high vegetation. The amount originally budgeted has been exhausted by the commercial mowers who are doing the initial cutting. W.O.R.C. program residents are currently mowing and anticipate up to three (3) more months of mowing possible. Emergency appropriation is requested. Ordinance 2010-040 was created.

FROM:	General Fund	\$ 5,000.00	
TO:	N.E.A.T. #21016000-other		\$ 5,000.00

Filed.

HRPC Director William Homka – City of Findlay zoning code rewrite

The City of Findlay zoning code rewrite is in its final formatting stage. The HRPC and Zoning Office staff will be reviewing the document a final time over the next two (2) weeks (August 3, 2010 release date). A final copy will be provided in August to Council members, City Planning Commission (CPC) members, Findlay Zoning Advisory Committee (FZAC) members and City Administration. If Council refers the revised zoning code to City Planning Commission for their September 9, 2010 meeting, the adoption process of the revised zoning code is estimated to be early October. The first step in the adoption process would be a referral from City Planning Commission to the Planning & Zoning Committee. A proposed timeline is provided. An information meeting for the general public will be held in September. A request to refer the revised zoning code to the City Planning Commission for their September 9, 2010 meeting is requested. Filed.

Service Director Bruce Hardy – appropriate funds to purchase a sludge truck for Water Treatment Plant

Ordinance No. 2010-042 was created to waive formal advertising and bidding requirements for purchasing a sludge truck for the Water Treatment Department. We have received five (5) quotes from vendors (three (3) of which are local) ranging from \$91,867 to \$101,013. The City would like to accept the lowest quote which is from a local Findlay vendor and includes the desired diesel engine and is good until July 30, 2010, due to limited supplies of this engine. Appropriation of funds is requested. Ordinance No. 2010-044 was created.

FROM: Water Fund \$ 91,867.00
TO: Water Treatment #25050000-other \$ 91,867.00

Filed.

Service Director Bruce Hardy – appropriate funds to purchase a sanitary vector for the Water Pollution Control Center

The Sewer Maintenance Department uses a vector to high pressure wash and clean sanitary sewers throughout the City. The current 1996 model needs approximately \$20,000 to repair the vacuum transmission. Since 2004, the City has spent \$77,000 on repairs for the current 1996 unit which was scheduled to be replaced a few years ago, but with tight budget constraints over the last several years, the replacement has been pushed back until 2011. It is now time to purchase a new replacement vector so that the City can also get the diesel engine preferred which is less expensive initially and less costly to run than the new generation engines that will be required in 2011. Referred to Appropriations Committee.

FROM: Sewer Fund \$ 400,000
TO: WPCC #25061000-other \$ 400,000

Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to appropriate \$1,700.00 from General Fund to Parks – other #21034000 for purchase of grass seed for Emory Adams Park from funds received by the Hancock Soccer Association in 2009.

FROM: General Fund \$ 1,700.00
TO: Parks - other #21034000 \$ 1,700.00

We recommend approval of the above request. Ordinance No. 2010-040 was created.

Mr. Nichols moved for adoption of the committee report. Mr. J. Slough seconded the motion. All were in favor. Committee Report adopted. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to appropriate \$2,700.00 from Capital Improvements Fund to the Hagerman Run Safety Railing Project #32502100 to purchase and install stainless steel safety railing for the Hagerman Run stormwater project that was completed in 2009.

FROM: Capital Improvements Fund \$ 2,700.00
TO: Hagerman Run Safety Railing Project #32502100 \$ 2,700.00

We recommend approval of the above request. Ordinance No. 2010-040 was created.

Mr. J. Slough moved for adoption of the committee report. Mr. VanDyne seconded the motion. All were in favor. Committee Report adopted. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to appropriate \$ 92,000.00 from Water Fund to Water Treatment #25050000-other to purchase a new sludge truck for the Water Treatment Plant to replace the 1991 GMC.

FROM: Water Fund \$ 92,000.00
TO: Water Treatment #25050000-other \$ 92,000.00

We recommend that the above request be modified to allow the Service Director to seek prices and wave formal bidding due to dire need at this time. Ordinance No. 2010-042 was created.

Mr. Urbanski moved for adoption of the committee report. Mr. J. Slough seconded the motion. All were in favor. Committee Report adopted. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to appropriate \$ 34,500.00 from SCM&R Highways to Main Street/Walnut Street Traffic Signal Upgrade, Project #32891300 to cover the project construction costs.

FROM: SCM&R Highways \$ 34,500.00
TO: Main Street/Walnut Street Traffic Signal Upgrade, Project #32891300 \$ 34,500.00
We recommend approval of the above request. Ordinance No. 2010-040 was created.

Mr. J. Slough moved for adoption of the committee report. Mr. M. Slough seconded the motion. All were in favor. Committee Report adopted. Filed.

A **COMMITTEE OF THE WHOLE** to whom was referred a request from Council to initiate a budget review. A meeting was held on July 19, 2010.

Mr. Nichols moved for adoption of the committee report. Mr. J. Slough seconded the motion. All were in favor. Committee Report adopted. Filed.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 025-2010 Second reading ADOPTED
A RESOLUTION DECLARING THE NECESSITY OF REPAIRING SIDEWALKS IN THE CITY OF FINDLAY, OHIO, AND REQUIRING THE ABUTTING PROPERTY OWNERS TO REPAIR SAME, AND DECLARING AN EMERGENCY.

Mr. J. Slough moved to adopt the Resolution, seconded by Mr. VanDyne. Ayes: M. Slough, Urbanski, VanDyne, Ward, Monday, Nichols, Schedel, J. Slough. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record

RESOLUTION NO. 026-2010 Second reading ADOPTED
A RESOLUTION DECLARING THE NECESSITY OF INSTALLING NEW SIDEWALKS IN THE CITY OF FINDLAY, OHIO, AND REQUIRING THE ABUTTING PROPERTY OWNERS TO INSTALL SAME, AND DECLARING AN EMERGENCY.

Mr. Monday moved to amend the Resolution to include Country Club Acres located on East Main Cross Street (between the old Kodak building and the Hancock Park District building), seconded by Mr. VanDyne. All in favor of the amendment. Amendment adopted.

Mr. Monday moved to adopt the Resolution, seconded by Mr. Nichols. Ayes: Urbanski, VanDyne, Ward, Monday, Nichols, Schedel, J. Slough, M. Slough. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record.

RESOLUTION NO. 030-2010
See page 1

RESOLUTION NO. 031-2010
See page 1.

RESOLUTION NO. 032-2010
See page 1.

RESOLUTION NO. 033-2010 First reading ADOPTED
A RESOLUTION AUTHORIZING THE CITY OF FINDLAY TO APPLY FOR FUNDS AND SIGN A GRANT AGREEMENT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO IMPROVE CRIMINAL JUSTICE RELATED EQUIPMENT, APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Mr. Schedel moved to adopt the Resolution, seconded by Mr. J Slough. Ayes: Ward, Monday, Nichols, Schedel, J. Slough, M. Slough, Urbanski, VanDYne. The Resolution was declared adopted and is recorded in Resolution Volume XXXII, and is hereby made a part of the record.

ORDINANCE NO. 2010-043 First reading ADOPTED
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE INVISION DRIVE EXTENSION TO TALL TIMBERS, PROJECT NO. 3289300, AND DECLARING AN EMERGENCY.

Mr. Ward moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Mr. J. Slough seconded the motion. Ayes: Monday, Nichols, Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward.

The Ordinance received its second and third reading. Mr. Ward moved to adopt the Ordinance, seconded by Mr. Nichols. Ayes: Nichols, Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward, Monday. The Ordinance was declared adopted and is recorded in Ordinance Volume TT, Page 2010-043 and is hereby made a part of the record.

ORDINANCE NO. 2010-044 First reading ADOPTED
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Mr. Ward moved to suspend the Statutory Rules and give the Ordinance its second and third reading. Mr. Nichols seconded the motion. Ayes: Schedel, J. Slough, M. Slough, Urbanski, VanDyne, Ward, Monday, Nichols,

The Ordinance received its second and third reading. Mr. J. Slough moved to adopt the Ordinance, seconded by Mr. Nichols. Ayes: J. Slough, M. Slough, Urbanski, VanDyne, Ward, Monday, Schedel, Nichols. The Ordinance was declared adopted and is recorded in Ordinance Volume TT, Page 2010-044 and is hereby made a part of the record.

UNFINISHED BUSINESS:

Old Business

None.

New Business

Mr. Monday received phone calls regarding the condition of a Center Street property. It has trash on the property and tall weeds. He has talked with the N.E.A.T. Department who would like to clean the property up, but lacks manpower. He asked if something can be done to clean up this property. Mr. Barker replied that this property is on the priority list but is not at the top of that list due to lack of manpower. W.O.R.C. program just received another resident that is currently unemployed that will be assigned to the City's Street Department. This property along with many other properties in Findlay are in need of clean up and/or mowing. The Street Department will work on these properties as time allows them as they are also short-handed. If the weather stays as hot as it is, the grass will not be growing and so Street Department employees will not need to mow and then can work on property clean up. Mr. Urbanski added that property does have occupants and wanted to know if they would be required to clean up the property themselves. Mr. Barker replied that is part of the N.E.A.T. Program. The property owners have been ordered to clean the property up, but so far have not, so the City will and then the property owners will be assessed for the costs. Mr. Hackenberg added that notification is always given to property owners when clean up is needed.

Mr. Urbanski mentioned that the Parking Authority Task Force Committee has been working for the last couple of months. There is a final meeting next Wednesday, July 28, 2010. A Parking Authority meeting is requested with results given at the August 3, 2010 City Council meeting.

Mr. Urbanski: **PARKING AUTHORITY MEETING** – 8:00 AM – AUGUST 3, 2010, Third Floor Conference Room of the Municipal Building (CR1).

Mr. Ward: **APPROPRIATION MEETING** – 4:30 PM – July 27, 2010 – Third Floor Conference Room of the Municipal Building (CR1)
Agenda: 1. Invision Drive extension to Tall Timbers Project 328938 (project incidentals i.e. advertising and printing) - \$1,000
2. Sanitary Vactor for Water Pollution Control Center - \$91,867

Mr. Nichols made a motion to excuse the absences of Mr. Collette. Mr. Monday seconded the motion. All were in favor.

President Schuck adjourned Council at 8:19 PM.


CLERK OF COUNCIL


PRESIDENT OF COUNCIL