# 4167

**JUNE 17, 2024 – REGULAR MEETING**

Tiffin City Council met for its second meeting of the month in accordance with Codified Ordinance Section 121.03. Council President Bridget Boyle opened the meeting at 7:00 p.m. The invocation was given, and the Pledge of Allegiance was recited.

**ROLL CALL:** Clerk of Council Ann Forrest recited roll call and seven councilmembers were present: Aaron Jones (1st Ward), Scott Hoernemann (2nd Ward), Kevin Roessner (3rd Ward), Dennis Snay (4th Ward), Cheyane Thacker (At Large), John Hays (At Large) and John Kahler (At Large). Also attending were Mayor Lee Wilkinson, Director of Law Zachary Fowler, City Administrator Nick Dutro, Director of Finance Kathy Kaufman, and Director of Communications and Constituent Services Liz Croak.

**MINUTES:** The May 20, 2024 and June 3, 2024 Regular and Committee of the Whole meeting minutes were approved as written.

**COMMITTEE REPORTS:**

Councilmember Roessner reported that a Finance Committee meeting was held Wednesday, June 12, 2024 in Council Chambers. The purpose of the meeting was to discuss Mayor’s Request for Legislation #24-26 (establishment of a Capital Projects Fund), Mayor’s Request for Legislation #24-28 (OSS Grant), Finance Director’s Request for Legislation #F24-34 (appropriation of additional funds for the HSTS elimination project), and any other business that may come before them. Attending were committee Members Kevin Roessner, Aaron Jones, and John Kahler. Also attending were Mayor Wilkinson, Council Members Cheyane Thacker and Scott Hoernemann, Law Director Zach Fowler, and Finance Director Kathy Kaufman. Roessner called the meeting to order at 5:17pm. Roessner and shared City Administrator Dutro’s message - *Mayor’s Request for Legislation#24-26 - Establishment of a Capital Projects Fund: The creation of Fund 332 would better allow the city to plan for future projects and ensuring that we are adequately investing for capital funding. The City Administration has many projects that we feel are important to move forward for our community, and this will be a positive step in the direction of achieving that.* The Mayor presented the rationale and objectives behind the proposed measure, emphasizing its significance in equipping our city to address future capital improvement requirements. The endorsement of this proposal is anticipated to bolster the long-term development and resilience of our municipality, while maintaining flexibility for unforeseen future exigencies, with the river wall and traffic signal malfunctions serving as illustrative contingencies. The Law Director elaborated on the prospective establishment of the fund, referencing compliance with Section 5705.13 of the Ohio Revised Code, and noted the adoption of similar financial mechanisms by comparable municipalities. A comprehensive dialogue ensued among council members, deliberating on the appropriate allocation of assets, the duration of investment, and the envisaged infrastructure projects. Discussions also revolved around the mechanisms for supervisory oversight and the integration of this initiative with the strategic forecasts of departmental leaders, including their five- and ten-year projections. It was agreed that additional information would be sought, and further deliberations will be planned for a subsequent session. Kahler moved to table Mayor’s Request for Legislation#24-26 pending further information, and was seconded by Jones, the motion carried unanimously. Roessner and shared City Administrator Dutro’s message - Mayor’s *Request for Legislation #24-28 - OSS Grant: For years, the City of Tiffin was able to utilize funds from OSS to support brush grinding at the Water Pollution Control Center. Unfortunately, with COVID those dollars dried up, so we have had to take on more expenses in offering this program for our residents. We are asking for Council to give us the authority to again apply for up to $10,000 in OSS funds to help offset this very popular program for our community.* Jones moved to have the Law Director prepare legislation authorize the City Administrator to take action, apply for, proceed and sign agreements pertaining to these grant funds, and was seconded by Kahler, the motion carried unanimously. Finance Director Kaufman articulated the necessity for additional funding through the Request for Legislation 24-34, aimed at supporting the Home Sewage Treatment Systems (HSTS) elimination project. The request by City Engineer Watson for increased financial resources is attributed to the discovery of unforeseen elements during the project’s execution, necessitating change orders. A notable instance of this expanded scope is the unexpected need to remove an additional septic system. This allocation of funds is critical to ensure the project adheres to environmental regulations and continues to advance the public health infrastructure. Jones moved to have the Law Director prepare legislation for this appropriation, and was seconded by Kahler, the motion carried unanimously. With no further business, the meeting adjourned at 5:51pm. Respectfully submitted, Kevin Roessner, Chairperson.

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Councilmember Kahler reported that a Law & Community Planning Committee met in City Chambers on June 10, 2024 starting at 5:15 p.m. The purpose of the meeting was to discuss Mayor’s Request for Legislation #24-22, Mayor’s Request for Legislation #24-27, as well as any other business to come before the committee. Attending were committee members John Kahler, John Hays, and Dennis Snay. Also attending were Mayor Lee Wilkinson, Law Director Zachary Fowler, City Engineer Matt Watson, council member Scott Hoernemann, council member Aaron Jones, and council member Cheyane Thacker. Attending from the public was Clair Forrest. Council member Kahler started the meeting by opening discussions regarding Mayor’s Request for Legislation #24-22. Mayor’s Request for Legislation #24- 22 asks the committee to recommend that the Law Director draft legislation approving the purchase of approximately 3 acres of land on Water St. to be used for the construction of an offsite treatment facility. The purchase would be a step in the direction towards completing the City of Tiffin’s Long Term Control Plan with the EPA to build a high rate treatment (HRT) facility. The HRT facility would be built in place of an EQ basin. The cost of building an HRT facility is estimated to be about $19.5 million while the cost of building an EQ basin is about $50 million. Therefore, the cost savings to the City is estimated to be about $30 million. The purchase price of the land in question would be $400,000.00. The property was appraised by Bill Jones of Re/Max Property for $375,000. City Administration feels that the cost is justified because the property is in the right location, is not in a floodplain, and does not have any residences or other buildings that would need to be demolished, thus saving the City the additional cost of demolition. Council member John Hays moved to recommend that the Law Director draft legislation approving the purchase of approximately three acres of land on Water St. to be used for the construction of an offsite treatment facility. Council member Dennis Snay seconded the motion. The motion carried with a vote of 3-0. Kahler next addressed Mayor’s Request for Legislation #24-27. Mayor’s Request for Legislation #24-27 proposes some changes to the City of Tiffin’s Zoning Code. The main change to the Zoning Code would adopt certain residential infill development standards. The purpose of those standards would be to ensure the single family and two family residential structures reflect, complement, and preserve the nature and the character of existing adjacent residential development. Such a change to the Zoning Code would preserve the look, feel, and value of existing neighborhoods by making sure that new builds match the look and feel of the existing neighborhood. There is currently no provision in the Zoning Code that addresses aesthetics or matching the existing neighborhood. Other proposed changes to the Zoning Code include certain size restrictions on accessory buildings such as garages and making nursing or convalescent homes permitted uses in certain zoning districts rather than conditionally permitted uses. Council member Dennis Snay moved to recommend that the Law Director draft legislation changing the Zoning Code as suggested by City Engineer Matt Watson. Council member John Hays seconded the motion. The motion carried with the vote of 3-0. In other business, Law Director Zachary Fowler indicated that in the near future he will be asking for legislation regarding the annexation of some new property into the City of Tiffin. With no other business to discuss, the meeting adjourned at 6:28 p.m. Report respectfully submitted by John Kahler, Chair.

Councilmember Hays reported that a Personnel & Labor Relations Committee meeting was held in City Chambers on June 6th, 2024. The purpose of this meeting was to discuss Mayor’s Request for Legislation #24-24 - additional position to the Tiffin Fire/Rescue Division and Mayor’s Request for Legislation #24-23 - an appointment to the Architectural Board of Review and any other business to come before the committee. Attending where committee members John Hays, Cheyenne Thacker, and John Kahler. Also attending were council member Scott Hoernemann, Dennis Snay, and Aaron Jones; Mayor Lee Wilkinson, City Administrator Nick Dutro, Law Director Zachary Fowler, and Fire Chief Rob Chappell. Councilman Hays called the meeting to order at 5:31 p.m. and opened with Mayor’s request for an additional position to the Tiffin Fire/Rescue Division. City Administrator Dutro explained how the 2024 budget initially did not include this position; however, due to the financial position of the City right now, the opportunity to add this position is available. Fire Chief Chappell reported the current staffing numbers for Tiffin Fire’s three crews and explained this additional staffing position will increase staff above the minimum on crew 3. Chappell said staffing was reduced during Covid and the city is now on the path to what is considered normal staffing numbers. Mayor Wilkinson and Chappell explained the cost of additional staffing could at times save the city money by not having to pay overtime wages to keep the required number of staff on hand. Dutro stated the city is in a position financially to maintain this position into the new year. Councilwoman Thacker motioned to have the Law Director draft legislation to accept the additional position. Councilman Kahler seconded. The motion carried on a vote of 3-0. Hays introduced Mayor’s Request for Legislation #24-23, an appointment to the Architectural Board of Review. Wilkinson stated the candidate has previously worked on architecture projects in town including the East Green Amphitheater and Seneca County Museum. Wilkinson also explained the opening is due to a Board of Review member resigning. Law Director Fowler stated the member qualifications for being appointed to the Architectural Board of Review. Hays motioned to have the Law Director draft legislation for an appointment to the Architectural Board of Review. Thacker

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seconded. The motion carried on a vote of 3-0. With no other business, the meeting was adjourned at 5:50 p.m. Report respectfully submitted by John Hayes, Chair.

Councilmember Hoernemann reported that an Economic Development & Downtown Planning Committee meeting was called to order at 6:32pm on June 10, 2024. The purpose of the meeting was to discuss Mayor’s Request for Legislation 24-25 and Finance Director’s Request for Legislation F24-28. Both requests pertain to the Asst. Prosecutor position. In attendance were committee members Scott Hoernemann, Cheyane Thacker, and Aaron Jones. Also in attendance were Mayor Lee Wilkinson and Law Director Zachary Fowler. Hoernemann read both written requests aloud. He then asked the Law Director if he would like to draft legislation as 2 separate ordinances or as 1 piece of legislation pertaining to the position of Asst. Prosecutor. The Law Director confirmed he would draft 1 piece of legislation because they cover the same topic. Hoernemann then read aloud a letter/email from City Administrator Nick Dutro supporting this legislation and indicating that no new funding would be required in the current city budget. He also indicated that this position would significantly help with the workload required for the city prosecutor and keep that office functioning in a positive manner. Thacker then asked how “this position would break down their time between county & city responsibilities.” Law Director Zachary Fowler answered that the candidate will be a full time employee of the county at 32 hours, but the bulk of their time will be spent with the city. Thacker then commented that she thought it was a good solution due to the amount of work that prosecutors take on with their caseloads. Fowler then offered to explain how the partnership between the city and county prosecutors’ offices works. He explained that this partnership mimics the 2017

agreement between the city and county. He also explained that the candidate currently works in Erie County and is in the process of joining the Sisters of St. Francis. She needs another year of public service to satisfy her requirement on student loan debt. The total annual contract is for $41,074.61. The city would cover $21,000 for the remaining months of this year. If the candidate leaves prior to the end of this year, or any time through the contract, a portion of that money will be returned to the city. Jones then asked if this was a “temporary fix.” Fowler agreed it was a temporary fix, but sets up someone in case the city or county has a prosecutor move on. This position would most likely have the ability and knowledge to step into a full time role. He added that the Asst. Prosecutor would give the current City Prosecutor needed time when he is not in court to review cases and handle appeals. Currently the prosecutor is putting in 8-10 hours a week of overtime. Thacker said she hoped this solution between the city and county works out because finding an attorney for any part time position is difficult due to student loan repayment. Hoernemann then commented that having the Law Director focus on the city’s concerns and protecting our interests is best for his role. Having the Law Director pulled away to prosecute a traffic ticket was not the best use of his time. Fowler commented that the Law Director role is more involved and needed at a city level more than in the past. Thacker commented that the roles of Prosecutor and Law Director are two very different skill sets and the city would be best served having our attorneys focus on their specialties. Hoernemann then advised the committee that the reason these requests were sent to the Economic Development & Downtown Planning Committee rather than Labor Relations is because Council Member Kahler is on that committee and has a conflict of interest due to his job as a defense attorney. Thacker made a motion for the Law Director to draft legislation to correspond with Mayor’s Request #24-25 and Finance Director’s Request F25-28. Jones seconded the motion. Motion carried 3-0. With no other business coming before the committee adjournment was at 6:49pm. Scott Hoernemann, Chair.

No additional Committee of the Whole was scheduled.

**REPORTS OF THE OFFICERS:**

**MAYOR LEE WILKINSON:**

Mayor Wilkinson announced that this week would be busy with many activities around the city. Wednesday is the Juneteenth holiday; City Hall offices will be open. Thursday evening is Thursday Night Tunes at 7:00 p.m. at the East Green Amphitheater, as well as Third Thursday’s Fête de la Musique event from 5:00-8:00 p.m. Friday Heidelberg University will break ground on their new Fieldhouse center. Saturday will be the Steve Smith Memorial Car Show at The Willows, and Bel-Mar Boat Landing will hold an open house for their 50th Anniversary celebration. Hedges-Boyer Park will host their annual Family Fest, along with the Walk for Recovery sponsored by HOPE of Fostoria.

Mayor Wilkinson read a proclamation recognizing Kathee and Steve Bruno for 30 years of the Tiffin Crawl and raising over $100,000 towards local children’s charities. This year the proceeds will go to the Seneca County 4-H Youth Development Program.

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**CLERK OF COUNCIL ANN FORREST:** Clerk of Council Forrest reported that the fees were received for the alley vacation 2024-02 under Ord. 2024-41, and Council could proceed with the third reading.

**DIRECTOR OF FINANCE KATHY KAUFMANN:**

Director of Finance Report for the month ending: MAY 31, 2024

Total Receipts for the month: $5,160,433.81

Total Expenses for the month: $6,330,145.34

The General Fund unencumbered balance: $5,246,964.73

The income tax receipts for May 2024 were $911,131.01. The total increase in income tax receipts in May 2024 compared to May 2023 is $7,488.07. The annual increase in income tax receipts are up 6.32%.

The .25% portion of income tax receipts that was transferred into fund 215 for public streets for May 2024 is $108,211.58.

The unexpended balance for all funds is **$39,792,228.47** which is the same as the bank balances for the same time

period.

Councilmember Roessner moved to accept the May 31, 2024 financial report as presented, as well as the bank reconciliation emailed to Council; Councilmember Snay seconded. On a voice vote motion was approved 7-0.

**DIRECTOR OF LAW ZACHARY FOWLER**:

Director of Law Fowler stated that Ord. 2024-47 was up for its first reading and asked for suspension as the assistant prosecutor was to start July 1 per the contract with the county. He noted that the transfer was budget neutral.

**WRITTEN COMMUNICATIONS:**

Mayor’s Request for Legislation #24-29 – Pay increase for non-union staff.

 *Referred to Personnel & Labor Relations Committee.*

Finance Director’s Request for Legislation #F24-33 to amend the 2024 Budget Ordinance 23-94 to appropriate

 funds into the Capital Improvement and OneOhio Opioid Budgets. ($2,000.00+$14,000.00)

 *On file in Clerk of Council’s Office; legislation prepared under Ord 2024-51 and Ord. 2024-52.*

Finance Director’s Request for Legislation #F24-34 to amend the 2024 Budget Ordinance 23-94 to appropriate

 funds into the Sewer Fund Budget. ($100,000.00)

 *On file in Clerk of Council’s Office; legislation prepared under Ord 2024-51.*

Finance Director’s Request for Legislation #F24-35 to amend the 2024 Budget Ordinance 23-94 to appropriate

 funds into the Fire Department Budget. ($25,000.00+$32,250.00)

 *On file in Clerk of Council’s Office; legislation prepared under Ord 2024-46.*

**ORAL COMMUNICATIONS:** None.

**MOTIONS:** None.

**RESOLUTIONS:**

**Resolution 2024-30**, introduced by John Hays and read for the first and only time required.

A RESOLUTION approving Mayor’s appointment of Amber Clason to serve an unexpired term on the Architectural Board of Review from the date of this resolution through December 31, 2024.

Councilmember Hays move for passage; Councilmember Thacker seconded.

Roll call vote was taken on the passage, and it was approved 7-0.

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**ORDINANCES:**

**Ordinance 2024-39**, introduced by John Kahler and read for the second time.

AN ORDINANCE approving a contract with the Seneca Industrial & Economic Development Corporation for administrative services of a comprehensive economic development program and declaring an emergency.

Councilmember Kahler moved for passage; Councilmember Hoernemann seconded.

*Discussion: Councilmember Hoernemann explained that this was for the renewal of the SIECD/TSEP contract. He said that TSEP is a professional group and an absolute asset to us.*

Roll call votes were taken on the emergency and passage, and both were approved 7-0.

**Ordinance 2024-41**, introduced by Cheyane Thacker and read for the third time.

AN ORDINANCE responding to Petition No. 2024-02 vacating the alley off of West Market Street running North/South between Lot No. 598 of Heming’s Resurvey and the alley off of St. Clair Street running East/West between Lot Nos. 596 and 597 and Lot No. 15 all of Heming’s Resurvey in the Third Ward of the City of Tiffin, Ohio.

Councilmember Thacker moved for passage; Councilmember Roessner seconded.

Roll call vote was taken on the passage, and it was approved 7-0.

**Ordinance 2024-43**, introduced by Kevin Roessner and read for the second time.

AN ORDINANCE adopting a Tax Budget for Fiscal Year 2025, directing the Director of Finance to deliver the budget to the Seneca County Auditor, and declaring an emergency.

**Ordinance 2024-45**, introduced by John Hays and read for the first time.

AN ORDINANCE authorizing the purchase of real property on Water Street.

**Ordinance 2024-46**, introduced by John Hays and read for the first time.

AN ORDINANCE amending the 2024 Budget Ordinance 23-94 to appropriate funds into the Fire Department Budget.

**Ordinance 2024-47**, introduced by Scott Hoernemann and read for the first time.

AN ORDINANCE authorizing the Mayor to sign an agreement with Seneca County and the Seneca County Prosecutor’s Office, authorizing the transfer of $21,000 from the Prosecutor’s Budget to the Director of Law’s Budget, and declaring an emergency.

Councilmember Hoernemann moved for suspension of the three-reading rule and passage; Councilmember Roessner seconded.

Roll call votes were taken on the suspension, emergency and passage, and each was approved 6-0. Councilmember Kahler abstained due to possible conflict of interest.

**Ordinance 2024-48**, introduced by Scott Hoernemann and read for the first time.

AN ORDINANCE zoning 79.506 acres of land, more or less, owned by David J. Wagner and Alan T. Wagner, Trustees and Ann E. Forrest and Clair M. Forrest, Jr., co-executors of the estate of Martha Ann Forrest in the Second Ward of the City, as Zone M-2 Heavy Industrial District, compatible with adjacent land use, and meeting requirements of the Tiffin City Charter and the Codified Ordinances.

**Ordinance 2024-49**, introduced by John Kahler and read for the first time.

AN ORDINANCE to enact residential infill development standards in the Zoning Code and amend sections 1167.03, 1169.03, 1181.01, and 1181.05 the Zoning Code.

**Ordinance 2024-50**, introduced by Kevin Roessner and read for the first time.

AN ORDINANCE authorizing all actions necessary to apply to and receive from the Ottawa-Sandusky-Seneca Joint Solid Waste District’s Competitive Funding Grant and declaring an emergency.

Councilmember Roessner moved for suspension of the three-reading rule and passage; Councilmember Thacker seconded.

Roll call votes were taken on the suspension, emergency and passage, and each was approved 7-0.

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**Ordinance 2024-51**, introduced by Kevin Roessner and read for the first time.

AN ORDINANCE amending the 2024 Budget Ordinance 23-94 to appropriate funds into the Capital Improvement Budget and Sewer Fund Budget.

Councilmember Roessner moved for suspension of the three-reading rule and passage; Councilmember Jones seconded.

Roll call votes were taken on the suspension, emergency and passage, and each was approved 7-0.

**Ordinance 2024-52**, introduced by Kevin Roessner and read for the first time.

AN ORDINANCE amending the 2024 Budget Ordinance 23-94 to appropriate funds into the annual budget.

Councilmember Roessner moved for suspension of the three-reading rule and passage; Councilmember Hoernemann seconded.

Roll call votes were taken on the suspension and passage, and each was approved 7-0.

**OTHER BUSINESS:**

President Boyle announced a public hearing on Monday, July 1, 2024 at 7:00 PM regarding the 2025 Tax Budget under proposed Ord. 2024-43.

President Boyle also announced a Joint Public Hearing with the Planning Commission on Monday, July 15, 2024 at 7:00 p.m. for Zoning Ordinances 2024-48 and 2024-49.

Councilmember Hays announced a Personnel & Labor Relations Committee meeting to be held Monday, June 24, 2024 at 5:30 p.m. in Council Chambers to discuss Mayor’s Request for Legislation #24-29 (pay increase for non-union staff) and any other business that may come before them.

City Administrator Dutro reported that Rumpke had held their annual bulk pick up the previous week, which they not do for every community. He said they picked up 141.47 tons versus 108.838 tons last year, and 2021 had been the record year with 187.16 tons. He thanked Rumpke for offering this free service to us.

Director of Law Fowler explain that Clerk of Council Forrest had expressed her concern about a possible conflict of interest with her handling of the new zoning and annexation legislation pertaining to her family’s property. Fowler explained that her duties were administrative and not voting or campaigning for this legislation under Ohio Ethics law. He said that Council could move to appoint a different person to be acting Clerk of Council for the actual vote on this legislation.

Mayor Wilkinson stated that during the 6:45 p.m. Committee of the Whole meetings there is discussion about some of the legislation and said it would be nice to have some of that discussion again for the general public’s benefit during the regular meeting when voting on that legislation.

**ADJOURNMENT**: 7:48 p.m.

Respectfully submitted, Ann Forrest, Clerk of Council.

Approved this \_\_\_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­\_\_\_\_, 2024

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 Presiding Officer of Council

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk of Council