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**AUGUST 19, 2024 – REGULAR MEETING**

Tiffin City Council met for its second meeting of the month in accordance with Codified Ordinance Section 121.03. Council President 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, and Director of Finance Kathy Kaufman.

**PUBLIC HEARING:** A Public Hearing with Tiffin City Council was opened at 7:01 p.m. for the consideration of Ordinance 2024-66, AN ORDINANCE responding to Petition No. 2024-03 vacating the alley off of Front Street running East/West between Lot No. 285 of Heming’s Resurvey and Lot No. 409 of the Western Addition to the City of Tiffin in the Fourth Ward of the City of Tiffin, Ohio. Petitioner Terry Webb questioned Council as to why it would need to be vacated if he had to give an easement through it and would not be able to use the property. He said that the hill has eroded so badly that he did not know how the City would plan on using it because you cannot get to the river from there. Webb said he was willing to through with the vacation, but he would not give an easement for it. Councilmember Thacker said at one point they had discussed being on the fence about the easement, but her understanding was that City Engineer Watson wanted an easement in case we had to work on the sewer project there but without knowing the full scope of it yet. However, Council would be willing to discuss adjusting around before passing the legislation if Webb was willing to go forward with the vacation and the City was willing to go forward without the easement. Webb said he was in agreement since the City owns the two adjacent properties, and he questioned why we would need an 8 ft. easement when there is 200-300 feet past there. Director of Law Fowler explained that if the City passed the ordinance, there is a standard reservation in it for an easement for any existing facilities such as a utility pole. This is required by statute and is separate and different from any other easements since privately owned utilities have the right to use public right-of-ways. If we vacate that public right-of-way, we have to keep an easement for any already existing facility. There being no further discussion, the Public Hearing was closed at 7:07 p.m.

**MINUTES:** The August 5, 2024 Regular and Committee of the Whole meeting minutes were approved as written.

**COMMITTEE REPORTS:**

Councilmember Thacker reported that a Streets, Sidewalks, and Sewers Committee meeting was held on August 12, 2024 at 5:30 p.m. in Council Chambers. Attending were committee members Cheyane Thacker, Aaron Jones, Scott Hoernemann, Kevin Roessner, and Dennis Snay, along with Law Director Zach Fowler, Mayor Lee Wilkinson, City Administrator Nick Dutro, and City Engineer Matt Watson. Thacker called the meeting to order. The purpose of the meeting is to discuss Mayor’s Request for Legislation #24-37 regarding an OPWC Funding Request and any other business that may come before them. Watson gave the committee information regarding Mayor’s Requests for Legislation #24-37. The city needs to submit an application to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement Program for CSO 9-13 & 15 Inflow Reduction Project and Point Repairs. This is part of the Ohio EPA mandated Long Term Control Plan. Roessner motioned to have the Law Director prepare legislation. Jones seconded the motion. The motion passed 5-0. Hoernemann brought up concerns about parking by the East Green Amphitheater. With no further business the committee adjourned at 5:47 p.m. Respectfully submitted, Cheyane Thacker, Chairperson.

No additional Committee of the Whole was scheduled.

**REPORTS OF THE OFFICERS:**

**MAYOR LEE WILKINSON:**

Mayor Wilkinson reported that there were several events on Thursday, August 22:

* The American Red Cross Blood Drive will be held at Job and Family Services. Appointments required.
* Celebration of the 100th anniversary of the Zenobia Shrine Club of Tiffin will be held with a BBQ at AMVETS.
* The annual Taste of Tiffin will be held at the library parking lot, followed by the Battle of the Bands at the East Green Amphitheater with Tiffin University, Heidelberg University, Tiffin Columbian and Calvert.

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He also advised that Aqua Ohio has announced that residents with lead or galvanized steel service lines will get a notice in the mail, and they will work with the affected property owners to replace them at no cost. Where the service line is already known not to be lead, it will not be replaced.

**CLERK OF COUNCIL ANN FORREST:** No report.

**DIRECTOR OF FINANCE KATHY KAUFMAN:**

Director of Finance Kaufman explained that suspension was being requested for Ord. 2024-71 for the Park Dept. to cover the shortage for the water bill as well as for temporary staff wages through the month of October including the 1% increase and other expenses that were not budgeted for. We are also paying the more experienced staff a little more.

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

Total Receipts for the month: $3,788,420.35

Total Expenses for the month: $3,431,509.67

The General Fund unencumbered balance: $5,514,144.21

The income tax receipts for July 2024 were $925,915.42. The total annual decrease in income tax receipts for July 2024 compared to July 2023 is $75,630.53. Year to date receipts are up 5.29%.

The .25% portion of income tax receipts that was transferred into fund 215 for public streets for July 2024 is $113,963.27.

The unexpended balance for all funds is **$39,639,164.28** which is the same as the bank balances for the same time

period.

Councilmember Roessner moved to accept the July 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 reported that there were over 400 changes to the Codified Ordinances update. The website has been updated, and the ordinance will be presented at the next meeting to pass the changes, including those passed by the state regarding criminal offenses.

**WRITTEN COMMUNICATIONS:**

Mayor’s Request for Legislation #24-38 – Revisions to 143.05 – Rates for Ambulance Service

 *Referred to Finance Committee.*

Mayor’s Request for Legislation #24-39 – Appointment to the Tiffin Municipal Arts Commission (Karla Kash)

 *Referred to Personnel & Labor Relations Committee*

Finance Director’s Request for Legislation #F24-41 to approve a credit limit change for the police department

 within the City’s Credit Card Policy.

 *Referred to Finance Committee.*

Finance Director’s Request for Legislation #F24-42 to amend the 2024 Budget Ordinance 23-94 to appropriate

 Funds into the Park Budget. ($15,000.00 + $2,700.00)

 *On file in Clerk of Council’s office; legislation prepared under Ord. 2024-71.*

Finance Director’s Request for Legislation #F24-43 to amend the Budget Ordinance 23-94 to appropriate funds

 into the Police, Dispatch and Fire Budgets. ($13,707.50)

 *On file in Clerk of Council’s office; legislation prepared under Ord. 2024-70.*

Finance Director’s Request for Legislation #F24-44 to amend the Budget Ordinance 23-94 to appropriate funds

 into the Park Budget. ($6,000.00)

 *On file in Clerk of Council’s office; legislation prepared under Ord. 2024-71.*

Letter from Director of Law Fowler dtd August 13, 2024 re Proposed Amendment to Ordinance 2024-48.

 *On file in Clerk of Council’s office.*

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**ORAL COMMUNICATIONS:**

Tiffin Municipal Arts Commission Chair Ryan Poignon updated Council on changes made to their Wing Project in cooperation with the Suicide Prevention Coalition. They had previously requested Council to use money from the City’s “Squirrel Fund” for the original project for ten selfie wings. Poignon said that after listening to Council’s concerns, they have reduced it to doing two for this year and make them part of a larger project to be developed over a few years. Poignon presented the two designs, both entirely metal. The first was designed by Suicide Prevention Coalition and depicts two hearts and hands in the shape of wings; it will be located at Hedges-Boyer Park. The second design was created by Bam Signs and Fabrication and is an elaborate set of eagle wings that will be at Frost Parkway. A plaque with inspiration quotes and links to mental health resources will be paired with each sculpture. The updated project would cost $11,000 with $9,500 going to the sculptures and plaques and $1,500 towards the installation. Poignon will attend next Monday’s Law and Community Planning Committee meeting for further discussion.

Jay Castler expressed his concern about City water contamination and asked Council how to get his water tested. Mayor Wilkinson said Heidelberg University’s Water Lab might do independent testing, and Director of Law Fowler suggested Hempy or Culligan. He noted that water is a private utility provided by Aqua, not the City.

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Brent Busdecker introduced himself to Council as candidate for Seneca County Commissioner.

**MOTIONS:**

1. Councilmember Hoernemann moved to amend Ord. 2024-48 correcting the acreage to 79.276 acres; Councilmember Roessner seconded.

*Discussion: Director of Law Fowler explained that this was a typo as it was originally thought to be more.*

Voice vote was taken, and motion was approved 7-0.

**RESOLUTIONS:**

**Resolution 2024-34**, introduced by Kevin Roessner and read for the first time.

A RESOLUTION accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency.

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

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

**Resolution 2024-35**, introduced by Cheyane Thacker and read for the first time.

A RESOLUTION authorizing the Mayor to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required and declaring an emergency.

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

*Discussion: Councilmember Thacker explained that they are in the process of applying for a grant and 0% loan, and there is a tight deadline.*

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

**Resolution 2024-36**, introduced by Cheyane Thacker and read for the first time.

A RESOLUTION authorizing the City Administrator to prepare and submit an application to participate in the Urban Waters Federal Partnership tree planting grant and to execute contracts as required and declaring an emergency.

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

*Discussion: Councilmember Thacker explained that Brandon Burner approached with the possibility of a $3,600 additional grant for the project. Law Director Fowler said ODNR required submission this week.*

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

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**ORDINANCES:**

**Amended Ordinance 2024-48**, introduced by Scott Hoernemann and read for the third 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.

Councilmember Hoernemann moved for passage; Councilmember Roessner seconded.

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

**Amended 2024-49**, introduced by John Kahler and read for the third 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.

*Discussion: Councilmember Hoernemann stated that the biggest changes he found were changes to the criteria for outbuildings such as their taking up a maximum of 30% of the lot and cannot be higher than 18 ft. or the height of the primary building. Also, the size of the outbuilding cannot be larger than the square footage of the square footage of the primary dwelling. Director of Law Fowler added that the enactment of this residential infill development standard was done with the goal of new housing development in existing neighborhoods to look similar to what is already there for some cohesiveness to that neighborhood.*

Councilmember Kahler moved for passage; Councilmember Snay seconded.

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

**Ordinance 2024-61**, introduced by Scott Hoernemann and read for the second time.

AN ORDINANCE naming the Ella Street Bridge for Rich Focht.

**Ordinance 2024-62**, introduced by Scott Hoernemann and read for the second time.

AN ORDINANCE accepting annexation to the City of Tiffin of a parcel of land being 79.276 acres, more or less, in Section 7, Township-2-North, Range-15-East of Clinton Township on the petition of the owners of said real estate.

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

*Discussion: Councilmember Hoernemann explained that this ordinance piggybacked on Amended Ord. 2024-48 to finish up the annexation.*

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

**Ordinance 2024-63**, introduced by Kevin Roessner and read for the second time.

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

**Ordinance 2024-65**, introduced by Cheyane Thacker and read for the second time.

AN ORDINANCE authorizing the Mayor to accept an amended sewer easement and take all actions necessary to acquire easement rights for real property located at 11 Indian Lane.

**Ordinance 2024-66**, introduced by Cheyane Thacker and read for the second time.

AN ORDINANCE responding to Petition No. 2024-03 vacating the alley off of Front Street running East/West between Lot No, 285 of Heming’s Resurvey and Lot No. 409 of the Western Addition to the City of Tiffin in the Fourth Ward of the City of Tiffin, Ohio.

*Discussion: Director of Law Fowler asked for opinions regarding the petitioner’s request during the public hearing to remove the sewer easement. Councilmember Thacker said she was fine with removing it because they had been on the fence in committee about reserving it, but if it is such a sticking point with the petitioner she felt it would be beneficial to both parties to remove it. Fowler said no further action was needed because it was not an actual part of the ordinance but a general consensus at the time. Thacker stated she would not require it for her vote. Councilmember Snay asked about any future plans for development that would require sewer lines. City Administrator Dutro said they don’t know what might be needed in the future, but as far as actual underground physical structure, there is probably another path that they can take if needed. He did not foresee that they would be looking to sell the adjacent land since it would be in the City’s benefit to have use of the riverbank and river access. Fowler added that from the meeting with Watson his impression was that it was not critical to have it.*

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**Ordinance 2024-67**, introduced by Cheyane Thacker and read for the second time.

AN ORDINANCE to amend Chapter 902 of the Codified Ordinances.

*Discussion: Director of Law Fowler said City Administration had received some outreach about this, and he anticipated having proposed amendments for the final reading. This would correct some things such as the bond, which is currently $1,000 with a request to increase it to $10,000. The City Engineer was comfortable with this and said if the contractor had 4-5 projects that year they would only need one bond which would be on file in his office for the duration of the year.*

**Ordinance 2024-68**, introduced by Cheyane Thacker and read for the second time.

AN ORDINANCE to amend Section 905.09 of the Codified Ordinances.

**Ordinance 2024-69**, introduced by Cheyane Thacker and read for the second time.

AN ORDINANCE to amend Chapter 936 of the Codified Ordinances.

**Ordinance 2024-70**, introduced by Kevin Roessner and read for the first time.

**A**N ORDINANCE amending the 2024 Budget Ordinance 23-94 to appropriate Ohio EMA grant funds into the

Police, Dispatch and Fire Budgets.

**Ordinance 2024-71**, introduced by Kevin Roessner and read for the first time.

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

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

*Discussion: Councilmember Roessner explained that there were three line items under consideration: $15,000 additional funds to pay the Parks Dept. staff; $6,000 to be appropriated to meet increased water usage; and $2,700 for benefits for park maintenance worker through the end of the year.*

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

**OTHER BUSINESS:**

City Administrator Dutro stated that Ord. 2024-61, regarding the naming of the Rich Focht Bridge, may have to be amended at the next meeting. They are getting quotes for the plaques from local companies, but the expense is not in the current budget.

Councilmember Roessner announced a Finance Committee meeting on Monday, August 26, 2024 at 5:15 p.m. in Council Chambers to discuss Mayor’s Requests for Legislation #24-38 (rates for ambulance service) and #24-41 (credit limit change for the Police Department), and any other business that may come before them.

Councilmember Hays announced a Personnel & Labor Relations Committee meeting on Monday, August 26, 2024 immediately following the Finance Committee meeting in Council Chambers to discuss Mayor’s Request for Legislation #24-39 regarding an appointment to the Tiffin Municipal Arts Commission, and any other business that may come before them.

Councilmember Kahler announced a Law & Community Planning Committee meeting on Monday, August 26, 2024 immediately following the Personnel & Labor Relations Committee meeting in Council Chambers to discuss the Tiffin Municipal Arts Commission’s Wing Project and any other business that may come before them.

**ADJOURNMENT**: 8:00 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