

# FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

NOVEMBER 3, 2020

COUNCIL CHAMBERS

## ROLL CALL of 2020-2021 Councilmembers:

**PRESENT:** Greeno, Haas, Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke, Wobser

**ABSENT:** Russel, Slough

President of Council Harrington pointed out that Councilman Russel and Councilman Slough informed him that they would not be in attendance tonight. Councilman Hellmann moved to excuse Councilman Russel and Councilman Slough, seconded by Councilman Greeno. All were in favor. Filed.

## ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Councilman Wobser moved to accept the October 20, 2020 Public Hearing meeting minutes to rezone 525 and 529 Davis Street via Ordinance No. 2020-113, Councilman Palmer seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Wobser moved to accept the October 20, 2020 Regular Session City Council meeting minutes, Councilman Haas seconded the motion. All were in favor. Motion carried. Filed.

## ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Shindledecker moved to add the following to tonight's agenda, seconded by Councilman Palmer. All were in favor. Motion carried. Filed.

### ADD-ON:

- Letter from Mayor Muryn – Coronavirus Relief Fund (CRF) Local Government Assistance Program (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section*)
- Letter from Mayor Muryn – Hometown Hero Program banners (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section*)
- Ordinance No. 2020-131 – Hometown Hero Program banners (*LEGISLATION section*)

President of Council Harrington lead the meeting with the Pledge of Allegiance followed by a moment of silence.

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**ORAL COMMUNICATIONS:** none

## PETITIONS:

### Zoning amendment request – 726 S Blanchard St

David and Jacquelyn Rader would like to change the zoning of 726 South Blanchard Street to C2 Commercial District. It currently is zoned R4 Duplex/Triplex. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

## WRITTEN COMMUNICATIONS:

### Raise the Bar Hancock County Manager Tricia Valasek

Findlay-Hancock County earned accolades such as the 7<sup>th</sup> Most Dynamic Micropolitan in the nation, the Top Micropolitan in the United States for six (6) consecutive years, and has been selected as an Ohio Best Hometown because of our government, nonprofit, business and economic growth and stability. We align in a mission of financial prosperity and thriving citizens/businesses that enable collective efforts and diversified strategies to propel the community. City Council's investment in Raise the Bar Hancock County for the past five (5) years demonstrates its strong commitment to supporting a high-quality and productive workforce. Since Raise the Bar's economic success depends upon their workforce's skills, talents, knowledge, attitudes and habits, they continually remove barriers to education and training, as well as, foster habits that enable individuals to see themselves as valued, essential persons within society. Throughout the past five (5) years, the City's financial commitment to workforce development allowed Raise the Bar to impact lives on a cradle-to-career continuum, including:

- affording conversations that sparked the goal of implementing FranklinCovey's *Leader in Me* within all nine (9) area school districts by 2025, hoping to foster soft skills and positive attitudes/habits among ten thousand (10,000) youth;
- enabling one thousand (1,000) eighth (8<sup>th</sup>) graders in all area school districts to annually experience first-hand the sights, smells, sounds and products produced by several local manufacturers during the Manufacturing Experience;
- supporting high school students in thoughts about life after graduation, whether their next steps are to attend college, enter the workforce, or receive certifications/credentials; and
- facilitating a new earn-while-you-learn pathway addressing a manufacturing workforce gap (i.e. manufacturing technicians) and allowing adults to jointly work and earn a two (2) year degree.

The achievements and tactics represent merely the tip of the iceberg. Raise the Bar intends to further enhance the local workforce via additional collaborations that will change the system. Raise the Bar believes that training and exciting people for jobs does not occur in a vacuum, nor does the ability to inspire skills and positive habits/attitudes. To get people into the jobs offered by our community (today and in the future), we need to:

- education providers to know which skillsets they should teach students;
- businesses to proactively communicate their workforce needs, as well as to implement a training/growth pipeline whereby employees enter, upskill and retire;
- social service providers to reduce barriers to employment such as mental health challenges, substance use disorders, transportation inadequacies, and housing; and
- government to implement and/or amend policies to make education, training, and support services readily available for all.

We, as a community of tremendous leadership, must continue working in lockstep to make such system-wide changes happen and drive their intended outcomes. Raise the Bar invites Findlay City Council to once again invest in programs and processes that will shape the community's short and long-term workforce. As partners, they strive to further refine and craft their workforce continuum. Raise the Bar kindly requests Findlay City Council to commit one hundred fifty thousand dollars (\$150,000) over the next five (5) years (\$30,000/year for years 2021-2025) toward this workforce development initiative. The progressive strategies identified, implemented and measured will support Findlay's economic vitality and assist Council with fulfilling its responsibilities toward the people of the City.

**Discussion:**

Councilman Wobser informed Council that this letter pertains to Raise the Bar's mission and the support that the City has given to this movement over the last three (3) years. They are asking the City continue that endorsement. While he is not asking that the letter be read because it is a long letter, but is asking Council to read through it as it gives a very detailed view of what Raise the Bar does and how it is contributing to the workforce in Hancock County, specifically in Findlay. Filed.

**Findlay-Hancock County Economic Development Advisory Board October 1, 2020 meeting report.** Filed.

**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:**

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control** for Epicurean Adventures Incorporated, dba Rossillis Restaurant, located at 217 South Main Street, Findlay, Ohio for a D5 liquor permit. This requires a vote of Council.

Robert K. Ring, Chief of Police – Epicurean Adventures Incorporated, dba Rossillis Restaurant, located at 217 South Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

- Margaret E. Rossilli
- Gary W. Rossilli

Councilman Wobser moved for no objections be filed, seconded by Councilman Palmer. All were in favor. Filed.

**Mayor Muryn – Board of Zoning Appeals appointment**

Mayor Muryn is appointing Scott Brecheisen to the Board of Zoning Appeals. Mr. Brecheisen is filling the unexpired term of Brett Gies. This appointments will be effective through December 31, 2023. This appointment requires Council confirmation.

Councilman Wobser moved to accept the appointment, seconded by Councilman Greeno. All were in favor. Filed.

**City Engineer Thomas – Northside Sewer Televising and Lining (CDBG) project #35603400**

This project was included in the 2020 Capital Improvement Plan as part of the City of Findlay 2019 Critical Infrastructure Project. The City did not receive the critical infrastructure grant for the project so it was decided to use the same project to apply for the Community Development Block Grant (CDBG) funds that the City receives every other year. The City has been notified that the project has been approved so the grant funds need to be appropriated into the project. The project will start by televising the sewers on the north side of town bounded by Trenton Avenue on the south, Broad Avenue on the west, Melrose Avenue on the north, and Bolton Street on the east. That area has a large amount of inflow and infiltration (I&I) and by televising the sewer, Engineering will be able to determine if there are sewers that need to be lined or replaced to reduce the I&I. By reducing the I&I the backups that the homeowners are experiencing should be reduced since some of the sewer capacity will no longer be used for stormwater or ground water. The plan is to use any grant funds that are remaining (after the televising is completed), to start lining any sewers in this area that may require it. City Engineer Thomas would like to get the televising part of the project out to bid as soon as possible in order to obtain better pricing. An appropriation from the Capital Improvements Restricted Account for advertising and bidding will be needed at this time. A portion of the grant funds (\$41,400) will end up going to Hancock Regional Planning for administering the grant, and \$3,000 will be paid to Hope House to meet the required fair housing provision of the grant. The remaining funds of \$177,600 will be used for construction. Legislation authorizing the Mayor and/or City Engineer to advertise for bids and enter into contracts for construction and to appropriate and transfer funds is requested. Ordinance No. 2020-125 was created.

FROM:	CDBG Grant Funds	\$222,000.00
TO:	Northside Sewer Televising and Lining (CDBG) #35603400	\$ 222,000.00
FROM:	CIT Funds – Capital Improvements Restricted Account	\$ 500.00
TO:	Northside Sewer Televising and Lining (CDBG) #35603400	\$ 500.00

Discussion:

Councilman Wobser asked what HRPC will do with the forty-one thousand four hundred dollars (\$41,400) that is being requested in this Ordinance. City Engineer Thomas replied that is how CDBG projects have worked long before he came on board with the City. HRPC administers (coordinates) the project by filling out all the paperwork and submitting all the information to CDBG for the City to receive the funds. Councilman Wobser asked if the request is for their administrative fees. City Engineer Thomas replied that is correct. Filed.

**Hancock Regional Planning Commission Grant Administrator Essinger – CDBG Northside Sewer Televising and Lining Fair Housing & Administration project #35603400**

The Hancock Regional Planning Commission (HRPC) is preparing the annual Fair Housing and Administration contracts for the Findlay Hope House and Hancock Regional Planning Commission respectively. Both the Fair Housing Program services and administration services are requirements under the Ohio Department of Development’s Community Development Block Grant (CDBG) program. HRPC will be preparing the yearly Fair Housing and Administration contracts and submitting them to Mayor Muryn for approval. Legislation authorizing the Mayor to execute an agreement with Findlay Hope Housing, as well as legislation authorizing the Mayor to execute an agreement with HRPC to provide services related to the CDBG Allocation Grant PY2020 Grant No. A-F-20-2BM (aka Northside Sewer Televising and Lining Fair Housing & Administration) project no. 35603400 is requested. Resolution No. 030-2020 and Ordinance No. 2020-128 were created. Filed.

**Mayor Muryn – KPIs**

The third quarter Key Performance Indicators or “KPIs” have been compiled and the summary report has been prepared. These are the performance measurements the City monitors for each department on a continuous basis. The full KPI document “Findlay Performs” can be found on the City’s website: <https://www.findlayohio.com/performance>. These KPIs are a critical tool the City uses to measure service delivery and operational effectiveness. They indicate the progress towards goals set for continuous improvement. Any ideas on other valuable KPIs that Council would like to have considered should be emailed to Mayor Muryn or can set up a time to discuss. Filed.

**City Planning Commission agenda – November 12, 2020; minutes – October 8, 2020.** Filed.

**Law Director Rasmussen – additional funds for 2020 Legal/Financial Services object code 441400 via Ordinance No. 2020-127**

Thirty thousand dollars (\$30,000.00) was requested in July via Ordinance No. 2020-085 to pay for unknown and upcoming invoices for outside legal counsel services on outstanding cases the City of Findlay is involved with. Those funds that City Council approved back in July have already been encumbered and additional invoices have arrived and need to be paid. Law Director Rasmussen is requesting additional funds for unforeseen invoices on these matter, as well as future litigation matters that still may arise yet this year. The Law Director’s budget for legal/financial services has far exceeded its original budget amount of fifty thousand dollars (\$50,000.00) that was encumbered back in July. In fact, it has about doubled that amount for this year, not including outside legal counsel services rendered for the proposed detox facility. Thirty thousand dollars (\$30,000.00) is requested to be appropriated from the General Fund to the Law Director Department #21005000-other via Ordinance No. 2020-127. Ordinance No. 2020-127 was created.

FROM:	General Fund	\$ 30,000.00
TO:	Law Director #21005000-other	\$ 30,000.00

Filed.

**City Auditor Staschiak – Coronavirus Relief Fund HB 614**

House Bill 614 was signed into law by the Governor that allowed the latest round of Coronavirus Relief Fund (CRF) allocations to be distributed to each county for further dissemination each political subdivision. The distribution formula for this allocation was based upon population rather than using the local government funding allocation like the previous two (2) distributions. The City of Findlay received one million four hundred eighty-five thousand five hundred seventy-three dollars and fifty-six cents (\$1,485,573.56) on October 15, 2020 from the HB 614 allocation. City Auditor Staschiak has already filed an amended certificate of resources with the County Budget Commission. Legislation is needed to appropriate the most recent allocation is requested as follows:

FROM:	Coronavirus Relief Fund (HB 614)	\$ 1,485,573.56
TO:	Coronavirus Relief (CRF) #22099000-other	\$ 1,460,083.40
TO:	Coronavirus Relief (CRF) #22099000-personal services	\$ 25,490.16

Part of the CRF funds have been used to cover unemployment costs for employees that had previously left City employment but had been either temporarily or permanently laid off during the pandemic. Because the City is a direct reimbursing employer and are in the employment history of these individuals, the City receives an invoice for a portion of their unemployment. Unemployment expenses fall into the City’s “Personal Services” category when budgeting; however, all funds had been appropriated to the “Other” category until now. Part of this new appropriation is being requested to cover the unplanned unemployment amount. This HB also extended the “date of encumbrance” to November 20, 2020. The City either must have expended encumbered the reaming unspent funds by this date or return them to the Hancock County Auditor for redistribution. This holds true for the County as well as the townships and villages in Hancock County. If the City uses or encumbers all of the funding by this date, we are then eligible for a redistribution of what was returned and unused by the other entities. At this time, it is unknown what the redistribution amount could be and there are two (2) different allocation formulas that could be used depending on how many entities are eligible for redistribution. The redistributions are supposed to occur by November 25, 2020. Mayor Muryn, Councilman Wobser, Deputy Auditor Sampson and City Auditor Staschiak have already met and are researching some other avenues to utilize the redistributed funds in the best and most time efficient manner possible.

The US Treasury's Office of the Inspector General, US Department of Treasury, State of Ohio Office of Budget and Management, Ohio Auditor of State's Office, IRS, as well as others, have made continuous changes and have updated guidelines, FAQs and interpretations, sometimes conflicting each other. Every dollar spent must be well documented, meet all of the guidelines, and be able to pass audits by any Federal or State entity. All guidance has been very clear stating that this funding cannot be used to replace lost revenue due to the pandemic. It has been a frustrating and confusing process for Governmental Finance Officers not only locally, but also nationally. The City has received two million three hundred thousand twenty-one thousand eight hundred eighteen dollars and seventy-five cents (\$2,321,818.75) of CRF allocations to date. As of October 22, 2020, approximately three hundred six thousand three hundred dollars (\$306,300.00) has been spent or encumbered. The Federal agencies finally released clarifying documentation on the use of the funds for public safety personnel. In order to be able to move forward with the wage expense reimbursement of the City's Police and Fire Department employees, a few more steps of documentation need to be completed:

1. Council will need to adopt legislation with specific wording on the use of the current funds for safety personnel.
2. A proclamation from Mayor Muryn will need to mirror Council's legislation.
3. Law Director Rasmussen will need to provide an undated legal opinion covering specific points.

The legislation referenced in point 1 is part of Council's packet and needs to be adopted by Council during the November 3, 2020 City Council meeting. Points 2 and 3 have been completed. In addition, the City Auditor's Office has already gathered the needed payroll documentation and have done the calculations to be able to exhaust all currently remaining funds by the November 20, 2020 deadline. Legislation to appropriate the most recent allocation, suspend statutory requirements and give both pieces of CRF legislation all three (3) readings during the November 3, 2020 City Council meeting, as well as adopt the legislation as an emergency is requested. Ordinance No. 2020-129 was created. Filed.

#### **Mayor Muryn – Resilience Program**

Non-profit organizations are critical to the stabilization and recover of the community when continuing to navigate the COVID-19 pandemic. These organizations are on the front lines providing not only safety net services in the community such as food, housing, childcare and mental health services, but also delivering the arts, workforce development, youth initiatives and other important services for residents. While supporting the community through this crisis, non-profit organizations throughout Hancock County have also been impacted significantly by this pandemic. Recognizing the important role of those community partners, Mayor Muryn has been working with various non-profit and community funding organizations to determine how the best use of CARES funds to support local non-profit organizations can be facilitated. Mayor Muryn recommends an appropriation of up to five hundred thousand dollars (\$500,000) of any funds received as part of the redistribution of County CARES funds towards the establishment of The Findlay-Hancock County Resilience Program. The implementation of this fund will help provide stability to 501(c)(3) non-profit organizations by assisting with the additional costs incurred and mitigate some of the losses those organizations continue to face as a result of COVID-19. This funding will be managed in accordance with all applicable State and Federal restrictions and will allow non-profit organizations to continue providing important services to all who reside in Hancock County. Legislation has been created for this in order to notify, as soon as possible, local non-profits of this opportunity. Mayor Muryn recommends this fund be overseen by a Grant Review Board made up of the following individuals:

- The Findlay-Hancock County Community Foundation representative
- United Way of Hancock County representative
- Mayor of the City of Findlay
- Appropriations Committee Chair or their designee
- Hancock County Commissioner or a designated County Elected Official
- Hancock County Township Association representative

A draft application based off of the City of Columbus's application that they have used for this same purpose was prepared. Mayor Muryn requests that the application be reviewed and approved by the APPROPRIATIONS COMMITTEE to expedite the release of it to eligible entities. Legislation authorizing the Mayor to appoint the aforementioned representatives to the Grant Review Board; authorizing the APPROPRIATIONS COMMITTEE to review and approve the application process; and appropriate funds is requested. Ordinance No. 2020-130 was created. Filed.

#### **Law Director Rasmussen – amended legal opinion**

Based upon the recent guidance updates from the Office of the Inspector General (OIG), as well as the United States Treasury guidance, a review and update, if necessary of Law Director Rasmussen's previous legal opinion 2020-1 was requested and for him to render a legal opinion regarding whether the Coronavirus Relief Fund (CRF) can be used to meet payroll expenses for public safety, public health, health care, human services and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-29 health emergency. In rendering his opinion, he has revised the following documents reviewed in Opinion 2020-01:

- Coronavirus Relief Fund (CRF) Local Government Assistance Program Guidance dated 07/09/20. OBM (Exhibit A)
- Coronavirus Relief Fund (CRF) 2020 CFR-HigherEd. US Department of Treasury undated. (Exhibit B).
- Coronavirus Relief Fund, Guidance for State, Territorial, local, and Tribal Governments – updated June 30, 2020. (Exhibit C).
- Coronavirus Relief Fund, Guidance for State, Territorial, local, and Tribal Governments – updated July 8, 2020. (Exhibit D).
- Coronavirus Relief Fund, Guidance for State, Territorial, local, and Tribal Governments – updated August 10, 2020. (Exhibit E).
- Findlay Fire Department, 2020-Special Studies Report-COVID (Exhibit F).
- Mayoral letter, dated July 27, 2020. (Exhibit G).
- Office of Budget and Management, Coronavirus Relief Fund Local Assistance Guidance dated July 22, 2020. (Exhibit H, H-1).

He has also reviewed the following updated materials:

1. Revised guidance OIG-CA-20-028 dated September 21, 2020; and
  2. United States Treasury "Guidance for State, Territorial, Local, and Tribal Governments" dated September 2, 2020, and
  3. United States Treasury "Frequently Asked Questions" updated as of October 19, 2020.
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1. Revised guidance OIG-CA-20-028 from the Office of the Inspector dated September 21, 2020 provides as follows:
    - A City **will not** have to demonstrate and/or substantiate that a public health or public safety employee's function and/or duties were **substantially dedicated to mitigating the emergency, however, but City must maintain records and documentation supporting payroll amounts reimbursed using CRF proceeds.**
    - That these documentation requirements apply to supporting payroll reimbursement amounts using CRF proceeds and not to support the presumption that public health and safety payroll is substantially dedicated to mitigating the emergency.
    - The City **will not** have to **demonstrate and/or substantiate** that a budgeted public health or public safety employee's function was a **substantially different** use.
    - A City is not required to perform an analysis or maintain documentation of the substantially dedicated conclusion for payroll expenses of public safety, public health, health care, and human service employees.
  2. United States Treasury "Guidance for State, Territorial, Local, and Tribal Governments" updated September 2, 2020.
    - Under Section titled "Supplemental Guidance on Use of Funds to Cover Payroll and Benefits of Public Employees" this guidance reflects the intent behind the Fund, which was not to provide general fiscal assistance to state governments but rather to assist them with COVID-19-related necessary expenditures. With respect to personnel expenses, **the Fund was not intended to be used to cover government payroll expenses "generally". However, the Fund was intended to provide assistance to address increased expenses, such as the expense of hiring new personnel as needed to assist with the government's response to the public health emergency and to allow recipients facing budget pressures not to have lay off or furlough employees who would be needed to assist with that purpose.** The City of Findlay is currently experience a significant downturn in revenues in and across all departments of the City. City Departments are being asked to do more with less. However, Police and Fire Departments, being high personnel cost departments, are limited to the amount that can be cut without implementing layoffs.
    - Treasury has supplemented this guidance to clarify that **public safety employees would include police officers (including state police officers), sheriffs and deputy sheriffs, firefighters . . . "**
    - Subsection titled "Covered Benefits." "Covered benefits include, but are not limited to, the costs of all types of leave (vacation, family-related, sick, military, bereavement, sabbatical, jury duty), employee insurance (health, life, dental, vision), retirement (pensions, 401(k)), unemployment benefit plans (federal and state), worker's compensation insurance, and Federal Insurance Contributions Act (FICA) taxes (which includes Social Security and Medicare taxes).
  3. United States Treasury "Frequently Asked Questions" updated as of October 19, 2020.
    - With regard to payroll for public safety the question arises "may an employee's entire payroll cost or just he portion of time spent on mitigating or responding to the COVID public health emergency be considered?" To which the United States Treasury responded in the affirmative. **"As a matter of administrative convenience, the whole cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020.**
    - In accordance with OBM, it is up to each jurisdiction to define its own thresholds of **substantial dedication** and document the justification for that decision. The State fund is designed to provide **ready funding** to address unforeseen financial needs and risks created by the Covid-19 public health emergency. For this reason, and in light of the emergency nature of this program, a local Government may **"presume" that the payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency and shall not be disturbed, absent the Mayor determining otherwise. In this case, however, the Office of Budget and Management need not presume substantial dedication as it is substantiated by the records. The actions of the Findlay Fire Department and Police Department are well documented and are set forth in Exhibit F attached hereto and incorporated herein. These first responders are substantially dedicated.**
    - Finally, OBM guidance states that for administrative convenience, emergency responders that are **categorized as spending a majority of their time dealing with potential COVID-19 related incidents are substantially dedicated.**

It is the opinion of Law Director Rasmussen that the City of Findlay is well within their authority to use CRF funding to meet payroll expenses for all public safety, public health, health care, human services, and similar employees whose services are **substantially dedicated** to mitigating or responding to COVID-19 public health emergencies. This concurs with his previous legal opinion 2020-01.

This opinion is subject to any substantial amendments or changes to the Coronavirus Funding (CRF), the Cares Act or any significant changes in guidance from the Ohio Office of Budget and Management and/or US Department of the Treasury. However, at this point in time, the matter of funding public safety services substantially dedicated to mitigating or responding to the COVID-19 public health emergency seem well settled. Filed.

**Mayor Muryn – Coronavirus Relief Fund (CRF) Local Government Assistance Program**

Mayor Muryn is providing this letter as a fulfillment to one of the requirements for using Coronavirus Relief Fund (CRF) Local Government Assistance Program as a follow up to the July 14, 2020 APPROPRIATIONS COMMITTEE meeting, her August 12, 2020 letter, as well as various other communication over the previous few months. This letter in conjunction with Council Legislation and a legal opinion from the Law Director satisfy the documentation requests set forth by the Office of Inspector General of the U.S. Treasury. Per this documentation requests set for t by the Office of Inspector General of the U.S. Treasury. Per this guidance, the Chief Executive must make a proclamation as to the eligibility of personnel expense. Per all Federal and State Guidance as of October 28, 2020, safety service payroll expenses are on eligible expense under the fund, therefore, this document serves as notification of her intention to utilize a portion of said funds towards the payroll of Findlay Police Department Patrol Officers and Findlay Fire Department Line Firefighters. Up to this point, per the wish of Council and at the direction of the Administration, the City has been using the funds to make eligible purchases such as, but not limited to personal protective equipment and items to telework. Additionally, the funds have been used to cover unemployment, overtime related to COVID-10, employee use of federally mandated FFCRA leave, and other similar items. Per the July 14, 2020 APPROPRIATIONS COMMITTEE meeting and previous discussions, it is the desire of Council and the Administration to use the remainder of funds towards wage reimbursement for public safety services as allowed by all applicable guidance. Due to the substantial dedication, more than fifty percent (50%) of their time, due to their constant interactions with the public and unknown factor of exposure, and significant change in use related to the City’s safety services in response to the COVID-19 pandemic, these expenses are considered to be unbudgeted as per the most recently adopted budget for the City of Findlay which was adopted on January 7, 2020. Filed.

**Mayor Muryn – Hometown Hero Program**

The City of Findlay ordered banners for the Hometown Hero Program. Participants in the program paid a fee to the City to cover the costs of the banners which has been deposited into the General Fund. An appropriation of these funds is requested at this time. Ordinance No. 2020-131 was created.

FROM: General Fund \$ 7,866.83  
TO: Mayor’s Office #21002000-other \$ 7,866.83

Filed.

**COMMITTEE REPORTS:**

An **AD HOC COMMITTEE** met on October 26, 2020 to discuss the Designated Outdoor Refreshment Area (DORA).

*We recommend to proceed with the DORA application.*

Councilman Hellmann moved to adopt the committee report, seconded by Councilman Palmer.

Discussion:

Councilman Wobser pointed out that the committee minutes mention expanding the DORA boundaries to the Fern Café and the West End Tavern and asked if those are included in this. Mayor Muryn replied that at this point, those are not included. The recommendation of the Ad Hoc Committee is to limit to the DFID boundaries because a sanitation plan is already in place in the DFID area and then they can look at expanding it as they see how it operates.

All were in favor. Filed.

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 030-2020** (CDBG – fair housing services agreement) **requires three (3) readings** **first reading**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY BEGINNING NOVEMBER 1, 2020.

First reading of the Resolution.

**RESOLUTION NO. 031-2020** (No PO) **requires one (1) reading** **first reading**

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

First reading of the Resolution.

**ORDINANCES:**

**ORDINANCE NO. 2020-119** (*Blanchard River Greenway Trail Extension (PID 106715)*) **requires three (3) readings** **third reading - adopted**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-119 and is hereby made a part of the record.

**ORDINANCE NO. 2020-121** (*salary ordinance*) **requires three (3) readings** **second reading**  
AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2019-086, AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2020-124** (*Zoning map updates*) **requires three (3) readings** **second reading**  
AN ORDINANCE REPEALING THE CURRENT ZONING MAP INCLUDED IN THE CURRENT ZONING CODE CHAPTER 1101 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ADOPTING, APPROVING, AND INCORPORATING A REVISED ZONING MAP, ATTACHED HERETO, AS IF FULLY REWRITTEN HEREIN.

Second reading of the Ordinance.

**ORDINANCE NO. 2020-125** (*Northside sewer televising & lining (CDBG)*) **requires three (3) readings** **first reading - adopted**  
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION COSTS ASSOCIATED WITH THE NORTHSIDE SEWER TELEVISIONING AND LINING (CDBG) PROJECT NO. 35603400, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Hellmann noted that the Service Director Thomas requested this Ordinance be passed tonight in order to obtain better pricing for the City.

Councilman Hellmann moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Greeno.

Ayes: Haas, Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke, Wobser, Greeno. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke, Wobser, Greeno, Haas. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-125 and is hereby made a part of the record.

**ORDINANCE NO. 2020-126** (*BRWP \$5,000/year renewal for three (3) years*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO EXTEND ITS FINANCIAL COMMITMENT TO THE BLANCHARD RIVER WATERSHED PARTNERSHIP (BRWP) OF FIVE THOUSAND DOLLARS (\$5,000.00) PER YEAR FOR CALENDAR YEARS 2021 THROUGH 2023, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-127** (*Law Director budget - more funds for legal svcs (pending litigation & proposed detox facility)*) **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-128** (*HRPC provide CDBG program*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-129** (*Coronavirus Relief Fund HB 614*) **requires three (3) readings** **first reading - adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Wobser moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Haas. Ayes: Niemeyer, Palmer, Shindledecker, Warnecke, Wobser, Greeno, Haas, Hellmann. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Palmer, Shindledecker, Warnecke, Wobser, Greeno, Haas, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-129 and is hereby made a part of the record.

**ORDINANCE NO. 2020-130 (Resiliency Fund – Coronavirus Relief Fund) requires three (3) readings**

**first reading - tabled**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO APPOINT REPRESENTATIVES TO SERVE AS THE GRANT REVIEW BOARD, AUTHORIZING THE CITY OF FINDLAY'S APPROPRIATIONS COMMITTEE TO REVIEW AND APPROVE THE APPLICATION PROCESS OF RESILIENCE PROGRAM (aka) CORONAVIRUS RELIEF FUNDS, APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Wobser moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Greeno. Ayes: Shindledecker, Warnecke, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Shindledecker.

**Discussion:**

City Auditor Staschiak asked Council if the Ordinance that appears in the Council packet is correct to appropriate five hundred thousand dollars (\$500,000.00) from the Coronavirus Relief Fund (HB614) to the Findlay-Hancock County Resiliency Program and stated that if it is, Council cannot pass it as it is a violation of Ohio Law because there currently is no money in the fund to appropriate and money has not been redistributed from the County at this time. Councilman Wobser noted that he and City Auditor Staschiak had already discussed that this was the way they were going to handle it and asked if he did not interpret that correctly. City Auditor Staschiak replied that Councilman Wobser's memory of that conversation differs from his in that what they had talked about was that if Council appropriated the funds tonight that were given to the City by the Federal Government through the State of Ohio, that the wages that the Mayor advocated for months totals in excess of two million three hundred thousand dollars (\$2,300,000.00). Right before tonight's meeting, in emails to Councilman Wobser and the Mayor he also mentioned that there was issues in the way this legislation was written based on their conversations and that in order for this legislation to work, that this appropriation part of it will have to be taken out and will be subject to the APPROPRIATIONS COMMITTEE report. When the City received the redistribution from the County and learned what the final redistribution amount was, that at that point in time, it would be known how much money there would be to appropriate in another ordinance and would then move forward with appropriating the funds. Council has appropriated every dollar that has been received from the Federal Government up to this point. There is no money in the Coronavirus Relief Fund to appropriate, nor has he received any additional funds, nor has he been notified that there are any additional funds. Once he is notified, he will then have to file a certificate with the County for the money for the prior appropriation. He recommended that Council not pass this Ordinance as it is putting the cart before the horse. He encouraged Council to not only get the City Auditor's Office involved with this, but also gain an understanding of the process before un-tabling it and moving forward with it. He recommended that Council table it and then move forward when the money is redistributed from the County. Councilman Wobser asked if the City will still be able, at that point in time, to meet the timelines on it. During his discussions with City Auditor Staschiak, it was stated that this needs to happen so that it can be pushed through because of the timeline. City Auditor Staschiak replied that the last timeline he reviewed and after he worked with Deputy Auditor Sampson on it, he then sent an email stating that they needed an updated timeline. He has not seen that timeline, so he cannot answer that. He received some documents late today that he still needs to review. The City Auditor's Office needs a reasonable amount of time to do the job that is necessary and reasonable to move forward properly.

Mayor Muryn agreed with City Auditor Staschiak, and that she wanted to get this in front of Council to start a discussion on it so that Council was made aware of it, as well as be able to start communications with non-profit organizations in the community. She requested Council table it until additional information is obtained and after discussions about the application process have taken place. She will then come back to Council so that all of the pieces of information from the review and approval are available. Once the funds are utilized in the community, there still may be some funds coming back to the County Treasury which will then be re-distributed to entities that have used up all of their funds. It will allow the City to look what amount of funds will be coming from the County Treasury and then determine how to reallocate them to the community. She recommended putting those funds to non-profit support. There will be an application process that she has been discussing with the Community Foundation because of their connections with the City of Columbus in Cuyahoga County who has done this over the last couple of months. She hopes to have further details at the next Council meeting detailing how much money the City will be able to put towards this and what the application process will look like. As stated in this Ordinance, she is requesting a board to represent different organizations within the community to make the determination on their behalf. She requested the Ordinance be tabled tonight until the details are worked through. The Ordinance was on the agenda tonight to get it in front of Council so that they are aware of it.

Councilman Wobser apologized for making the motion to suspend the statutory rules and give this Ordinance its second and third readings tonight as he was under the impression that was the desire of it tonight. He then made a motion to table the Ordinance, seconded by Councilman Palmer. Ayes: Warnecke, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Shindledecker. The Ordinance was tabled.

**ORDINANCE NO. 2020-131 (Hometown Hero Program) requires three (3) readings**

**first reading  
adopted during NEW BUSINESS**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.



**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

President of Council Harrington noted that he was absent for the last City Council meeting because of a false positive result of the Coronavirus of himself and his family. Everyone involved was fine before, during, and after the crisis. He did not want to put anyone in harm's way, so that is why he was absent.

**NEW BUSINESS:**

Councilman Wobser: **APPROPRIATIONS COMMITTEE** meeting on November 10, 2020 at 5:00pm in the third floor conference room of the Municipal Building (CR1)

agenda: Resiliency fund via Ordinance No. 2020-130

Discussion:

Councilman Wobser mentioned that details of the Resiliency Fund mentioned by Mayor Muryn tonight will go through the process, will prioritize funds and how they will be given out in hopes to have it available next week in time for the committee report in the next City Council packet. He asked Mayor Muryn if that will be enough time to get the documents back. Mayor Muryn replied yes. Councilman Wobser informed Council that the process that has been used to obtain funds and through working with the City Auditor's Office to make sure that is done correctly has been very difficult. It has not been an easy task because the rules keep changing and how the wording has to be also changes. This may or may not happen depending on the next appropriation from the County. If it does happen, the City will then be ready to go with it. He thanked Deputy Auditor Sampson for all of her work putting this together. There is a lot she has to do to obtain these reimbursements. There is an incredible amount of paperwork involved that causes a great burden on the City Auditor's Office of having to go above and beyond what they normally have to do. He appreciates all the work they have been doing on it. Mayor Muryn echoed Councilman Wobser's comment of thanking the City Auditor and Deputy Auditor for their work on receiving the Federal dollars allocated to the City.

Mayor asked Council to reconsider Ordinance No. 2020-131 (Hometown Hero Program). It is asking for a transfer of funds from the General Fund to the Mayor's Office budget to be able to pay for the Hometown Heroes banners. Those funds have already been received when individuals submitted their applications and paid for their banners and now have an invoice that needs paid.

Discussion:

President of Council Harrington noted that those banners are one of the best things he has seen in downtown Findlay in quite awhile.

Councilman Wobser moved to reconsider the Ordinance, seconded by Councilwoman Warnecke. Ayes: Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke. The Ordinance is reconsidered. Councilman Greeno moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke, Wobser. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Haas, Hellmann, Niemeyer, Palmer, Shindledecker, Warnecke, Wobser, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-131 and is hereby made a part of the record.

Discussion:

Mayor Muryn informed Council that the banners will be up November 2020 through January 2021 and then will continue that process throughout the next couple of years. The Mayor's Office is still accepting applications for the next wave of banners that will be up from May 2021 through July 2021 to ensure that they are up on Memorial Day, Independence Day, and Veteran's Day to recognize those that served our country or are currently serving their country. She thanked those Councilmembers and those in the room for their service as the upcoming Veteran's Day holiday is coming up. It has been nice to receive compliments from Findlay citizens on them. They would not be possible if it weren't for her Chief Assistant coordinating the effort and those who served. President of Council Harrington asked if the cost of a banner is one hundred dollars (\$100.00) and if they are available on a first come, first serve basis. Mayor Muryn replied that is correct. President of Council Harrington asked how someone goes about ordering one. Mayor Muryn replied that the applications are available on the City's website by typing in hometown heroes. They are available on a first come, first serve basis for City of Findlay citizens and then will expand that out. Cost is one hundred dollars (\$100.00). Donations are also accepted for those who may not be able to afford one. Fifty (50) of them have already been purchased for the next round of one hundred six (106) total banners in the downtown.

Mayor Muryn informed Council that Raise the Bar will be providing an update on what they have done over the last couple of years at the next City Council meeting. They are requesting a renewed commitment from the City over the next couple of years. She asked Council to be prepared to ask questions during their update and gain an understanding of that organization. Councilman Wobser is the Council representative on that board. They do a lot of great work. One of their key focuses is how to get people back to work and support that within the community.

Mayor Muryn updated Council on the City's current funds in that they are continuing to be managed and are on track in order to be in a good financial position at the end of this year. She will continue to provide updates to Council.

Mayor Muryn informed Council that there continues to be a rise in COVID cases in Hancock County which was to be expected. Efforts will continue to keep numbers low. It is being closely monitored. Governor DeWine mentioned last week about preparing a COVID Defense Team in which she, Health Commissioner Baroudi, Commissioner Bechtol, as well as Dr. Kose from the hospital are monitoring the situation, specifically the hospital capacity. While it is known that citizens are going to get the virus, making sure the hospital can treat those who need hospitalization continually needs to be monitored. She asked Council to continue to advocate for mask wearing, social distancing when possible, health assessments, and if someone is not feeling well to stay away from groups of people.

Councilman Palmer moved to adjourn, seconded by Councilman Greeno. All were in favor. Meeting adjourned at 7:38pm.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT