

## FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

APRIL 5, 2022

COUNCIL CHAMBERS

### ROLL CALL of 2022-2023 Councilmembers:

**PRESENT:** Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke

**ABSENT:** Wisener, Wobser

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

President of Council Harrington opened the meeting with the Pledge of Allegiance and a moment of silence.

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

Councilman Slough moved to accept the March 15, 2022 Regular Session City Council meeting minutes, seconded by Councilman Niemeyer. All were in favor. Motion carried. Filed.

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

Councilman Russel moved to add-on the following on tonight's agenda, seconded by Councilman Palmer. All were in favor. Filed.

#### ADD-ONS:

1. Letter from City Engineer Kalb - Broad Avenue storm culvert repair (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
2. Ordinance No. 2022-030 (**LEGISLATION section**) – Broad Avenue storm culvert repair

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

### PETITIONS:

#### Alley vacation request – portion of McLane Drive ROW

Daniel Stone, Van Horn, Hoover & Associates, Inc., on behalf of the petitioner, Stan Richards is requesting a vacation of a portion of an existing road right of way of McLane Drive, the very southern end of the roadway in the cul-de-sac area. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

#### Zoning amendment request – Technology Drive & Midwest Court

Daniel Stone, Van Horn, Hoover & Associates Inc. on behalf of Fintech Limited & Mardic Investments, Inc. would like to change the zoning of Technology Drive (Lot #11) and Midwest Court (unplatted east of Lot #11) to M2 Multi-Family, High Density. It is currently zoned as C2 General Commercial. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

**ORAL COMMUNICATIONS:** none

### WRITTEN COMMUNICATIONS:

#### Bill Trame – sidewalk on East Melrose Avenue

Bill Trame sent an email to all City Council asking to install a sidewalk on the north side of Melrose Avenue, between the Crawford Station Apartments and the Hancock County Health building because there are numerous residents from many apartment complexes that walk to get groceries and other supplies and there currently is not a sidewalk in that section, forcing pedestrians to walk on the road. The problem is confounded by construction on the south side where the sidewalk is closed for utility work. It is dangerous with so many pedestrians being forced to walk on the road.

Discussion:

Councilman Russel moved to have the letter read, seconded by Councilman Palmer. All were in favor. The Council Clerk read the letter in its entirety.

Councilman Russel feels Mr. Trame raises a good question. Councilman Russel asked some questions about this to the City Engineer, City Law Director, and Hancock Regional Planning Director Cordonnier. There are some City Ordinances that speak to this. His interpretation of the Ordinance is that this should be built out, but City Engineer Kalb's opinion is that a sidewalk does not go in until there is some building on the lot in that area which may not happen for a long time. The street there has been improved within the last ten (10) years. It should have a sidewalk. It deserves more attention. He asked City Council if they should act on Mr. Trame's request and refer this to the STREETS AND SIDEWALKS COMMITTEE and review the City's ordinance on sidewalks and potentially update it for situations like this to have mandatory sidewalks. Sidewalks and carriage walks are high citizen's list of concerns that are brought up to him, especially when building workforce housing close to where the workforce is working (i.e. Tall Timbers) so that they wouldn't have to rely on vehicles to get to work. The City should make it easier for them to get to work rather than walking in the street.

Mayor Muryn replied that she does not disagree that the policy that is currently in place should be reviewed for this situation. The goal of the City is to always make sure that there is a safe route, even if it isn't the most convenient route. In this case, there is a sidewalk on the south side that has been previously utilized and developed, but is currently closed for utility work forcing pedestrians to walk into the roadway which is not ideal, but the City cannot force property owners to add a sidewalk in this particular situation. She, City Engineer Kalb, Service-Safety Director Martin discussed this with their department heads and will be discussed further along with a number of other items in a STREETS, SIDEWALKS & PARKING COMMITTEE meeting later this year. Councilman Russel pointed out that the three (3) parcels in that area are owned by one (1) company with an address in Florida. He asked if anyone has reached out to them asking if sidewalks could be put in on their property and if they agree to it, what the cost would be to the City to put them in, and if they can be put in, if the property owner can be charged for them so the City is reimbursed when the property is finally developed or if there are other options. There is a public good for this that the City may not want to wait for the private individual to put the sidewalk in. He asked why it cannot be done if public representatives (City) determine it is a good expenditure of funds and the property owner(s) agree to install a sidewalk. In this case, it is just one (1) property owner for all three (3) affected properties. Mayor Muryn replied that the City has not reached out to this property owner as it is not the practice of the City of Findlay to force individuals, given the current policy that is in place, to force installation or do it on their behalf, nor would she be in favor of it. It is not the City's current policy and could open up a can of worms that she is not interested in. The City Administration would be happy to reach out to them. She appreciates Councilman Russel forwarding the email that was sent to Council last week. The City Administration will reach out to the property owner and will look into it as they realize it is a public threat. In the interim, the AEP is going in and adding steel plating to allow for safe passage outside of the roadway as they complete the construction.

Councilman Palmer noted that pedestrians have already worn a path where a sidewalk would most likely go on the north side of Melrose. Pedestrians will continue to use it until a sidewalk is put in. It will be a muddy mess when it rains. It is being used now. Mayor Muryn replied that grass is nature's carpet and can be walked on. While it is not ideal, the issue will be addressed long-term, but in the interim, being able to walk on grass is suitable given the existing weather condition. She encourages pedestrians to do so and recognizes that it is not ideal and will work to address the root cause, but the City cannot force someone to install a sidewalk just because it's ideal in this exact moment. Councilman Palmer replied that he is not suggesting the City force someone, but do have to move forward on this and get something done.

Councilman Russel asked how a situation like this looks from the perspective of the City's ADA rating considering the City is going to round intersections and do ADA work but yet have a gap like this. He does not believe that ADA would rate grass or worn dirt as being ADA compliant. He asked if the reason ADA does not look at this situation is because the area is not developed even though it is used. Mayor Muryn replied that ADA requires that the City and/or individuals provide a safe route even if it is not the most convenient route which historically the City has in this area. There are temporary utility restrictions that are causing this impediment which is why the City is now working with the utility company to modify the route. ADA typically is the barrier (i.e. carriage walks, etc.) and that the route in this situation is not ideal, so the Administration will review the policy. There is not a good solution for the short term, but are working with the utility company to put in temporary steel plate passage ways and ask those that are able to, to walk through the grass. Filed.

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

**Treasurer's Reconciliation Report** – February 28, 2022. Filed.

**Traffic Commission minutes** –February 22, 2022. Filed.

#### **Fire Chief Eberle – donation from P&A Industries**

P&A Industries, 600 Crystal Avenue, provided a cash donation of three hundred forty dollars (\$340.00) to the Fire Department and mentioned it was from an internal fundraiser with no specific directions or restrictions for the donation. The Auditor's Office requested a letter be submitted to City Council for authorization to place this in the Fire Department budget. Legislation to allocate the donation to the Educational Activity line item (332300) of the Fire Department budget to help the community outreach efforts is requested. Ordinance No. 2022-023 was created. Filed.

#### **Lizzy Essinger, Grant Administrator, Hancock Regional Planning Commission – CHIP 2022 Program**

The Hancock Regional Planning Commission and the Great Lakes Community Action Partnership are applying for the CHIP 2022 Program on behalf of Hancock County in partnership with the City of Findlay. The Community Housing Impact and Preservation (CHIP) 2022 Program will provide \$750,000.00 in grant funding to the community to put towards housing related activities, including emergency home repair and remodeling for low and moderate income persons. Attached is the partnership agreement that is required to be executed between the City and County. In addition to the necessary legal counsel and signatures, a resolution is required to be passed approving the agreement. Legislation authorizing Mayor Muryn to enter a partnership agreement with Hancock County to apply for a combined CHIP application is requested. Ordinance No. 2022-024 was created. Filed.

**City Planning Commission agenda** – April 14, 2022; **minutes** –March 10, 2022. Filed.

**City Engineer Kalb – second Capital Improvement appropriation of 2022**

City Engineer Kalb is requesting to allocate funds for the second Capital Improvement this year for startup money and additional departmental equipment. Legislation authorizing the Service-Safety Director or City Engineer to advertise for bids and enter into contracts, as well as to appropriate and transfer funds as follows is requested. Ordinance No. 2022-025 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 38,000.00
TO:	Police #21012000-other	\$ 38,000.00
FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 360,000.00
TO:	CR 212/CR 236 Widening #32864600	\$ 100,000.00
TO:	HAN-Greenway Trail Phase II PID109009 #31993800	\$ 70,000.00
TO:	Rapid Flashing Beacon at High School #32821300	\$ 15,000.00
TO:	HAN-Interstate and FHS Trails PID115232 #32821400	\$ 20,000.00
TO:	Salt Barn Roof #311921500	\$ 65,000.00
TO:	Cemetery Fence #31921600	\$ 90,000.00
FROM:	Sewer Fund	\$ 40,000.00
TO:	W. Lincoln Street Storm Sewer #35521700	\$ 20,000.00
TO:	Washington Street Storm Upgrades #35512100	\$ 20,000.00

Filed.

**City Engineer Kalb – utility location pickup replacement #25048000**

The City of Findlay’s pickup truck that is used for marking out sewer lines has blown an engine and is currently inoperable. The truck was transported to Ford for evaluation where a couple of other mechanical problems were also found. Ford recommends that the truck be totaled and a new truck be purchased. The truck was taken to Northside Auto and Truck Service for a second evaluation with the same outcome. The purchase of a replacement truck is scheduled for 2023. To ensure that the City of Findlay’s Sewer Maintenance Department can operate to full capacity, the purchase of the new truck will need to be move up to 2022. Legislation to appropriate and transfer funds is requested. Ordinance No. 2022-026 was created.

FROM:	Sewer Fund	\$ 50,000.00
TO:	Sewer Maintenance #25048000-other Replace Utility Location Pickup	\$ 50,000.00

Discussion:

Councilman Russel asked City Engineer Kalb when he would like to have this passed. City Engineer Kalb replied that it does not have to be passed tonight, but would appreciate it being passed at the next meeting. Passing it soon would allow him to secure a vehicle. They have been making current vehicles work for awhile now, so another two (2) weeks will not make much difference. Filed.

**City Engineer Kalb – VHF radio system, project no. 31983000**

The City of Findlay Police Department is wrapping up the VHR radio project and there is one last item that is needed to complete the project. TSC Communication Inc., the City’s current contractor, will need to extend the existing fiber lines to the north and south water towers. In order to accomplish this, a new underground line will be bored on the edge of the roadway and will also need to cross under a set of railroad tracks. TSC Communications has provided the City of Findlay with a quote ninety-three thousand three hundred seventy-five dollars (\$93,375.00) to complete the work. The quoted price will exceed the original bid specs and is greater than the fifty thousand dollar (\$50,000.00) threshold. Since TSC Communications Inc. is currently working on the VHF Radio project, it is desired to use their services to complete the additional work in order a timely manner. Emergency legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into a contract with TSC Communication Inc., as well as waive formal advertising and bidding requirements is requested. Ordinance No. 2022-027 was created.

Discussion:

Councilman Russel asked if this project was miscalculated with not knowing it will go to the water towers. City Engineer Kalb replied that this project has been going on for several years now. The fiber that was installed a couple of years ago is being utilized. When this project was bid out, the fiber loop was not fully installed yet. This is from the Main Street area over to the north water tower, so directional boring will have to be done. The funds have already been appropriated for this project, but the change order puts the contractor over the fifty thousand dollar (\$50,000.00) limit. A lot of changes have taken place since this project began and can utilize the fiber line that was done with the County. Councilman Russel asked if this needs to be passed tonight. City Engineer Kalb replied that the contractor is ready to do the work now and the funds have already been appropriated for it, so this part of it is just a legality issue to make sure the City is staying compliant with everything. Filed.

**City Engineer Kalb - replacement of 2012 ¾ ton pickup truck**

As part of Ordinance No. 2022-017, funds were appropriated for the replacement of a 2012 ¾ ton pickup, but was appropriated to the wrong Sewer account and needs to be available in the Water Pollution Control account to ensure everything is tracked properly. Legislation to transfer funds is requested. Resolution No. 011-2022 was created.

FROM:	Sewer Maintenance #25048000-other	\$ 60,000.00
TO:	Water Pollution Control #25061000-other, Replace 2012 ¾ ton pickup truck	\$ 60,000.00

Discussion:

Councilman Greeno asked if this request is just to transfer money from one account to another account. City Engineer Kalb replied it is. Funds were put into the wrong account. Filed.

**City Engineer Kalb – purchase of five (5) single axle dump trucks**

During the March 24, 2022 Appropriations Committee meeting, it was discussed to secure and purchase five (5) single axle dump trucks at their current price. Five (5) dump trucks are scheduled to be purchased in the upcoming years per the ten (10) year Capital Improvement Plan. Inflation of the trucks and equipment is expected to raise eight to nine percent (8-9%) per year over the upcoming years. It is the desire of the City of Findlay to lock in the current price and purchase these trucks prior to any additional inflation. Legislation to appropriate and transfer funds is requested. Ordinance No. 2022-028 was created.

FROM: General Fund \$ 955,000.00  
TO: Street Department #22040000-other, Single Axle Dump Trucks \$ 955,000.00

Discussion:

Councilman Hellmann asked if this request is to purchase five (5) trucks for nine hundred fifty-five thousand dollars (\$955,000.00). Service-Safety Director Martin replied that is correct. The City’s Public Works Department has budgeted for one (1) single axle dump truck each year in the Capital Plan (snow plow truck that could be used throughout different seasons for different purposes), over the next five (5) years, but with inflation and supply chain and lead times, an opportunity was presented back in November. With the City’s current cash position, we are able to lock in pricing in 2022 to purchase five (5) at one time. There are some municipality opportunities with some plans. After some discussion during the APPROPRIATIONS COMMITTEE meeting last week, it was decided to lock in pricing and purchase all five (5) now. From the start of the discussion of this in November 2021, the lead time went from being able to get trucks in June 2022 to now being the end of 2023 into 2024 before the City can obtain the vehicles. Five (5) vehicles are being replaced that are within the twenty-five (25) year range which shows the City gets the life out of the vehicles because City teams take good care of their equipment. Since starting the replacement process of vehicles, the pricing has increased over fifty thousand dollars (\$50,000.00) for a total package or ten thousand dollars (\$10,000.00) per truck just for the first quarter of this year. Vendors are telling the City that the chassis (driving part of the truck) will be an eight to nine percent (8-9%) increase of inflation year over year, plus the extras that go on the trucks will be another eight to nine percent (8-9%) increase. If the City does not lock in the price now, there will be a two hundred fifty thousand dollars (\$250,000.00) increase each year if purchasing just one truck each year. This request was discussed during the APPROPRIATIONS COMMITTEE and voted on it and wanted it brought to City Council for discussion.

Councilman Russel asked if the money will actually be going out the door since its being appropriated now. Service-Safety Director Martin replied yes it will be. City Auditor Staschiak added that when this project initially came to the City Auditor’s Office for review, the initial thought was that the Administration was going to lease or rent to own the vehicles, but the cost of doing that over a five (5) year period was almost sixty thousand dollars (\$60,000.00) more, so his recommendation was that based on the City’s current cash position, paying cash for them was discussed with the Administration and it was decided to move forward. The Administration had some questions about protecting the City’s strong cash position to which he informed them that there is a potential compromise of internal borrowing with the General Fund loaning the Capital Improvement Restricted Account under the CIT Fund with the Capital Improvement Fund paying back two hundred thousand dollars (\$200,000.00) in increments over five (5) years. The cost of doing that would be market rate of interest to the Capital Fund and approximately seven thousand dollars (\$7,000.00) in attorney fees. By paying cash, it saves all of those fees because it strictly paying cash and moving forward. In both of the two (2) preferred options, the money’s obligated and is off the books for all intent and purpose and will be paid to the vendor who the City purchases the trucks from.

Councilman Russel asked if the City will not see the trucks until 2023-2025 that will be paid for this year. City Auditor Staschiak replied that is correct. They would be paid for upon delivery, but the money will be appropriated and segmented off as the trucks come in. Councilman Russel asked for clarification as the City Auditor stated that the City pays upon delivery. Service-Safety Director Martin replied the funds will be appropriated out of the General Fund now for this project, but due to the lead out time, vendors are telling the City that we will not see a vehicle until August of 2023 with the anticipation of receiving all five (5) vehicles in 2023. Supply chain on every City project since January has been delayed. The vendor can come back with a price increase and delay the delivery which is the reality of what the market is right now. It does not matter if it is chemicals, fertilizer, or trucks. The price needs to be locked in if Council wants to move forward with purchasing them. Councilman Russel asked how many total trucks the City has in this class that perform in this function. Public Works Supervisor Honse (in the audience) replied seventeen (17). Councilman Russel asked if there is any concern of purchasing all these assets at one time with the possibility of their end of life being at the same time. Mayor Muryn replied that the initial plan was not to purchase all five (5) trucks at one time nor was the maintenance plan to decommission them, but there is a range of trucks from twenty years plus (20+) that the City is planning to replace over a number of years. The City is currently looking at their entire fleet’s efficiencies across the Police Department, Public Works, Water, Sewer, etc. The Administration does not have concern replacing these all at one time because she trusts that the City’s team to be able to manage the expense and be able to maintain them to extend their life. The reason the decision is being made to purchase them all at one time is because there is a guaranteed cost savings benefit to the City at this point in time instead of making forecasts in the coming years. Filed.

**City Engineer Kalb – downtown recreation area, project no. 31913700**

The City of Findlay accepted Request for Qualifications (RFQ) on December 17, 2022 for consultant to develop plans for a park and recreation area within the Phase II Benching of the Blanchard River with Strand & Associates being selected to conduct the design of the Downtown Recreation Area. It could take up to a year to develop the design of the Downtown Recreation Area, therefore, it is desirous to begin the development of the plans as soon as possible in order for the designed topography of the area may be implemented as part of the Phase II Benching Project. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into contracts and to appropriate and transfer funds is requested in order for Stand & Associates to get started on the design of the Recreation Area in a timely manner. Ordinance No. 2022-029 was created.

FROM: CIT Fund – Capital Improvements Restricted Account \$ 100,775.00  
TO: Downtown Recreational Area, Project No. 31913700 \$ 100,775.00

Filed.

**City Engineer Kalb – Broad Avenue storm culvert, project no. 3551800**

The City of Findlay Sewer Department recently discovered that the storm culvert going underneath Broad Avenue is collapsing and is needing immediate repair. After discovering a sink hole on the edge of the roadway, the Sewer Department found that the bottom of the corrugated metal pipe has completely rusted through and the pipe is offset in a number of areas. There is concern that there are large voids under the roadway because of the stone and asphalt material at the bottom of the pipe. The City of Findlay Engineering Department developed this project and sent it out of pricing from four (4) potential contractors. Pricing was received from three (3) of the four (4) contractors with Helms and Sons Excavating, Inc. being the lowest and best bid. This section of Broad Avenue is currently closed until legislation is approved for Helms and Sons Excavating, Inc. to begin repair of the culvert on April 6, 2022. Repair is expected to last a day or two with the roadway being safely opened back up to traffic by the weekend. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to enter into a contract with Helms and Sons Excavating, Inc., waiving all formal advertising and bidding requirements, appropriating and transferring funds, and declaring an emergency is requested. Ordinance No. 2022-030 was created.

FROM:	Sewer Fund	\$ 55,000.00
TO:	Broad Avenue Storm Culvert, <i>Project No. 35521800</i>	\$ 55,000.00

**Discussion:**

City Engineer Kalb explained that he received a telephone call from the City’s Sewer Maintenance Department last week that there was a sink hole on the outside of Broad Avenue just north of the church and just south of Bigelow where Dalzell Ditch ties into it. After some investigation of it, the entire bottom of the corrugated metal pipe that runs underneath Broad Avenue is gone, the joints are offset, and the pipe is in bad shape. Photographs of it were taken and are available for review. The bottom of it consists of all stone and asphalt material which came from underneath the roadway. It was determined that this repair needs to be done quickly which includes closing down the road until it is fixed. Four (4) contractors were contacted for pricing. It is uncertain what the condition of the middle of the road is and cannot send anyone in to see what the condition is, nor can a camera be placed in it because of all the debris. Cleaning it could pull more material back out making it unstable. It is unknown what the condition of the middle of the road is until it is dug up. It could be in perfect condition or there could be a very large unforeseen hole. The safest thing to do is to close the roadway down until it is fixed. It currently is closed down. Helms and Sons Excavating, Inc. is the contractor that has been selected who estimated the repair to be forty-eight thousand dollars (\$48,000.00) which includes asphalt. This appropriation request is for fifty-five thousand dollars (\$55,000.00) to cover any unknowns with the project. The contractor is able to start tomorrow if this is passed tonight. It is estimated to take two (2) days to complete the repair of cold patch, then as asphalt plants open up, there will be some lane closures in order to get the asphalt in to get the roadway back into good condition with new pipe. The roadway will be closed down until all repairs are done because of the unknown condition underneath. Filed.

**COMMITTEE REPORTS:**

The **STRATEGIC PLANNING COMMITTEE** met on March 15, 2022 to provide an update on the strategic planning process and to provide Community Outreach Team meeting information.

*We recommend to continue to move forward with the strategic planning process. Next meeting is on April 5, 2022 at 6:00pm in the Council Chambers.*

Councilman Russel moved to adopt the committee report, seconded by Councilwoman Warnecke. All were in favor. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the purchase of trucks.

*We recommend the purchase of five (5) single axle dump trucks and to pay for them out of the General Fund. Ordinance No. 2022-028 was created.*

Councilman Greeno moved to adopt the committee report, seconded by Councilman Niemeyer. All were in favor. Filed.

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 011-2022** (replacement of 2012 ¾ ton pickup truck) **requires three (3) readings** *first reading - adopted*

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

Councilman Greeno moved to suspend that statutory rules and give the Resolution its second and third readings, seconded by Councilman Slough. Ayes: Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke. The Resolution received its second and third readings. Councilman Slough moved to adopt the Resolution, seconded by Councilman Bauman. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

**RESOLUTION NO. 012-2022** (no PO) **requires one (1) reading** *first reading - adopted*

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).

Councilman Slough moved to adopt the Resolution, seconded by Councilman Palmer. Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman, Greeno. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

**ORDINANCES:**

**ORDINANCE NO. 2022-015** (2021 Ordinances/Resolutions changes) **requires three (3) readings** **third reading - adopted**  
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-015 and is hereby made a part of the record.

**ORDINANCE NO. 2022-018** (Riverside Pool operations via Findlay YMCA) **requires three (3) readings** **third reading - adopted**  
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE FINDLAY YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2022-2024 SEASONS, AND DECLARING AN EMERGENCY.

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Hellmann.

**Discussion:**

Councilman Russel thanked the YMCA for this partnership that has been going on for several years now. It is one that is beneficial to both parties. It helps the City because of staffing issues for it. The YMCA does a great job running it and have enhanced it by their presence and dedication to swimming and getting kids to swim. He appreciates what they do for the City.

Ayes: Palmer, Russel, Slough, Warnecke, Bauman, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-018 and is hereby made a part of the record.

**ORDINANCE NO. 2022-019** (Water Meter System Replacement) **requires three (3) readings** **second reading**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR CONSTRUCTION, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2022-022** (Marathon Solar Panel Field) **requires three (3) readings** **second reading**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO SIGN THE NECESSARY PAPERWORK TO TRANSFER OWNERSHIP OF MARATHON PETROLEUM COMPANY LP'S SOLAR PANEL FIELD THAT WAS BUILT ON THE CITY OF FINDLAY'S WATER POLLUTION CONTROL CENTER'S CAMPUS.

**Discussion:**

Councilman Russel asked David Blatnik, with Marathon, who was in the audience if he wanted to speak on this matter. He spoke with Mr. Blatnik after the flood mitigation meeting last night about end of life questions about the solar panels that he raised with Service-Safety Director Martin. David Blatnik, Marathon Petroleum, explained that Marathon installed the solar panels back in 2013 looking at R&D for solar panels, wind, and a lot of renewal projects in that area. He was a part of the renewable organization at the time, so he looked at this, as well as wind and other projects. It provided them an opportunity to install two (2) different panels, two (2) different systems for tracking that provided an opportunity to understand those different systems. Marathon paid for the installation, took the tax credit on it, and the s credits that are the tax credits off the s racks from the generation of the energy. From there, they basically gave all the energy to the City at a savings of over five hundred thousand dollars (\$500,000.00) worth of power at the City's Water Treatment Plant. The solar panels life expectancy is twenty to forty (20-40) years depending on their use and where they want to be taken down to (drawdown). Marathon did not upgrade as quickly as they should have and did not do much maintenance, but they are in the process of bringing them up to one hundred percent (100%). All the inverters will be at be one hundred percent (100%). Over time, half of the system was the tracking of the panels, so that was fixed where it was found that there wasn't a big difference in generation from tracking to fix, so after discussions with the City, fixing all the panels to optimal position will save maintenance costs and other things going forward. They will all be fixed and ready to be up and running. Tracking systems were the biggest issue maintenance wise. Marathon is looking to fix those systems. Solar panels are just in the infancy stage with a couple companies recycling them which is not cost-effective to recycle. They currently can go to a landfill, but he estimates in the next twenty (20) years, with the amount of solar panels that would be coming down, there will more than likely be someone out there trying to recycle them at a much greater rate and higher cost to do so. Another potential issue may be that when the entire system is to be pulled out, there is an opportunity to reuse the steel, scrap or sell it and take that profit and use it going forward. The system can be left in place and put new panels in. A big cost of the system is the inverters and the system itself. The solar panels are not the major cost.

Councilman Hellmann asked what the life expectancy of the system is. Mr. Blatnik replied about thirty (30) years. Councilman Hellmann asked if that includes the inverters and panels. Mr. Blatnik replied that inverters and panels' life expectancy is about ten to fifteen (10-15) years. The current system has already had some inverter issues that are being fixed. The system has been in since 2013 which is almost ten (10) years already. Normal wear and tear affects systems.

Councilman Russel asked what solar credits Marathon obtained. Mr. Blatnik replied that the s racks credit generated with every kilowatt, there's a credit that is created and able to be sold on the open market for renewable fuels with the opportunity down the road to either sell it or keep it and claim the green energy. That escrow can be retired and can use that green power (take credit for green energy inside of your system). They can be sold or kept and take credit for green power. Councilman Russel asked Service-Safety Director Martin if consideration has been given to that. Service-Safety Director Martin replied that there have been discussions about it and the opportunities that might be available with other companies that might want to partner with the City, or the City can utilize that credit. The opportunities are there. Councilman Russel asked what kind of value they have if sold at the general market. Mr. Blatnik replied that Marathon didn't sell them because the S market dropped when it initially came out and partially because there were supposed to be carve outs inside. Some legislation in different states have changed to where the SRX credit value was low, so Marathon kept all but one of them. Councilman Russel asked if any estimates on what the maintenance will be has been obtained. Service-Safety Director Martin replied that an invoice has not been received yet from the firm WPCC already utilizes and are happy with their services, but have a good idea what amount it will be based on Marathon's costs of operations and maintenance. That vendor has already been on the site and has collected data, but has not submitted their estimate to the City yet. He anticipates the numbers to be lower than what Marathon has been spending, so the City will be at a benefit with taking this over.

Councilman Greeno pointed out that he was an employee of the Water Pollution Control Center when these solar panels went in. He thanked Marathon for them as they have been a great savings for the City. The City's Water Pollution Control Center is the City's biggest user of electric in the City. These solar panels have saved the City fifty to sixty thousand dollars (\$50,000.00-\$60,000.00) a year on a three hundred fifty thousand dollar (\$350,000.00) budget. It has worked out well for the City. The mowing around the panels is not an easy task. Marathon had hired someone to mow it and asked if the City is going to hire someone to mow or if it will be City staff mowing. Service-Safety Director Martin replied that City employees will be do the mowing. It is in the budget for mowing.

Second reading of the Ordinance.

**ORDINANCE NO. 2022-023** (*donation from P&A Industries*) **requires three (3) readings**

***first reading - adopted***

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Bauman. Ayes: Russel, Slough, Warnecke, Bauman, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Slough, Warnecke, Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-023 and is hereby made a part of the record.

**ORDINANCE NO. 2022-024** (*CHIP 2022 program*) **requires three (3) readings**

***first reading***

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO PARTNER WITH HANCOCK COUNTY BY ENTERING INTO A PARTNERSHIP AGREEMENT FOR THE ADMINISTRATION OF THE COMMUNITY HOUSING IMPACT AND PRESERVATION (HEREINAFTER REFERRED TO AS "CHIP") PROGRAM FOR THE PURPOSE OF ADDRESSING LOCAL HOUSING NEEDS WITHIN HANCOCK COUNTY, OHIO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2022-025** (*second capital improvement appropriation of 2022*) **requires three (3) readings**

***first reading***

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2022-026** (*utility location pickup replacement*) **requires three (3) readings**

***first reading***

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2022-027** (*VHF radio system*) **requires three (3) readings**

***first reading - adopted***

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT WITH TSC COMMUNICATIONS, INC. TO EXTEND THE CITY OF FINDLAY'S EXISTING FIBER LINES TO THE NORTH AND SOUTH WATER TOWERS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that City Engineer Kalb would like this passed tonight.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Warnecke, Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-027 and is hereby made a part of the record.

**ORDINANCE NO. 2022-028** (*purchase of 5 single axle dump trucks*) **requires three (3) readings**

***first reading - adopted***

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Greeno moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilwoman Warnecke. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-028 and is hereby made a part of the record.

**ORDINANCE NO. 2022-029** (*downtown recreation area*) **requires three (3) readings**

***first reading***

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS WITH STRAND & ASSOCIATES FOR THE DESIGN OF THE DOWNTOWN RECREATION AREA PHASE II BENCHING OF THE BLANCHARD RIVER, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2022-030** (*Broad Avenue storm culvert*) **requires three (3) reading**

***first reading - adopted***

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT WITH HELMS AND SONS EXCAVATING, INC. TO REPAIR A STORM CULVERT UNDERNEATH BROAD AVENUE, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilwoman Warnecke. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman, Greeno, Hellmann. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Palmer, Russel, Slough, Warnecke, Bauman, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-030 and is hereby made a part of the record.

**UNFINISHED BUSINESS:**

**OLD BUSINESS:** none

**NEW BUSINESS:**

Mayor Muryn thanked City Council for their expedient attention to the Broad Avenue issue. It is being evaluated and are looking into having corrugated metal piping underneath roadways, especially throughout the City given that they are an ongoing concern.

Mayor Muryn asked Councilmembers to share across their networks that there are Strategic Planning workshop on Wednesday, April 6, 2022 at 6:00pm at the Alumni Memorial Union which is the building directly next to the old Main building by the library on the University of Findlay campus. There will also be two (2) workshops on Thursday, April 7, 2022 at 1:00pm at 50North and 5:00pm at Alexandria's (132 E Crawford St, Findlay, OH).

Mayor Muryn pointed out that twenty-nine (29) individuals have been sent to other entities through the funding of the City of Findlay jail, many going to CCNO. It has been going quite well. She appreciates Council's continued support with it. It has helped individuals serve their time and keeps individuals off the street that need to be.

Mayor Muryn asked Council to continue to support law enforcement. Last week's tragic loss of Officer Francis is a reminder that they need the City's continued support. While he was not a Findlay Police Officer, he was a brother in blue, and an individual who spent an extensive amount of time in the City of Findlay and serving the Hancock County community. She asked Council to reach out and keep law enforcement and Officer Francis's family in mind. The City of Findlay team had many interactions with him. He was a wonderful individual that will be dearly missed. She will not be able to attend his funeral, but there will be a strong representation of the City of Findlay and the City of Findlay Police Department there.

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on April 14, 2022 in the first floor Council Office (CO) of the Municipal Building.

- agenda: 1. McLane Dr - ROW vacation  
2. Technology Dr & Midwest Ct rezone

Councilman Russel attended last night's Santec and also the Maumee Valley Flood Conservancy District meeting (flood updates). It was very informative. The plans are worth looking at. Ordinance No. 2022-029 is to do the design of the Phase II benching work on the east side of Main Street, north side of the river and looking for recreational opportunities that can be created because of the benching. He was one of the reviewers for the Request For Qualifications (RFQ) where he reviewed some neat ideas for it. The Santec presentation gives an idea of what can take place on that side of the river. He thanked the Conservancy District for hosting the meeting and sharing the information. He encouraged City Council to review the presentation.



Councilman Niemeyer asked if the new trucks will have to go to Kalida and how it'll affect CDL drivers being single axle vehicles. City Engineer Kalb replied that the trucks that are being replaced are manual transmission and the new ones will be automatic. If an employee is automatic CDL certified, they can continue to drive the City's vehicles as they will all be automatic.

City Auditor Staschiak noted that the City is in the process of the annual audit and are gathering information right now. The State Auditor put out a bulletin. Auditor Yost was able to obtain millions of dollars for the State. Those funds will have to go into an opioid abatement fund when the City receives them with very specific approved purposes for that money. It is unknown when the City will receive the funds. These funds will be what is awarded from the opioid settlement with pharmaceutical companies.

The State is looking to increase the City's contribution to pensions. If the State passes the bill to increase the contribution of the government entity for Police and Fire pensions it will cost the City approximately one million seven hundred thousand dollars (\$1,700,000.00) over a five (5) year period from 2023-2027.

Councilman Russel moved to adjourn into Executive Session to discuss the potential acquisition of a property at 7:59pm, seconded by Councilman Greeno. All were in favor. Councilman Palmer moved to adjourn out of Executive Session at 8:19pm, seconded by Councilman Greeno. All were in favor. Councilman Russel moved to adjourn out of Regular Session at 8:20pm, seconded by Councilman Greeno. All were in favor.

---

CLERK OF COUNCIL

---

COUNCIL PRESIDENT