

REGULAR SESSION

**FINDLAY CITY COUNCIL MEETING MINUTES
JUNE 21, 2022**

COUNCIL CHAMBERS

ROLL CALL of 2022-2023 Councilmembers:

PRESENT: Bauman, Greeno, Niemeyer, Palmer, Slough, Warnecke, Wobser

ABSENT: Hellmann, Russel, Wisener

President of Council Harrington pointed out that Councilman Hellmann, Councilman Russel, and Councilman Wisener all informed him that they would not be in attendance tonight. Councilman Slough moved to excuse Councilman Hellmann, Councilman Russel, and Councilman Wisener, 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 June 7, 2022 Regular Session City Council meeting minutes, seconded by Councilman Palmer. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

REPLACEMENT:

1. Ordinance No. 2022-049 AS AMENDED (*LEGISLATION section*) – Municipal Court Alternative Sentencing Center (CASC) facility

• Removed:

- WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS

• Changed:

- Header:

MUNICIPAL COURT CASC FACILITY COMMUNITY ALTERNATIVE SENTENCING CENTER

- 1st WHEREAS:

Reference Request

Municipal Court (CASC) Facility Community Alternative Sentencing Center (CASC) Facility

Ordinance No. 2022-049 received its first reading during the May 17, 2022 City Council meeting and its second reading during the June 7, 2022. This amendment will be its third reading.

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Zoning amendment request – 909 Broad Avenue

Darrin Karcher with C&D Stoney Tavern Ltd. would like to change the zoning of 909 Broad Avenue to C1 Local Commercial. It is currently zoned as R3 Small Lot Residential. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Alley vacation request – portion of Elm Street

Lori Ann Rizor is requesting a vacation of a portion of the north/south alley from Elm Street to the alley south bounded between Lots 1900 and 1901 in the Schwartz & Firmins Addition. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay Municipal Court Administrative Judge Bishop – Supreme Court of Ohio Technology grant

The Findlay Municipal Court has been awarded a Technology Grant through the Supreme Court of Ohio in the sum of nineteen thousand six hundred fifty dollars (\$19,650.00) to be used to fund a software upgrade through CourtMaster, the Court's Court Management Software. The upgrade will be for electronic filing (e-filing) of court pleadings. E-filing will improve accessibility, accuracy, and efficiency of the judicial process for all court users. Legislation to appropriate funds is requested. Ordinance No. 2022-054 was created.

FROM: Supreme Court of Ohio – 2022 Technology Grant Fund

\$ 19,650.00

TO: Findlay Municipal Court, CourtMaster E-filing, *Project No. 31924400*

\$ 19,650.00

Filed.

City Auditor Jim Staschiak – Revenue Estimates for fiscal year 2023

City Auditor Staschiak will provide the Estimated Revenues for the next fiscal year in the July 19, 2022 City Council packet. This is the first step required under Ohio Budgetary Law to provide best estimate figures of what is expected in revenues over the next eighteen (18) months. In order to meet the statutory requirements for the distribution of the local government money, this document should be accepted by Council during the July 19, 2022 City Council meeting so it can then be filed with the County Auditor no later than July 20. A motion for acceptance of the revenue estimates will be needed during the July 19, 2022 meeting. As required by statute, the Council Clerk has scheduled a public hearing before the meeting, notice of which must have been published ten (10) days before the hearing, during which period, two (2) copies will be available for public inspection in the City Auditor’s Office. City Auditor Staschiak is requesting this letter be read into the record. The public hearing is scheduled for July 19, 2022 at 6:55pm.

Discussion:

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

Councilman Wobser asked how long this normally takes, City Auditor Staschiak replied that in the past, public hearings for these have generally been very brief as he has only been asked one (1) question in eleven (11) years. Filed.

City Planning Commission agenda – June 16, 2022 (revised); Staff Report – June 16, 2022. Filed.

Councilman Wisener – resignation

Councilman Wisener is notifying Council that he is resigning from his position of 1st Ward City Councilman effective July 1, 2022. He appreciates the opportunities he has been given during his short time on City Council and the support he received from the Administrative Staff, fellow Councilmembers, and the community. He has accepted a position outside of Findlay that requires him to relocate to the central portion of Florida. He has been proud to call Findlay home for the last twelve (12) years, and wishes the City of Findlay the best of success in the future.

Discussion:

President of Council Harrington requested the letter be read. Councilman Wobser moved to have the letter read, seconded by Councilman Niemeyer. All were in favor. The Acting Council Clerk read the letter in its entirety.

President of Council Harrington noted that the Hancock Republican Party is currently going through a process for Councilman Wisener’s replacement. Today’s newspaper had a story about this and will publish future information as it comes. While Councilman Wisener’s tenure was short, he was always prepared. Unfortunately, he is not in attendance tonight to hear kind remarks from Council. His job is requiring him to move out of state. Filed.

A set of summary financial reports for May 31, 2022:

- Summary of Year-To-Date Information as of May 31, 2022
- Financial Snapshot for General Fund as of May 31, 2022
- Open Projects Report as of May 31, 2022
- Cash & Investments as of May 31, 2022

Filed.

City Auditor Staschiak – City Income Tax Administration Fund

One of the primary roles of the City Auditor is to monitor receipts and appropriations throughout the year to ensure the City complies with State Budgetary Law. Year to date income tax receipts are coming in higher than expected and projected for 2022, primarily due to a large influx in business net profit tax receipts. This increase in revenue necessitates an appropriation of money within the City Income Tax Administration Fund to the General Fund. This appropriation will have the effect of increasing the transfer thereby increasing the projected General Fund year-end balance by the amount listed below, but has no impact on the CIT operations. Legislation to appropriate funds is requested. Ordinance No. 2022-055 was created.

FROM:	City Income Tax Administration Fund	\$ 5,200,000.00
TO:	City Income Tax Administration #27047000-other	\$ 5,200,000.00

Filed.

City Auditor Staschiak – minimum reserve balance policy

In 2008, City Council adopted Resolution No. 2008-007 creating a minimum reserve policy for the first time. The policy required a minimum dollar amount of approximately twelve percent (12%) or one and a half (1 ½) months of the projected General Fund expenses for the current year. Although well intended, the policy was not strictly followed until 2011. Best practices state a minimum budget reserve for the City of Findlay’s General Fund should consist of three (3) month expenses or approximately twenty-five percent (25%) of the City’s projected General Fund budget. Following City Auditor Staschiak’s urging In 2014, Council moved closer to the best practice guideline by adopting Resolution No. 002-2014 which created a minimum reserve amount of sixteen and seven tenths percent (16.7%) or two (2) months of projected General Fund expenses. In 2020, with the COVID19 pandemic underway, City Council decided not to adopt legislation increasing the minimum reserve to the best practice minimum amount of three (3) months expenses. On January 1, 2022, the City of Findlay started the year with its largest cash balances in its history with over sixty-two percent (62%) of its projected 2022 expense budget or \$21MM was the beginning carry-forward balance, \$19.9MM of which remained unappropriated. Although it is not likely this large of a balance will be maintained forever, it is in the best interest of the City and its taxpayers, to now raise the minimum reserve to a full three (3) months or projected General Fund expenses. If a need to spend into the minimum reserve, the policy currently adopted requires a plan be created and presented to Council to restore the reserve to the proper amount ensuring the spending approach is well considered. Legislation to adopting a minimum reserve balance is requested. City Auditor Staschiak is requesting this letter be read into the record. Resolution No. 018-2022 was created.

Discussion:

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

Councilman Wobser moved to refer this to the APPROPRIATIONS COMMITTEE for further vetting and discussion, seconded by Councilman Greeno. Filed.

City Engineer Kalb – Cherry Street Storm Sewer Project No. 35524100

An existing storm catch basin on Cherry Street is currently draining to the sanitary sewer. With ongoing work that is being done to the brick building that is located just south of the tracks on Main Street, the developer would like to utilize the catch basin for the drainage of a new parking lot. Since additional flow will be going to the catch basin, it would desirable to the City of Findlay to ensure the storm water goes to the storm sewer system. This is a smaller project, so the City of Findlay Engineering Department reached out to a couple of local contractors to obtain a bid price from a set of plans that were developed in-house. Three (3) bids were received ranging from forty-three thousand five hundred twenty-four dollars to eighty-seven thousand nine hundred eighty-six dollars and forty-five cents (\$43,524.00 - \$87,986.45). Hohenbrink Excavating Inc. of Findlay, Ohio provided the lowest and best price. Legislation to enter into an agreement with Hohenbrink Excavating Inc. for construction, as well as appropriate and transfer funds for construction, inspection and contingency in order to complete the project is requested. Ordinance No. 2022-056 was created.

FROM: Sewer Fund – Stormwater Restricted Account \$ 50,000.00
TO: Cherry Street Storm Sewer, Project No. 35524100 \$ 50,000.00

Filed.

City Engineer Kalb – 2022 Street Preventative Maintenance, Project No. 32820100

City Engineer Kalb is requesting to take a portion of the May allocation of the Capital Improvements Restricted Account and appropriate it into the Street Preventative Maintenance project to allow the City of Findlay Street Department to continue their efforts of maintaining the City’s existing roadway system. Legislation to appropriate and transfer funds is requested. Ordinance No. 2022-057 was created.

FROM: CIT Fund – Capital Improvements Restricted Account \$ 150,000.00
TO: 2022 Street Preventative Maintenance, Project No. 32820100 \$ 150,000.00

Filed.

City Engineer Kalb – Public Works replacement plasma table

In May of 2022, the City of Findlay’s Public Works plasma table was damaged due to a power surge that diminished the computer system on the table itself. The City of Findlay’s Public Works Department uses the plasma table daily to create and build parts for various pieces of equipment across the City. Without the plasma table, new components will need to be purchased from a vendor which will prolong the downtime for a piece of equipment. Legislation to appropriate and transfer funds is requested. Ordinance No. 2022-058 was created.

FROM: CIT Fund – Capital Improvements Restricted Account \$ 50,000.00
TO: Streets #22040000-other Plasma Table \$ 50,000.00

Filed.

Findlay Municipal Court Activities Report – May 2022. Filed.

City Auditor Staschiak – self-insurance fund

A Self-Insurance Fund was created many years ago in order to have money available to cover potential liabilities to the City of Findlay. It has been funded at one million dollars (\$1,000,000.00) annually. Deductibles, premiums, and certain claims are paid out of this fund. A very large environmental fine was paid out of this fund. Environmental liability is one of the highest uncovered risks to the City. Several claims have been paid out of this fund over the years. Most recently, the City has seen a large increase in the number of lawsuits filed against the City and its officials. Now is the right time and would be wise to increase this fund to an annual beginning balance of two million dollars (\$2,000,000.00) that will not only add additional protection to the City of Findlay against potential liability, but would also strengthen the City’s ability to be selective to the liability coverage that is continually purchased from the insurance markets. City Auditor Staschiak is requesting this letter be read into the record. Ordinance No. 2022-059 was created.

FROM:	General Fund	\$ 1,000,000.00
TO:	Self-Insurance Fund	\$ 1,000,000.00

Discussion:

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

Councilman Wobser moved to refer this to the APPROPRIATIONS COMMITTEE for further vetting and discussion, seconded by Councilwoman Warnecke. Filed.

Findlay Fire Department Chief Eberle – Robert L. Hamilton estate trust funds

The Auditor’s Office was recently notified that the Findlay Fire Department is a recipient of a charitable trust from the Robert L. Hamilton estate in the amount of forty-seven thousand two dollars and twenty cents (\$47,002.20). The trust agreement stipulates that the funds be used for the purchase of equipment, not to include motor vehicles. Listed below is what the Findlay Fire Department has identified as needed equipment to purchase with these trust funds:

- 1 set of battery-operated hydraulic extrication tools \$ 27,393.00
 - 3 battery-operated Positive Pressure Ventilation Fans \$ 13,710.00
 - 3 sets of battery-operated power tools \$ 4,832.40
 - 2 fire attack nozzles \$ 1,140.00
- Total* \$ 47,075.40

These quotes have been provided to the City Auditor’s Office for these items. Legislation to appropriate funds to the City of Findlay Fire Department’s budget passing on an emergency basis in order to meet quoted deadlines is requested.

FROM:	General Fund (Robert Hamilton Charitable Trust Gift)	\$ 47,002.20
TO:	Fire Department #21014000-other	\$ 47,002.20

Ordinance No. 2022-060 was created. Filed.

Findlay Fire Department Chief Eberle – State of Ohio Office of First Responder Wellness grant program

The State of Ohio Office of First Responder Wellness has a grant program that had a submission deadline of Friday, June 17, 2022. This grant is called the American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention & Resiliency that has no local match requirement. Grant documentation states, in part, “applicants can use these funds to address the mental and behavioral health impacts of the Coronavirus pandemic on First Responder personnel.” Fire Chief Eberle approached Service-Safety Director Martin last week with a grant application proposal which includes a plan to address those impacted through a physical fitness program, coupled with a mental/behavioral health assessment that Findlay Firefighters can accomplish on duty. The grant application includes:

- Training costs to certify four (4) Findlay Firefighters as Peer Fitness Trainers (estimated to be \$5,996.00)
- Fitness equipment for each fire station (estimated to be \$42,344.00)
- Contract costs for local professionals to administer mental/behavioral health evaluations, establish functional routines, and correlate data over the course of twelve (12) months (estimated to be \$7,500.00)

Due to the grant submission deadline, the fact that this is a zero-match grant and the importance of the topic of Firefighter mental and behavioral health, Service-Safety Director Martin gave approval to submit the application prior to formal Council authorization. Instead, legislation to accept the grant funding will be requested if the grant is awarded. Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss Water Distribution materials.

We recommend to approve the request for an additional \$585,800.00 from the Water Fund to cover needed additional parts inventory (see attached sheet for breakdown). Ordinance No. 2022-062 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Cassandra Stewart to vacate a portion of the north/south alley bounded between Lots 1804 and 1805 in the Gray & Patterson 3rd Addition from Cherry Street north to the east/west alley.

We recommend to approve the alley vacation as requested Ordinance No. 2022-061 was created.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 014-2022 (*CR 99 annexation*) **requires three (3) readings**

third reading - adopted

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 36, T2N, R10E, A TRACT OF LAND CONSISTING OF 3.978 ACRES OF LAND, MORE OR LESS.

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

RESOLUTION NO. 018-2022 (*minimum reserve balance policy*) **requires three (3) readings**

first reading

A RESOLUTION ADOPTING A MINIMUM RESERVE BALANCE POLICY AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND REPEALING ALL RESOLUTIONS AND/OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

First reading of the Resolution.

RESOLUTION NO. 019-2022 (*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 Greeno moved to adopt the Resolution, seconded by Councilman Slough. Ayes: Greeno, Niemeyer, Palmer, Slough, Warnecke, Wobser, Bauman. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

ORDINANCES:

ORDINANCE NO. 2022-038 (*National Purchasing Cooperative dba National BuyBoard*) **requires three (3) readings**

third reading - adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO SIGN ALL NECESSARY DOCUMENTS FOR MEMBERSHIP OF THE NATIONAL PURCHASING COOPERATIVE DBA NATIONAL BUYBOARD®, A NATIONAL PURCHASING COOPERATIVE, AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Niemeyer, Palmer, Slough, Warnecke, Wobser, Bauman, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-038 and is hereby made a part of the record.

ORDINANCE NO. 2022-043 (*Han-Bright Rd Phase III FY2023, PID108776*) **requires three (3) readings**

third reading - adopted

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT(S) WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE HAN-BRIGHT ROAD PHASE III FY2023, PID108776, PROJECT NO. 32821800, AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Palmer, Slough, Warnecke, Wobser, Bauman, Greeno, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-043 and is hereby made a part of the record.

ORDINANCE NO. 2022-047

tabled after third reading during 6/21/22 City Council meeting during OLD BUSINESS

(*Taylor St property acquisition*) **requires three (3) readings**

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A PURCHASE AGREEMENT(S) FOR THE ACQUISITION OF THREE (3) PROPERTIES LOCATED ON TAYLOR STREET, FINDLAY, OHIO, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Wobser noted that there have been a lot of conversations about these properties prior to this point in time and are now to the point that a decision needs to be made this evening. He asked Mayor Muryn if she has anything to add to the conversation before Council takes a vote. Mayor Muryn replied that she appreciates the feedback she has received from various Councilmembers who have asked questions and have made comments on feedback that they are receiving from the community. It is the Administration's responsibility to take the feedback and additional information, and make a decision that is in the best interest of the community at large. These are properties that the City has had issues with in the past and have been doing significant work in that area that will be a generational opportunity with benching and then with the park area that is going to be developed. It is important for the City to see the opportunity in acquiring these properties in order to determine the best use of them moving forward. It has been stated that there is not a clear plan for the properties. The goal is to clear the properties and have them as green space or parking areas. The County Commissioner have stated they are open to discussions on these properties. It is anticipated that the County Commissioners will be supportive of the City acquiring them. The City has asked them to provide a letter of support on transferring the other properties to the City that are immediately adjacent north of Clinton Court to make that it parking area in which the County Commissioners are open to that. They did not provide their letter of support in time for tonight's meeting, but have been putting a significant amount of their attention to acquiring properties north of the river. It is a great opportunity for the City to acquire these properties in order to have control of the properties to determine the best use which is more than likely going to be a park or parking area.

The City Administration would prefer to have the control of determining what is the best of use of the land both immediately and down the road. If the use of them ends up not fitting into the plan. One option is that they could be sold off or be incorporated into the park area. The City does not want to do all the work on these properties and not own them. Some concerns have been that the City should not be spending money to clean up nuisance properties. It is a one-off situation and is not her intention to start coming to Council asking to go into neighborhoods and buy nuisance properties. This request is a unique situation. She would not have brought this to Council if she didn't think it was in the best interest of the community and a wise use of public dollars. The City Administration has worked well with the property owners to ensure that they were able to find new homes to live in. While the City offered the ground value for these properties, they ensured the property owners will still be able to afford to relocate, striking a good balance of price point. The contracts state that the property owners are responsible for all past due taxes and everything else equated with the assessments, et cetera that are due on the properties, so the City is not forgiving those additional fees. Councilman Wobser noted that there are a couple of logistical issues that have come into play tonight because of the absence of three (3) voting Councilmembers. He had discussed tabling this Ordinance with Mayor Muryn who informed him of the timing issue with the sellers. Mayor Muryn replied that is correct. She forwarded an email to all Councilmembers a couple of weeks ago stating that the George St property owners have purchased another property with the new property agreement pending the closure of this, so they are waiting for the final word on this process and are having to delay purchasing the new property. Her preference is to not delay the City purchasing these properties to cause the George St property owners to lose their new property. She indicated to them that per the timeline of this process, the City's request to acquire these three (3) properties should be resolved in early July. It will be communicated to the George St property owners what Council's action on this, whether or not Council passes the ordinance tonight with or without the majority votes for it to pass on an emergency that negates the thirty (30) day wait period. Her preference is to have this ordinance passed tonight effective immediately as that would work better for the George St property owners. Councilman Wobser pointed out that in order for this ordinance to go into effect immediately after its passage, it would have to be passed by seven (7) votes. Mayor Muryn replied that is correct. It will need the support of all Councilmembers present tonight. All three (3) Councilmembers (Hellmann, Russel, Wisener) expressed their support of it, but are not in attendance to put that on the record as supportive votes. Councilman Russel and Councilman Hellmann both spoke about it in prior meetings. Councilman Wisener sent her an email stating he was supportive. The alternative option is to table this and have it pass at the next City Council meeting with the emergency measure which would shorten the timeline by two (2) weeks. If all Councilmembers present tonight are support of this and understand where it is at and recognize the opportunity of moving forward, it would require all seven (7) votes tonight to allow for the implementation of the emergency language and be effective immediately. Councilman Wobser reiterated what Mayor Muryn just stated in that if Council tables it tonight and removes it from the table during the first City Council meeting in July, it would pass two (2) weeks prior to it passing without the emergency clause and not be in effect for thirty (30) days. This would allow the Administration to act on it quicker. It would also provide more time to explore the issues of the properties north of Clinton Court with the County Commissioners. He appreciates that the County Commissioners have provided a positive response to this, but would like to have a little bit more in the City's back pocket as a selling point with these properties. If it is known that the City will also own the properties that surround these three (3) properties, it will provide the ability to add this into the renovation or the resurrection of the riverfront with the benching project to allow the flexibility of being able to do something with them. Right now, without these properties, if the City ends up with a couple of the properties that are contingent, but are on the other side of Clinton Court, it will make a difference in how to approach the use of the properties for the longer term.

Councilwoman Warnecke noted that she would like to see this passed tonight because the City has already told the owners that the City would purchase them and would like to follow through on that. She received a letter from the Salvation Army, which is on Taylor Street, about issues with youth coming to the area at dusk/dawn who would feel safer there if those properties were cleaned up which is an urging for passing this. She is in favor of this request.

Councilman Wobser moved to table the Ordinance, seconded by Councilman Palmer. Ayes: Warnecke, Wobser, Greeno, Palmer. Nays: Slough, Bauman, Niemeyer. Motion fails.

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Slough.

Discussion:

Mayor Muryn appreciates Council's consideration of this Ordinance and would like to have it passed tonight. If it is not passed by all seven (7) votes needed to be effective immediately, she would request it be tabled with Council lifting it from the table at the next Regular Session City Council meeting, be given consideration, and pass it on an emergency to decrease the timeline by two (2) weeks.

City Auditor Staschiak appreciates the extra time and consideration of this request. He shared some facts with Council on the tax assessments of these properties. He is not advocating either way, but for transparency's sake for the community by stepping outside the bounds of what is normally done financially, as bare ground, the lot on Lyle Street is listed at six thousand seven hundred twenty dollars (\$6,720.00), the property located on Taylor Street is listed at six thousand seven hundred twenty dollars (\$6,720.00), and the one on George Street was in the newspaper as sold and transferred in the last few days for three (\$3,000.00). All three (3) properties total sixteen thousand four hundred forty dollars (\$16,440.00). The proposed purchase price is significantly higher than the bare ground value amount. He addressed a comment that was given on what the County Commissioners are doing. He went to that meeting separately and not with Councilman Wobser or the Mayor, to speak to the County Commissioners about the community's perception of the properties that were purchased by the County with the additional sales tax for flood mitigation which was a wonderful thing that the County passed. Comments that were made to the County Commissioners by the community was that when the community passed the sales tax, all properties acquired would not be developed. He suggested to the County Commissioners, and is now strongly urging Council, to ensure and guarantee that the local taxpayer who paid that sales tax and put that trust in the County Commissioners, to buy the ground. Should the Commissioners transfer the deeds to the City, the City should either honor that initial wish and guarantee to the community that the expectation of the Its not be redeveloped. In the event they are redeveloped in the future, there needs to be a return on the investment for the community and not at pre-redraw of the flood map prices, but at post flood mitigation and prices. The value of a piece of real estate in the flood zone is significantly lower than the value of a piece of real estate outside the flood zone.

It is his hope, as an elected official, that the City does not betray that trust, even though it was a promise by the County that the City carries forward to the community ensuring that anything that is ever done with the properties gives taxpayers a return on investment and a guarantee that there is an opportunity to obtain the maximum market value and maximum benefit of use for the community.

Ayes: Warnecke, Bauman, Palmer, Slough. Nays: Wobser, Greeno, Niemeyer Motion fails.

ORDINANCE NO. 2022-048 (*Technology Dr & Midwest Ct rezone*) **requires three (3) readings** **third reading - adopted**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS TECHNOLOGY DRIVE AND MIDWEST COURT REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "M-2 MULTI-FAMILY, HIGH DENSITY".

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Wobser, Bauman, Greeno, Niemeyer, Palmer, Slough, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-048 and is hereby made a part of the record.

ORDINANCE NO. 2022-049 (*Municipal Court CASC Facility*) **requires three (3) readings** **third 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 RQAW ARCHITECTURE FOR THE DESIGN OF THE MUNICIPAL COURT CASC FACILITY, AND DECLARING AN EMERGENCY.

Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Bauman, Greeno, Niemeyer, Palmer, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-049 and is hereby made a part of the record.

ORDINANCE NO. 2022-052 (*first floor Municipal Building replacement windows*) **requires three (3) readings** **second reading**
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 CAPITOL ALUMINUM & GLASS CORPORATION FOR THE REPLACEMENT OF MUNICIPAL BUILDING FIRST FLOOR LOBBY WINDOWS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2022-054 (*Supreme Court of Ohio Technology grant*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-055 (*City Income Tax Administration Fund*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-056 (*Cherry Street Storm Sewer Project No. 35524100*) **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 WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT WITH HOHENBRINK EXCAVATING INC., FOR THE CHERRY STREET STORM SEWER PROJECT NO. 35524100, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-057 (*2022 Street Preventative Maintenance, Project No. 32820100*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-058 (*Public Works replacement plasma table*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-059 (*self-insurance fund*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-060 (*Robert L. Hamilton estate trust funds*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-061 (332/336 Cherry St vacation) **requires three (3) readings**

first reading

AN ORDINANCE VACATING A CERTAIN PORTION OF CHERRY STREET (HEREINAFTER REFERED TO AS THE 332 AND 336 CHERRY STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

ORDINANCE NO. 2022-062 (Water Distribution materials) **requires three (3) readings**

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilman Wobser moved to reconsider Ordinance No. 2022-047, seconded by Councilman Bauman. Ayes: Bauman, Greeno, Niemeyer, Palmer, Slough, Warnecke, Wobser. The Ordinance is lifted from the table.

Discussion:

Councilman Wobser reiterated that the status of this ordinance is neither tabled nor defeated. It has not been declined nor voted down most likely because of the lack of the three (3) voting Councilmembers that are absent tonight and that he would like Council to give it reconsideration by tabling it and be able to revote on it during the next City Council meeting on July 5, 2022 with a full Council.

Councilman Wobser moved to table the Ordinance, seconded by Councilman Bauman. Ayes: Greeno, Niemeyer, Palmer, Slough, Warnecke, Wobser, Bauman. The Ordinance is tabled.

NEW BUSINESS:

Councilwoman Warnecke asked how to go about maintaining the current seating arrangement for upcoming City Council meetings. President of Council Harrington replied that it has always been a decision by Council. It can be done by a motion or by a roll call vote. The Administration would feel more comfortable sitting in front of the cameras rather than behind them which is a reason to consider it, but that there are still health concerns. It is up to Council what they want to do and is not an Administration or President of Council decision.

Councilwoman Warnecke moved to retain the current City Council meetings seating, seconded by Councilman Wobser.

Discussion:

Councilman Wobser pointed out that President of Council had stated that regular seating was to be implemented the first meeting of July and asked if it could be moved back to the second July City Council meeting so that it can be discussed during the next City Council meeting before that with a full Council. A vote on this should not be taken without all Councilmembers present. President of Council Harrington referred Councilman Wobser's request to Councilwoman Warnecke who first made the request to leave seating as is and will discuss during NEW BUSINESS or OLD BUSINESS at the next City Council meeting on July 5, 2022. Councilwoman Warnecke agreed.

Councilman Wobser: **APPROPRIATIONS COMMITTEE** meeting on July 12, 2022 at 4:30pm in the third floor conference room of the Municipal Building (CR1).

- agenda: 1. General Insurance Fund level via Ordinance No. 2022-059
2. Increasing Minimum Reserve Balance via Resolution No. 018-2022

Mayor Muryn thanked the Findlay Police Department, Hanco, Findlay Fire Department, Hancock County Sheriff's Office, and Emergency Response Team who have been far too busy recently with a number of outside troublemakers coming into the community, but handled it flawlessly. She was on scene for twelve (12) hours with a hostage situation, and also last night for a couple of hours with another situation. She continues to be impressed with the work team members do, their professionalism and the way they work together as agencies and with everyone stepping up to their various roles which doesn't happen by accident. It is about hiring great people, great leadership among teams, and a lot of training. She appreciates Council's continued support for training and the work they do.

Mayor Muryn appreciates the opportunity to discuss the City's Self-Insurance Fund at an APPROPRIATIONS COMMITTEE meeting to discuss what funding items should also be considered with the City's current financial situation when looking at spending in the Capital Project, ARPA spending, etc. The City is very fortunate to be in the financial situation they are in, and want to leverage the funds appropriately. She was surprised but pleased to see some of the items being requested, but has some concerns, primarily with the Self-Insurance Fund amounts. She looks forward to the conversation.

Mayor Muryn appreciates Council's support of the CASC and reiterated that those funds are just for Phase I and II for the cost of operations and the potential building itself. The breaking point needs to be determined so that there is a cost benefit for the project, a community-wide benefit of getting individuals rehabilitated and back into the community, and the financial impacts it will have.

She shared a few key points that Assistant Chief Probation Office/Bailiff Griffith put together and will soon put together a formal report. There were twenty-one (21) City-funded individuals incarcerated at various locations. Approximately thirty thousand dollars (\$30,000) was saved in April this year by having individuals housed outside the Hancock County Justice Center (HCJC). If all were incarcerated at the HCJC, costs would have been approximately ninety-five thousand dollars (\$95,000.00) just in April, but with outside housing, it was approximately sixty-four thousand dollars (\$64,000.00). Multiple inmates were able to serve their term throughout the month for a total of eight hundred twenty-seven (827) days served, with two (2) individuals serving at the HCJC, two (2) that were away because of unavailability, a couple that failed to report, and thirty-two (32) others that were scheduled in other counties. HCJC is currently working through the backlog of individuals that need to serve their commitments. Twenty-five thousand dollars (\$25,000.00) was saved in May with inmates serving eight hundred twenty-four (824) days of which fifty-one (51) individuals were eligible for the CASC in May and forty-two (42) in April. This process is to ensure what is right for the community and citizens, making sure it makes good business sense while continuing to vet the process while going through uncharted territories. She asked Council to reach out to the City Administration and Findlay Municipal Court as they get questions from the public.

Mayor Muryn noted that she will forward information to Council on the process of Councilman Wisener’s replacement due to his resignation and will also put it out on social media.

Councilman Wobser asked Mayor Muryn to speak on behalf of Findlay Fire Chief Eberle’s letter requesting to apply for a grant, but that no legislation was provided nor Council action was taken. Mayor Muryn replied that when the grant originally came out, the City did not think they were originally going to apply for it, but then some of the requirements were modified. It is a grant that did not require any match, did not require legislative authority to apply, and just needed Service-Safety Director Martin or Mayor Muryn to submit the documentation. The documentation consisted of a two-page document listing how the City would like to spend the money, how it meets the criteria, and who are the points of contact. The normal process is to bring grant requests to City Council for approval ahead of time, but given there are no financial requirements and no legislative authority required to apply based off their criteria, so the City went ahead and submitted the application for the grant. Once the Administration hears back from them, legislation will come to Council for authorization to enter into a contract and accept the funds if awarded. Councilman Wobser asked if the timeline will allow for the Administration to bring this back to Council for their authorization to enter into contract and accept the funds. Mayor Muryn replied that it depends on the amount. This one is projected to be forty-seven thousand dollars (\$47,000.00). If it was a significant grant that rendered conversation with Council, then she would have had it brought to Council before now, but in this case, it was a random opportunity with a quick turnaround, so she felt comfortable as being a part of the Administration to make the decision to go ahead and apply for it since it does not require legislative approval to apply for it, and does not encumber the City’s funds. If the timeline would have allowed for her to bring it to Council first, she would have as she believes it is good practice for Council to be aware, but she is fine with how the process played out. All the proper boxes were checked. Ideally, it would have been brought to Council, but it needed to keep rolling. Councilman Wobser agreed with Mayor Muryn in how this particular one was handled and does not want to miss out on an opportunity for a grant like this. He just wants to be sure that the process for grants continue to go through the normal process even in circumstances where there isn’t enough time to go through the normal process and even when the City does not have the money to be encumbered.

Councilman Palmer moved to adjourn City Council at 7:50pm, seconded by Councilman Niemeyer.

ACTING CLERK OF COUNCIL

COUNCIL PRESIDENT