

## FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

AUGUST 2, 2022

COUNCIL CHAMBERS

### ROLL CALL of 2022-2023 Councilmembers:

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

**ABSENT:** none

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 July 19, 2022 Public Hearing meeting minutes to accept the Revenue Estimates for Fiscal Year 2023, seconded by Councilman Niemeyer. Motion carried. Filed.
- Councilman Slough moved to accept the July 19, 2022 Regular Session City Council meeting minutes, seconded by Councilman Hellmann. All were in favor. Motion carried. Filed.

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

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

#### ADD-ONS:

1. Letter from City Clerk – status of Mardic Investments, Inc. annexation (*PETITIONS section*)

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

### PETITIONS:

#### Status of Mardic Investments, Inc. annexation (parcel no. 020001025344 south of CR 99)

On August 1, 2022, annexation documents for the Mardic Investments, Inc. annexation were received from the County Commissioners Office and will now be held in the office of the City Clerk the required 60 days ending September 29, 2022. Philip L. Rooney, Rooney & Ranzau, Ltd., is the agent for the petitioner and will be submitting a letter requesting what the property will be zoned as. This annexation will be referred to as the Mardic Investments, Inc. (parcel no. 020001025344) Annexation. Resolution No. 014-2022 (services the City will provide if annexed into City limits) was adopted during the June 21, 2022 City Council meeting. The City Planning Commission and the Planning and Zoning Committee will discuss the rezoning request during their October 13, 2022 meetings. Legislation to accept and approve the annexation, as well as to rezone the parcel will be on the agenda to receive its first reading during the October 18, 2022 City Council meeting. Annexation will be on hold in the City Clerk's Office until September 29, 2022. Filed.

### ORAL COMMUNICATIONS:

#### Daniel Perry – pedal party bike

Mr. Perry operates a pedal party bus in Tiffin, OH, Upper Sandusky, OH, and soon will be in Bowling Green, OH. When he first starts up a pedal bike in any town, he meets with City Council. He currently serves on Tiffin City Council. He also runs a rental business with his brothers that they co-own forty (40) properties with the first one being on North Main Street here in Findlay. The number one question he continues to be asked is when he is coming to Findlay as Findlay is a very robust town with Findlay Brewing Company, etc. which is where a lot of individuals want to stop at when they are on a bike. The Tiffin Pedal Company is very active in the community. His company provides a person of the year award who are nominated for giving back and are recognized by him with a free ride, which is one of the items he wants to carry on to other communities. They want to work with and not against the community, which is why he is before Council tonight. There is no action needed by Council for them to open up a business. State Law allows commercial quadricycles, which is what they are by definition, to have up to thirty-six (36) ounces of beer per person on the bike at one time, or can have eighteen (18) ounces of wine per person. There are things that they have learned from operating in Tiffin that they have put into procedure, and have not had any incidents in three and a half (3 ½) years of operation. The end their services at 10:00pm each day to continue to be a good community partner.

#### Discussion:

Councilman Slough asked Law Director Rasmussen if this would only be permitted in the areas of Findlay that sells alcohol. Law Director Rasmussen (from the audience) replied that he will have to look at it as he was not prepared for that question. Mr. Perry added that they are allowed to be anywhere within the city limits of Tiffin and Upper Sandusky. They sat down with their Police Chief to ensure that they would be working together and discuss any issues. His company decided to stay off roads that were 35mph or more and do not go out to malls because it is too busy there, and do not want that liability for the business. If there is a mile long traffic behind one of the pedal bikes, then the driver will turn or get over to allow other motorists to go around, which is what they do in Tiffin. Every time there is an empty space, they pull over and let cars pass to allow traffic to flow and then they get back into the roadway. They try to stay on 25mph roads as much as possible.

Councilman Hellmann asked if they operate twelve (12) months a year. Mr. Perry replied that they operate during the months individuals want to be outside. They spend way too much money on the bikes for them to be out in the elements, so he protects them and give the drivers a break in the winter. Customers do not tend to utilize them much in the winter. They do some extra events with their bikes (i.e. have Santa Claus on a bike and visit some kids, etc.). They are pretty much shut down December through March

Councilman Wobser asked if they need the City's permission to bring their business to Findlay. Mr. Perry replied that through Ohio Law, it is already permitted. He is seeking the City of Findlay's blessing to work in Findlay so that if citizens contact Councilmembers with questions about the business, those questions can be brought directly to him, or one of his partners, and address them. Councilman Wobser asked if they have ever had a safety issue. Mr. Perry replied no, they have never had a safety issue.

Councilman Niemeyer noted that he has read newspaper articles about their business when they first started in Tiffin, Ohio and was under the impression that they have alcohol on board their bikes. Mr. Perry replied there is no liquor permitted on the bike and is more about being responsible. All the drivers are very well trained and take having people's lives in their hands very seriously. While they want everyone to have a good time, its has to be done safely.

Councilman Niemeyer asked if they will have to stay in the D.O.R.A. area. Mr. Perry replied that they are allowed to go anywhere within the City limits. In the situation with Tiffin, their D.O.R.A. got voted down the year they started. Their bike business was confused with D.O.R.A. in the thinking that the pedal bike was allowed to have alcohol on it when D.O.R.A. was voted down, but the two have completely separate laws for them.

Councilwoman Frische asked if the pedal bikes would be able to utilize the bike path for a better route or if the bikes are motorized similar to a golf cart. Mr. Perry replied they are not in the same category as golf carts. They are quadricycles by legal definition. There is an electronic assisted motor on the bikes that can be utilized if a driver needs it for a group. They had a group from the senior citizen home that rode on their pedal bike who utilized the motor to assist them. His son's baseball team has also rode on it. They pedal bikes are not just for those that want to get rowdy. They have been used for birthday parties, historic tours, etc. They want to be more than just a bar on wheels. Councilwoman Frische replied that her concern is that they will impede traffic. She asked how many bikes will be in Findlay. Mr. Perry replied just one to start. They only have one in each of the other towns. They may eventually get another, but for now, the company feels it is just a cool thing to take to other communities to help their downtown. He called a local downtown business today for a potential partnership. Many patrons of his bikes will go downtown and eat and then go to bars after the bike ride is done. They only offer up to two (2) hour timeslots. Three (3) hours is too long which is one of those things they learned when they started. When they first started, they allowed patrons to pick if they wanted the bike for two (2) or three (3) hours, and soon determined that three (3) hours was too long.

Councilman Bauman asked if only employees will be driving the bikes or if those consuming alcohol will also be driving them. Mr. Perry replied that the business supplies the driver and are never driven/operated by a passenger. The driver is always sober the entire time. The drivers main responsibility is safety. Filed.

**WRITTEN COMMUNICATIONS:** none

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

**Director of Law Rasmussen – additional funds for 2022 Legal/Financial Services object code 441400 for City Law Director's Office**

When I estimated what budge amount would be needed this year for Outside Legal Counsel services, it was unknown exactly how much would be needed and the City of Findlay Law Director's Office has spent all of its budgeted amount and is in need of additional funds to pay unforeseen July-December 2022 invoices. At this time, the amount of one hundred thousand dollars (\$100,000.00) is being requested to be appropriated from the General Fund to the Law Director Department #21015000-441400 via Ordinance No. 2022-076. Ordinance No. 2022-076 was created. Filed.

**Treasurer's Reconciliation Report – June 30, 2022.** Filed.

**Service-Safety Director Martin – additional funds for 2022 CUBE and Diamonds concession sales**

The Recreation Department has had an exceptional year with concession sales at the Cube and the Diamonds. Sixty-six thousand dollars (\$66,000.00) was originally appropriated for 2022 and has been exhausted with revenue of one hundred eleven thousand four hundred thirty-six dollars (\$111,436.00) to date. An appropriation of funds will be needed in order to purchase concession items for the fall baseball/softball season, as well as, the fall ice season. Legislation to appropriate funds is requested. Ordinance No. 2022-077 was created.

FROM:	General Fund	\$ 25,000.00
TO:	Recreation Department #21044400-other	\$ 25,000.00

Discussion:

Councilman Russel asked if the concessions inventory is getting low, so this needs to be adopted tonight. Service-Safety Director Martin replied no, it can be passed at the next City Council meeting.

Councilman Hellmann noted that the original appropriation was for sixty-six thousand dollars (\$66,000.00) and asked if any revenue was made off the eleven hundred thousand dollars (\$110,000.00). Service-Safety Director Martin replied that is correct. Councilman Hellmann asked if they took the revenue and purchased more concession supplies. Service-Safety Director Martin replied no they did not. It is a governmental accounting practice that goes into the General Fund and then the department has to pull from the General Fund. It is not an isolated budget

Councilman Wobser asked if this is the same issue that was had with jet fuel at the Airport. Service-Safety Director Martin replied that is correct. Filed.

### **Service-Safety Director Martin – Hancock Public Health combined services contract renewal**

Ordinance No. 2021-107 was passed in December 2021 to extend the existing five (5) year Hancock Public Health (HPH) combined services contract that expired on December 31, 2021. In the early months of 2022, Mayor Muryn, Township and Village representatives, Health Commissioner, and Service-Safety Director Martin discussed the plan for an amended contract. The allocation split between the City of Findlay, townships, and villages will remain the same: fifty-seven and a half percent (57.5%) and forty-two and a half percent (42.5%) respectively. The City's annual financial obligation for combined services for the first three (3) years of this agreement will be three hundred sixty-six thousand seven hundred seventy-eight dollars and twelve cents (\$366,778.12) which is seventeen thousand four hundred sixty-five dollars and sixty-two cents (\$17,465.62) more than the original contract terms. The allocation will be evaluated every three (3) years. HPH shall strive for a fee for service supported entity with the cost continuing to be proportioned between the City, Townships, and Villages. The allocation will increase every three (3) years by a rate not to exceed five percent (5%) for the next three (3) year period. In the event the HPH allocation need decreases, it will be communicated by the Health Commissioner with the adjustment being made accordingly. The Hancock County General Health District Advisory Council (DAC) met on March 7, 2022 and voted to adopt the proposed amended agreement. The final version of this amended agreement was presented to the Mayor's Office in July and then signed. There are many moving parts in this situation, including legislation to extend the previous contract with the DAC voting to approve the amended agreement. Legislation authorizing the Mayor to sign the amended agreement for a continuation of the previous agreement with minor modifications was inadvertently omitted. Legislation authorizing the Mayor to enter into an amended agreement with Hancock County General Health District Advisory Council to continue combined services provided by Hancock Public Health, as well as an appropriation of funds to pay the City's portion for provided health services of three hundred sixty-six thousand seven hundred seventy-eight dollars and twelve cents (\$366,778.12) is requested. Ordinance No. 2022-078 was created.

#### **Discussion:**

Councilman Wobser asked when this needs to be passed. Service-Safety Director Martin replied sooner rather than later is the preference. There was a crossover in communication and was extended a year because of COVID. The committee walked through the changes and voted on it. An amendment to the existing contract was made in March with the delivery of the final version of the contract provided to the Mayor's Office where it was signed. Councilman Wobser asked if the contract is valid through 2022 with the extension. Service-Safety Director Martin replied yes, the extension is valid through 2022. Tonight's legislation is the next step. Councilman Wobser asked how many years the City's commitment is for. Service-Safety Director Martin replied five (5) years. Councilman Wobser asked if this is for a five (5) year commitment with the first three (3) years known, with a basic knowledge of what the next two (2) years will be. Service-Safety Director Martin replied that the anticipation is that every three (3) years, it will go up five percent (5%) based on costs and expenses, however, their goal is through funding of grants and other opportunities they have for funding to be self-sustaining with the goal of not needing the City's contribution or the other contributors, townships, and villages could be a lesser number, but is unknown at this time. Councilman Wobser asked if the worst case scenario would be an additional fifteen percent (15%) over three (3) years. Service-Safety Director Martin replied it would be five percent (5%) for a three (3) year window. It is not five percent (5%) every year for three (3) years. It is five percent (5%) for three (3) years for one time. Councilman Wobser asked how the distribution was arrived at. Service-Safety Director Martin replied that it is based on population and services provided. Councilman Wobser asked if the number stayed the same from the last contract since the City lost population in the census which would adjust the City's contribution. Service-Safety Director Martin replied that it is based on population, but is also based on the services provided to the respective populations which is quantified to be fifty-seven and a half percent (57.5%). That is determined by what services are provided due to the population in the villages and townships compared to the services provided to City citizens. Councilman Wobser asked if the County also lost population. Service-Safety Director Martin replied he does not know, and can only say that they came up with this percentage based on looking at the historical . . . Councilman Wobser interrupted asking if the numbers have been checked. Service-Safety Director Martin replied yes the numbers were checked. The Administration sat down with Health Commissioner Karim Baroudi and walked through the data. Councilman Wobser replied that he is surprised that the allocations did not adjust at all. If some residents moved out of city limits and into the County, that the County would start to pick up more of this given the census data. Service-Safety Director Martin replied that the services being provided to the citizens of the City . . . Councilman Wobser interrupted stating that Service-Safety Director Martin just stated that it is based on population. He is unsure why services is coming up if it is based on population. Mayor Muryn added that the City has different demands on the Health Department (i.e. zoning regulations – if a raw sewage complaint comes in, the City works with the Health Department on that, etc.). The City works with them on non-high demand items from the County overall. When negotiating the contract early on with the DAC and through the merger, the small amount of population changed, but the overall related workload remains very proportionate, so while there has been a minimal shift in population from within the City corporation, it was determined that breakdown in percentage of costs was still appropriate for the current distribution of services. Councilman Wobser asked what will happen if Council votes this down. Mayor Muryn replied that they would go back and discuss it. She had thought legislation was already passed authorizing her to sign the agreement, but that was not the case, so that is why this legislation is before Council now. All the entities have signed off on the agreement after they negotiated it. It has a five percent (5%) cap over a three (3) year period with a two (2) year extension option. The cost justification that is provided is included in this renewal contract. If it ends up under cost, then each entity's amount proportionally decreases which is possible if outside funding is obtained. Councilman Wobser noted that it has been stated that this is for three (3) years with a two (2) year option, but that it really is not, and is a five (5) year agreement. The City is in this for five (5) years and is just a matter of how much money the City is going to pay. Mayor Muryn replied that is correct. Councilman Wobser asked if the City's commitment is for five (5) more years. Mayor Muryn replied that is correct. There are out clauses in it. If the City of Findlay suddenly decides they want to start their own Health Department again, there would be a legal recourse to do so.

Councilwoman Warnecke asked if she is understanding correctly that there was a five (5) year contract that expired in December of 2021, but was extended for a year, but that this letter states that in the first three (3) years of the agreement that if the three hundred sixty thousand dollars (\$360,000.00) is spent, it would exceed what was going to be for five (5) years. Mayor Muryn replied that that part of the letter is pertaining to future costs that cannot exceed five percent (5%) over three (3) years.

Those are the parameters within the agreement, but the City meets with Hancock Public Health regularly and also obtain reports from them regularly. Health Commissioner Karim comes before Council on an annual basis where he provides their costs. If there are things they are doing and/or spending funds that are not justified, it will be addressed. They do plan to come to Council soon to address questions on the mobile health unit. They plan to provide a presentation on their measures. They recently hired a Physician Assistant which brings them up to full staff. Ideally, this legislation would be passed tonight because of her error in signing the agreement before legislation was adopted, but she understands if Council wants to take time to review it. She'd be happy to go through it with anyone that wants to sit down and review the agreement. If anyone has any significant concerns, she will go back to the group and discuss those concerns to renegotiate it. She is pleased with the agreement and feels everyone did a good job on it. Service-Safety Director Martin worked with the DAC and villages to come up with a very fair agreement.

Councilman Bauman asked how the formula breakdown was arrived at. He asked if the figures were directed at the State level for services by population. Mayor Muryn replied that it was looked upon when the Health Department merger was going on and the total cost between what services were being provided, who currently is providing those services, what the population was, and what staff is providing services solely to the City, etc. They looked at the overall operation and then looked at their staff to determine what the overall expenditures are related to that while also keeping in mind the population.

Councilwoman Frische asked if Council reviewed the contract and/or if it went to a committee to review it. If it did not, it would be appropriate to do so. She was on Council during the Health Department merger and knows there are a lot of pieces to the pie of where their funding comes from (i.e. vaccinations obtain a lot of reimbursements by running them through insurances, etc.). Sewage issues have been mentioned in that septic tanks have become a larger job for the Health Department to be managing and keeping track of both in city limits and out in the county. She would like to have the contract go to Council so they can review it and understand it, and possibly make changes to it, if needed. It is possible that it should be a three (3) year contract instead of a five (5) year contract, or may possibly require some discussion. Council has not seen the contract and would like to see it. Mayor Muryn replied that it is an administrative function, but she would be happy to sit down with anyone and go over it, and can send out a copy of it and can go over questions at the next City Council meeting. It contains standard language from the previous agreement. The only change is the changes in cost which they had to justify. Councilwoman Frische replied that she would like to see the breakdown of all the funding that is coming into the Health Department to see where things have changed and why the need for the increase in funding and how it is validated. While she understands that it is an administrative function, Council has to approve the funds at the end of the day. If Council does not want to have a committee on it, she would like to discuss it with Mayor Muryn to get those details. Mayor Muryn replied that she and Councilwoman Frische are scheduled to meet on Monday for a 2-hour meeting and can discuss it then. She will provide the additional expenditures that was reviewed by the DAC, village Mayors, and Service-Safety Director Martin during that process which is one of the reasons the potential cost decrease was mentioned to encourage seeking of outside funding to get that reimbursement and to take advantage of grants that are currently out there was included. Filed.

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

City Engineer Kalb is requesting to use a portion of the June allocation of the Capital Improvements Restricted Account and appropriate it into the Street Preventative Maintenance Project to allow the Street Department to continue their efforts in maintaining the City of Findlay's existing roadway system. Legislation to appropriate and transfer funds is requested. Ordinance No. 2022-080 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 100,000.00
TO:	2022 Street Preventative Maintenance, <i>Project No. 32820100</i>	\$ 100,000.00

Filed.

**Airport Advisory Board minutes – July 14, 2022.**

Discussion:

Mayor Muryn pointed out that the title of Airport Manager is still listed as the title on pages 7 and 14 of the proposed rules, which will be changed to Airport Director. Filed.

**City Engineer Kalb – 2022 Annual Street Resurfacing/Curb Repairs, Contract A (concrete), Project No. 32820500**

In conjunction with Ordinance No. 2022-079, East Lima Street is to be added to the 2022 Annual Street Resurfacing project for curb replacement. Additional Funds are being appropriated as part of Ordinance No. 2022-079. The City of Findlay Engineering Department will be working with Columbia Gas to ensure East Lima Street work is done in a cost efficient and timely manner. Newcomer Concrete Services Inc. was the winning bidder and was awarded the 2022 Annual Resurfacing Concrete contract. The additional work will exceed the original bid specs and is greater than the fifty thousand dollar (\$50,000.00) threshold for competitive bidding. Since Newcomer Concrete was awarded the 2022 annual resurfacing contract and currently has an opening in their schedule, the City of Findlay would like to utilize their services for the additional work on East Lima Street. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to waive all formal advertising and bidding requirements and enter into an agreement with Newcomer Concrete Services, Inc. for the aforementioned roadway addition, to include the emergency clause is requested. Ordinance No. 2022-079 was created. Filed.

**City Engineer Kalb – 2022 Annual Street Resurfacing/Curb Repairs, Project No. 32820500**

As discussed in the previous Council meeting, Columbia Gas has finished the underground work on East Lima Street and will be starting the restoration of the area. Prior to the Columbia Gas project, East Lima Street was scheduled to be resurfaced in 2021, but was dropped from the program due to the amount of underground work Columbia Gas was going to be doing. To ensure that the roadway would not be torn up multiple times, the City of Findlay would like to add East Lima Street to this year's Annual Resurfacing Program. The City of Findlay Engineering Department will be working with Columbia Gas on curb replacement prior to paving the roadway. Legislation to take a portion of the June allocation of the Capital Improvements Restricted Account and appropriate it into the 2022 Annual Street Resurfacing/Curb Repairs project is requested. Ordinance No. 2022-079 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 170,000.00
TO:	2022 Annual Street Resurfacing/Curb Repairs, <i>Project No. 32820500</i>	\$ 170,000.00

Filed.

**Traffic Commission minutes** –July 18, 2022. Filed.

**City Planning Commission agenda** – August 11 2022. Filed.

**COMMITTEE REPORTS:**

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss increasing the General Insurance Fund level via Ordinance No. 2022-059.

*We recommend to leave the Ordinance tabled until such time that additional information can be gathered for further discussion. Ordinance No. 2022-059 was lifted from the table during the OLD BUSINESS portion of the 7/19/22 City Council meeting and removed from further consideration, therefore, it is no longer on the agenda. It had been tabled after first reading/before second reading on July 5, 2022*

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss increasing the Minimum Reserve Balance via Resolution No. 018-2022.

*We recommend to approve moving the Minimum Reserve Policy to 25% of the General Fund expenses as stated in the resolution. Resolution No.018-2022 was lifted from the table during the OLD BUSINESS portion of the 7/19/22 City Council meeting and given it its second reading. It had been tabled after first reading/before second reading on July 5, 2022*

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

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 018-2022** (*minimum reserve balance policy*) **requires three (3) readings** **third reading - adopted**  
***The resolution was lifted from the table during OLD BUSINESS and given it its second reading. It had been tabled after first reading/before second reading on July 5, 2022***

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.

Discussion:

Councilman Wobser thanked the APPROPRIATIONS COMMITTEE, the City Auditor, and the Mayor for walking Council through this process. It is a good thing for Council to do to help the City's financial stability and security going forward. The City's Minimum Reserve is much different than the Rainy Day Fund. He asked what would happen if the City were to work below this number. The Administration would have to show Council how to work their way back up to maintain/restock the Minimum Reserve. That would be shown in the budget around budget time and does not show many restraints on the Administration or the City's spending, if need be, but has to be noted, and is more of an advisory type thing. This is a great piece of legislation that will do well for the City.

Councilman Wobser moved to lift Resolution No. 018-2022 from the table, seconded by Councilman Greeno. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Slough, Wobser. Nays: Russel, Warnecke. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

**RESOLUTION NO. 021-2022** (*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 Wobser moved to adopt the Resolution, seconded by Councilman Palmer.

Discussion:

Councilwoman Frische asked for additional information on these as they are high dollar amounts. She asked for more detail on what they were for. Mayor Murny replied that the Hartford Insurance Company's portion of the bill was related to storm damage. There was another insurance claim for storm damage to one of the overhead doors. Councilwoman Frische asked what case(s) the legal counsel portion of this was for. Law Director Rasmussen replied that he will have to locate that within the seven and a half (7 ½) pages of invoices paid that has been provided to Council tonight to determine which invoice(s) it is for. The District Court cases that went in front of the Sixth Court Circuit have been completed with a cost to the City being \$0 and was paid by insurance. Councilwoman Frische asked if the legal counsel amount of this is part of the \$87,000 already spent this year or if it is part of the additional \$100,000 budget request the Law Director's Office is requesting via Ordinance No. 2022-076. Law Director Rasmussen replied it is part of the \$87,000 already paid.

Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, 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. 2022-061** (332/336 Cherry St vacation) **requires three (3) readings** **third reading - adopted**  
AN ORDINANCE VACATING A CERTAIN PORTION OF AN ALLEY (HEREINAFTER REFERED TO AS THE 332 AND 336 CHERRY STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-061 and is hereby made a part of the record.

**ORDINANCE NO. 2022-064** (STRICT Center) **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 A CONTRACT WITH CLOUSE CONSTRUCTION CORPORATION, FOR THE DESIGN PHASE OF THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Slough, Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-064 and is hereby made a part of the record.

**ORDINANCE NO. 2022-066** (AIP33 North Apron Rehab Construction) **requires three (3) readings** **second 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 third reading, seconded by Councilman Russel. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance received its third reading. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Bauman.

Discussion:

Councilman Hellmann asked if there is a reason this Ordinance needed to be adopted tonight. City Engineer Kalb replied because of timing. This project has to be completely done before the end of October and cannot allow the north apron to continue to be open being that it is the Airport. The contractor is able to secure structures and there is a City preconstruction meeting on it tomorrow. If this Ordinance is adopted tonight, with the pre-con meeting tomorrow, the contractors will be able to get started with the project and stay on schedule. Councilwoman Frische asked what the dollar amount for this request is as she was not yet on Council for its first reading during the last City Council meeting. City Engineer Kalb replied there is a lot of FAA money involved with this and the City's share is a five percent (5%) match making it a two million dollar (\$2,000,000.00) project. The FAA and ODOT Aviation are covering ninety-five percent (95%) of the project. FAA's amount is one million seven hundred ninety-nine thousand dollars (\$1,799,000.00). The City's share will be three hundred eighty-five thousand dollars (\$385,000.00) of CIT Funds this year. Then next year, the FAA will be covering ninety-five percent (95%) of that. There will be money coming back from this project in 2023.

Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-066 and is hereby made a part of the record.

**ORDINANCE NO. 2022-068** (HAN-Interstate and FHS Trails) **requires three (3) readings** **second reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2022-069** (Rector Ave waterline replacement) **requires three (3) readings** **second reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2022-074** (909 Broad Ave rezone) **requires three (3) readings** **second reading**  
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 909 BROAD AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SMALL LOT RESIDENTIAL" TO "C1 LOCAL COMMERCIAL".

Second reading of the Ordinance.

**ORDINANCE NO. 2022-076** (Law Director budget – more funds for legal svcs (pending litigation)) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2022-077** (additional funds for 2022 Cube and Diamonds concession sales) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2022-078** (Hancock Public Health combined services contract renewal) **requires three (3) readings** **first reading**  
AN ORDINANCE AMENDING ORDINANCE NO. 2021-107 TO AUTHORIZE THE MAYOR OF THE CITY OF FINDLAY, OHIO TO CONTINUE COMBINED HEALTH AND ENVIRONMENTAL SERVICES PROVIDED BY THE HANCOCK COUNTY GENERAL HEALTH DISTRICT AND CITY OF FINDLAY HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2022-079** (2022 Annual Street Resurfacing/Curb Repairs, Contract A (concrete)) **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 NEWCOMER CONCRETE SERVICES INC. FOR THE 2022 ANNUAL STREET RESURFACING/CURB REPAIRS, CONTRACT A (CONCRETE) PROJECT NO. 32820500, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that Newcomer Concrete is already in town and is ready to start pouring curbs, and with the condition of Lima Avenue, and the coordination of AEP, City Engineer Kalb is requesting this Ordinance be adopted tonight.

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, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno.

Discussion:

Councilwoman Frische asked why formal advertising and bidding is being waived for this. City Engineer Kalb replied that this contractor was awarded the 22 project for concrete, so with the additional concrete work on East Lima Street being over the fifty thousand dollar (\$50,000.00) threshold, the advertising and bidding has to be waived in order for the same contractor to do the work. He checked pricing with two (2) other contractors, but Newcomer Concrete was still the lowest and are in town right now making them able to get the work done now. Councilwoman Frische asked if she understands correctly that Newcomer Concrete is already doing work for the City and that City Engineer Kalb was able to get some informal comparisons that are on record. City Engineer Kalb replied that is correct.

Ayes: Slough, Warnecke, Wobser, Bauman, Frische, Bauman, Greeno, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-079 and is hereby made a part of the record.

**ORDINANCE NO. 2022-080** (2022 Street Preventative Maintenance) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilman Wobser reminded Council that there is a **STRATEGIC PLANNING COMMITTEE** meeting on August 16, 2022 beginning at 10:00am that is anticipated to last at least two to three (2-3) hours, will be held in the third floor conference room of the Municipal Building (CR1). He invited all of Councilmember to attend.

agenda: first draft of the strategic plan that has been given to the City by PlanningNext

Mayor Muryn asked Council to let her know if they will be attending so that she can plan food accordingly.

**NEW BUSINESS:**

Mayor Muryn thanked the APPROPRIATIONS COMMITTEE for reviewing the Minimum Reserve Balance and for discussing it in more detail. The CUBE is going strong with a lot of events going on. There are many age group sports going on.

Mayor Muryn informed Council that the National Night Out Program at Riverside Park is tonight and is having record attendance. The FOP and other law enforcement, safety/services, and first responders put a lot of work into making it happen. It is a great event.

Mayor Muryn pointed out that First Responders deal with a lot on a daily basis. She read the report of a drowning incident of a young child where First Responders were able to save the child's life. It is taken for granted what they encounter on a daily basis, but that we are able to go about our lives because of their work. She thanked them for all they do.

Mayor Muryn will follow up with an email on any issues of the Hancock Public Health agreement. Anyone with questions can ask or meet with her one-on-one.

Councilman Wobser informed Council that Findlay High School graduate Christine Stansbury has been involved with an event that has been going on for quite some time that he was not aware of until a couple of years ago when he was told about it. It is called Greatest International Scavenger Hunt (GISH) that will benefit the Ukraine this year. Their scavenger hunt also benefits the environment.

Councilman Wobser noted that Councilwoman Frische brought up a good point tonight and asked Council if anyone would be opposed to or would appreciate having the dollar amounts of legislation put into the agenda recap. It would be appreciative if the dollar amount was included on the agenda as there are weeks, if not a month and a half, before the legislation is adopted and would be nice to have that information there.

Councilman Hellmann asked if anyone else on Council has reviewed the drawings or the placement of the STRICT Center and the prior mention of a salt barn also being there. He does not feel that a salt barn next to the new STRICT center is a good location for it. He asked if the Mayor and/or Service-Safety Director are pleased with the way it will look and where it will be on the site. Service-Safety Director Martin replied there will not be a salt barn next to the STRICT Center. The plans for it have not started yet and has only been conceptual and have only been conversations so far. Fire Chief Eberle worked with RCM Architects, Inc. who have provided some designs that are building off of when this is awarded to Clouse Construction to move forward. It will fit the format and the layout and will be aesthetically appealing to what is already out there. It will be very attractive and welcoming. It will be a regional education site that the City can be very proud of. He is confident with what it is going to look like. It is not going to be an eye sore and will not be close to a salt barn. Fire Chief Eberle has been very open in sharing conceptual designs and is open to sharing any information Council needs to ensure everyone is on the same page while moving through the project.

President of Council Harrington reminded Council that there will be a Findlay City Schools Community Day on August 5, 2022 from 11am-6pm at the Donnell Stadium. It is a free event that the community is invited to. The Findlay High School varsity football team will scrimmage right after the event. The band will perform throughout the event and fall sports teams will be introduced. They have worked very hard for this and are hoping for a large turnout. There will be a number of vendors and events there. First Responders will be there, a bouncy house, food trucks, vendors and yard games, etc.. All Councilmembers should attend to represent the City, Council, and the Administration.

Councilman Slough moved to adjourn City Council at 7:55pm, seconded by Councilman Bauman.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT