

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

NOVEMBER 1, 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 Pro-Tem Russel introduced himself and explained that whenever the Mayor or President of Council are not present for a City Council meeting, he becomes President of Council Pro-Tem and runs the meeting. Mayor Muryn is absent tonight for a very good reason. She is a guardian on Flag City Honor Flight's mission to Washington DC. Today's mission is to take eighty-seven (87) Vietnam War Veterans to visit the memorials in Washington DC that honor their military service. Today marks the third (3rd) mission for the Flag City Honor Flight that is sponsored in part by Ohio Logistics and Chuck & Dee Dee Bills. He thanked them for their continue support of the Flag City Honor Flight. Today, Mayor Muryn has the honor of escorting US Navy Petty Officer Second Class Russ Batey Jr. With Veterans Day next Friday, November 11, 2022, it is appropriate to be mindful of the service and sacrifice given by all of our Veterans, including Petty Officer Batey and his eighty-six (86) fellow Veterans who are traveling with the Flag City Honor Flight today.

President of Council Pro-Tem Russel 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 October 18, 2022 Regular Session City Council meeting minutes, seconded by Councilman Greeno. All were in favor. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

1. Board of Zoning Appeals September 8, 2022 minutes (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
– pg 3 (2nd pg of case number: BZA-13-2022-63163 is missing)
2. letter from City Engineer Kalb – CSO Long Term Control Plan (LTCP) Amendment, Project No. 35626200 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
3. letter from City Engineer Kalb – AIP-34, Project No. 35225200 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
4. letter from City Engineer Kalb – HAN-Interstate and FHS Trails PID115232 (32821400) (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
5. City Planning Commission meeting minutes – 10/13/22 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
6. City Planning Commission meeting agenda – 11/10/22 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**)
7. WATER & SEWER COMMITTEE report – October 27, 2022 (**COMMITTEE REPORTS section**)
8. Resolution No. 030-2022 – no PO (**LEGISLATION section**)
9. Resolutions No. 031-2022 – AIP-34, Project No. 35225200 (**LEGISLATION section**)
10. Ordinance No. 2022-125 – CSO Long-Term Control Plan (LTCP) Amendment (**LEGISLATION section**)
11. Ordinance No. 2022-126 – HAN-Interstate and FHS Trails PID115232 (23821400) (**LEGISLATION section**)

REPLACEMENTS:

- Ordinance No. 108, AS AMENDED = ARPA Funds (**LEGISLATION section**)
 - changed 4th appropriation:

FROM: ARPA Fund	\$ 250,000.00
TO: Income Tax Software, Project No. 31925500	\$ 250,000.00
to now be:	
FROM: ARPA Fund	\$ 190,000.00
TO: Income Tax Software, Project No. 31925500	\$ 190,000.00
- Ordinance No. 2022-120, AS AMENDED = STRICT CENTER GMP3 project (**LEGISLATION section**)
 - changed header:

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 3 (GMP3) WITH CLOUSE CONSTRUCTION CORPORATION FOR SITE UTILITY/CONCRETE AND FINAL BUILDOUT, INCLUDING FINISHES AND MEP PHASES OF THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

to now be:

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 3 (GMP3) WITH CLOUSE CONSTRUCTION CORPORATION FOR INTERIOR/BUILDING FOUNDATION CONCRETE, MASONRY, MEZZANINE AND OVERHEAD DOORS FOR THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

– changed first WHEREAS:

WHEREAS, the City of Findlay, Ohio is desirous to enter into a Guaranteed Maximum Price Phase Amendment No. 3 (hereinafter referred to as “GMP3”) for the site utility/concrete and final buildout, including finishes and MEP phases of the STRICT Center project, and;

to now be:

WHEREAS, the City of Findlay, Ohio is desirous to enter into a Guaranteed Maximum Price Phase Amendment No. 3 (hereinafter referred to as “GMP3”) for the interior/building foundation concrete, masonry, mezzanine and overhead doors of the STRICT Center project, and;

– added project cost to second WHEREAS:

WHEREAS, Guaranteed Maximum Price Phase Amendment No. 3 (GMP3) includes interior/building foundation concrete, masonry, mezzanine and overhead doors.

to now be:

WHEREAS, Guaranteed Maximum Price Phase Amendment No. 3 (GMP3) includes interior/building foundation concrete, masonry, mezzanine and overhead doors at a cost of \$365,768.00.

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Alley vacation request – Bolton St

James Bowser, owner of Performance R&D is requesting a vacation of Bolton Street from Burnett Street south to the dead end. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS:

Cathy Weygandt – rezoning for proposed McDonald’s site. Filed.

Larry and Scott Ball, owner/operators of McDonald’s Findlay – proposed site for McDonald’s. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals minutes – March 10, 2022, September 8, 2022. Filed.

City Engineer Kalb – AIP-33 North Apron Rehab Construction, Project No. 35224000, ODOT Aviation FY23 grant

The City of Findlay has received ODOT Aviation Grant funds to cover a portion of the North Apron Rehab Project. These funds will cover five percent (5%) of the project cost which is the City’s match of the entire AIP-33 North Apron Rehab Construction Project. Legislation to appropriate ODOT Aviation Grant funds for use of the rehabilitation of the North Apron is requested. Ordinance No. 2022-122 was created.

FROM:	ODOT Aviation Grant (M23-10)	\$ 99,848.00
TO:	AIP-33 North Apron Rehab Construction, <i>Project No. 35224000</i>	\$ 99,848.00

Filed.

City Engineer Kalb – ODOT FY23 Resurfacing (Bright Road, Phase III), Project No. 32822000

The City of Findlay Engineering Department is finishing up the plans for ODOT FY23 resurfacing of Bright Road from Fostoria Avenue to Production Drive. Construction for this project will not be until the 2023 construction season, but that the City of Findlay Engineering Department would like to bid the project as soon as the plans are completed. Legislation authorizing the Service-Safety Director and/or City Engineer to advertise for bids, enter into contracts for construction, and appropriate and transfer funds is requested. Ordinance No. 2022-123 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 1,000.00
TO:	ODOT FY23 Resurfacing (Bright Road Phase III), <i>Project No. 32822000</i>	\$ 1,000.00

Filed.

President Pro-Tempore Russel – Ad-Hoc Committee on Council Rules of Procedure

President Pro-Tempore Russel is appointing and Ad-Hoc Committee to recommend changes to Council’s current rules of Procedures. The following members are appointed to serve on this committee: Grant Russel, Chairman, Brian Bauman, Josh Palmer, Jeff Wobser. Recommendations will be presented to the full Council at or before the January 3, 2023 Regular Session of City Council for approval. Filed.

Service-Safety Director Martin – Additional request for Fire Department vehicle accessories

The City of Findlay Fire Department recently took possession of two (2) pickup trucks that were purchased with Capital Improvements Funds. Due to base price increases, the amount that was originally requested for the vehicles was sufficient to purchase the vehicles but not enough to include some necessary accessories. This request for accessories was presented to the APPROPRIATIONS COMMITTEE on October 17, 2022 with a recommendation for approval by Council. Legislation to appropriate and transfer funds for said accessories is requested. Ordinance No. 2022-124 was created.

FROM: General Fund \$ 26,620.03
TO: Fire Department #21014000-other \$ 26,620.03

Filed.

Service-Safety Director Martin – President’s Discretionary grant for free skate day

The City of Findlay Recreation Department received the President’s Discretionary grant from the Findlay-Hancock County Community Foundation for a free Saturday afternoon and evening of ice skating at the CUBE for Hancock County residents. The date for the free skate day is yet to be determined. Thank you to Findlay-Hancock County Community Foundation for their commitment to physical activity and supporting the goal to help keep everyone active and healthy. Filed.

Mayor Muryn – revised hours for DORA

Council enacted to establish a Designated Outdoor Refreshment Area (DORA) in downtown Findlay in March 2021 that has gone well and have had little to no issues with its use. Businesses that participate in the DORA would like to see varied hours on certain holidays to accommodate increased foot traffic, as well as the continued use of DORA cups for patron overflow, especially while waiting for a table.

Requested dates/times to be modified from the current 11:00am-11:00pm:

- St. Patrick’s Day 7:00am-12:00am
- New Year’s Eve 11:00am-12:00am
- New Year’s Day 12:00am-11:00pm

Discussion:

Councilwoman Frische asked if this has been discussed with the City Police Department for their input on extending hours. Service-Safety Director Martin replied that Police Chief Ring has been involved in the conversations. Councilman Russel added that from conversations he has had with Assistant Law Director Feighner, it is his understanding that legislation to reinstate these hour changes will be on the November 15, 2022 City Council agenda.

Councilman Hellmann asked if these hour changes are permanent and will roll over every year or if it is a trial. Service-Safety Director Martin he is unsure, but that if the legislation that is forthcoming does not state it as being permanent, it can be a trial and then revisit it unless Council wants it to be a perpetual annual occurrence. The D.O.R.A. project itself has been successful. Councilman Hellmann replied that he would prefer to see it renewed annually and not be automatically ongoing which can be discussed later or once the legislation comes up for approval. Filed.

City Engineer Kalb – CSO Long Term Control Plan (LTCP) Amendment, project no. 35626200

As discussed during the WATER & SEWER COMMITTEE meeting, the City of Findlay Engineering Department is working with Strand and Associates to amend the Combine Sewer Overflow Log Term Control Plan and begin the flow monitoring and data collection portion of the project. Legislation authorizing the Service-Safety Director and/or City Engineering to enter into contracts and to appropriate and transfer funds is requested. Ordinance No. 2022-125 was created.

FROM: Sewer Fund \$ 390,000.00
TO: CSO LTCP Amendment, Project No. 35626200 \$ 390,000.00

Filed.

City Engineer Kalb – AIP-34, Project No. 35225200

The City of Findlay Engineering Department has been working with the City of Findlay’s Auditor’s Office to organize and account some of the FAA grants that the City of Findlay received in the recent years. The purpose of the recent organization was to have the ability to properly track Airport projects that involved FAA grants from multiple fiscal years. The AIP-34 project will cover the reimbursement of Alternates No. 1 & No. 2 for the North Apron Project. As previously discussed during a City Council meeting, the City will need to front the cost of the design and construction of Alternates No. 1 and No. 2 once the project is complete, the associated cost will be submitted to the FAA and ODOT Aviation for the reimbursement of the alternates. Once the grant money is received and appropriated into the AIP-34 project, the City will only be paying five percent (5%) of the whole project. Since some of the design work was completed as part of the base bid of the North Apron Project, there are costs associated with the AIP-34 project that will need to be paid without a purchase order. Also, the \$21,890.00 that was incurred from the design work is requested to be paid to the RS&H without a purchase order. Resolution No. 031-2022 was created.

FROM: AIP-33 North Apron Rehab Construction, Project No. 35224000 \$ 220,000.00
TO: AIP-34, Project No. 35225200 \$ 220,000.00
FROM: AIP-30 North Apron Rehab Design, Project No. 35210500 \$ 86,000.00
TO: AIP-34, Project No. 35225200 \$ 86,000.00

Filed.

City Engineer Kalb – HAN-Interstate and FHS Trails PID115232 (32821400)

The aforementioned project is to extend a ten foot (10') multi-use trail along Howard Street and Broad Avenue. The City of Findlay Engineering Department is currently working on the preliminary design to have a consultant on board to assist in the development of the plans. The consultant will ensure that all of the ODOT standards for multi-modal projects are followed and that construction plans are fully developed and ready to bid per the ODOT schedule. Legislation appropriating and transferring funds is requested. Ordinance No. 2022-126 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 90,000.00
TO:	HAN-Interstate and FHS Trails PID115232, Project No. 32821400	\$ 90,000.00

Filed.

City Planning Commission minutes – October 13, 2022; agenda November 10, 2022.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the consideration of additional restricted funds/accounts.

We recommend that the creation of two (2) new restricted accounts to designate the use of funds for replacement of existing buildings, system and equipment. Language to be forthcoming. We also recommend that fifty percent (50%), up to two hundred thousand dollars (\$200,000.00) of unused Water and Sewer Fund accounts be used as one time appropriation to the above accounts.

Discussion:

Councilman Greeno noted that once the language is developed, he would like to see it go through the WATER & SEWER COMMITTEE so that they can vet it. Councilman Wobser replied that legislation will be on the next City Council agenda that will assist with the next step in this process of setting up these two (2) funds. City Auditor Staschiak added that progress is being made on this and have the research done. Along with the legislation that will be on the next City Council meeting agenda, he would also like to include a historical perspective on Rotary Funds as Council needs to have an understanding of why the City does not fund expansion of water lines, etc. which fits well into this since it talks about funding and preparing the fund and pay for replacement of the Water Treatment Facility and the Wastewater Treatment facilities so that there is a good understanding, especially if Council decides to move forward with setting money aside and also have a good understanding of the City's vehicles in place to not inhibit development and instead enhance development and how the developers can recapture funds that they invest. Councilman Greeno agreed and is one hundred percent (100%) behind knowing what funds are out there and how to use them. He will be setting up a WATER & SEWER COMMITTEE meeting soon.

Councilwoman Warnecke asked if the two hundred thousand dollars (\$200,000.00) request is for water and two hundred thousand dollars (\$200,000.00) is for sewer. Councilman Wobser replied that is correct. City Auditor Staschiak added that he will ensure that it is clear by having two (2) separate pieces of legislation, one for water and one for sewer so that there is no ambiguity in the short term or long term.

Councilman Wobser moved to adopt the committee report, seconded by Councilwoman Warnecke. All were in favor. The committee report is adopted. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss a Demolition Program update.

We recommend the approval of the use of four hundred thousand dollars (\$400,000.00) of ARPA funds for the City of Findlay Building Demolition Program. Program details to be forth coming from the Administration. Ordinance No. 2022-121 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss Fire Department emergency response equipment for newly purchased trucks.

We recommend to approve the additional twenty-six thousand six hundred twenty dollar and three cents (\$26,620.03) for pick-up truck equipment (see attached cost break down). Ordinance No. 2022-124 was created.

Discussion:

Councilman Wobser pointed out that Fire Chief Eberle's letter is in tonight's packet, along with legislation to potentially be adopted tonight.

Councilman Wobser moved to adopt the committee report, seconded by Councilman Slough. All were in favor. The committee report is adopted. Filed.

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 18, 2022 to continue discussions from the August 22, 2022 committee meeting on carriage/service walks.

We recommend further discussion on carriage walks. The committee will meet on October 24, 2022 to recommend a policy to address carriage walks.

Councilman Slough moved to adopt the committee report, seconded by Councilman Wobser. All were in favor. The committee report is adopted. Filed.

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 24, 2022 to continue discussions from the October 18, 2022 and August 22, 2022 committee meeting on carriage/service walks.

We recommend the City remove carriage walks when curbs are replaced. Property owners can replace carriage walks at their own cost.

Councilman Palmer moved to table the committee report as the Administration will have additional information regarding carriage walks within the next week or so, seconded by Councilman Bauman. All were in favor. The committee report is tabled. Filed.

The **WATER & SEWER COMMITTEE** met on October 27, 2022 to continue the August 23, 2022 discussions of a CSO long-term plan.

We recommend that the City Engineer moves forward with services needed to validate and assemble data for CSO Long Term Control Plan projects. Move forward with drafting legislation for data collection and the modeling phase for the CSO LTCP for the amount of \$390,000.00. Ordinance no. 2022-125 was created.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 030-2022 (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 Greeno. Ayes: Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. Nays: Frische. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

RESOLUTION NO. 031-2022 (AIP-34 project) requires three (3) readings

first reading

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

First reading of the Resolution.

ORDINANCES:

ORDINANCE NO. 2022-104 (Parker Training Room/restroom remodel) requires three (3) readings

third reading - adopted

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

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-104 and is hereby made a part of the record.

ORDINANCE NO. 2022-105 (pre-budget appropriations) requires three (3) readings

third reading - adopted

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

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

Discussion:

Councilwoman Frische asked what this pre-budget appropriation is and what it is going to. Council Clerk DeVore replied it is for comp time, unemployment claims, and medical insurance coverage.

Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-105 and is hereby made a part of the record.

ORDINANCE NO. 2022-106 (STRICT Center; water service extension invoices from Bricker & Eckler LLP) requires three (3) readings

third reading - adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Palmer 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 2022-106 and is hereby made a part of the record.

ORDINANCE NO. 2022-108, AS AMENDED (ARPA Funds) requires three (3) readings

third reading - adopted

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

Councilman Palmer moved to adopt the Ordinance, seconded by Councilwoman Warnecke. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann. ~~Nays: Frische~~ (changed to Aye during OLD BUSINESS). The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-108 and is hereby made a part of the record.

ORDINANCE NO. 2022-109, AS AMENDED requires three (3) readings

third reading – adopted

(6-month moratorium for new small box retail stores and skill-based amusement businesses)

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A SIX (6) MONTH MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMALL BOX DISCOUNT STORES(S) IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER INCORPORATING THE PROPOSED ADDITIONS INTO THE CURRENT ZONING CODE AS OUTLINED BELOW BEFORE ENACTING THEM AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann. Nays: Palmer, Frische, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-109 and is hereby made a part of the record.

ORDINANCE NO. 2022-110 requires three (3) readings

tabled after 2nd reading during the October 18, 2022 City Council meeting

(amendments to Findlay Zoning Code (dollar/thrift stores)

AN ORDINANCE REPEALING SECTIONS 1135.03, 1137.071, 1143.03, AND 1174 OF THE CURRENT ZONING CODE AND IN ITS PLACE, ENACTING THE SAME AMENDED SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-111 (ee payroll deductions for HSA) requires three (3) readings

second reading

AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYROLL DEDUCTIONS FOR THOSE EMPLOYEES WHO HAVE ELECTED TO ENROLL IN THE HEALTH SAVINGS ACCOUNT (HSA) PLAN AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2022-112 (amendment to the salary ordinance 2022-081 AS AMENDED) requires three (3) readings

second reading

AN ORDINANCE AMENDING TWO SECTIONS OF CODIFIED ORDINANCE NO. 2022-081, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2022-113 (Clerk of Municipal Court pay increase) requires three (3) readings

second reading

AN ORDINANCE APPROVING THE REQUEST OF THE ADMINISTRATIVE JUDGE OF THE MUNICIPAL COURT OF THE CITY OF FINDLAY, OHIO TO GRANT AN ADDITIONAL FIFTEEN PERCENT (15%) SALARY INCREASE FOR THE CLERK OF MUNICIPAL COURT POSITION, WHICH WOULD EXCEED THE ALLOTTED EIGHT PERCENT (8%) OF CURRENT CODIFIED ORDINANCE NO. 2022-081 AS AMENDED OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE SALARY ORDINANCE, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2022-114 (Traffic/Fabrication shop Phase I) requires three (3) readings

second 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(S) WITH TUTTLE CONSTRUCTION, INC. FOR THE DESIGN SERVICES PHASE OF THE CITY OF FINDLAY, OHIO PUBLIC WORKS DEPARTMENT BUILDING (AKA TRAFFIC/FABRICATION SHOP) PROJECT NO. 31912500 LOCATED ON CORY STREET, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel recalled that the first reading of this Ordinance during the last City Council meeting, City Engineer Kalb mentioned the desire to get moving on it. City Engineer Kalb replied this is correct. This is the design portion of the project that he would like to get going on the design to know what the building is going to look like and will also be evaluating all other buildings to see what kind of repairs are needed which will also help with capital planning.

Councilman Greeno moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Slough. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance received its third reading. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Bauman.

Discussion:

Councilwoman Frische asked if this project will be similar to the STRICT Center project in that it will be phased out. City Engineer Kalb replied that is correct. In this case, the design phase will be done before getting into the GMP phases. The first phase will be the design work and will not be construction until the design is completed.

Ayes: Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-114 and is hereby made a part of the record.

ORDINANCE NO. 2022-118 (119 W McPherson Ave vacation) requires three (3) readings

second reading

AN ORDINANCE VACATING A PORTION OF ALLEY BETWEEN WEST MCPHERSON AVENUE AND LAKE CASCADES PARKWAY, FORMERLY VANCE AVENUE, EAST OF DOUGLAS PARKWAY ABUTTING THE SHERMAN ADDITION BLOCK G AND INLOTS NUMBER 16815 THROUGH 16822 (HEREINAFTER REFERED TO AS THE 119 WEST MCPHERSON AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

ORDINANCE NO. 2022-120, AS AMENDED (STRICT CENTER GMP3) 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 ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 3 (GMP3) WITH CLOUSE CONSTRUCTION CORPORATION FOR INTERIOR/BUILDING FOUNDATION CONCRETE, MASONRY, MEZZANINE AND OVERHEAD DOORS FOR THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2022-121 (ARPA funds – demolition project) requires three (3) readings *first reading*

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

First reading of the Ordinance.

ORDINANCE NO. 2022-122 (AIP-33, North Apron Rehab Construction) requires three (3) readings *first reading - adopted*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman noted that this is an opportunity to utilize grant funding.

Councilman Bauman moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Slough. Ayes: Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough. The Ordinance received its second and third readings. Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-122 and is hereby made a part of the record.

ORDINANCE NO. 2022-123 (ODOT FY23 Resurfacing – Bright Rd Phase III) 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 AND ENTER INTO CONTRACTS FOR THE RESURFACING OF BRIGHT ROAD FROM FOSTORIA AVENUE TO PRODUCTION DRIVE, PROJECT NO. 32822000, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-124 (FFD pickup trucks – additional accessories) requires three (3) readings *first reading*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-125 (CSO Long Term Control Plan (LTCP) Amendment) requires three (3) readings *first reading*

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH STRAND ASSOCIATES, INC. FOR THE FLOW MONITORING AND DATA COLLECTION PORTION OF THE WATER POLLUTION CONTROL CENTER LONG TERM CONTROL PLAN AMENDMENT, PROJECT NO. 35626200, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2022-126 (HAN-Interstate and FHS Trails PID115232 (32821400) 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:

Councilwoman Frische requested to change her nay vote on Ordinance No. 2022-108, AS AMENDED to now be aye. Council Clerk DeVore noted Councilwoman Frische's vote change for this in the LEGISLATION section of these minutes (above). President of Council Pro-Tem Russel noted that with this vote change, Ordinance No. 2022-108, AS AMENDED is now passed by unanimously 10-0 vote.

NEW BUSINESS:

Councilman Greeno: **WATER & SEWER COMMITTEE** meeting on Wednesday, November 9, 2022 at 3:00pm in the third floor conference room of the Municipal Building (CR1).

agenda: CSO long-term control plan

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on Thursday, November 10, 2022 at 12:00pm in the first floor Council Chambers of the Municipal Building (CC). This meeting will be livestreamed on the City's YouTube channel so that more of the public is able to see it.

agenda: 1. 119 W McPherson Ave rezone (tabled 10/13/22 P&Z Committee meeting)
2. Mardic Investments, Inc. annexation rezone
3. Bolton St vacation

City Auditor Staschiak informed Council that the City Auditor's Office distributed a copy of the City's certified 2021 annual financial report and is available online and is posted on the City's website on the City Auditor's page. It has been released by the State and has been distributed to the necessary parties.

Councilman Wobser informed Council that the results of the conducted business survey was sent out to Councilmembers. After Mayor Muryn is back in town, he will call a STRATEGIC PLANNING COMMISSION meeting to go over those results. He encouraged all committee members to read through the comments as there were quite a few.

Councilman Hellmann reminded Council that Ordinance No. 2022-121 is to utilize ARPA Funds for the demolition program that will take care of some dilapidated properties. He asked how the list is developed. He asked if it is generated by the oldest, most dilapidate, or what the criteria is. Councilman Wobser replied that it will be handled very similar to the way the ARPA Funds were used for local charities. The City will have to apply for the grant and then will be put into a matrix and scored so that everyone is treated equally. How the money will be used and distributed will be based off that method. The process is very similar to what was done before. Councilman Hellmann asked if the current property owners apply for the funds themselves. Councilman Wobser replied that is correct. Councilman Hellman asked if the property owner will also need to apply for a City permit to have their property torn down. Councilman Wobser replied yes, for structures on their property.

Councilwoman Frische asked if the application form is available now or if it is still being developed for the requested four hundred thousand dollars (\$400,000.00) for demolitions. Councilman Wobser replied no, the Mayor has not put that matrix together to list what qualifies and what does not qualify. There was a lot of discussion at the APPROPRIATIONS COMMITTEE meeting that will be forthcoming. It will be reviewed prior to the process starting.

Councilman Hellmann asked if there are any financial qualifications for obtaining any funds or if anyone can apply regardless of their financial status. Councilman Wobser replied that may be one of the possibilities, and if so, applicants would have to provide their financial needs which would end up being quite a strenuous effort. That would entail the applicant's financials that would be reviewed by the committee making public which is not necessarily a good thing to do. Councilman Russel replied that it was discussed during the APPROPRIATIONS COMMITTEE meeting. The end result is that the Mayor's Office and Hancock Regional Planning Commission (HRPC) are working on developing the criterion for it, so it is still being worked on. The legislation for it has not yet been adopted by City Council. Councilman Hellmann is concerned if that the City is handing out money to property owners who might not necessarily have a financial need to take care of it themselves. Councilwoman Frische added that she sat in on that committee meeting when it was discussed that citizens, non-profits and possibly businesses could obtain State funding that had been brought up earlier this year or even last year that did not come through, so this is a new opportunity to address demolition needs which didn't appear to be a complex process. The YMCA has a couple of properties they want to demo and doesn't appear that in order to obtain these funds, finances are a factor and will be more of a process of filling out an application. She asked if the application form was ready because the legislation is already before council, but not the policy.

Councilman Bauman moved to adjourn City Council at 7:42pm, seconded by Councilman Greeno. All were in favor.

CLERK OF COUNCIL

COUNCIL PRESIDENT PRO-TEM