

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

FEBRUARY 7, 2023

COUNCIL CHAMBERS

ROLL CALL of 2022-2023 Councilmembers:

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

ABSENT: Slough

President of Council Harrington notified Council that Councilman Slough informed him that he would not be in attendance tonight. Councilman Russel moved to excuse Councilman Slough, seconded by Councilman Hellmann. 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 Palmer moved to accept the January 17, 2023 Regular Session City Council meeting minutes as amended, seconded by Councilman Hellmann. All were in favor. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

REPLACEMENTS:

1. Ordinance No. 2023-009, AS AMENDED – Fire Station #2 roof replacement (*LEGISLATION section*).

ADD-ONS:

1. Ordinance No. 2023-019 – approve 2022 ordinances & resolutions changes (*LEGISLATION section*).

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

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS: none

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Director of Law Rasmussen – funds for Bricker & Eckler, LLP STRICT Center invoice; water service extension (Ordinance No. 2023-011)

Attached are two (2) invoices from Bricker & Eckler LLP for the STRICT Center in the totaling \$5,624.00 and another invoice for water service extension in the amount of \$1,399.50 that are to be paid out of the City Law Director's Office funds. \$7,023.50 is being requested to be appropriated from the General Fund to the Law Director Department #21015000-441400 via Ordinance No. 2023-011 to pay these three (3) invoices. Ordinance No. 2023-011 was created.

Discussion:

Councilwoman Frische asked where the water line extension is, why it is being extended, and why it is in legal. Law Director Rasmussen replied that it was the discussion they were having for the authority of the extension of the water line. Councilwoman Frische asked if this is for County Road 99. Law Director Rasmussen replied no, it is for State Route 236. Councilwoman Frische asked if the water line extension is for the STRICT Center project. City Engineer Kalb replied no. It was for a discussion that took place to determine what jurisdiction projects outside the City limits would be in and what the City can/cannot say within the Planning Commission. It was to determine what authority the City has with the City Planning Commission when a water line is being extended outside of the City limits if it is adjacent to the City corporation line. It was a discussion on what the legality is outside the City limits when it is touching corporation limits. Councilwoman Frische asked what the determination was for this situation. City Engineer Kalb replied that when the City is reviewing the sanitary and water and does not like the overall plan or do not like it, the City can deny them water. The discussion was for clarification on legality. Mayor Muryn added that these are the same invoices that were addressed at the end of last year but were not paid out before the purchase order were closed at the end of the year and now need approval again. Filed.

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

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

Filed.

Treasurer's Reconciliation Report – December 31, 2022. Filed.

City Planning Commission minutes – January 12, 2023; **agenda** – February 9, 2023. Filed.

Service-Safety Director Martin – transmitter annual maintenance fees

Part of the transmitter contract with Suez included terms for annual maintenance fees. The contract specified that the maintenance fee for year one was \$125,000. Additionally, at each anniversary, the maintenance fee will be adjusted to reflect the current cost of service not to exceed an annual increase of five percent (5%). The terms were clear, however, there was a misunderstanding of when the actual first year maintenance fee was due. Suez recently notified the Water Department that the first year payment was due in 2022 in which the Water Department interpreted the payment to be due in 2023. Legislation appropriating funds to pay for the 2022 maintenance fee of \$125,000 and the additional annual increase for 2023 which is three and a half percent (3.5%). Ordinance No. 2023-012 was created.

FROM:	Water Fund	\$ 64,687.50
FROM:	Sewer Fund	\$ 64,687.50
TO:	Utility Billing #25072000-other	\$ 129,375.00

Discussion:

Councilwoman Frische pointed out that the City is paying this maintenance fee but do not have all the transmitters and asked how the contract read. She asked if the City is paying for the full contract amount even though the City only has part of the transmitters in. Service-Safety Director Martin replied that the contract states it is to be paid on the anniversary of the date of signing. Councilwoman Frische asked if the City is paying for it regardless if it is installed or not. Service-Safety Director Martin replied yes, the maintenance fees. Filed.

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

As authorized by Ordinance No. 2022-123, a bid opening was held for this project on January 26, 2023. Bids were received from four (4) potential contractors with the bid amounts ranging from \$722,419 to \$898,468. The lowest and best bid was received from M&B Asphalt Co., Inc. of Tiffin, Ohio. All received bids were under the Engineer’s Estimate of \$817,484.63. The apparent low bid was 11.6% below the Engineer’s estimate which is an example of the benefit of bidding early when contractors are looking for projects to fill their schedule for the year. This project is included in the 2023 Capital Improvements Plan and will utilize grant funding received from the Ohio Department of Transportation (ODOT) annually for being one of the largest seven (7) cities that are not part of an MPO. The grant funds can be used to cover eighty percent (80%) of the construction cost up to \$712,320 which will be equal to eighty percent (80%) of the Engineer’s Estimate and Construction Engineering Reimbursement and needs to be appropriated even though the City should end up receiving \$630,000 based upon the bid amount. One thousand dollars (\$1,000.00) was previously appropriated to the project for advertising. Legislation to appropriate and transfer funds for the capital expenditures is requested. Ordinance No. 2023-013 was created.

FROM:	ODOT	\$ 712,320.00
TO:	ODOT FY23 Resurfacing (Bright Road Phase III), Project No. 32822000	\$ 712,320.00
FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 190,000.00
TO:	ODOT FY23 Resurfacing (Bright Road Phase III), Project No. 32822000	\$ 190,000.00

Filed.

Income Tax Administrator Price – Innovative Software Solutions, Inc. contract

In 2022, the City Income Tax Department posted a Request for Proposals (RFP) for a new Income Tax software program. The City Income Tax Department currently has EMIT, a homegrown computer software that was originally developed in 2002. EMIT is unable to figure all of the reports to meet the department’s needs, and with new tax law changes, it is becoming more obsolete. The best long-term solution is to transition into a new income tax software program. The City Income Tax Department received three (3) proposals that extensive research and analysis have been done on all three (3) software vendors. A new Income Tax software recommendation was presented to the Income Tax Board with a request for the City of Findlay to enter into a contract with Innovative Software Solutions, Inc. and their product – CityTax. The goal is to gain the approvals necessary and begin database conversion soon after so that the City Income Tax Department is well versed in the software by the 2023 tax season. The Income Tax Board recommended approval to enter into a contract with Innovative Software Services, Inc. on January 26, 2022 for City income tax software for the Income Tax Department with the initial purchase price not to exceed \$170,415.00. City Council has already allocated funds for this via project number 31925500 via Ordinance No. 2022-108 that was adopted on November 1, 2022. Legislation to enter into a contract with Innovative Software Services, Inc. for city Income Tax software for the City Income Tax Department is requested. Ordinance No. 2023-014 was created. Filed.

Mayor Muryn – appointment to Shade Tree Commission

Mayor Muryn is appointing Rick Watson to serve on the Shade Tree Commission, filling an unexpired term. His appointment will be effective through December 31, 2023. This appointment does not require Council’s confirmation. Filed.

City Income Tax Monthly Collection Report – January 2023. Filed.

Mayor Muryn – appointment to Board of Zoning Appeals

Mayor Muryn is appointing Phil Rooney to serve on the Board of Zoning Appeals. His appointment will be effective through December 31, 2026. This appointment requires Council’s confirmation.

Discussion:

Councilman Russel moved to confirm this appointment, seconded by Councilwoman Warnecke. All were in favor. Filed.

Fire Chief Eberle – FY21 AFG award notification

Last week, the City of Findlay was notified that the Findlay Fire Department’s FY21 Assistance to Firefighters Grant (AFG) application was awarded. The Federal share of this award is \$52,894.90. The local match requirement is ten percent (10%) or five thousand two hundred eighty-nine dollars and fifty cents (\$5,289.50) to be appropriated from the existing Fire Department’s budget. This grant application was authorized in December 2021 via Ordinance No. 2021-121 to allow the completion of two (2) long-term projects within the Findlay Fire Department. The first project is to replace all remaining fire hoses in inventory totaling sixty-five (65) sections of hose manufactured prior to 1987 that no longer meet NFPA standards. The second project is to complete replacement of all the Findlay Fire Department’s radios including seven (7) mobile MARCS radios within their apparatuses. Legislation to appropriate funds is requested. Ordinance No. 2023-015 was created.

FROM:	FEMA AFG FY21 Grant	\$ 52,894.90
TO:	FFD AFG F21 #31930600	\$ 52,894.90
FROM:	Fire Department #21014000-other	\$ 5,289.50
TO:	FFD AFG FY21 #31930600	\$ 5,289.50

Filed.

Service-Safety Director Martin – GMSTEK, LLC agreement

The City of Findlay Airport is requesting permission to enter into an agreement with GMSTEK, LLC., a software company that offers a point of sale system and inventory management software to airports and fixed base operators (FBOs). This point of sale system will streamline processes, eliminate redundancies, and enhance the customer experience. The contract includes implementation, devices, and a monthly subscription for a term of three (3) years with automatic two (2) year renewals. The costs associated with 2023 are included in the Airport’s operating budget and are as follows:

- one-time implementation and devices = \$6,149.97
- monthly subscription charges = \$755.98
- annual data & infrastructure = \$1,200.00

These fees are fixed for the first year after implementation is completed. On each annual anniversary thereafter, one or more of them may be increased in an amount not to exceed three and one-half percent (3.5%) of the prior year’s fees. Legislation authorizing the Mayor and/or Service-Safety Director to enter into an agreement with GMSTEK, LLC is requested. Ordinance No. 2023-016 was created. Filed.

Income Tax Board minutes – November 2, 2022, January 26, 2023. Filed.

Fire Chief Eberle – FY22 AFG for purchase of SCBA compressor and fill station

The application period for Federal Emergency Management Agency (FEMA)’s Assistance to Firefighters Grant (AFG) is open for the fiscal year 2022 grant cycle. Grant applications must be submitted by February 10, 2023. City Council’s authorization to apply for this grant is requested. If awarded, this grant will pay ninety percent (90%) of the requested funds and requires a ten percent (10%) match. The grant is very competitive and the award notification may not occur for quite some time. An appropriation of funds is not being requested at this time. The grant application will be for a SCBA compressor and fill station. This vital piece of equipment is used to fill the air packs used during firefighting and would be installed at Fire Station 4 to be used in conjunction with the STRICT Center training facility and will allow fire service personnel to refill SCBA cylinders as needed during and after training sessions, providing flexibility and redundancy for Fire personnel for normal Fire Departmental operations. The estimated grant award is sixty-five thousand dollars (\$65,000.00) with the City being responsible for approximately six thousand five hundred dollars (\$6,500.00) or ten percent (10%) of the total cost. Ordinance No. 2023-017 was created. Filed.

City Engineer Kalb – ODOT Municipal Bridge Program

The City of Findlay has recently been notified by the Ohio Department of Transportation (ODOT) of a new Municipal Bridge Program that will provide grant funds to municipalities for the rehabilitation of existing bridge structures. Through this program, ODOT will provide up to ninety-five percent (95%) of the eligible construction costs, and the City will be responsible for a five percent (5%) match, as well as the design costs. If awarded the grant, the funds will be available for construction between the 2024 to 2026 construction seasons. The City of Findlay Engineer Department will be utilizing this program to perform deck and structural repairs to the existing bridge on Blanchard Street that crosses the Blanchard River. The City has a good chance of receiving grant funding for necessary repairs on the Blanchard Street bridge because of the inspection services that the City received from the ODOT Municipal Building Inspection Program. The grant (application) deadline is February 28, 2023, therefore, required legislation will need to be passed on or before the February 21, 2023 City Council meeting in order to apply for this grant funding. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to apply for grant funds and sign any applicable agreements or related documents for this Municipal Bridge Program is requested. Ordinance No. 2023-018 was created. Filed.

COMMITTEE REPORTS:

The **STRATEGIC PLANNING COMMITTEE** met on January 23, 2023 to review all current strategic plan categories & sub bullets.

We recommend to continue working to completion of the Strategic Plan.

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 the Downtown North River Development Project.

We recommend that the Administration bring back to the APPROPRIATIONS COMMITTEE the following items for the committee to consider:

- 1. A signed draft agreement from the County for the conveyance of all properties involved in the riverfront development area.*
- 2. A financial plan that outlines potential funding for the project..*

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

Discussion:

City Auditor Staschiak noted that two (2) committee reports do not fully reflect the extent of discussions that were contained, but would like to address this one tonight as it pertains to his roll as the City's Fiscal Officer. The community should be aware that at this meeting, the Administration requested one million three hundred thousand dollars (\$1,300,000) for thirty percent (30%) of the design for a ten to forty million dollar (\$10,000,000-\$40,000,000) River Park project and pedestrian bridge with up to four million dollars (\$4,000,000) in design costs in which he asked at that meeting how the City can afford it, at this time, without a significant commitment of funds that he has not been made aware of. The City does not have forty million dollars (\$40,000,000) and should not even spend one million three hundred thousand dollars (\$1,300,000) unless moving forward, which was his position at that meeting. He asked what will be the impact on the overall Capital Improvement needs of the City if this project moves forward. He also asked at the meeting why it is being considered before completion of the strategic planning process. He also stated during the meeting that Findlay City Council must approach spending of funds with a business approach and that Council needs to follow proper business practices when considering Capital Improvements, particularly of this magnitude, to include identifying the need beyond what the City desires or wants for the project, prioritizing the request against all other Capital items, develop a comprehensive financial plan for the entire Capital plan and not one project at a time, and analyze the financial impact of the project on the entire community, as well as integrate the Environment, Social and Government's (ESG) considerations into this. None of these components for proper consideration were shared at the APPROPRIATIONS COMMITTEE meeting, hence the recommendations he made and the additions that are being shared tonight and are included in the committee report. Councilman Wobser asked City Auditor Staschiak if he is in favor of the City implementing ESG scores for this type of project. City Auditor Staschiak replied that he shared with the committee the best practices that are recommended for this type of business analysis on all Capital planning which is a new thing that has been added by the Government Finance Association. It would behoove Council to begin to create a more informed and more thorough process in evaluating its Capital, particularly in the environment the City is in with the multi-million dollar projects that are being proposed and continue to be proposed, especially with the fact that the City is in the middle of a strategic planning process. Councilman Wobser asked City Auditor Staschiak if he is or is not advocating for ESG scoring on these types of projects for the City. City Auditor Staschiak replied that he is advocating that Council adopt a process that includes what the best practices are. This project and the City's Capital Plan for 2023 are not following best practices on evaluating Capital needs.

Councilwoman Frische asked what ESG stands for. City Auditor Staschiak replied Environmental Social and Governance considerations in a project. It is a more current way of considering aspects of a project and is not what Council should base their entire decision on, but is a consideration on the impact in those areas of ESG. Councilwoman Frische asked if this extends out to the financial side. City Auditor Staschiak replied it is part of the best practices for evaluating Capital projects.

Councilman Russel asked City Auditor Staschiak if he could distribute the best practices document(s) for Capital project evaluations that he has referred to tonight. City Auditor Staschiak replied yes and that he refers to them via the Government Finance Officer (GFOA) sites book that he has in his office that he references regularly to analyze and evaluate Capital projects and considerations. He offered to purchase copies of it for Councilmembers who are interested because it gives a wonderful way for elected officials to look at how they should be considering these types of things put out by the GFOA. It is not an exciting read, but is not a heavy read as the book is not even an inch thick.

President of Council Harrington asked what GFOA stands for. City Auditor Staschiak replied Government Finance Officers Association.

Councilwoman Frische noted that she did not attend that meeting because she didn't know there was one. She serves on the PARK AND RECREATION Board and looked over the weekly meetings in The Courier on Monday morning and was surprised that it went there because a dollar amount was never discussed in the PARK AND RECREATION meeting. She did look at floor plans and was brainstorming as she was under the impression it was coming back to committee, but that the November meeting was cancelled. She was surprised that it went to the APPROPRIATIONS COMMITTEE, especially with requested dollar amounts being so high and would like to see it go back to the PARK AND RECREATION Board.

Councilman Niemeyer *cannot hear the audio*. Councilman Wobser replied it was sent out via email on the Thursday prior to the meeting.

Councilman Russel would like a copy of the book City Auditor Staschiak has mentioned.

Mayor Murny agrees with City Auditor Staschiak in that looking at Capital expenditures should not be taken lightly. The Capital Plan was changed from a five (5) year plan to a ten (10) year plan. She has been working with City departments to identify longer term spending and not making Capital investments necessary into the existing physical assets, as well as a number of big projects that have been discussed in the community for a while. The Administration is fine with the action items reflected in the report and have already reached out to the County Commissioners to obtain an agreement with the transfer of those properties, as well as putting together long-term funding for this project. It is significant and will take dedication to figure out how to handle it financially. She is comfortable with moving the one million three hundred thousand dollar (\$1,300,000) request for the design which is what is going to allow the City to refine the cost of the project. As noted, the initial estimates are anywhere from ten million to forty million dollars (\$10,000,000 - \$40,000,000) which is a very wide range because there are components in this design that needs to be evaluated and determined what assets there will be to have something that achieves the goals which is an investment in our downtown and is a very impactful investment in the downtown that will have a generational impact.

She is comfortable in moving forward with this project outside of the guidelines of the City's strategic plan in an attempt to align it with the dirt movement that is being done with the Phase II benching project as was discussed at that meeting, as well as at the PARKS AND RECREATION Board meetings that have been held where this has been discussed. Also, to be able to refine the scope of the project and be able to define the costs better in this project. This conversation took place multiple times at the PARKS AND RECREATION Board that does not include many of the Councilmembers. The ten to forty million dollar (\$10,000,000-\$40,000,000) range shared with the committee who recognized that this is a significant investment and are comfortable with it moving forward which is why she felt comfortable moving that conversation forward as was done. She is supportive of determining the long-term funding, does not take it lightly, and feels it is prudent to move forward in order to position the City to be able to take advantage of grant programs such as the State Capital budget that will require a better refined plan going into 2024 in order to be able to apply for that.

Councilman Hellmann asked if the cost is financed through various grants at either the State or Federal level and doesn't come out of the City's pocket, but has to go through the design phase to figure it out. Mayor Muryn replied it is a little bit of both. There are opportunities for grant funding with the City having local responsibilities in this project. Just because the City will have a game plan does not necessarily mean the entire amount will be executed all at once, but that there needs to be an understanding of what the project will look like and how to break it down, what funding can be set aside at the local level and how to leverage those dollars at the State and Federal level to bring dollars in, as well as how that investment has a ripple effect in the community. The Administration has heard from the public what they support, even that the STRATEGIC PLAN will have a negative economic impact on the community. The City would be amiss to look past an investment that is going to be beneficial.

Councilman Bauman reminded Council that part of the original conversation was that the City would not be on the hook for all of it. The numbers that were mentioned tonight were never part of the conversation that the City would be on the hook for all of those dollars. Mayor Muryn agreed. Just because the broad range is given does not mean that it is something that she would recommend to Council. A refined scope allows the City to better leverage grant opportunities because a component of it will be a skate park and can then look at what grants are specific to a skate park and what dollars are out there from a community perspective. For example, a year ago, the Community Foundation donated cherry blossom trees to be a part of this. As shared at the APPROPRIATIONS COMMITTEE, the thirty percent (30%) design fee is the meat and potatoes of the design phase of the project that would get the City through the end of this year and that 2024 would further refine the design. Construction would not begin until 2025.

Councilwoman Frische noted that everyone is in favor of putting something at the green location north of the river to be a part of this project and that no one is against it, but does think that whatever happened with the PARKS AND RECREATION Board, as well as the committee meeting last week, have been manipulated in that the Mayor just stated that no numbers were discussed with the PARKS AND RECREATION Board, but that they were. She also requested the audio minutes from that meeting where no numbers were discussed. Ideas, wants and needs were discussed at that meeting. If the PARKS AND RECREATION Board had heard the forty million dollars (\$40,000,000) number, then there would be a more in-depth conversation. The in-depth conversation that was to happen in November was cancelled, but was an agenda item for that meeting. It was asked in that meeting how it was going to be paid for and if this project is the Mayor's number one priority for her Administration to which the Mayor replied yes and that she did not feel that she is going to look for a tax increase currently, but that there are a lot of things happening in the Capital Plan that have not been discussed and finalized. The City Auditor stated that there is no rush on this and to allow sixty (60) days to re-evaluate it because dirt will not be moved until 2024, so she would like to know what the rush is and why there cannot be more of a meat and potatoes discussion with the PARK AND RECREATION Board because there are a lot of great brains in that group that would determine what area of the project could be re-evaluated, and that it may not have to be a forty million dollars (\$40,000,000) project as stated in the meeting last week, and that the Mayor is picturing thirty million dollars (\$30,000,000) and can get ten million dollars (\$10,000,000) within the community and not through grants. There is a lot of wordsmithing going on and that this project needs to go back to the PARK AND RECREATION Board before one million three hundred thousand dollars (\$1,300,000) is appropriated because once it is appropriated, the City will be committing to a project that could be forty million dollars (\$40,000,000). Mayor Muryn replied that while she does not agree with all of the statements that Councilwoman Frische is making representing the comments that she has previously made, Councilwoman Frische is correct that Mayor Muryn is not proposing a tax increase, but cannot speak to the future in its entirety, but is currently focused on being able to move forward with a specific plan for this project, it needs to be moved through the Engineering process to be able to refine its cost and be able to leverage outside dollars. She is fully supportive of working with the City Auditor as was outlined and determined in this committee report. With the APPROPRIATIONS COMMITTEE report that is being discussed, her team has been working through the entire Capital Plan to refine it. She has no problems with working with Councilman Wobser, City Auditor Staschiak and Deputy Auditor Sampson to work through it as was shared during the APPROPRIATIONS COMMITTEE, but is ill-advised to say that the City cannot move forward at all on a project until it is known where every dollar is coming from as it would be a disservice to the public as this is a project that they have fully supported that the City needs to refine before moving forward. The City works through the engineering process all the time on projects to better determine how to make funds.

City Auditor Staschiak clarified that in the meeting, he was very clear that the ten to forty million dollars (\$10,000,000-\$40,000,000) is not theatrics and are the numbers that were shared with him at that meeting, which was the first time he had ever them. He is sharing them with the public tonight as the public has the right to know. He informed Councilman Hellmann that he is correct in that funding sources can come from other places, which is what he stated in the meeting to go along with Mayor Muryn's comments that when evaluating Capital Projects of this magnitude, there should be a proposal that states what the money is going to be used for, how much money it is going to cost, while taking the best practices into consideration. The APPROPRIATIONS COMMITTEE at a minimum should cap the amount of money. He is not for or against the project, but if Council is to approve one million three hundred thousand dollars (\$1,300,000) and has all the information under the best practices stating that it is good to go, he is in favor of good solid business practices. It should state that at a max, Council is going to approve the project at fifteen million dollars (\$15,000,000) or twenty million dollars (\$20,000,000), or whatever amount Council decides based on Capital needs and expenditures that are required and are necessary and important for the continuance of running the City, and then move forward expending one million three hundred thousand dollars (\$1,300,000) with design costs up to four million dollars (\$4,000,000).

He does not understand how the total cost jumped up to four million dollars (\$4,000,000) if the majority of the costs are only one million three hundred thousand dollars (\$1,300,000). The project cost should be capped and moved forward so that there is a complete understanding by Council what the max amount is. Costs should be narrowed down. For example, a certain dollar amounts should be stated for asphalt for streets, and in the end, if it is budgeted for more than what is needed, then a couple other streets in one intersection could be done, doing them one at a time. Council should commit a certain dollar amount to this project if they are for it, and if any grants can be obtained for this project, then those grant dollars should be set aside for that component of the project. That is what he is advocating for and would like to see sound business practices taken into consideration. City Councils around the country will spend a million dollars in five (5) minutes, but will argue for hours over a pickup truck. The committee and the Administration will discuss this thoroughly. It is his job as Fiscal Officer to make sure that happens.

Councilman Bauman feels it was a little disingenuous to hang that price tag around the Administration's neck when it was never the idea going forward with the understanding that there would be other funding opportunities from the get go.

Ayes: Bauman, Frische, Greeno, Niemeyer, Palmer, Russel, Warnecke, Wobser. Nays: Hellmann. The committee report is adopted. Filed

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 005-2023 (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 Russel moved to adopt the Resolution, seconded by Councilman Niemeyer.

Discussion:

Councilwoman Frische noted that there were two (2) invoices on the attached list with this Resolution, one is for the Treasurer of the State for EPA that did not get paid last year. It lists Campbell's Inc. and states public buildings and asked what the four thousand two hundred ninety-nine dollars (\$4,299) was for that was for. Mayor Muryn replied that Campbell's does the City's HVAC work.

Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

ORDINANCES:

ORDINANCE NO. 2022-129 **requires three (3) readings** **third reading – tabled during the 12/20/22 City Council meeting**
(Mardic Investments, Inc. annexation (parcel no. 020001025344 south of CR 99) – rezone **6:50pm public hearing is scheduled for 2/7/23 for this**
adopted during OLD BUSINESS portion of 2/7/23 City Council meeting

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY ZONING THE FOLLOWING DESCRIBED PROPERTY AS M-2 MULTI-FAMILY HIGH DENSITY (HEREINAFTER REFERRED TO AS THE MARDIC INVESTMENTS, INC. ANNEXATION).

ORDINANCE NO. 2023-003 (0 Greendale Ave rezone) **requires three (3) readings** **third reading - adopted**
6:55pm public hearing is scheduled for 2/7/23 for this

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 GREENDALE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R-1 RESIDENTIAL" TO "O-1 OFFICES/INSTITUTIONS".

Councilman Bauman moved to adopt the Ordinance, seconded by Councilwoman Frische. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-003 and is hereby made a part of the record.

ORDINANCE NO. 2023-009, AS AMENDED (Fire Station #2 roof replacement) **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 ADVERTISE FOR BID AND ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF A ROOF REPLACEMENT AT FIRE STATION NO. 2, LOCATED AT 2610 NORTH MAIN STREET, FINDLAY, OHIO, PROJECT NO. 31930200, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel reminded Council that better pricing was obtained and is being held for thirty (30) days, so this request needs to move forward in order to take advantage of better pricing.

Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its third reading, seconded by Councilman Niemeyer. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, Frische. The Ordinance received its third reading. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-009 and is hereby made a part of the record.

ORDINANCE NO. 2023-010 (*Lakota Park final plat*) **requires three (3) readings** **first reading**
AN ORDINANCE ACCEPTING THE FINAL PLAT AS SHOWN ON THE LAKOTA PARK ROADWAY DEDICATION PLAT, AND DECLARING AN EMERGENCY.
First reading of the Ordinance.

ORDINANCE NO. 2023-011 (*Bricker & Eckler LLP invoices (STRICT Center, water service extension)*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
First reading of the Ordinance.

ORDINANCE NO. 2023-012 (*transmitter annual maintenance fees*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.
First reading of the Ordinance.

ORDINANCE NO. 2023-013 (*ODOT FY23 Resurfacing – Bright Rd Phase III*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.
First reading of the Ordinance.

ORDINANCE NO. 2023-014 (*Innovative Software Solutions, Inc. contract*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH INNOVATIVE SOFTWARE SERVICES, INC. FOR INCOME TAX SOFTWARE TO BE UTILIZED BY THE CITY OF FINDLAY INCOME TAX, PROJECT NO. 319250000, AND DECLARING AN EMERGENCY.
First reading of the Ordinance.

ORDINANCE NO. 2023-015 (*FY21 AFG award notification*) **requires three (3) readings** **first reading - adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman noted that this Ordinance is just to accept grant funds, therefore, he will make a motion to adopt the Ordinance tonight.

Councilman Bauman moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance received its second and third readings. Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Palmer, Russel, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-015 and is hereby made a part of the record.

ORDINANCE NO. 2023-016 (*GMSTEK, LLC agreement*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH GMSTEK, LLC FOR THE IMPLEMENTATION OF AN INVENTORY MANAGEMENT SOFTWARE SYSTEM, PURCHASE OF REQUIRED DEVICES, THREE (3) YEAR SUBSCRIPTION, AND ANNUAL DATA AND INFRASTRUCTURE TO BE UTILIZED BY THE CITY OF FINDLAY OHIO AIRPORT, AND DECLARING AN EMERGENCY.

Discussion:

Councilwoman Warnecke asked what is being sold and inventoried out of the City's Airport. Service-Safety Director Martin replied a number of things: fuel, oil, miscellaneous items that Pilots might need when they come in. A point of sale makes it convenient for customers coming in to pay right there. It is replacing and upgrading an old system.

Councilwoman Frische asked what the monthly subscription charge provides and asked if there were monthly subscription charges with the old software. Mayor Muryn replied that one of the large benefits of this system is that it will allow the City to better advertise on national systems. As Pilots are planning their flight patterns, they are able to look at different fuel pricing and be able to plan accordingly. That was previously put out on the City's website and a couple of others, so by doing this, it makes it a part of this national system that will allow Pilots to see the City's pricing. The monthly subscription and other listed items are probably not a surprise to anyone who has bought software recently. In the past, when software was purchased in a box, the subscription was included that could be used as long as a web-based subscription was purchased, paying an annual fee to always have access to it.

First reading of the Ordinance.

ORDINANCE NO. 2023-017 (FY22 AFG – SCBA compressor & fill station) **requires three (3) readings**

first reading - adopted

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION FOR THE DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTER'S GRANT (AFG), ALONG WITH THE CITY OF FINDLAY'S TEN PERCENT (10%) MATCH, TO PURCHASE A SCBA COMPRESSOR AND FILL STATION TO BE UTILIZED BY THE CITY OF FINDLAY FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman (*cannot hear the audio at first*) . . . was February 10th.

Councilman Bauman moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Russel, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-017 and is hereby made a part of the record.

ORDINANCE NO. 2023-018 (ODOT Municipal Bridge Program) **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 APPLY FOR GRANT FUNDS AND ENTER INTO AN AGREEMENT AND/OR RELATED DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THEIR MUNICIPAL BRIDGE PROGRAM, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Palmer noted that since this is just an application for the grant and that there is no appropriation of money, he will make a motion to adopt this tonight.

Councilman Palmer moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Russel. Ayes: Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-018 and is hereby made a part of the record.

ORDINANCE NO. 2023-019 (approve 2022 ordinances & resolutions changes) **requires three (3) readings**

first reading

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilman Russel moved to lift Ordinance No. 2022-129 (*Mardic Investments, Inc. annexation (parcel no. 020001025344 south of CR 99) – rezone* from the table, seconded by Councilman Palmer. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman. The Ordinance was lifted from the table. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2022-129 and is hereby made a part of the record.

Councilwoman Frische recalls amending Ordinance No. 2023-109 and asked if Council voted on the amendments since it wasn't a replacement or if Council voted on the non-amended version. President of Council Harrington replied Council voted on the amended version as it was stated as being amended.

Councilman Hellmann asked if the PARKS AND RECREATION BOARD has vetted the forty million dollars (\$40,000,000) proposal via the APPROPRIATION COMMITTEE, concept drawings or possibly more refined drawings before getting down to the detailed engineering programs. He understands that a ball park figure is needed in order to start design work, but asked how far along this project has gotten before getting to Council. Mayor Muryn replied that early last year, Council authorized the Administration to enter into an agreement with Strand Associates who also brought in Human Nature in May where an initial discussion took place as a brain storming conversation with the PARKS AND RECREATION Board and a few other key stakeholders. In August, the four (4) concepts and initial overviews were presented to the PARKS AND RECREATION Board. Councilman Hellmann asked if Council has seen the recommendation from the PARKS AND RECREATION Board. Mayor Muryn replied that all of Council was invited to that meeting via emails she sent. Then, another meeting was held in October where the master plan was revealed and discussed to find out if everyone was good with the plan and what their thoughts were. From there, it was stated that the Administration will work with the consultant to start the refining process and then will go to Council for appropriations. Next steps from the consultant's standpoint is to take the master plan that was discussed with the PARKS AND RECREATION BOARD through engineering. Since the APPROPRIATIONS COMMITTEE is the body that appropriates funds and makes recommendations, that is when the Administration took it to the APPROPRIATIONS COMMITTEE to discuss the overall plan that had already been discussed with the PARKS AND RECREATION BOARD with the next step being to work through entering into a contract to work through the design, refining the cost, and being able to make further recommendations. Councilman Hellmann replied that he was unsure if Council had seen any concept plans or anything leading up to a detailed plan.

Councilman Wobser: **STRATEGIC PLANNING COMMITTEE** meeting on Thursday, February 9, 2023 at 4:00pm in the first floor Council Chambers of the Municipal Building (CC) that will be live streamed.

agenda: sub-bullet points in the plan

Councilman Greeno: **WATER & SEWER COMMITTEE** meeting on Wednesday, February 8, 2023 at 4:30pm in the third floor conference room of the Municipal Building (CR1).

agenda: stormwater rates

NEW BUSINESS:

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on Thursday, February 9, 2023 at 12:00pm in the first floor Council Chambers of the Municipal Building (CC) that will be live streamed.

agenda: zoning code updates

Councilman Russel noted that the AD HOC COMMITTEE met today at 6:00pm regarding current Council Rules of Procedure. He forwarded a draft copy of the proposed rules with three (3) basic changes:

- Start City Council meetings at 6:00pm
- Not conduct City Council meetings on election days, but on the day after
- Lower the time limit for non-public speaking ten (10) minutes to five (5) minutes

Those recommendations will be included with the committee report on the February 21, 2023 City Council agenda. A red lined copy has been distributed. Another topic was on the seating arrangement via input received from Councilmembers. All but four (4) Councilmembers would like to return to the pre-COVID seating being that the COVID emergency has passed.

Councilman Russel asked President of Council how to go about returning to pre-COVID seating. President of Council Harrington replied that if a Councilmember makes a motion and if there is a second to that motion, then a formal vote will be conducted from those present. Councilman Russel moved to have Council and the Administration return to pre-COVID seating arrangements, seconded by Councilman Niemeyer. All were in favor. All Councilmembers and the Administration will return to original seating beginning February 21, 2023.

President of Council Harrington wished City Auditor Staschiak a Happy Birthday as his birthday is today.

Mayor Muryn thanked Council for suspending rules and passing the legislation for the grant applications. It is appreciative getting them passed so that departments can take advantage of them. Many times the grant programs have short deadlines for applying.

Mayor Muryn informed Council that the Safe Defend Training with local law enforcement and first responders (Findlay Police Department, Findlay Fire Department) to be able to work with schools went very well. She is grateful to have a partnership with the schools to be able to complete such a training. It was an honor to be able to watch them work together to make sure that the teachers and staff of Findlay City Schools are trained to not only keep themselves safe, but also their students.

Mayor Muryn noted that over the last couple of months, there have been questions asked about unsheltered population, as well as immigrants in the community. A coalition was formed that has been working with a number of local agencies to be able to address the homeless population on homelessness as there had been a spike in that over the summertime, especially in the downtown area. One reason was because the City was cleaning up properties where homeless had previously been occupying, also because of the COVID pandemic, and also because of an increase in mental health issues and drug use. There has been a lot of misinformation on the immigrant population. There has been immigrant populations come into the community for decades to work primarily in the summer months as farm workers. Fortunately, Findlay and Hancock County's economy is doing very well, therefore, there is a demand for workforce, so there has been an immigrant population appropriately here that have the appropriate credentials to work at a number of different regional manufacturers and on construction projects. Rumors have been that a lot of illegals have been coming to the community, which is not the case. There are immigrant populations who are working hard in trying to make a better life for themselves with some feeling that they may pose some challenges to our daily lives, but instead we should be grateful that they are working hard and supporting our local economy. She invited anyone that has questions or concerns to reach out to her. Some have already reached out to her in which she has provided the same information to them.

Councilman Palmer asked if Mayor Muryn is stating that there have not been any illegal immigrants dropped off in the middle of the night like the Federal Government has done to communities across the country. Mayor Muryn replied that is correct. She reminded Council that docketed in the newspaper across the board are calls out and not necessarily arrests or actionable cases. Just because there are a lot of different calls does not mean that they have panned out.

Police Chief Ring highlighted the highs and lows of 2022. His department is finishing up their annual report for 2022 and have these statistics:

- Calls for service have been steady over the last three (3) years. There was a slight increase of eighty-nine (89) calls in 2022 (Police, Fire, EMS). Police related calls were down 134 compared to last year. Requests for charges, traffic citations, and arrests have risen slightly. There was an increase in domestic reports, assault reports, sex offense reports, and robbery reports. The annual report shows over nine hundred (900) domestic related calls which are calls that Officers responded to and were determined to be domestic, but not all resulted in arrests. Approximately one hundred eighty-five (185) were prosecuted on the domestic front out of the nine hundred (900) calls, the rest had no physical violence and instead just required the Officer's assistance to de-escalate and calm the situation resulting in nothing criminal about the matter.
- There have been drops on property crimes (thefts, forgery), down almost eight percent (8%). Burglary complaints were slightly up at thirteen percent (13%) or an additional fifteen (15) reports compared to the year before.
- Motor vehicle theft was down seven percent (7%).
- Property damage down eight percent (8%).
- Drug problems with illegal narcotics inside of Hancock County with the combined efforts of the METRICS Task Force and Police Officers that are doing interdictions out on the street trying to get drugs out of cars, houses, etc. Investigations have risen about seven percent (7%) compared to last year.
- Methamphetamine has been the drug of choice locally, with an increase in seizures increased over one hundred fifty-two percent (152%) in 2022. Fentanyl is still a factor. Local Officers seized ninety-four and eight tenth (94.8) grams last year which equals to a lot of lives saved by taking that much off the street. Two milligrams (2mg) can be a fatal dose. The amount taken off the street in 2022 was enough to kill the entire population of Findlay.
- Opioids and Heroin continues to fall to the point Officers are not seeing them too often anymore.
- Fatal overdoses were up three percent (3%) compared to last year. There were thirteen (13) fatal overdoses in 2022.
- Misdemeanors were down about nine percent (9%) that have been filed with the City Prosecutor, and felony cases were up eleven percent (11%).
- The number of juvenile crime are up forty-two percent (42%) compared to the year before.
- Property damage crashes were up slightly, but injury crashes were down, no fatal crashes last year.
- The number of traffic stops dropped slightly, but the number of citations rose.

Councilman Russel asked if the Police Department tracks Narcan by usage by the Police force. Police Chief Ring replied no. Officers do not carry Narcan. The Firefighters and EMS carry Narcan, distribute it, and utilize it on scene. Police, Fire and EMS are all dispatched to overdose calls with Officers securing the scene to make it is safe for the medics and others to come in. Councilman Russel asked if staffing is still a concern as it has been over the last couple of years. Police Chief Ring replied that the Police Department is still in the process of hiring Officers. Councilman Russel asked if the Police Department is seeing a better response. Police Chief Ring replied it is inconsistent. There currently are three (3) individuals in backgrounds for Officer spots and the Dispatch Center is currently up to full strength with three (3) individuals currently in training. A new Officer was sworn-in yesterday and will now go to the academy. Those three (3) individuals are certified and are currently in backgrounds. The Police Department will be advertising for another test in the next few weeks to fill the remaining spots. Four (4) offers were made with three (3) accepting. Councilman Russel asked if Findlay is competitive with other law enforcement agencies. Police Chief Ring replied that Findlay is competitive with Hancock County and the immediately surrounding areas and not as competitive with suburbs of Toledo.

Councilwoman Frische asked how many more Officers need to be hired to get back to full compliment. Police Chief Ring replied three (3) more on top of the three (3) that they are hoping to bring in soon. The three (3) that they have been looking at have all been Officers in other jurisdictions, so the goal is to bring them on board. Their training period will hopefully go quicker since they have previous experience in law enforcement.

President of Council Harrington asked what kind of crime(s) rose for juvenile crime. Police Chief Ring replied that it is a variety of crimes. For example, high school saw an increase in vaping, but not all of it was prosecuted. Some cases have been domestic issues, and fight issues, but nothing too concerning other than the number of crimes increased. There were one hundred eleven (111) cases submitted in 2022 compared to seventy-eight (78) in 2021.

Councilman Hellmann asked if any of the domestic calls are repeats. Police Chief Ring replied some are, but not a lot of them.

Mayor Muryn requested an Executive Session meeting to discuss the potential sale of property with no action to be taken after the Executive Session. Councilman Russel moved to adjourn into Executive Session at 8:06 pm, seconded by Councilman Palmer. All were in favor. Councilman Palmer moved to adjourn out of Executive Session at 8:32 pm, seconded by Councilman Niemeyer. All were in favor. Councilman Palmer moved to adjourn City Council at 8:34 pm, seconded by Councilman Greeno. All were in favor.

CLERK OF COUNCIL

COUNCIL PRESIDENT