

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

MARCH 7, 2023

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 February 21, 2023 Regular Session City Council meeting minutes as amended, seconded by Councilman Palmer. All were in favor. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Russel moved to add on and replace the following to/from tonight's agenda, seconded by Councilman Bauman. All were in favor.

ADD-ONS:

1. Letter from Laura MacGregor Comek, Esq., Laura M. Comek Law LLC – waiving of 2nd & 3rd readings of Resolution Nos. 008-2023 and 009-2023 CR 220 annexation (*PETITIONS section*).

REPLACEMENTS:

1. Ordinance No. 2023-024, AS AMENDED – body worn camera grant (*LEGISLATION section*).
 - Added appropriation of funds section

Filed.

PROCLAMATIONS:

Mayor Muryrn – Developmental Disabilities Awareness month.

WHEREAS: The Hancock County Board of Developmental Disabilities was established in October 1952; and,

WHEREAS: The mission and purpose of Ohio's county boards of developmental disabilities remain as strong as ever, with county boards continuing to provide vital supports and resources to Ohioans with developmental disabilities and their families; and,

WHEREAS: The more than 700 people with developmental disabilities served by the Hancock County Board of Developmental Disabilities, their families, friends, neighbors, and co-workers encourage everyone to focus on the abilities of all people; and,

WHEREAS: The most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and,

WHEREAS: Policies must be developed, attitudes shaped, and opportunities offered that allow people with developmental disabilities to live as independently and productively as possible in our community; and

WHEREAS: We encourage all citizens to foster and support such opportunities that include full access to education, housing, employment, and recreational activities.

NOW THEREFORE, I Christina M. Muryrn, Mayor of the City of Findlay, Ohio, do hereby proclaim March 2023 as:

DEVELOPMENTAL DISABILITIES AWARENESS MONTH

in Findlay, and offer full support to efforts that assist people with disabilities to make choices that enable them to live successful lives and realize their potential. I further encourage all citizens to join in this celebration by spreading awareness of the many contributions offered by people with developmental disabilities in our community.

Filed.

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Petition for Annexation – CR 220 (2 parcels)

A petition for annexation of two (2) parcels to the City of Findlay filed by Laura Comek, Laura M. Comek Law LLC, agent for the petitioners on February 14, 2023. A legal description for said two (2) parcels is attached with the petition. The properties requested (parcel no. 020001006785 and parcel no. 020001013263) to be annexed are currently in Allen Township, Hancock County. Referred to Law Director for Resolution of Services legislation. Ms. Comek provided a separate letter requesting these two (2) resolutions be expediated. Resolution Nos. 008-2023 and 009-2023 will receive their first reading during the 3/7/23 City Council meeting.

Discussion:

Councilman Russel asked for a point of order asking if Council can waive the readings of if they require a public hearing prior to the third reading. Mayor Muryrn replied that as the letter outlines from Ms. Comek who is a specialist in this and also is a representative for the individual submitting if for the organization, and also in discussions with Law Director Rasmussen, it was confirmed that because this is not accepting the annexation and is just informing the County Commissioners of what services the City of Findlay will provide upon annexation, it does not require a public hearing and the second and third readings could be waived.

City Council will not be able to waive second and third readings of legislation for the formal annexation, but that this is simply the resolution stating the services the City of Findlay would provide. President of Council Harrington asked Law Director Rasmussen if he concurs with what Mayor Muryn has just stated. Law Director Rasmussen replied yes I do.

Councilwoman Frische asked for more details on where this is and asked if it is part of the truck stop. Mayor Muryn replied that there are two (2) separate parcels that are being requested to be annexed. The front parcel is in the northeast corner of CR 99 and I-75 with the interest of installing a racetrack. The property beyond that point is owned by the same property owner and has no development plans. They have not spoken with the CITY PLANNING COMMISSION, but are asking for both parcels to be annexed at the same time. Councilwoman Frische asked if it is known what services the City will provide. She asked if this is bringing in farmland, commercial, or residential. The economic development sounds like they have those parcels under contract to market them, but thought there might be more to this with the request to waive readings. Mayor Muryn replied that the reason the readings of the Resolutions are being requested to be waived is because of the time period of when the request was submitted to the County Commissioners who request by law that the Resolutions for what services that will be provided by the City be in the County Commissioners hands twenty (20) days before the hearing would occur which is scheduled for April 25, 2023, so if City Council gives the Resolutions all three (3) readings, its third (3rd) reading would be on April 4, 2023 giving the City only a couple hours the next day following the City Council meeting to give the County Commissioners Office a notarized copy. It was inadvertently left off the agenda and can have another reading, but that she asks that Council be prepared to pass it at the next reading so that the County Commissioners have it in a timely fashion. Filed.

ORAL COMMUNICATIONS:

American Electric Power Project Manager Andrew Corso – progress of the Findlay-Fifth Underground Project

Mr. Corso informed Council that AEP completed the underground portion of the project and that the underground line is carrying power and is in-service, so it is providing service to the Findlay area, the Marathon campus in particular. The only part of the project that has not been completed is the mill and fill. Down the street where they have trenched is the concrete topping. AEP has been working with City Engineer Kalb on this project and is requesting to delay the mill and fill portion of it as the City has some work that is being done in the same area that AEP did work in where AEP is responsible to do the mill and fill work, so by delaying the mill and fill work until the City is done with their work in that same area, saves the City a significant amount of money because the City will not have to outlay for repairs and the mill and fill for the work that the City is doing. The mill and fill work will happen in the spring. Exact dates are to be determined, possibly in May depending on the weather and when the City's work there is done.

Discussion:

City Engineer Kalb added that AEP has been working with the City Engineering Department who have a storm project going on right now. With AEP waiting to mill and fill until the City is done with their storm project will eliminate tearing it back up. Once the coronation is back down with the City's storm project and resurfacing, the mill and fill portion will be worked out with AEP.

Mr. Corso continued stating that AEP has continued the second phase Findlay-Fifth Underground Project that happens to be an overhead component that starts at Marathon substation where they ended the underground and goes west down the alley, and then wiggles it's way out of Findlay City property. They have the same robust right-of-way communication method as they did for the underground project, so anyone on that route can register their concerns with AEP addressing them in the same manner that they did successfully for the underground project. They are hoping to get that finished by July this year. It is a lot of very tedious work that their workers have to do safely.

Councilman Hellmann asked if there will be overhead work on Marathon west for the next phase. Mr. Corso replied that is correct. Councilman Hellmann asked if that will include new poles. Mr. Corso replied yes. Councilman Hellmann asked if they will be herculean poles like what is seen throughout the community. Mr. Corso replied yes, they will be the tall, steel, galvanized poles that are approximately seventy to eight feet (70-80 ft) tall. Councilman Hellmann asked what their diameter will be. Mr. Corso replied that the large diameter poles are called custom poles which are foundation poles that go from dead end to dead end with wire strung between them. Direct embeds are done in between poles which are skinnier poles. There will be some of the larger diameter six foot (6 ft) foundation poles with smaller skinnier poles in between them.

Councilman Slough asked what the expected life is of wooden poles that are aesthetically pleasing to him . . . *(unable to hear the audio)*. Mr. Corso replied yes, that is the project they finished the end of 2021. Councilman Slough asked what the reasoning is for steel galvanized poles instead of wooden poles. Mr. Corso replied that some of the infrastructure AEP is replacing is anywhere from the 1920s to recent if repairs have been done. The steel galvanized poles are replacing aging infrastructure. Since that time, the clearance code has increased greatly which is one of the many reasons why much taller poles are put in. The taller the pole, the more stress on it. Metal poles provide more stability, durability, strength, longevity, and increased height. The taller metal poles are necessary for AEP standards.

Councilman Hellmann asked if poles could be put underground. Mr. Corso replied AEP is a regulated business with regulations and regulators to abide by. They have to be fiscally responsible to rate payers. They are audited from time to time. Sometimes they can go underground, and sometimes it is not feasible to. He does not determine if poles can go underground or above ground. It is determined before he gets the project. He can provide contact information on who determines where poles go to provide more detail of how that comes about if anyone wants that information. Councilman Hellmann asked if the location of the poles is driven by cost. Mr. Corso replied not only by cost. One of the reasons Findlay's project was done underground was because they could not get clearance through some of the alleys to get to the other substation without buying and knocking down dozens of houses which is not palatable for anyone. There is a lot of factors that go into pole locations.

Mayor Muryn added that the Administration's conversations have been more on the distribution side. Mr. Corso's part of the project has more to do with transmissions which is the larger, less pretty part of it. They have had some discussions with distribution about getting more underground opportunities in the future. The transmission side of this is much more complicated because of the voltage of the wires and all the science behind it.

There is more opportunity on the distribution side, so preliminary conversations have taken place to figure out how to be able to make that happen because it is not pretty, the liability issues, and does not work in all areas. Mr. Corso replied that is correct and is one of the reasons poles are so tall because of the higher voltage, so poles are designed to go down the back of the alley. They are sixty-nine (69) KV and distribution is more in the realm of thirteen (13) KV. The bigger the voltage, the bigger the clearance AEP has which is one of the many reasons the poles are the way they are.

Councilwoman Frische asked what will be put on these poles that higher voltage is needed and asked if this has to be approved with the City to allow for it and provide compensation for putting them on properties. Mr. Corso replied that they are replacing an existing line that is already there that is aging. They are replacing what is already there with newer standards. They are replacing the new 34.5 line to 69 KV standards. They are rebuilding an existing line that is already there. They are operating under the franchise agreement that they have from the 1950s or 1960s which gives AEP the right to do the project in any right-of-way space for the City of Findlay. When they deviate off right-of-way, that is when they have to go to the private property owners and compensation them for the right-of-way. Sometimes they have to purchase a property and knock it down for clearance reasons which is what they try to avoid with the underground portion of it. Filed.

Dwight Henley – Forest Lake Ditch petition ORC 6131 and ORC 6117

Mr. Henley lives in Lakeview. The County is coming in and telling the neighborhood that they would like to tax them more to fix the drainage issues in the township which is the Forest Lake subdivision. He has asked the County repeatedly how they can come in to the City to tax them in the municipal corporation. The County makes the argument that they are within the confines of the County within the fiscal boundaries. The petition that was filed by the Forest Lake Subdivision was filed under ORC 6131 which is the single County Ditch Law. Anything that deals with drainage (ditches, drainage, sewage) for a municipal corporation is within the powers of the City, not only under ORC Chapter 7 for municipalities. ORC 6117.04 deals with drainage within a municipal corporation in which the County has to come to the City for any work, surveys, assessments, etc. that is going to affect the drainage on that. In this case, they are affecting the drainage. He is doing additional legal research on special assessments. The County is assessing property owners for work in the City. In Putnam County, there was an argument from the City there saying their citizens cannot be taxed for improvements in the County. Laws that deal with the County Engineer who has crossed the boundary line of the municipal corporation (Township Road 237), clearly articulates in Chapter 3 (315 under the Engineer's duties) that the Engineer does not have the authority on anything that deals with drainage inside the municipal corporation without the municipal corporation's approval. He has had to fight this on his own. He has sent multiple emails to Councilmembers and the Mayor, but has not heard anything back on discussing this or to file a legal brief. He has taken this to court on his own. He is having to bare the burden for everyone on Brookfield Drive, part of Lakeview Parkway, and a few other roads that abut Twp Rd 237 where they are attempting to tax them. He does not understand why he is the one who has to take the burden when it affects the City who has surrendered without even firing a shot to the County to give them authority that they do not have because there was no legislative approval. ORC 6131 and 6117 both state that any time they cross the municipal line, the City is required to have legislative approval of City Council which was never done by the County in this case. They did not ask the City, did not establish a watershed map without the approval of City Council.

Discussion:

Councilman Niemeyer asked if this is Marion Township. Mr. Henley replied yes it is Marion Township, the municipal county line. Basically, this side of 237 is Lakeview inside the City of Findlay. The entire Lakeview Subdivision is within the City. Marion Township starts at 237.

Mayor Muryn replied that she and Mr. Henley exchanged emails previously on his concerns with some information that is on the Auditor's website and also information on taxation. She would be happy to follow up with Mr. Henley to work through the specific language he is referencing. She is very confident that the County Engineer is following the appropriate State process for this. It would be more productive if Mr. Henley would reference a specific language that he is trying to call out and speak with the County Prosecutor who will be able to give a more direct legal opinion. Mr. Henley replied that the County Prosecutor is opposing counsel in the lawsuits. He referenced 315.08 Duties of the County Engineer and ORC 6117.04. Mayor Muryn asked Mr. Henley to send her an email so that she can reference the specific chapters he is quoting. The County follows a specific process for ditch maintenance and assessments that they have used multiple times across the County. Mr. Henley replied that ORC 6131 is about single County ditches and has nothing to do with the municipality and ORC 6117 references City ditch law. Mayor Muryn replied that they can be referenced off line.

Councilwoman Frische pointed out that if someone benefits from the drainage of a ditch, there is an assessment. She asked Mr. Henley to explain where the ditch is he is referring to. Mr. Henley replied that in Lakeview, the ditch is the Lakeview club bridge. The County is not doing any work on the ditch in the City. The Forest Lake ditch petition on the County's website states that all the work to be done will be in the township. Nothing is being done within the City, but the County is going to tax the neighborhood to fix all the drainage problems from that construction. The Lakeview residents will not be benefiting at all and will be taxed six hundred dollars (\$600.00) for it. Councilwoman Frische asked if the ditch benefits their properties. Mr. Henley replied it will actually make it worse because they are going to put in a twenty-four inch (24") tile which will flood more of the ditch causing a back up on their area of the ditch, as well as the two (2) retention ponds in Lakeview Parkway and Township Road 237 as there will be a backflow of water because more water will flow into the ditch that is on the township side that will get overfilled. The City is adding to the drainage issues already that was created when the subdivision was built. The ditch petition law does not deal just with the ditch. It also deals with underground drainage, drainage tile, and drainage pipes. It is not just the drainage ditch that was done. Filed.

Mathew Musgrave – American Rescue Plan Act & Riverside Park Dam project

Mr. Musgrave is a citizen taxpayer from Hancock County who does not live in Findlay and lives in Arlington. He read in the newspaper that the City is accepting comments on the available American Rescue Plan Act (ARPA) funds, so he decided to come to Council and make some comments. He met with Mayor Muryn in November about the funds being used on the Riverside Park Dam project. They discussed some reasons for his opposition for the use of those funds. The Mayor, being a responsible public official, is trying to get money for her City wherever it is, which in this case is the American Rescue Plan Act, but that Act wasn't really intended to pay for what people are now using it for. It started out being Federal money to help residents who lost their jobs during the pandemic. It was originally proposed as a re-employment program that morphed, and got larger and larger, and is now attempting to rescue cities, communities, counties, and the whole nation, but are using it with the idea that is surreal and unreal. They are not using money they have, and are mortgaging his grand niece's generation and a couple generations after that for money that they will be responsible to pay as taxpayers if they have any money at that point. Rather than using local tax dollars that the City would receive here in Findlay Ohio and then paying for the projects with those tax dollars, they are creating money out of the thin air with future taxpayers three to four (3-4) generations away paying the bill. It is not just Findlay taxpayers. It will be taxpayers from all over America who are trying to get those monies for their cities. While Findlay is getting those monies for Findlay, Ohio, citizens in North Carolina, Salt Lake City, and Omaha Nebraska are doing the same things for their cities. They are taking tax money from all over America that hasn't been placed in deposit yet. That money isn't in the treasury and was just printed up. It is actually an IOU in the Treasury. People all over the country have a stake in what is going on all over the country. His tax dollars and everyone else's tax dollars are going to all other states with their state tax dollars coming here, but when those tax dollars are used in these projects, they will not have any say in what happens to their tax dollars here in Findlay, Ohio, nor will he have any say what happens in Omaha, Nebraska. When the City gets these tax dollars, they are handed off to non-profit agencies that do not have to respond to public records law, so local citizens have no real opportunity or access to what they are doing and how they are doing it. In fact, the City and the County are also giving up a lot of that access. The Riverside Dam Project, non-profit agency . . . President of Council Harrington interrupted Mr. Musgrave informing him that his allotted four (4) minutes to speak were up. Mr. Musgrave handed out a memo to Mayor Muryn, President of Council Harrington, and Council Clerk DeVore of a culmination of projects of when he met with the Mayor back in November.

Discussion:

Councilman Russel asked City Auditor Staschiak if he could speak to the rules of the guidelines for ARPA spending and how the City Auditor's Office ensures the spending of the ARPA Funds according to those guidelines. City Auditor Staschiak replied that he can ensure City Council and the general public that the City is following ARPA guidelines to the letter. As a taxpaying citizen himself, he appreciates and empathizes with the concern that the Federal Government weighed into those rules. It is not a use it or lose it situation, but if the funds are not used, they will be redistributed to someone else who will spend them. They will be available to the entire American public to spend. Mr. Musgrave replied that there is a section in his memo about the lack of moral courage in governments who have been lacking in prioritizing those funds and what they've done. He is not at all confident that the monitoring process is intact as it should be and thinks it is one of the worst bills he's ever seen passed financially. City Auditor Staschiak replied that he appreciates Mr. Musgrave's comments, but reassured him that the City of Findlay is ensuring that every penny, not just every dollar, but every penny is spent per the rules the City is supposed to follow. Filed.

Michael Tharp - YMCA

Mr. Tharp is before City Council regarding demolition of homes in his neighborhood for a project that has no real funding as of yet and takes exception to referring to the family homes that were slated for destruction as being somehow subpar or blighted. There are poor quality homes down towards the railroad tracks, but across from his house are homes that have had families in them for years that have been well kept, better than most rental properties. The properties on his street are slated to be gone. He asked what happens after all the homes are demolished and left with only a big grassy spot for those that do not have the money to build. His front porch now looks out upon this scene, so he wonders if there are going to be trees, if it will be landscaped, if it will benefit his neighborhood or if it will impact property values by a project that has no determination to take place at this point. He asked if the area is to be blacktopped, where the water will go that runs off the blacktop into the street in front of his property. He is just outside a flood area where water has come up East Hardin Street inundating Grand Avenue, and sometimes up to Sandusky Street. While his street has been fortunate, these demolitions may cause water to come rushing down into the street. He asked when the YMCA will produce a plan for residents who live in the area that allows them to see what the plan is and what their ideas of remediation is. He asked if the projected new building is designed well. He has heard that it will be shoved back towards the railroad area where a parking lot will go forward towards Marathon. He is unsure if that is true or not as no plans have been revealed. He cannot imagine the public safety problems of having an entrance on Grand Avenue for children going to the YMCA that should be accessed more centrally, possibly off of East Hardin Street or Lincoln Street. He suggested it be something that ties the area together rather than splits it apart.

Discussion:

Mayor Muryn informed Mr. Tharp that it would be wise for him to reach out to the YMCA as it is not property the City owns. The YMCA will have to comply with the CITY PLANNING COMMISSION to work through that process and would be happy to go over plans they have in place at this point. City Council does not control that at this point in time, but was working through a process that was open to the community at large and worked through the appropriate process which is the City's purview at this point in time. Stephanie Parsons is the YMCA's CEO who would be happy to provide more information. Mr. Tharp asked when the City becomes involved in a project of this size. Mayor Muryn replied that each project is a little bit different of when someone wants to reach out based off of the specific project needs. In this case, because it is an in-fill development project and will not need to be annexed and is not changing the zoning, it would be when they submit their plans to the CITY PLANNING COMMISSION just as any other project to get access changes, permitting, etc. Mr. Tharp asked if permits will have to be obtained when the houses will be taken down. Mayor Muryn replied no, the City does not have restrictions around that outside of the fact that if they chose to accept the grant agreement, then there will be a timeframe of when the money will be spent and the work will be done.

Because Mr. Tharp's items mentioned were specific to the project itself, it would be more beneficial for him to speak directly with the YMCA. Mr. Tharp replied that half of his neighborhood is gone now, so there is not a lot he can say about it now, but that he hopes that the project will be directed a little better and not just a hands-off project with maybe the County or whomever handles the City parks. He asked when the beautification takes place. While it is known that the destruction is coming, he asked when it will be made a human site again. Mayor Muryn replied that they are privately owned properties and only have to be under the restrictions that the City would hold other properties accountable to. If it ends up a big grassy area, then property owners will have to make sure that it is mowed appropriately. The City does not have any landscaping requirements for undeveloped properties. Filed.

Sarah Foltz – demolition of East Hardin Street homes

Ms. Foltz is before City Council as a concerned citizen. She and her partner live, work and play all in downtown Findlay. When they purchased their house on East Hardin Street two and a half (2 ½) years ago, they knew they were on the edge of commercial and residential, and knew that being so involved with downtown Findlay came with charm and that looking down East Hardin Street, it was beautiful there with kids playing outside, but now half of their street is a ghost town. If they had known at the time they purchased their home that these demolitions were going to happen, they might not have made the same decision that they did. Coming to find out now with some of her connections in the community, she only knows some of the things she knows because they were willing to reach out to her. She has done some research, but cannot find any plans to the extent of demolishing these properties, and how rapidly they became vacant. It is her understanding that the YMCA owns all the properties and that they are not being well kept. She understands the goal is to demolish them, and prior to that, some of these houses are over one hundred (100) years old, and some close to being 100 years old, that did not have to go vacant and could have completely remained affordable housing in the community. The fact that City Council has approved hundreds of thousands of dollars to help demolish them and effectively bring gentrification right across some of those historic homes is very concerning to her. Living in downtown Findlay is not going to be the same after this. Looking down the street and not seeing kids playing outside and not knowing if it is just going to be a slab of pavement or gravel will be a very different quality of life. She is very concerned about her property value and that there are a lot of things she doesn't know, but should have known about. She wants to share her feelings with the hope that it will prevent someone else from feeling the same way in the future, and possibly preserve some historical homes and affordable housing in the community. Filed.

WRITTEN COMMUNICATIONS:

email from Pat Jay – proposed park. Filed.

email from Pam Basinger – proposed park. Filed.

Capital Improvement Plan Investments project information summary for Police Department Body-Worn Camera Program via Ordinance No. 2023-024. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Hancock Regional Planning Commission Grant Administrator Essinger – Community Development Block Grant Fair Housing & Administration update of agreements

In December 2021, Hancock Regional Planning Commission (HRPC) requested that Findlay City Council pass a resolution authorizing the Mayor of the City of Findlay to execute an agreement with Findlay Hope House, and an agreement with HRPC to provide services related to Community Development Block Grant (CDBG) projects for program years 2022 and 2023. In response to this request, Findlay City Council passed Resolution No. 025-2021, however, that resolution was without the necessary language to allow for the agreement with Hancock Regional Planning Commission. Legislation authorizing the Mayor to execute an agreement with Hancock Regional Planning Commission to provide services related to CDBG projects for program years 2022 and 2023 dated retroactively to January 1, 2022 is requested. Ordinance No. 2023-026 was created.

Discussion:

Councilman Russel asked if this error was just found and if the Ordinance is to go back and resolve the original resolution to make sure it is legal or up to standard. Mayor Muryn replied that is correct. Regional Planning recognized that though the agreement was in place for the partnership and their administration services, the proper language wasn't included for payments to go to Regional Planning for their administration services as has been done in the past, and that this Ordinance is to update the language to allow those payments.

City Auditor Staschiak added that it was the City Auditor's Office that identified this. They found some things with the RLF and are hoping that Regional Planning is able to put a few things into their processes that will catch these things for themselves so that it doesn't get this far down in the future.

Councilman Russel asked if this is something that should be taken care of tonight. City Auditor Staschiak replied that Council has flexibility because of the retroactive component in it. If it is Council's intention for HRPC to continue to do business, the sooner this is passed, the better so that they are compliant and have the right to do what they are asked to do because they currently do not have that right. Filed.

Traffic Commission minutes –February 21, 2023. Filed.

Mayor Muryn – ARPA Demolition Program

Late last year, City Council approved an allocation of up to four hundred thousand dollars (\$400,000.00) to be available to property owners in good standing with the City of Findlay including residents, non-profits and businesses for demolition of structures on their properties. Priority was given to properties that were blighted, had safety concerns, or were vacant. During the application period, five (5) applications were received that included eighteen (18) properties being requested to be torn down. As part of the application process, applicants were required to include quotes for the demolition. The estimated cost of two hundred fifty thousand dollars (\$250,000.00) was based off of the original quotes. Upon review of the applications and in consultation with the Hancock Regional Planning Commission staff and City of Findlay Deputy Auditor Sampson, it has become clear that in order to move forward with demolition, the City of Findlay will need to bid out the demolition services. Per the recommendation of Mayor Muryn, Deputy Auditor Sampson, and Hancock Regional Planning Commission Lizzy Essinger that the fifteen percent (15%) required by citizen applicants not be increased beyond the cost estimate based upon their individual quote.

While an increase in applicant's cost is not expected, it is appropriate for the City of Findlay to cover that difference. Legislation to bid out demolition services of the attached listed properties, including any necessary asbestos abatement measures, and enter into contracts with the winning firm is requested. Ordinance No. 2023-027 was created.

- 0 Hurd Avenue (corner of Hurd Avenue and West Main Cross Street)
- 400 Lester Avenue
- 305, 307 Lincoln Street
- 321, 323, 329, 331, 335, 339, 341 East Hardin Street
- 600 (tentative bid alternate), 605, 609, 615 Grand Avenue
- 347 Midland Avenue
- 220 Bell Avenue

Discussion:

Councilman Russel pointed out that 301 and 307 Lincoln Street listed above is actually West Lincoln Street and not just Lincoln Street. Filed.

Findlay Fire Department Activities Report – February 2023. Filed.

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

Assistant City Engineer Rausch – STRICT Center GMP4

On August 17, 2022, the City of Findlay entered into an agreement with Clouse Construction for Design-Build Services for the STRICT Center Project (the "Agreement"). Clouse Construction has submitted an acceptable Guaranteed Maximum Price Proposal for the building design and the procurement and erection of the building. To proceed with this scope of work, the parties will need to enter into a Guaranteed Maximum Price Phase Amendment No. 4 ("GMP4") for the project. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into GMP4 to the Design-Build Agreement for partial construction package of the building in the amount of eight hundred eighty-four thousand six hundred dollars (\$884,600.00) is requested. This package includes the site utility/concrete and final buildout, including finishes and MEP, phases of the project. This allows the project to proceed and meet the current construction schedule completion date of July 21st. Ordinance No. 2023-028 was created.

Discussion:

Councilman Wobser asked if this is going out to bid in order to finish the building. It looked as if the building had already started. Assistant City Engineer Rausch replied that this is for the fourth (4th) construction package. What can be seen on the erection of the building has been approved by Council for the initial project, initial funding, and two (2) amendments. This is amendment three (3) and Guaranteed Maximum Price for the final package for construction. Councilman Wobser asked if the final construction package is going out to bid. Assistant City Engineer Rausch replied no, they have already received all the bids for it. It is a design build project where the City solicits bids from numerous subcontractors who provide the best price where the City reviews those prices with them and have agreed to the prices they have submitted. The City has also done some additional value engineering to save approximately one hundred sixty-seven thousand dollars (\$167,000.00) on the project based on some of those prices and some ideas that they got from the subs. Being that this is the design build component, the City can work with subs and work with the general contractor rather than just bidding it out and just getting what the City gets on the design plans. It has been a good process that has identified savings for the City.

Councilman Hellman . . . cannot hear the audio. Assistant City Engineer Rausch replied no, the burn building is a separate component. The STRICT building is what is under construction now that will have a 2-story frame house built in it for training inside which is why the building is so big. Just to the north of that will be the burn building component of the project which will be several shipping containers configured for Firefighter training with live burn activity in it during the smoke and heat training. That portion of the project will be covered under a Community Development Block Grant (CDBG) grant. It will also include some sight work. Filed.

City Engineer Kalb – first Capital Improvement Appropriation of 2023

The Administration is currently working through the ten (10) year Capital Improvements Plan with Department Heads and the City Auditor’s Office to ensure Council is provided with a well thought out plan and have determined that there are a couple of projects and equipment that need to be moved on to ensure the project keeps moving in a positive direction and to take advantage of current pricing. The projects listed below are annual projects that the City routinely performs and on equipment with long lead times. All projects and equipment listed below are included in the 2023 Capital Improvement Plan. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to advertise for bids and enter into contracts for construction, as well as appropriate and transfer funds is requested. Ordinance No. 2023-029 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 12,000.00
TO:	Police #21012000-other	\$ 12,000.00
FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 1,338,189.00
TO:	PD Body-Worn Camera Program #31930700	\$ 25,189.00
TO:	2023 Street Preventative Maintenance #32830300	\$ 200,000.00
TO:	2023 Annual Street Resurfacing/Curb Repairs #32830400	\$ 965,000.00
TO:	File Scanning & Microfilm #31920800	\$ 42,000.00
TO:	Engineering Office Remodel #31931300	\$ 68,000.00
TO:	Third Floor Conference Room Remodel #31931100	\$ 38,000.00

Filed.

City Engineer Kalb – Harrison Street Waterline, Project No. 35720200

In 2022, a project was created for a waterline replacement on Morriscal Boulevard due to a possible concern that was brought up during the reconstruction of Logan Avenue. Since the initial creation of the Morriscal Boulevard waterline, the focus of the location of the waterline replacement has changed to the Harrison Street area. It was previously expected to experience low line pressure in the West Park area due to the waterline on Morriscal Boulevard, but since the upgrade of the waterline on Loga Avenue, it has been observed that the dead end line at Logan Avenue will need to be extended to Byal Avenue. This extension that will run on the east side of Harrison Street from Logan Avenue to Byal Avenue that will create a loop in the area that will help improve water quality and line pressure in that area. This letter shall serve as a notice to Council that the project previously named “Morriscal WL #35720200” will be renamed to “Harrison St. WL Extension #35720200” to reflect the change in project focus.

Discussion:

Councilman Russel asked if legislation is needed to rename a fund. City Auditor Staschiak replied that he had a conversation with Deputy Auditor Sampson on the full transparency of this and determined that legislation is not necessary, but is putting Council on notice of what is going on. It is to remain transparent and open so that project money does not get appropriated for one thing and then all of the sudden be used to be build something else. This is just notice to keep things clear so that there are no problems on this situation.

Councilman Bauman asked if there is a timeline on this. City Engineer Kalb replied that no vote of Council is needed for this. It is just to notify Council that the focus of it has changed. He is hoping to put it out to bid in the next couple of weeks so that they can complete the project soon. Filed.

City Engineer Kalb – ARPA Fund appropriation of 2023

Along with the first Capital Improvement appropriation, it is desired to appropriate American Rescue Plan Act (ARPA) funds to various projects that have been discussed over the past couple of years, and to appropriate funds for the purchase of Police vehicles. From the list below, both projects have been discussed in prior APPROPRIATIONS COMMITTEE meetings and/or City Council meetings with Police vehicles routinely rolled over that the city performs each year. All projects and equipment listed below are included in the 2023 Capital Improvements Plan. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to advertise for bids and enter into contracts for construction, as well as appropriate and transfer funds is requested. Ordinance No. 2023-030 was created.

FROM:	ARPA Fund	\$ 634,700.00
TO:	PD Body-Worn Camera Program #31930700	\$ 50,000.00
TO:	ARPA Police Vehicle Purchase #31930900	\$ 284,700.00
TO:	City ADA Transition Plan #31925000	\$ 300,000.00

Filed.

City Engineer Kalb – Community Development Block Grant application public park restroom facilities

The City of Findlay Engineering Department and the Hancock Regional Planning Commission (HRPC) have been notified of a grant opportunity through the Community Development Block Grant (CDBG) for the reconstruction or renovation of public park restroom facilities. As part of this application, the City of Findlay Engineering Department will be submitting applications for the reconstruction of three (3) restroom facilities. The three (3) parks that are planned to have the new facilities are: Rawson Park, Swale Park, and Emory Adams Park. If awarded the grant, the fund will cover the necessary cost for construction with the City of Findlay being responsible for design and engineering services. Legislation authorizing City representatives to execute the necessary grant application(s) and/or agreement(s) in order to receive the grant funding is requested. Ordinance No. 2023-031 was created.

Discussion:

Councilman Bauman noted that this was the request he was just asking about during the last Council agenda item, and that he was a step ahead of Council's agenda. He asked if there is any need to move this tonight. City Engineer Kalb replied that if it could be passed tonight, that would be great because the application is due at the end of March. It is where the City works in conjunction with Regional Planning as a CDBG project. He was just notified that the preapplications were accepted to submit for a full application.

Councilwoman Frische asked if this project is to put in new restroom facilities at these three (3) locations. Citizens have commented about other City park bathrooms needing updates. She asked if any of these funds could go towards them. City Engineer Kalb replied no, because it is CDBG money, it has to do with low to moderate income and can only be used within certain areas of the City. He tried to utilize the funds in every area he could, but these three (3) are the ones that qualify through CDBG specifications. Filed.

Human Resources Director Essex – 2022 City of Findlay employee survey results

In December of 2022, the City Administration launched an organization-wide Employee Satisfaction Survey that give City employees an opportunity to weigh in on the areas of employee engagement, communication, leadership/management, strategic planning, work culture, benefits/compensation, and information technology. Organizational Responsiveness to surveys can lead to higher retention rates, lower absenteeism, improved productivity, better customer service, and higher morale. The goal is to seek out feedback from employees to allow the City to grow as an organization and better serve the community. Attached is a summary of areas receiving the highest (top) and lowest (bottom) ratings on the Employee Satisfaction Survey. Throughout the years, employees have rated their understanding of the City's (organization-wide) strategic plan lower than the other sections of the survey. The City of Findlay Administration, along with Department Heads and Supervisors, will continue to provide information and education in this area. It is also introduced to new hires as part of the onboarding process.

Discussion:

Councilman Russel asked Mayor Muryn if there is anything on this she would like to speak on, specifically takeaways that the City is going to be working on to improve for 2023-2024. Mayor Muryn replied that overall, the results were positive with a slight decrease in a couple of areas. Overall, she is proud that the top items included that employees feel valued and respected and that they work well as teams which is extremely important. She is not surprised by the bottom portion because it has been consistent over the last couple of years, especially coming out of the pandemic. Quarterly communication meetings had been previously done with all City departments, but became less frequent during the pandemic and instead, emails were sent with less in-person meetings, but are starting back up again more regularly. A lot of the confusion amongst City employees is related to the strategic plan with employees being confused because the strategic plan is not City-wide yet and how it relates to some of the internal strategic plan goals over time. Providing clear communications has been a challenge in getting the information out to employees, but have been conducting quarterly communication in-person meetings the last six (6) months to portray more creative ways to provide information on some of those strategic objectives. One of the outcomes that was done last year was a one-page summary sheet of the City's mission, values, and some key objectives for that department. The Administration is reiterating to the Department Heads to make sure that they are taking information back to their employees throughout the year. The Administration meets with Department Heads on a weekly basis and meets with City departments on a quarterly basis. They are looking to start providing handouts or something to the Department Heads every other month to remind them that when they have their monthly department meetings, to make sure they are hitting those points. Filed.

City Planning Commission minutes – February 9, 2023; **staff report** – March 9, 2023. Filed.

COMMITTEE REPORTS: none

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 007-2023 (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 Greeno.

Discussion:

Councilwoman Frische asked for details of the two (2) invoices included for this Resolution. Law Director Rasmussen replied that his portion is a bill from outside counsel. The money to pay it is in his budget, but it was a timing issue. Councilwoman Frische asked what case it is for. Law Director Rasmussen replied the George Martens case.

Service-Safety Director Martin replied that the other portion of the Resolution is for the railroad right-of-ways that started hitting the City's budget this year.

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

RESOLUTION NO. 008-2023 (CR 220 annexation (2 parcels) 64.941 acres) **requires three (3) readings** *first reading*

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 36, T2N, R10E, A TRACT OF LAND CONSISTING OF 64.941 ACRES OF LAND, MORE OR LESS.

First reading of the Resolution.

RESOLUTION NO. 009-2023 (CR 220 annexation (2 parcels) 73.077 acres) **requires three (3) reading** *first reading*

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 25, T2N, R10E, A TRACT OF LAND CONSISTING OF 73.077 ACRES OF LAND, MORE OR LESS.

First reading of the Resolution.

ORDINANCES:

ORDINANCE NO. 2023-010 (Lakota Park final plat) **requires three (3) readings** *third reading - adopted*

AN ORDINANCE ACCEPTING THE FINAL PLAT AS SHOWN ON THE LAKOTA PARK ROADWAY DEDICATION PLAT, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilwoman Frische asked if this requires a public hearing. President of Council Harrington replied not for plats.

Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-010 and is hereby made a part of the record.

ORDINANCE NO. 2023-011 (Bricker & Eckler LLP invoices (STRICT Center, water service extension) **requires three (3) readings** *third reading - adopted*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-011 and is hereby made a part of the record.

ORDINANCE NO. 2023-012 (transmitter annual maintenance fees) **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 Greeno. Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-012 and is hereby made a part of the record.

ORDINANCE NO. 2023-014 (Innovative Software Solutions, Inc. contract) **requires three (3) readings** *third reading - adopted*

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.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-014 and is hereby made a part of the record.

ORDINANCE NO. 2023-016 (GMSTEK, LLC agreement) **requires three (3) readings** *third reading - adopted*

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.

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-016 and is hereby made a part of the record.

ORDINANCE NO. 2023-019 (approve 2022 ordinances & resolutions changes) **requires three (3) readings** **tabled after third reading on 3/7/23**
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel pointed out that this is an annual thing that is done as updates to the City's codes. It is usually a seamless process, but that is not the case this year. The company that updates the City's codes has included an ordinance in the updates that was not passed by Council, so it was included in error. He would like to table the Ordinance and allow for two (2) more weeks to ensure what Council is adopting is an accurate reflection of what was done last year.

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

ORDINANCE NO. 2023-020 **requires three (3) readings** (Ohio Attorney General's Office contract for municipal income tax collection services) **second reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH THE OHIO ATTORNEY GENERAL'S OFFICE TO PROVIDE MUNICIPAL INCOME TAX COLLECTION SERVICES TO THE CITY OF FINDLAY INCOME TAX DEPARTMENT, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2023-022 (Opioid settlement) **requires three (3) readings** **second reading - adopted**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO INDIVIDUALLY ENTER INTO ANY PARTICIPATION AGREEMENT(S) IN RELATION TO THE NATIONAL OPIOID SETTLEMENT PROGRAM THAT HAVE BEEN AGREED TO BY THE STATE OF OHIO, DECLARING A REAL AND PRESENT EMERGENCY.

Discussion:

Councilman Russel asked if this is standard request for Council to continue on with the acceptance of the opioid processes. Mayor Muryn replied that is correct. It is the standard process. The City of Findlay entered into the contract with the State of Ohio for the National Opioid settlement which means instead of the City of Findlay having to try and fight it on their own, the lawyers are working together and have agreed to a standard distribution of those funds based off of a very complex calculation related to opioid overdose deaths in a period of time, as well as population, etc. She previously had authorization to enter into a contract with the big three (3) who are now working together to use that same model for additional settlement agreements. Language is needed from Council stating that rather than coming back for each individual settlement and providing legislation to name each specific entity, Deputy Auditor Sampson instead recommended entering into a contract or to give authorization on all contracts that the State of Ohio, as part of the Settlement Agreement, negotiates with the City to accept that settlement.

City Auditor Staschiak added that there is no specific need to pass this Ordinance tonight. It is for settlements that are being negotiated (Allergen, CVS, Walgreens, Walmart) which are the ones that are pending, and there will be more. This is no rush to pass this tonight.

Councilwoman Frische asked why "individually" was used in this Ordinance. The header states that this Ordinance allows the Mayor to individually enter into any participation agreements. She asked why it isn't worded that the City enter into it. Mayor Muryn replied that she will first respond to City Auditor Staschiak's comment and then will answer Councilwoman Frische's question. She is under the impression that this has to be back to them by the end of March. City Auditor Staschiak replied that Mayor Muryn may be aware of a date that he is not aware of. The date they have to have this back to them is March 31st which is why she made sure it got on the last agenda. She would appreciate it if this Ordinance could be expedited this evening. The language of "individually" is just the language put in the legislation allowing her to sign on behalf of the City as a Mayoral representative. It is standard language that has been used in the past.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Bauman. Ayes: Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance received its third reading. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-022 and is hereby made a part of the record.

ORDINANCE NO. 2023-023 (City Income Tax Administration Fund) **requires three (3) reading** **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2023-024, AS AMENDED **requires three (3) readings** **second reading - adopted**
(Ohio Office of Criminal Justice Services (OCJS) body worn camera grant)
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT FOR THE PURCHASE BODY-WORN CAMERAS THROUGH THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES GRANT PROGRAM, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that he spoke with Service-Safety Director Martin and confirmed conversations from the last City Council meeting that this Ordinance needs to be passed tonight so that the City can enter into the program. While he has questions about the details of the body-worn camera program, he does not think that this is the time to discuss them. Council has heard from citizens that body-worn cameras are important and will be implementing a program of some sort for body-worn cameras of Police Officers one way or the other. This Ordinance is simply a funding mechanism to help defray the large capital expense for the first year of implementation. Regardless of the questions and the discussions in the future that are appropriate to have with full Council, the Service-Safety Director, the Police Chief Ring, and with Mayor Murnyn, this legislation should be passed tonight because Council wants to accept the assistance for the Capital purchase.

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

Discussion:

Councilwoman Frische asked if this grant is limited to only certain products or certain brands. She asked if there are any limitations on the grant or if Council can have a full discussion and make choices. Police Chief Ring replied that they are not limited to any specific brand. They will reimburse whatever the City purchases as long as its body-worn cameras.

Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-024 and is hereby made a part of the record.

ORDINANCE NO. 2023-026 (*HRPC provide CDBG program*) **requires three (3) readings** **first reading - adopted**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEARS 2022 AND 2023 RETROACTIVE TO JANUARY 1, 2022, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Bauman. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-026 and is hereby made a part of the record.

ORDINANCE NO. 2023-027 (*ARPA Demolition Program*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR DEMOLITION SERVICES RELATED TO THE AMERICAN RESCUE PLAN ACT (ARPA) DEMOLITION PROGRAM, AND DECLARING AN EMERGENCY.

Discussion:

Councilwoman Warnecke pointed out that she saw the list of properties involved with this in the newspaper. When it was discussed in committee to allow ARPA funds to be spent on demolitions for properties that are blighted, safety concerns, or vacant, she was under the impression it was for those that could not afford it that had a dilapidated garage or something on their property that they could not afford to take down and would make the City look better if it were taken down. It was also mentioned at that time that it could be used for businesses, but now sounds like it is being primarily used for the YMCA, which she was not aware of. She thought this was for those that could not afford to take down things that were making the City look bad and is confused why the properties being demolished are all right next to each other. She understands that they are all vacant and asked if it is because the YMCA bought these homes and are now asking to have them torn down. It is her opinion that they do not satisfy the thought the committee had to use ARPA funds to pay for them. She asked what other Councilmember's opinions are on that and that just because they have been given and qualify as vacant, if the City has to use City money for them. Mayor Murnyn replied that it is Council's prerogative to not to move forward if they so choose. Four hundred thousand dollars (\$400,000.00) was allocated and that the priority would be given to citizens, then non-profits, and then businesses. A rubric was set for individuals with a lower income to be given priority. If Council is concerned about this not meeting the initial expectations, she would then recommend that a second round be given later and open it back up. It was advertised and placed in the newspaper, on the website, and social media. She too would like to see it used more for other properties, but that the YMCA met the restrictions of it. They reached out to the State when the State made the demolition funds available, and that the State funds had already been spent, so they were not able to take advantage of that. Although some of these properties scheduled for demolition are in better condition than others, a concern was brought up by the neighborhood through the Historical Museum about one property being of a historical value, so it was removed from the list and are instead looking at alternatives to maintain it. The project that they are planning will be a good opportunity to invest in that neighborhood, but it is ultimately up to Council if they feel it is appropriate or not to move forward. The team reviewed each property and determined that some are in better condition than others, but overall, each of them has some form of significant issue with them that would need to be addressed to be able to make them a livable space, and did meet the general parameters of the program. Councilwoman Warnecke noted that based on what has been stated of what they will be used for, she does not think it will stop the process and will probably get demolished one way or the other, but that she still feels uncomfortable with it in that it doesn't satisfy what she thought ARPA funds were going to be used for.

Councilman Slough pointed out that when he was Board President of the YMCA back in 2005 with Russ Gardner, they had the same plans to do what is being talked about doing today, so it is his opinion that it has reached a point in time that Council should move forward with this because it would be a great addition to the downtown, a great recruiting tool for businesses that are thinking about coming into the community.

Councilman Hellmann concurred with Councilman Slough's comments, but would like to provide a caveat that the properties are demolished and that the land remains there. He asked if there is a way to make certain that it is filled in nicely, landscaped properly with grass, fencing or shrubbery or with some kind of landscaping so that they do not become an eyesore for the neighborhood or do not become dangerous for kids to play there. Mayor Muryn replied that the YMCA already has a child development center, so she has full faith in the Y not to make it a hazardous environment. She noted that there are two (2) conversations going on right now. One being that the concept of the YMCA project will be a beneficial project which is separate from this demolition program, which is very important, otherwise, the City would be inappropriately treating the YMCA different than any other applicants because the City is aware that the Y will be utilizing it for a future use which ultimately was part of the goal of cleaning up properties so that they can be better utilize cleaned up properties in the community. She also would like to see the ARPA funds used on twenty (20) sporadically buildings that are in rough shape and need to be cleaned up, so she would like to open it up again and see if there are more that qualify, but that the properties scheduled to be demolished serve the purpose and intent of the overall of the program when it was established and met the standards that were put in place to be funded. It would be a totally different conversation if there were possibly six hundred thousand dollars (\$600,000.00) worth of applicants and were prioritizing them over other projects, but overall met the standards and the purpose.

Councilman Greeno noted that 404 East Lincoln was withdrawn because of historical content and asked if any of the other homes listed for this have any historical significance. Mayor Muryn replied that because these funds are ultimately Federal funds, Section 106 reviews have been completed by the Hancock Regional Planning Commission with various State entities weighing in. Some of them had historical ties as any property that has been around for a long time, but 404 East Lincoln was the most significant. Discussions between the YMCA and the Historical Museum are now underway and have withdrawn that property so that it doesn't slow up the City's process and then can have further discussions and determine what would be appropriate. Councilman Greeno asked about the 106 review . . . cannot hear the audio. Mayor Muryn replied that is correct. She is not aware of the process of the 106 reviews, but that Hancock Regional Planning Commission Grant Administrator Lizzy Essinger is the one who lead the completion. As part of that, they go through the local historical society who has an opportunity to weigh in, as well as the State Historical Commission. All of those entities have weighed in.

Councilwoman Frische recalled that there were discussions on why State funds were not part of this opportunity for some demolishing work. Council in general has not considered the six (6) block section where citizens have some valid concerns and that she hadn't even thought about drainage, etc. She asked if the properties scheduled to be demolished are zoned residential and if they will have to rezone once the YMCA brings a plan forward. She asked if the concerns about drainage or runoff of the residents in that area will be address. Mayor Muryn replied that they would all have to be addressed during CITY PLANNING COMMISSION. If they cannot meet the standards, they would have to modify their plan. Councilwoman Frische noted that the City's opportunity for the YMCA could end up becoming a green space that could have remained additional affordable housing. She asked if there is anything else that Council should first consider to address citizens' concerns before final approval of this. She asked if some of the citizens valid concerns could be addressed.

Councilman Bauman noted that once these properties come down, they would fall under the purview of the City's Zoning Department and those zoning regulations and would be maintained to regulations as the City would be keeping an eye on them. Mayor Muryn replied that is correct. They would have to work through the CITY PLANNING COMMISSION. This request does not need to be passed tonight. The neighborhood needs to reach out to the YMCA. It is between property owners. If the YMCA is more willing to share their plans publicly with Council, that would be appropriate to provide Council with more information. She wants to be cautious that the City is not treating people differently just because they have a potential project compared to other properties. She would be happy to reach out to the YMCA and see if they would be interested in sharing more with Council. There is time for the Administration or a committee to re-evaluate this if Council would like to do so as it does not need passed tonight.

Councilman Niemeyer pointed out that at the bottom of the ARPA letter from Mayor Muryn, it states that if the cost would increase for the individual, the City feels it would be appropriate for the City to cover that difference. He feels it is absurd that the City would pay the difference with the property owner only spending fifteen percent (15%). Mayor Muryn replied that during discussions with the Deputy Auditor and the HRPC Grant Administrator, it was determined that property owners needed to obtain a couple of bids to provide a ballpark figure of what it is going to cost property owners to do the work and then they could enter into a contract, or the City could enter into a contract and then the property owners would just have to pay their fifteen percent (15%), but that there was quite a few bids that came in from the same vendors that were over the City's bid requirements, so it then had to go back out to bid. She does not expect there to be a significant modification in price. In order to be good stewards of these funds, the City has to conduct appropriate asbestos abatements on those properties. Because it was not specified when property owners obtained their bids that asbestos abatements were needed, the City did not feel it was appropriate to go back to the property owner for additional costs and because there is additional funding available that could be used to pay the asbestos checks and not make the property owner pay the difference. The City paying the extra fees would only be for the citizens that are going to be paying fifteen percent (15%).

Councilwoman Frische noted that Mayor Muryn mentioned asbestos checks would be no big deal, but that they could actually be pricey and that Mayor Muryn mentioned she would like to do another round of property demolition applicants since there are extra dollars available. She asked why the City should cut into that. She asked what the valid reason for that would be. Mayor Muryn replied that she does not expect it to be significant since the properties are being demolished and that there would be an additional hazardous waste fee. The demolition process is not going to be significantly different.

First reading of the Ordinance.

ORDINANCE NO. 2023-028 (STRICT Center – GMP4) requires three (3) readings

first reading

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 4 (GMP4) WITH CLOUSE CONSTRUCTION CORPORATION FOR SITE UTILITY/CONCRETE AND FINAL BUILDOUT, INCLUDING FINISHES, MECHANICAL, ELECTRICAL, AND PLUMBING OF THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2023-029 (first Capital Improvement Appropriation of 2023) requires three (3) readings

first reading

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

Discussion:

Councilman Russel asked if this is a standard Capital appropriation that is done every year and if so, why it is just now coming in March when they are generally done earlier in the year. He asked if there is an advantage of bidding them out early. City Engineer Kalb replied that this does not need to be passed tonight. The street resurfacing portion had already been put out to bid. The awarded contractor is ready to start as soon as possible, but that this Ordinance does not need to be passed tonight and can go through additional readings. Most of the projects included in this Ordinance have already gone out to bid for early pricing or have potential price increases tied to them. Councilman Russel asked if legislation has already been passed for the street program for this year. City Engineer Kalb replied yes one thousand dollars (\$1,000.00) was appropriated either in December last year or the beginning of this year to bid it. This amounts in this Ordinance are for a contractor to do concrete work. He already has approval to go out to bid and to advertise. Councilman Russel asked if bids are in hand. City Engineer Kalb replied yes.

Councilman Wobser noted that Council has not approved the Capital Plan yet and asked if it will be done soon. Mayor Muryn replied that approximately two (2) weeks ago, Councilman Wobser, City Auditor Staschiak, Mayor Muryn, City Engineer Kalb, and Service-Safety Director Martin sat down and went through the Capital Plan putting together a lot of pieces of a massive puzzle in which they are very close to presenting it and have obtained some good feedback from City Auditor Staschiak and Councilman Wobser on some things they wanted to see, so they are taking a second look at those. The Administration is comfortable with moving forward with some of the standard items that are done annually (preventive maintenance, street resurfacing, etc.) in order to get ahead of the ball game. They will be noted in the overall Capital Plan.

Councilman Russel asked if a list of streets are in the Capital Plan and/or if there are any additional streets that can be done. He is ready to go on this and is in favor of having street projects ready to go as soon as they can because it gets the City's road contractors wanting to work with the City of Findlay. He encourages low bidding and early participation/early working. City Engineer Kalb replied it is to the City's advantage to start the work as soon as possible. The low bidder for this contract was notified that he was awarded the bid and contacted him asking how soon he could start. He has two (2) crews ready to go. The bid includes a base set of streets and alternates. If there is funding left over because of the final cost coming in cheaper than anticipated, then additional streets can be added in as needed. He does not need this passed tonight because of the uncertainty of when the weather will break and they can actually start the work. The contractor has this in his books for late March early April.

Councilwoman Frische pointed out that this Ordinance has the emergency clause on it, so as soon as the Mayor signs it, the contractors can start the projects.

First reading of the Ordinance.

ORDINANCE NO. 2023-030 (ARPA Fund appropriation of 2023) requires three (3) readings

first reading

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS SO THAT AMERICAN RESCUE PLAN ACT (ARPA) FUNDS MAY BE UTILIZED TO PURCHASE VARIOUS ITEMS FOR DESIGNATED VARIOUS PROJECTS LISTED BELOW, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Mayor Muryn reminded Council that this does not need passed tonight and that the idea of the ARPA money is to spend it on projects that were already going to have to do that would be easier on the reporting side and would help free up Capital dollars to be more flexible. These are items that the City typically spends Capital dollars on anyway, so it is why the Administration felt comfortable moving them forward to Council prior to having a full Capital discussion.

First reading of the Ordinance.

ORDINANCE NO. 2023-031 requires three (3) readings

first reading - adopted

(Community Development Block Grant application public park restroom facilities)

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR RECONSTRUCTION OR RENOVATIONS OF PUBLIC PARK RESTROOM FACILITIES, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel pointed out that Council commonly waives rules when applying for grant money, so this request is no different.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Bauman.

Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno. Nays: Frische. The Ordinance received its second and third readings. Councilman Bauman moved to adopt the Ordinance, seconded by Councilwoman Warnecke.

Discussion:

Councilwoman Frische asked if all three (3) public park restroom facilities are one hundred percent (100%) paid for with no cost out of the City's budget. City Engineer Kalb replied that is correct. The construction costs are paid one hundred percent (100%) through the CDGB. The City will be handling the design and engineering in-house.

Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-031 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilwoman Frische noted that Council tabled Ordinance No. 2023-019 and asked if the discussions going on with the Codified Ordinances should be addressed in a committee. She asked if there is some kind of debate going on with it. Councilman Russel replied that this is a common process that Walter H. Drane Company, the company who maintains the City's Codified Ordinances online, provides. They bring them in sync with changes that were made with Ohio Revised Code in the previous year and bring the ordinances that Council passes into the City's published code. While he has never seen a problem with it, but that this year, an Ordinance was tabled and then removed from the agenda that Walter H. Drane Company included. What Walter H. Drane Company has presented to City Council and what City Council is voting on if untabling this Ordinance (Ordinance No. 2023-019) is not a correct representation of what City Council passed in 2022. By tabling the Ordinance, it gives Law Director Rasmussen, President of Council Harrington and Councilman Russel a chance to review what Walter H. Drane Company has provided is a correct reflection of what has been adopted. Councilman Russel did not catch this error. Matt Cordonnier from Hancock Regional Planning Commission caught it and brought it to Council Clerk DeVore's attention.

NEW BUSINESS:

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

agenda: proposed zoning code changes

Councilman Russel informed Council that the all-you-can eat Kiwanis Pancake Day is this Saturday, March 11, 2023 from 7:00am-1:00pm at Findlay High School Cafeteria. It has been described as the best pancake breakfast in town.

Councilman Wobser: **APPROPRIATION COMMITTEE** meeting on ~~Tuesday, March 14, 2023 at 4:00pm~~ in the first floor Council Chambers of the Municipal Building (CC) – *live stream*. All Council is invited to attend. This has been done as a COMMITTEE OF THE WHOLE in the past. *This was later rescheduled for Monday, March 13, 2023 at 4:00pm.*

agenda: Ordinance No. 2023-029 (first Capital Improvement Appropriation of 2023)

Mayor Muryn recognized Councilman Slough's award by the United Way - the Jefferson Award for his public service. He has been an influential pillar for our community and serving on Council for so many years.

Councilman Niemeyer moved to adjourn City Council at 7:43pm, seconded by Councilwoman Warnecke. All were in favor.

CLERK OF COUNCIL

COUNCIL PRESIDENT