

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

APRIL 4, 2023

COUNCIL CHAMBERS

ROLL CALL of 2022-2023 Councilmembers:

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

ABSENT: Frische

President of Council Harrington notified Council that Councilwoman Frische informed him that she would not be in attendance tonight. Councilman Russel moved to excuse Councilwoman Frische, seconded by Councilman Bauman. All were in favor. Filed.

President of Council Harrington opened the meeting with the Pledge of Allegiance and a moment of silence.

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Slough moved to accept the March 21, 2023 Regular Session City Council meeting minutes as amended, seconded by Councilman Niemeyer. All were in favor. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

REMOVALS:

1. Letter from City Engineer Kalb – Police Department Body-Worn Camera Program #331930700 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section). *Funds have already been appropriated, so this letter is not needed.*
2. Ordinance No. 2023-039 – Police Department Body-Worn Camera Program #331930700 (**LEGISLATION** section). Funds have already been appropriated, so this Ordinance is not needed. *Funds have already been appropriated, so this Ordinance is not needed.*

REPLACEMENTS:

1. Ordinance No. 2023-027, AS AMENDED – ARPA Demolition Program (**LEGISLATION** section).
 - Added parcel numbers to each property in SECTION 1:

ADD-ONS:

1. Ordinance No. 2023-040 – ACP Greene & Associates, LLC dba Planning NEXT (**LEGISLATION** section).

PROCLAMATIONS:

Mayor Muryń – Parkinson's Awareness month.

WHEREAS: Parkinson's disease affects one million people in the United States, it is the second most common neurodegenerative disease, it is believed to be caused by a combination of genetic and environmental factors, and is a leading cause of death according to the U.S. Centers for Disease Control and Prevention; and,

WHEREAS: It is estimated that Parkinson's costs the United States \$58 billion every year, or which the federal government shoulders \$29 billion, leaving American families to cover the remaining \$29 billion every year. It is estimated that, by the year 2037, the number of people with Parkinson's in the U.S. will nearly double, and the disease will cost the United States at least \$79 billion every year; and,

WHEREAS, The Symptoms of Parkinson's disease can include movement issues such as balance, slowness in gait, "freezing" in place, speech and handwriting difficulties, and non-movement symptoms of depressions, dementia and cognitive impairment, speech difficulties, losing the sense of smell or taste, and swallowing challenges, and a variety of other symptoms; and,

WHEREAS, Numerous clinical drug trials and research by the Michael J. Fox Foundation, the Parkinson's Foundation, the Davis Phinney Foundation and others are working hand in hand with federal and state efforts to identify causes of Parkinson's in an effort to one day prevent Parkinson's disease; and,

WHEREAS, More research and increased education and awareness and community support services are needed to find better treatments and a cure as well as maintain dignity for those living with the disease today.

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

PARKINSON'S AWARENESS MONTH

in Findlay, Ohio, and encourage citizens to increase their understanding of the disease and support people living with Parkinson's.

Discussion:

Barbara Matheny thanked Mayor Muryń and Council for joining others around the world in recognizing April as Parkinson's Awareness Month. The first World Parkinson's Day was held in 1997 to commemorate the birthday of Dr. James Parkinson who was the very first physician to recognize Parkinson's as a medical condition. This declaration will help educate the public about Parkinson's disease and the many people in the community who do have it. Every day, advocates help professionals and caregivers work to improve the lives of those affected by this disease including the people that are living with it, their families and friends by promoting awareness and education is key to finding a cure.

A month ago, she started a community action committee that is made up of leaders, some of which who are in attendance today, representing a wide range of experiences and different backgrounds creating healthy Parkinson's communities throughout the United States that is an initiative with the Davis Finney Foundation. Their purpose is to explore and improve how Findlay embraces and supports people living with Parkinson's and ensure that all people have the opportunity to live with the disease. This proclamation, in planning events in the community for the month of April, was their first step towards reaching this goal. They have tables at the YMCA, 50North, and soon at the library with information available for people to pick up on different topics of interest, listing help for them. There will be a free Parkinson's exercise class, followed by a luncheon and speaker on April 20th at 50North at 11:00am. The new rack study boxing program class at the YMCA will offer a free class and demonstrations. On April 26th, there will be a free screening of strength, balance, coordination, swallowing and voice control at 50North from 1:00pm-3:00pm. Church bulletins and reader boards are also in place. There is a monthly support group and many ongoing classes available. The Courier will be featuring these events with more information. She has an amazing committee who are able to pull this all together in one month's time. She provided a quote from the Davis Finney Foundation: *imagine living in a community where Parkinson's leadership is strong, where everyone living with Parkinson's, such as herself, have access to quality care, support and resources so they can live well with Parkinson's every day where people affected by Parkinson's have a sense of belonging and purpose. They feel seen and supported and are engaged in civic life and has a great quality of life despite having a chronic progressive disease that is prioritized by all. It is a reality we can hope to help create in this community.* Filed.

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS: none

ORAL COMMUNICATIONS:

President of Council Harrington announced that there are four (4) ORAL COMMUNICATIONS in support of the YMCA and one (1) request for another matter. Councilman Russel moved to suspend Council's rules on limiting speakers to three (3) on each side of an issue be waived and all speakers be allowed to speak tonight, seconded by Councilman Hellmann. All were in favor. Filed.

1. YMCA Chief Executive Officer Stephanie Parsons – in support of the YMCA

Ms. Parsons is the CEO of the Findlay YMCA. She thanked members of City Council for allowing the YMCA to submit an application for the demolition program which would allow them to accelerate their project that includes an innovative new child development center providing affordable reliable childcare. The Findlay YMCA has been a good neighbor and partner in this community for more than a hundred (100) years including more than sixty-five (65) years in their current facility at 300 East Lincoln Street. She has had not only the pleasure of working for the YMCA, but also her family has been a member of the YMCA for more than twenty (20) years. The YMCA has impacted her life and her children's life in so many ways. Her children learn lifelong lessons through the Child Development Center, not only by the dedicated staff who shape their character and have also taught them how to swim. Life is a journey. It has peaks and valleys. In the valley of her family's journey, the YMCA carved an incredible path. The YMCA showed her family that true empathy still happens and that the valley is less harsh when you step through the YMCA doors. It has provided hope through so many life struggles. For that, she is incredibly grateful for the YMCA, but she is only one of thousands of other stories of those that have been impacted by the YMCA in the community. She is so passionate about the YMCA's mission. She loves the work the YMCA does in the community, its members, partners and friends that walk through the door who bring her joy every single day she shows up for work. It hurt her heart to listen to the comments, accusations, and false information that she has heard about the YMCA over the past few weeks. She informed Council about the important work the Findlay YMCA does and continues to do every day in the community. Over the last year, the YMCA in partnership with the United Way has provided over one hundred fifteen thousand (115,000) free weekend meals, and two thousand (2,000) free summer lunches to school-age children through their Feed A Child Program. The YMCA provides scholarship for those individuals and families who wish to use their facilities as part of their healthy living plan, but cannot afford the membership fees, the YMCA also provides free memberships to foster children and their families. The YMCA is a leader in childcare development in Hancock County. The YMCA provides affordable, reliable childcare to the working population in the community including forty percent (40%) of the families that qualify for government support childcare through the State of Ohio. Drowning is the number one (#1) cause of death in children. Findlay Family YMCA provides affordable swim lessons to help ensure that every child can learn essential skills to help stay safe, develop confidence, and have fun in and around the water. The YMCA is the only provider of lifeguard training in Hancock County. The YMCA also has more than two thousand four hundred (2,400) children that participate and use sports leagues, including soccer, swimming, basketball, and volleyball. The YMCA is committed to empowering kids to lead healthy active lifestyles. From gaining confidence to building positive relationships with adults and kids alike, sports at the YMCA about developing lifelong healthy habits from the inside out. The YMCA summer camp is attended every year by two thousand (2,000) children in the community who look forward to the opportunity to spend time gaining new friends while exploring the outside. The YMCA is also an important community partner working with various schools and non-profits to make their facility accessible to everyone. They invite all individuals that participate in Special Olympics to join the YMCA for free.

Discussion:

Councilman Russel moved to allow Ms. Parsons additional time to speak, seconded by Councilman Hellmann. All were in favor.

Ms. Parsons continued stating that individuals that participate in sports or Special Olympics can join the YMCA for free. They also partner with the Children's Mentoring Connection to allow youth and mentors to come to the YMCA at no charge to enjoy quality time together. Those are just a few examples of the work the YMCA is doing to strengthen the community. She invited everyone to check them out online or visit them in-person. They are available for all and are looking forward to renovating their facility to better serve the community. As the community continues to evolve and grow, so does the YMCA's need for a facility that has the capacity to meet those needs and more. Over time, it was clear that the Findlay YMCA would need to evolve to continue to best serve the needs of the community.

The need for safe, affordable childcare is urgent. The Findlay Family YMCA is uniquely positioned to meet the need that will allow more residents to return to the workforce. Over the last ten (10) years, the Findlay YMCA has acquired properties around their existing facility in anticipation of eventually needing additional space. She has heard some say that the YMCA was being sneaky in their purchase of those homes, but the properties were purchased and recorded with the Auditor's Office just as any other home purchased within the County. It is all public record. Earlier this year when the opportunity to apply for funding of the demolition of the structures became available through the City of Findlay, the YMCA submitted an application believing that their properties were a good fit for the intent of the program. Like all applicants, the YMCA submitted a comprehensive application package and worked in partnership with the Hancock Regional Planning Commission to have a Section 106 review conducted on the proposed properties and surrounding area to ensure they were in compliance for the appropriate use of Federal fund and truly believe that the use of these funds would have profound community impact. As a resident who lives near the YMCA in a historical home dating back to the early 1900s, she shares a passion for history of the community which is why it was important to her that the YMCA complete their due diligence on their properties. They have heard the community's concern about using Federal dollars for this type of work, but using public dollars for this project includes important safeguards for the community's resources and treasurers that private dollars simply do not require. Through the Section 106 review, it was learned that two (2) of the properties in the surrounding area have been identified as having historical significance. Public funds would require the YMCA to develop an event and evaluate project alternatives that would avoid minimizing or mitigating the diverse effects on historical properties, but private funding does not. It is clear that individuals in the community feel passionate about the structures that the YMCA has purchased over the years, and the YMCA is passionate about utilizing the land that they own in a way that helps them serve more of the community and maximize their impact for everyone. Although their capital project is in the early stages, they are excited to begin rolling this project out to the public soon. With over two hundred (200) children and infants on the childcare wait list around the County, an innovative best in class child development center will help provide a safe, affordable, reliable place for children to be cared for while their parents, guardians, and caretakers return to work. The new YMCA Child Development Center will also help train more workers in the childcare field to continuously strengthen the workforce in an effort to prevent future staffing shortages and the childcare providers around northwest Ohio. She thanked Council for their work in the community, time and effort they dedicate to make Findlay a better place to work, live and thrive. The Findlay YMCA shares the City's passion and dedication to the community, and appreciates their due diligence on the important decisions that are made as good stewards of the community's resources. It is the YMCA's hope that the City has a better understanding of a positive impact the Findlay YMCA and their upcoming capital project have in the community. This important project will continue to move forward, but at this time, in an effort not to negatively impact their fellow applicants and stand in the way of progress, the YMCA respectfully request that the Ordinance be amended to remove the YMCA's properties from consideration of the demolition program. Filed.

2. Sarah Roberts Zerr – statement of support for the Findlay YMCA

Ms. Zerr resides at 459 Penbrooke Drive. She is before City Council tonight as a show of support for the YMCA. As a member and donor to the YMCA, she appreciates their foresight and initiative in purchasing nearby houses to fulfill the goal of a much needed expansion or improvements for the future of the YMCA. The fact that the YMCA was ready to act and make the most of Federal resources to further accelerate and accomplish these goals should be praised, not villainized. A few members of the community have declared a specific building to have significant historical value. The value of an item can only be determined by the amount of resources to include, but not limited to financial that an individual or group is willing to use to protect or purchase that item. If unsupported by action or willingness to invest, a group of outside individuals claiming that something is valuable, doesn't make it so. The YMCA saw the value in purchasing the properties nearby their current facilities and acted. She asked why they should be penalized because of other entities viewing items valued differently, but took no action to secure or preserve the item themselves. Other members of the community have spoken out against using Federal COVID-19 recovery funds to assist in the demolition of nearby buildings. On the National Association of County's website that describes the funds coming from the American Rescue Plan Act (ARPA), the very first use case for funding is to strengthen the communities by investing in small businesses and non-profits. The YMCA is open door non-profit that provides subsidized childcare, collaborates with partners to ensure that school children are fed, connects community programming and provides local youth with the opportunity to generate lifelong habits with the participation in sports and physical activities. The YMCA strengthens the community and there is a clear public health impact of supporting and enhancing the future of our local YMCA. The Findlay YMCA plays a vital role in the community by providing access to a wide range of programs and services that goes beyond promoting physical fitness. From social development and personal growth to job training, the YMCA offers activities for members of all ages, backgrounds and abilities. Findlay YMCA is a community resource that is dedicated to enhancing Findlay. An investment in the YMCA is an investment in our future. She is proud to be a member of the Findlay Family YMCA and looks forward to supporting the YMCA and all its initiatives for years to come. Filed.

3. Christina Mahler - Findlay YMCA

Ms. Mahler was not in attendance. Filed.

4. Kelly Shroll – YMCA Support of Demolition Funds

Ms. Shroll is a YMCA Board member and health professional who actively utilizes the YMCA downtown facility on a weekly basis. As a YMCA Board member, she has the opportunity to see firsthand the great work of the YMCA. As Ms. Parsons's stated, the YMCA has a variety of programs that supports youth development and families in the community. They reach over two thousand (2,000) children in their Youth Sports programs, as well as their Feed A-Child program. The YMCA lives out its mission and vision to support a healthy spirit, mind and body for all as a health professional. She personally knows individuals whose lives have been changed by living a healthy lifestyle through YMCA programs that encourage healthy living and provide an active lifestyle.

Clinical results have proven that a simple decrease of ten pounds (10 lbs) of body weight can significantly improve or lower health risk factors such as high blood pressure, heart disease, diabetes, and other conditions. In 2021, Hancock County conducted the community needs assessment. Those results indicated that thirty-four percent (34%) of our adults are obese between the ages of thirty and sixty-four (30-64), and the number of individuals who are diabetic is on the rise being thirteen percent (13%) in the community compared to nine percent (9%) in 2015. It is important that our future adults (our kids), regardless of economic status, learn healthy living habits now. The YMCA helps kids learn to enjoy an active lifestyle, build confidence, and find strength in their bodies. The YMCA is a comprehensive fitness facility that provides a wide variety of activities such as swimming lessons, team sports, and individual fitness equipment for health and fitness needs. As previously mentioned, she is a regular exerciser at the YMCA and sees the conditions of the facilities and appreciate the leadership of the YMCA who are planning a brighter future. The YMCA facilities are aging and are in need of care. Swimming pools were built in the 1960s that continuously require maintenance to provide services. The YMCA capital project is based on a vision that will require the YMCA to expand their footprint allowing them to continue to serve and grow to meet the needs of an expanding community. For those reasons, she believes the YMCA is a critical resource to the community now and in the future. Even though the YMCA is withdrawing their request for demolition funds, she would appreciate Council's continued support for the continued growth of the YMCA. Filed.

5. David Hindall – funding for demolition

Yesterday, the CEO of the YMCA, Stephanie Parsons, called and came to his home to discuss the YMCA's plans and address his concerns about the homes on East Hardin Street. During that visit, he reminded her that one of the goals of the founders of the YMCA was to provide affordable housing. In many larger cities, they rented rooms. This current opportunity looks like to be a golden opportunity for the YMCA to do so with the Hardin Street properties, but may be a conflict of interest or covered by State code. He was surprised to learn that a Mayor of a city could be on a YMCA board as it seems like it could be a conflict of interest. Overall, the meeting went well. The YMCA CEO stated that the YMCA should have been more transparent and showed him an overlay print of the buildings, but no definite plans. If built, the new YMCA would face East Hardin Street which is a dead end street which is already a traffic nightmare at times. He recalls Ms. Parson stating that some of the Hardin Street properties could be saved. He asked if a better plan could be devised. He asked why not build a new YMCA on East Lincoln Street as they already own those properties and are all vacant allowing better access to traffic. It is his hope that they can save his neighborhood as he is passionate about it as he has lived there for forty-five (45) years. It is a pleasant place to live. Filed.

6. Eric VanRentghem – YMCA demolition project

While the YMCA was speaking tonight, he took offense to the fact that they made it sound as if he is anti-YMCA, which he is not. He has a niece that works there. Ron Ammons is his best friend. He has been involved with YMCA activities and believes the YMCA does good things for the community. His concerns have to do with how this whole process started which was sneaky in the background and going forward without presenting the plan. A neighborhood meeting with those surrounding the project providing a proposal instead of just buying properties up would have been nice instead of buying the cart before the horse by buying them up while they can to get them cheaper because the moment the property owners were to find out they were going to do this, their property values would go up, which is a possibility. While the City does not have any houses that George Washington slept in or that Abraham Lincoln was ever at Findlay's courthouse, and Findlay does not have a Liberty Bell, there are individuals in Findlay that built this town such as Joe Facet of Facet Lumber Company who owned four (4) properties on East Hardin Street, and Lincoln Groves who was a 2-term Mayor and a Sheriff, which is unusual to have served in both capacities, lived on East Hardin Street. Mable Cusak and her sister had a property behind the Jones Mansion for their Tasty Taters Company that Mr. Jones actually owned at one time on East Sandusky Street who didn't tear things down and instead moved things back behind his property and kept it where the Cusack's used to love to tell everyone that they lived by EP Jones's house. Howard Moyer who was with The Courier in the photo center lived there. He was the Vice President. Phil and Tammy Rooney had a pool there. Andy McGregor had the brick house who spent fifty thousand dollars (\$50,000.00) years ago redoing the alley making it a beautiful property. He recalls parties on that street twenty (20) years ago. It was a vibrant neighborhood. The Model Flint Company, one of the Findlay glass companies, built a duplex there that Mr. VanRentghem owned years ago. So, to say that homes in that area lack any historical significance is not true. History does not have to be something grand and austere, but is something all can embrace from the bottom up. The meeting with the YMCA CEO the other day went well and they got along greatly. She mentioned that the YMCA is going to pull the ARPA funds as they do not want the funds which is part of the problem, but the main issue was the whole process. It cannot happen again. Non-profits or for-profits cannot buy properties up just because they have an idea such as tearing down all the houses. He asked what would prevent anyone from buying the houses on Main Street from the Bassinger house to Councilman Russel's house at 1200 South Main Street and tearing them down if they have the money. It does not make sense. An Architect once said that he would rather study old buildings because he would rather learn from the people who built civilizations than those who tear them down. He asked if Findlay wants to be known as a community for what it used to have. He published a book twelve (12) years ago called "Looking Up" that school kids used to absorb the architecture, but that eight (8) or nine (9) of those buildings have been torn down in the last ten to twelve (10 -12) years. He would like to see Findlay, as a community, stop name calling. Nothing nasty has been said about the YMCA. Citizens are upset about the whole process, lack of transparency, and concerns of those issues. It is about being a part of something big, as quoted by the YMCA, and the values of caring, honesty, respect and responsibility, dedicated to giving to people of all ages. He applauds the YMCA as they do great things, but that they should do their due diligence next time as it cannot continue down this avenue. Filed.

7. Robert Tong – YMCA demolition project

Mr. Tong loves Findlay history and likes educating the public about the past because Findlay, Ohio truly has a wonderful past. He has been a board member with the local Historical Museum for twenty-five (25) years. He does not agree with some of the things that have been said about the YMCA and believes the YMCA has good intentions. Anyone who says that they don't, really does not know what they are talking about as the YMCA has had good intentions for the past one hundred (100) years. He does not agree with how some things were handled and would like to see something in legislation be changed to protect Findlay's history. Some of the YMCA houses have been setting dormant after the renters have been kicked out. Some of the YMCA houses have window screens that are cockeyed with the windows are up, and there are couches on the front porches, but yet if someone in Findlay has a car that sits half a year, they get a ticket. He asked why that is happening as it creates an illusion that the area is blighted. Gas meters have been yanked, so they are ready to get rid of these houses, which he does not agree with. Findlay has some amazing things in its history. The biggest growth spurt in Findlay's history was during the gas boom days from 1886 to 1890. Findlay went from a populous of four thousand (4,000) to fifteen thousand (15,000) to almost twenty thousand (20,000) in three (3) years and now, it is being said that there aren't enough houses and that the City has money that they are pitching in to tear houses down. He asked that if the City can tear the houses down with City money, why those funds cannot be used to preserve them. Michael Owens lived in Findlay who changed the entire world with a bottle machine to build bottles. His former house location today is green space. He asked Council how many people they educate about that. Findlay had the highest United States military honor that they could have ever gotten in American history as the Congressional Medal of Honor for Scott who was from Findlay and who was killed and hung. All that honors him is a little gravestone at Maple Grove Cemetery. There have been talks about potentially building a new Courthouse for Probate Court that was an early church in Findlay's history and a beautiful building that might be a little too small, and that journalists were dealing with those first Findlay papers with David Locke who was complimented by Abraham Lincoln as his favorite journalist. It is a perfect way to educate the public in a place that The Courier and the Hemere family had at one time. He would like to see something created to protect against this type of stuff happening. While he does not have all the right answers, those that changed the world for Findlay would not want to have all that torn down. Like today's modern kids, if you do not educate it, they will never learn it and will never appreciate it. His LoveHistory site has over six thousand (6,000) people being educated by him every day. While that might seem small, it is something that should be done. The City should come up with a plan so they never just have big money or maybe that the City should be pitching in towards big things because what is important to them may not be important to others or vice versa. Filed.

8. Sarah Foltz – against Ordinance No. 2023-027, specifically in regard to properties owned by the YMCA.

Ms. Foltz lives with her partner on East Hardin Street. A former tenant of a home that is slated to be demolished made her aware in 2020 about the home she lives in now was up for sale. They also have pride in the neighborhood like she does. Over the last two and half (2.5) years in the neighborhood, the south side of the street mysteriously became quiet as it became more evident that the homes were not being maintained. Council has heard from a number of property owners from the area recently who stated that those properties were not blighted and did not appear that way until semi recently. She is concerned that the ARPA funds will be utilized for something they were not intended for. If all the listed houses owned by the YMCA were already blighted prior to acquisition, she would not be here. She asked if Ordinance No. 2023-027 is approved today if it would reward an organization for buying up affordable housing and then allowing them to deteriorate over the years. If that is a precedent the City wants to set, she is disappointed. Mayor Murn confirmed that the YMCA will have to go through the CITY PLANNING COMMISSION to work through the required process for any projects after the demolition takes place. She asked if citizens are okay with helping fund the demolition of half a neighborhood before knowing if all of the future plans will be approved. She asked if the property owner decides not to do anything with the land if the City is okay with funding the loss of affordable housing all for naught. The community desperately needs affordable housing. She asked how the demolition of all the properties owned by the YMCA did not result in a net loss of affordable housing. She noted that the City Law Director determined it is legal to forgo the stipulations of the ARPA funds like this one and asked if it is ethical. The ARPA funds are intended to help communities with remediation to create additional affordable housing and asked if that is being considered or if it will be considered. There are property owners that would agree that they would greatly benefit from these funds to make structures livable again, as well as maintain current structures before losing even more affordable housing. She asked why the funds are being utilized for demolition before assisting with creation and reinforcement of affordable housing. When the demolition program was approved by Council at the end of last year, it went live online immediately the next day and there was an announcement on social media, all taking place over the holidays where applicants had one chance that first week to learn about the opportunity with only one month to determine if they might be interested or even eligible to apply. The application process also requires two (2) quotes from different contractors for the proposed demolition. If she were applying, she would hope that two (2) different companies would be available to provide her an estimate, and if lucky enough to learn about this grant program, there was only one month to fulfill the application successfully appears unrealistic. Tonight is the third reading of legislation to approve over half of the demolition's program's grant dollars to one organization in the community. She is concerned about the conflict of interest on this project. The Mayor currently serves on the board for the YMCA. There are former YMCA board members here tonight. During the March 7, 2023 City Council meeting, Councilman Slough informed Council that he was the Board President of the YMCA back in 2005 with Russ Gardner, when they had the same plans to do what is being talked about doing today in which 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 the businesses that are thinking about coming into the community. While she is not saying that is wrong, she is disappointed at how many comments she has heard like that in the last month which amplifies her concern of the way the City intends to use the funds is not ethical, and she is disappointed that the original intention of the funds can seemingly be thrown out the window. She has no animosity toward the growth of the YMCA. This Ordinance is not about the YMCA. She is only before City Council tonight about the properties under their care slated to be demolished with the assistance of ARPA funds and that the YMCA has request to withdraw from the funds which is appropriate and honorable, however, she hopes Council finds focus for not only the future of the YMCA when making their decision today. She asked Council to consider other land in the community so that affordable housing and structures can hold Findlay's limited history. Filed.

9. Justin Beattie – his business of Talk & Skill 2 (internet café)

Mr. Beattie was not in attendance. Filed.

WRITTEN COMMUNICATIONS:

~~**YMCA Chief Executive Officer Stephanie Parsons — Ordinance No. 2023-027 (ARPA Demolition Program).** Ms. Parsons provided a letter for the March 21, 2023 City Council meeting that was not addressed during that meeting and asked after that meeting to retract it and provide an ORAL COMMUNICATION instead.~~

Vice President for Student Affairs and Athletics, The University of Findlay Brandi Laurita on behalf of members of the Findlay Family YMCA Board of Directors (typed verbatim)

Thank you for your work in the community and the time and effort you dedicate to make Findlay & Hancock County a better place to work, live and thrive. The Findlay Family YMCA shares your passion and dedication to our community and we appreciate your due diligence on the important decisions you make as good stewards of the community's resources.

The Findlay Family YMCA has been a good neighbor and partner in this community for more than 100 years, including more than 65 years in our current facility at 300 East Lincoln Street. As a Board of Directors, we want to tell you about the important work your Findlay Family YMCA is doing every day:

- Over the last year, your YMCA has provided over 115,000 free weekend meals to school-age children through our Feed-A-Child program.
- The YMCA provides free memberships to foster children and their families.
- The YMCA provides affordable, reliable childcare to workers in our community, including 33% of our families that qualify for subsidized care through the State of Ohio.
- The YMCA invites all individuals who participate in the Special Olympics to join the YMCA for free.
- The YMCA partners with Children's Mentoring Connection and invites their youth and mentors to the YMCA at no charge to enjoy quality time together.

There are just a few examples of the work we are doing to strengthen our community. We are a Y for all and we are looking forward to expanding our facility to better serve our members and guests.

As our community continues to evolve and grow so does the Y's needs for a facility that has the capacity to meet those needs and more. It is evidently clear that the Findlay YMCA is in dire need of major upgrades that will not only enhance the public's experience, but will also drive the organization forward in terms of being recognized as a workforce recruitment and retention tool. Our area's need for safe, affordable childcare is urgent and the Findlay Family YMCA is uniquely-positioned to meet that need with a more modern, robust childcare facility that will be the envy of NW Ohio.

Over the last 10 years, the Findlay YMCA has strategically acquired properties around our existing facility in anticipation of eventually needing additional space. Earlier this year when the opportunity to apply for funding for the demolition of these structures became available through the City of Findlay, the YMCA applied. The Board of Directors believed that our properties were a good fit for the intent of the program. Like all applicants, the YMCA submitted a comprehensive application package and worked in partnership with the Hancock Regional Planning Commission to have a Section 106 review conducted on the proposed properties and surrounding area to ensure we were in compliance for the appropriate use of federal funding.

We are fortunate that the use of public dollars for projects like this include important safeguards for our community's resources and treasures. Through the Section 106 review we learned that two of the properties in the surrounding area have been identified as having historical significance: the property owned by the Tharp Family at 310 E. Hardin St (no owned by the YMCA and not slated for demolition) and 404 E. Lincoln Street, which is owned by the YMCA. Since the property at 404 E. Lincoln Street has some documented history, the YMCA has chosen to identify other potential uses for that structure in our long-range planning.

Although our capital project is in the early stages, we are really excited to begin rolling this project out to the public. The Findlay Family YMCA is an important community partner and will continue to be passionate about executing our mission and vision for a better Findlay & Hancock County.

Thank you again for your work in the community and the time and effort you dedicate to make our area better. Filed.

Ohio History Connection letter to Hancock Regional Planning Commission – Section 106 Effect Finding, City of Findlay Demolition Program, Findlay, Hancock County, Ohio (typed verbatim)

This letter is in response to your correspondence received on January 26, 2023, with additional information received on March 29, 2023. The comments of Ohio's State Historic Preservation Office (SHPO) are made in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and the associated regulations at 36 CFR Part 800 and Ohio Revised Code 149.53. Thank you for the opportunity to review the project. Under the Federal American Rescue Plan Act of 2021 funding, the applicant is proposing demolition activities at the seventeen (17) below-listed properties in Findlay, Hancock County, Ohio:

- 615 Grand Ave, Findlay, Ohio 45840
- 609 Grand Ave, Findlay, Ohio 45840
- 605 Grand Ave, Findlay, Ohio 45840
- 600 Grand Ave, Findlay, Ohio 45840
- 400 Lester Ave, Findlay, Ohio 45840
- 347 Midland Ave, Findlay, Ohio 45840
- 341 E Hardin St, Findlay, Ohio 45840
- 339 E Hardin St, Findlay, Ohio 45840

- 335 E Hardin St, Findlay, Ohio 45840
- 331 E Hardin St, Findlay, Ohio 45840
- 329 E Hardin St, Findlay, Ohio 45840
- 323 E Hardin St, Findlay, Ohio 45840
- 321 E Hardin St, Findlay, Ohio 45840
- 307 W Lincoln St, Findlay, Ohio 45840
- 305 W Lincoln St, Findlay, Ohio 45840
- 220 Bell Ave, Findlay, Ohio 45840
- 300-380 Hurd Ave, Findlay, Ohio 45840

On March 29, 2023, the SHPO was informed that 404 E Lincoln St, Findlay, Ohio, 45840, was being removed from the list of properties proposed for demolition. The submission listed properties within the project's Area of Potential Effect (APE), however, our office also identified 320 E Hardin St, Findlay, Ohio, 45840, as being within the indirect APE for the proposed activities. This property is considered potentially eligible for the National Register of Historic Places (NRHP) under Criterion C for its Federal-style, I-house architecture. The demolition activities near the property eligible for listing in the HRHP would constitute an adverse effect under Section 106 regulations.

The SHPO recommends that the Hancock County Planning Commission work to develop and evaluate project alternatives that would avoid, minimize, or mitigate the adverse effects on historic properties that will result from this undertaking. If it is agreed that no alternative can be found, the County and SHPO should agree on appropriate mitigation.

In regard to the archeological component of this project, according to the information submitted and a check of our records, no previously documented archaeological sites are located within or adjacent to the Area of Potential Effect (APE), as defined by the cultural resources survey. A review of historic aerials indicates the APE has been previously disturbed. Therefore, given the past disturbances, the APE has little to no potential to contain intact, significant archaeological deposits.

If you have any questions, please contact Abigail Rosenow at (614) 298-2000, or via email at arosenow@ohiohistory.org. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals minutes – January 12, 2023 and February 9, 2023. Filed.

Assistant City Engineer Rausch – STRICT Center

On August 17, 2023, the City of Findlay entered into an agreement with Clouse Construction for design-build services for the STRICT Center project (Agreement). Clouse Construction has submitted acceptable Guaranteed Maximum Price (GMP) proposals for the building design and the procurement and erection of the building, as well as all associated construction. Due to an oversight in the preparation of the request for legislation, Ordinance No. 2023-028 did not include the appropriation of the funds. This Ordinance was for the completion of work described in GMP#4. This package included the site utility/concrete and final buildout, including finishes and MEP phases of the project. Legislation to appropriate and transfer funds is requested. Ordinance No. 2023-037 was created.

Discussion:

Councilman Wobser pointed out that one of the things that came up in the newspaper a couple of weeks ago was the cost overruns on this project. He asked for a quick recap of where it is at cost-wise versus where it originally was thought to be and how it got from A to B. Assistant City Engineer Rausch replied that the original cost estimate for this project was approximately one million one hundred sixty-four thousand dollars (\$1,164,000.00) which was an estimate made from schematic design drawings with twenty percent (20%) added for conceptual design. It was a very preliminary estimate when that was made. The total construction cost is one million five hundred sixty-seven thousand seven hundred ninety-seven dollars (\$1,567,797.00) which is about four hundred three thousand dollars (\$403,000.00) over the estimate, or approximately thirty-five percent (35%). Construction was assumed to start in spring 2022. Normal inflation costs for construction can be expected to be an additional five to ten percent (5-10%) on the low end, but that the past couple of years have been anything but normal, so thirty-five percent (35%) inflation increase is probably more in line with this project. In addition, value engineered saved almost one hundred sixty-eight thousand dollars (\$168,000.00) out of the construction costs, but just over thirteen thousand dollars (\$13,000.00) was added for exhaust ventilation which was not included. They were not cost overruns as noted and were estimated costs based on obtaining quotes from many different contractors. The number of bids solicited and the number submitted were not cost overruns as those would have come about when a project is at a set price and then goes above and beyond that. This project did not have a set price until the construction costs were known. While it was over the initial budget, inflation has been out of control the last several years, so thirty-five percent (35%) over the budget on schematic design is not a surprise as that has been seen on many other construction projects with asphalt and concrete costs. In general, all construction costs have risen significantly. Councilman Wobser asked if he is correct that the initial estimate that was given to the City by the contractor who won the bid was one million one hundred sixty-four thousand dollars (\$1,164,000.00). Assistant City Engineer Rausch replied that is not correct. It was an estimate provided by a Criteria Architect before getting into the design plan which was a schematic design of a building footprint and some interior layout work that was not by the contractor. Councilman Wobser asked if the contractor at some point gave a number because the City graded them and then picked a contractor. Assistant City Engineer Rausch replied no, that is not correct. The City picked a contractor based on qualifications by going through a quality-based selection process that was put out through public advertisement where four (4) general contractors submitted packages and the City shortlisted those down through a selection committee, scored them, and picked who they felt was best qualified for the project without consideration of cost. Councilman Wobser asked if it was value engineered leading to that eliminated additional costs of one hundred sixty-eight thousand dollars (\$168,000.00).

Assistant City Engineer Rausch replied they got rid of costs because the design build process allowed them to work with contractors and subcontractors rather than having a design package, and that it was sent out for bid and were able to work with the contractor and the architect hand and hand. There may be a better way of building something in that an architect may design it one way and a contractor might be able to build it for less money a certain way, or vice versa. There is a give and take. The City met with the architect and the contractor and reduced some prices on some items without reducing the quality of what the City will be getting. Councilman Wobser asked if one hundred sixty-eight thousand dollars (\$168,000.00) is correct. Assistant City Engineer Rausch replied roughly. Exact cost is one hundred sixty-seven thousand seven hundred eighty-two dollars (\$167,782.00). Councilman Wobser asked if the overage of the total project cost is just short of a half million dollars (\$500,000.00). Assistant City Engineer Rausch replied it is four hundred thousand dollars (\$400,000.00) over the initial estimate. Councilman Wobser asked if adding in the City's value engineering to cut back on costs with the other costs savings ended up being about a half million dollars (\$500,000.00) total. Assistant City Engineer Rausch replied yes. Councilman Wobser asked why legislation is being reintroduced tonight for this. Assistant City Engineer Rausch replied because of an oversight on his part. When he wrote up his initial legislation request, he did not include an appropriation of funds. During the last City Council meeting, it was voted on to approve the contract, but the funds have not been appropriated. City Engineer Kalb normally requests these types of projects through Council, but he is not involved with this project because of a conflict of interest. Councilman Wobser asked if this is the last appropriation for the STRICT Center. Assistant City Engineer Rausch replied that is correct. Filed.

Law Director Rasmussen – legal opinion 2023-001 on utilizing of ARPA funds for demolition of the requested properties

In 2022, the Auditor's Office for the City of Findlay filed necessary paperwork to apply all American Rescue Plan Act Funds (ARPA)/Coronavirus State and Local Fiscal Recovery Funds as revenue replacement under the Final Rule. The Final Rule as provided by the U.S. Department of Treasury, "presumed that up to \$10,000,000 in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund "government services." All recipients may elect to use this standard allowance instead of calculating lost revenue using the formula below, including those with total allocations of \$10 million or less. Electing the standard allowance does not increase or decrease a recipient's total allocation." (U.S. Department of Treasury, Coronavirus State & Local Fiscal Recovery Funds: Overview of Final Rule, page 9.)

The City of Findlay received approximately \$4.2 Million in federal relief funds, all of which were documented under the standard allowance allowing flexibility on spending within the regular statutory requirements.

In the fall of 2022, the administration discussed with the Appropriations Committee allocating \$400,000.00 in funds from the ARPA funds towards a demolition program. This was approved through appropriations in October 2022 and by the whole of Council through Ordinance No. 2022-121 on December 6, 2022. The application and guidelines for this program are attached to this correspondence and were developed following conversation with Council by Deputy Auditor Sampson, Lizzy Essinger from Hancock Regional Planning Commission and Mayor Muryn.

At your March 21, 2023 Regular City Council meeting, Auditor Staschiak brought up "concern" related to footnote 7 on page 20 of the U.S. Department of Treasury, Coronavirus State & Local Fiscal Recovery Funds: Overview of Final Rule. The footnote reads as follows, "Please see the final rule for further details and conditions applicable to this eligible use. This includes Treasury's presumption that the demolition of vacant or abandoned properties that results in a new reduction in occupied housing units for low-and-moderate income individuals in an area where the availability of such housing is lower than the need for such housing is ineligible for support with SLFRF funds."

Again, this specific requirement does not apply to the utilization of the demolition program by the City of Findlay because the funds are now being used as general revenue for the City of Findlay under the revenue replacement standard allowance.

However, for Council's edification, I have reviewed the Final Rule and the footnote in question. Per U.S. Department of Treasury, Coronavirus State and Local Fiscal Recovery Funds, Final Rule effective April 1, 2022, page 133, section b. Vacant and abandoned properties. "Vacant or abandoned properties are generally those that have been unoccupied for an extended period of time or have no active owner." (reference footnote 202). Footnote 202, "A state or locality may use its existing classifications of what is corresponding processes for demolition, for these eligible uses."

The City of Findlay does not have a definition of vacant or abandoned properties and therefore a State or Federal definition is recommend. In discussions with Hancock Regional Planning Commission, the State Demolition program utilizes a method of an affidavit (See attached) for compliance on vacant properties. The affidavit from the State has property owners attest that, "no person or entity has occupied the property during any portion of the last 90 days, and that the property is vacant, abandoned, or blighted."

In conclusion, the City of Findlay is in full legal compliance with the utilization of funds for demolition of the requested properties. Council may choose to require an Affidavit of Vacancy moving forward if they deem it appropriate. Filed.

City Auditor Staschiak – proposed changes to salary ordinance

On the agenda for the April 4, 2023 City Council meeting is an ordinance asking that a portion of the City's salary Ordinance No. 2022-081, AS AMENDED be revised and several other items to be added. The proposed changes should further make several of the City's paying practices more compliant with Federal wage laws. Council previously approved the implementation of an electronic timekeeping system (Executime). At this time, Executime is being implemented in several departments with the use of parallel timekeeping. Parallel processing means the departments report time using both the current system and the new electronic timekeeping. This allows the City Auditor's Office to review all of the pay practices being used and to familiarize the departments with the new system. This parallel process has brought to attention some timekeeping practices that need to be properly defined. Those identified so far are being revised in this request to amend the City's salary ordinance. The City Auditor's Office will continue to bring to Council's attention any additional items that may be in need of further action. Ordinance No. 2023-036 was created.

Discussion:

Councilman Russel asked what the timeline is on when this needs to be passed. City Auditor Staschiak replied it does not need passed tonight. The City Auditor’s Office is working on implementing the Executime automated pay system where the cost benefits are based on the savings and that it will identify some processes that might be compliance oriented or change oriented which is what this is. Instead of gathering all of those together and providing Council with one big change to the payroll ordinance, he is approaching them one at a time. Council can give it all three (3) readings because the process that is currently in place provides a way to account for it, and that this new system is not finished. After Council passes this, it will be in full compliance with these issues allowing employees to be paid appropriately. Filed.

City Engineer Kalb – Street Department operating budget

Discussions during the Capital Improvement Plan were on a couple of items for the Street Department that were originally planned to be funded by Capital Improvement funds, but was decided that it should have been part of the Street Department operating budget. The funds that are being appropriated to the Street Department budget will be used to perform repair and maintenance to a couple of buildings at the Street Department complex. To ensure that the work is being completed through the correct funds, \$100,000 is being requested to appropriate to the Street Department operating budget for repair and maintenance of buildings and grounds. Legislation to appropriate and transfer funds is requested. Ordinance No. 2023-038 was created.

| | | |
|-------|-----------------------------------|---------------|
| FROM: | General Fund | \$ 100,000.00 |
| TO: | SCM&R Fund | \$ 100,000.00 |
| FROM: | SCM&R Fund | \$ 100,000.00 |
| TO: | Street Department #22040000-other | \$ 100,000.00 |

Discussion:

Councilman Wobser asked if this is a new request from the General Fund from the budget meetings back in December. City Engineer Kalb replied it is for roof repair, gutters, etc. that was originally in the Capital Plan, but after discussions with the City Auditor’s Office, it was decided that this needs to be a repair maintenance from the budget which is why it includes a transfer of funds. If it was known back in December, the requested dollar amount for this would have been in that operating budget. Filed.

COMMITTEE REPORTS:

The **STRATEGIC PLANNING COMMITTEE** met on March 21, 2023 to review feedback received from community groups that were contacted. Time permitting – move forward with reviewing objectives in the plan.

We recommend the committee continues the strategic planning process. The committee will have a standby meeting on the first and third Tuesdays at 4:00pm in the Council Chambers until the initial plan is complete.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 011-2023 (over PO amount) **requires one (1) reading** **first reading - adopted**

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

Councilman Wobser moved to adopt the Resolution, seconded by Councilman Niemeyer. Ayes: Bauman, 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.

ORDINANCES:

ORDINANCE NO. 2023-027, AS AMENDED (ARPA Demolition Program) **requires three (3) readings** **third reading - defeated**

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.

Councilwoman Warnecke moved to amend the Ordinance based on the request from the YMCA this evening to remove the properties belonging to the YMCA from this Ordinance, seconded by Councilman Slough.

Discussion:

Councilman Hellmann moved to include all the properties that have requested to use ARPA funds. No second to Councilman Hellmann’s motion was given, so motion fails. President of Council Harrington pointed out that this is Council’s meeting, so Council can do whatever they want, but that there is already a motion to amend the Ordinance, so Councilman Hellmann’s request would to amend the amended ordinance. The discussion taking place right now is on the amendment.

Councilman Bauman noted that the City’s support for the YMCA and the things they do for this community is not lost on Council. While removing these properties from the legislation, Council needs to ensure that they also support the YMCA moving forward.

Councilman Russel supports the YMCA and their plans to build a new YMCA to serve the citizens of Findlay for generations to come. He is a member of the YMCA. He and his wife have supported the YMCA through decades of monthly due payments, volunteer efforts and financial support. When the time comes, he will financially support the next generation of the YMCA. One of the primary reasons he supports the YMCA is because he knows their programs are available to everyone regardless of their ability to pay. If a family wants to participate in a YMCA program, the YMCA will find a way to make it happen. He values the collaboration the YMCA has with the City. Riverside Pool and the YMCA's operation of that asset has been a great partnership, one that is mutually beneficial to the City of Findlay, YMCA, and most importantly, the citizens of Findlay. He thanked the YMCA for doing that year in and year out. As the YMCA has looked into replacing their downtown facility, they have been talking with other community organizations (hospital, City of Findlay, etc.) to ensure that their new facility can benefit as many people as possible. He is especially excited about the expansion of the YMCA because of the effects it will have on the number one economic development challenge Findlay and Hancock County face, which is workforce development that is addressed in two (2) manners: affordable housing projects that were built to the west of Tall Timbers which is what affordable housing is nowadays - low maintenance. There is nothing low maintenance about the older houses on South Main that Mr. Tong has mentioned. The workforce housing west of Tall Timbers is definitely low maintenance affordable housing. The YMCA provides affordable quality childcare through their Child Development Center (CDC). As Ms. Parsons's mentioned, there are over two hundred (200) children on the wait list for child care in the community which is two hundred (200) children that are potentially preventing their parents from participating in the workforce in which all partners in the City need to look at manners to help alleviate that backlog. The YMCA is stepping up to the table with an increased CDC. They currently have over two hundred (200) children from approximately one hundred fifty (150) families, forty percent (40%) of which receive financial assistance. The plans for the new YMCA is to dramatically increase the size of the CDC. Once that entity's increased capacity is available, it will have a direct and immediate impact on families looking for safe affordable child care, so for those reasons and those reasons alone, he supports the YMCA's new facility plans, as well as all the wonderful other things the YMCA does as a winner for the community. He appreciates the YMCA's request to remove their East Hardin Street properties from the ordinance. The YMCA looks again to be a good citizen. Ms. Foltz stated tonight that it is appropriate and honorable for them to withdraw from the program and he appreciates the manner in which the YMCA has conducted themselves throughout this. He supports the amendment, but finds it interesting that the citizens of Findlay would get the most benefit from the YMCA utilizing these funds and does not see how any of the objections raised from the citizens of Findlay apply to other properties in the program. Councilman Russel supports the amendment to remove the YMCA, but his support for the whole program in general will be a nay vote if the Ordinance is amended when it comes up for a final vote.

Mayor Muryn has tried to stay out of the conversations on this and is supportive of the amendment. She assured the public and the community that there is no legal conflict of interest, nor does she feel any moral conflict of interest as part of the discussion. The program was made available and very transparent and agrees with Sara that they had discussed pulling it out multiple times depending on how much response was received. One positive thing out of this debacle is that they received a number of phone calls from citizens asking if the program was still available, so she is glad to hear about support of the program from Councilman Russel as she believes there is benefit to cleaning up some neighborhoods and the original intent of what was seen from it. From a legal perspective, she does not have a conflict of interest as she has abstained from vote, when appropriate, with the YMCA and that they are not receiving any specific advantage. The program was very transparent with the qualifications that was approved by this group. Because she is not voting on any of the amendments or dollars, there is an additional separation, so there is not a conflict of interest on her part. The program in general can be very beneficial as discussed in the past, just as they have seen other communities utilize the funds. She agrees that it can do a lot to benefit and provide affordable housing and does not like seeing things being demolished. She agrees with Mr. Tong about providing some historical benefit and finding that balance. She has had a conversation with Sarah Sisser from the Historical Museum about this facility going out to other entities. It was a learning opportunity for all involved. She is disappointed with how it all unfolded, but hopes a long term resolution can be found from this and recognizes that one positive thing from this is that everyone cares a lot for the community and wants to ensure that everyone is working together.

Amendment to the Ordinance:

Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance was amended.

Councilman Bauman moved to adopt the Ordinance as amended, seconded by Councilman Russel.

Discussion:

Councilman Hellmann asked if the other houses could be included in this Ordinance, otherwise, he will vote against this for the remaining houses to be purchased with ARPA funds mainly because he does not think the City has control on what gets built there other than that it is in compliance with the zoning ordinance. A home that is two (2) stories and has a historic presence (West Lincoln Street) fits in well with the neighborhood, so there is no guarantee that someone won't come in and buy those houses and tear them down and put a single story inexpensive home in there. It would be much better if there were some kind of condition that it has to be architecturally and aesthetically fit in with the neighborhood, he would be in favor of that if there was a land bank or some other entity that was out there to control or improve what gets constructed.

Nays: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno. The Ordinance was declared defeated. Filed.

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

third reading - adopted

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO 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.

Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-030 and is hereby made a part of the record.

ORDINANCE NO. 2023-032 (WTP Generator Replacement) requires three (3) readings

second reading

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS FOR THE PURCHASE OF A REPLACEMENT GENERATOR FOR THE CITY OF FINDLAY WATER TREATMENT PLANT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Wobser asked if any additional information on the buying group has been obtained. City Engineer Kalb replied that he did some research on Sourcewell who is a competitive entity that can be used by public entities (cities, schools, etc.) for governmental purposes. They send out RFQs nationwide and went through a process similar to what the City does by obtaining competitive bids with an RFQ or RFP process. They also sent out solicitations to get them back, review them, and then went into contract with the vendor. In this situation, it is Caterpillar. Caterpillar (he can provide copies of the contract) goes off their list price in the contract and then gives a discount on top of that. Back in December, the City received a quote from CAT for the generator for roughly four hundred fifty-five thousand dollars (\$455,000.00) with a five thousand dollar (\$5,000.00) discount by going through Sourcewell. Sourcewell provides a competitive bid that leverages their whole nationwide company instead of one small dealership. The City will still be purchasing from a local dealership which is a Perrysburg dealership who is agreeing to the Sourcewell contract. Toledo purchased a generator from them, Wood County purchased two (2), Allen County, Lucas County, Sandusky County and Wyandot County all purchased generators through this process. It was publicly bid out nationwide. Another reason he wanted to go this route was because of the ninety (90) week lead time. If a contractor buys it, they will have to mark up their price for a two (2) year build before it can be put in, so he would like to purchase the equipment now so that it can get moving and then will bid out the installation of it. This is a source for the City to get that piece of equipment through a competitive bid. Councilman Wobser asked if there will still be a ninety (90) week lead time. City Engineer Kalb replied yes there will be that lead time no matter what. Councilman Wobser asked where the competitive bid comes in if CAT is giving the City a five thousand dollar (\$5,000.00) discount off their list price. City Engineer Kalb replied that manufacturers submit a proposal to Sourcewell who conducts a scoring process that is evaluated off an RFP and given proposals. CAT's proposal was off the City's list price with Sourcewell's discount via a signed contract until 2026 stating they will go from our list price and give a discount on top of that.

City Auditor Staschiak noted that Service-Safety Director Martin asked him to give a couple comments or provide a write-up on this. Having these agreements out there to source equipment does not preclude the City from doing the bid process themselves. City departments are told that they can go out and look for equipment and bid it as long as it is like what is needed. As long as it is specked out, it can be beat by a dollar (\$1.00) and then can go with the equipment that City departments bid, and if that cannot be done, they can go to the bid list (Sourcewell or State bid list). It would not be an issue and would be more labor and more time intensive for the Administration to go out and look for bids and advertise locally. They can go out there and find a source even with their markup and beat the State bid list by at least one dollar (\$1.00). It would be wise to spec it knowing that we're probably going to buy off the bid list, but are bidding it anyway. They will pull the bid list to beat it by a dollar (\$1.00). That is one option. City Engineer Kalb added that he looked into that option, but when putting it out to a competitive bid, there has to be full specs and documents ready to bid on which includes additional costs, not the cost of the generator, but that there will be additional costs on top of it. Sourcewell has done the leg work on this which is why he feels it is the best route in this situation.

Councilman Bauman trusts the process and feels the City Engineer has done his due diligence, so this should move on.

Councilman Wobser asked if City Engineer Kalb has already specked something out and if it could not have gone to Sourcewell informing them what the City is looking for. City Engineer Kalb replied that is correct. There are specs of what we have, but an Engineer has to stamp off on them. He is unsure what the additional cost will be, but that there is an additional cost for someone to stamp off stating that it is the generator the City needs. It has to be confirmed that it is the exact generator needed which is being done through the process. Sourcewell is working through CAT directly for them to go off the plans to get a customized generator for what the City needs. City Auditor Staschiak's suggestion is an option and it can go through that process if Council feels that is what is needed, but this is an avenue that he wanted to use to get the equipment moving because of the ninety (90) week lead time on it.

Councilman Russel noted that Sourcewell is an alternative State minimum bid process and asked if a generator like this was on the State bid list or if it was too rare to make the State bid list. He asked if it was on the State bid list and what the difference in cost would have been to have it go to Sourcewell. City Engineer Kalb replied that he is not sure it was on the State bid list and is guessing it was not as there are one hundred (100) different types of generators to choose from. When he asked CAT those types of questions, they brought up Sourcewell as an alternate for it.

Councilman Wobser asked if this is just for the generator and are wanting to get it ordered so that the ninety (90) week lead time clock can get started and then will at some point come back to Council for funds to get the generator up and running. City Engineer Kalb replied that is correct. Sometime in 2024, installation will be sent out for bid noting that the generator is secured and the date of when they can expect to install it.

Second reading of the Ordinance.

ORDINANCE NO. 2023-033 (ARPA Fund 2nd appropriation of 2023) requires three (3) readings

second reading

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF VARIOUS PROJECTS LISTED BELOW, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2023-034 (*2nd Capital Improvement appropriation of 2023*) **requires three (3) readings** **second reading – adopted**
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 noted that this is in the Capital Plan that has been distributed, so there is opportunity to move forward.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Palmer. Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann, Niemeyer. The Ordinance received its third reading. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-034 and is hereby made a part of the record.

ORDINANCE NO. 2023-035 (*moratorium amendment*) **requires three (3) readings** **second reading**
AN ORDINANCE AMENDING ORDINANCE NO. 2022-119 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO TO EXTEND THE CURRENT MORATORIUM ON THE ESTABLISHMENT OF ANY SKILL-BASED AMUSEMENT BUSINESSES IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER INCORPORATING THE PROPOSED ADDITIONS INTO THE CURRENT ZONING CODE AS OUTLINED BELOW BEFORE ENACTING THEM AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2023-036 (*amendment to salary ordinance*) **requires three (3) readings** **first reading**
AN ORDINANCE AMENDING ONE (1) SECTION OF CODIFIED ORDINANCE NO. 2022-81, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2023-037 (*STRICT Center GMP #4 - appropriation/transfer funds*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2023-038 (*Street Dept operating budget*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2023-040 **requires three (3) readings** **first reading**
(*contract extension with ACP GREENE & ASSOCIATES, LLC dba Planning NEXT*)
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACT EXTENSION WITH ACP GREENE & ASSOCIATES, LLC DBA PLANNING NEXT TO PROVIDE CONSULTING SERVICES AND IMPLEMENTING A STRATEGIC PLAN FOR THE CITY OF FINDLAY, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS: none

NEW BUSINESS:

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on Thursday, April 13, 2023 at 4:30pm in the first floor Council Chambers of the Municipal Building (CC).

- agenda: 1. 315 N Blanchard St
- 2. Zoning code updates

Councilman Greeno: **WATER & SEWER COMMITTEE** meeting on Tuesday, April 11, 2023 at 4:30pm in the first floor Council Chambers of the Municipal Building (CC).

- agenda: 1. storm water rates
- 2. review of report from City Auditor (Water Billing internal controls)

Councilman Wobser: **STRATEGIC PLANNING COMMITTEE** meeting on Tuesday, April 18, 2023 at 4:00pm in the first floor Council Chambers of the Municipal Building (CC).

Mayor Murny requested an Executive Session meeting to discuss property with no action to be taken after the Executive Session. Councilman Bauman moved to adjourn into executive session at 7:25 pm, seconded by Councilman Slough. All were in favor. Councilman Russel moved to adjourn out of Executive Session at 7:49 pm, seconded by Councilman Greeno. All were in favor. Councilman Palmer moved to adjourn City Council at 7:50 pm, seconded by Councilman Slough. All were in favor.

CLERK OF COUNCIL

COUNCIL PRESIDENT