

**FINDLAY CITY COUNCIL MEETING MINUTES**  
**REGULAR SESSION    JUNE 20, 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 Russel moved to accept the June 6, 2023 Public Hearing meeting minutes to rezone 315 North Blanchard Street via Ordinance No. 2023-046, seconded by Councilman Slough. All were in favor. Filed.
- Councilman Russel moved to accept the June 6, 2023 Regular Session City Council meeting minutes as amended, seconded by Councilman Slough. All were in favor. Filed.

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

Councilman Russel moved to add-on the following to tonight’s agenda, seconded by Councilman Bauman. All were in favor. Filed.

**ADD-ONS:**

1. Ordinance No. 2023-058, AS AMENDED – infrastructure investment (*LEGISLATION section*).

added:

WHEREAS, Regional Growth Partnership, Ohio Department of Transportation, and Findlay-Hancock County Economic Development have been in discussions with an American, family-owned business interested in building a new facility to house their food preparation and distribution operations.

WHEREAS, the potential project, “Project Hat Trick” is expected to provide over \$37 million in payroll by year 3 with an average salary of \$58,000.00, and an initial capital investment of approximately \$150,000,000.00.

WHEREAS, for the City to begin construction on infrastructure improvements as discussed with JobsOhio, the City must receive a copy of the executed JobsOhio Grant Agreement.

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PETITIONS:** none

**ORAL COMMUNICATIONS:** none

**WRITTEN COMMUNICATIONS:** none

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

**Findlay Fire Department Activities Report – May 2023.** Filed.

*Councilwoman Frische pointed out that as President of Council Harrington read each agenda topic, he stated that there were no ORAL COMMUNICATIONS for tonight’s meeting, but that someone came in wanting to speak, but was denied by President of Council Harrington because the meeting had already started, but that as Councilman Hellmann pointed out, tonight’s meeting started before 6:00pm. She would hate to have a citizen not be able to speak if they needed to. President of Council Harrington replied that he started tonight’s meeting at 6:00pm. The ORAL COMMUNICATION request can be added to NEW BUSINESS at the end of tonight’s meeting if Councilwoman Frische would like her to speak. This is Council’s meeting and will be put on the agenda accordingly. Councilwoman Frische replied that she will check tonight’s start time. Filed.*

**Findlay Municipal Court Activities Report – May 2023.** Filed.

**Findlay Police Department Activities Report – May 2023.** Filed.

**City Auditor Staschiak – Revenue Estimates for fiscal year 2024**

City Auditor Staschiak will provide the Estimated Revenues for the next fiscal year in the July 18, 2023 City Council packet. The is the first step required under Ohio Budgetary Law and the figures are a best estimate of what is expected in revenues over the next eighteen (18) months. In order to meet the statutory requirements for the distribution of the local government money, this document should be accepted by Council during the July 18, 2023 City Council meeting so it can then be filed with the County Auditor no later than July 20. A motion for acceptance of the revenue estimates will be needed during the July 18, 2023 meeting. The Council Clerk will schedule a public hearing before the meeting, notice of which must have been published ten (10) days before the hearing, during which period, two (2) copies will be available for public inspection in the City Auditor’s Office. City Auditor Staschiak is requesting this letter be read into the record. The public hearing is scheduled for July 18, 2023 at 5:55pm.

Discussion:

Councilman Palmer moved to have the letter read, seconded by Councilman Wobser. All were in favor. The Council Clerk read the letter in its entirety.

President of Council Harrington informed Council that a public hearing is scheduled for July 18, 2023 concerning this matter. Filed.

**Board of Zoning Appeals minutes – April 13, 2023, May 11, 2023.** Filed.

**City Engineer Kalb – Airport Consultant -Reference For Qualifications (RFQ)**

The City of Findlay Engineering Department is currently working with the City of Findlay Airport to develop Reference for Qualification (RFQ) documents for an Airport Engineering Consultant. Every five (5) years, the City sends out an RFQ for engineering firms that specialize in airport grants and projects to send in their Letters Of Interest (LOI) to be considered. Once the LOIs are received and scored by a team of evaluators, the top firm to provide a cost proposal for their services for the next five (5) years. This is a normal practice that is set by the Federal Aviation Administration (FAA) that all airports need to adhere to. Legislation authorizing to advertise a RFQ for an airport consultant is requested. Ordinance No. 2023-061 was created. Filed.

**City Engineer Kalb – 23 Utility Billing/Water Distribution Roof Replacement, Project No. 35732500**

As part of the 2023 Capital Improvements Plan, the City of Findlay Water Treatment Plant has the second phase of roof repairs planned for this year. The City of Findlay is utilizing the US Communities cooperative purchasing program to enter into contract with The Garland Company, Inc. to perform the roof replacement. As part of the second phase, the roof over top of the City of Findlay Utility Billing building and also the Water Distribution building will be replaced. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into contracts for construction and to appropriate and transfer funds. Ordinance No. 2023-062 was created.

FROM:	Water Fund	\$ 93,000.00
TO:	23 Billing/Distribution Roof Replacement #35732500	\$ 93,000.00
FROM:	Sewer Fund	\$ 62,000.00
TO:	23 Billing/Distribution Roof Replacement #35732500	\$ 62,000.00

Filed.

**A set of summary financial reports for May 31, 2023:**

- Summary of Year-To-Date Information as of May 31, 2023
- Financial Snapshot for General Fund as of May 31, 2023
- Open Projects Report as of May 31, 2023
- Cash & Investments as of May 31, 2023

Filed.

**COMMITTEE REPORTS:**

The **STRATEGIC PLANNING COMMITTEE** met on May 16, 2023 to continue the Strategic Planning process.

*We recommend to give the approved goals and objectives to PlanningNext for their review and comments.*

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

The **STRATEGIC PLANNING COMMITTEE** met on June 6, 2023 to continue the Strategic Planning process.

*We recommend that the committee send revisions of the draft strategic plan framework to everyone on the committee via email by June 16, 2023.*

*The committee will review all submissions at the June 20, 2023 meeting and will submit to PlanningNext by June 21, 2023.*

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss Ordinance No. 2023-058 (infrastructure investment).

*We recommend approval of Ordinance No. 2023-058 as revised to include language requiring the JobsOhio agreement to be approved prior to the project moving forward. Ordinance No. 2023-058 received its first reading during the June 6, 2023 City Council meeting.*

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Andrew Yates of Andek, LLC to rezone 0 West McPherson Avenue (parcel no. 6000302210) from O1 Offices/Institutions to M2 Multi-Family, High Density.

*We recommend to approve as requested.*

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Timothy Sigworth, Greater Findlay Properties LLC to rezone 219 Hurd Avenue from I1 Light Industrial to R3 Small Lot Residential.

*We recommend to approve as requested.*

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Damon Kelly to rezone 609 West Foulke Avenue from R3 Small Lot Residential to C1 Local Commercial.

*We recommend to table this request. It was tabled during the June 15, 2023 CITY PLANNING COMMISSION meeting.*

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to review changes to the Zoning Code.

*We recommend to table this request. It was tabled during the June 15, 2023 CITY PLANNING COMMISSION meeting.*

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

**LEGISLATION:**

**RESOLUTIONS:** none

**ORDINANCES:**

**ORDINANCE NO. 2023-043** (Phase 2 benching project) **requires three (3) readings** **tabled after third reading on 5/16/23**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ACCEPT PERMANENT OWNERSHIP OF PROPERTIES IN ORDER FOR THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, TO TRANSFER THE PARCELS LISTED ON THE ATTACHED EXHIBIT TO THE CITY OF FINDLAY, OHIO AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-056** (WPC Clarifier Rehab & Oxidation Ditch Repairs) **requires three (3) readings** **third reading - adopted**

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT(S) FOR REPAIRS ON OXIDATION DITCHES AT THE CITY OF FINDLAY WATER POLLUTION CONTROL CENTER, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-056 and is hereby made a part of the record.

**ORDINANCE NO. 2023-058, AS AMENDED** (infrastructure investment) **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 STRATEGIC INVESTMENT INFRASTRUCTURE IN SUPPORT OF ECONOMIC DEVELOPMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-059** (3<sup>rd</sup> Capital Improvement appropriation of 2023) **requires three (3) readings** **second 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.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-061** (Airport Consultant -Reference For Qualifications (RFQ)) **requires three (3) readings** **first reading - adopted**

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO SEEK REQUESTS FOR QUALIFICATION (RFQ), RATING THE SAME, IN ACCORDANCE WITH THE OHIO REVISED CODE, AND AUTHORIZING A CONTRACT WITH AN ENGINEERING FIRM THAT SPECIALIZES IN AIRPORT GRANTS AND PROJECTS, TO SUBMIT LETTERS OF INTEREST (LOI) TO BE CONSIDERED FOR AN AIRPORT ENGINEERING CONSULTANT, AND DECLARING AN EMERGENCY.

*Discussion:*

Councilman Russel noted that this request for RFQs is done every five (5) years and that City Engineer Kalb would like this to be passed today so that this process can keep moving.

Councilman Russel moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman Niemeyer. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. Nays: Frische. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-061 and is hereby made a part of the record.

**ORDINANCE NO. 2023-062** (23 WTP Roof Replacement) **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 CONTRACTS WITH THE GARLAND COMPANY, INC. FOR REPAIRS NEEDED AT THE CITY OF FINDLAY, OHIO'S WATER BILLING OFFICE AND ALSO THE CITY OF FINDLAY, OHIO'S WATER DISTRIBUTION OFFICE, BOTH LOCATED AT 136 NORTH BLANCHARD STREET, PROJECT NO. 35732500, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilwoman Frische pointed out that tonight's meeting started a minute or two early with a citizen coming in and wanted to submit a form to speak and feels it is appropriate when a citizen wants to speak that Council allows it. She moved to allow the ORAL COMMUNICATIONS request to speak tonight. President of Council Harrington replied that tonight's meeting was not started early and per the rules of Council, which are Council's rules, the form becomes part of the official record. The form must be presented to the presiding officer prior to the start of the meeting which was not done. Council can make a motion to allow her to speak, but that accusations cannot be made that are not true. He asked Councilwoman Frische if her request to allow the speaker to speak is in the form of a motion. Councilwoman Frische replied that she does not need President of Council Harrington's permission to make a motion, but that yes, she is making a motion to allow the speaker to speak tonight, seconded by Councilman Palmer. All were in favor. Councilwoman Frische asked Ms. Leguire to turn in her ORAL COMMUNICATIONS form so that she is compliant.

**ORAL COMMUNICATION:**

Renee Leguire is a lifelong resident of Findlay, Ohio. Councilman Hellmann took a copy of the Constitution that she made available last meeting, so she brought one for each Councilmember and members of the Administration where she highlighted Amendment Four and Amendment Fourteen, Section 1 that she also read to Council because it is important. She informed Council that there is a Constitution class that will begin in the fall that she would like all City officials to attend so that they know exactly what citizens' rights are, as well as what elected officials rights are.

*Amendment 4: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

She informed Council that the City is doing illegal searches and seizures in the City of Findlay that are against citizens' Constitutional rights.

*Amendment 14, Section 1:*

*Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

Her son was illegally searched and some of his property items were seized. There was no warrant and was totally unconstitutional. Because of this, there is a lawsuit against each Councilmember. It is time to rein in the Orwellian ordinances and stop weaponizing the Police against law abiding citizens with these silly ordinances. She handed out a copy of the Constitution.

Discussion:

Councilman Hellmann noted that the new Police Chief is in the audience tonight and asked if he has a comment regarding the acquisitions of a search and seizure that was just made. Mayor Muryn replied that it is an ongoing lawsuit that should not be discussed. Councilman Hellmann replied that he withdraws his comment.

**NEW BUSINESS:**

Councilman Wobser: **APPROPRIATIONS COMMITTEE** meeting on Wednesday, June 28, 2023 at 5:00pm in the third floor conference room of the Municipal Building (CR1).

agenda: Downtown Recreation Area

Discussion:

Councilwoman Frische asked what is going to the APPROPRIATIONS COMMITTEE regarding the downtown recreational area/\$40,000,000 potential park. Mayor Muryn replied that the discussion at the APPROPRIATIONS COMMITTEE will be to provide updates on previous items mentioned specifically requesting a plan for the cost financing payment, as well as the ownership transfer of the property. It is to provide an update on those two (2) items and an update on the project as a whole. Councilwoman Frische asked if it should be a COMMITTEE OF THE WHOLE instead since it will not actually be talking about dollars and not giving an update on a project. Mayor Muryn replied that based off the feedback from the committee, there may be an appropriations request at that meeting. City Auditor Staschiak added that if that is the case, he is requesting a full business proposal be put together and circulated prior to that meeting so that Councilmembers and the Administration has that information in hand so that full consideration can be given and that questions can be asked and potentially answered at that meeting.

Councilwoman Frische asked Councilman Wobser what he is planning on proposing for the project. Councilman Wobser replied that he is not proposing anything and that it is for the Administration to tell Council what their proposal is. He does not give a proposal to the Administration. It goes the other direction. Mayor Muryn added that at this point in time, based off the feedback from the committee, conversations needs to begin on this again. She received City Auditor Staschiak's emails earlier today for a variety of items he would like to see related to this project based off of prior discussions and the overall discussions on this. She is happy to provide a document that outlines the community benefit that this provides, the potential costs, and the different items that go into the proposal. At this point, it is her hopes that this would be discussed at an APPROPRIATIONS COMMITTEE meeting, but can be discussed in a COMMITTEE OF THE WHOLE meeting to be able to refine some of those items. This has been on the website for approximately six (6) months. The forty million dollar (\$40,000,000.00) figure keeps being brought up, so it is important to reiterate what concepts have been provided to the City.

What is being requested now is to move forward with the engineering and design to better refine the scope, refine the numbers on what the actual costs may look like as there is a very broad range that goes into potentially developing this. As she stated in multiple meetings, she does not expect the City's contribution to be more than ten million dollars (\$10,000,000.00) and that those funds would be set aside over a number of years. By moving forward with the engineering process, the City is able to refine the design, have better plans that allows the City to be able to solicit dollars. Whether it be State Capital, Federal Park Development, green space development or donations from local entities, there needs to be a better plan to be able to move forward in that way. She understands wanting to know the overall big picture and all of the answers at once, but there are some things that are not able to be nailed down until the City is able to take a step forward. She reached out to Councilman Wobser earlier today requesting to have an APPROPRIATIONS COMMITTEE meeting to continue to discuss this project and how the City would move forward with appropriating for the design costs.

City Auditor Staschiak noted that from what was just stated, it is clear that there is at least a desire to discuss having an appropriation. He learned today in a committee meeting that there was no consideration and no presentation of the environmental information given to the PARKS AND RECREATION BOARD prior to their recommendation. He would guess that all, if not the majority of, the PARKS AND RECREATIONS BOARD members would probably want to have some consideration of the environmental aspects of that prior to saying the City will turn it into a park and let anyone play on it and potentially incur additional liability for the City. From a fiscal point of view, these two (2) issues are tied and not separable at this point in time based on the information that has been provided. It would be irresponsible to pay a portion of the design prior to making sure Council has a clear understanding of every aspect of both components of this long-term both taking on the property and investing that kind of money in a park. He will be open-minded coming to that meeting and will look for all of that information to be addressed prior to supporting any aspect of spending that type of money.

Councilman Wobser asked Mayor Muryn if she will have an appropriations request at that meeting. If not, he will ask Council if they want to turn this into a COMMITTEE OF THE WHOLE meeting, and if there will not be an appropriation request, to leave it as an APPROPRIATIONS COMMITTEE meeting and invite all of Council to attend and ask questions if they so choose. Mayor Muryn replied that she prefers to have this discussed in an APPROPRIATIONS COMMITTEE meeting so that there is that leeway, however, based off feedback, she is fine with discussing it in a COMMITTEE OF THE WHOLE meeting. All Councilmembers are welcome to attend all committee meetings, so it seems pointless to not be able to take action when the same thing can be achieved in a COMMITTEE OF THE WHOLE meeting. In reference to the City Auditor's comments, she reiterated that none of the environmental concerns with these properties are new things, nor has there been any inaction on addressing them. The RaNik property is the only one that has been identified as having any significant environmental concern that is going to be completely remediated before benching begins and then is going to be further remediated as part of the benching. All underground storage tanks on the other properties have been removed. They were residential properties, playgrounds, and greenspaces for decades. The insinuation that she is moving forward in a reckless manner or that she does not care about the health and safety of Findlay citizens and is going to build a park on top of a hazardous waste site is ridiculous. The information brought up during today's meeting that City Auditor Staschiak brought up was not shared with the committee because it is a non-factor because she knows the community is addressing it. In order to address any questions and concerns of elected officials, she is comfortable discussing this during a COMMITTEE OF THE WHOLE meeting in which she would be providing a summary of different findings, processes, plans moving forward, and is expecting to hear from Council what they want to see further to be able to move forward with this project. If the City wants to appropriately coordinate with the engineering firm the Phase 2 benching work, there are certain aspects of this project that need to be nailed down. Many Councilmembers have attended a number of the PARKS AND RECREATION BOARD meetings where she made it clear that this topic was being discussed as it is something that is really important to the community. It is a once in a generation opportunity to make this improvement. The City is not spending forty million dollars (\$40,000,000.00) of City taxpayer dollars to get this project done. There needs to be a clear plan on how to move forward. The City is appropriately addressing all of the environmental concerns on these properties.

President of Council Harrington reminded Council of the rules for COMMITTEE OF THE WHOLE meetings: They may be called by the majority of Councilmembers to discuss any issue which is deemed to be of such importance so as to involve the entire Council. All COMMITTEE OF THE WHOLE meetings shall be open to the public.

City Auditor Staschiak noted that he is all for continuing to improve the excellence of the City, but that it is misleading to tell the City that the only problem property the City has is the RaNik property and are going to move forward once it is fixed. The Phase 1 reports provided to him by the Administration and have been made available to Council clearly state that almost the entire benching area used to be the river. It is stated in the Phase 1 report that the City presumes that a lot of dirt that came from the new river location was used to fill part of the old river location, but that the old location was an oxbow that bent north. A curved line is longer than a straight line. According to R. L. Heminger's book, it was filled in 1934-1935. In the 1930s, the City was in the habit of dumping municipal waste into holes that they needed to be filled. It is not his desire to not have the project happen and he is not inferring that something bad is going to happen or that the City is doing something bad, but that the City needs to go in with its eyes open and not accept any property that the City does not currently own until after Phase 2 is completed and have identified any hotspots that might be there and have identified a likely cost of cleaning those areas up so that this can move forward in a positive known manner, and not just move forward to move forward. He has spoken with the County Commissioners and others on this project about where the City is going with it. It was made clear that the City might find something in Phase 1. Benching the environmentals was done in Phase 2 for the majority of the Phase 1 benching project. In the Phase 2 benching project, the majority of the Phase 2 environmentals have not been completed with likely more unknowns. The Phase 1 reports across the board are clear that there are several areas via his letter to Council. He is not against this, but wants Council to go into it with eyes wide open and be responsible. He wants it to be clear to the public that is his concern and that it is very appropriate for a Fiscal Officer to take that approach.

Mayor Muryn replied that she is continuing to request that this be an APPROPRIATIONS COMMITTEE meeting with a possible outcome of some of the previously appropriated demolition funds being diverted towards environmental studies, however, she is still working on the checklist that was requested at the prior meeting. The variety of wrecks that have been identified were primarily tied back to individual spots of contamination. As part of the benching, most places were going down fifteen feet (15'), so significant amounts of dirt is going to occur. She is continuing to work with the County Commissioners on a Memorandum of Understanding (MOU) that was executed similarly to Phase 1 that specifies that they are responsible in conjunction with the Maumee Watershed Conservancy District to oversee all of the Phase 2 benching. Council and the Administration will continue to work through it. She is requesting a meeting beyond the calendar to stop spinning wheels and get together to discuss these topics, which cannot happen except in a public meeting.

Councilman Bauman supports an APPROPRIATIONS COMMITTEE meeting because as the Mayor stated, Council has spun their wheels long enough. This needs to go forward and that Council needs to stop playing politics with this issue and move on.

Councilwoman Frische pointed out that Mayor Muryn has a strong desire for this to go to the APPROPRIATIONS COMMITTEE which means there is an agenda to go there. While she is not against improving that area and putting in a park, it has been referred to as a forty million dollar (\$40,000,000.00) park because that is something that the community can relate to from what they read in the newspaper. It is not being referred to as a park, but as a downtown recreational area and was originally talked about being a one million three hundred thousand (\$1,300,000.00) as a quarter (1/4) of the cost to do a study. She thought this would go back to the PARKS AND RECREATION BOARD because there has been a lot of public input on concern of spending money on this project. The push for this to go to the APPROPRIATIONS COMMITTEE clearly tells the public that the Mayor has a request that she is not stating and is playing politics, which is not wise. It would be wise to let it go to a COMMITTEE OF THE WHOLE because Council is just spinning their wheels. She has not been spinning her wheels, nor has the PARKS AND RECREATION BOARD because a lot of their meetings have been cancelled for several months in a row. She asked if it was for political reasons that it was not being discussed and that a discussion needs to take place and what the right dollar amount is. The RaNik property was brought up when talking about cleaning up sites. The RaNik property was a property that was gifted to the City with the City cleaning up on the property. That property was such an issue with the Environmental Protection Agency (EPA) that a fence had to be put up around it because it was that unsafe. The fence has since been taken down with individuals playing and sleeping in that area. The City has not taken care of the remediation completely. While there are grant dollars available and that the remediation will be done before the benching project resumes, it still is not wise. Mayor Muryn replied to each concern Councilwoman Frische just mentioned. The fence around the RaNik property was placed there to alleviate trespassing and having people in the building itself. She is not aware of any reason to have a required fence around the property. She does not have a hidden agenda. She wants there to be discussion, and given that the appropriate committee to discuss appropriating funds and moving the project forward is the APPROPRIATIONS COMMITTEE, she felt as though it was most appropriate to go back and provide an update with further discussions on what this looks like and how it is coming along. The reason she has not felt the need to go to the PARKS AND RECREATION BOARD to provide any updates is because there hasn't been any changes to the previous plans, plus there have been two (2) or three (3) meetings that are all documented on the website of what was discussed and what moved forward. The committee minutes where they voiced their full support can be read where it was stated "let's get it done" and "lets invest forty million dollars (\$40,000,000.00) in which she informed them that the City is not going to do that. The only reason she stated that this is being misrepresented by continuing to focus on the forty million dollars (\$40,000,000.00) is because it is represented as if the City of Findlay itself is funding the dollars at that level and need to clarify that that is not the plan and is not her recommendation. The only way to further refine this project to have anything else to discuss with the PARKS AND RECREATION BOARD is to move forward with engineering of it because that is the process to refine the cost, refine the design and can determine what, if anything can be phased, and then go back to the PARKS AND RECREATION BOARD, as well as go back to the public and ask them if this is going to be phased, what the public's priority of items are and list out what things the City can easily do and have them prioritize their top three (3) aspects they want to see which is when more productive public dialog can take place. She is asking for this to go back to the APPROPRIATIONS COMMITTEE because they are the body that can best make a recommendation on how to move forward.

Councilman Wobser noted that the insinuation that there is an agenda at play here is disingenuous and counterproductive. Everything is open to the public, everyone can come and listen to it and watch it on video, and everyone can read about it. There are two (2) issues here: 1. the issue with the Environmental Protection Agency (EPA) testing the soil. The City will make sure this is done. The Mayor's suggestion to look at it as a possible appropriation to get it done will be taken into consideration because money has to be appropriated to get it done. The PARKS AND RECREATION BOARD cannot appropriate money, so in order for it to move forward, money has to be appropriated through the APPROPRIATIONS COMMITTEE. It is an excellent thing to get done. 2. Potentially moving forward with the engineering of the recreation area will be another discussion to look at the business case there and see if it makes sense or table it in order to obtain more information which would be similar to what was done with the last request. Those two (2) issues will be addressed with no agendas or hidden agendas being taken aside.

Councilman Russel moved to adjourn City Council at 6:37pm, seconded by Councilman Palmer. All were in favor.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT