



Discussion:

Councilman Russel noted that he was at a 4<sup>th</sup> of July picnic yesterday and that his ten (10) year old neighbor was all excited about what is going to happen at Fort Findlay. He is excited about getting a new playground, but does not know any other details, nor does Councilman Russel. He asked what the communication plan on this is as it getting to the monetary stage. He would like to be more proactive in verbalizing with the public on what will be done. City Engineer Kalb replied that a scoping meeting took place with the consultant who provided ideas on what is to be done, what concepts that are to be kept, shapes, etc. There is another meeting scheduled next week with them to go over multiple conceptual drawings of what it could look like. It is very preliminary right now and is not in full design yet. A couple options will be provided to the PARKS AND RECREATION BOARD for discussion. The consultants have reached out to schools in other communities where they had worked obtaining kids' feedback. The City is looking into obtaining feedback from local kids, but will have to wait until school is in session and narrow it down to a couple of options that the contractor can build off of and provide their pros and cons for it. This project is at the very early stages right now, but will provide the public feedback after it is addressed with the PARKS AND RECREATION BOARD. Councilman Russel asked if there is a timeline on the design and construction. City Engineer Kalb replied design should be finished by December with start of construction in early spring. If a contractor could be on board, parts could be ordered and would not be waiting on them so that when warm weather starts, construction can start.

Councilman Wobser asked if the five hundred fifty thousand dollars (\$550,000.00) includes development or planning and the actual work. City Engineer Kalb replied that is what has been set aside within the ARPA funds discussions and is just moving that money. It is money that was previously appropriated and what will be appropriated next year, which is roughly eight hundred thousand dollars (\$800,000.00), so there will still be more Capital Funds coming. Enough funds are being appropriated right now for the design portion and are just moving the ARPA funds to set them aside. Councilman Wobser asked if the total project is estimated to be eight hundred thousand dollars (\$800,000.00). City Engineer Kalb replied that is correct.

Councilman Bauman informed Council that this outfit has designed a fort playground for another community who are very excited with the work that they have done. It will look really good.

Councilman Russel asked what firm the City is working with on this. City Engineer Kalb replied the selected firm is Human Nature, Inc. out of Cincinnati, Ohio.

City Auditor Staschiak agrees with Councilman Wobser and Councilman Russel's comments on communications. As an elected official, he would like to see Council be more active in having the information brought to Council in an open meeting that the public can see that there is more information available. While it's great to see this project be this far along, he is concerned that sometimes the information is available but that other times, it is not available. In this case, the community does not have a good view of what is going on. Five hundred thousand dollars (\$500,000.00) of the one million one hundred thousand dollars (\$1,000,000.00) of ARPA Funds are going to a playground. Business practices need to improve.

Councilman Hellmann asked if the one million one hundred sixty-two thousand five hundred dollars (\$1,162,500.00) of the ARPA Funds portion of this dwindles down the ARPA account or if there are still more funds in that account to be spent. City Engineer Kalb replied that it does deplete it down to the point of what has already been discussed. Mayor Muryn noted it will be down to approximately fifty thousand dollars (\$50,000.00) after this. City Engineer Kalb replied that a buffer level of funds is maintained for unknown price adjustments, if they go up or down.

Mayor Muryn noted that this was discussed both at the American Rescue Plan Act (ARPA) APPROPRIATIONS COMMITTEE meeting, as well as outlined in the Capital Improvement Plan, and was discussed at the Capital meeting with a project specific sheet that outlined the timeline for the project, what the various sources of funding to be spent on the project are, and when to expect each of the different funds to be requested. Utilizing those project sheets has been very beneficial. They provide all of the information on the project in one spot.

Councilwoman Frische confirmed that this has been discussed a lot and asked what portion of the five hundred fifty thousand dollars (\$550,000.00) appropriation is to pay for engineering design and what portion of it is being estimated for the actual build. City Engineer Kalb replied that the engineering design portion of it is roughly fifty thousand dollars (\$50,000.00) and seven hundred thousand to seven hundred fifty thousand dollars (\$700,000 - \$750,000) is for the construction itself. The preference is for this to be a community build type situation with a lot of community feedback because Fort Findlay playground is iconic for what Findlay has right now. He wants it to continue on and not be a hidden structure. It is the southend hub for the City that will be continued on. Gathering community input puts everyone's heart and soul into it. The reason Council has not seen anything on this yet is because it is still in the preliminary stage of gathering ideas on what direction to go on it.

Councilman Bauman pointed out that he was included in those early meetings because Emory Adams is in his ward.

President of Council Harrington noted that his grandsons call the fort at Emory Adams Park, the Harry Potter park. He was part of it when it was built which was quite a community event. Filed.

**City Engineer Kalb – Municipal Building Elevator Replacement, Project No. 31920900**

As authorized by Ordinance No. 2022-017, a bid opening was held for the rebid of this project on June 7, 2023. The City did not receive any bids at the time of the bid opening. Since this is the second time that this project was sent out for advertisement and bidding, the City will be working with Toledo Elevator to complete the necessary work for the replacement of the Municipal Building elevators. The City was provided with a quote of three hundred seventy-three thousand five hundred dollars (\$373,500.00) from Toledo Elevator to complete the replacement/modernization of the two (2) existing elevators at the Municipal Building. Two hundred ninety-seven thousand dollars (\$297,000.00) was previously appropriated to this project for the design and construction, but with the negotiated quote that was provided, an additional fund amount of eighty-five thousand two hundred dollars (\$85,200.00) will need to be appropriated to this project. Legislation appropriating and transferring funds, as well as authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into a contracts with Toledo Elevator in order to complete the work in a timely manner, is requested. Ordinance No. 2023-066 was created.

FROM: CIT Funds – Capital Improvements Restricted Account \$ 85,200.00  
TO: Municipal Building Elevator Replacement, Project No. 31920900 \$ 85,200.00

**Discussion:**

Councilman Wobser asked if the City received any bids the first time around. City Engineer Kalb replied they did, but that the contractor came back stating that they did not include some of the work even though the City had it spelled out, so the City could not legally accept their bid and put it back out to bid, but did not receive any bids the second time around. There was a bid the first time bidding it out, but they did not include everything in their bid (i.e. bond, etc.) so the City put it back out to bid, but no bids came in as a result of the second bidding process. So the City worked with the original contractor that submitted the original bid (Toledo Elevator & Machine, Co.) and went through everything resulting with them providing another bid with additional pricing that was very similar to what they had on their first bid and added everything that they did not include in their initial bid which is why he is asking for the eighty-five thousand dollars (\$85,200.00) via this ordinance, including contingency for the project. Councilman Wobser asked if there are any other options to obtain more bids for this. City Engineer Kalb replied that the City reached out to a couple of other contractors, but they did not want to tackle it. Toledo Elevator & Machine, Co. was the only one who would even meet with the City on this project. Councilman Wobser asked if there is anything else that can be done to keep it within the original budget. City Engineer Kalb replied no, not with the shape the playground is in right now. An architect consultant also looked at it helping the City with the bid specs to ensure what the city was specking out was correct. There are not many elevator repair companies out there and what work they will do depends on what brand the elevator is and what components they include. Councilman Wobser asked if the City utilizes Toledo Elevator & Machine, Co. if the City is bound to them for maintenance going forward. City Engineer Kalb replied no. When the City specked this out, they did not want to have specialized equipment that only one person or company could work on, and instead can reach out to anyone. Filed.

**City Engineer Kalb – HAN-Lake Cascades & Sixth Street Improvements 2023 Safe Streets and Road for All Grant Application**

The City of Findlay was notified that they will not be receiving any funding from the Ohio Department of Transportation (ODOT) for the application that was submitted for the Transportation Alternative Program (TAP). The City of Findlay Engineering Department believes this project would be a great asset to the community and is requesting to submit an application to the U. S. Department of Transportation (USDOT) for the Safe Streets and Roads for All (SS4A) Grant Program. This project will extend the multiuse trail on Lima Avenue south to Lake Cascades. Once on Lake Cascades, the trail will be located on the north side of the roadway and will extend to the east to the existing paths on Blanchard Street and Emory Adams Park. Construction of the project would be during the 2025-2026 fiscal years and is projected to be an 80/20 funding split with USDOT. Legislation authorizing the Service-Safety Director and/or City Engineer to apply for the funds and sign any applicable agreement or related documents is requested. Ordinance No. 2023-067 was created.

**Discussion:**

Councilman Wobser asked if the City applies and receives this grant if the City is committed to the project. City Engineer Kalb replied the City is not committee unless the City signs an agreement. This ordinance’s language states to enter into agreements, but is not fully committed to the project until the City signs the grant documents. If the City were to get into the project and decide not to do the project, then the City would have to cover the engineering costs, but that he is using engineering costs for this as match funds which would be an 80/20 split with this grant process that engineering funds can be used as a match portion of this. Councilman Wobser noted that if the City commits to the grant, the City’s commitment would be twenty percent (20%) but that the dollar amount is not known and would be something Council would have to approve in order to accept the grant and would know the dollar amount then. City Engineer Kalb replied that is correct. The estimate on that whole section from the tap project is approximately one million four hundred thousand dollars (\$1,400,000.00) for the entire project including engineering. He is working through their grant process and how the City can use local funds as a match. He is trying to maximize that eighty percent (80%) as much as possible for construction. In tap projects, engineering costs cannot be used as part of the match fund and is a separate fund, but that this project is totally different. Twenty percent (20%) of one million four hundred thousand (\$1,400,000.00) is what the City’s match portion would be. Filed.

**Mayor Muryn – annual bids and contracts**

Each year, the City of Findlay formally bids a number of chemicals, materials and services. The contracts for these items run for a calendar year with option(s) to renew the contracts in one year increments. In July, a review and evaluation of the current contracts and contracted vendors will be conducted. For those contracts that will not be renewed, the City of Findlay will advertise and receive bids in October. Items that are normally bid each year include several chemicals used by the Water Treatment Plant and Water Pollution Control Center, materials, uniforms, services, and supplies. Legislation authorizing the Mayor and Service-Safety Director to contract these items is requested. Ordinance No. 2023-068 was created. Filed.

### **City Engineer Kalb – Utility Billing Service Truck, waiving of formal bid process**

As part of Ordinance No. 2023-034, funds were appropriated to the City of Findlay Utility Billing for the purchase of a new service truck. As part of the State bid process, Chevy was awarded the bid with a price of sixty-six thousand fifteen dollars (\$66,015.00) for a one-ton standard 4X4 cab truck. In order to ensure the City of Findlay was receiving the best price available on the truck, the Utility Billing Department contacted Reineke Ford Lincoln, Inc. for a quote of a Ford truck of similar size and specifications and was provided a quote of fifty-two thousand three hundred seventy-four dollars (\$52,374.00) for a one-ton standard 4X4 cab truck. Because a Ford truck was not awarded through a State bid and is over the fifty thousand dollars (\$50,000.00) threshold, the formal bidding process will need to be waived to purchase the Ford truck, and because the Ford truck is thirteen thousand six hundred forty-one dollars (\$13,641.00) cheaper than the Chevy truck that was awarded through the State bid, waiving of the formal bid process to allow the City Utility Billing Department to purchase a new one-ton standard 4x4 cab truck from Reineke Ford Lincoln, Inc. is being requested. Legislation, with the emergency clause, authorizing the Mayor, Service-Safety Director, and/or City Engineer to waive all formal advertising and bidding requirements and enter into an agreement with Reineke Ford Lincoln, Inc. for the purchase of a new service truck is requested. [Ordinance No. 2023-069 was created.](#)

#### **Discussion:**

Councilman Palmer asked what the uses for this truck will be. He asked why a one-ton 4x4 truck is needed. City Engineer Kalb replied the truck will be used for work and will carry equipment, tools, meters, meter pits that are needed. It will not be used to go out and read meters. It will be a fully functional, and if needed, will be a repair truck for the City of Findlay Utility Billing Department.

Councilman Wobser pointed out that a State bid was obtained and that was quite a bit less from a local dealer which makes a statement about checking prices on State bid numbers. He asked if other local dealers such as Findlay Chrysler Dodge Jeep Ram and/or LaRiche Chevrolet-Cadillac were contacted to obtain their local quotes. Water Treatment Plant Superintendent Philips from the audience replied that this truck that is being requested to purchase was actually a truck that another community had ordered, but that their financing fell through and that Reineke Ford Lincoln, Inc. knew that the City was getting ready to order one, so they gave the City a call letting the City know they had one in the queue at the price that is being asked for in this ordinance which is why the City went forward with this. The last time he checked with Chrysler Dodge Jeep Ram to compare the State price, they told him they could not meet that and would not quote an actual price for the City. Councilman Wobser asked how long ago that was as the inventory on automobiles are going back up rapidly. Water Treatment Plant Superintendent Philips replied it was awhile ago that he talked with them. In this case, all the pieces aligned. The City actually ordered a half ton truck last year that is not slated to come in for another two (2) months. This one just happened to be in their queue at a really good price. Councilman Wobser replied that he is not saying it won't ultimately be the best price, but that it would be worth a phone call to find out and make sure that the City is doing the best they can for the money. Water Treatment Plant Superintendent Philips replied the City very easily can do that.

Councilwoman Frische appreciates where Councilman Wobser is going with his thought process, but that this request is asking to waive the formal bidding process and asked what the process is when having a vehicle over fifty thousand dollars (\$50,000.00) and are going with a different option. She asked if there is a process. Service-Safety Director Martin asked what part of the process Councilwoman Frische is asking about so that he answers correctly. Councilwoman Frische replied that she wants the best price for the community. She asked what the process is when a dealership wants to sell a vehicle to the City for thirteen thousand dollars (\$13,000.00) less than the State bid price. She asked if there is a process the City has to follow in this situation. Service-Safety Director Kalb replied that this is new. It is an uncharted territory where a situation has come up where State bids contracts had already been awarded to the City to buy things. The purchasing power for this is typically and traditionally less than the City going out to the retail market to buy something. In order for the City to have a situation like this where another municipality or community committed to this truck, but then backed out which is when the opportunity presented itself. He does not recall a situation like this presenting itself, so he does not have an example of the process. If it exceeds fifty thousand dollar (\$50,000.00), the City has to bid for the purchase. Councilwoman Frische noted that this ordinance asks to waive the formal bidding process and asked how it is known that this is the best price, not only locally, but is getting the best price. Reineke Ford Lincoln, Inc. is offering a significant savings that might not be found anywhere else, but it is not known and cannot be justified to the community that the City is getting the best bid. She would like to know the process or the justification for waving formal bidding and not further investigating to make sure it is the best bid price. City Engineer Kalb replied that the State bid process is State-wide. In order for the City to purchase a vehicle of a make/model that is not selected through a State bid (example: Ford) or something very similar to it, the City would have to send out their own bid for that type of truck, but has to match the specs for the truck of what the City specked out. If even one item is different, the City cannot buy it because it would be outside of what the specs were. The City has to be very tight on what the specs are. When Reineke Ford Lincoln, Inc. quoted the truck they have available, it still requires the City to put it out to bid and that the truck may not fall into that category because there is one item or package that might be different even though it fits the City's needs right now. Since this truck is in their lot right now, they are able to offer a lesser price. The truck can be sent out to bid, but they wouldn't give the best deal they have because they cannot assume that truck is going to be sitting there for a month or so until the City can actually get money appropriated. They will quote their list price of what the truck would be of what the City would spec out. It is tough to bid out. There have been multiple opportunities like this in the past (i.e. fire truck where an opportunity presented itself). In this case Reineke Ford Lincoln, Inc. called the City stating that they knew the City was looking for a truck and that they have one sitting on the lot that fits the City's needs and do not want to have it sitting on their lot because they are losing money on it and offered the City a deal. He is unsure if this is the best deal the City can get, but is confident that the price of a State bid is the City's best option.

Councilwoman Warnecke asked how long the price is good for and asked if the vehicle is being held at that price for the City so that it is not sold while the City is checking around for the best price. City Engineer Kalb replied that he does not know how long it is good for, but they will not hold it for the City.

Councilwoman Frische asked if there is anything on this vehicle that would have been on the State bid vehicle. She asked if this vehicle is gaining or losing anything. Water Treatment Plant Superintendent Philips replied it is the same truck as what the Chevy is. He worked with the City Auditor's Office and compared everything. What it boiled down to is that it is over the fifty thousand dollar (\$50,000.00) limit, so he talked to Reineke Ford Lincoln, Inc. to see if there was any way to get it below the fifty thousand dollar (\$50,000.00) limit in which there was not way to get it below that. When comparing the State purchased price Chevy and the Ford, they were identical. It is a one ton 4x4 standard cab truck

Councilman Bauman pointed out that this truck saves the City thirteen thousand six hundred forty-one dollars (\$13,641.00) and would like to move forward on this.

Mayor Muryn added that the Administration completely understands Council's concerns and will make sure in certain situations like this, before it is brought before Council on a quick timeline, that they also call around to other vendors to ensure the City is not missing out on an opportunity, even if there is a good opportunity already in front of them. Filed.

#### **City Engineer Kalb – South Main Street and McPherson Avenue Storm Sewer Repair #35532800**

Recently, the City of Findlay Sewer Department has been cleaning and televising the storm sewer on South Main Street that was effected by the water main break in June. It was discovered while televising that the storm line running on South Main Street is severely cracked and has also collapsed in multiple locations. Due to the location of the storm line and the current state it is in, repairs to this section of storm sewer need to be completed as soon as possible. Now is the best time to complete the repairs with school being out on summer break and with the current dry conditions the next couple of weeks. To ensure the storm sewer repair can be expedited prior to school going back into session, waiving the formal bid process and obtaining quotes from three (3) or four (4) local contractors for the work is requested. The City of Findlay Engineering Department will provide specs and quantities for contractors to base their informal bids on. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to waive all formal advertising and bidding requirements, enter into contracts, and to appropriate and transfer funds is requested. Ordinance No. 2023-070 was created. Filed.

FROM:	Sewer Fund – Stormwater Restricted Account	\$ 130,000.00
TO:	S Main St/McPherson Ave Storm Sewer Repair, <i>project no. 35532800</i>	\$ 130,000.00

Filed.

#### **COMMITTEE REPORTS:**

The **STRATEGIC PLANNING COMMITTEE** met on June 20, 2023 to continue discussing the Strategic Planning process.

*We recommend that the changes discussed today be forwarded to PlanningNext to incorporate into an updated version and that a new draft be provided to the committee by approximately June 28, 2023 (in print layout).*

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss Downtown Recreation Area.

*We recommend:*

- to appropriate \$100,000.00 for Phase 2 testing for properties in benching area that will ultimately be owned by the City to be drawn from ARPA funds.*
- To appropriate \$1,500,000.00 from the General Fund subject to review of the contract by the Appropriations Committee for park design services.*

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

Discussion:

Councilwoman Warnecke asked if it is known what the contract states. Mayor Muryn replied that she will be circulating the contract tomorrow. They were putting a new date on it. She will forward it to Council to review and then will be scheduling an APPROPRIATIONS COMMITTEE possible next week to review it.

City Auditor Staschiak asked that it be highlighted that it was stated that there is only fifty thousand dollars (\$50,000.00) left so that the public knows how this would be covered by the ARPA Funds. Mayor Muryn replied that as discussed in the APPROPRIATIONS COMMITTEE meeting, it would most likely be drawn out of the Demolition Fund that was previously allocated.

Ayes: Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. Nays: Frische. Filed.

#### **LEGISLATION:**

##### **RESOLUTIONS:**

**RESOLUTION NO. 015-2023** *(no PO) requires one (1) reading* *first reading - adopted*  
A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

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

**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. 2023-058, AS AMENDED** *(infrastructure investment)* **requires three (3) readings** **third reading - adopted**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAETY 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.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-058 and is hereby made a part of the record.

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

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-059 and is hereby made a part of the record.

**ORDINANCE NO. 2023-062** *(23 WTP Roof 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 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.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-063** *(219 Hurd Ave rezone)* **requires three (3) readings** **first reading**  
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 219 HURD AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "I-1 LIGHT INDUSTRIAL" TO "R-3 SMALL LOT RESIDENTIAL".

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-064** *(0 W McPherson Ave rezone)* **requires three (3) readings** **first reading**  
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 0 WEST MCPHERSON AVENUE, PARCEL NO. 600000302210 REZONE) WHICH PREVIOUSLY WAS ZONED "O1 OFFICES/INSTITUTIONS" TO "M2 MULTI-FAMILY, HIGH DENSITY".

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-065** *(ARPA Fund third appropriation of 2023)* **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF VARIOUS PROJECTS LISTED BELOW, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-066** *(Municipal Building Elevator 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 A CONTRACT WITH TOLEDO ELEVATOR & MACHINE COMPANY FOR THE REPLACEMENT OF THE MUNICIPAL BUILDING ELEVATOR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-067 requires three (3) readings**

*first reading - adopted*

*(HAN-Lake Cascades & Sixth Street Improvements 2023 Safe Streets and Road for All Grant Application)*

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR FUNDS THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FOR THE SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT PROGRAM AND ENTER INTO AGREEMENTS FOR THE HAN-LAKE CASCADES AND SIXTH STREET IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel pointed out that because this is just a request to apply for a grant that the City has been done many times in the past, he will make a motion to suspend Council's statutory rules and give the Ordinance all three (3) readings tonight.

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

Discussion:

Councilwoman Frische pointed out that Councilman Wobser had asked questions if Council decides not to go forward with this grant for some reason, so she is questioning if the City does go through with this and enters into an agreement if there would be any reason to come back to Council since Council already agreed to it. City Engineer Kalb replied that would not be a reason to come back to Council.

Councilman Wobser asked if the money still has to be appropriated. City Engineer Kalb replied that is correct.

Councilwoman Frische asked if the City would be on the hook for engineering. City Engineer Kalb replied that the City will be doing the engineering work no matter what.

Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-067 and is hereby made a part of the record.

**ORDINANCE NO. 2023-068 (annual bids and contracts) requires three (3) readings**

*first reading*

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-069 (Utility Billing new service truck) 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 WAIVE THE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO AN AGREEMENT WITH REINEKE FORD LINCOLN, INC. FOR THE PURCHASE OF A NEW SERVICE TRUCK, AND DECLARING AN EMERGENCY.

Discussion:

Councilwoman Warnecke noted that she is going to make a motion to suspend statutory rules and give the Ordinance all three (3) readings tonight in order to take advantage of this price on the truck while its available.

Councilwoman Warnecke moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Bauman. Ayes: Palmer, Russel, Slough, Warnecke, Bauman, Hellmann, Niemeyer. Nays: Wobser, Frische, Greeno. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilwoman Warnecke. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann, Niemeyer, Palmer. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-069 and is hereby made a part of the record.

**ORDINANCE NO. 2023-070 (S Main St/McPherson Ave storm sewer repair) 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 WAIVE FORMAL ADVERTISING AND BIDDING AND ENTER INTO CONTRACTS FOR STORM SEWER REPAIRS ON SOUTH MAIN STREET/MCPHERSON AVENUE, PROJECT NO. 35532800, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**UNFINISHED BUSINESS:**

**OLD BUSINESS:** none

**NEW BUSINESS:**

Councilwoman Frische informed Council that there was a Findlay City School Board meeting last week. After that meeting, she received some communications from individuals on some of the documents discussed during that meeting. She talked with Service-Safety Director Martin, but has not heard back from Law Director Rasmussen on a legal opinion that the Mayor was trying to obtain and feels that it important that Council knows what is going on and need to figure out if this is a legal contract agreement or not. Findlay City Schools has the bus garage on Blanchard that is empty, and that they have suddenly entered into an agreement with the City of Findlay because the City has a shortage of where to store equipment and need storage space and feel the best location is in a flood zone, however, this agreement does not have any cash to exchange hands, but that Council is to consider this contract which concerns her.

The second agreement discussed in the School Board meeting was to use City employees for labor to install asphalt and concrete around the high school athletic fields in exchange for the City's use of the Findlay City School's storage area. Part two of that agreement is that the City is going to take on the responsibility within five (5) years of this agreement (1 year terms) whenever Findlay City Schools decides that they want to demolish the property with the City doing the demolition in which she asked the Findlay Administration if there is a Phase 1 or Phase 2 for it. The Hancock Regional Planning Commission (HRPC) did not think there was. The County had considering demolishing it with flood dollars, so a FEMA grant was created for the County to have for the project, but then the County voted not to do anything with that location, and then the City came into play. She has not found out if there will be Phase 2 environmental testing on it. In the end, it appears that the school would own the property. There are calculations to figure out on what it is actually costing the City. City workers and City equipment should not be for other projects. This could be a very pricey agreement. Without answers to the unknowns and the fact that this did not come to Council, it should be addressed with Council either through an APPROPRIATIONS COMMITTEE meeting or a COMMITTEE OF THE WHOLE meeting to figure out with Law Director Rasmussen if this agreement is legal and allowable. Mayor Muryn replied that sometimes pulling information together takes time, especially when there are a lot of other things going on. Instead of having a subcommittee meeting, a letter to Council will be provided at the next City Council meeting on this matter, and then a subcommittee meeting can be scheduled if it needs to occur after that. The contract did not need to come to City Council because it does not request an appropriations of funds. The previous request to the County Commissioners was for the Commissioners to take ownership and to cover the match that would have been necessary for the demolition. City crews have the ability to demolish a cinder block building pretty easily, and because it is another public entity, the City looks for opportunities to partner to provide efficiencies for the community as a whole. The City would not be taking ownership of the property. Councilwoman Frische is correct in that the City has been removing a couple of City properties and cleaning things up, therefore needing some additional storage space, so it worked out well for the City to store City-owned items in the school's property for a period of time. Service-Safety Director Martin provided various emails about this to Council, so the Administration is not trying to hide anything. She received verification from legal counsel that the Administration was following the proper process. Something in writing will be provided to Council to clarify and share to the public that this has been an above board process.

City Auditor Staschiak noted that whether or not this is above board process is not his question. The City not only has legal perimeters that have to be followed, there are also financial perimeters to follow being a statutory city. He is not aware of the details on this as this is the first he has heard of this which concerns him. The most recent example of this was when the City worked with the County to do the parking lot where the old Prosecutor's Office was which did require Council's approval for the City to spend money outside the borders of those funds and the purpose of those funds. The City Street Department working on property that is private, whether it is publicly private or just not an entity of Findlay, is something the City Auditor's Office should have been involved in. He would like to have the information so that he can review it and will be a part of the review process when reporting back to Council. He would have had more information if he was aware of this.

Councilwoman Frische noted that at the beginning of Council, there was mention about better communication. Whether this decision was made unilaterally or not, if the City has a shortage of space, is cleaning out a building and is going to "rent" from the schools, the APPROPRIATIONS COMMITTEE or Council as a whole should be discussing the bigger picture of what is going on. The agreement mentions independent contractors and about using City employees to do the work. She asked if there is any Worker's Compensation issues. She asked what Law Director Rasmussen told Mayor Muryn to move forward on this. She does not need anything in writing, just needs to verbally know. Law Director Rasmussen replied that a response is easier to do in writing as the City Auditor also wants to weigh in on it.

Councilman Wobser asked if any agreements have been signed at this point. Mayor Muryn replied yes. They were previously executed with no money exchanged. It is a mutual agreement. Law Director Rasmussen reviewed the entire contract and stated that under her administrative authority, she has the authority to enter into contracts on behalf of the City where money is not exchanged. A written legal opinion will be provided to City Council on this. Council is aware of some of the discussions going on related to the City's existing properties and what space may no longer be available to the City. She would entertain discussion on that offline for those that would like to discuss it.

Councilwoman Frische noted that Mayor Muryn has mentioned that the City is going to have a property that isn't available, and then mentioned that there is a space shortage, but that there still is a lack of communication. While it is great that Council is going to get a legal opinion, she wishes the Law Director would just communicate here at Council tonight by providing a verbal legal opinion. This should be referred to the APPROPRIATIONS COMMITTEE or a COMMITTEE OF THE WHOLE for further discussion, whether it stays as is or not, as the Administration knows the whole picture of what this will be cost-wise.

Councilman Palmer feels that Council should have been in the loop on this one way or another instead of finding out after the fact. He is disappointed in the Administration on this. Mayor Muryn replied that she is sorry he feels that way and will continue to look for opportunities to make sure that all of the thousands of things that are going on right now on a daily basis, that the Administration keeps Council abreast of it. Filed.

Councilman Wobser: **APPROPRIATIONS COMMITTEE** meeting on Thursday, July 13, 2023 at 5:00pm in the third floor conference room of the Municipal Building (CR1). Mayor Muryn will distribute the contract for review prior to the start of this meeting.

agenda: Downtown Recreation Area

Filed.

Councilwoman Warnecke asked if there is a timeline of when funds are needed for the South Main Street sewer project (Ordinance No. 2023-070). City Engineer Kalb replied it is not needed right away. He is going to obtain three (3) bids from local contractors first. That money is from an estimate that the City of Findlay Engineering Department developed. The request is to get money moving so that he doesn't ask for all three (3) readings at once. When he brings this back to Council, he will have pricing from the contractors so Council knows how much it is going to cost. Filed.



Councilman Niemeyer noted that there are a lot of citizens that are confused about water billing increases because they had large increases. The City's Water Office told them that the increases are from the previous year and that they are estimates. Mayor Muryn replied that there have been some questions about this online that has been difficult to try to address and does not want to go back and forth because every citizen's situation is different. She suggested that if a citizen reaches out to a Councilmember for any City issue to point them to the resources that are available on the City's website or if it is something minor, to direct them to the City department that handles the issue which is a good way for Findlay departments to track it, follow up, and work through it, similar to a work order system. There are a number of resources available for the transmitters on the City's website that explains the process. While it might be inconvenient and frustrating, notes have been put on bills, have put out multiple newspaper articles, have put updates on social media, and the City has a whole webpage graphic on this topic. The City is in this situation because the project was delayed and then the transmitter system (2G) went down just as it was known it would, so rather than having five (5) years to get the network and new system with the transmitters up and running, the system went dead causing City workers to read twenty thousand (20,000) meters. City teams have been working diligently to try to get out as frequently as possible. If someone calls and informs the City that something is not right, the City sends someone out. About a month and a half ago, a bunch of City team members were put on the project, some of which are with the City's Public Works Department, who worked with the Meter Techs to get the transmitters installed more quickly and efficiently. They are currently waiting on the final shipment of hardware that should be here within the next couple of weeks with the final push scheduled similar to how it was done a couple of months ago. It is the hope that all new transmitters will be installed within the next six (6) weeks. At the bottom of resident's bills, there is the term "book" and then a number and a letter after it which means they have a new transmitter with the City receiving accurate readings. If there is a number and no letter, it means that they are still working off an old transmitter. Citizens are correct in that they are getting estimates based off of prior usage. In some instances, someone may have been gone from their house for awhile, possibly on vacation, and then come back, but did not see a decrease in usage, which sometimes is because the old system did not always catch leaks, but that the new system is finding them, sometimes generating a large bill for the property owner in which the City has been working with them, and in some cases, have made adjustments recognizing that the City previously would have caught this for them. Per the policies and procedures in place, leaks, such as a running toilet, are the responsibility of property owners. Many do not realize that a running toilet is a big deal, but it really is a big deal. It is literally flushing water/money down the toilet. She encouraged residents to get ahold of the City so that the City can send someone out and help them narrow down what may be causing the issue or take a read if they still have their bills being estimated. The goal is to have everything resolved in the next six (6) weeks. It is a top priority for the City knowing it is not only an inconvenience for citizens, but also impacts the City's daily operations.

Councilman Russel noted that he received his first bill subsequent to getting the new transmitter and concurs with a lot of citizens comments. The first bill post-transmitter is extremely confusing and makes no sense. He is disappointed that the billing software does not have the ability to put messages on bills to let the property owner know that they have a new transmitter. Citizens' frustrations are very valid. He knew what was going on and still had a hard time figuring out his bill when looking at it. He plans to have a full conversation with Water Billing Superintendent Phillips to explain what the bills tell him and how to make sense of the bill. Mayor Muryn replied that the City will also work to update the website on how to read water bills. The City is learning as they go while implementing the new system. The City realizes that there are some issues with how it may be displaying, credits, debits, etc. They will work on a graphic that will explain how the bills read. She suggested that Council refer complaints to the Utility Billing Department. The City will work with those that have a higher than expected bill to put them on a payment plan, and will connect those that are in a financial hardship to resources. This is a huge inconvenience that the City is doing all they can. She appreciates feedback from Council and the public so that the City can continue to adjust issues. While the City may look at something that appears to make sense on their end, a fresh set of eyes may enable the City to be able to explain it differently.

Councilwoman Frische noted that over the last several months, she has received phone calls of a social media post that she then posted some comments providing some resources. Even though this is an inconvenience, the City needs to learn from this in that computers are not the end-all-be-all for everything and are not perfect. Things can still happen such as 4G could go out, etc. that leaves the City in situations like this. The City's billing department is overwhelmed with phone calls that they are receiving, many of which are long conversations that they are dealing with. She mentioned to Councilman Greeno a couple of months ago, who chairs the WATER AND SEWER COMMITTEE, an Ohio Revised Code (ORC) that states non-municipality water systems have to read meters at least twice a year. When the City has meter reads on their books, as part of their description, they need to be utilized. It needs to state in the processes that going forward, the City is going to read meters twice a year or once a quarter because it is another way for the City to dot their "I's" and cross their "T's" so that when a frustrated citizen believes their transmitter failed and is a fake reading, the City also has a backup of when the meter was manually read. There is also a lot of updates that need to be happening with water and sewer procedures. It would be a good idea to do so before all the meters are up and running to have a clean slate and avoid bombarding the City Billing Department in the future. Mayor Muryn replied that she is happy to discuss that further, but that it might be beneficial for individuals to spend time with the City's Billing Department, specifically with the Meter Techs, because before they were overwhelmed with this project in having to get it done in a shorter timeframe, they were able to do manual meter reads. If a property owner has an issue, all they need to do is call the City and then someone will be sent out to meet with them and work through the issue. If a property owner notices something different on their bill, they should call the City. While technology is not perfect, it is a big benefit having an operating system that detects these errors more quickly by looking at trends in the data, occasionally seeing a spike. For instance, the City Billing Department contacted Mayor Muryn thinking she had a leak at her house, so she went through her house checking where a leak could be, but did not find any leaks, so she had a plumber come out who found a pipe in her crawlspace that was leaking. The plumber fixed it saving her a lot of money because they were able to detect it. The City Utility Billing Department does their job very well. It would be an unusual situation to make a policy change during an unusual circumstance that is not necessarily the solution, but that she understands where Councilwoman Frische is coming from. Social media is beneficial, but is not the best way for the City to be able to address problems. It is best to contact the City directly. Filed.

Mayor Muryn reminded citizens not to assume that the City is aware of issues someone is having, so they need to reach out to the City. Service-Safety Director Martin recently received a phone call from a citizen out in West Park that was frustrated with some speeding going on in that area and that there were not any speed limit signs out there, so the City sent someone out to take a look, asking the caller where they thought there should be some speed limit signs, resulting in an additional forty (40) speed limit signs that will be going out in West Park to help with some of their concerns, all culminating from City teams walking through the area and confirming that it would make sense in those areas to help some of the higher traffic areas. Hopefully, those additional speed limit signs will help address some of their issues. Just an example of an easy fix if the City is made aware of it and can work with residents on issues. Filed.

Mayor Muryn thanked Council for their support of the infrastructure investment. It speaks volumes to the community. She thanked Hancock County for their role in it. The City of Findlay plays a large role in it being named the top county by site selection magazine. This is the first time ever that they have looked at it on a county-wide basis. The County & City continues to outperform across the country. Filed.

Mayor Muryn noted that Council has not seen an updated draft of the strategic plan because she herself has not received it. It takes a little more time to gather high resolution photos of the pictures that need to be switched out. She will work to provide something within the next couple of days for discussion during the next City Council meeting. Filed.

Mayor Muryn will be reaching out to Councilman Niemeyer to set up a **STREETS, SIDEWALKS & PARKING COMMITTEE** meeting regarding the ARPA funds. Forty thousand dollars (\$40,000.00) have been set aside for sidewalk improvements in various areas. She will gather some information for discussion on where to possibly utilize some of those dollars to make sure it makes sense on how to roll them out if the committee does want to set those aside. Filed.

Mayor Muryn informed Council that the Administration has been working on the CR 212/236 annexation since 2016, and as she shared back in April of 2022, County Engineer Cade informed the City that because the entire intersection was not in the City, the City would not be able to perform the work. Though he was involved in the early stages of helping the City put together the design and agreed that the City needed to go through that hoop to get it done, the County Commissioners denied the application which is halting the project, but are following up with the State to see if they will extend the grant dollars that were going to be invested there, but that they have already been extended a couple of times. She plans to submit an appeal to the Common Pleas Court that based off of their decision, that it really is still in the best interest of the community as a whole. The City has a good case. She will keep Council posted as it moves forward. Filed.

Councilman Hellmann asked if there is a timeframe for the elevator issue request (via Ordinance No. 2023-066) as prices seem to go up quickly. He asked what the availability of materials are. He asked if Council should facilitate getting this done now rather than waiting until the middle of August when prices may go up and material may end up not being available as it is a project that Council has already appropriated more for this project than what is being requested on this Ordinance. City Engineer Kalb replied no, not at this time. His emailed updates of tonight's legislation states that he would like it to pass it during the July 18, 2023 meeting. He has already communicated with the contractor the City's process for this, so the contractor understands and will not be changing the pricing on it. He is confident that it can wait to be passed until the next Council meeting. Filed.

City Auditor Staschiak noted that legislation is required to enter into other legal appeals on Opioids prior to any appeal being filed. He requested Law Director Rasmussen dot his "I's" and cross his "T's" and inform Council whether or not it is okay for the Mayor to move forward without Council's approval. Mayor Muryn replied that something in writing will be provided to Council as she has already discussed that topic with the Law Director's Office. Filed.

Mayor noted that Council passed the purchase of new Utility Billing truck via Ordinance No. 2023-069, but since some questions on it were brought up tonight, she will wait to sign the Ordinance until phone calls are made to some other vendors. While that is not typically how the City operates, she will obtain some quotes before signing it. When Council passes legislation, she typically signs it because it does not become effective until she signs it. Filed.

Councilman Bauman moved to adjourn City Council at 7:06pm, seconded by Councilman Hellmann. All were in favor. Filed.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT