

**FINDLAY CITY COUNCIL MEETING**  
**REGULAR SESSION    JULY 18, 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 Palmer moved to accept the July 5, 2023 Regular Session City Council meeting minutes as amended, seconded by Councilman Greeno. 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 Palmer. All were in favor. Filed.

**ADD-ONS:**

1. Letter from Mayor Muryn – one-time adjustment water bills (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**).
2. Hancock County Resolution No. 432-23 for CR 212/236 annexation (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**).
  - Inadvertently left County Resolution No. 432-23 and Memorandum Opinion and Decision of the Board of County Commissioners documents off of Mayor Muryn's letter re: CR 212/236 annexation.

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PETITIONS:**

**Status of CR 220 annexation (parcel nos. 020001006785 and 020001013263)**

On July 7, 2023, annexation documents for the CR 220 annexation were received from the County Commissioners Office and will now be held in the office of the City Clerk the required 60 days ending September 7, 2023. Laura Comek, Laura M. Comek Law LLC., is the agent for the petitioner and will be submitting a letter requesting what the property will be zoned as. This annexation will be referred to as the CR 220 (parcel nos. 020001006785 AND 020001013263) Annexation. Resolution Nos. 008-2023 (64.941 acres of land) and 009-2023 (73.077 acres of land) for the services the City will provide if annexed into City limits were adopted during the March 21, 2023 City Council meeting. The City Planning Commission and the Planning and Zoning Committee will discuss the zoning request during their September 14, 2023 meetings. Legislation to accept and approve the annexation, as well as zone the parcels will be on the Regular Session City Council meeting agenda to receive its first reading after City Council accepts the September 14, 2023 PLANNING & ZONING COMMITTEE report. Annexation documents will be on hold in the City Clerk's Office until September 7, 2023. Filed.

**ORAL COMMUNICATIONS:**

**Daniel Kelly – Ordinance No. 2023-058 infrastructure investment**

Mr. Kelly's concern with Ordinance No. 2023-058 is the lack of specificity specific to the ordinance. When looking at the notes from that APPROPRIATIONS COMMITTEE meeting of June 13, 2023, there is a specific reference to adding language related to JobsOhio, but does not appear in the ordinance, so he considers a degree of secrecy associated with this project and the amount of money that is associated with the project, and the lack of specifics associated with the project. The derivation of the grant money, what happens with the three million dollars (\$3,000,000.00) if the company that the identify is not known, or which state is competing with Ohio and whether or not they come here. While those specifics may not be able to be given right now, he as a resident of Findlay, he is concerned with the way the process is unfolded.

**Discussion:**

Mayor Muryn noted that there was an amended version to this ordinance taken at the third reading to include the JobsOhio language. It was discussed to have that added during the APPROPRIATIONS COMMITTEE meeting because it ties it back to the grant agreement that JobsOhio has that gives it specific ties so that if they do not execute the contract or move forward with the project as it has been shared with the City to make this investment, there will be clawback provisions that would be able to occur. Specific language of the grant agreement was not included, but did add language to tie it to the grant agreement. Mr. Kelly asked if JobsOhio was in the third reading. Mayor Muryn replied yes it was. The amended version did include that language. Mr. Kelly replied that the minutes he has does not appear to have that. Mayor Muryn asked Mr. Kelly to send her an email so that she provide him a copy of the amended ordinance. Mr. Kelly asked where JobsOhio is located. Mayor Muryn replied that the JobsOhio office is in Columbus, Ohio with regional entities that work with regional growth partnership which includes Ohio's fifteen (15) county region for northwest Ohio. She is unsure if there are specific offices or if all of their employees are remote. Mr. Kelly asked if the grant money originates from the Department in Columbus. Mayor Muryn replied that JobsOhio funding comes from the liquor sales within the State. JobsOhio was established under the Kasich Administration, so funding primarily comes through that and is authorized through a controlling board out of Columbus through the Department of Development and JobsOhio that do the tax agreements. Filed.

**Tom Bowman – zoning on West McPherson Street**

Mr. Bowman informed Council that the neighborhood is kind of stirred up right now over the proposal of the apartment complex at the end of West McPherson Avenue next to the power substation. He and a number of individuals he has talked to are not upset about something going there, but would like something a little more reasonable than a 24-unit 4-story building. They would not have an issue with it if fit into the neighborhood in both looks and size, but 4-stories and 24-units will double the population of the street in one lot when counting the number of houses from Main Street up to the curve at the church. It will be doubling the population in that one lot. It is too much for that space. There are no objections to something that fits. Two (2) or three (3) duplexes could fit on that lot that would look good. Single-story would fit into the neighborhood, but a 4-story, 24-unit building would not be a good fit. It was also mentioned to move part of an old building from behind the YMCA on Grand Avenue which does not seem like a good idea. The proposed 4-store 24-unit building is a shock to the neighborhood. He lived in his house with his parents since 1969 where no one had done a thing with that lot over the years. It has been available, but no interest until now. Filed.

**WRITTEN COMMUNICATIONS:**

**Email from Cathy Weygandt – art idea for Findlay.** Filed.

**Email form Lee Weygandt – Riverfront park.** Filed.

**Email from Willard Camm – water bill.** Filed.

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

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

**City Income Tax Monthly Collection Report – June 2023.** Filed.

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control** for Tot’s BBQ LLC dba Tot’s BBQ, located at 331 South Main Street, Findlay, Ohio for a D5 liquor permit. This requires a vote of Council.

James H. Mathias, Chief of Police – Tot’s BBQ LLC dba Tot’s BBQ, located at 331 South Main Street, Findlay, Ohio. A check of the records shows no current criminal record on the following:

Cheyenne D. Dowds

Councilman Slough moved for no objections be filed, seconded by Councilman Palmer. All were in favor. Filed.

**Precipitation and Reservoir levels report – second (2<sup>nd</sup>) quarter April-June 2023.** Filed.

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

**City Planning Commission minutes – June 15, 2023; staff report – July 13, 2023.** Filed.

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

Ohio clearly defines a budgetary process that includes the requirement that municipalities prepare an annual tax budget by July 20<sup>th</sup>. The County Budget Commission has not required the filing of a complete tax budget for many years, but requires the City of Findlay to provide the attached estimated revenues for submission to the Budget Commission for the next fiscal year. In order to meet the statutory requirements for the distribution of local government money, this document should now be formally accepted by Council so that it can then be filed with the County Auditor no later than July 20, 2023. A motion for acceptance of the revenue estimates will be needed. As required by statute, a public hearing before tonight’s 7/18/23 Regular Session City Council meeting was scheduled, notice of which was published ten (10) days before the hearing. The document has been available for public inspection in the City Auditor’s Office since July 7, 2023. City Auditor Staschiak requests that this letter be read into the record of the 7/18/23 Regular Session City Council meeting.

Discussion:

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

Councilman Wobser moved to approve to accept the revenue estimates, seconded by Councilman Greeno. All were in favor. The Revenue Estimates for Fiscal Year 2024 were accepted. Filed.

**Mayor Muryn – CR 212/236 annexation**

The City of Findlay has been working to reconfigure the intersection of County Road 212 and County Road 236 since 2016. This project was focused on providing a better route for truck traffic outside of downtown, creating an overall safer intersection, further enhancing the County Road 212/County Road 99 area as an industrial corridor. Included on the next page of this letter is a timeline of the project. In April 2022, County Engineer Cade informed the City of Findlay that the project could not be completed because the entire roadway was not within City corporation limits. The City of Findlay immediately began work to complete the annexation. On June 29, 2023, the Hancock County Board of Commissioners denied the annexation request (attached). This project continues to have significant community safety and economic benefit to the City of Findlay and Hancock County. Though legally not required, included in tonight’s Council packet is a simple resolution showing City Council’s support of proceeding with filing an appeal to the Court of Common Pleas to pursue the annexation of this property. Resolution No. 017-2023 was created.

Discussion:

Councilman Wobser asked what the situation was of the public records request that had to be sent for the right-of-way as listed on the third page of the timeline. Mayor Muryn replied the City was not getting a response from the County on the status of the record and were nearing the time limit where a decision had to be rendered, so the City made a records request and a status update. Before they complied with the records request, they provided the City with the executed document. Councilman Wobser asked whose desk it was sitting on. Mayor Muryn replied that she cannot speak to that, but that it was received from the County Engineer.

City Auditor Staschiak noted that it is his understanding that Council has to approve any land acquisition, whether it be an annexation or anything that expands City borders, so he is confused how this does not need Council's approval to move forward on something that would expand the City's borders, costs, and liabilities. He asked for a more formal explanation for his files as he is certain the State Auditor's Office will be asking about it in the next calendar year. Mayor Muryn replied that this is just the right-of-way easements that would be necessary to be brought into the City so that the property owners would still be owning the property and then the right-of-way would be assigned to the City. The Administration can provide any documentation needed to the City Auditor's Office. City Auditor Staschiak clarified that he is not asking about the right-of-way easements. He is asking about the annexation. Annexed properties expand the City's borders in terms of square footage. Mayor Muryn replied she will work with City Auditor Staschiak on this. She and City Auditor Staschiak discussed this letter in advance and will work with him to ensure he has all the appropriate documentation he requests. Filed.

#### **Service-Safety Director Martin – annual Community Park Improvement Program grant**

The City of Findlay Public Works Department is again applying for the annual Community Park Improvement Program Grant through the Hancock Park District (HPD) for three (3) projects:

- Project #1 is for twenty-two thousand dollars (\$22,000.00) for restoration of the main restroom and main electrical building at Riverside Park. The restoration will include removing loose and defective mortar joints, power washing the building, and tuck and point work on all defective mortar joints, then sealing the brick. The work will be performed by a local contractor.
- Project #2 is for ten thousand dollars (\$10,000.00) to extend the stage at Riverside Park Bandshell by twelve feet by fifty-two feet (12ft x 52ft), laying brick and pouring a six inch (6") cap of concrete making the stage permanent. The work will be done by the City of Findlay team.
- Project #3 is for eight thousand dollars (\$8,000.00) to replace the boards on the walk bridge at Emory Adams Park that crosses Eagle Creek over the east side of the park along Brookside Drive. The work will be done by the City of Findlay team.

The HPD grant is offered each year to communities within Hancock County to improve their park systems. This grant is then divided among the communities that request the available funds. These funds are at no cost to the community and do not require matching funds. The City of Findlay has completed many projects in their parks using these grant dollars. One of the requirements of the grant is to obtain project approval during a public meeting from its governing body. City Council's verbal authorization of the aforementioned projects through grant funds is requested. Requires Council's verbal approval to fund this project by grant funds.

Discussion:

Councilman Russel moved to approve this application for this program grant, seconded by Councilman Bauman.

Councilman Wobser asked if the expansion of the bandshell in project #2 is to move it forward out towards the crowd. Mayor Muryn replied that project #2 is to make the current wooden platform more stable and consistent. It is left out in the elements all the time and is starting to rot. It will be to expand the brick and bring the platform out.

All were in favor. Filed.

#### **summary financial reports for June 30, 2023:**

- Summary of Year-To-Date Information as of June 30, 2023
- Financial Snapshot for General Fund as of June 30, 2023
- Open Projects Report as of June 30, 2023
- Cash & Investments as of June 30, 2023

Filed.

#### **Service-Safety Director Martin – Findlay City Schools In-Kind Trade of Services MOU**

Certain City departments have space constraints, including the Police Department and Public Works. There have been ongoing discussions regarding the needs of each department while long-term solutions are being evaluated. In the short-term, the City of Findlay is always looking for opportunities. As of this last winter, the Findlay City School (FCS) bus garage was vacant, so Service-Safety Director Martin approached the Findlay City Schools Administration to find out if the City of Findlay could temporarily utilize the vacant garage until they either sold the building or demolish it in which they took the request under advisement with the rest of the board. During the same timeframe, FCS was working out the logistics of their athletic complex project. FCS proposed that in return for the City of Findlay to utilize their storage space, the City of Findlay would provide the labor associated with the sports complex asphalt and concrete walkways identified in the project. The agreement was an in-kind trade of services for storage space. Essentially, the City of Findlay uses the FCS bus garage to store City equipment, and in return, the City of Findlay will install identified concrete/asphalt. Additionally, if/when FCS decides to demo their bus garage, the City of Findlay will provide the demolition of the building while FCS covers the dump fees. There would be no exchange of dollars. This agreement was discussed with City Law Director Rasmussen, and per Ohio Revised Code 735.05, Service-Safety Director Martin acted within the boundaries of his role as Safety Service Director and did not need to go to Council.

*"The director of public service may make any contract, purchase supplies or material, or provide labor for any work under the supervision of the department of public service involving not more than fifty thousand dollars." – ORC Chapter 735.05*

With that information, Service-Safety Director Martin proceeded to work with the FCS Administration to prepare the agreement. The City Law Director reviewed and approved the final version of the agreement which was then executed. All aspects of the City's involvement were discussed and considered prior to the execution of this agreement. The labor cost associated with the asphalt/concrete work at the FCS athletic complex is approximately eleven thousand dollars (\$11,000.00). Anticipated labor costs associated with the demolition of the bus garage if/when it occurs is approximately seven thousand dollars (\$7,000.00). FCS will be covering all material costs of the project. Due to the planning and preparation of the City's Public Works Department Superintendent and the efficiency of the laborers, no City projects or work has been delayed or negatively impacted by this agreement. Service-Safety Director Martin apologizes for the frustration and will work ensure additional communication in the future. It is his hopes with this information that Council recognizes the intention of the Administration was not to circumvent Council in any way, but to work on behalf of the entire community in the capacity as Administrators. It is his opinion that this situation is a great community win and an example of how entities, especially the public, can work together to get things done and save taxpayer dollars.

Discussion:

Councilwoman Frische moved to have the letter read. There was no second to the motion. Motion failed. The letter was not read.

Councilwoman Frische noted that this letter was in the Council packet regarding Findlay City Schools in-kind trade with the bus garage and doing labor work for Findlay City Schools using the City's Street Department staff. While she appreciates the City wanting to do in-kind work, it is a conflict of interest with separate entities. The article in the newspaper today talked about the estimate of eleven thousand dollars (\$11,000) for labor. As a member of Council, she would like to better understand how the Service-Safety Director came up with that number. She spoke with some asphalt companies to find out how labor is estimated. She also called Findlay City Schools and talked with President of Council Harrington's wife who is to provide her with the contract for the materials. There are a lot of things to consider, and the eleven thousand dollars (\$11,000) figure does not make sense to her. The City will be using City trucks to haul the asphalt that any contractor would be charging a fee of at least one hundred dollars per hour (\$100/hour) to move the trucks, plus the diesel costs and the labor. She has heard that there is to be over four hundred (400) tons of asphalt to be laid, as well as concrete. She asked if the site is to be prepped or if the City is just going in and laying the asphalt. If prepping the site, it will be a lot of labor, so the numbers do not make any sense to her. Cost of renting/leasing with in-kind work with Findlay City Schools for the bus garage, a bus garage the City has no use for. It makes no sense to her that the City's equipment is going in there. It is equipment that has sat outside since the time it has been purchased and is not something that recently went out into the world of rain, snow, sleet, etc. The equipment that has been out in the elements has been just fine. The grant application from Findlay City Schools with the County Commissioners on an acquisition lists a price of five hundred thousand dollars (\$500,000) plus labor to tear down the structure that was estimated at twenty thousand dollars (\$20,000). Other costs, such as asbestos, were on top of the agreement. The City will be assuming all liability for the removal of that structure when Findlay City Schools is ready to have it removed. While this is not moving dollars, they are still citizen taxpayer dollars being used outside of the City for everyone's benefit. If the City starts getting into this, where will the City draw the line. Service-Safety Director did not give a clear explanation of how he came up with his calculations. She is requesting that before moving forward. Mayor Muryn replied that Councilwoman Frische had stated at the last Council meeting that she was not clear on why the City needed this space, so she reached out to her multiple times and finds it fascinating that Councilwoman Frische can have a conversation with a department head, but could not have a 10-minute conversation with her so that she could provide a little more context on some of those items. She suggested that Councilwoman Frische reach out to her in the future so that she can have all the information necessary to make a decision on behalf of the constituents she represents. Findlay City Schools is a public entity that is taxpayer funded. By finding opportunities for partnerships like this, the City is saving the community dollars. It would be completely different if the City were out there working with a private entity in which the City wouldn't do that and would have a conversation with Council first. The liability of the demolition is inaccurate. The City would be demolishing it, but that the school would be responsible for moving it from the site, paying all the dump fees, etc. The City tearing down this structure is not an issue because it is very easy to tear down a property that is just cinder blocks sitting there. The City does protect their equipment. The City works very hard to make sure that they take care of all the equipment the City has. Just because that hasn't been done in the past does not mean it is not a good opportunity. It helps preserve the life of a piece of equipment if protected from the elements. If this was not an option, then the equipment to be placed in the school's bus garage would be sitting outside, but that the City was presented with this as an opportunity, as well as when the City was cleaning out some other properties, and if there would have been a discussion between she and Councilwoman Frische if she had returned her phone calls when it would have been stated that the City is able to store items in these properties that will not be damaged if there were a flood events, and receive warnings ahead of time and are able to move items. Labor for this is a sunk cost in that the City pays their employees whether they are serving other entities and finding partnerships to develop within the community or not, but also rely on the employee department heads to tell the Administration how long it is expected to take to complete this project. This is not a big project. It is connecting paths around to create easier access and to create connectivity to the paths that the City has been working to develop in that area. The City would be covering the transportation of the asphalt, but not the concrete. She apologized that the Administration did not communicate effectively and appreciates Councilwoman Frische bringing up her concerns, but to continue to state that the Administration is trying to hid things from Council, is only misrepresenting things, or is taking an inappropriate liability from another entity is inappropriate and a disservice to the public when it is not an accurate representation of this situation.

City Auditor Staschiak appreciates the comments on finding opportunities to save the community money, however, there is a responsibility to the taxpayer for proper accountability. His position exists so that there is proper accountability. He has not received the information that he requested a couple of times by email regarding the details of the Memorandum of Understanding (MOU). The City's Street Department is funded by gas tax dollars. There are certain audit standards and tests that need to be used by to ensure that those monies are used for the proper function which are streets. While he appreciates the City wanting to have good relationships with other entities, he want to make sure that they are done within the confines of the rules that are in place for the fiscal side of running a municipality, which is a governmental entity under the State of Ohio.

The City's Law Director is to provide the legal boundaries. The City Auditor is to provide the fiscal boundaries and make sure the City is prepared for audit. At this point in time, he has nothing in his possession that he can use to state to Council that the money is being properly accounted for or spent, and it goes beyond that. The City should be doing charge backs on this money, accounting for the time, payroll, materials, and fuel. The City needs to account for every penny that is spent and that it is spent on the City of Findlay's property so that the City Auditor's Office and Findlay citizens know that it has been booked properly, accounted for properly, and that it meets the Auditor of the State of Ohio's standards. Regardless of where the City is at, where they think they are at, and any inferences that exist or do not exist, there are due diligences that needs to occur. At this point in time, it has not occurred from the City Auditor's Office's perspective.

Councilwoman Frische noted that she is not out against anything. There is a process, but was not communicated to Council. Council was not aware that the City entered into a contract with Findlay City Schools. Council was not aware that the City needed space to be having a discussion about it. When she was talking about liability, she was referencing the contract where the City was assuming all liability and was written in it that way that would be better discussed in committee. She is not saying that the Administration is hiding anything and is unsure why that statement keeps coming up. Mayor Muryn likes to project in her speech that Councilwoman Frische is not speaking to her in which she very clearly told Mayor Muryn that on these two (2) topics: bus garage and the park, that she was not comfortable having an off the record meeting with the Mayor on them. She wants everyone to view them in an email to eliminate confusion and miscommunication. Hiding or not, the Administration was not transparent. Back to the mention of the City needing to be accountable for things, she believes the City has that accounting when running departments for things like chargebacks to ensure accountability. The City needs to account for trucking, equipment use, and labor. Council does need to know if the City is simply laying the asphalt and concrete and/or doing all the prep work. She talked with some asphalt companies who told her that it would be almost forty thousand dollars (\$40,000) in labor if basing it off of four hundred sixty (460) tons of concrete and asked how Council knows that the work is under Ohio Revised Code's (ORC) statute of fifty thousand dollars (\$50,000). She asked if the City needs to go into that bus garage space. She asked if any City property has been moved into the school's bus garage and if so, when and if the City has started working at the Findlay City Schools site yet. Mayor Muryn replied that the Administration will make sure that all appropriate documentation on charge backs, etc. is documented. The Administration team always works with the City Auditor's Office to make sure that occurs. The City takes on the responsibility of all City equipment in that if damage occurs to anything, it is the City's responsibility because it is still the City's equipment. She will make sure the City Auditor receives a copy of all documents for this situation. The Director of Public Service may enter into any contract, purchase supplies or material, provide labor for any work under the supervision of the department of public service not involving more than fifty thousand dollars (\$50,000) per ORC Chapter 735.05. The labor associated with this project is below that fifty thousand dollar (\$50,000) threshold. She trusts the department head's quote of eleven thousand dollars (\$11,000) associated with this project of costs associated with concrete work at the complex and labor costs associated with that, as well as the estimated costs associated with the demolition for the garage at a cost of about seven thousand dollars (\$7,000). She can provide Council and the City Auditor with additional detail, but she is very comfortable with the fact that it is well below the threshold. The reason she requested to have a phone conversation with Councilwoman Frische is because some of the items were discussed in an executive session that she is not going to document because it is not appropriate and the reason no other Councilmembers are asking these questions is because they are aware of it because they paid attention in the executive session. She does not recall if Councilwoman Frische was or was not at the executive sessions, so she wanted to have a phone conversation to help make sure that Councilwoman Frische had a clear picture.

City Auditor Staschiak noted that he must have missed that executive session. It should clear up a lot of this if he receives the prevailing wage calculations that should have been done as part of this. He hopes they were done and were done properly, timely, and prior to entering into the agreement.

Service-Safety Director Martin informed Council that the City is in fact storing some things in the school's bus garage at this point once the City signed the agreement. A few parts of the project have been done at the athletic complex. It is a progressive project, so there are some things he cannot speak to the exact detail of it, but that it has been started and work has been done. Department heads are very versed in what their hourly wages are, including benefits and what it takes to work out a project when it comes to cost. The department worked through it and provided him with those numbers. He trusts that those numbers are accurate.

Councilman Wobser noted that he was a little taken aback when he first read about this and was concerned about it, but does feel that the City Auditor's questions can be answered without too many problems. Ultimately, this is a good thing for the City to do. He referenced an article from the Cities and Villages magazine through the Ohio Municipal League's first quarter magazine when their mandates were under the heading of Advancing Good Government and Fiscal Responsibility Cooperation and Innovation:

*Support and facilitate municipalities cooperating and sharing services with other public agencies, and promoting innovation to improve service delivery, customer service and cost efficiencies . . .*

This project falls right in with what one of the governing bodies of what the City does and is suggesting that this is a good thing. A conversation with Council prior to signing anything would be helpful in order to get a better idea of the scope for these types of projects. This situation is similar to when the City paved a parking lot next to the library. That project was under a different Administration, but was an exact situation. While he understands there are some things that cannot be discussed in public, they could be talked about in executive session, if necessary. Giving Council a heads up on future projects like this would clear things up.

Councilwoman Frische asked if ORC 735.05 for the fifty thousand dollar (\$50,000) threshold or less rule applies when working with outside entities or if it is only when doing business under the City's umbrella. Law Director Rasmussen replied that no, the City is able to do that anytime it is under fifty thousand dollars (\$50,000) per project. Councilwoman Frische asked if the asphalt is considered part of the project. There are also labor costs and materials associated with this. The project itself at Findlay City Schools is more than fifty thousand dollars (\$50,000). Service-Safety Director Martin clarified that the City is only responsible for the labor. The City is providing an in-kind trade of labor. All other materials and everything else that is involved with the project has nothing to do with the City and is either being donated or purchased through Findlay City Schools. Filed.

### **Service-Safety Director Martin – homelessness and unhoused coalition efforts**

Service-Safety Director Martin is addressing the efforts of the City of Findlay and community partners in response to the increased presence of unhoused individuals in the community. He and Mayor Muryn recognize that this is an extremely frustrating and complex issue that did not show up overnight and is not going to be solved overnight. They also recognize that it is not a good look for the community, but will continue to work tirelessly to both help those in need while also working to address the community concerns that arise from a visible presence of unhoused. Almost two years ago, Mayor Muryn challenged Service-Safety Director Martin and Director of the City Mission of Findlay (a private non-profit entity) Kathryn Bausman to address the growing homeless population in Findlay. It is important to understand the “why” behind this situation. Homelessness has always been a part of the community, and as he talks with people, he hears stories of the transient population that frequents the community and have done so for years. Currently, there are approximately one hundred fifty to one hundred sixty (150-160) homeless in Hancock County. Breaking down the numbers: eighty to ninety (80-90) are sheltered by an organization (the mission, in hospital, or rehab), thirty to forty (30-40) in cars, couch surfing, or garages, and the remainder are in tents or on the streets. Homelessness is caused by various reasons which are unique to each individual. Some do not want help or do not trust the help being offered. Findlay, as well as communities across the country, is seeing an increase in the transient homeless. Though the specific reasons are unknown, it is safe to believe that the individuals on the street are in Findlay because of community ties (family, friends, job, etc.), the reputation as a nice community, and/or the variety of resources offered to help get them back on their feet. One of the major reasons there has been an increase in the visibly homeless is due to the fact that the City has focused on cleaning up abandoned/dilapidated structures, brush areas, etc. where individuals were seeking shelter out of sight. One important note is that there have not been any reported incidents of violence or confrontation from the individuals who are homeless, but that there were issues with trespassing of which were addressed. In early 2022, Service-Safety Director Martin and Ms. Bausman pulled local stakeholders (City Administration, Findlay Police Department, Findlay Zoning Department, the City Mission of Findlay, The Community Foundation, Hancock Public Health, Habitat for Humanity, Focus, ADAMHS, Blanchard Valley Health System, Hancock Metro Housing Authority, Family Resource Center, the faith-based community and Hope House. After much discussion, the group prioritized three (3) areas of focus that they felt would positively navigate homelessness. The three (3) areas of focus are as follows:

- **Community Education: provide resources and education to downtown businesses to be equipped to address a homeless individual on their property.**
  - The stigma around the unhoused population
  - Build skills to de-escalate situations
  - Uncomfortable/awkward situation – conversation starters
  - People feel bad and want to help out but do not know or who to call other than the Police
- **Affordable/Accessible Housing: work to support efforts of the affordable housing coalition to increase housing availability at various price points.**
  - Seventy-four percent (74%) of homeless that have addressed their issues and are employed cannot find housing
  - Fifteen dollar and hour (\$15/hr) = affordability of seven hundred eighty per month (\$780/month) rent
  - The average rent in Findlay is between eight hundred fifty dollars and one thousand dollars a month (\$850/\$1,000/month)
  - Lack of housing inventory available to rent (1,2,3 bedroom options)
  - How can the City of Findlay work landlords to decrease risk of renting to certain populations
- **Low-barrier Housing: work with the City Mission of Findlay to offer an option for individuals to be off the street that are not ready to comply with the necessary rules of the City Mission of Findlay.**
  - Collect data and feasibility information
  - Develop space at the City Mission of Findlay with different entry criteria

Subcommittees were created based on the area of focus and the respective skillset of the stakeholders involved. Being a long-term situation in the City of Findlay and not a “one size fits all” problem, it has taken quite a bit of time and effort to see progress. The subcommittees have in fact made progress as outlined below:

- **Community Education**
  - The City of Findlay Police Department continues to be an active contributor to this conversation
  - A handout has been created and is being distributed to local businesses as a how to conversation starter
  - Sharing resources for de-escalation tactics – Ryan Dowd YouTube
- **Affordable/Accessible Housing**
  - Realigned efforts among local agencies working towards the common goal
  - Continue to look for opportunities to create housing access and capacity within the local market
- **Low-Barrier Housing**
  - Collaboration between the City Mission of Findlay, Family Resource Center, and the ADAMHS Board
  - ADAMHS Board applied for the Substance Abuse & Mental Health Services (SAMHSA) grant of two million five hundred thousand dollars (\$2,500,000.00) over five (5) years
  - The City Mission of Findlay will shift the family population to create capacity for low barrier population
  - Find more fitting accommodations for family units who are transitioning to independence – location to be determined
  - Family Resource Center will provide in-house services to the low barrier population including telemedicine
- **Faith-Based Community**
  - Collaborating to share services and support each other based on parish resources and ability
  - St. Andrews Church: renovating annex building for free community laundry facilities
  - Cooling/warming shelter plan

The Unhoused Coalition will continue to work towards a solution for all involved. Progress has been made and have set the table for opportunities in the future. Service-Safety Director Martin is optimistic that a community approach to both help those in need while maintaining a beautiful, safe, and welcoming community that Findlay knows and loves is obtainable.

Discussion:

Councilman Russel appreciates the details in the letter and will not request that the letter be read into the record, but that it is a good read and suggested that Council take a good look at. It shows what is being done for this situation. If he were to summarize all the statements, it would be as if all the solutions have already been tried and that this is not just a quick problem that can be solved overnight. He appreciates the efforts of the Service-Safety Director and the community and what they have been going through on this and continually keeping Council updated. Service-Safety Director Martin replied that this has been an effort among a lot of stakeholders throughout the community, including Kathryn Bausman, Director of the City Mission, to address this and facilitate bringing the stakeholders in the community together to work with this. Councilman Slough has been involved and very active in the committee. The Administration appreciates the support and continue to make progress. Progress is slow and is not a one-size-fits-all fix, but will continue to move forward with it. Councilman Russel asked if the efforts of the downtown outreach with the building owners and tenants has been successful and effective. He asked if there has been a receptive audience that has understood what is trying to be done on this. Service-Safety Director Martin noted that Police Chief Mathias was left off his earlier comments stating that he has been there since day one as part of the committee. The quick answer to Councilman Russel's question is to call 911 and have someone arrested. Individuals have rights and they are in the public. They are working through those scenarios. There are situations where trespassing is there, so they work with the individuals and the business owners. It is a balancing act. The City wants people to feel safe and be downtown and enjoy the vibrant community, business owners to have commerce, and individuals to be able to come here and conduct business, but some find comfort in being in the downtown if they are homeless. There are reasons they have navigated and migrated to the downtown. As the letter points out, there is an education and outreach subcommittee from this group that is working with the Chamber and talking with business owners on how to communicate with individuals, giving them their tools to initiate a conversation, or help make a phone call to get the right people down in front of downtown providing those individuals a touch point with services, a cup of coffee, or whatever the case might be. The City has to meet people where they are at. Wherever that is, it might not be the first time assistance has been needed, but that the City will help facilitate it. They are disseminating information such as phone numbers to the downtown businesses so that they can make that call and not always to the 911 number. The first call is to get a response team to the location for behavioral health or the City Mission and other resources that can be available for individuals to help facilitate their needs.

Mayor Muryn added that everyone is frustrated with homelessness. Every time she sees someone that is homeless, she is frustrated and feels bad for the individual. This group is trying to work the businesses and property owners, who have also been really frustrated, to provide resources for them. The communication with them comes and goes in trying to work with them so that they feel they have some options to help address this. This will be put on the City's website tomorrow as a news story so that the public can read through it. The group on this is open to ideas, but have already looked into and tried a lot of things and have received a lot of feedback from those that have worked through this issue before. It will not be an overnight fix as it is not an overnight problem.

Councilman Hellmann appreciate this letter and what the Service-Safety Director, Mayor and the rest of the group are trying to accomplish. It is not just a local problem. It is also a State and National problem. He is happy that the group has been working proactively to address it not only with those that find themselves in this position, but also with the property owners downtown throughout the community. He appreciates the input and the efforts put forth.

City Auditor Staschiak thanked Service-Safety Director Martin for the information. It is very enlightening and appreciated. It is a wonderful thing that is going on in this community. The STRATEGIC PLANNING COMMITTEE members received an email today that prompted him to send a response to the sender because there seems to be some confusion, on that individual's part, between the importance and understanding of homelessness versus affordable housing. He hopes there is an effort going forward to make sure people recognize what is being called an affordable housing issue as a wage issue and not just a housing issue. In looking at the data, facts, and statistics, there is a reality in what it costs to live and the reality of what someone needs to make in order to live affordably and comfortably, whether it be a single individual, a family, or a group. He hopes this group makes that distinction because this individual had actually emailed him back not seeing the need to consider better wages as part of the issue, but that City Auditor Staschiak feels it is a very important part. Filed.

**Mayor Muryn – Water Transmitter Project**

As we near the finish line of the Water Transmitter Project, questions have arisen regarding how bills are reconciled for the period of December 2021 – time of transmitter installation. The attached documents outline the process the Findlay Water Department uses to determine water bills. After transmitters are installed, the department is able to get a true read of usage during the period of time that bills were being estimated based on historical monthly usage data. This results in either a credit or additional charge being applied to each bill. Moving forward, the bills will be based on actual usage. It is the responsibility of the homeowner/resident to check their plumbing system for leaks and make repairs accordingly. The City of Findlay looks forward to having the ability to assist our users in monitoring for water leaks.

Discussion:

Councilman Wobser thanked Mayor Muryn for all the information on how the bills were calculated. It is relatively straight forward, but took several pages to explain it, so it is not simple. He received a few phone calls, mostly from residents, not receiving a credit for unexpected larger bills. He asked what kind of recourse there will be for them besides a payment plan. The calculations are pretty straightforward, but asked what someone's recourse is for receiving large bills. For instance, one resident received an eight hundred seventy-two dollar bill (\$872) which is significant. Mayor Muryn replied by referring Council to the next letter (add-on letter "one-time adjustment water bills") because Council probably did not have an opportunity to review it. For the public's edification, the letter that was included with the packet that goes into detail of the calculations.

There are two (2) types of water bills: one that has a credit which will say "credit" on it. It was looked into to see if the additional usage for the correction in a bill could be broke out, but could have that as a separate line item. Residents that are making up that additional usage is just listed in their water usage. This will be available to walk through. There will be a markup bill that explains it. It is confusing because there are a lot of calculations that go on behind the scenes to ensure bills are accurate. Some residents are getting a substantially larger bill for some reason outside of their normal usage. If it is normal usage, then the estimate was lower and now have this one-time catch up amount in which the best option is going to be a payment plan and spreading out their normal usage of the past year and a half, or however many cycles over a period of time. It was water they used and are accountable for. Bigger problems the City is experiencing are of those that had a leak, whether it is a leak outside of their home between their meter and their house, which is called an in-ground leak, or a leak where inside their home, possibly a toilet or facet running, many times can be a lot of water that literally runs down the toilet. An analysis was ran where a lot of data was pulled to have a better understanding of the past two (2) cycles which showed that approximately eleven thousand four hundred (11,400) accounts in cycle two were residential users that have been billed over the past two (2) months. There was approximately eleven thousand (11,000) accounts of which approximately four thousand three hundred (4,300) saw a decrease in their bill from their prior bill. Nine hundred seventy-eight (978) properties saw a refund and approximately one thousand nine hundred (1,900) of them basically had no change. Two thousand four hundred (2,400) had less than a fifty dollar (\$50) change. The rest are most likely who Council is hearing from in the fifty to one hundred dollar (\$50-100) range. There were approximately twelve (12) accounts that had over a two thousand dollar (\$2,000) change. When looking at analysis, looking at dollar amounts are not always enough and need to look at percentage change. For instance, receiving a two thousand dollar (\$2,000) bill, when regularly receiving a thousand dollar (\$1,000) bill, that increase is still substantial, but does not have the same impact as a normal thirty dollar (\$30) bill going to a two thousand dollar (\$2,000) bill. She also looked at the data on a percentage basis, but did not include that because it gets really convoluted quickly, and found that there are approximately three hundred forty-two (342) accounts whose bill that was greater than ninety dollars (\$90) and also had over a three hundred percent (300%) change in their bill. Only twenty-two (22) accounts had over five hundred percent (500%) change in their bill. She gave a huge shout out to the Utility Billing team, who are dealing with trying to get this project complete and are dealing with some process changes and fielding a lot of phone calls of not always pleasant conversations on a daily basis, which is very taxing. It has gone back in forth on how to roll out a fair way to account for those who had a leak or something running that they were charged for, but that previously, if the billing system had been up and running and transmitters were working that the City would have caught it, typically in a couple of days, and instead would have maybe only had a fifty dollar (\$50) additional charge. The City will work with accounts that had over a five hundred percent (500%) change to determine if the leak was an in-ground leak leaking out between the meter and their home, and not actually an internal running leak, the standard process. If the property owner can show proof that they have made the repair, the City will write off up to fifty percent (50%) of that lost water. Typically, those are being caught quicker and are less significant than what will be seen this go around. The Administration is recommending to use a vary similar process for those that had a significant variance in their bill and then can work with them knowing it was a leak or a faucet or toilet running, to write off up to seventy-five percent (75%) of the bill on the lost revenue. Property owners are responsible for the water that they have actually used (standard usage) with the City working with them to adjust that lost water. This was based off of percentage instead of basing it off of a dollar amount to make if fair for something that impacts someone on a fixed income or a single parent compared to a larger business. She would like Council's support to move forward with that kind of process.

City Auditor Staschiak asked if this will be taken to the WATER AND SEWER COMMITTEE to get full details so that he can ask his questions there. Councilman Greeno agreed that this is something that needs to be discussed in a WATER AND SEWER COMMITTEE meeting.

Councilman Wobser asked those that fall into these categories to wait until more information is given and have come to a conclusion. Mayor Muryn replied that she would encourage property owners to look at their bills and asked them to reach out to the City on significant charges. She is holding onto some of them until a standard process is in place. She wanted to get this in front of Council so that the public was aware that the Administration is looking at it and recognize the impact it is having. When property owners receive their bills, the charge is delayed, so if someone sees that something is going to be an issue to please contact the City so that the Water Billing Department can stop payment or adjust the payment amount that would go through on that date to keep them from having any significant issues. She felt it was important to have the data because it seems like every single person is having the issue, which is not what is happening, but are definitely seeing changes.

Councilman Russel asked if those on automatic payment plans are automatically being charged any large sums and/or if the City is proactively contacting anyone who has a large variance, so that they do not have funds automatically withdrawn. City Auditor Staschiak replied that there are cases where that has happened, however, a lot of them are being caught ahead of time. The Utility Billing Department is working on getting a process in place. Deputy Auditor Sampson is doing a wonderful job in making sure the ACH's are reversed prior to them hitting those accounts. It is a multi-faceted, multi-person effort to protect them from what is going on. There have been a lot of proactive conversations.

Councilman Hellmann noted that he has also received several phone calls on the water situation, one of which is well over an eight hundred dollars (\$800) difference. He asked if it is okay to share this memorandum with them. Most of the phone calls he has received have had conversations with the Water Department to a certain extent, but he is unsure if they were satisfied with the answer that they received. This MOU would help as well. Mayor Muryn replied yes. It is public information, so Council should feel free to reference it and share it with others. The information that explains how the bills are calculates is already on the water transmitter page and if not, it will be on there first thing tomorrow. Everybody's bill is a little bit different and in some cases, have had to investigate some of them, so she encouraged them to reach out to the Utility Billing Department. Additionally, some received notification which is why she wants to have a standard process to be able to comb the data. If someone already paid, the City will go back and communicate with them to make sure it is fair.



President of Council Harrington pointed out that Councilman Russel mentioned at the last City Council meeting that property owners can identify whether or not they have had their meters replaced by looking at their bill. He asked if someone could explain how to tell. Mayor Muryn replied that there will be the word “book” right underneath the statement area above the billing address and then has a number. If that number also has a letter at the end of it, it means they have a new transmitter. It is possible that all the new transmitters might be in the ground at this point and are just getting them all connected to the system. City teams have been working diligently to get all the transmitters installed. All have been installed and are now working on getting them all programmed and connected to obtain continuous reads and get the system back up and running into what residents expect moving forward. Filed.

**Mayor Muryn one-time adjustment water bills**

Mayor Muryn provided additional context to the one-time adjustment water bills that water users are currently receiving. Below is an analysis of the properties in cycle 1 & 2 (residential properties) which have been billed in the past 2 months.

Dollar Variance Groups	
Total	11,446
Decrease	4,367
Refund	978
No change	1,981
<\$50	2,466
\$50-100	692
\$101-200	539
\$201-300	207
\$301-400	78
\$401-500	39
\$501-600	24
\$601-700	21
\$701-1,000	20
\$1,001-2,000	22
>\$2,000	12

Mayor Muryn also ran an analysis looking at the percentage change. 342 accounts had a bill that was greater than \$90 and was also greater than 300% of their previous bill. 22 accounts had over 500% change from the previous to most recent bill. Though this is still a significant number, it is important to recognize that this is a one-time adjustment to ensure their bill is accurate and up to date moving forward. The City offers a payment plan option to spread payments over 3, 6, or 12 months. The City is working to identify the cause of any significant variance. The most likely scenarios are:

- 1) An in-ground leak where water is being lost between the meter and the home.
  - a. The City will follow the standard process to adjust the bill up to fifty percent (50%) if this can be proven (proof of repair must be provided).
- 2) A running facet, toilet, or other home system.
  - a. Work with account owner to develop payment plans and/or adjust (see below).
  - b. Connect account owner to local resources to help pay the bill and limit negative financial impact.
- 3) Change in tenant.

Discussions have taken place on how the City can work with account owners who are receiving a substantially higher bill due to running systems. Legally, this is the responsibility of the account owner, however, the City would typically be able to catch a leak to limit its cost to the account owner, but do not currently have that ability. The City will work with account owners that a running system is believed to have contributed to a substantially higher bill by recommending the following parameters for evaluation, if Council so desires. If the difference in the most recent bill is greater than 500% of the regular bill (excluding reconciliation on standard usage), up to 75% of “lost” water cost may be waived. The Administration appreciates Council’s assistance and understanding as the Utility Billing Team and the Administration work through this challenging situation. Filed.

**COMMITTEE REPORTS:**

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to review changes to the Zoning Code. *CITY PLANNING COMMISSION recommend some changes to the Zoning Code. Hancock Regional Planning Commission (HRPC) will provide red-lined copies. The PLANNING & ZONING COMMITTEE will consider this in August.*

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 from Damon Kelly to rezone 609 West Foulke Avenue from R3 Small Lot Residential to C1 Local Commercial. This was tabled during the June 15, 2023 PLANNING & ZONING COMMITTEE meeting.

*Councilman Russel moved to lift this from being tabled, seconded by Councilman Hellmann. Ayes: 4 Nays: 0.*

*Councilman Hellmann moved to deny the request, seconded by Councilman Bauman. Ayes: 4 Nays: 1 0 (Councilman Russel noted during the July 18, 2023 City Council meeting that this should have been: Ayes: 4 Nays: 0).*

Councilman Russel 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 the Downtown Recreation Area agreement.

*We recommend that the Mayor move forward with the execution of the contract with the following provisions:*

1. *Adjust the contract format to the standard short form format agreement.*
2. *Obtain/explore an access agreement from all property owners.*
3. *Follow up with legal opinion on environmental related clauses in contract.*

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

Discussion:

Councilwoman Frische pointed out that she was in attendance for this committee meeting. She asked how the execution of the contract could move forward when the recommendation lists three (3) provisions, one being to obtain and explore an access agreement from all property owners and are looking at legal opinions as there were several issues with that. The recommendation contradicts moving forward as it appears that this is not ready to move forward.

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

#### **LEGISLATION:**

##### **RESOLUTIONS:**

**RESOLUTION NO. 016-2023** *(Phase 2 Benching Project – environmental work - testing) requires three (3) readings*

*first reading*

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

*First reading of the Resolution.*

**RESOLUTION NO. 017-2023** *(CR 212/236 – appeal County denial) requires one (1) reading*

*first reading - adopted*

A RESOLUTION RECOGNIZING THE SUPPORT OF THE CITY OF FINDLAY, OHIO OF PROCEEDING WITH FILING AN APPEAL OF THE DENIAL OF THE COUNTY ROAD 212/COUNTY ROAD 236 ANNEXATION THROUGH THE COURT OF COMMON PLEAS, HANCOCK COUNTY, OHIO.

Councilman Palmer moved to adopt the Resolution, seconded by Councilman Russel.

Discussion:

Councilman Russel is disappointed that this has to go this route. He thought there was good communication on this effort and that the reasons for wanting to proceed with this work was mainly due to the benefit it had to the entire community, including the County, and that the City taking this project on was of benefit to the County. He is very disappointed that this has to go to this level and take another legal step for what is in the best interest of the community.

Councilwoman Frische also thinks the whole thing is disappointing, but does feel that a traffic light should be put in at that intersection and asked how to move forward with this resolution if the Mayor and the Auditor have questions about entering into a contract in order to give permission to annex. City Auditor Staschiak replied that it is one thing to have permission and go to court and not need Council's authorization to follow up on this, but is another thing to expand the boundaries of the City of Findlay with regard to its actual square footage required land which is what this is. This is land acquisition and that is annexation. He does not have anything at his desk that states the City can move forward with this. From a legal standpoint, Findlay is a statutory city.

Mayor Muryn asked City Auditor Staschiak if he is referring to the standard Ohio Revised Code process for annexations and the legislation that Council would have to pass in order to accept it, stating that they would be willing to provide services, which is standard step in the process. City Auditor Staschiak replied no. This is an effort to annex by the Administration. He is asking if the Administration has the authority to expand the boundaries of the City through an annexation process without Council's specific approval to do so. The City cannot acquire land and cannot buy it. It was discussed that the Park District should have had Council's approval in order to get Civitan Park. There needs to be clarification.

Councilwoman Frische asked if a resolution can be done if not doing the annexation yet because it is not until September. Law Director Rasmussen replied that there still needs to be an annexation agreement. Councilwoman Frische asked if Council can move forward with this resolution since there is not an annexation agreement yet. Mayor Muryn replied that this resolution is simply stating that Council is in support of moving forward with the appeal process. Council could state that by passing this resolution, they are also in support of the annexation and therefore, would have the appropriate documentation. She would have to work through that with the City Auditor. She will need this Resolution passed tonight so that the City can continue to move forward with the appeal process. She can work through any documentation that the Auditor may need from Council. This is the first she is hearing of his need on this. In order to file the appeal motion within thirty (30) days of the date it was denied, this Resolution needs to be passed tonight as there will not be another City Council meeting before that occurs. Per ORC and the Law Director's Office advisement, Council's authority is needed to be able to file the appeal, but as Councilman Russel stated, it is a good sign to say that Council supports this effort and believes that this project that the City has been working on behalf of the County for the last seven (7) years is worth continuing to work on that will provide a benefit to the County as a whole.

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. 2023-062** (23 WTP Roof Replacement) **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 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.

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-062 and is hereby made a part of the record.

**ORDINANCE NO. 2023-063** (219 Hurd Ave rezone) **requires three (3) readings** **second 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".

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-064** (0 W McPherson Ave rezone) **requires three (3) readings** **second 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".

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-065** (ARPA Fund third 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. 2023-066** (Municipal Building Elevator Replacement) **requires three (3) readings** **second reading - adopted**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO 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.

**Discussion:**

Councilman Russel noted that there were no bidders for this project, so City Engineer Kalb is working directly with Toledo Elevator & Machine Company and that City Engineer Kalb indicated that he wanted this done tonight. He asked if there was a specific reason that necessitated this to be passed tonight. Service-Safety Director Martin replied because of the timing of materials, getting things through the supply chain, and getting them in here to design, know what the City needs, and then get it ordered. It is a timing issue.

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

**Discussion:**

Councilman Hellmann noted that he has been involved with a project that involves a new elevator and it is a tedious issue in just getting it done and getting a contractor to do the work, getting the pieces ordered, getting them delivered, and then to zero in on a fixed price. Anything Council can do to move this forward would be a benefit to the employees that use that elevator, as well as citizens.

Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-066 and is hereby made a part of the record.

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

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-070** (*S Main St/McPherson Ave storm sewer repair*) **requires three (3) readings**

**second reading - adopted**

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

**Discussion:**

Councilman Bauman asked what the timeline on this is. Prior conversations he had with City Engineer Kalb indicated that it is something that needs to be done right away. Service-Safety Director Martin replied that is correct. City Engineer Kalb pointed out during the last City Council meeting, when this received its first reading, that he was going to reach out and get three (3) estimates, but was only able to get one (1) local contract quote back. He then reached out more regionally and was unable to get any others that were willing to even respond to him or provide an estimate. Hohehbrink Excavating Inc. did provide a design bid less than the design estimate that City Engineer Kalb initially had. They were one of the initial estimates. He would like to move this forward based on timing knowing it has to be resolved, it's technically dry season in a heavy traffic area, and with school not being in session right now, now is a nice opportunity to take advantage of this sooner than later. They are ready to start if the City is ready to appropriate the funds.

Councilman Bauman moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Slough. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance received its third reading. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-070 and is hereby made a part of the record.

**ORDINANCE NO. 2023-071** (*Downtown Recreation Area – design & engineering*) **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 STRAND & ASSOCIATES, INC. TO PROVIDE DESIGN AND ENGINEERING SERVICES OF THE DOWNTOWN RECREATION AREA PHASE II BENCHING OF THE BLANCHARD RIVER, PROJECT NO. 31913700, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-072** (*FCS storage unit MOU*) **requires three (3) readings**

**first reading**

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING GRANTING THE CITY OF FINDLAY PERMISSION TO STORE VARIOUS CITY EQUIPMENT IN THE FINDLAY CITY SCHOOL DISTRICT BOARD OF EDUCATION'S VACANT BUILDING LOCATED AT 0 BLANCHARD AVENUE (PARCEL NO. 610001017675) AS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING ATTACHED HERETO AS EXHIBIT A, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance*

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

City Auditor Staschiak pointed out that Council might want to determine if the emergency clause on Ordinance No. 2023-071 (*Downtown Recreation Area – design & engineering*) is needed and if it is a prudent use of the emergency clause. By having the emergency clause in it, the public could interpret it that Council is moving it as quick as they can and that they have no say in it. For example, the same thing was done with the Brandman property fifteen (15) years ago when the City had the emergency clause on the legislation when the community responded not by a referendum on the legislation, but by an initiative that completely tied the City's hands on what they could do with the property. The initiative that passed kept that property from being developed. It was a big ordeal. He is sharing this information as a history lesson to Council. If there is no emergency clause, it lets the community know that it is open for comment, consideration, so that if they have a problem with it if it is passed, they have an opportunity to deal with it.

Councilwoman Frische noted that a couple of months back, City Engineer Kalb mentioned a study was going to be done on the bike path on Blanchard and asked if that has been done yet. Service-Safety Director Martin replied that it is his understanding that the information is being collected, but that he has not seen the data or the results of that study yet. Once he has that, he will share it. Mayor Muryn added that it has been delayed because of school being out of session. School needs to be in session in order to get accurate traffic counts. They wanted to do it within a year timeframe, but when COVID hit, school was virtual and not in session then, so it had been delayed and is scheduled to be done in August or September this year.

**NEW BUSINESS:**

Councilman Hellmann asked if the 2024 solar eclipse has generated any additional funds for communities for security reasons, and if the City is working on that and the number of individuals that may possibly end up here for a night or two during the eclipse. He asked if the Administration is aware of this and if so, if those funds can be utilized. Mayor Muryn replied that the Administration is aware that the State is providing a number of resources. Service-Safety Director Martin and Project Manager Hohman have been leading the effort working with different communities' organizations. Findlay Solar 2024 is the website that is being compiled. The Administration will look into all resources the State makes available and how to put those to good use here locally.

Councilman Wobser: **STRATEGIC PLANNING COMMITTEE** meeting on August 1, 2023 at 5:00pm in the third floor conference room of the Municipal Building (CR1). Council will receive the final draft of the strategic plan

Councilman Greeno: **WATER & SEWER COMMITTEE** meeting on July 26, 2023 at 3:00pm in the first floor conference room of the Municipal Building (CR1).

agenda: water billing adjustments

City Auditor Staschiak thanked Councilman Wobser on his involvement on the STRATEGIC PLANNING COMMITTEE's final draft of the strategic plan. There were challenges. He deserves congratulations on getting the group to where it is. Councilman Wobser replied that the committee will approve the final draft prior to the August 1, 2023 City Council meeting. All of Council will receive that draft the Friday prior to the next City Council meeting and should go through all three (3) readings allowing for plenty of time to discuss it. It was a process that he is very proud of. Everyone that has been associated with it (Mayor, Auditor, Councilmembers, all community members involved) should be very proud of it too.

Councilman Russel returned to the baseball field last week at the CUBE as an umpire. He had not been umpiring for awhile, nor had he been to the CUBE for a long while. He was very impressed with the shape of the CUBE, shape of the fields, starting from when he was walking in. There was no trash, the grass is green, cut and edged, and is very inviting. The fields are in an outstanding shape and are well prepared for a night of baseball. He talked with Parks and Recreation Supervisor Mansfield and gave her his congratulations and asked her who is responsible for it to which she supplied three (3) names: Mike Gallaher, Kristen Buck, and Joe Marshall. Everyone can tell that they take great pride in the facility. Before the CUBE's existence, fields were all over the place when he worked with Findlay Youth Baseball, but did not have the energy of being up at the CUBE and what that meant. The CUBE has been an outstanding investment for the community, not only for kids and ballgames that play there, but also Young Miss Softball, and the hosting of the University of Findlay games, and all the travel ball that happens up there pretty much every weekend, some requiring overnight stays in Findlay, which means staying in Findlay hotels and eating at local restaurants, generating a lot of revenue. He keeps this in mind when looking at the Emory Adams project and rebuilding Fort Findlay, as well as when looking at the downtown recreation area. City parks infrastructure investments do pay off for years and years after. He thanked Mike, Kristen and Joe for their efforts. It is noticed and appreciated. It is a treasure for Findlay.

Councilman Wobser informed Council of the first pickleball tournament that will be held at the pickleball courts at Riverside Park on August 5, 2023 in conjunction with Firefighters Local 381. One request of those that got the tennis courts converted over to pickleball courts was that they would host a pickleball tournament. Unfortunately when that was to take place, COVID hit and was put on hold, but is now scheduled for August 5, 2023. He congratulated all who were involved with the Findlay City Pickleball Club. It gets a lot of use. There are a lot of people involved with that sport that is ever growing.

Councilman Hellmann moved to adjourn City Council at 7:25pm, seconded by Councilman Niemeyer. All were in favor. Filed.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT