

**FINDLAY CITY COUNCIL MEETING**

**REGULAR SESSION**                                      **SEPTEMBER 5, 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 Pro-Tem Russel opened the meeting with the Pledge of Allegiance and a moment of silence. President of Council Pro-Tem Russel explained why he is Pro-Tem tonight and what his role is: when Mayor Muryn or President of Council Harrington are absent, he moves from that side over to this side and runs the meeting. Mayor Muryn is absent tonight, therefore he becomes President Pro-Tem and President of Council Harrington becomes Acting Mayor. Filed.

**ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:**

Councilman Slough moved to accept the August 15, 2023 Regular Session City Council meeting minutes, seconded by Councilman Palmer. All were in favor. Filed.

**ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:** none

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PETITIONS:**

**Status of CR ~~220~~ 99 annexation (parcel nos. 020001006785 and 020001013263)**

On July 7, 2023, annexation documents for the CR ~~220~~ 99 annexation were received and have been in the office of the City Clerk the required 60-days ending September 7, 2023. The request will be on the September 14, 2023 the CITY PLANNING COMMISSION (CPC) and also the PLANNING & ZONING COMMITTEE (P&Z) for the zoning of these **twelve (12)** parcels totaling ~~138.018~~ 57.691 acres to be zoned I-1 Light Industrial, except for parcel #020001030280 and the eastern 1.351 acres of parcel #020001030251. Upon CPC and P&Z's approval during their 9/14/23 meetings and Council's acceptance of those minutes/committee report during the 9/19/23 City Council meeting, legislation to accept and approve the annexation, and also to provide the above list of acreage with the requested zoning classification will be available for their first reading during the 10/3/23 City Council meeting. The agents for the aforementioned parcels have submitted letters requesting what the parcels to be zoned as I-1 Light Industrial. This annexation is referred to as the CR ~~220~~ 99 (aka RaceTrac) (parcel nos. 020001006785 AND 020001013263) Annexation. Resolution No. 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. *Changes from the 9/5/23 City Council agenda are noted in red.* Referred to the CITY PLANNING COMMISSION and the PLANNING & ZONING COMMITTEE. Filed.

**Zoning amendment request – 1700 Fostoria Avenue (Findlay Center for Bus & Technology)**

Daniel Stone with Van Horn, Hoover & Associates, Inc. on behalf of Nipper Industrial Holdings, LLC would like to change the zoning of 1700 Fostoria Avenue to I-1 Light Industrial. It is currently zoned C-2 Commercial. Referred to the CITY PLANNING COMMISSION and the PLANNING & ZONING COMMITTEE. Filed.

**Alley vacation request – Coventry Drive/West Yates Avenue**

Paul and Brenda Miller are requesting a vacation of the east-west alley between East Yates Avenue and Coventry Drive bounded by Lots 26-34 in the Old Orchard 4<sup>th</sup> Addition and 4006-4020 in the Chamberlin Hill Addition. Referred to the CITY PLANNING COMMISSION and the PLANNING & ZONING COMMITTEE. Filed.

**Zoning amendment request – 1600 East Melrose Avenue**

Phillip Lawson on behalf of Strauch III Ltd. would like to change the zoning of 1600 East Melrose Avenue to M-2 Multi-Family, High Density. It is currently zoned C-2 General Commercial. Referred to the CITY PLANNING COMMISSION and the PLANNING & ZONING COMMITTEE. Filed.

**ORAL COMMUNICATIONS:**

**Andy Hatton – introduce himself to City Council**

Mr. Hatton is the new Superintendent for Findlay City Schools. He is before City Council tonight to introduce himself. He thanked the Board of Education in Findlay City Schools for giving him this opportunity. He is entering year twenty-seven (27) or twenty-eight (28) in public education. He loves what he does in service to children. He is fortunate to inherit an amazing team here in Findlay City Schools who are working diligently every day and had a great opening day to the school year. He has heard from many veteran teachers that it was one of the best starts they have had in a long time that he had very little to nothing to do with and was what the team did over the summer and last spring to prepare for it. He has visited all of Findlay City Schools interacting with students and has been getting into classrooms getting off to a great start. He has not lived in Findlay very long, but knows that it is an amazing place to live, work, play and raise a family, which is a great testament to this City Council. It is his hopes that the schools continue to represent this great city which is why he is very proud that the Board of Education has its north start in the Strategic Plan, excellence opportunity and belonging which is what they want for all of their children and all of their families. He is glad to be at City Council tonight and welcomed Council to reach out if they need anything. He hopes to continue to grow the great partnership that they have had for a long time.

Discussion:

Councilman Wobser welcomed Mr. Hatton to Findlay and stated that Council is very happy to have him here. Anyone that takes time to come to a City Council meeting is very proud of Findlay Schools and what they have achieved over the years. He looks forward to continued improvement in that area. It is a huge job and a tough one. Those that run for the school board take on a lot more responsibility than Council does. It is difficult dealing with tough parents. He appreciates what Mr. Hatton does and welcomed him to Findlay. Filed.

#### **Tom Ross – 0 Clinton Street Superior Cleaners demolition**

Mr. Ross is before City Council tonight to do a Freedom Of Information Act (FOIA) requesting to share what he believes to be a public health risk for the community. Superior Plating Company at 0 Clinton Court is currently under demolition. In 1975, the EPA enacted the statute Resource Conservation Recovery Act (RCRA) that forced states to adopt. It identified polluters that they deemed to be potential problems. They called them wastes from specific sources and gave them K or F listed codes. That plating operation satisfied that or filled that need. They are a K and an F listed waste source. Because of the K and F listing, all materials from either manufacturing, disposal, or demolition are considered hazardous waste unless proven non-hazardous through sampling and analysis, and issued an EPA administrative rule. His first FIOA request is to provide sampling data, an EPA letter of administrative rule of exemption that the material removed from 0 Clinton Court, the former Superior Plating Company operation, is deemed non-hazardous by EPA. If the City cannot satisfy that, then his second FIOA request, if no such letter of administrative rule was available, would be to provide the following, in which all of it should be available right now because of all of the documentation he is about to spell out has to be under the Record Corrective Action Program put in place before a single blade of grass is turned or a single brick is removed. First is the Record Corrective Action Plan EPA approval for clean closure, the Personal Protective Equipment (PPE) plan and training certificates for each type of PPE used on the site. The Respiratory Protection Plan, complete with IH and/or safety professional signatures. The Site Safety Plan has a whopper restricted area map, complete with entrance and egress points, and d-con areas. Air monitoring, both passive and active, and the air monitoring results proving that the material is being contained and controlled during the demolition, which is a very serious one. The OSHA 40-hour training certificate and site-specific hazards training for every person that sets foot on the site, hazardous waste manifests containing the EPA ID number and disposal activity signed by someone in authority, given the EPA definition to sign on behalf of the City or County. The transporter EPA ID number and DOT hazmat certification which is required under the law. Even the transporter from point A to point B has to be in the loop. The TSD Final Destination Information and Certificates of Disposal for all the waste shipments. The Storm Water Pollution Prevention Plan is to prevent runoff into the river right there from the equipment. The follow-up post-closure equipment decontamination procedures. Council needs to understand that this is serious. This is a very serious statute. Failure to implement any of the aforementioned documents is considered a public potential hazard risk because it is dealing with something called hexavalent chrome that is a very nasty chemical that is monitored by the EPA and OSHA. It is within the 313 circle list of the twelve hundred (1,200) most nasty chemicals in the Country. The Safety Data Sheets (SDS) from Fischer Scientific states that it is a carcinogenetic with an exposure limit of .0002 parts per million. It is also mutagenic that affects the womb and can change the genome forever. It is also a teratogenic that can affect the egg or sperm and pass on the genome forever. He demanded Council provide this information immediately because all these documents are required before anything was to be done out there.

Discussion:

Councilwoman Frische noted that a couple individuals asked her about this site at the fair this week. She asked Service-Safety Director Martin why the project stopped and if it on pause for some reason. Those asking her about feel it should have been done by now, but is all dug up and is as if it has been paused. Service-Safety Director Martin replied that he has not talked with the contractor lately, but that it has been in the process of excavation and the contractor is managing the project. Councilwoman Frische asked if the project has ran into any issues. Service-Safety Director Martin replied not that he is aware of.

City Auditor Staschiak asked who with the City is directly responsible for this project so that the public is aware since it is still a City-owned property at this point. This is the first he has heard this information and is hoping that the City fully complies. He asked which City Representative should fulfil the request and is directly responsible on behalf of the City being that it is a City-owned property, and because there has been mention of hazardous waste. Service-Safety Director Martin replied to refer the information to his office and it will be taken care of from there.

Mr. Ross noted that this is a FIOA request and that those types of requests are usually given to Law Director Rasmussen or directly to someone in the Mayor's Office. Service-Safety Director Martin replied to refer information to his office and he'll take care of it from there. Filed.

#### **Renee Leguire – 40 million \$ park**

Ms. Leguire submitted a letter to the editor in the newspaper on Saturday about the forty million dollar (\$40,000,000) park, so for those that do not get the newspaper, she will read her submission tonight. Her letter is called "proceed slowly on the new park". Most of us feel the pinch of ever increasing prices of gas, groceries, housing and clothing, real estate taxes, sales tax, and Federal and State taxes. This is happening because the politicians, local and otherwise, are reckless with other people's money. They see it as theirs to spend with little regard for the people, we the people, the taxpayers. Every now and then, they need to be reminded that we are their bosses. She is not opposed to a park, but is opposed to a forty million dollar (\$40,000,000) park that the City of Findlay wants to build, not to mention the four million four hundred thousand dollars (\$4,400,000) just to design it. The new park will cost each Findlay resident at least one thousand dollars (\$1,000), so a family of four (4) would pay four thousand dollars (\$4,000) at a minimum. The public is told that grants and donations will pay for the park, but grants are also taxpayer money in a different form. No one knows yet where the grants or donations will come from. According to information from the August 15, 2023 City Council meeting, it has to be passed to find out this information which most likely will take place at this meeting. At the very least, this park should be put on the ballot for people to vote on. She asked Council if they would buy a house without knowing how they would pay for it.

Recently reported in The Courier, there was a stabbing at the Fort Findlay playground which resulted in one person having a broken femur. Having so many nice parks, which need to be cared for and apparently patrolled now, is a luxury that we have in the City of Findlay. City Council should proceed slowly on this idea and give people a chance to vote on these issues. Most people are so busy trying to keep up with inflation and taxes that they have no time to look into this park idea. The forty million dollar (\$40,000,000) park sounds nice, but putting three hundred (300) housing units on it will introduce similar crime problems. She asked Council to proceed slowly and table it and not vote on it tonight. Forty million dollars (\$40,000,000) is a lot of taxpayer money, even if it is through grants, it is still taxpayer money. It is time for the City to be frugal. She has to be frugal. She and her husband are on a fixed income, so she has to be very frugal with their finances. She does not appreciate wasting taxpayer's money.

**Discussion:**

Councilwoman Frische noted that Council will not be voting on this tonight and are still waiting on the Phase 1 and Phase 2 results to come back. She appreciates Ms. Leguire's letter to the editor. Ms. Leguire mentioned putting it on the ballot to vote on and that Council can possibly do that to avoid citizens having to do it which would be a little more drastic. City Auditor Staschiak replied that he had a conversation with Bond Counsel who regularly discusses finances in the City. The conversation came up because this is such big money and is significantly controversial on the community. Bond Counsel stated as a municipality and Council has the ability to put a non-binding opinion vote of the community out. The question if voters are in favor of the City moving forward with this park, as proposed by the preliminary designs dated as proposed by the Mayor, can be put on the ballot and take that preliminary vote that is non-binding, even if the community says no, in that Council could move forward with a component of it. The intent is for Council to gauge the entire community rather than the subsets that are speaking on a regular basis. He does not think that is a bad idea, but is at Council's discretion.

Councilwoman Frische asked what the cost would be to put it on the ballot. President Pro-Tem Russel asked if that is a question for the speaker. Councilwoman Frische replied it is a question regarding this topic, unless City Auditor Staschiak wants Ms. Leguire to ask him, Councilwoman Frische will ask. President Pro-Tem Russel called on Councilman Wobser to speak. Councilwoman Frische interrupted stating she had a question and is waiting for an answer. President of Council Pro-Tem Russel replied that her question is not addressed to the speaker and called on Councilman Wobser to speak. Councilwoman Frische interrupted stating that she had a question and that President Pro-Tem Russel is out of order. President Pro-Tem Russel struck the gavel to call order. Councilwoman Frische stated "oh the hammer's coming down". She continued asking Ms. Leguire to ask the City Auditor what that potential cost would be if City Council were to put a non-binding opinion vote on the ballot. Ms. Leguire asked City Auditor Staschiak to please answer that question for her. City Auditor Staschiak replied that he does not know the actual cost, but that there are general elections are twice a year, primaries and general in the fall, but that as long as it was included within the timeframe as required by the Board of Elections and that there was an election in place, he assumes the cost would be minimal for the language and counting votes. There may be a charge, but he does not know.

Councilman Wobser asked Ms. Leguire if she is in favor of the park. Ms. Leguire replied that she is in favor of something that is reasonable. Councilman Wobser asked Ms. Leguire what dollar figure she feels is correct for this park. Ms. Leguire replied she does not have a dollar figure that is correct, however, she does think that the parks that Findlay currently has are not being maintained. Councilman Wobser replied that he was wondering what dollar figure Ms. Leguire thinks is good for this park. Ms. Leguire replied she does not know, but that some of the steps out at the CUBE are extremely dangerous. The park looks great, the fields look great, but that the pavers where the people sit are loose that could be a very dangerous thing for spectators. She would like to see the parks Findlay currently has maintained. Filed.

**Haydee Sadler – Findlay's infrastructure concerns**

Ms. Sadler ran for the City of Findlay Mayor in the primaries for many reasons. One being the way the Mayor handled the unconstitutional masking of the residents and another because she was on the STRATEGIC PLANNING COMMITTEE of moving FindlayForward. She realized then that the City was not actually listening to the voice of the people. As she researched information on the City of Findlay and its trajectory, she grew sincerely concerned that the local government was using globalist companies to build its infrastructure. While she'd like to think that this was unintentional, the idea that Findlay's Republican Mayor and Council are allowing MetroNet, a solely funded company owned by Oak Hill Capital Investments and KKR, both companies with George Soros affiliates, an anti-American, should be alarming to all the residents of Findlay. Smart fifteen (15) minute cities and regionalization of Findlay's water systems in place for more government control only adds to the dangerous direction Council is leading their constituents in addition to the Smart 15-minute surveilling communist cities using globalist company Suez North America doing business as Utility Service Company of George for the City's water systems, consideration of farm animal restrictions, bike paths no one uses, broken up islands that people voted against, an annexation of residential neighborhoods that City residents opposed, and now add the forty million dollars (\$40,000,000) park. Everyone needs to ask themselves who this park is being built for because it is certainly not for the residents of Findlay. Those claiming to represent Findlay citizens need to be held accountable for not doing their jobs. Filed.

**Andrew Corso – update City Council on the progress for the Findlay 5<sup>th</sup> Street 69 kV underground and overhead transmission line project update**

Mr. Corso is the Manager of Projects in Central Northwest Ohio. He is before City Council tonight to give an update on what they are calling the Findlay to Fifth transmission line install. There is an underground component and an overhead component. The third page titled "Findlay - Fifth" underground ground project status" shows the underground portion as one hundred percent (100%) complete. He asked City Engineer Kalb if the City agrees with AEP that this underground portion is complete with no outstanding items. City Engineer Kalb agreed stating that AEP took care of all issues given to them. Mr. Corso continued stating that AEP is proud that they took care of the underground portion with a minimal amount of headache to the City. Two (2) pages in of the handout he passed out this evening shows the overhead line route which is another milestone schedule Findlay to Fifth overhead installation project status. He is proud to state that they just recently installed all of the transmission structures and is about to finish in the cable pulling between those structures.

The overhead in-service is scheduled for October 9, 2023, about a month from now. Normally AEP would wait for the distribution and third party transfer to occur and wait until the project is towards the end of completion before they start reclamation, but are not going to do that here. They are able to start the reclamation next week, which is early, so that residents and business owners do not have to wait until next spring to see their grass grow and their grades get taken care of. There will be touch up in the spring, but will start next week to make an effort to get as much done as possible in this growing season. This type of construction is allowing them to do that. There will be some poles left over that have to be pulled out of the ground with touch up next spring and are doing things out of sequence for the benefit of the community. They will continue on with distribution cable transfers and third-party communication line transfers through the end of the year. The projects should be one hundred percent (100%) complete in early spring of 2024 for the overhead portion. The removal component that is going to happen will be towards the end of the year. It will be down the alley from the Marathon substation to Hurd Avenue to Putnam Street. AEP will take the transmission portion of the cables and lop off the top of the line and lop the top of the poles off. AEP will be working with the City on the same type of process they have with right-of-way notifications in which property owners will be able to voice any concerns back to AEP so that they can address them like they did with the underground work and will work with the City Engineering Office on closures, etc. so that they can be posted to the website.

Discussion:

Councilman Russel moved to allow Mr. Corso more time, seconded by Councilman Bauman. All were in favor.

Mr. Corso continued stating that the underground portion is one hundred percent (100%) complete. The overhead portion will have the transmission energized by October, and the project will be finished next spring. They are not waiting on the reclamation and will not be doing it out of sequence by doing it now to benefit the community. The removal portion is down a tight alley that will require some additional lane closures localized to that alley which should be done by the end of the year.

Councilwoman Frische pointed out that Mr. Corso stated that AEP will be lopping off the top and in a tight alley and noted that she is not familiar with that alley and asked if it will be a concern to anyone with them being shorter. Mr. Corso replied no. He compared it to a power pole. The first from AEP's standing position, first line is the third party communication lines AT&T cable companies, then above that is the distribution lines that feed the actual houses, then above that are transmission lines that are used to provide power that has since been deadened, so there is no longer carrying power there. The new underground line is running the current. AEP has to remove the top transmission wire and then will lop the top of the pole off right above where the distribution line is. Councilwoman Frische asked if much of anything is being chopped off. Mr. Corso replied no. It will just shorten the pole to maybe three feet (3') above where the distributions are. They are moving a little bit of it, but not removing the actual structures. Those will remain. They are just lopping the top part off. Councilwoman Frische asked if it will clean up those wires and will look better. Mr. Corso replied yes, there will be less wires.

Councilman Russel asked if the overhead installation project in the third party communication line transfers will put them on the larger new metal poles and if there will be a reduction or removal of some of the existing wood poles. Mr. Corso replied that is correct. Most of the existing structures that were there now that AEP has transferred the transmission and the distribution to, most of that will be removed off of those poles onto the steel poles. There may be situations where an existing wood pole where service drops that come off of the transmission (steel structures) and go to a subsequent transitional pole (drop poles) with the service can (transformer) that feeds it. There will be some wood drop poles, but the majority of the wood poles will be removed. Councilman Russel replied that most citizens feel that less poles equals better. Mr. Corso replied that the majority of those old wood poles will be removed.

Councilman Hellmann expressed his disappointment in the size of those poles, as he expressed that the last time, and will probably remind Mr. Corso every time he comes to Council. He feels an obligation from an urban design and a planning standpoint that those size poles are not a beautification of the City.

Councilwoman Frische asked if Council will be seeing Mr. Corso again since this phase is finishing up or if another neighborhood in Findlay will go through this process, and if so, which one. Mr. Corso replied they won't be working in another neighborhood within Findlay, but have other projects in and around the Findlay area. There is a lot of economic development here. With economic development brings increased power demands. There is also aging infrastructure that has to be replaced to keep the lights on. He doubts this will be the last time Findlay sees him, but that there is nothing scheduled in the near future here, especially in downtown Findlay, but that there may be upcoming tasks on the outskirts of Findlay. He will be in contact with City Engineer Kalb about upcoming projects who will relay it to Council for updates moving forward. He will come back on a case by case basis. City Engineer Kalb added that he will relay what comes out of those meetings, but will not be able to answer technical questions, and will provide updates. Timelines are difficult to provide as they are a couple of years out before they are talked about and then the next day its happening. Mr. Corso added that the last page of his updates to Council is the last page of the handouts as it has his contact information. Council is welcome to email or call him on any questions they have for any project. He is the manager of projects in this area and does not anticipate going anywhere anytime soon. He and AEP feel an obligation to communicate with the public as it is easier to stomach and that way, Findlay has a contact to provide the answers.

Councilman Hellmann encouraged AEP to use rear property lines or rear easements as opposed to street side frontage that is so much more visible. Mr. Corso thanked Councilman Hellmann for his suggestion stating that it is part of the communication and feedback.

Councilman Russel asked what a quick answer would be for those asking why AEP did this. Mr. Corso replied that there is a lot of information that goes into an infrastructure that is being put in, mostly to do with the National Electric Code, the voltage, encroachment, etc. There are a variety of things that go into those areas. There is also a durability question. The steel poles are a lot more durable than the wood poles, industry standards, etc. Filed.

**WRITTEN COMMUNICATIONS:**

- Email from Katie Erickson – no to the downtown park project. Filed.
- Email from Haydee Sadler – downtown park. Filed.
- Email from Kai Crum – new downtown park. Filed.
- Email from Herbert Franks – downtown park. Filed.
- Email from Barbara Williamson – thoughts on downtown park. Filed.
- Email from Cathy Weygandt – several items to consider. Filed.

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

**City Auditor Staschiak – Resolution accepting millage rates and amounts**

The County Budget Commission has completed their work and returned our Certificate of Estimated Resources for our 2024 budget. Our tax millage has been certified exactly as submitted; 2.6 mills for the General Fund and 0.3 mills each for Police and Fire Pension Funds to a total of 3.2 mills, approximately \$3.7MM (three million seven hundred thousand dollars). Local government money is estimated to be \$785,000.00 for next year subject to likely adjustments by the State. Council should now accept the amounts and levy the tax rates as certified by the Budget Commission. The proper Resolution must be adopted and returned to the County Auditor no later than September 30, 2023. Legislation for this is requested and only requires one reading. City Auditor Staschiak requested that this letter be read. Resolution No. 020-2023 was created.

Discussion:

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

**Board of Zoning Appeals minutes – July 13, 2023. Filed.**

**Fire Chief Eberle – Firehouse Subs Foundation grant**

The Firehouse Subs Foundation operates a grant program for fire equipment that provides one hundred percent (100%) of funding for successful applicants. The foundation’s grant cycle occurs quarterly with short deadlines. Earlier this year, Firefighters approached Fire Chief Eberle about applying to the Foundation to purchase fire hose nozzles on all Fire Department apparatuses, as many are in need of replacement. They volunteered to do all the research, including contracting a vendor, obtaining demo nozzles and conducting flow tests in order to determine what would work best for the Fire Department, in which Fire Chief Eberle provided authorization to proceed. The application was submitted for twenty-four (24) fire nozzles and associated hardware for a total amount of twenty-one thousand five hundred eighty-nine dollars and forty-four cents (\$21,589.44). The Findlay Fire Department was notified in July that the application was approved and that no local match is required. Deputy Auditor Sampson informed the Findlay Fire Department that because the grantor is not a government entity, the City had to wait to appropriate any funds to this effort until the electronic deposit was received. Funds were received this week and can now proceed with legislation. Lead times for fire nozzles are currently about three (3) months, so in order to facilitate this purchase as quickly as possible and because there are no local funds involved, all three (3) readings of the legislation during the September 5, 2023 City Council meeting is requested. Thank you to Firefighters Jonathon Morter and Jason Mattox for spearheading this effort. Ordinance No. 2023-083 was created.

FROM:	General Fund (Firehouse Subs Foundation Grant)	\$ 21,589.44
TO:	Fire Department #21014000-other	\$ 21,589.44

Filed.

**President Pro-tempore Russel – Ad-Hoc Committee on request for transfer of property to Habitat for Humanity**

President Pro-tempore Russel is recommending the following members be appointed to an ad-hoc committee to review the request land transfer from Habitat for Humanity:

- Brian Bauman, Chairman
- Josh Palmer
- Beth Warnecke
- Jeff Wobser

This recommendation was requested to be voted on for approval on during the September 5, 2023 City Council meeting.

Discussion:

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

Discussion:

Councilwoman Frische asked if Councilman Bauman is the chair of his association which is part of West Park called Bakers Acres, because if he is, it is inappropriate for him to chair this committee. Councilman Bauman replied that yes he is the chair of his association, but does not share that perspective.

Councilwoman Frische moved to remove Councilman Bauman as the chair of this Ad-Hoc Committee because of a conflict of interest when going down this route for Habitat for Humanity, seconded by Councilman Niemeyer.

Councilman Wobser asked what the potential conflict is. Councilwoman Frische noted that he is chair of his association and is not sharing information with them through another group, and he will be personally impacted as a property owner. It would be inappropriate for him to be chair of this Ad-Hoc Committee, but is more than welcome to attend those meetings, but for him to weighing in as chair or President of his association would not be kosher.

Councilman Wobser asked Councilman Bauman where his association is located in comparison to the Habitat for Humanity properties. Councilman Bauman replied they are still Findlay property, but are across the street on Carlin.

Councilman Russel noted that when he asked all Councilmembers who would be interested in being on this AD-HOC COMMITTEE, Councilman Bauman was the first one to contact him with a great interest, and because he represents that ward, Councilman Russel felt he would be a leading candidate to be on this committee and chair it.

Councilman Hellmann asked if there were other Councilmembers who contacted Councilman Russel. Councilman Russel replied that the four (4) Councilmembers who contacted him are recommend to be on the committee. Councilman Hellmann asked if any of them volunteered to be the chair. Councilman Russel replied no.

Councilwoman Frische noted that a couple of weeks ago, there was a West Park block watch meeting that she and Councilman Bauman attended in which a survey was conducted resulting in seventy-seven percent (77%) not in favor of the project. They asked their Council representative (Bauman) if he would support them with their view since he did not support them with the McPherson zoning in which he could not answer that. That group has gotten active and are starting to see yard signs out. There are a lot of contested feelings happening there. She feels it is inappropriate for Councilman Bauman to be the chair of this committee being that he is the President of that association.

Motion to amend the Ad-Hoc Committee members as recommendation, and by removing Councilman Bauman as the chair:

Ayes: Frische, Greeno, Hellmann, Niemeyer, Warnecke, Wobser. Nays: Bauman, Palmer, Russell, Slough. Councilman Bauman is removed as the chair. The Ad-Hoc Committee is amended removing Councilman Bauman as the chair. The four (4) Councilmembers listed as the committee will choose the chair for themselves at the first meeting.

Discussion:

Councilwoman Frische asked if this motion is to remove Councilman Bauman as chair but keeping him on the committee or remove him completely. Councilman Russel replied that Councilwoman Frische made a motion to remove him as chair.

Motion to form this Ad-Hoc Committee with the four (4) listed Council representatives listed:

Ayes: Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. Nays: Frische. The AD-HOC COMMITTEE is formed. Filed

**Chief of Police Mathias – Ohio Attorney General Drug Abuse Response (DART) grant program**

The Findlay Police Department has been approved to receive a sixty-two thousand five hundred dollar (\$62,500) grant from the Ohio Attorney General Drug Abuse Response Team (DART) grant program. The purpose of this grant is to assist local agencies in their efforts to combat the opioid/fentanyl problem in their communities. The Findlay Police Department has collaborated with Family Resource Center (FRC) in operating a team called the Quick Response Team (QRT) that has been in operation since late 2017. Within seventy-two (72) hours of a person experiencing a drug overdose, a coordinator from the FRC and a Findlay Police Officer will make contact with that person. The purpose of this contact is to make the person aware of the opportunities available for treatment and recovery. These funds from the Ohio Attorney General will be used to reimburse FRC for the salary and expenses of a coordinator. This is the fifth (5<sup>th</sup>) year that the City has been awarded the grant. There is no City match for the grant. Legislation to appropriate the awarded grant funds and waive the second and third readings during the September 5, 2023 City Council meeting is requested. Ordinance No. 2023-085 was created.

FROM:	Ohio Attorney General law Enforcement Diversion Program Grant	\$ 62,500.00
TO:	PD Quick Response FY24, project no. 31933200	\$ 62,500.00

Filed.

**City Auditor Staschiak – RLF Administration**

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for July 2022 through June 2023. This is now a routine request where Council has approved requesting the appropriation without going to committee each time. Legislation to authorize a draw from the Revolving Loan Fund account and appropriate \$4,158.06 from the RLF to General Expense #2101000-449400 to pay the invoice is requested. Ordinance No 2023-086 was created. Filed.

**Mayor Muryn – jake braking and noise pollution**

Over the past few years, there have been numerous discussions with residents related to noise pollution and opportunities for decreasing noise pollution within the City of Findlay and is asking for Council’s support for a No Engine Brake ordinance. The City of Findlay Police Department will be increasing their traffic enforcement efforts along with noise violation enforcement both on a general basis and focused enforcement during congregated vehicular events such as the informal “cruise nights”. She has been in contact with the Ohio Rail Development Commission about what steps are necessary to establish Findlay as a “quiet zone” which would allow for decreased use of locomotive horns within the City of Findlay corporation limits. At this point in time, it would take significant modifications to all railroads through the City of Findlay which are not feasible, however, this will be kept in mind as railroad crossings are improved to look for opportunities for modification.

It has been brought to her attention that the City of Findlay does not have a “No Engine Brake” ordinance. “A compression release engine brake, compression brake, or decompression brake, frequently called a Jake Brake, is an engine braking mechanism installed on some diesel engines. When activated, it opens exhaust valves to the cylinders, right before the compression stroke ends, releasing the compressed gas trapped in the cylinder, and slowing the vehicle.” It creates a disruptive noise.” Given the amount of noise generated from the use of Engine Braking, she is requesting legislation to pass a no engine brake utilization within the City of Findlay in an attempt to decrease some noise pollution, as well as, decrease truck traffic. She will continue to work with the City of Findlay team and residents to identify additional measures which can be implemented to decrease noise pollution. Ordinance No. 2023-087 was created.

Discussion:

Councilwoman Frische asked what the ultimate goal of creating this is because there were a lot of complaints or if it is focused on cruise night being the sound issue or the railroad crossings. Service-Safety Director Martin replied that is a collaboration of all those things. The noise pollution and certain corridors of the community have been discussed at great lengths with engaged community members, Center Street in particular from Main Street up to the railroad tracks. There have been extensive conversations about it with a few things that have been hot topics that came out of it. Discussion points from the Center Street group were ideas to reduce noise with the frequency of railroad horns, jake brakes, etc. There were conversations about what that would look like to reduce the noise. Councilwoman Frische asked if it is more than jake braking because jake braking will not address railroad or cruise night noises. She asked if a second ordinance will be created for noise pollution. Service-Safety Director Martin replied that is correct.

Councilman Greeno noted that cruise night has already been somewhat addressed. The last couple cruise nights have had more of a Police presence. The only way to completely shut off noise during cruise night is to completely shut off cruise night in which he would be adamantly against because a lot of people enjoy it. Attendees instead need to stay in restraint and under control when they are up there for that. While it might be hard for some to do that, if they get picked up, so be it. Service-Safety Director Martin added that he and Police Chief Mathias talked about having increased targeted enforcement which resulted positively with some of the distractions that happen then. There have been conversations with the rail companies to see if the sirens can be reduced throughout the community at certain times, the frequency, etc. to find out if that can happen. There are communities that have had success with it, so he is looking at the options to reduce some of the noise which was the first step the Mayor wanted to take. Filed.

**Mayor Muryn – bulk trash and tire drop off event**

The City of Findlay held a bulk trash drop off event in April that included a trash and tire drop off. This program was very successful in assisting residents in the clean up of their properties. The City of Findlay would like to hold another bulk trash drop off and tire drop off event tentatively scheduled for October 19-21, 2023. This program aligns with the intent of the use of demolition program funds. Legislation to appropriate twenty thousand dollars (\$20,000.00) to cover the cost of tire disposal fees and trash disposal fees from the demolition program funds is requested. Resolution No. 021-2023 was created.

FROM:	Demolition Program #31925800-other	\$ 20,000.00
TO:	Bulk Trash & Tire Drop Off #31934300-other	\$ 20,000.00

Discussion:

Councilwoman Frische asked what is typically paid for an entire bulk trash pickup every year because legislation is not usually done. She asked if twenty thousand dollars (\$20,000) is the actual cost to provide that service. Service-Safety Director Martin replied that there was an event earlier this year with great success using ARPA dollars for it. Because of the positive results of that, the City would like to do it again because of the feedback received and the results of the amount of trash. This is the initiative the Mayor wanted to go with for this and asked for the additional dollars because of the original success it had this year. Councilwoman Frische asked if it is different from the regular Backyard Mission trip event. Councilman Greeno replied no. It is tied together with the Backyard Mission trip event and has been for several years. This year, there was a bigger push for tires and trash. Councilwoman Frische asked if this second round is because there have been more tires and trash that the event had to deal with. Service-Safety Director Martin replied that is correct. Filed.

**Mayor Muryn – DFID MOU**

In March 2023, the City of Findlay entered into a Memorandum of Understanding (MOU) with Downtown Findlay Improvement District (DFID) in which they pay the City of Findlay forty thousand dollars (\$40,000) annually and that the City of Findlay agrees to provide the following services: floral procurement and planting, downtown plant/floral watering and fertilization, speaker and music expense, Christmas light procurement and hanging, weeds/maintenance/beautification and snow removal along Main Street in the Downtown District of the City of Findlay. The City of Findlay received this payment in May 2023. Takeover of these services was not budgeted in 2023 due to the MOU not being signed until March 2023. Legislation to appropriate forty thousand dollars (\$40,000.00) to cover the cost of services is requested. Ordinance No. 2023-088 was created.

FROM:	General Fund	\$ 40,000.00
TO:	General Expense #21010000-other	\$ 40,000.00

Discussion:

Councilwoman Frische noted that this letter confused her because it stated that the City received payment in May and asked if the money is sitting in the General Fund and needs moved over, or if was because they were behind by a year and are forty thousand dollars (\$40,000) in the hole. Service-Safety Director Martin replied no, the City is not forty thousand dollars (\$40,000) in the hole. This is a contract that the City worked out with them with the City providing the services and they are paying forty thousand dollars (\$40,000) for it. City Auditor Staschiak added that one of his concerns is if this follows State Law in keeping funds coming out of the funds that they are intended for. It is for when City employees that are in specialized funds (i.e. Street Dept) are doing functions in Dorney Plaza, which is not necessarily the intended use of the gas tax. This is a governmental accounting method for the City to help the Administration properly track these dollars so that for the future, it is known that they came out of the proper areas, money was spent out of the proper areas, and is properly accounted for. In the long term, it will be beneficial to this Council because they will have a better record of what was spent in assisting the Downtown Findlay Improvement District in doing what they are doing.

Councilwoman Frische asked if the forty thousand dollars (\$40,000) from the General Fund is the money from May this year that came in from the DFID and is just moving it over. City Auditor Staschiak replied that it is taking General Fund money and funding this fund so that it is seated, and then as it moves forward, the monies that are received from the DFID will pay for those functions. An assessment is done every five (5) years where they self-tax sixty thousand dollars (\$60,000) per year. It is his responsibility to file that assessment at the County and then they actually do the assessment, and then the money comes back through the County path to the City. The City tracks it pretty closely. As part of the budget cycle, he can ensure that the City has given proper explanations. This will help with that in making sure Council has a clear understanding so it is not confused. The main point was to make sure there was an area where the money was coming from that wasn't allowing for funds to be supplanted that should not have been. Planning is the governmental term for one fund for another inappropriately. Filed.

**Mayor Muryn – solar eclipse**

The City of Findlay will be experiencing a large influx of people for the solar eclipse on April 8, 2024. In preparation of this event, a project has been set up to accommodate expenses resulting from this event such as portable toilets, extra trash pickup/dumpsters, advertising, etc. Legislation to appropriate funds to cover the costs associated with the solar eclipse 2024 is requested. Ordinance No. 2023-089 was created.

FROM:	General Fund	\$ 20,000.00
TO:	Solar Eclipse 2024, <i>Project No. 31934000-other</i>	\$ 20,000.00

Filed.

**City Engineer Kalb – Cemetery sanitary sewer, project no. 31934100**

Through the flow monitoring efforts that are taking place with the long term control plan (LTCP) Amendment, it has been found that there is a cross connection of the sanitary and storm sewer at the Maple Grove Cemetery. With this cross connection, there is a possibility that a drainage area of thirty-eight (38) areas is being discharged to the sanitary sewer. To ensure the City's Water Pollution Control Center is not treating storm water, a sanitary line for the Cemetery buildings is desired to be ran. Once a new sanitary lateral is established, all of the cross connections will be plugged to ensure a dedicated sanitary and storm sewer for the Maple Grove Cemetery. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to enter into contracts and to appropriate and transfer funds. Ordinance No. 2023-090 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 55,000.00
TO:	Cemetery Sanitary Sewer, <i>Project No. 31934100</i>	\$ 55,000.00

Filed.

**City Engineer Kalb – Laurel Lane waterline replacement, project no. 35730800**

Ordinance No. 2023-034 authorized a bid opening to be held for this project on August 15, 2023. Bids were received from three (3) potential contractors with the bid amounts ranging from \$100,527 to \$124,212.50. The lowest and best bid was received from Helms & Sons Excavating Inc. of Findlay, Ohio. Five thousand dollars (\$5,000) was previously appropriated to the project for design and advertising, and an additional appropriation is needed to cover the City's portion of the construction cost and provide a contingency for this project. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to enter into contracts and to appropriate and transfer funds is requested. Ordinance No. 2023-091 was created.

FROM:	Water Fund	\$ 125,000.00
TO:	Laurel Lane Waterline Replacement, <i>Project No. 35730800</i>	\$ 125,000.00

Discussion:

Councilwoman Frische asked what is going on for this project and asked if this it out by Outback Steakhouse. City Engineer Kalb replied it between County Road 300 and Sweetwater Road. That area has experienced multiple breaks in the last couple of years and is getting to the point where it is being repaired often and needs replaced. Filed.

**City Engineer Kalb – Park and Airport ADA restroom (CDBG), project no. 31924500**

Ordinance No. 2022-045 authorized the City of Findlay to receive grant funding form the Department of Development for Americans with Disabilities Act (ADA) upgrades in the restrooms at the Findlay Airport, as well as two (2) of the City's parks. The City of Findlay Engineering Department is finalizing plans for the upgrades and is expecting to have the project out to bid within the month. An appropriation of Community Development Block Grant (CDBG) funds into the project is requested. Once the project is sold, a future appropriation of funds will be requested for the local match funds. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to advertise for bids, enter into contracts, and to appropriate and transfer funds is requested. Ordinance No. 2023-092 was created.

FROM:	Department of Development, Office of Community Development	\$ 222,000.00
TO:	Park & Airport ADA Restroom (CDBG), <i>Project No. 31924500</i>	\$ 222,000.

Discussion:

Councilman Greeno asked what park(s) this is for. City Engineer Kalb replied that the last CDBG grant was for nine hundred thousand plus dollars (\$900,000+) for park restrooms for Rawson and Swale Parks. This project works in conjunction with that. It pays for certain portions of that project (touchless fixtures, etc.). The City has to specify what each grant pays for. It was originally for a couple of upgrades, but since the City was also able to get the other CDBG grant, he informed the State that the City received both grants and want to redo the whole bathrooms with the money, in which the State agreed for the City to maintain that for them. A big part of this project is the Airport restrooms to bring them up to compliance. Filed.



**City Engineer Kalb – small waterline upgrades (CDBG), project no. 35723800**

Ordinance No. 2022-046 authorized the City of Findlay to receive grant funding from the Department of Development for the installation of new waterlines on George Street, Garfield Avenue, Midland Avenue, and Allen Avenue. The City of Findlay Engineering Department is currently working on the plans for the waterline replacement in the area and is expecting to have the project out to bid in the next couple of months. An appropriation of Community Development Block Grant (CDBG) funds into the project is requested. Once the project is sold, a future appropriation of funds will be requested for the local match funds. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to advertise for bids, enter into contracts, and to appropriate and transfer funds is requested. Ordinance No. 2023-093 was created

FROM: Department of Development, Office of Community Development \$ 500,000.00  
TO: Small Waterline Upgrades (CDBG), Project No. 35723800 \$ 500,000.00

Filed.

**City Engineer Kalb – HAN I-75 CR 99 DDI interchange (PID102375), project no. 32811100 (preliminary participatory legislation)**

The Ohio Department of Transportation (ODOT) will be constructing a Diverging Diamond Interchange (DDI) for Interstate 75 and County Road 99 due to the increased traffic volume and decrease in level of service. This project has been in discussions for a number of years. The City of Findlay, along with the County have been working with ODOT to improve this key gateway to the community. While the project name states that it is an interchange replacement, it will also include work on County Road 99 from Technology Drive to Main Street. On August 17, 2023, the City of Findlay received some regulatory documents from ODOT that will need to be executed and returned to ODOT by September 11, 2023. This preliminary participatory legislation will give consent to ODOT to perform the work within the City corporation limit, provide adequate maintenance once the project is complete, and the continued commitment of one million dollars (\$1,000,000) for the construction of the DDI. This commitment for the project has been planned for the past couple of years as part of the City’s Capital Improvement Plan and will be appropriated at a future date. Due to ODOT’s deadline, all three (3) readings for this legislation is requested to be given during the September 5, 2023 City Council meeting. Legislation authorizing City representatives to execute the necessary preliminary participatory legislation for the Han I-75 CR 99 Interchange project. Ordinance No. 2023-094 was created. Filed.

**City Engineer Kalb – South Main Street and McPherson Street storm sewer repair 35532800, additional appropriation**

As discussed at the recent APPROPRIATIONS COMMITTEE meeting, the storm sewer project on South Main Street has ran into some unknown conditions that will accrue additional cost. As the project progressed, it was found that multiple areas will need undercut and additional pavement repairs will be performed due to buried concrete and poor soil conditions. Along with the pavement undercuts, it was found that there were a couple of unknown utility lines that were running perpendicular through the storm pipe. Some of the unknown lines were running at a grade that would not allow the storm pipe to go over or under the line, so utility companies were contacted to come out and relocate their lines. This additional work caused some minor setbacks in the project schedule and budget, but due to the location of the repair and the impact that it has to the traveling public, the project could not be suspended until the next City Council meeting. To ensure that it was discussed with Councilmembers before the additional work was authorized, the APPROPRIATIONS COMMITTEE met on August 21, 2023 to discuss the additional cost that was being authorized without having enough funds in the project to cover the cost at that time. Legislation to appropriate and transfer additional funds to the project so that the contractor can be properly compensated for the additional work that was needed. Ordinance No. 2023-095 was created.

FROM: Sewer Fund – Stormwater Restricted Account \$ 30,000.00  
TO: South Main Street & McPherson Storm Sewer Repair, Project No. 35532800 \$ 30,000.00

**Discussion:**

Councilwoman Frische noted that when this went to committee, the request was for forty thousand dollars (\$40,000) and asked why it is now less than that. City Engineer Kalb replied that the forty thousand dollar (\$40,000) was based off of his assumptions as he did not know what the next point was. The City was able to drop the manhole at the intersection of 6<sup>th</sup> Street because of the line going under 6<sup>th</sup> Street that was still in good shape. He had five (5) different utilities with all those crossings and had put in some contingency for it. He feels very confident with this thirty thousand dollar (\$30,000) amount because of the pavement and knows that will cover it. Before he sent the letter, there was one final course to go, so it will be less than that because he had to get the letter in which is why the request is now thirty thousand dollars (\$30,000).

Councilman Wobser informed Council that City Engineer Kalb and Service-Safety Director Martin contacted Council with this problem that they had run into on this project, so instead of calling a COMMITTEE OF THE WHOLE meeting not knowing if enough would be in attendance, an APPROPRIATIONS COMMITTEE meeting was called instead and were able to get together in about twelve (12) hours giving the additional money and the permission to go ahead keep moving forward while everyone was on site. It is running with tight deadlines with schools starting which was the reason for a very impromptu APPROPRIATIONS COMMITTEE meeting asking for this additional thirty thousand dollars (\$30,000) covering the small issue that they ran into down there. Filed.

**City Engineer Kalb – WTP CO<sub>2</sub> Tanks Replacement, Project No. 35790800**

Ordinance No. 2019-013 authorized a bid opening on August 17, 2023 for this project. Bids were received from two (2) potential contractors with the bid amounts ranging from \$1,149,464 to \$1,154,250. The lowest and best bid was received from Kirk Bros Construction, Inc. of Alvada, Ohio. Four hundred fifty thousand dollars (\$450,000) was previously appropriated to the project for design, advertising, and already appropriated ARPA funds for construction. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into contract, and to appropriate and transfer additional funds to cover the remaining portion of the construction cost and to provide a contingency for the project is requested. Ordinance No. 2023-096 was created.

FROM: Water Fund \$ 800,000.00  
TO: WTP CO<sub>2</sub> Tanks Replacement, Project No. 35790800 \$ 800,000.00

Filed.

**City Auditor Staschiak – internal controls of the City of Findlay Utility Billing Department annual audit letter**

Over the last few years, it has been noted that in the Management (Recommendations) Letter of the City’s annual audit that the internal controls of the Utility Billing Department needs to be reviewed and improved. In 2022, City Auditor Staschiak contracted with the CPA firm Rea & Associates CPA Firm to assist with an in-depth independent special review of that department’s controls. On April 11, 2023, the WATER AND SEWER COMMITTEE received a detailed report of the status of the City of Findlay Utility Billing Office internal controls. The report included observations, as well as numerous recommendations. This “Stage I” review and reported recommendations cost the City approximately fifteen thousand dollars (\$15,000). Deputy Auditor Sampson spent several days developing new procedures and working with the Utility Billing personnel and the Department Head to be sure everyone was on the same page and able to implement the recommendations. The goal was to be well prepared for a follow-up review well ahead of its scheduled date. On July 13, 2023, Rea & Associates CPA Firm returned to complete a “State II” review and status update for the implementation for the recommended controls. The attached report notes there are a few items to be completed now such as the actual cash drawers being installed and some long-term items including a new billing software system. Several items have been completed to date, however, the report also notes several deficiencies in following the new recommended controls. The City Auditors Office has also observed deficiencies. Unfortunately, due to the deficiencies noted in the report of the July 13, 2023 inspection, the City will be unable to clear its State Audit Management Comment from the report. Getting the internal control process approved by the State Auditor is a primary goal along with ensuring safe custodianship of the community’s money. It is necessary to bring Rea & Associates CPA Firm back for another inspection at a date to be determined. If the department passes a future review, then there is a high likelihood the management recommendation will be viewed as complete. City Auditor Staschiak assures Council that he will continue to take every step that is reasonable and necessary for the City to ensure the public that every dollar of their money is being handled with the uttermost care. It is requested that this letter be read.

**Discussion:**

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

Service-Safety Director Martin thanked the efforts that were put into the City Auditor’s letter, as well as Deputy Auditor Sampson and the Water Superintendent’s team. Their efforts were lockstep through the whole process with an action plan and workflow improvements. Sometimes workflow improvements get messy. He complimented Deputy Auditor Sampson and the Water Utility Billing Department’s efforts that have been made. There are still processes that need to be cleaned up that are automated and repeated. It is human interaction with a lot of change in the current process. There are things that need to be worked on and need to gain a better understanding when translating it. The City took their recommendations and agreed on what those improvements were to comply with their recommendations and implemented them, and now they have further recommendations and need to better understand where that gap is so that everyone was on the same page when it went live. Some of the deficiencies that are being deferred to were supply chain things in that the City ordered an amount to be safe that would have complied with the recommendation that just got here (i.e. new cash drawers that were deficiency in the second visit). Processes are continuing to improve. He will meet with the Deputy Auditor Sampson to ensure that this will continue to be streamlined. It has been a healthy exercise that will make everything better. He congratulated those involved and thanked them for their efforts.

Councilman Wobser asked if there is a timeline for finishing this project. Service-Safety Director Martin replied that when he received his packet today was the first time he saw the new recommendations. As soon as he has a better timeline, he will keep Council in the loop. Filed.

**Mayor Muryn – water services for Villages of Arlington and North Baltimore**

Mayor Muryn is providing an update on discussion the City Administration has been having with the Villages of Arlington and North Baltimore for the City of Findlay to potentially provide them water. In 2019, representatives of North Baltimore reached out to the City of Findlay to discuss what it may look like for them to get water from the City of Findlay. The City of Findlay is open to a master meter agreement providing water and that Arlington and North Baltimore would maintain everything on the other side of the meter. Arlington or North Baltimore contacted the City in early March 2022 wanting to have further discussions and were going to discuss with their City Council their desire to move forward with the master meter agreement the City suggested to them. Sometime between March 2022-March 2023, they also decided to reach out to an engineering firm to look at project design and costs that lead them to speak with the Ohio Department of Transportation (ODOT) about cross points with Interstate 75, and also some preliminary investigation into possible grant funds. In April 2023, it appeared that North Baltimore was gaining traction on their side, so Mayor Muryn felt it was now worth the City’s time to bring in a legal expert to assist with discussions about what a regional water approach would look like to ensure consistent structures could be offered among interested parties. Mayor Muryn has had brief conversations with various Councilmembers over the past two (2) years letting them know that conversations with Arlington and North Baltimore have taken place and that when we had a clearer understanding of what the proposal would look like before it is brought to City Council. She has also mentioned it in conversations with City Auditor Staschiak dating back to 2022. In June 2022, Arlington representatives reached out to the City of Findlay to discuss the opportunity for the City of Findlay to provide water to them in which the City asked them a variety of questions letting them know that the City would be willing to discuss it once they have a clearer picture of what they wanted. The City met with them on February 27, 2023 and also March 20, 2023 to help coach them through some information the City of Findlay would need in order to have such discussions. Part of these discussions included the City mentioning that there may be opportunities from the State to assist in connecting their systems to the City of Findlay but no further action was taken at that time. In April 2023, the City of Findlay received notice that Arlington had worked through some internal discussions and were ready to reengage with the City. The City of Findlay provided their team a questionnaire (*Exhibit 1*) to be completed so that the City of Findlay would have a clearer understanding of their system condition. On April 25, 2023, Mayor Muryn reached out to Bricker Graydon via email (*Exhibit 2*). On April 28, 2023, Mayor Muryn, Service-Safety Director Martin, City Engineer Kalb, Water Treatment Plant Superintendent Philips, and Law Director Rasmussen had a call with Bricker Graydon attorneys to discuss the questions the City of Findlay sent.

At that point, the discussions were primarily focused on Issues 1 and 2. On June 13, 2023, Mayor Muryn, Service-Safety Director Martin, City Engineer Kalb, and Water Treatment Plant Superintendent Phillips had a call with Bricker Graydon attorneys to discuss the water regionalization concept in more detail. On July 24, 2023, Bricker Graydon provided draft legal contracts that they see as viable structures for the City of Findlay to provide water services to the Villages of Arlington and North Baltimore. On August 9, 2023, Service-Safety Director Martin, City Engineer Kalb, Water Treatment Plant Superintendent Phillips, Law Director Rasmussen, and City Prosecutor Feighner discussed the reviewing of the initial proposals. Due to Mayor Muryn's family emergency, she was not present for the discussion and instead provided her initial thoughts over the telephone to Service-Safety Director Martin. From that meeting, the next steps for them were to put together a draft proforma/template for discussion with the City of Findlay team. Once the City of Findlay has had the opportunity to discuss these agreements with Bricker Graydon, the City of Findlay will bring them forward for discussion. Following the City of Findlay's discussions on this, they would then bring it to the WATER AND SEWER COMMITTEE to layout this background, the information gathered, and next steps. It is always Mayor Muryn's desire for the City Administration to do their job of running the City and working with City Council to implement effective legislation. In order to do so, it is their responsibility to gather information to be able to have productive, informative dialogue on issues. Mayor Muryn looks forward to meeting with City Council to discuss this topic in more detail in the coming weeks in working to evaluate an opportunity which would not only benefit the City of Findlay, but also provide a high quality and economical alternative to neighboring communities while protecting the City of Findlay and its region from for-profit water entities. A graphic is included with this presentation that shows the current City of Findlay Water Treatment Plant capacity, utilization, and opportunity. Mayor Muryn's top priority is the citizens of Findlay and ensuring safe, clean and affordable water. Findlay is fortunate that past community leaders took an innovative and forward-looking approach to the City's Water Treatment Plant and that Findlay once again has the opportunity to utilize this resource for the betterment of the community and region (*Exhibit 3*). By doing so, Findlay maintains a water quality, mitigates costs, keeps water rates low, helps neighboring communities, and protects the Findlay region from outside for-profit water entities.

#### Discussion:

City Auditor Staschiak clarified that bringing this to light at the last Council meeting was based on the unexpected bill which was an important factor and is good that Council is seeing some actual verbiage and explanation from Mayor Muryn on this, however, he is very concerned because it is clear from the documentation that has been reviewed so far that this is being driven by the Economic Development, which is a private organization that benefits itself, regardless of the standing, with regard to the public-private partnerships that the City engages with them. Also, in the second half of the letter, Mayor Muryn refers to it being the Administration's responsibility to gather the information and be able to provide productive information and dialog, however, it has gone way beyond that which is clear from the information that he has gathered and has been able to obtain. Council needs to know that there is no precedent for something this important to be done in this manner. When former Mayor Iriti was in office, he got ripped to shreds for doing something very similar earning legal bills without involving Council on something that was such a serious topic. There are a couple of myths going on with regard to Van Buren. The Van Buren waterline that was installed was under heavy open transparent public comment with all the elected officials in that the City Auditor's Office was heavily involved from day one. There is nothing being shared with the City Auditor's Office and he is having extreme difficulty getting cooperation from Mayor Muryn on this issue in which is unfortunate that she is not here tonight to explain. There is a lot going on here that the historical record needs to reflect some of that.

Councilman Wobser asked if any agreements have been signed by Mayor Muryn regarding this issue with either Arlington or North Baltimore. Service-Safety Director Martin replied no.

Councilwoman Frische does not know if it is a pertinent answer at this point if any contracts have been signed, but that there is some community here tonight who feel water regionalization has not been an eye-catching topic. Water regionalization would bring water to a community and then the community would handle it from there. The City would still handle the billing for those outside of City limits where they pay one and a half (1.5) times for their water. The difference here is that this is a big ask that has not gone to any committee. It has not gone to the WATER AND SEWER COMMITTEE. Some Councilmembers she talked to had no knowledge of it. The City does have plenty of usage in their system right now, but are always developing (more housing, apartments, businesses). There are problems within the community having problems with the City's water system. She does not think the City is there yet, but that Mayor Muryn or the Administration is meeting with Bricker Eckler and State Representative Cross's wife in that the first bill was nine thousand dollars (\$9,000), so discussions were happening without any Councilmembers or the public knowing what was going on. Then, there is another bill tonight that is about contracts that are already being drawn up that may not have been signed yet, but that this whole process is completely inappropriate because the City needs to take care of their water system first with Findlay residents that have any water issues going on or concerns. Everyone needs to tune into this, need to have a lot of community input and need to slow this process down.

Councilman Bauman asked if Mayor Muryn's actions were nothing more than a fact-finding mission to see if this was even feasible, if the City was even allowed or what confines it, etc. Service-Safety Director Martin that is correct. Councilman Bauman asked what the current capacity of the reservoirs is. City Engineer Kalb replied it is roughly three (3) years.

City Auditor Staschiak informed Councilman Bauman that he always appreciates his dialog at these meetings. The answer to his first question is not correct in that the Mayor is well beyond those steps. He read a couple of lines out of the bill: strategize water with the water regionalization team regarding next steps, review and revise and comment for water regionalization project review, final drafts of the transfer agreement, master meter agreement and transmittal to Mayor Muryn. This is significantly further along than what is being implied. Councilman Bauman interrupted stating potato, potato. City Auditor Staschiak replied to Councilman Bauman to please not interrupt him and that is a point of order. He was here in the 1980s when Findlay had a drought in which there had been no change to Findlay's water system in terms of the amount of water that is available to Findlay in terms of the City's infrastructure doing it and where it comes from. The only thing that did change was that Findlay used to get water from wells over by Carey.

It was a brilliant move that Robert Ruse back then recognized where those water wells were dumping water and providing them to Findlay at a million gallons per day, at the time. He recognized that if the City stopped paying for that agreement, what would end up happening was that they couldn't shut off the wells because Carey did not want to spend the money to cap those wells, so they dumped that water into the Blanchard River in which Findlay pumps their water out of getting the exact same source of water. According to Hancock Soil and Water Conservation, since that time, Findlay's average rainfall per year in the 1970s and 1980s was thirty-five and a half (35.5) inches per year and is now down to thirty-three and eight tenths (33.8) inches on average. All the water Findlay had received to fill the reservoirs was from surface water from the areas south and southeast of Findlay. There has been a lot of studies on that. The Administration does not have the expertise to go down that path and ask the entire amount of questions that need to be asked and to do the studies that need to be done. His point is very simple: if going down these paths, don't come to Council with a proposal, and come to Council with an idea and get the authority from Council and then move forward on how to do it and involve Council. He still has yet to hear anything about water and sewer being involved in this that should have been involved at one of the expenditures mentioned earlier. Council needs to get involved with these things and needs to be involved in a way that is informative and needs to include experts. This is so far down this path that it is unbelievable and is a complete injustice to the community and the citizens Council represents. It gives the appearance that the City represents economic development.

Councilman Wobser feels the comments by City Auditor Staschiak and Councilwoman Frische have some merit, but . . . City Auditor Staschiak interrupted stating point of order. Mr. President, point of order. President of Council Pro-Tem Russel called on Councilman Wobser to continue. City Auditor Staschiak interrupted stating that his question is . . . President of Council Pro-Tem Russel interrupted calling on Councilman Wobser. City Auditor Staschiak continued stating that his point of order is to ask Mr. Wobser if he is sure he wants to make his comments which is his only question. Councilman Wobser replied that he is simply saying, that in the past, Council has gotten on the Administration for not doing their homework before they bring an idea to Council and that they have been chastised for it. In this instance, they are simply doing their homework and that nothing has been agreed to. When it is brought to Council, Council can then tear it apart, bring it to the experts, study it, but that he is trying to understand the fine line that the City Auditor is trying to draw between what has happened so far that incurred some costs. He understands that, but sees this as the Administration was simply doing some due diligence in order to have an intelligent conversation before it is brought to Council

Councilwoman Frische informed Councilman Wobser that when he states that they are chastising the Mayor, that is not what it is about. If a department head had a bill for over three thousand dollars (\$3,000) without a purchase order, Council would have them held accountable for their actions. Council runs a budget and sticks to it, so if they do not have permission, they would be questioned on what they are doing. The first oops was at the last Council meeting when there was a nine thousand dollar (\$9,000) bill that Councilman Wobser is saying he doesn't see a problem with Mayor Muryn doing her homework, in which Councilwoman Frische does not either until someone is spending money over three thousand dollars (\$3,000) that never came to Council or the WATER AND SEWER COMMITTEE. She asked how it is known that City Council or the community want to explore that at this time. The City has not taken care of its water system one hundred percent (100%). There are things that need to be fixed. She recently learned in the last week and a half about the northern ridge of the community. The northern ridge is from Northgate over to the east side of Findlay. Residents in that area are telling her that they do not have proper water pressure because they sit high at eye level with John Hancock, so before the City starts adding more villages into its water system, those issues should first be addressed to ensure the wheelhouse is in order. One can say that Mayor Muryn is being chastised because she is out of line. If it were a department head that did it, Council would be asking them what they think they are doing.

City Auditor Staschiak thinks Councilwoman Frische was very well spoken in her response. This is totally different because Mayor Muryn not only incurred twenty-seven thousand dollars (\$27,000) so far with no disclosure of what is yet to come that wasn't to explore. It was to hire across to negotiate and draft the contracts to negotiate and draft terms of agreements with two (2), not one (1), but two (2) communities based on what appears to be the whims of economic development because Council knows nothing about it. That is above and beyond in that she did not have Council's permission. Council was not informed which is the difference and is significant and is serious.

Councilwoman Frische went back to Councilman Bauman's statement of potato, potato in that there cannot be a Council that is potato, potato on things like this when talking regionalization of the City's water system. Mayor Muryn has stated that the Water Department is getting through the water billing hot mess and that there have been discussions out there to possibly raise rates twenty-four percent (24%). In looking at history or other communities, it is not uncommon that Findlay could be potentially looking at selling the City's water system down the road. She is not saying that is being discussed, but is saying that depending on how contracts are rated or by having discussions and the fact that it is not open for Council tonight to go ahead and approve this expenditure, is giving a rubber stamp to it, and by saying potato, potato, it needs to stop. Service-Safety Director Martin replied that he does not know where the selling of water system is, but wants to make sure that what is going on is clear. The City was approached by these two (2) communities to see if the City is in a position to work with them on their water. That is where this started, so the City's response was to look at it, look at the feasibility and do its due diligence. There are different ways to do this. The Administration got with experts that not only build these systems, but are environmental lawyers that can help create modeling that made sense because the City does not know what it looks like. It is unknown if it is something that Council wants to do or not. The Administration starts every conversation when talking about this that its fundamental responsibility is to the existing citizens of this community to make sure the City provides them quality water at the level that are. Then, the feasibility of this is discussed. The Administration wants to bring information and facts to Council and committees so that it then can be debated and can have conversations on it, which is nothing more than what has happened. The Administration does not know if this is going to move forward or not, or if Council chooses to as it is ultimately Council's decision. The Administration wants to make sure that they give Council facts so that they can make the best decision. That is all that has happened at this point. Unfortunately, some money had to be spent to get that done. Councilwoman Frische replied that Service-Safety Director Martin is right that feasibility and things need to be discussed before contracts are discussed and before paying to have those contracts drawn up. So this is out of line a little with the cart before the horse.

Service-Safety Director Martin was in the community when the City and County Health Departments were combined when former Mayor Mihalik did a lot of communicating with Council and there was a lot of discussion and was not a knee jerk reaction. It took a couple of years to get to that point. This discussion should be no different. It really needs a lot of vetting to get where it is at and need to stop having purchase orders. She has not heard once where the WATER AND SEWER COMMITTEE has said they want a committee meeting or when the Administration has stated that it will go to committee to discuss it. It has been two (2) or three (3) weeks since the last meeting. Council and the Administration has to get on the same page.

City Auditor Staschiak does not want to deliver this when Council gets the legislation that Councilwoman Frische touched on it. He had a lengthy discussion with Deputy Auditor Sampson today and are both in agreement that Mayor Muryn has refused to provide him the information he requested that goes directly to what the seventeen thousand dollars (\$17,000) bill is to be paid for so that he can review it per his statutory duties. That bill probably can't be paid until that information is provided. He does not care whether Mayor Muryn provides it to him directly or to Council through a committee meeting, but that it needs to be provided. He asked that during the legislation portion of tonight's Council meeting that Council amend that resolution to remove the payment of the seventeen thousand dollars (\$17,000) bill to Bricker until Mayor Muryn can properly explain and document those items to him. If Council wants a full explanation of his statutory duties, he would be happy to provide it.

Councilman Bauman pointed out that the City Auditor's eloquent speech is easy to say when Mayor Muryn is not here to defend herself. Filed.

#### **Mayor Muryn – Phase 2 Benching properties (Ordinance No. 2023-043)**

On May 16, 2023, Ordinance No. 2023-043 was tabled due to concerns around the timing of the transfer of ownership and wanting to ensure all benching and environmental work was completed prior to the city taking ownership. Attached is the final version of the Memorandum of Agreement (MOA) executed the County Commissioners that clearly states that the properties will not be transferred until the benching is complete. Additionally, the MOA acknowledges the environmental review which has been completed and the action that has been taken to remedy the environmental concerns. Finally, out of an abundance of caution, the City of Findlay is working to have additional environmental review completed on all properties within the benching and proposed downtown recreation area footprint. Mayor Muryn is requesting Ordinance No. 2023-043 be amended to specifically reference the MOA and state that the properties would not be transferred until the benching work is completed which will provide the necessary documentation to ensure the work is completed, environmental concerns are addressed, and that the City has assurances the properties necessary for the downtown recreation area will be transferred to the City. Mayor Muryn is providing this as an additional item in support of the adoption of Ordinance No. 2023-043 AS AMENDED in the near future. Ordinance No. 2023-043 was tabled after the third reading on 5/16/23. Filed.

**Findlay Fire Department Activities Report** - August 2023. Filed.

**City Income Tax Monthly Collection Report** - August 2023.

Discussion:

Councilwoman Frische noted that the City is down just over one million dollars (\$1,000,000) and asked if there are any thoughts from Council on income tax or any concern, or if this is a normal wave in the year. City Auditor Staschiak replied that he is actually pleased that we haven't seen it produce more. They are common anomalies, but the benefit the City receives from some of the activity in the community, particularly in the business sector, was short-term good, and that long-term is yet to be seen. This is a normalization of the City's income tax since those two (2) big sales in the community of those two (2) corporations. It is good it's not lower. He is pleased with that. He has been having some good conversations with Income Tax Administrator Price in the meantime. Councilman Wobser added that the City is still ahead of what was projected for income this year. Even though the City is down year on year, it is still ahead of what City Auditor Staschiak and Income Tax Administrator Price had agreed upon and what the income had used for budgeting. City Auditor Staschiak replied that some of those numbers were ahead of those projections and that Income Tax Administrator Price uses those numbers in her budget. He has no concerns right now. Filed.

#### **Fire Chief Eberle – Findlay-Hancock County Community Foundation grant**

The Findlay Fire Department actively trains with the Findlay Police department and other agencies for Active Shooter & Hostile Event Response. During recent Rescue Task Force (RTF) training at the Findlay High School, it was determined that additional equipment is needed to best equip fire personnel for such a response. Battalion Chief Cooper was tasked with exploring any funding opportunities for this equipment in which he reached out to the Findlay-Hancock County Community Foundation who were receptive to the idea and are supportive of local efforts to train for such an event and recommended that Battalion Chief Cooper send a formal request and quote for the necessary equipment in which they quickly approved a grant for the full amount. The requested equipment includes eight (8) Class 3-A ballistic vests, eight (8) rescue task force triage & treatment bags, and eight (8) combat application tourniquets for a total cost of eight thousand seven hundred dollars (\$8,700). This equipment will complement the existing RTF equipment with the Fire Department inventory allow each engine crew to be supplied with the necessary items for an immediate active shooter response. Funds from the Community Foundation are expected to be received next week. Once those funds are deposited, legislation authorizing a transfer of funds to the Fire Department budget so that they can purchase these items will be requested. The Findlay Fire Department thanks Battalion Chief Cooper for quickly finding a solution to this issue, and to The Findlay-Hancock County Community Foundation for their continued support of local efforts to protect the community. Filed.

**COMMITTEE REPORTS:**

The **STRATEGIC PLANNING COMMITTEE** met on August 15, 2023 to continue discussing the Strategic Planning process.

*We recommend:*

- A. *To prepare a process outline for the handling of action items on an ongoing basis.*
- B. *Continue discussion on current action items.*

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the request for additional funds for the South Main Street storm system repair project.

*We recommend approval of up to forty thousand dollars (\$40,000) of additional appropriation and to continue to move forward with the project.*

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

Discussion:

Councilwoman Frische pointed out that Council has committees. The **APPROPRIATIONS COMMITTEE**'s job is the General Fund. The **WATER AND SEWER COMMITTEE**'s job is the Water and Sewer Fund. So, this committee report was inappropriate because they did not have the authority to make a recommendation, although this needed to be done because it was in the middle of a hot mess over by Speedway. She is going to vote against the committee report because it was inappropriate, but will support the legislation. Council needs to start following process and procedure.

Acting Mayor Harrington pointed out that Councilman Niemeyer's vote on the committee report was not recorded. President Pro-Tem Russel asked Councilman Niemeyer if he was at the meeting. Councilman Niemeyer replied that yes he was at the meeting and that he seconded the motion during that committee meeting.

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

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 020-2023** (*millage rates & amounts*) **requires one (1) reading** **first reading - adopted**

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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.

**RESOLUTION NO. 021-2023** (*bulk trash and tire drop off event*) **requires three (3) readings** **first reading**

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

First reading of the Resolution.

**RESOLUTION NO. 022-2023** (*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).

Discussion:

Councilman Wobser will be making a motion to amend this to remove the seventeen thousand dollar (\$17,000) voucher, but at the same time, as soon as that information is received that it can go ahead and be paid.

Councilman Wobser moved to amend the Resolution to remove the last item on the attached list, seconded by Councilman Palmer.

Discussion:

Councilwoman Frische noted that the amendment is to remove the seventeen thousand dollar (\$17,000) item and asked if Councilman Wobser also wants to add the verbiage that it automatically gets approved after Council receives information. Councilman Wobser replied that the motion is to remove the payment until City Auditor Staschiak gets the appropriate information that he needs and that once he receives that, it can go ahead and be paid. He will submit it for payment. President of Council Pro-Tem Russel asked City Auditor Staschiak if he will be submitting that as another piece of legislation. City Auditor Staschiak replied that is correct. President Pro-Tem Russel asked Councilman Wobser if his motion is just to remove the seventeen thousand dollar (\$17,000) request. Councilman Wobser replied ultimately yes, but will make sure that it gets through to the next meeting. Councilwoman Frische supports Councilman Wobser's motion to remove until information is provided to City Auditor Staschiak, but would like to add that all of Council needs the information and that a committee needs formed. She will support his motion to remove, but echoed her comment that Council needs the information as much as the City Auditor does.

Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Sough, Warnecke, Wobser. Nays: Russel, Bauman. The Resolution is amended. Councilwoman Frische moved to adopt the Resolution as amended, seconded by Councilman Wobser. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Resolution was declared adopted as amended 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. 2023-071** (*Downtown Recreation Area – design & engineering*) **requires three (3) readings** **tabled after third reading on 8/15/23**  
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.

**ORDINANCE NO. 2023-075** (*HAN-Bigelow Avenue Resurfacing*) **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 APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR THE RESURFACING OF BIGELOW AVENUE FROM MAIN STREET TO MELROSE AVENUE, PROJECT NO. 32833800, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel asked if this is for the City to apply for these funds. City Engineer Kalb replied that is correct. It is part of the City's large yearly projects. Councilman Russel added that it is to apply for funding to handle eighty percent (80%) of major road repaving that the City is generally happy to support.

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

Discussion:

Councilwoman Frische asked what some of the requirements are with this grant. Recently, Councilman Russel asked about doing a bike path here similar to Blanchard Street going around to Broad Avenue. She does not want to talk about or commit to any shared bike paths and asked if that is part of this. City Engineer Kalb replied that would not be part of this. This is for the large City funds received from ODOT every year. Bright Road Phase 1, 2 and 3 would all be similar projects. This is just strictly resurfacing right now. If a bike path is wanting to be explored through that area, it would be a different grant process. This is just strictly for resurfacing.

Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-075 and is hereby made a part of the record.

**ORDINANCE NO. 2023-076** (*OPWC grant application – Morriscal Blvd waterline 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 APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION FOR A REPLACEMENT WATERLINE ON MORRISCAL BOULEVARD FROM I-75 TO BLISS AVENUE, AND DECLARING AN EMERGENCY.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-079, AS AMENDED** (*4<sup>th</sup> 2023 Capital Improvement appropriation*) **requires three (3) readings** **second reading - adopted**  
AN ORDINANCE AUTHORIZING THE ~~SERVICE DIRECTOR AND THE SAFETY DIRECTOR~~ SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2023 DEPARTMENT EQUIPMENT LIST, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman asked what the timeline on this is. City Engineer Kalb replied some of it has moved around for projects in it. With winter quickly approaching, he would like this to pass tonight. A couple of the projects are going out to bid such as the lining. He is trying to grasp that while there are some opportunities.

City Auditor Staschiak is asking for an amendment to this to include the City Engineer to also be authorized based on some recent conversations at the Administrative level. Councilman Russel asked if City Auditor Staschiak's amendment is to give the City Engineer ability to also advertise and execute. City Auditor Staschiak replied that execute is what he is worried about.

Councilwoman Frische asked what this ordinance consists of. City Engineer Kalb replied that under Police, the battery backup machine is for whenever power is lost so that they will not have to wait for the battery backup. The Parks Maintenance portion is for a snowblower attachment that there currently is not a need for it, but that there will be a need for it sooner or later. The next couple of requests are to resurface the tennis courts at Rawson Park to fit into the Street Department's schedule. The partial repaving and sealing of the parking lot Phase 3 is on the east side of the CUBE. There are also funds in this for stormwater and startup funds for the Bigelow bid and design for that. The intersection upgrades were sent out to bid for two (2) Main Street and two (2) Main Cross (Cory/Main Cross, Southwest/Main Cross) for the construction of it. The contractor is ready to go on them. The East Street waterline request is for the design and bid for that, bid for sewer lining for that large diameter, and bid for sewer cleaning.

Councilwoman Frische asked if the City Engineer should be added to all legislation going out to bid. City Engineer Kalb replied that he normally lists the Mayor, Service-Safety Director and/or City Engineer to cover it, but that it just go missed on this one.

Councilwoman Frische moved to amend the Ordinance to change ~~SERVICE DIRECTOR AND THE SAFETY DIRECTOR~~ to SERVICE-SAFETY DIRECTOR and to add AND/OR CITY ENGINEER, seconded by Councilman Wobser.

Discussion:

Councilman Bauman asked if the normal language of MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER will be added. President of Council Pro-Tem Russel replied that the amendment was to add the CITY ENGINEER. City Engineer Kalb replied that as long as it has both the Service-Safety Director and the City Engineer on it, they are good with that.

Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer. The Ordinance is amended. Councilman Bauman moved to suspend the statutory rules and give the Ordinance its third reading, seconded by Councilman Palmer. Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer. The Ordinance received its third reading. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-079 and is hereby made a part of the record.

**ORDINANCE NO. 2023-081** (*farmland lease*) **requires three (3) readings** **second reading**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A LEASE AGREEMENT(S) TO FARM APPROXIMATELY ONE HUNDRED EIGHTY-ONE (181) ACRES IN THE VICINITY OF THE AIRPORT, APPROXIMATELY SIXTY-FOUR (64) ACRES IN THE VICINITY OF THE RESERVOIRS, ALL OWNED BY THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-082** (*PUCO Hazmat training grant award*) **requires three (3) readings** **second reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2023-083** (*Firehouse Subs Foundation grant*) **requires three (3) readings** **first reading - adopted**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ACCEPT AWARDED FIREHOUSE SUBS FOUNDATION GRANT FUNDS FOR THE PURCHASE OF FIRE HOSE NOZZLES ON ALL APPARATUSES, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Greeno. Ayes: Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance received its second and third readings. Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-083 and is hereby made a part of the record.

**ORDINANCE NO. 2023-084** (*200 W Lincoln St 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 200 WEST LINCOLN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-3 DOWNTOWN COMMERCIAL".

*First reading of the Ordinance.*

**ORDINANCE NO. 2023-085** (*Ohio Attorney General Drug Abuse Response (DART) grant program*) **requires three (3) readings** **first reading - adopted**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Wobser. Ayes: Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-085 and is hereby made a part of the record.

**ORDINANCE NO. 2023-086** (*RLF Administration (July 2022 - June 2023)*) **requires three (3) readings** **first reading - adopted**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Hellmann noted that this is a standard expense that the City pays.

Councilman Hellmann moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Slough. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman. Nays: Frische, Wobser. The Ordinance received its second and third readings. Councilman Slough moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-086 and is hereby made a part of the record.



**ORDINANCE NO. 2023-087** (*jake braking and noise pollution*) **requires three (3) readings**

***first reading***

AN ORDINANCE DECLARING THE PRACTICE OF ENGINE BRAKING, OTHERWISE KNOWN AS “JAKE BRAKING”, TO BE PROHIBITED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

Discussion:

Councilwoman Frische asked if this should be referred to a committee for discussion since all that Council has been given on it is a letter and now have legislation before any details have been provided. She asked what committee this should go to for jake braking and noise pollution. City Engineer Kalb replied that it has been mentioned that it should go to the Traffic Commission. Councilwoman Frische agreed that it should go to the Traffic Commission but that it still needs more of Council’s input.

Councilman Wobser agrees that this needs to go to a committee, but is unsure where else other than that it should go to. Councilwoman Frische asked if it would be an item for the STRATEGIC PLANNING COMMITTEE since legislation already exists. Councilman Wobser replied no, not at this time. Councilwoman Frische replied that the Traffic Commission is a start.

Councilman Wobser moved to refer this to the Traffic Commission, seconded by Councilman Bauman. All were in favor. Referred to the Traffic Commission.

First reading of the Ordinance.

**ORDINANCE NO. 2023-088** (*DFID MOU*) **requires three (3) readings**

***first reading***

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2023-089** (*solar eclipse event*) **requires three (3) readings**

***first reading***

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2023-090** (*Cemetery sanitary sewer*) **requires three (3) readings**

***first reading***

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS FOR THE INSTALLATION OF A SEPARATE SANITARY LINE TO ALLOW FOR A DEDICATED SANITARY AND STORM SEWER FOR THE CITY OF FINDLAY’S MAPLE GROVE CEMETERY BUILDING, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2023-091** (*Laurel Lane waterline replacement*) **requires three (3) readings**

***first reading***

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH HELMS & SONS EXCAVATING, INC. FOR A REPLACEMENT WATERLINE ON LAUREL LANE, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2023-092** (*Park & Airport ADA restroom – CDBG*) **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 ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT FOR AMERICANS WITH DISABILITIES ACT (ADA) UPGRADES TO RESTROOMS AT THE CITY OF FINDLAY AIRPORT AND TWO (2) PARKS, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman asked if this is to be done as soon as possible given that it involves the Americans with Disabilities Act (ADA) and that the City is invoking these upgrades made. City Engineer Kalb replied that this will give the City authorization to bid that out and do not want to jump ahead with the next one. This is just to appropriate the CDBG funds. Legislation will be brought to Council again once it is sent out to bid for the local funds. He would like to go ahead and pass this tonight so that Regional Planning and the Fair Housing invoices can be distributed as needed.

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

Discussion:

Councilwoman Frische thought that the first phase for the parks and everything had already been completed and that this was going to complete it, but that this is going out for other bids and asked what happens if grant money is not awarded for the rest of what is being bid. City Engineer Kalb replied that what will the Airport is what will be bid on this. The park will be part of the last CDBG grant. There are two (2) CDBG grants. Part of the money for this will work in tandem with the other one. His part of it is just tracking. He will be bidding out the Airport and a Park project separately on two (2) separate bids.

Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-092 and is hereby made a part of the record.

**ORDINANCE NO. 2023-093** *(small waterline upgrades – CDBG)* 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 ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT, AS WELL AS THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE INSTALLATION OF NEW WATERLINES ON GEORGE STREET, GARFIELD AVENUE, MIDLAND AVENUE, AND ALLEN AVENUE, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that Ordinance No. 2023-093 is similar to Ordinance No. 2023-092, so he will move to adopt it tonight.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Palmer, Russel, Slough, Warnecke, Bauman, Greeno, Hellmann, Niemeyer. Nays: Wobser, Frische. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-093 and is hereby made a part of the record.

**ORDINANCE NO. 2023-094** *(HAN I-75 CR 99 DDI Interchange (PID102375))* 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 EXECUTE THE NECESSARY PRELIMINARY PARTICIPATORY LEGISLATION FOR THE HAN I-75 CR 99 INTERCHANGE PID102375, PROJECT NO. 32811100, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Palmer pointed out that due to the ODOT deadline, he will move to adopt this tonight.

Councilman Palmer moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Bauman. Ayes: Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-094 and is hereby made a part of the record.

**ORDINANCE NO. 2023-095** *(S Main St & McPherson storm sewer repair)* 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 ENTER INTO A CONTRACT CHANGE ORDER WITH HOHENBRINK EXCAVATING LLC FOR ADDITIONAL WORK ASSOCIATED WITH THE SOUTH MAIN STREET AND MCPHERSON AVENUE STORM SEWER REPAIR, PROJECT NO. 35532800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Palmer noted that due to discussions during the APPROPRIATIONS COMMITTEE report earlier tonight, he will move to adopt this tonight.

Councilman Palmer moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Bauman. Ayes: Wobser, Bauman, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke. Nays: Frische. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-095 and is hereby made a part of the record.

**ORDINANCE NO. 2023-096** *(WTP CO<sub>2</sub> Tanks Replacement)* requires three (3) readings

***first reading***

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH KIRK BROTHERS CONSTRUCTION, INC. FOR THE REPLACEMENT OF CO<sub>2</sub> TANKS AT THE CITY OF FINDLAY WATER TREATMENT PLANT, PROJECT NO. 35790800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilman Frische noted that the status of the CR 220 annexation talks about I-1 zoning classification and asked if I-1 zoning classification has been added in yet as she was under the impression that it was one of the new classifications being reviewed. Councilman Russel replied that there is an I-1 Industrial zoning classification which was set when the original petition was made and a recommendation is given on what the zoning will be. Councilwoman Frische replied that an industrial zoning classification exists, but is not I-1. I-1 is one of the new ones that is being discussed in committee. Councilman Russel replied he is not sure, but will make sure in committee that it currently is an option. Councilwoman Frische replied that if I-1 is not currently an option, it cannot be referred for that. *Later within this meeting, City Engineer Kalb confirmed that I-1 is a current zoning classification.* Filed.

Councilwoman Frische asked additional questions about water bills. There was a committee that met with citizens in the third floor Mayor's conference room here in the Municipal Building for the water billing fiasco when it was mentioned that there would not be any water shutoffs, but that Councilwoman Frische has received notice from a couple of residents who have received water shutoff notices. She asked for additional information about that. Service-Safety Director Martin replied that there are no water shutoffs with the transmitter water reconciliation process. There have been none and there will not be any while working through this reconciliation. He asked Water Treatment Superintendent Phillips (in the audience) if it is just standard language that is in the system that goes on bills as the reminder that the bill is due, and if not paid, it will be shut off, but that is not happening and was communicated with everyone on this reconciliation and transmitter process. Water Treatment Superintendent Phillips (in the audience) nodded in agreement. Councilwoman Frische noted that changes to the Water and Sewer Policy have to be made before it can start. Service-Safety Director Martin replied that he is referring to the reconciliation of the transmitters. Councilwoman Frische asked about those that were five hundred percent (500%). Service-Safety Director Martin replied that the City has communicated with everyone that was impacted by that transmitter reconciliation, which is what the Utility Billing team has been communicating, that no water is being shutoff in that process. Councilwoman Frische asked if something could be put on the bill because when residents see the red text, it puts them in a panic so some may be panicking and paying the bill. She asked how it is reconciling anything or promising anything until there is legislation in place. If a resident has a water bill that was five hundred percent (500%) or more, seventy-five percent (75%) is proposed to be written off for waterlines from the meter to the house and fifty percent (50%) if the owner shows that they fixed a water issue. Those that are four hundred ninety-nine percent (499%) or less will be given a payment plan for twenty-four (24) months and no one is getting shut off. Filed.

Councilman Wobser noted that he will reclude himself from any further conversations about Ordinance No. 2023-096. Filed.

Councilman Wobser noted that even though there currently is not a chairman of the AD-HOC COMMITTEE for the Habitat for Humanity topic, a meeting date and time needs to be scheduled for the first meeting so that business can be taken care of. Councilman Russel replied that the four (4) committee members can collectively figure out a date and then let the Council Clerk know so that it can be published. Filed.

#### **NEW BUSINESS:**

Councilman Greeno: **WATER AND SEWER COMMITTEE** meeting on Wednesday, September 13, 2023 at 4:00pm in the third floor conference room of the Municipal Building (CR1).

agenda: State of Ohio waterline extension to Van Buren State Park

Councilman Russel: **COMMITTEE OF THE WHOLE** meeting on September 12, 2023 at 5:00pm in the third floor conference room of the Municipal Building (CR1). Director Cordonnier with the Hancock Regional Planning Commission will be in attendance to give an overview and answer questions. It is anticipated that the updates to the zoning code will be brought forth to Council via legislation at the next City Council meeting.

agenda: new zoning code

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on September 14, 2023 at 12:00pm in the first floor Council Chambers of the Municipal Building (CR1). Councilwoman Frische and Councilman Hellmann will not be in attendance.

agenda: 1. CR 220 annexation zoning  
2. 315 Walnut St rezone  
3. 1700 Fostoria Ave rezone

City Auditor Staschiak noted that he circulated a proposed budget schedule. 4:00pm on 9/19/23 is listed, but is Council's pleasure if they want it at 5:00pm. 4:00pm is listed because Deputy Auditor Sampson was going to attend and available at that time, but that now she will not be able to attend. Councilman Wobser noted that this is the annual discussion of the budget. 5:00pm works best for him. He will cancel the 5:00pm STRATEGIC PLANNING COMMISSION meeting that day as it would overlap that, in lieu of City Auditor Staschiak's COMMITTEE OF THE WHOLE meeting that day for the budget. Councilman Russel asked if the meeting on the budget will be an APPROPRIATIONS COMMITTEE or a COMMITTEE OF THE WHOLE meeting. Councilman Wobser replied as an **APPROPRIATIONS COMMITTEE** meeting on Tuesday, September 19, 2023 at 5:00pm in the third floor conference room of the Municipal Building (CR1).

agenda: proposed budget schedule

City Auditor Staschiak noted that the three (3) initiatives that were filed and then the deadline passed on the 2023 general election were refiled with the City Auditor's Office last week prior to the Hancock County Fair and are being circulated in the public presently. They are back and active. Filed.

Councilman Palmer moved to adjourn City Council at 8:04pm, seconded by Councilman Bauman. All were in favor. Filed.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT PRO-TEM