

Discussion:

Mayor Muryn asked Ms. Welly if she received her email in response to the various concerns that she had emailed her about sewage and water pressure. Ms. Welly replied no, she did not. She has her original email because she sent her a second email asking "did you get my email?" Mayor Muryn replied that Ms. Welly sent her an email at 4:00am a couple of days ago and then she sent a response multiple times. Ms. Welly emailed Mayor Muryn initially on the 28th. She asked Ms. Welly to stop into her office tomorrow morning so she can print it off for her. Ms. Welly replied that she will be more than glad to stop by her office. Mayor Muryn replied that she just wants to reiterate what was shared and that Councilman Bauman also shared, the variety of projects in West Park over the last ten (10) years that has received more investment than a number of other parts of the community combined that has been warranted because of the number of issues that there been and the number of concerns that have been brought up and have been addressing with projects over the next three to five (3-5) years that will address the sanitation issues, water pressure issues, and the storm water issues. She asked Ms. Welly to stop by her office so that she can get that information from her and give to the residents that voiced concerns. Ms. Welly replied that she will stop by. She noted that Mr. Cordonnier has made it very clear that for the past eight (8) years, West Park has gotten all CDBG grant money because they are underdeveloped and does not think that the City should be putting new sewers in places when there is raw sewage running down Lima Avenue. It doesn't make much sense. Mayor Muryn replied that she has never heard of that issue, but will check it out. Ms. Welly replied that there are residents there that know that for a fact.

Councilwoman Frische reiterated the raw sewage issue. When she was chair of the WATER AND SEWER COMMITTEE, there was a water project under Mayor Mihalik with several properties that were not connected that are in that area that got to be pricey when the City was trying to dig to put that infrastructure in with some change orders with costs getting high, so the project stopped. Those properties that did get completed were supposed to tie in by a certain date, and if they did not tie in, the City was going to tie them in and then assess those properties which is the information she has been asking for but has not been located yet. She did receive maps from City Engineer Kalb on what that project was. Ms. Welly replied that she has that information. City Engineer Kalb added that after the West Park Block Watch, a resident informed the City about the Lima Avenue issues and Councilwoman Frische provided that information to Councilman Bauman. The City is investigating a project in that area for 2024, but cannot state how soon that will be in 2024 because it is unknown how much is there as there is a lot of surveying and a lot of design with it, but from his end on the Capital Improvements side for sewer, after those issues were brought up and after some investigation, a sanitary issue plan to correct those is being planned for 2024. He agrees with Ms. Welly that if there are some long-standing issues with that, it should be looked into. The Health Department has reached out and informed the City about one of those issues, so the City is going to get those corrected because West Park is within the City's area. The City is looking into those areas. Ms. Welly replied that City Engineer Kalb was wrong about the Health Department. The Health Department never inspects them. They inspect them when they are first installed and if the house is sold, then the Health Department inspects it. Other than that, nobody inspects them. Craig Krajieski from the Health Department told her that it only gets inspected when it is sold and that is the only time septic tanks are inspected. They are not inspected every year. Those that had to connect were around Elyria Street and Blaine Avenue that were connected in 2015 by starting a petition to have five hundred eighty-two dollars (\$582) waived so that they could hook up to their sewers in which they did connect, but there are still a few houses on Blaine Avenue that are not hooked in. The Auditor's site states that there are seventy-nine (79) houses that are not connected, but the Auditor's site is wrong. She has it down to thirty-five (35) and fifteen (15) without municipal sewers. Filed.

Haydee Sadler – smart meters

Ms. Sadler requested City Council and the Administration to stop adding the verbiage "declaring an emergency" on nearly every ordinance so that we the people can get our voice back. During her smart city research, she found that the City continues to state that it is not building. She had gotten that information from her smart meter, but had gotten her water meter mixed up and wanted to clear that up. Regarding the water meters, those manufactured by Neptune, are smart water meters, so she has monitoring concerns on smart electric meters. On October 23, 2023, the University of Findlay held an AI forum exploring artificial intelligence and the fourth industrial revolution. Phase 4 of globalization, which is the fourth industrial revolution, will bring about smart services and pervade every aspect of our lives. While the City of Findlay residents are concerned about their freedoms in the future, they very much should be because this Administration is actually ushering in the world economic forums fourth industrial revolution right in front of us. It is coming to our back doors, front doors, sewers, our internet, and our fiber optics. Everywhere. Since Silver Springs Network is named on our smart meters that are connected to the internet of things, internet of bodies, and internet of behaviors, it can analyze different behavioral patterns through electrical conception. Miles Kio, Director of Grants and Research at the National Association of Regulatory Utility Commissioners stated that he thinks the data is going to be worth a lot more than the commodity that it is being consumed to generate the data. Nancy King, an Oregon State University Business Law and Ethics academic who is studying smart meter deployments stated that very sensitive information can be revealed about homes, and that homes are the most sacred privacy environment. Ms. Sadler is requesting a report on her meter to include all the information that has been collected on it from the time it has been put on her house, as well as all the data throughout the day, and the frequency it is putting out. She is also requesting its removal with no additional cost to her, and if there is a cost, she requests that the City use tax dollars that they call grants to remove it. She also has fire concerns regarding these smart meters that use lithium batteries that are very flammable to water causing them to catch fire and explode. In her research, she found a lot of articles regarding fire and electrical hazards from the smart meters. She has read that the meter placed right outside her garage and on the other side of her electrical panel can cause a lot of problems. There are articles from all around the world that discuss fires due to smart meters. She has also read that smart meters interrupt GFCIs and AFCIs. According to William Bathgate from the Building Biology Institute, the Science of Healthy Buildings, an evaluation was conducted in 2017 and found that iron is prone to excessive heating. Iron is the parent company of Silver Springs Network who developed our meters. Just recently, a few months ago, there were three (3) buildings that burnt down just a block from her house, so she wonders if it was due to smart meters. In November 2013, Forest, Ontario, sixty to seventy (60-70) smart meters exploded due to winds. In March 2015 in Stockton, fifty to sixty (50-60) smart meters exploded after being unable to handle a surge and that there was electrical damages to the home. In 2015, Quebec began requiring a separation distance of nine feet (9') between propane tanks and smart meters. Not only are smart meters causing fires, but according to the American Cancer Association, they are possibly carcinogenic to humans because they give off radio frequency radiation which also increases stress, anxiety, inflammation and arthritis, sleeping problems, headaches, and many other side effects.

Discussion:

President of Council Harrington informed Ms. Sadler that her allotted four (4) minutes was up. Councilman Palmer moved to allow Ms. Welly more time to speak, seconded by Councilman Bauman. All were in favor.

Ms. Sadler continued stating that it literally heats up biological tissue and increases temperature. She asked if the City of Findlay did a short circuit and coordination study that is recommended by the National Fire Protection Association 70B for the smart meters. She read that these smart MAI meters do not have surge protection and are not grounded. She asked if there are surge protection on their smart meters. She asked if these smart meters are grounded in case of power outages and re-energizing of electrical lines. She asked if the Fire Department has a category established in their incident reports to indicate a smart meter malfunction fire. She asked if she can get a report on how much heat these smart meters put out. She asked if the City of Findlay tested the radiation levels of this technology infrastructure to be sure it meets the radiation level safety standards of the United States. There are 5G smart meters and now smart water which is a lot of radiation coming at us. She asked if residents can opt-out for those that are concerned about their health because of the smart meters. She imagines there is a dumb code where there might be a switch where they're not transmitting frequency continually. She asked if the City of Findlay has an insurance plan in place for those that will have EMF sickness from these smart meters. She asked if the City of Findlay will be providing EMF protection products for residents since they will be more health risks with the smart meters and MetroNet's 5G technology that the City has allowed into the City. Filed.

WRITTEN COMMUNICATIONS:

Letter from Columbia Gas of Ohio Vice President Vincent Parisi – infrastructure replacement program.

Discussion:

Councilman Wobser asked what this means. Service-Safety Director Martin replied that it establishes that they have some infrastructure, case iron piping, etc. that they are concerned about improving and replacing because of the items listed with leaks, etc. that will essentially increase the rate \$1.38/month. He has not talked to Columbia Gas, but will reach out to them to get more information about what this entails. Councilman Wobser asked who this affects. Service-Safety Director Martin replied that he also received a letter, but has not had time to investigate it, but that he will investigate to get more information, and will see if Columbia Gas can come to City Council and talk about what utility they are providing to the community.

Councilwoman Frische noted that how she read the letter is that the \$1.38/month increase was for inside the City limits, but would like to know what streets or area of town it affects, and if it falls off once they get it all paid for or if it stays on forever. Service-Safety Director Martin replied that Columbia Gas will have to answer that and discuss the utility they are providing to us. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Engineer Kalb – PD Body-Worn Camera Program, 31930700

On November 21st, the City of Findlay received an email from the Office of Criminal Justice Services (OCJS) that our State BWC grant was approved for reimbursement of the body worn cameras that were purchased through June 30, 2023. The original grant award was for ninety-one thousand nine hundred twenty-six dollars and eighty-one cents (\$91,926.81), but while completing the grant paperwork a few modifications had to be made, and those modifications were submitted to OCJS for review. In the original submission, the City applied for fifty-two (52) body worn cameras, eight (8) multi-bay docking stations, license (storage), performance licensing respond licensing, licensing for redaction/tagging, as well as maintenance. Once the grant reimbursement was received on November 21st from OCJS, the City of Findlay only received eighty-seven thousand eight hundred twenty-six dollars and eighty-one cents (\$87,826.81) for this equipment. Through the grant requirements and the modifications that were made, the City did not receive any reimbursement for extra camera mounts, multi-bay docking stations and personnel training. Since these items were not covered in the OCJS grant, the project account will be short by the same amount. Four thousand one hundred dollars (\$4,100) is now requested to be appropriated to the project to cover the cost of the equipment that was not reimbursed by the State's BWC grant. Legislation to appropriate and transfer funds was requested. Ordinance No. 2023-135 was created.

FROM:	CIT Funds – Capital Improvements Restricted Account	\$ 4,100.00
TO:	PD Body-Worn Camera Program #31930700	\$ 4,100.00

Discussion:

Councilman Wobser asked how the additional equipment was missed in the original request, or if the project expanded. City Engineer Kalb replied it was a modification for extra camera mounts and the charging. Originally, it was just for single bay charging and then they found out it was more efficient and better with the multi-bays. It was within the same money amount to switch out, but when the City sent the modifications into the State for their review and to accept it, they determined that the City would be covered up to eighty-nine thousand dollars (\$89,000) and did not cover the rest. This request of four thousand one hundred dollars (\$4,100) is to make sure the project does not go in the red. Councilwoman Frische asked who managed this grant. City Engineer Kalb replied the Police Department. Filed.

City Engineer Kalb – The Ohio Water & Wastewater Infrastructure Grant FY24-FY25

The city of Findlay is eligible to apply for funds through the Ohio Department of Development for the Water & Wastewater Infrastructure Grant. The Water & Wastewater grant program will be appropriating additional funds to help communities make necessary investments in water and wastewater infrastructure. Projects will be reviewed based on a scoring matrix, the scoring will be used as a tool to assist in the final award decisions by the Department of Development. There is no set amount on matching funds, but it is strongly encouraged by the Department that matching funds will receive additional points towards the project score. The City of Findlay previously received one million eight hundred thousand dollars (\$1,800,000) from this grant program for the Reservoir Transfer Valves that is currently under contract.

The City Engineering Department is preparing to submit two (2) eligible projects to the grant for the available funds. The two (2) water infrastructure projects that the City Engineering Department is submitting applications for are for improvements to the Water Treatment Plant and various waterline replacements across the City of Findlay. Within the improvements project at the Water Treatment Plant, the City Engineering Department will also package together the generator replacement project, various building renovations, and necessary equipment replacements that have been delayed over the past couple of years. For the waterline replacement project, various sections across the City that are in need of waterline replacements will be packaged together. As part of the application, the maximum of five hundred thousand dollars (\$500,000) of water funds will be used as match money between the two (2) water projects. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to apply for the grant and sign any applicable grant agreements or related documents. Ordinance No. 2023-136 was created. Filed.

City Engineer Kalb – Findlay Airport Rehab of Runway 7/25 Design FAA and ODOT grants

Ordinance No. 2023-109 authorized the City of Findlay to send in a grant application to the Federal Aviation Administration (FAA) and the Ohio Department of Transportation (ODOT) Aviation for the Rehab of Runway 7/25. The original grant request for the projects was for the FAA to cover ninety percent (90%) or two hundred sixty-eight thousand dollars (\$268,000) of the project design and ODOT Aviation with the City of Findlay covering five percent (5%) or fourteen thousand nine hundred dollars (\$14,900) each. After working with each of these entities, it was found that there are a couple of items within the application that do not qualify for the grant funds. It was identified that the bidding and awarding process cannot be reimbursed with FAA or ODOT Aviation funds, so the City will need to cover the cost as part of our local share. With the additional twenty-five thousand dollars (\$25,000) cost that the City of Findlay will have a local match of thirty-nine thousand nine hundred dollars (\$39,900) with ODOT Aviation matching fourteen thousand nine hundred dollars (\$14,900) and the FAA contributing two hundred sixty-eight thousand dollars (\$268,000) towards the project design for a total project cost of three hundred twenty-three thousand dollars (\$323,000). A new ordinance is being requested to reflect the change so that proper documentation can be resubmitted to the FAA and ODOT Aviation for grant funds. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to apply for grant funding from ODOT Aviation and to enter into a grant agreement with ODOT Aviation is requested. Ordinance No. 2023-137 was created.

Discussion:

Councilman Wobser asked if they are covering the twenty-five thousand dollars (\$25,000) of costs that were incurred for bid award costs. City Engineer Kalb replied they are not. Councilman Wobser asked if that is a new rule that happened just recently that the City was not aware of. He asked how it was missed. City Engineer Kalb replied that there are new Project Managers through the FAA and ODOT. The FAA grant for this is already moving and had to show that the City already had the FAA grant first before it could be sent down to ODOT. The City was just going to appropriate funds for the City's local match, but were informed that the Ordinance has to state exactly the money amounts in order to submit the grant to ODOT. Originally, it was all covered with the FAA stating it is good to cover, but then ODOT stated that they will no longer cover that. It was a change within their management. Councilman Wobser asked if they changed the rules on us. City Engineer Kalb replied that is correct. The City submitted everything the same as they normally do with everything normally being covered, but that it came back with the bidding and awarding process costs not being covered.

Councilwoman Frische asked who managed this grant. City Engineer Kalb replied RS&H Airport Consultant, the City's Engineering on-call. They put all the grants together because they work with the FAA and ODOT Aviation. It was an effort between RS&H Airport Consultant, the City's Airport Director, and City Engineer Kalb. The City leans on them because they talk with the FAA and ODOT Aviation daily. Councilwoman Frische noted that there are two (2) grants out right now with some oops and asked if there is someone that specializes in grants. She was under the impression that there is an employee in the Hancock Regional Planning Commission Office that handles the grants for the City. She asked if there is an employee doing that if the City Engineer is not up to speed or do not do grants. She asked if there should be someone assisting on the City's side to help with grants so the oopses do not continue and that she assumes there is an application that spells everything out in black and white. Mayor Muryn replied that the two (2) grants Councilwoman Frische is referring to are not oopses on the City's side. Organizations that offer grants move and change things quickly. The FAA grant was done the same way it has always been done under the guidance the City has always had, but that they came back wanting different wording to say what the City is already doing which is what this legislation is. On the body worn cameras, it was known that things needed to be purchased and then would need to submit for reimbursement. When we went through the process from an operational standpoint, we made an operational decision that buying dual bays was better long term than having single bays, which we thought would not be a big deal because they were still charging bays that would be reimbursed, but in this situation, they decided not to and the City could have switched them out and return the double bay, but that it makes more sense long term to have the double bays and decided to move in that direction and appropriate four thousand dollars (\$4,000) to cover the expense. City Engineer Kalb agreed with Mayor Muryn that these are not mistakes with wrong numbers put in. Many times grants that the City puts in are not a guarantee that every single dollar will be awarded. There have been some that they have only awarded the City up to a certain amount and then the City has to make adjustments. They are all competitive type grants. Whatever amount the City applies for is not a guaranteed amount.

City Auditor Staschiak reminded Council that he comments every year in the budget books and is in the budget books Councilmembers received tonight, that the amount of grant dollars the City of Findlay is receiving is phenomenal and is a wonderful thing. It is more than what has been seen in his career with the City both privately, and what he has seen with the City since 2001. There are more than one person managing these grants and looking them over. The City Auditor's Office does some, Engineering does some, HRPC does some, and some individual departments (i.e. Fire or Police) that do some. Councilwoman Frische's question is very valid because many times Deputy Auditor Sampson has discovered issues that have had to be sent back and corrected either through legislation or through the order of how things are done, or just filings not being done or not being done correctly. Councilwoman Frische's question is valid and is worth having a discussion about during the budget hearings when reviewing how you the City is staffed and when considering doing these things because the way the grants are evaluated today. There was a mistake here. On one of these grants, the paperwork wasn't filed on time, but were fortunate and received the money. When this stuff happens, with Federal grants, it was correct or it wasn't correct. It is binary. It's one or zero. When they are evaluating for future grants that are competitive and are going to look at that binary number and look for any errors in the grants that that weren't done correctly and could lose money. Councilwoman Frische's question is a valid question and should be explored not just by the Administration, but also by Council. Filed.

City Auditor Staschiak - Ordinance No. 2023-071

City Councilmembers contacted City Auditor Staschiak about Mayor Murn's request to lift Ordinance No. 2023-071 off the table, as well as Councilman Wobser, Chair of the APPROPRIATIONS COMMITTEE, for ensuring Council as a whole understood there needed to be an additional piece of legislation drafted if Ordinance No. 2023-071 was to be reconsidered. This is a complex matter with many working parts and ways to finance projects like this. He does not believe any of them have been discussed or shared with Council. In order to protect Findlay's financial interests and to ensure all financial options remain open to everyone, Bricker Graydon has prepared a resolution (with the knowledge of the City Law Director) which will potentially allow us to recapture or pay ourselves back from a potential bond issuance. This would depend on if a project is approved by Council and how that project's financing is structured. City Auditor Staschiak is one hundred percent (100%) in favor of completing the flood mitigation project, however, as the City's Fiscal Officer, he has many concerns and several questions, including but not limited to:

1. The simple fact of the matter is that the City of Findlay cannot afford a project that could cost up to forty million dollars (\$40,000,000) on their own.
2. The Mayor has stated that she will not likely spend forty million dollars (\$40,000,000). If that is so, why has the design cost not been reduced to reflect a lower proportionate cost? Ten percent (10%) is a common commission to pay an architect design firm. Design of a ten million dollar (\$10,000,000) project should be one million dollars (\$1,000,000) or a third being three hundred thirty-three thousand dollars (\$333,000). Design of a forty million dollar (\$40,000,000) project should be four million dollars (\$4,000,000) or a third being one million three hundred thirty-three thousand dollars (\$1,333,000). The requested one million five hundred thousand dollars (\$1,500,000) is one third of four million five hundred thousand dollars (\$4,500,000). What is a reasonable amount for design costs if we aren't planning to spend forty million dollars (\$40,000,000)?
3. A non-binding public vote on the matter should be considered (there is an early primary in the spring). City Auditor Staschiak has spoken with the Board of Elections and was told that this question can be placed on the ballot. This opportunity should be considered with the deadline being either December 20th or 15th. Guidance is available from the State, as well as the City Director of Law could lead Council through it.
4. The environmental review and mitigation cost analysis is far from complete. The City of Findlay has no idea what cost turning a single shovel of dirt will lead to. It is reasonable to spend this money when you have no clue as to what the City of Findlay will be forced to spend once dirt is moved.
5. The City of Findlay has yet to identify an expert advisor who is a fiduciary of the City to advise us the City of their risks in working through this complex matter. No Administrator here or Councilmember has the expertise to protect the City's interests as they relate to the environmental complexities. Who's working for who? Parties concerned include: the City of Findlay, Hancock County, the Maumee Watershed Conservancy District, and the Alliance. Who is the City's fiduciary expert that City Council is relying upon to make informed decisions now and into the future on this project?
6. There has been no discussion as to the push to develop the area north of this project as published and regularly discussed by the Alliance in their catalytic plan (a private economic development and real estate investment organization). How much is the Administration planning on spending on the infrastructure here since it appears the Mayor is actively supporting this unvetted private initiative as part of the proposed project (including the City's purchasing of the Taylor Street properties)? This is best evidenced by the "iconic bridge" proposed in the private plan as early as 2017.

Once we all have answers to these questions and they have been fully and properly considered, as well as shared and discussed in a public forum, we, as elected officials, will be in a better place to decide what direction is best for the community. Is it truly responsible for the City to spend this amount of money this early in the process without a fully vetted planned approach including environmental hazards considerations? Resolution No. 030-2023 was created. Filed.

Traffic Commission minutes – May 15, 2023.

Discussion:

Councilwoman Frische feels like this is another example of carriage walks in that there was an ADA ramp that crossed from St. Mike's heading to the KFC that the City removed since there wasn't a school there, it wasn't needed, but that there is a lot of traffic with the church and the City Mission, and that ADA compliance is very important. It was penny-pinching in the wrong area to take that out. Filed.

City Income Tax Monthly Collection Report – November 2023. Filed.

City Planning Commission agenda – December 14, 2023. Filed.

Findlay Fire Department Activities Report – November 2023. Filed.

Mayor Muryn – City-managed annexations

Mayor Muryn is providing a quick follow up on this year’s project to offer City-managed annexation for properties that were interested. Over the past nine (9) months, the City of Findlay rolled out, clarified, and followed up with contacted properties, as well as those who expressed individual interest. The City of Findlay ended the year with the following list of properties that we will work to annex next year. No properties are being annexed which did not explicitly request it. A few of the properties will still border township properties, but had two (2) contiguous sides to the City corporation limits.

	Villa West/Villa South	Northtowne Condos
270000051420	2800 S Main St	Zielinski Mark
270000051430	0 S Main St	Maurer Rentals LLC
270000052630	203 Bittersweet Dr	Niemeyer Joseph H & Beth
330000080052	0 Township Rd 201	City of Findlay
330001008163	0 Hobart Ave	City of Findlay
330001009345	0 Township Rd 201	City of Findlay
330001009345	0 Township Rd 201	City of Findlay
330001009345	0 Township Rd 201	City of Findlay
330001009345	0 Township Rd 201	City of Findlay
330001009345	0 Township Rd 201	City of Findlay
330001018295	0 E Hobart Ave	City of Findlay
330001018295	0 E Hobart Ave	City of Findlay
350000087300	846 Bright Rd	Liebrecht Thomas & Michelle L
350000087310	840 Bright Rd	Leeper Dwight M & Kimberly D
350000087600	2034 Westgate Dr	Brodine Brent P
350000087590	2030 Westgate Dr	Doster Hank W & Erica M
350000087640	843 Longmeadow Ln	Kear Daniel E & Christine L
330001004487	6434 County Rd 18	Weaver Phillip L & Deborah L

Filed.

Mayor Muryn – 99/75 Diverging Diamond

The City of Findlay has partnered with Hancock County and the Ohio Department of Transportation District One to secure twenty-four million dollars (\$24,000,000) from the Ohio Department of Transportation – Transportation Review Advisory Council (TRAC) towards the 99/75 Diverging Diamond Interchange project. The City of Findlay has put over four hundred thousand dollars (\$400,000) towards this project with Ordinance No. 2023-121 up for its third reading during the December 5, 2023 City Council meeting to appropriate one million dollars (\$1,000,000) towards this project. The Administration is of the understanding that there are other funding announcements that will occur in the near future that will no longer require the City’s one million dollar (\$1,000,000) contribution to this project, therefore, Mayor Muryn is requesting that Ordinance No. 2023-121 be removed from the agenda. In the event additional local dollars are necessary for this project, legislation will be reintroduced next year. Ordinance No. 2023-121 is on the 12/5/23 agenda for its third reading, but is requested to be removed from the agenda.

Discussion:

Councilwoman Frische noted that the City originally appropriated money for its portion of this roundabout diversion diamond, and asked if someone is now paying the City’s portion. She asked if the City is going to be asking for it back in 2024, and who is covering the City’s million dollar (\$1,000,000) portion as she did not know that the City applied for a grant. Mayor Muryn replied Track, the State Review Advisory Council, at their meeting announced that there was a new program that the State would be implementing that would most likely cover the City’s local portion. She has received a verbal acknowledgement of that, but has not received anything in writing. It is her hopes to have something in writing prior to the next City Council meeting. At this point in time, she is comfortable enough to request that the legislation be removed and do not anticipate that the City will have to contribute. If something goes awry and do not receive formal confirmation, then it would come back next year. Filed.

COMMITTEE REPORTS:

An **AD HOC COMMITTEE** met on November 27, 2023 to discuss the elected officials salary ordinance for Mayor, City Auditor, and Law Director via Ordinance No. 2023-133.

We recommend:

- Amending Ordinance No. 2023-133 as follows:
 1. Creation of Section 3 paragraph “C” to include the salary ladder from Section 7 and language to indicate the ladder is only used to set the initial salary of a new Law Director in the event there is a change in the person holding the Law Director position.
 2. That the ladder be changed as follows:
 - 11-15 years = \$95,000
 - 16-20 years = \$101,000
 - 21-25 years = \$116,000
- Creation of an Ad-Hoc Committee in January of 2024 to further evaluate the salary ladder for the Law Director Position.

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

Discussion:

Councilman Hellmann asked how this came about. Councilman Russel replied that before the last meeting, the Council Clerk mentioned the salaries for the Mayor, City Auditor, and Law Director sunset at the end of this year and that there was not legislation in place to pay them. Upon coming to the new year, without legislation to do so, the City cannot by statute change salary in the middle once a term starts and would have been paying the three (3) positions nothing. In working with Assistant Law Director Feighner, this ordinance was put together placing it for first reading with the intent that the Ad Hoc Committee would then look at it. City Auditor Staschiak attended that meeting and pointed out that there were some concerns on how to determine the pay for the three (3) positions. The language for the Law Director was challenging the way it was written and caused confusion, so the committee asked Assistant Law Director Feighner to work on some language to change that. The other portion of the ordinance is the ladder with the importance that it contains a salary, in the event the Law Director position would change, that there would be a salary available to attract good candidates. The Law Director has to be able to practice law, so having the right salary is important. In tonight's packet, there is Ordinance No. 2023-133 AS AMENDED. This is a proposal or a draft of new language in SECTION 1, 2 and 3, PARAGRAPH B of all those sections that has been changed to take care of the concerns that City Auditor Staschiak brought up. If the committee report is accepted, the committee is going to ask that Ordinance No. 2023-133 be amended as it appears in the packet. There was a ton of emails and phone calls being exchanged.

Councilwoman Frische cannot support any changes on this. She asked why these three (3) elected officials could not continue at the same of the sunset as it has always been her understanding that if there is going to be a pay increase for an elected official . . . the audio skipped to Councilman Russel . . . the ordinance from 2019 has a sunset clause in it, so at the end of this month, it becomes null and void and have to pass something. The dollar amounts that are listed in these ordinances are the same dollar amount that they would have received if the other ordinance had been in play under the premise that the City follow the explanation of pay calculation that is also in the packet. It is a change to the dollar amount that the Law Director and the City Auditor had come up with. The AD-HOC COMMITTEE chose to go with the spirit of the way the pay raises had been determined for the last four (4) years. 2017 is when this all was put in place and lowered the salary for 2024 versus the way the old ordinance would have paid them. It lowered it by a couple thousand dollars for each position. This ordinance is keeping the previous status quo in place allowing those three (3) positions to be paid. In a perfect world, this would have been done prior to the primary and would have confirmed it with the pay set at that time. Councilwoman Frische asked if they got a pay raise. Councilman Russel replied it is a three percent (3%) pay raise in line with the three percent (3%) pay raise that non-union employees will be getting in 2024. The old ordinance that this is replacing would have given those three (3) positions a six percent (6%) pay increase, but instead, this Ordinance cut it back to three percent (3%).

Councilwoman Frische pointed out that there was a lot of conversation focused on the Law Director, and she thinks it is great that SECTION 7 has been added back in. She asked if it is just being added back in this time or if it was added back in because it was removed when she came on Council. Councilman Russel replied that SECTION 7 was always there. The change to that section is that the ladder is now being proposed as SECTION 3, PARAGRAPH C was also combined in SECTION 7 which caused confusion because what the Law Director would be paid was stated in two (2) different places. City Auditor Staschiak had questioned which numbers to use, so the solution was to combine it under SECTION 3 and then add verbiage to state that the ladder that sets the Law Director's salary only kicks into gear in the event that there is a change in the person holding that office. Councilwoman Frische asked for clarity on SECTION 7. She asked if the language was added back in and that the City just doesn't follow it. Councilman Russel replied that the language in SECTION 7 is in the current ordinance and that language has not changed in this ordinance. SECTION 3, PARAGRAPH C was also part of 7. It was the modification to SECTION 7. Councilwoman Frische replied that the City is following SECTION 7.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 029-2023 (no PO) *requires one (1) reading*

first reading - adopted

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

Councilman Wobser moved to adopt the Resolution, seconded by Councilman Greeno.

Discussion:

Councilwoman Frische noted that this appears to be the money the Mayor was spending to go out and write contracts for Arlington and North Baltimore/McComb, and that there was a drastic decrease after she said there was conflict of interest discussions that were not billable and hat this had been waiting to be paid for the Mayor and the Auditor to get on the same page. She asked if they are now on the same page as she herself is not on the same page because Council never gave authorization and that Council needs to start standing their ground. City Auditor Staschiak replied that when he took a look at this, he was concerned about the detail of the bill, primarily because there were multiple charges to the City to decide whether or not they could represent the City. He does not think the City should be charged for someone to decide if they are going to charge us for services and that evaluation should just be part of the decision to work with someone when you are negotiating an agreement. It concerned him very much when he learned that the Mayor had not looked at that invoice prior to it coming to his office. He is glad the City Auditor's Office flagged it for multiple reasons. There was a moment in this review, that he was well aware that the City is not allowed to sell water that is not surplus water.

That is well known and has been known for decades. He has had multiple conversations with many people who have had knee-deep involvement with the City's water system over the years who are experts in the City's water system. They know the history. When the Mayor learnt that the City cannot sell water that is not surplus, there should have been a conversation with Council that happened before additional charges were incurred for developing contracts, water agreements, supply agreements, and master meter agreements, or whatever agreements were developed that are being charged for in this bill. He knows for a fact that the City's water system was developed in a way that there was still concern that there would not be enough water for our community which was proved during the drought in the 1980s. The City does not have any additional water that has come to us since that point in time. He has no intention, during his term in office, of approving or paying any bills affiliated with providing water to other communities outside the City of Findlay based on Ohio Law that the City cannot supply water that is not surplus water. He stands very strong on historical grounds for that. There is a lot of things going on in the background, a lot of things that got it to this point. As an elected official, he is embarrassed that there wasn't more discussion about it through the WATER AND SEWER COMMITTEE and through the individuals that do have knowledge of it, and the individuals that are denying knowledge of it, that documentation exists, that they did have knowledge of it.

Councilman Wobser asked if City Auditor Staschiak is approving to pay this bill now. City Auditor Staschiak replied that his review of the bill got it to a point where it was permissible for Council to consider paying it. He is not recommending Council pay it. He would not pay it if he was in Council's position. Mayor Muryn clarified that as standard practice, the Administration has the authority to engage attorneys to discuss operational items that may be pertinent. The Administration has that authority. In this situation, because Bricker Graydon had changed their name from Bricker Eckler, an entity that the City has used for decades, and were no longer set up in the system. Typically, the Law Director's Office or the Administration has blanket purchase orders to allow for legal services. That did not occur which is why this invoice came to Council for approval. She agrees that additional conversations could have taken place, however, it is well within the authority of the Administration to explore such items as necessary to get them to a point where there can be reasonable conversation with Council on establishing legislation and payment of items that are necessary. That is the role of Council and the role of the Administration. It should be of no surprise to anyone on Council that this was something the City was looking into as was documented. She sent an email out in 2021 that this had been brought up and that the Administration was going to explore if further. The expert attorneys, whom the City has engaged with, have expertise in water, law and engineering, and have stated that the City of Findlay does have the option to sell the City's water under the Ohio Revised Code, which is surplus water, in which the Administration is now exploring. No contracts have been engaged. It has not even been shared with any of the other entities and were simply gathering how something like this would be structured so that an operational game plan could be put together to see if would be feasible and then be able to put together what it may look like financially that she believes is appropriate and prudent of the City and its resources. The City is not at all looking to sell or farm out the management of the City's water system. That has never been part of the discussion. When regionalization was mentioned during these discussions, it would be to provide water to other communities in our region. That has been misstated publicly, so she wants to assure citizens that it is not something the City plans to do. Water is a resource that the City needs to protect and continue to keep as economical as possible, and need to continue to provide it as a resource to business entities, residents, and surrounding communities, when possible. She appreciates Council paying the City's bills to an entity that provided a service that is legally permissible. They do great work. The City has worked with them for decades.

Councilwoman Frische agreed with Mayor Muryn that the City can get legal expertise and opinion, but that it has to end up with a resolution that Council has to approve when going over the allowable if it did not come to Council for discussion. 2021 was a long time ago. Reasonable conversation is not defined as writing up contracts. This still has not been addressed with the WATER AND SEWER COMMITTEE or Council for any discussions. She has a copy of the contracts because she begged and pleaded to get those from Mayor Muryn. Council has an obligation to make sure there are checks and balances. The City can obtain legal opinions, but that does not mean to write contracts. It does not mean the City is doing something. At the last WATER AND SEWER COMMITTEE meeting that she attended, there were some outside individuals at that meeting, one being one of the entity who stated that they had no knowledge and were trying to figure out what was going on in Findlay, and that did not know that they needed our water. She has a lot of issues with the Mayor's justification to smooth it over and that Council has got to start taking a stand and state that we cannot keep doing this. While it is true that the law firm changed their name, there has not been any meaningful conversations for evaluation of even getting to that dollar amount to be writing up contracts. For that reason, she is a Councilperson that has to say the buck stops here.

City Auditor Staschiak, corrected for the record, that a lot of times things are omitted or only half the facts are presented, but the truth of the matter is that this did not come to Council because of a name change of a law firm. It came to Council because the Administration once again did not follow financial processes and ordered work without a purchase order that was in excess of three thousand dollars (\$3,000) that cannot be paid without Council's approval. In the past, and as recently as past President Ron Monday, comments have been made on why so many things are being done without the proper financial processes being put into place. There will be another conversation about that probably under NEW BUSINESS tonight that will need corrected.

Mayor Muryn acknowledges that the purchase order was not in place and is not disagreeing with that. She asked how many invoices have come to Council for payment this year because they didn't follow proper process. She guesstimates ten (10). She asked Council if they know how many purchase orders have been processed in the City of Findlay this year. When she checked back in November, it was over five thousand (5,000) which is a good margin of error. While that may not be acceptable and need to continue to improve and follow proper process, she appreciates City Auditor Staschiak doing his job in making sure the City complies and brings these types of issues up and addresses them, but that nobody is perfect. The City acknowledges that and continues to work through it. To be clear, the City team is not willy-nilly ignoring the process. Ten (10) errors out of five thousand (5,000) purchase orders is pretty good. City Auditor Staschiak replied that Mayor Muryn's comments were as misleading as you can get. He thanked his Deputy Auditor for the hundreds of mistakes she catches on a day-to-day basis and the hundreds of documents that are sent back to this Administration that are not correct. Let's deal with it, let's move forward and not paint it to be less impressive than it is. Let's just get things done and move forward. Council decides if they want to pay these bills, and if they want to continue to pay these types of bills in the future or not.

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

RESOLUTION NO. 030-2023 (*Ordinance No. 2023-071*) **requires three (3) readings**

first reading

A RESOLUTION AUTHORIZING THE USE OF A PORTION OF THE PROCEEDS OF BONDS OR BOND ANTICIPATION NOTES OF THE CITY, IN THE ESTIMATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$40,000,000, TO BE ISSUED FOR THE PURPOSE OF DESIGNING, ENGINEERING, CONSTRUCTING AND IMPROVING A DOWNTOWN RECREATION AREA, AND AUTHORIZING AND APPROVING RELATED MATTERS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Wobser reminded Council that this was the legislation that was discussed at the last meeting in November. It needs to be passed prior to getting to the northside recreational area. Mayor Muryn has no issue with this resolution from the standpoint that it gives the City flexibility in the future, however, she has no intention of doing a bond issuance to help cover costs for the downtown recreation area. She does not want citizens to think the City is planning to bond. There has been conversations over the last couple of years in which a number of Councilmembers and the City Auditor have been involved with planning out the City's future and what make sense to do whether it is a bond issuance for significant projects and what protects the City's cash position. Right now, interest rates are not favorable to borrowers. She is not a fan of taking on debt unless it is absolutely necessary. She does not have any expectation that it is necessary. She expects the City to set aside funds over a number of years for the City's contribution and then to leverage State and Federal grants as well as other private dollars to accomplish this project.

First reading of the Resolution.

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. 2023-102 (*CR 99 annexation – accept & approve*) **requires three (3) readings**

third reading – tabled until 12/19/23 public hearing

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY /OF HANCOCK, STATE OF OHIO, CONSISTING OF TWELVE (12) PARCELS TOTALING 57.691 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

ORDINANCE NO. 2023-103 (*CR 99 annexation zoning*) **requires three (3) readings**

third reading – tabled until 12/19/23 public hearing

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO KNOWN AS THE ZONING CODE BY ZONING THE FOLLOWING DESCRIBED PROPERTY AS BOTH I-1 LIGHT INDUSTRIAL AND C-2 GENERAL COMMERCIAL AS OUTLINED BELOW. SAID ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTS OF TWELVE (12) PARCELS TOTALING 57.691 ACRES (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

ORDINANCE NO. 2023-105 (*315 Walnut St rezone*) **requires three (3) readings**

third reading – tabled until 12/19/23 public hearing

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 315 WALNUT STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-1 LOCAL COMMERCIAL".

ORDINANCE NO. 2023-115 (*zoning code*) **requires three (3) readings**

second reading – tabled until 12/19/23 public hearing

second reading was given during OLD BUSINESS

AN ORDINANCE REPEALING THE CURRENT ZONING CODE, CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING A NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO; TO BE KNOWN AS "CITY OF FINDLAY ZONING ORDINANCE"; ADOPTING, APPROVING, AND INCORPORATING THE CURRENT ZONING MAP, ALONG WITH THE ENTIRE TEXT OF NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AS IF FULLY REWRITTEN HEREIN.

ORDINANCE NO. 2023-118 (*1600 E Melrose Ave rezone*) **requires three (3) readings**

third reading - adopted

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 1600 EAST MELROSE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "M-2 MULTI-FAMILY, HIGH DENSITY".

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-118 and is hereby made a part of the record.

ORDINANCE NO. 2023-119 (1700 Fostoria Ave rezone) **requires three (3) readings**

third reading - adopted

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 1700 FOSTORIA AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "I-1 LIGHT INDUSTRIAL".

Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-119 and is hereby made a part of the record.

~~**ORDINANCE NO. 2023-121** **requires three (3) readings**~~

~~**third reading - removed from the agenda**~~

~~(HANI 75 CR 99 DDI Interchange (PID102375) Project No. 32811100 City's share for construction)~~

~~AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.~~

ORDINANCE NO. 2023-123 (City Income Tax Administration Fund) **requires three (3) readings**

third reading - adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-123 and is hereby made a part of the record.

ORDINANCE NO. 2023-124 (salary ordinance amendment) **requires three (3) readings**

third reading - adopted

AN ORDINANCE AMENDING ONE (1) SECTION OF CODIFIED ORDINANCE NO. 2023-097, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HEREWITH, DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-124 and is hereby made a part of the record.

ORDINANCE NO. 2023-125 **requires three (3) readings**

second reading

(Shade Tree Commission & Tree Regulations ordinance (2023-120 removed from 11/8/23 agenda)

AN ORDINANCE REPEALING CURRENT CHAPTER 913 ET SEQ OF THE CODIFIED ORDINANCE OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING A NEW CHAPTER 913 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO ENTITLED ESTABLISHMENT OF SHADE TREE COMMISSION AND TREE REGULATIONS ORDINANCE FOR THE CITY OF FINDLAY, OHIO, THUS REPEALING ORDINANCE NO. 2016-040, AS AMENDED AND ALL ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Second reading of the Ordinance.

ORDINANCE NO. 2023-126 (O Keith Pkwy rezone) **requires three (3) readings**

second reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS O KEITH PARKWAY, PARCEL NO. 570001019010 REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "M-2 MULTI-FAMILY, HIGH DENSITY".

Second reading of the Ordinance.

ORDINANCE NO. 2023-129 (self-insurance fund) **requires three (3) readings**

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that there was an article in the newspaper on this and he received a handful of inquiries. He asked if there was a study done of the Self-Insurance Fund that suggested this increase. He asked if it went through the APPROPRIATIONS COMMITTEE. City Auditor Staschiak replied that last year, there was a full meeting and a full presentation on it. There was also an internal review as part of a process that went through on the City's regular insurance where some of the ties to this fund were looked at. The individual that looks at this is actually here this week. That individual's name is Hal Forester. Last year, he and Mr. Forester discussed considering as much as three million dollars (\$3,000,000) for this because there are things such as cyber insurance that is very expensive. Most cities Findlay's size do not go to the insurance market for their liability insurance and instead, are self-insured up to above two million dollars (\$2,000,000) which gives the City the ability to start to consider taking on more of the City's own liability. They also talked about some very serious risks the City is in for its health insured pool that warrant a significant increase of these dollars. He cannot speak to the details of them because of HIPAA laws, but that there are four to six (4-6) direct line liabilities that are threatening the City from a likelihood that something will occur, some of them more than the others. The presentation that was given last year is in the Council record and online. He looks forward to Council's consideration of this. He can provide more information prior to the third reading on this if Council would like. The City has never been in a better position financially to protect itself for the long term than it is now. Unfortunately, not everyone is privy to all the information of the risks of this because of HIPAA laws and would have to be cautious if a full evaluation were to be done.

Service-Safety Director Martin noted that a few individuals reached out to him after the last Council meeting about the article in the newspaper and with the third party auditor being in town right now doing a thorough review. Looking at the history of this fund over the last ten (10) years, the annual expense out of this is around nineteen thousand dollars (\$19,000) year over year. He is not suggesting the fund is fine at a million and is unsure if it is at 1.5 or 2, but should have a thorough evaluation by the City's third party auditor, and then take this ordinance off the table, and then re-evaluate it and have an assessment and a comprehensive conversation about what that fund should look like moving forward based on the risk and where policies are, as well as this self-fund, which is where it should be looked at in the first quarter of 2024. This should not be rushed. There should be committee conversations. Once there is data and facts on the evaluation, it should be reviewed because when those dollars are restricted, it is done. It is then over because they are restricted. Council needs to make a good calculated informed decision when there is information in front of them. City Auditor Staschiak pointed out that it was the Mayor who asked to get this under this calendar year so that the numbers could be off the books to start clean next year, and with the insurance evaluator here now, based on the conversation he had today, he does not expect his recommendation to change on his view of it. Today, City Auditor Staschiak provided Mr. Forester the data that he needed to make an evaluation. He expects to have the results of the evaluation before the end of the week. A lot of the information, if not all of it, that he is referring to will be available prior to the next City Council meeting and does not see a reason to table it being that Council would have ample consideration and will likely have the data or an opinion at the very least that Council can use to make their decision.

Councilman Russel asked City Auditor Staschiak to provide that information to Council as soon as he receives it so Council has time to digest it, and if he thinks he will not receive it for any reason, to let Council know. City Auditor Staschiak replied he will be happy to do that.

Mayor Muryn agreed that she did originally request this be done by the end of the year in order to have a fresh start. After discussing this with Service-Safety Director Martin, she would agree that having a more thorough review is beneficial, so she is fine holding it and waiting until the City hears from Mr. Forester. She has been digging into this a little bit more in an attempt to try and understand if there is a justifiable reason that really benefits the City to restrict the cash versus holding it in the General Fund and knowing it is available for the Self-Insurance Fund or other benefit, is worth better understanding.

Councilwoman Frische asked if the Mayor, Auditor and Service-Safety Director are sitting down to get a better understanding together and being on the same page. Mayor Muryn replied that when City Auditor Staschiak submitted the legislation, she had originally asked to submit it with the City Auditor requesting a million dollars (\$1,000,000), but then thought about it more recalling the conversations from last time in that there were real reasons that she didn't support it then. As City Auditor Staschiak already stated, Hal Forester, the City's third party auditor for the insurance is here now. There is a meeting scheduled next week to go over that report with him and will go from there. It is possible at the third reading that she would request it be tabled or removed for additional vetting to be completed.

Councilman Hellmann asked if these self-insured funds are invested separately or if they just stored in a shoebox in somebody's desk drawer. He asked how these are handled. City Auditor Staschiak replied they are not in a shoebox and instead follow the Governmental Finance Officers Best Practices for handling investments, including custodial services and how investments are brokered out, so they are very cautious. Dollars are instantaneously swapped for a treasury bill, CD, etc. The way he has it in place, there is no risk to the City's money, even for a millisecond. The City's investments are pooled. The City partitions off and are accounting for those investments based on where interest should go to (General Fund, Water Fund, Sewer Fund, Cemetery, etc.). In this case, the Self-Insurance Fund. They are pooled in how they are done, but are accounted for individually, and are individually using modified accrual as is proper under cap.

Second reading of the Ordinance.

ORDINANCE NO. 2023-130 (AIP-35 North Apron Rehab Alternates) **requires three (3) readings**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

second reading

Second reading of the Ordinance.

ORDINANCE NO. 2023-131 (Taxiway 7-25 Rehabilitation, Project No. 35225200 FAA AIP-34 grant funds) **requires three (3) reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

second reading

Second reading of the Ordinance.

ORDINANCE NO. 2023-132 (Broad Avenue Bike Path, Project No. 31934600) **requires three (3) readings**

second reading

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS TO IMPROVE A STONE BIKE PATH ALONG THE BLANCHARD RIVER, PROJECT NO. 31934600, APPROPRIATING FUNDS FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES THROUGH THE RECREATIONAL TRAILS PROGRAM, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2023-133 (elected officials salary) **requires three (3) readings**

second reading

AN ORDINANCE ESTABLISHING THE SALARIES FOR THE MAYOR, AUDITOR, AND DIRECTOR OF LAW OF THE CITY OF FINDLAY, OHIO, BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2027 AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT WHERE TO, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted a point of clarification and asked if this Ordinance is receiving its first or second reading tonight. Council Clerk DeVore replied it is the second reading for this Ordinance (*Council Clerk DeVore incorrectly stated it as the first reading*). Councilman Russel noted that since the AD-HOC COMMITTEE report was accepted tonight, he will move to have this ordinance be amended as the draft amended Ordinance that is in tonight's packet.

Councilman Russel moved to amend the Ordinance to reflect the recommended changes listed in the November 27, 2023 AD-HOC COMMITTEE report, seconded by Councilman Bauman. Ayes: Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann, Niemeyer. Nays: Frische. The Ordinance is amended.

Second reading of the Ordinance.

ORDINANCE NO. 2023-134 (*Sewer Rules amendment*) **requires three (3) readings** **second reading**

AN ORDINANCE ADDING NEW SECTION V.6.A-C AND V.7. TO THE CURRENT RULES AND REGULATIONS OF THE CITY OF FINDLAY WATER AND WASTEWATER DEPARTMENTS OF CHAPTER 6109 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, UNDER OHIO REVISED CODE, SECTION 743.01 THROUGH 743.04, CHAPTER 6109 SAFE DRINKING WATER, CHAPTER 6111 WATER POLLUTION, AND 3745-95 OF THE OHIO ADMINISTRATIVE CODE, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel noted that the WATER AND SEWER COMMITTEE met at 5:00pm tonight to discuss this and asked the Administration to make some tweaks to this amendment to further clarify the language, which in essence, is going to ensure that the two (2) parts of the City's water and sewer rules are in sync with practices which ensures what was done with the water in the water transmitter project with syncing up the bills once the transmitters project was complete, making sure that is valid, and also ensuring that processes are in place to help those that are falling behind on their bills and giving them payment plans that are in sync with the City's water rules. This will be an amended ordinance on the agenda for the next City Council meeting in December.

Second reading of the Ordinance.

ORDINANCE NO. 2023-135 (*PD body-worn camera program*) **requires three (3) readings** **first reading - adopted**

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel pointed out that since this is a smaller amount of money to pay for something that was already purchased, and that it will ensure that accounting is copacetic, he will move to adopt this Ordinance tonight.

Councilman Russel moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman Niemeyer. Ayes: Russel, Slough, Warnecke, Wobser, Bauman, Greeno, Hellmann, Niemeyer, Palmer. Nays: Frische. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Slough, Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-135 and is hereby made a part of the record.

ORDINANCE NO. 2023-136 (*Ohio Water & Wastewater Infrastructure grant FY24-FY25*) **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 APPLY FOR THE WATER AND WASTEWATER INFRASTRUCTURE GRANT PROGRAM, AND SIGN ANY AND ALL APPLICABLE GRANT AGREEMENT(S) OR RELATED DOCUMENTS, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Palmer noted that since this is just a grant application and does not require any appropriation of money, and is needed in order to meet deadlines, he will move to adopt this Ordinance tonight.

Councilman Palmer moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Warnecke, Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: Wobser, Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-136 and is hereby made a part of the record.

ORDINANCE NO. 2023-137 (*Findlay Airport Rehab of Runway 7/25 Design FAA and ODOT grants*) **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 APPLY FOR FUNDING THROUGH THE FEDERAL AVIATION ADMINISTRATION AND THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION AVIATION, FOR THE REHABILITATION OF RUNWAY 7/25, AND ENTER INTO A GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AVIATION, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman asked if there is a time crunch on this. The legislation indicates thirty-nine thousand dollars (\$39,000) in local match funds, and asked if it needs amended to be thirty-nine thousand three hundred dollars (\$39,300) in local matching funds. City Engineer Kalb replied that the correct dollar amount should be thirty-nine thousand nine hundred dollars (\$39,900). It is twenty-five thousand dollars (\$25,500) on top of the fourteen thousand nine hundred dollars (\$14,900) that he has already told Council about. In the Ordinance, it should state thirty-nine thousand nine hundred dollars (\$39,900). There is a typo on the Ordinance. His letter to Council stated the correct amount. The Ordinance will need amended. He would like to have this adopted tonight because a grant application was already sent in for this and that this is the only item left to fully submit that. ODOT Aviation is waiting for this Ordinance.

Councilman Russel moved to amend the Ordinance to make the City's local match to be thirty-nine thousand nine hundred dollars (\$39,900) instead of the thirty-nine thousand dollars (\$39,000) as listed, seconded by Councilman Slough. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. The Ordinance is amended. Councilman Bauman moved to suspend rules and give the Ordinance and give it its second and third readings, seconded by Councilman Hellmann. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Bauman. Nays: Frische, Wobser. The Ordinance received its second and third readings.

Discussion:

Councilwoman Frische asked if City Engineer Kalb stated that he did this process backwards and went ahead and did everything with the grant and are now asking Council to final dot I's and cross T's. She thought that discussion happened a couple of months ago. City Engineer Kalb replied that is not what he said. The City already has authorization through Ordinance No. 2023-109. This Ordinance is correcting the money amounts because after the City submitted the grant application to them, they came back telling the City that there is twenty-five thousand dollars (\$25,000) that is not covered that the City will have to cover through their local funds. They want a new ordinance stating exactly number for number on it which is what this is. He already has authorization for this. ODOT Aviation is requesting it, not the City.

President of Council Harrington reminded Council that this was amended and then suspended.

Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno.

Councilman Palmer asked for a point of order and asked if the second and third readings were given. Council Clerk DeVore stated that the motion to suspend rules and give the Ordinance its second and third readings was given with seven (7) in favor and three (3) against. The Ordinance received its second and third readings.

Councilman Wobser again moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2023-137 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilman Russel explained that Ordinance No. 2023-115 (zoning code) was tabled because of the issues with its public hearing. If it would be removed from the table, it could receive its second reading tonight and its third reading at the next meeting. He moved for Ordinance No. 2023-115 be removed from the table and be given its second reading, seconded by Councilman Bauman. Ayes: Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser, Bauman, Greeno. Nays: Frische. The Ordinance is untabled. The Ordinance received its second reading. Councilman Wobser clarified that this goes on Council's agenda for December 19, 2023 for its third reading.

Councilwoman Frische pointed out that at the last Council meeting, there was a discussion on the fifty percent (50%) water rate increase. The Service-Safety Director recited Ohio Revised Code 743.04 stating that it gives him authorization. After that meeting, she continued discussion with the Mayor, Service-Safety Director, and Law Director for further clarification. She didn't get that clarification, but she did receive an email from the Mayor stating that Ohio Revised Code references the applicable law because the City has not passed a separate ordinance designating another authority for water rates. Ohio Revised Code was passed in September of 2014 after any previous water rate increases had taken place with the Service-Safety Director. The legislation clearly states that the Director of Public Service, or any other City official, may raise of lower water rates. Ohio Revised Code does not give the authority. Her emails to the two (2) elected officials and one (1) appointed employee was to find the legislation where City Council passed an ordinance giving the authority to the Service-Safety Director to be able to raise rates. It was found that the Service-Safety Director can raise rates outside City limits, but not inside City limits. For that reason, it is her understanding that the authority is not there for this fifty percent (50%) rate increase and would ask for either an AD-HOC COMMITTEE to be formed to figure out who the body is that will have that authority and for Council to pass legislation giving that authority. Until then, no water rate can be passed. She feels strongly about that for the citizens of the community. She asked for support from Council to make sure I's are being dotted on this and making sure the authority is there because the Mayor says in writing that the City has not passed a separate ordinance, which is the problem. Mayor Muryn replied that she appreciates Councilwoman Frische asking this on the record so that it can be fully clarified for those who may not understand. As provided at the last meeting and as written to Council in a legal opinion from one of the Assistant Law Directors because they were available at that time, the way the law works in the State of Ohio is that the Ohio Revised Code establishes the governance for the State of Ohio, and that applicable laws with how municipalities may operate, statutory cities operate. Unless a city designates a different process from that, that is the governing authority. In this situation, no separate ordinance has been passed designating the authority to another entity, and therefore, the Ohio Revised Code is the governing document for the process on how water rates are set. In the Ohio Revised Code, it states Director of Public Safety. In the City's organization, it is stated as the Service-Safety Director in which he is the Director of Public Safety, so the City has designated per the Ohio Revised Code, Service-Safety Director Martin as that entity, and therefore, he has that authority.

Councilman Wobser agreed. Where the City is at today, she is spot on. We are where we are today, but moving forward, Councilwoman Frische's comments come into play then. The City cannot make a change at this point, but can form an AD-HOC COMMITTEE and look at how this is done. It is known that the City missed a great opportunity here from 2011 forward to have had at least reviewed and looked at potential smaller increases over a period of time and can now take the opportunity with the new Council that will start January 1, 2024 to take a look at this and for a body to look at it on an annual basis by a specific date so that Council can review that recommendation and can be implemented into the budget process. That should probably be done sometime around August or September, however, where we are at today, is where we are at. He appreciates what Councilwoman Frische is trying to do, but at the same time, the law is what the law is today.

Councilwoman Frische read from the Ohio Revised Code: *the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation including operating expenses and the cost of permanent improvements, the Director of Public Service or any City elected official or body authorized by charter.* There are a lot of "or's" in that and no mention of giving the authority in this ordinance that was passed on Ohio Revised Code in September of 2014 and needs to be addressed now for the community because a fifty percent (50%) water rate increase is not justified. If the City is going to follow this Ordinance, she would like to know when the Service-Safety Director is going to raise this rate. She asked what date it will be effective. She asked, as an elected official, if she can go ahead and request an ordinance to lower the rates by forty-six percent (46%) or fifty percent (50%) until there is a committee that designates who the authority is because Councilman Wobser thinks there should be a review on an annual basis. That should be done because budgets are done every year when capital planning is looked at and should already be having those discussions. She does not think the City needs an ordinance to tell them what to do and should be having that dialogue in those meetings. Nowhere is there an ordinance giving the City the authority inside the City limits when there are two (2) or's listed in the Ohio Revised Code. She does not want to nitpick what his job title is and that maybe he is the authority the City wants to have, or maybe the City wants to have a commission. She researched the Codified Ordinances in Ohio that have their own water system and found two (2) different cities that passed an ordinance giving the authority to somebody, one even developed a commission. Before the water rate gets increased without authority from City Council, an AD-HOC COMMITTEE needs formed or needs to go to the WATER AND SEWER COMMITTEE and that it is not "too bad for now and will deal with it later" type situation or that she is going to have to ask for legislation as an elected official to lower the water rates until they can have that discussion. Filed.

NEW BUSINESS:

Councilman palmer noted that it came to his attention that the elected officials salary ordinance that was just passed for the President of Council, Councilmembers, and City Treasurer do not fall under the same equation for determining the raise, therefore, he'd like to request that the Law Director draft legislation that would put the President of Council, City Councilmembers, and City Treasurer under the same pay rate equation. He moved that legislation be drafted that corrects that for President of Council and City Councilmembers and can address the City Treasurer for their next term, whomever fills that position, seconded by Councilman Russel. President of Council Harrington pointed out that a motion is not needed for this request and that two (2) Councilmembers asking for legislation to be drafted is needed, which has been done. Councilman Russel added that this request references Ordinance No. 2017-119 which has very similar language to the one that got its second reading tonight and are asking for the same modifications that were included be made to Ordinance No. 2017-119 which is the controlling ordinance for the three (3) positions of Councilmembers, President of Council and City Treasurer. If Council does nothing, those three (3) positions will receive a six percent (6%) raise in 2024. If Council goes forward with this and passes it, those three (3) positions would get a three percent (3%) raise that would be in line with the raises being received by non-union City employees. He seconded the motion and is asking that an Ordinance amending Ordinance No. 2017-119 be on the agenda at the next meeting.

Councilwoman Frische had asked the question why Council wasn't included in the Ordinance and were not on the same sunset provisions, and that it was not obviously discussed in committee, so now instead of giving Council a six percent (6%) raise, will only be giving them a three percent (3%) to match the Mayor, Auditor and Law Director. If that is where it is going, it would not be fair for Council to get a six percent (6%) raise even though they do not have the same sunset clause. Councilman Bauman replied that is precisely why it was brought up tonight because the committee did discuss it and want to make sure that Councilmembers, President of Council and City Treasurer are more in step with what has been approved for the Administration (Mayor and Law Director).

City Auditor Staschiak noted that this anomaly in the ordinances was discovered in his office by their former Pay Clerk. There was concern because it was intended by Council that there be a parallel ordinances across all divisions that was important to them. He spoke with the Law Director who both felt strongly that it needed to come up, at minimum, by the budget process. The Council Clerk DeVore's finding was fortunate. He also had a conversation about this with Councilman Wobser, so it was going to come up one way or the other. He is grateful it came up this way ultimately allowing Council to vote as to what their intent was. At least this way, it is out in the open so that everyone knows what is going on because it was being calculated in a way that was different than what everybody had thought it was going to be calculated. Councilwoman Frische asked if it will be one ordinance by the time Council is done with it. City Auditor Staschiak replied it will be one method, multiple ordinances.

Councilman Hellmann thought that when the salary ordinance was passed three (3) years ago, that it included some outside help putting it together and that the percent increase for Councilmembers and President of Council would be the same percentage as what the unionized employees received, and that there might be situations where they may not get any increase. He asked if that is by the wayside now and are changing the methodology. City Auditor Staschiak replied no. There was verbiage missing which prevented the reset (maximum carry forward) in a year that exceeds three percent (3%) and for all other City employees, it resets down to three percent (3%) and then a raise is put on top of that. That was not happening for elected officials and could not happen during a term. That was discovered and is disclosed now, and is being corrected by Council.

Councilman Russel added that it was obvious in the AD-HOC COMMITTEE that it was the intent when the committee made those proposals, but is not the way the ordinance was written which is why the AD-HOC COMMITTEE reset the salaries for Mayor, Auditor, and Law Director to match the intent and why there is this request by Councilman Palmer and a second by Councilman Russel to have that same intent for the other positions. The intent was known and just want to make sure the ordinance matches that intent. The end result is that of a six percent (6%) raise for those positions, but will be a three percent (3%) raise in 2024 if passed.

Councilman Wobser informed Council that this morning, the Chamber of Commerce hosted their Fresh Brew Business meeting. The topic this month was the immigrants that are in town. It is a topic that has been discussed in that board before and around the City. There were a lot of interesting comments made from all the different organizations that are involved with them in our town. The last speaker was our Mayor who mentioned that the City is going to be coordinating the effort. He asked if that was correct and if so, to provide additional information on what that means for the City of Findlay. Mayor Muryn replied anyone who served on any committee anytime other than Council, though it stands true for Council too, that there is a need for someone to organize, call meetings, keep notes, set action items, etc., so Project Manager Hohman and Mayor Muryn are going to be that body that holds people accountable, tracks changes, pulls people in as necessary, etc. It is not a formal commission or a formal entity, but is a topic that needs addressed and needs attention. There were too many cooks in the kitchen with no one being the head chef, so she and Project Manager Hohman volunteered to be head chef to get it organized to help it move forward making sure the community resources and appropriate individuals are at the table for those conversations.

Councilwoman Frische was not at the Fresh Brew Business meeting, but received several phone calls on today's discussion. She asked if there will be any discussions on how that will be managed. Concerns mentioned to her were about taxes, documentation/lack of documentation, working, etc. They have the impression that the City is gearing up for hundreds of individuals coming into our community undocumented and documented to fill vacant positions in our community. She brought her concern about taxes up repeatedly to Mayor Muryn over the last year asking if they are paying taxes and if they are not, if they would be at some point. Those that reached out to her have a great concern of a change coming into the community and how it is being managed overall (Police, Fire, infrastructure, schools). She asked what the City of Findlay is taking on as Mayor Muryn being the cook in the kitchen. Mayor Muryn replied organizing and making sure that those folks are organized and that the community is working together in the correct direction. Folks that are working are paying appropriate tax through our compliance measures just as everybody else is held accountable. When someone goes and works at a company, the company has the responsibility to report them and do the withholding. If they are not doing that, they are responsible for providing appropriate documentation to that employee. We are doing all of the verifications and are implementing them. During the last couple of Income Tax Board meetings, it was discussed to put some additional documentation on the website about how the City holds people compliant. That is being addressed. Not everyone might have appropriate paperwork, so if we encounter those individuals from a City government law enforcement perspective, they take the appropriate steps. If it is someone that they are interacting with because of a legal issue, the appropriate parties are being notified. Sometimes, someone not having appropriate documentation may not necessarily mean that they are here illegally. It might just mean that they do not have their paperwork, so they would work with them to get the appropriate paperwork from the immigration office, Homeland Security, or the Department of State, etc. She does not know what all the issues are going to be. Today, the focus was what the Health Department is seeing, how schools are responding and how social agencies are helping. Her goal is for anyone who comes to Findlay to be a productive member society and are contributing. As was noted multiple times in the meeting, most of these folks are working and are paying taxes, but are not receiving any of the benefits. While she doesn't agree with the Federal Policy as there is great room for improvement on immigration policies, some who are here might be on a work visa if they were sponsored, are asylum seeking, etc. Depending on all of these different legal factors determines whether and when they can work. Some are not able to work for a year, but if they are here under that and not able to work, then they have a sponsor that has to be documented. This is not the City committing to putting financial resources into this, but if the City identifies areas into this that makes sense for City resources to help, then that would be a conversation with Council. She dislikes going to a committee and hearing everybody's problems when there are no solutions or action upon it.

Councilman Wobser feels Mayor Muryn's comments are well-founded, but that several times the speakers mentioned that those that are working are paying taxes and not getting benefits from those taxes, but at the same time, the rest of the speakers that got up and spoke talked about the resources that they are putting towards this population, so he would submit that they are getting their tax money back in ways that we would not normally like to have that happen. There were at least four (4) different entities that spoke about how much money, including the school system, that is being put towards this population which are taxpayer dollars. Since the City is going to coordinate this effort, he asked if the meetings the Mayor would be involved in be subject to Sunshine Laws. Mayor Muryn replied that she would have to look into it, but doesn't think it is a problem for them to be documented. Pretty much all the other coalitions in town have documentation that is readily available. It is something that just came to fruition in the last week or so because no one was taking the lead, so it was getting frustrating. Councilman Wobser replied that he thinks it would be good for any meetings that Mayor Muryn heads up, that minutes be published.

Councilwoman Frische asked what number of folks are coming into the community. Mayor Muryn replied that she does not have a hard, fast number. Some of the confusion is because there is a certain population that is living here and a certain population that is coming into town for work that do not live here. Some are living in Toledo, McComb, Lima, etc. that are coming in for work. The population that is here is probably three to four hundred (300-400) and approximately two thousand (2,000) in the region, some of which are coming into Findlay to work. Councilwoman Frische asked if there is a larger projection number in the future or near future. She thinks it would be appropriate to form a committee that works with the Mayor to address economic development, health and safety in the community, stress that is being put on the non-profits financially, finding things and dealing with the housing problem. It is more than just the Mayor administratively managing in order to not duplicate things and is time for Council to start thinking how they can do everything that they can to maintain the quality of life and the community that we've always had. A committee being formed would be appropriate for the first of the year. Mayor Muryn replied that she is happy to consider that as they wrap their arms around it. A lot of the items that are going to come up are not governmental responsibility to solve. She asked for the first quarter to figure out how this organization is going to function and identify some of the problems and then she will report that to Council, and then if there are ways Council wants to get involved, that would be beneficial. Councilwoman Frische replied that is not what she is saying.

This is having an impact on our community, so when capital planning and when looking at Police and Fire, we need to start looking at those things and having better discussions and that Council needs to be in that inner loop with Mayor Muryn as the Administration so that Council can start preparing for a potential influx in population when there is a housing shortage and when the Police and Fire numbers are where they are at. There is a lot there. It is not her trying to say we need to manage these people, but need to manage the City and how that growth is going to impact us. There are a lot of impacts. With the schools and everything which is why there needs to be a committee.

Councilman Niemeyer noted that it would be great if the City could mandate a drivers education class. Mayor Muryn replied that one of the struggles has been for them to be able to get licensed. Typically, only a couple of them have their license, so most of the interaction with them as been traffic violations and have reached out to the State trying to get a driver's education manuals in Haitian Creol that are already available in some of the other common languages such as Spanish. If they cannot read the materials, it is hard to learn them. It is something they are working on.

Councilman Russel: **AD-HOC COMMITTEE** meeting on Monday, December 11, 2023 at 4:30pm in the third floor conference room of the Municipal Building (CR1). *Meeting will be livestreamed.*

- agenda: 1. 2024-2025 Council Rules of Procedures - *Any suggested changes be given to an Ad-Hoc Committee member.*
2. committee assignments

City Auditor Staschiak pointed out that ORC 733.12 states that the Auditor shall prescribe the order of council reports to be ran for his department and the form or method of keeping the accounts by all other departments subject to the powers that be by the Auditor of State. City Auditor Staschiak is starting to not get some of the information he needs with the City of Findlay's Public Works Division and the funds that it is touching underneath it in regards to accounting. He has not received a valid report since early July, therefore he is requesting a meeting. The purpose of the meeting is to clarify that no legislation would be needed or if legislation is needed, if it could be requested out of committee so that clean up legislation the last meeting of the year is right and proper, so that this can be wrapped up and get it done. It is referred to as the Public Works Division because it is a department with many funds, so he needs a lot of information that the Administration is aware of what he has requested. Service-Safety Director Martin replied that he is working to provide that. He has been working on clarity of things because what he walked away with at the meeting as the City Auditor stated, was misunderstood. He has spoken with Deputy Auditor Sampson to figure this out. It is an operational thing that the Administration is continuing to work at and is not ignoring it. The Public Works Department wants to have buckets of dollars to be applied and transparent in the process. He wants to follow processes, so he is working with Deputy Auditor Sampson to make sure it is to her liking, and that for governmental practices, it needs to be there for City Auditor Staschiak's audit. He does not think a committee meeting is necessary since the Administration is working through the process. Councilman Wobser pointed out that it is running out of time being that it is already December and asked what the timeline is to get it done. Service-Safety Director Martin replied that the goal was to have all the information today, but that the Street Department Superintendent's team was assisting with running a condo down Main Street today, which was more of a priority for public safety and security. He also was involved with the interaction on it. The priority was to have all of the information to him today, but were not able to do that and are gathering the information so that there are no further delays. City Auditor Staschiak added that it is worthwhile to schedule the meeting and if it can be cancelled, to cancel it, but should have something on the schedule. The first mistake he is pointing out is that the statute of the Ohio Revised Code 733.12 states that the Auditor shall prescribe the form of Council reports, which is him, so Council needs to work with. Service-Safety Director Martin clarified that the City Auditor was never uninvited or invited, but instead was working with his Deputy Auditor who manages the operations for him. The information was put together with the City Auditor not being invited or uninvited to that meeting.

Councilwoman Frische asked what this is about. She asked what has been given to the City Auditor and what has not been given to him, and where a meeting is needed. Service-Safety Director Martin replied that there are different funds coming in. For instance, the gas tax has certain criteria that those dollars can be used in certain areas based on the right-of-way. There are employees that work in the SCM&R Department, and based on where they work, Deputy Auditor Sampson has determined by definition where certain people and certain buckets of budgets and work, based on where the funding is coming from who has made determinations where charge backs need to be made in and out of department departments. Councilwoman Frische asked if it is to pay an employee who does work for multiple departments, for multiple charge backs that have to come through. Service-Safety Director Martin replied it is to move dollars around based on the determination of her interpretation of definition. Councilwoman Frische asked if funds for this have been moved since July. Service-Safety Director Martin replied no, that is not the case. The Administration has been working through this and that July is a false date.

Councilman Wobser: **APPROPRIATIONS COMMITTEE** meeting on Thursday, December 7, 2023 at 3:00pm in the third floor conference room of the Municipal Building (CR1).

- agenda: funds for Public Works Department

Councilman Hellmann thanked the City in helping with the move of the apartments. It was a well-coordinated effort. They ran into some glitches, but people helped out when needed. It worked out well.

Councilman Russel moved to adjourn into Executive Session to discuss litigation under Ohio Revised Code (ORC) 121.22 Section G(3) with no action to be taken after the Executive Session at 8:03pm, seconded by Councilman Hellmann. Ayes: Bauman, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Slough, Warnecke, Wobser. Councilman Bauman moved to adjourn out of Executive Session at 8:08 pm, seconded by Councilman Palmer. All were in favor. Councilman Palmer moved to adjourn City Council at 8:09pm, seconded by Councilman Slough. All were in favor.

CLERK OF COUNCIL

COUNCIL PRESIDENT