

**FINDLAY CITY COUNCIL MEETING MINUTES
JANUARY 16, 2024**

REGULAR SESSION

COUNCIL CHAMBERS

ROLL CALL of 2024-2025 Councilmembers

Acting President of Council Wobser explained that he is Acting President of Council tonight because Mayor Muryn and President Pro-Tem Russel are both out of town.

PRESENT: Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Warnecke, Wobser

ABSENT: Russel

Acting President of Council Wobser notified Council that Councilman Russel informed him that he would not be in attendance tonight. Councilman Hellmann moved to excuse Councilman Russel, seconded by Councilman Greeno. All were in favor. Filed.

Acting President of Council Wobser opened the meeting with the Pledge of Allegiance and a moment of silence.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Wobser noted that there are a couple of mistakes on tonight's agenda. The date of tonight's meeting at the top of the agenda is incorrectly stated as ~~January 2, 2024~~ and should be **January 16, 2024**. Also, a correction is needed to page 4 under Resolutions. The Resolution No. 003-2024 is listed twice. The second one is incorrectly listed as Resolution No. ~~003-2024~~ and should be **005-2024**.

Councilman Wobser moved to replace the following from tonight's agenda, seconded by Councilman Bauman. All were in favor. Filed.

REPLACEMENTS:

1. Resolution No. 003-2024, AS AMENDED – ODOT Aviation – Airport Improvement Program Grant SFY ~~2423~~ (**LEGISLATION section**).
 - Header: changed SFY ~~2024~~ to now be SFY **2023**
 - Second WHEREAS: changed Project 3-39-0034-~~034~~-2023 to now be Project 3-39-0034-**035**-2023

Councilwoman Frische requested that the follow up letter submitted by Assistant City Law Director Feighner to her email dated December 27, 2023 and all correspondences attached be removed from tonight's agenda because they have no bearing on it. It is not standard process to include Councilmembers emails and getting into rebuttals, and there is no legislation to go with it. Acting President of Council Wobser replied it does go with Councilwoman Frische's request. Councilwoman Frische and Councilman Niemeyer made a request for legislation. Councilwoman Frische replied that is correct. Acting President of Council Wobser replied that Assistant City Law Director Feighner is responding to Councilwoman Frische and Councilman Niemeyer's request, so it is actually poignant and should be on the agenda tonight. Councilwoman Frische replied that she is making the motion to request for it to be removed because that discussion took place at the last City Council meeting. Acting President of Council Wobser noted that there is a motion on the floor, seconded by Councilman Niemeyer. Ayes: Frische, Niemeyer. Nays: Bauman, DeArment, Greeno, Hellmann, Palmer, Warnecke, Wobser. Motion defeated.

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Alley vacation request – Sixth Street between Blanchard Avenue and Strong Avenue

John Crates, Rockwell Investment Group is requesting a vacation of Sixth Street between Blanchard Avenue and Strong Avenue. This is a 60-foot unimproved right-of-way just south of Lots 11-13. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Alley vacation request – Strong Avenue north of Blanchard Avenue

John Crates, Rockwell Investment Group is requesting a vacation of the second east/west alley off Strong Avenue north of Blanchard Avenue that is a fifteen foot (15') unimproved right-of-way. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Blanchard Valley Health System Chief Financial Officer David Cytlak – Technology Drive name change

Blanchard Valley Health System (BVHS) has purchased 3401 and 3411 Technology Drive and intends to name this new campus Wellness Park. They will be renovating both buildings to create a new multi-specialty clinic. This investment will bring primary care, rheumatology, endocrinology/diabetes, orthopedics, podiatry, imaging, outpatient lab, and both adult and pediatric rehabilitation (PT, OT, Speech, etc.) to the north side of Findlay. Both buildings will contain shelled space for future growth and expansion. These two (2) properties combined with the vacant property BVHS owns in the southwest quadrant of the County Road 99/I-75 Interchange will begin to form a larger campus. BVHS will grow services and continue meeting the healthcare and wellness needs of our region. The name Technology Drive fit the original purpose of the location with Microsoft's investment in the 34-1 building and Kirk Development's investment in the 3411 building. Since the buildings will now provide medical and wellness services space, they are requesting that the street name be changed from Technology Drive to Wellness Way. Ordinance No. 2024-013 was created. Filed.

ORAL COMMUNICATIONS:

Dan Kelly – rules of procedures on Oral Communications.

Mr. Kelly is before City Council tonight on Council's Rules and Procedure. The copy that is currently available on the City's website is for 2022-2023. He was before City Council to speak at the December 19, 2023 meeting which was the last meeting for 2023 in which he had a couple of inquiries about the travel associated with the honorable Mayor when he was gaveled shortly after he started to speak. He went back through the rules of procedures. He read from page 8 of those rules that indicates that a speaker cannot personally attack anyone, cannot engage in slanderous remarks or other disruptive conduct. There is an issue here where Council can override the gaveling, but that did not take place and he asked for clarification on that. Everyone are citizens of Findlay and are entitled to certain information, especially when it appears in the local paper.

Discussion:

Acting President of Council Wobser asked Mr. Kelly to put everything he just said into the form of a question for Council. He did not understand Mr. Kelly's question. Mr. Kelly asked if a citizen outside of Council is permitted to ask questions of the Mayor during a City Council meeting. Acting President of Council Wobser replied that Councilman Russel is not here tonight and that he is the professional on this and knows it better than anyone. He believes that is not allowed. A speaker can raise questions that could be potentially answered later. He asked Mr. Kelly if he had asked a question of the Mayor. Mr. Kelly replied yes and that she did disclose certain pieces of information after he was gaveled. Acting President of Council Wobser replied that if the Administration and Council choose to answer questions, that is up to them, however, in general, Council is not required to respond to a question. Mr. Kelly replied not Council, but the Mayor. Acting President of Council Wobser replied the Mayor. Mr. Kelly replied yes correct.

Acting Mayor Harrington added that per Robert's Rules of Order that Council also adheres to, this is a City Council meeting. The Mayor and the Administration, including himself as President of Council, are permitted to speak at the behest of Council because it is their meeting. Mr. Kelly's question was about the travel that the Mayor had just completed at a conference. She is not a Councilmember and the question was one that could easily be asked by contacting her outside of this meeting. Per Mr. Kelly's comments, he did that and it was answered. That is why Mr. Kelly got gaveled down. Mr. Kelly replied that what he wants to raise here is that there is no prohibition in the rules, at this point, that states someone cannot ask a question of the Mayor. Acting Mayor Harrington replied that between now and the next City Council meeting, he will locate that out of the Robert's Rules of Order that he has to adhere by. They are the rules that City Council provides and approves to him as President of City Council and that the section on his prohibition is very little, but that there is quite a bit that adheres to Council's meeting, not the Mayor's meeting, not the City Treasurer's meeting, not the City Auditor's meeting, and not his meeting. It is City Council's meeting. Mr. Kelly asked if the Mayor's meeting is available for public attendance. Acting Mayor Harrington replied that the Mayor does not have a public meeting like that, but that she is available if someone contacts her directly or through her office in that she would answer any and all questions. Mr. Kelly replied that she has extended that offer to him. Filed.

Megan Hunyor, Public Affairs Specialist for Columbia Gas of Ohio – upcoming projects.

Ms. Hunyor is the City's primary contact should anyone have any questions at Columbia Gas. She is before City Council tonight to provide an update on their future plans in the community. Columbia Gas is committed to delivering safe and reliable natural gas who are invested in the community. Their pipeline replacement project is a big investment that they make here in the community. It is a twenty-five (25) year initiative across the State where they are replacing old steel and cast iron pipe with new plastic pipe. Their older gas lines have served them well, but just like any infrastructure, they have deteriorated over time, and the cost to maintain and repair them is more than putting in new or modern pipe. The new plastic piping they are installing has several benefits including, and most importantly, enhances safety measures that has a longer lifespan than the older pipe, and also has the ability to expand and contract with shifting temperatures. It also bends to the contour of the earth. As a result of all of this, plastic will require much less maintenance and upkeep in the future. Listed in the handouts she provided are a few of these projects are scheduled in the community over the next few years, but most likely, nothing will be seen in 2024. The first handout says Tier II for 2024, which is the Lincoln Street AMRP for the Upcoming Findlay Projects, which is the larger one. They have Tier I and Tier II projects that contribute to what gets done when. The Lincoln Street AMRP is currently a Tier II for 2024 which actually means that it will be done in 2025. The map provided to Council tonight has the most information of a few projects she has at this time. The total installation is fourteen thousand two hundred fifty-one feet (14,251'), replacing one hundred seventy-four (174) service lines. The next handout is the Defiance Bolton AMRP that are a Tier I project for 2025 that will definitely go in 2025, along with the Lincoln Street project. The last handout is the Prospect pipeline replacement project that is planned for 2026. These are the projects that she has on the horizon at this time. As always, they do their best to stay in contact with the City. They like to coordinate the City's roadway plans with theirs and stay ahead and mitigate any potential conflicts. Along with the project handouts, she provided the current municipal newsletter, as well as some safety information on carbon monoxide. When she was initially asked to speak by the City's Service-Safety Director, she had some questions regarding an economic development letter that was mailed to the City in November. It is something they do standard each year. It is mailed to their entire service territory that gives a general update on the current economic development plans, as well as their IRP which is the rider on customer's monthly statement that pays for these pipeline replacement projects. This goes out each year. The rate changes a little bit each year. There is no extra cost to residents for these projects which is how they are paid for. The average residential customer will notice an IRP rate increase of a dollar and thirty-eight cents (\$1.38) this year. This IRP rate has been going on since 2008. It is on the bill every month. It is to capture the expenditures they have made to improve the safety and reliability of the City's infrastructure . . .

Discussion:

Acting President of Council Wobser interrupted Ms. Hunyor informing her that her allotted four (4) minutes were up. All Councilmembers were in favor for Ms. Hunyor to continue.

Ms. Hunyor continued stating that it starts in May. It is still under review from the Commission, so that dollar amount may not be exactly one dollar thirty-eight cents (\$1.38), but that is what that letter was regarding. That letter does not reference any specific economic development projects and is just a general overview, as well as discussing the IRP rate. Larger customers and commercial customers will not see a fixed dollar increase on their statement, and instead see the increase as a surcharge. The surcharge associated with that will be a small increase with the surcharge, but not a fixed dollar amount. Any questions about any of these riders or different line items on the statement, their website is very helpful in explaining the different rates. Anyone that navigates to Columbia Gas of Ohio.com, there is a section called understanding your bill that can answer questions.

Councilwoman Frische asked what the current IRP is before it changes in May. She asked if it is a couple of cents or dollars. Ms. Hunyor replied she believes so and does not have that exact number, but can get that to her.

Ms. Hunyor explained that the pipeline replacement is in two (2) phases. They will replace the mainline first which delivers the natural gas down city streets essentially, and then do a second phase where we replace the service line up to the meter, and if the meter is inside, they then move that outside.

Councilman Hellmann asked if the one dollar thirty-eight cent (\$1.38) rate increase is per month, per year, per foot. Ms. Hunyor replied per month for the customer. It is called the IRP rider. It is a line item on the bill that pays for these improvement projects. Filed.

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Shiv Baba Inc. dba 5K Carryout, located at 1790 East Melrose Avenue, Findlay, Ohio for a C1 and C2 liquor permit. Applicants are Ashish Patel, Swetaben Patel. This requires a vote of Council.

James H. Mathias, Chief of Police is unable to provide background check(s) for the criminal record(s) for those that applied for these liquor permits due to no social security number(s) provided by the Division of Liquor Control stating that this is a master file, therefore, Division of Liquor Control will not provide social security number(s) for master files.

Discussion:

Councilman Hellmann pointed out that Council usually depends on social security numbers and asked without that confirmation where that leaves this. Councilman Wobser replied that this has happened once before not too long ago where the same situation happened. He asked Law Director Rasmussen how that one was handled. Law Director Rasmussen replied that usually, it is asked of Council whether or not they want to approve it or not, so it is up to Council. Councilman Wobser added that normally, there would be a vote of Council to file no objections on it. Councilman Niemeyer added that this came up with Scrambler Marie's where Council tabled it. Councilman Wobser asked if that one is just sitting there and did not get Council's approval, and found out that Council's approval does not mean a whole lot. Councilman Niemeyer pointed out that after the Scrambler Marie's liquor permit request was tabled, he contacted Scrambler Marie's attorney in Columbus who contacted him about the TRES license in which they were able to utilize one from out of town. That attorney told Councilman Niemeyer that everything was fine and was taken care of. It was all up to the Liquor Control Board. This liquor permit request is tabled. Filed.

City Income Tax Monthly Collection Report – December 2023.

Discussion:

City Auditor Staschiak informed Council that tax receipts were expected to go down slightly on the year to date because of windfalls rolling off from a lot of the corporate actions that took place with the City's two (2) big employers. He drew Council's attention to the first line which is the withholding. It is very important. Over eighty-five percent (85%) of the City's income tax revenue is withholding. Council should watch this number very closely, and should be aware of this number when talking about average wages, and about economic impact, tax credits or tax incentives. It is the most important revenue number the City has. In projecting revenues over the last couple of years, the windfalls seen in business collections are done, however, but that it is unknown what the ultimate impact on withholding is from those things that have taken place in the community and from the adding and leaving of corporations over the last ten (10) years. When he provides the mid-year review, the top ten (10) employers historically change every single year. There are maybe three (3) that are consistently in the top ten (10), but regularly lose top employers that are replaced by others. The economic cycle is generally one great year, seven (7) modest years, and then a bad year that takes seven (7) years to recover from the bad year. The withholding number here is the number Council needs to look at on anything that has to do with income tax bread and butter.

Councilman Wobser asked City Auditor Staschiak if historically Council's revenue tends to lag behind the National Economic situation by six (6) months to a year. City Auditor Staschiak replied that Council pays their taxes in arrears, so when the economy goes south such as a recession, the City does not see the negative impacts of the recession for one to two (1-2) years after it hits. People pay their taxes for the year that just passed and not the year we are in. There is always a lag. Even if Council sees benefits, there is always a lag, even if there is a down slide which is why this year is so critical on where the City is at with their W2 income, their payroll income tax which is the one percent (1%) that is so important to the City. Filed.

Findlay Fire Department Activities Report – December 2023. Filed.

Findlay Police Department Activities Report – December 2023. Filed.

Findlay Municipal Court Activities Report – December 2023. Filed.

Service-Safety Director Martin – Community Foundation Grant award

In December of 2023, the City of Findlay Police Department was generously awarded the Findlay-Hancock County Community Foundation President’s Discretionary Grant. This five thousand dollar (\$5,000) grant is to support community engagement between the City of Findlay Police Department and the residents of Findlay, Ohio. The City of Findlay has received the grant dollars. Legislation to appropriate funds is requested. Ordinance No. 2024-006 was created.

FROM:	Community Foundation Grant	\$ 5,000.00
TO:	Police Department #21012000-other	\$ 5,000.00

Filed.

Hancock Regional Planning Commission Director Cordonnier – RLF refund of overpayment

The Hancock Regional Planning Commission (HRPC) is the administrator of the Revolving Loan Fund (RLF) on behalf of the City of Findlay. On December 8, 2023, one of the businesses that has an active loan mistakenly made two (2) deposits to the bank account for the City of Findlay RLF for a loan account that has been paid off. The business has requested the monies be refunded due to their error. HRPC respectfully requests that the overpayment in the amount of six hundred fifty-eight dollars and two cents (\$658.02) be paid back to Josette Brinkman dba Fastsigns of Findlay located at 303 East Sandusky Street. An appropriation of funds is requested and that since this is a refund of an overpayment, HRPC requests that Council suspend the statutory rules and give the legislation all three (3) readings and pass it during the January 16, 2024 meeting. Ordinance No. 2024-007 was created. Filed.

Mayor Muryn – Board of Zoning Appeals appointments

Mayor Muryn is appointing Sarah Nowak and Brody Yingling to serve on the Board of Zoning Appeals. Sarah and Brody have expressed a desire to switch roles as full-time and alternate members of the Board of Zoning Appeals. Sarah currently serves as a full-time member of the Board of Zoning Appeals. She has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals, however, she would like to serve as an alternate member rather than a full-time member. This appointment would be effective through December 31, 2024. Brody currently serves as an alternate member of the Board of Zoning Appeals. He has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals, however, he would like to serve as a full-time member rather than an alternate member. This appointment would be effective through December 31, 2027. These appointments require Council’s confirmation.

Discussion:

Councilman Palmer moved to accept these appointments, seconded by Councilman Bauman. Filed.

Mayor Muryn – Board of Zoning Appeals appointment

Mayor Muryn is appointing Scott Brecheisen to the Board of Zoning Appeals. Mr. Brecheisen has expressed a desire and wiliness to continue to serve the community as a member of the Board of Zoning Appeals. This appointments will be effective January 1, 2024 through December 31, 2027. This appointment requires Council confirmation.

Discussion:

Councilman Palmer moved to accept this appointment, seconded by Councilman Greeno. Filed.

City Engineer Kalb – HAN-Bright Road & Melrose Avenue multi-use path, 2024 TAP Application

The City of Findlay has been invited to submit an application for this year’s Transportation Alternative Program (TAP) funds. The City of Findlay Engineering Department would like to submit an application to extend a multi-use trail on Bright Road from Fostoria Avenue to Melrose Avenue and Melrose Avenue form Bright Road to Crystal Avenue. The proposed 10-FT multiuse path will connect new housing developments on Melrose Avenue to various destinations such places of work, convenience stores, adjacent neighborhoods, etc. With current timelines, if the project is awarded grant funds from the Ohio Department of Transportation (ODOT), construction will be in ODOT’s 2027 fiscal year. Through the use of TAP funds and Toll Credit funds, ODOT will be covering ninety-five percent (95%) of the construction cost with the City of Findlay being responsible for the engineering and design, as well as the five percent (5%) match for construction. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to apply for the funds and sign any applicable agreement(s) or related documents is requested. Ordinance No. 2024-008 was created.

Discussion:

Councilman Palmer asked what the overall plan is for this multi-use path. City Engineer Kalb replied that this is a TAP application. It is filed yearly with ODOT. The City receives a lot of projects through this (i.e. Greenway Trail, one, two and three interstate and FHS trail, etc). These funds can only be used for a multi-use path to help expand the network. This project is on Melrose from Crystal Avenue to Bright Road of putting in a multi-use plan because there has been some new development of housing in there and with the businesses in there to give another alternate route of mode of transportation on Bright Road from Melrose south to Fostoria Avenue that will put in a new trail system up in the northeast corridor that will expand to others. Right now, there are not a lot that will tie into it, but will set us up for future grant applications for future projects to help tie this big wheel together. The main focus of this will be Melrose and Bright Road at this time.

Councilman Hellmann pointed out that trail itself is not in the existing pavement. He asked if it will be outside the pavement, outside the curb line. City Engineer Kalb replied that Melrose and Bright Road both have wide right-of-ways. It will be on the north side for Melrose and will have to be evaluated for Bright Road, but will probably be on the east side. Once he gets more into the design and figures out how many drives will be affected, ultimately who is going to be the users, etc. and then will decide if it will be outside the curbed lanes.

Councilwoman Frische asked if there currently are any sidewalks in that area. City Engineer Kalb replied yes. For both of them, there is a small section on Melrose that does not have sidewalk just west of the Health Department. Otherwise, Bright Road has them through there. He is unable to elaborate on the conditions of them, but that there are sidewalks down there. This would be expanding that into a multi-use path. Councilwoman Frische asked if it will be replaced. City Engineer Kalb replied yes it would be removed and replaced with a ten foot (10') wide multi-use path on the east side of Bright Road. Councilwoman Frische asked what the approximate cost of the project will be since ninety-five percent (95%) of it is covered by ODOT and a five percent (5%) match by the City. She noted that the City is responsible for the engineering of the project. She asked if there was a recent issue with the Greenway Trail that the City ended up having additional engineering costs of approximately one hundred thousand dollars (\$100,000) because ODOT required it. City Engineer Kalb replied that the project's share right now is approximately one million twenty-five thousand dollars (\$1,025,000) that the City will be covering five percent (5%) of that. When the City originally scoped these projects, they looked at how the City can fit into the existing right-of-way. For instance, when the Greenway Trail project was initially scoped, it was determined that the City could fit in on the north side. It was a 2027 build, but with the long lead times that is ODOT funded, the City follows their standards within that. A lot of times things change. For instance, on the Greenway Trail it changed how far the City can be away from the roadway, clearances, etc. Additional funds for this is because there now has to be a temporary right-of-way or easements to properly build it or go back into someone's driveway. The City has a good idea of what it is, but that sometimes, they do have a pop up because of grade change. When walking down through there, it might look okay, but when putting numbers and percentages to it, there might be changes at times. With this project, he is not one hundred percent (100%) sure on that, but with how wide the right-of-way is with the existing grades, it is pretty flat through there and can get through there without having to do right-of-way. Councilwoman Frische asked how much of the project will be done as in-house engineering. City Engineer Kalb replied the City will try to do as much of that as possible.

Councilman Hellmann asked if this will be similar to the asphalt path that went through 568. City Engineer Kalb replied that is correct. Filed.

City Engineer Kalb – 2024 early projects

There are several projects that will be included in the 2024 Capital Improvement Plan that the City of Findlay Engineering Department would like to be able to bid as soon as possible or to get design funds appropriated into the project so that the design can be completed. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to advertise for bids an enter into contracts for construction, as well as appropriate and transfer funds is requested. Ordinance No. 2024-009 was created.

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 2,000.00
TO:	2024 Annual Street Resurfacing/Curb Repairs, <i>Project No. 32840100</i>	\$ 2,000.00
FROM:	Water Fund	\$ 4,000.00
TO:	Hemphill Waterline Replacement, Project No. 35740300	\$ 2,000.00
TO:	S. West Street Waterline Replacement, <i>Project No. 35740400</i>	\$ 2,000.00

Filed.

Income Tax Administrator Price – Resolution No. 005-2024 Income Tax Department #27047000

As part of dealing with the influx of business during tax season, the City Income Tax Department typically hires a seasonal employee to work during the time period of mid-January through April. In recent years, this employee has been hired through a temporary employment agency. The initial reasoning for hiring through a temp agency was that it was more cost effective than hiring internally through the City, but have recently been informed that this is no longer the case and that the billable hour from the temp agency is significantly more than paying a seasonal employee internally, including OPERS, Medicare and Workman's Comp expenses. The new quote from the agency came after the City Income Tax Department had already budgeted for the seasonal employee's wages to be paid out of 440901 temp agency services line item. In order for the department to hire and pay said employee directly through the City, the funds totaling twelve thousand dollars (\$12,000.00) will need to be transferred to the 111300 seasonal employee line item. This transfer cannot take place without legislative approval from City Council. Legislation to transfers funds is requested. Resolution No. 005-2024 was created.

FROM:	City Income Tax Department #27047000-other	\$ 12,000.00
TO:	City Income Tax Department #27047000-personal services	\$ 12,000.00

Filed.

Mayor Muryn – Revolving Loan Fund Board appointments

Mayor Muryn is appointing Blair Lane and Joe Mayberry to the Revolving Loan Fund Board. Mr. Lane and Mr. Mayberry have expressed a desire and willingness to continue to serve the community as members of the City Revolving Loan Fund Board. Their appointments will be effective January 1, 2024 through December 31, 2025. These appointments require Council confirmation.

Discussion:

Councilman DeArment moved to accept these appointments, seconded by Councilman Palmer. All were in favor. Filed.

Mayor Muryn – Revolving Loan Fund Board appointments

Mayor Muryn is appointing Josh Kin to the Revolving Loan Fund Board. Mr. Kin has expressed a desire and willingness to continue to serve the community as a member of the City Revolving Loan Fund Board. His appointment will be effective January 1, 2024 through December 31, 2025. This appointment requires Council confirmation.

Discussion:

Councilwoman Warnecke moved to accept this appointment, seconded by Councilman Palmer. All were in favor. Filed.

Mayor Muryn – appointment to Airport Advisory Board

Mayor Muryn is appointing Brandon Betscher to serve on the Airport Advisory Board. His appointment will be effective through December 31, 2026. This appointment does not require Council’s confirmation. Filed.

Precipitation and Reservoir levels report – fourth quarter (October-December 2023). Filed.

City Engineer Kalb – HAN-US 68/SR 15 Interchange Improvements PID1122800, Project No. 32840200

As discussed in the January 9, 2024 APPROPRIATIONS COMMITTEE meeting, the Ohio Department of Transportation (ODOT) and the Maumee Watershed Conservancy District will be making improvements to the US 68 and SR 15 interchange that will allow residents in the Spring Lake Subdivision to have an egress onto US 68 once the Eagle Creek Basin is constructed. As part of the improvements, ODOT is requesting a twenty percent (20%) local match to help fund the construction and inspection of the project. The local match of six hundred fifty thousand dollars (\$650,000.00) will need to be delivered to the Maumee Watershed Conservancy District on or before February 16, 2024. Once the funds are transferred to the Conservancy District, the local match funds will then be transferred to ODOT as per the Memorandum of Agreement between the City of Findlay and the Maumee Watershed Conservancy District. To ensure the funds will be available prior to the indicated deadline, it is requested that this ordinance be given its second and third readings during the February 6, 2024 City Council meeting. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to execute the Memorandum of Agreement with the Maumee Watershed Conservancy District and to appropriate and transfer funds. Ordinance No. 2023-010 was created.

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 650,000.00
TO:	HAN-US 68/SR 15 Interchange Improvements PID112280, <i>Project No. 32840200</i>	\$ 650,000.00

Filed.

Rooney & Ranzau, Ltd. Philip Rooney – Downtown Findlay Improvement District

Mr. Rooney represents the Downtown Findlay Improvement District, Inc. (DFID). Pursuant to Ohio Revised Code Section 1710.06(B), he is to provide the attached documentation of the DFID’s proposed Downtown Services Plan and Budget as part of the renewal of the Downtown Improvement District for an additional term of five (5) years. As required by statute, City Council is to provide him with any comments or recommendations regarding the plan so that he may proceed with the final plan and petition. This is the first step of this renewal process. Mr. Rooney will provide future correspondences to City Council as he progresses through the process, requiring future legislation. Filed.

Assistant City Law Director Feighner – follow up to Councilwoman Frische’s email dated December 27, 2023

The intent of this letter is to respond to Councilwoman Frische’s email of December 27, 2023 (attached) regarding City water rates. Paragraph number one (1) of her email was addressed at the City Council meeting on January 2, 2024 and was supported by a letter Council should have received that evening (letter attached). Basically, the default/initial authority to address water rates provided by Ohio Revised Code in 743.04(A) is a City Public Service Director. This authority remains unless a municipality sets forth a different individual or body. The City of Findlay does not need to memorialize what ORC 743.04(A) says by ordinance since it is an Ohio Law already in place. As to her third paragraph in the subject email, an ordinance/resolution cannot be drafted to stop the recent rate increase in that as set forth above, Service-Safety Director Marin is the only City official at this point in time who can do so. Furthermore, Council cannot recognize by any means that ORC 743.04 does not say what it says regarding the authority to establish water rates. Council could give the authority to someone else or a body if it so chooses. That has not been done yet. As to an AD HOC COMMITTEE being formed, same is not typically done by ordinance. The term AD HOC by definition means “as needed”. It is usually a temporary group put together to address a particular problem, i.e. an AD HOC COMMITTEE was formed to address Council Rules. Usually, in his experience, the formation of an AD HOC COMMITTEE is done by oral motion with discussion of the need for same and who is to be on said AD HOC COMMITTEE. Then, that motion would pass or not pass and same would be memorialized in the minutes of that meeting or meetings. Additionally, City Council cannot draft legislation that the water rates remain unchanged for 2024 (undoing the recent rate increase) because as the whole of this letter states, that authority presently lies with Service-Safety Director Martin to adjust rates. If Council wants to take the authority away from their Public Service-Safety Director to adjust water rates, it would be of his opinion that a select committee would be proposed, that its members would be proposed and same either passes or does not via Council vote. In the situation at hand, a WATER & SEWER COMMITTEE already exists and such considerations of present and future water rates seem to fall within their purview. He only mentions the WATER & SEWER COMMITTEE in this regard because it is his understanding that the committee may be discussed at a public meeting as the future authority for setting water rates.

Discussion:

Councilwoman Frische pointed out that since this stayed in the Council packet, she felt it important to have a short discussion on it because when the Law Director's Office ignores City Council rules, it is a bigger problem. The Law Director's Office can stop two (2) members of Council from requesting legislation, but when the Administration requests legislation, Council has lost the power and responsibility of the public. It is important to point out for the community to understand that Council has rules that state two (2) members of Council can request legislation, and then the Law Director's Office would draw that up to be put into the Council packet, so this was requested back in January, but did not make that meeting and ended being some documents added to Council's desk the night of the first meeting of Council. She reminded Council that back in November/December, Councilman Bauman had legislation written by the Law Director's Office in November/December when Council's rules were not followed, and that only one member of Council requested that which was Councilman Bauman, and then was corrected during the meeting with a second member of Council seconding it and then started the process over again to make that correction. Another example was back in 2019 where Councilmembers Hellmann, Russel, Shindledecker, Harrington, and Ostrander brought forth legislation drawn up by the Law Director's Office with regards to property rights for 830 East Sandusky Street that was out of line, but that the Law Director's Office brought that legislation forward and was passed even though the City tried to rescind it, but that in the final hours, legislation was brought forward to avoid a lawsuit. When two (2) members of Council request legislation, it needs to come forward and needs to be added to the Council packet instead of some back and forth letters being added to the Council packet that state who can bring legislation and how the Law Director's Office wants to see the process pan out which is completely inappropriate. The Law Director's Office is not elected to represent the City of Findlay which includes the residents and City Council. The whole process has had bias and delay for the citizens to have the opportunity for Council to vet the legislation that could rewind the process of water rate increases and would allow the process to be followed and legislation to be passed to determine who or what body should have the authority to raise water rates inside the City limits. The whole rebutting her is completely inappropriate, and it is completely inappropriate not to have legislation yet again in the Council packet and the Law Director's Office refusing conversation.

Acting President of Council Wobser asked Assistant City Law Director Feighner to come up to the podium. Councilman Wobser had emailed Assistant Law Director Feighner earlier today with two (2) questions regarding the letter that Mr. Feighner had sent out asking for clarification on what Mr. Feighner had sent to Council. He asked if the only person, per Council's current set of rules and current set of Ordinances, that can change the City's water rates is the Service-Safety Director. Assistant City Law Director Feighner replied that is correct. It was addressed in letter #1 as being under Ohio Revised Code 743.04(A). It has been answered by the Law Director's Office thoroughly. That is the situation the City finds it in right now is the default person via the Ohio Revised Code. It can be changed, but that is where it is right now. Acting President of Council Wobser asked if the only way that Council can take control or be involved in that process is for Council to approve another person or a body that would be in charge of reviewing and then changing those rates. Assistant City Law Director Feighner replied that is correct. Council could pass an ordinance passing that power on to address water rates to another person or chosen body that Council so chooses. His concern with Councilwoman Frische's request is that she is asking that a committee be formed to address that, which is the direction the City may be going, but that an ordinance in his opinion, is not how to formulate a committee. A committee can be done by motion. It can be done tonight which is what his letter states. He took the time to write this letter very particularly such that there almost wouldn't be the need for any questions. If any councilmember wanted someone else or a body to be formed right now or to be under consideration, a motion could be proposed tonight selecting who that committee is. It would have to be determined who would be on that committee (citizens, the Mayor, the Public Service-Safety Director, and/or any Councilmembers). There will have to be a second to the motion and a discussion, positive or negative, that will either have to pass or not. If legislation is requested, it will take three (3) readings. In his practice and in discussing it with the City Law Director, committees are not formulated by ordinances.

Acting President of Council Wobser pointed out that Councilwoman Frische had two (2) things that she was looking for: change water rates and to change the way things are looked at or how this is handled going forward. She wanted legislation to change water rates which would require the City Law Director to write legislation changing the Ohio Revised Code. He asked Mr. Feighner if that is illegal.

Assistant City Law Director Feighner replied that is in this letter. That was one of the requested ordinances was that one to acknowledge that Ohio Revised Code Section does not clearly appoint the Public Service Director to have that authority and in fact it does so I cannot in good faith draft an ordinance or the Law Director's Office should not draft an ordinance saying that Ohio Revised Code is wrong, and to draft an ordinance rescinding the rate would be to make a change in it which only one person currently has the authority for and that's Mr. Martin.

Acting President of Council Wobser pointed out that for the City to write legislation to change water rates would essentially be going against Ohio Revised Code. This body does not have the ability to do that as we speak today. He asked Mr. Feighner if there is any way for him to write that legislation. Assistant City Law Director Feighner replied that legislation can be written to appoint someone else. Acting President of Council Wobser replied that is a different topic.

Councilwoman Frische believes the waters are extremely muddied and that Assistant Law Director Feighner is pulling at what the City Law Director is wanting him to pull at. As she stated at the last City Council meeting, that if she and Councilman Niemeyer are using the wrong verbiage, it would have been very helpful for the Law Director's Office to have agreed to meet and have discussion, so that proper legislation could be drawn up for the right verbiage for what needed to be done. She believes that Council has the ability to restructure and better define the water process as a body of Council. If that was not being communicated properly causing the Law Director's Office to send emails and rebut word by word, and could have instead had a simple conversation on, this would have been a lot further down the line. Nobody is asking to change Ohio Revised Code and asked for that to stop being stated. Councilman Niemeyer and her request is not what was being asked for. The opinion of looking at Ohio Revised Code with the words "or we found that to be a gray area" is what they were addressing or attempting to address by having legislation that is being refused. She asked Service-Safety Director Martin if he feels that Council's rules apply only to select members of Council. She asked why he was refusing to write legislation and refusing to meet to hammer this out properly and move it forward for the citizens of Findlay. Assistant Law Director Feighner replied he has not refused to meet with anybody, but that this letter addresses the reason that an ordinance is not proper period. There is not an ordinance that he can form from what Councilwoman Frische and Councilman Niemeyer has requested.

Councilwoman Frische replied that this is beating a dead horse. Councilwoman Frische noted that the issue before Council tonight is that if two (2) members of Council can be ignored and Council rules not be followed, but yet one member of Council can request legislation that is drawn up and passed, it could potentially cause a lawsuit. Until that legislation passes or fails, there is nothing to address. The Assistant Law Director is telling Council how to form a committee or not form a committee, and whether or not she is trying to change Ohio Revised Code, which is not true by any means. It was their (Councilman Niemeyer and Councilwoman Frische) view on it asking for legal help in bringing in legislation for the community. She asked Mr. Feighner if Council's rules do not apply to everyone and if that is why he did not bring legislation. She asked for just a yes or no answer. Assistant Law Director Feighner replied that he does not know anything about the past. Councilwoman Frische replied that she is only asking Council's rules. Assistant Law Director Feighner replied that if she asks him to draft an ordinance to change the drinking age in the City of Findlay to 18, he would tell her he cannot do it. He cannot draft it and he won't do it. This request is the same thing. An ordinance is not appropriate here. Councilwoman Frische replied that a conversation could have taken place on structuring it and bringing the proper legislation. He has emails requesting a meeting and he was at the last City Council meeting stating that he was going to meet. His response to her was that he was tasked with the duty of rebutting yet again her email from December. Assistant Law Director Feighner replied no. He was tasked with addressing the water rate issue and who has the authority which is his involvement with this. Councilwoman Frische replied that she is past that. She asked if Council's rules apply to her and Councilman Niemeyer's request. Acting President of Council Wobser interrupted stating that Councilwoman Frische has asked the same question three (3) times and Mr. Feighner has answered it three (3) times. Councilwoman Frische replied asking what the answer is. Acting President of Council Wobser replied that Mr. Feighner stated that he cannot write legislation that changes Ohio Revised Code. He said that three (3) times. Councilwoman Frische replied that she did not ask that question. Acting President of Council Wobser replied that yes she did ask that question because the legislation that she asked for would be going against Ohio Revised Code. That is what she and Councilman Niemeyer requested. Unfortunately, that legislation cannot be written. Councilwoman Frische replied that unfortunately, certain members of Council get communication from the Law Director's Office and others do not.

Councilman Bauman pointed out that with due respect, Council does not have the time or crayons to continue this discussion and moved to refer this issue to the WATER AND SEWER COMMITTEE, seconded by Councilman DeArment. All were in favor.

Councilman Greeno asked if this should be sent to the WATER AND SEWER COMMITTEE if the chair of that committee is not present tonight. Acting President of Council Wobser replied that it can be referred to a committee and then the chair can choose a date to have a meeting. Councilman Russel is the chair of the WATER AND SEWER COMMITTEE and will wait until his return to schedule the meeting. Filed.

Mayor Muryn – Downtown Recreation Area Environmental next steps

In follow up to the December 19, 2023 APPROPRIATIONS COMMITTEE meeting, Mike Coonfare with Civil & Engineering Consultants, Inc. has prepared a quote to complete the Soil Waste Characterization work as was discussed. There are no sufficient funds in the project #31933000 to pay for this work, therefore legislation authorizing the Mayor to enter into an agreement for additional work for environmental review with Civil & Environmental Consultant, Inc., as well as appropriate funds is requested. Ordinance No. 2024-011 was created.

FROM:	General Fund	\$ 5,000.00
TO:	Phase 2 Benching Environmental, <i>Project No. 31933000</i>	\$ 5,000.00

Discussion:

Councilman DeArment is concerned that this is not enough money to hire CEC to oversee the entire process from beginning to end. It addresses the initial steps that are outlined. He wants to make sure there is enough money so if it runs into problems down the road, that they are on board on an emergency basis to help the City. City Engineer Kalb replied that this is not the Fiduciary Inspector or the environmental. It is just to get it to the next step. He had a conversation with the City Auditor today about the fiduciary on this and are going to set up an RFQ process for it to have more of an open market for it. The City can set the specs on it/standards of what the City wants to see. Qualifications will come in other perspective individuals or companies for that fiduciary role. The City will accept proposals from them and will rank them and interview them. It will be an open market. It will have to be a quick process, if that is the way the City wants to go for that fiduciary. City Auditor Staschiak added that he has received some good inquiries for the documents that were created by the CEC and some good comments from some who are experts in the field. There are a lot of very knowledgeable people in the community who are very qualified. One suggestion he heard was once this goes down to grade before it is replaced with clean dirt, that there be some type of marking (i.e. orange fencing) so that if it is ever punctured in the future, it is known that there is a delineator between the contaminated ground and the person. He would expect in the process of finding a Fiduciary, that they are experts who will clarify what is and what is not a good idea so that the City is protected not only today, but well into the future. Councilman DeArment replied that a couple of tasks were outlined at the last meeting to make sure that the CEC's information and that they have the opportunity to review the County Commissioners specs before they go out. He asked what the timeframe is that the County Commissioners put their package on the street. City Engineer Kalb replied that he cannot answer what their timeline is, but that the first step would be to get the soil classification on that. It might fall into the Fiduciary on working with the specs. Councilman DeArment replied he wants to make sure that window is not missed. City Engineer Kalb replied if that is how Council wants to go with the RFQ process, it can be drafted up and will have to make it quick moving. City Auditor Staschiak added that not knowing through a document to give authority to move forward or not is probably worth the extra step of sending a letter County Engineer Wilson asking to hold until the City gets their Fiduciary in place. That way, he has formal notice from the City to pause while the City moves forward and that way, there is no confusion. He does not believe it would cover the City as this point. Filed.

Hancock Regional Planning Commission Grant Administrator Penzinski – Community Development Block Grant (CDBG) Fair Housing & Administration update of agreements

Attached for Mayor Murn's signature and City Council's approval are two (2) agreements in relation to the administration of the City of Findlay's current and future Community Development Block Grant (CDBG) programs.

The first agreement is an updated agreement between the City of Findlay and Hancock Regional Planning Commission (HRPC) to continue to administer the City of Findlay's CDBG programs through 2026. Rates have been updated in that the HRPC Office charges the grant for administration. Other than that, the agreement is identical to those that have been executed in the past.

The second agreement is an updated agreement between the City of Findlay and Findlay's Hope House for the Homeless to continue to administer the City of Findlay's CDBG Fair Housing programs through 2026. This contract is identical to those that have been executed in the past.

Both the administrative and fair housing costs related to CDBG program are paid in full by grant funding. Legislation authorizing the Mayor to execute an agreement with HRPC's and Findlay's Hope House for the Homeless to provide services related to CDBG projects for program years 2024 through 2026 dated retroactively to January 1, 2024 is requested. Resolution No. 007-2024 was created for the CDBG Fair Housing; Ordinance No. 2024-012 was created for CDBG administration. Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss 68/15 Interchange renovation.

We recommend approval of \$650,000.00 of Capital Funds for the renovation of the SR 68/15 interchange. It is noted by the committee that this project is not inside the City limits, but does offer safety service access to Spring Lake and the building of the dry basin for flood mitigation. Ordinance No. 2024-010 was created.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss fire truck replacement.

We recommend the Administration continue to gather additional information for the purchase of a truck. Also, the Auditor work out cost/prepayment options.

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

A **COMMITTEE OF THE WHOLE** meeting was held on Wednesday, January 10, 2024 to discuss 2024 Economic Development strategies.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 002-2024 (advances on County tax settlements) **requires three (3) readings** **second reading**

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2024 PURSUANT TO OHIO REVISED CODE §321.34.

Second reading of the Ordinance.

RESOLUTION NO. 003-2024, AS AMENDED **requires three (3) readings** **second reading – adopted**

(ODOT Aviation - Airport Improvement Program Grant SFY~~24~~23)

A RESOLUTION AUTHORIZING THE CITY OF FINDLAY, OHIO TO MAKE AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION, FOR AN OHIO AIRPORT IMPROVEMENT GRANT FOR SFY 20~~24~~23.

Discussion:

City Engineer Kalb informed Council that he now has the Ordinance number that this amends. It is 2023-137 AS AMENDED. The new ODOT Aviation Project Manager wanted to see this in a Resolution format. No changes were made to it. It is the format that ODOT Aviation wanted to see.

Councilman Bauman asked if there is a timeline on this and if it needs to be adopted tonight. City Engineer Kalb replied that ideally, it would be nice to pass it tonight to close out with ODOT Aviation because it is just paperwork on their side since it has already been approved. If it doesn't pass tonight, it will not be a deal breaker. They just want this piece of paper in their file.

Councilman Bauman moved to suspend the statutory rules and give the Resolution its third readings, seconded by Councilman Palmer. Ayes: Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Warnecke, Wobser. The Resolution received its third reading. Councilman Bauman moved to adopt the Resolution, seconded by Councilman Hellmann. Ayes: DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Warnecke, Wobser, Bauman. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

RESOLUTION NO. 005-2024 (*Income Tax Department seasonal employee*) **requires three (3) readings**

first reading

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

Discussion:

Councilman Palmer asked Income Tax Administrator Price if she needs this sooner than next month. Income Tax Administrator Price (from the audience) replied that it can wait.

First reading of the Ordinance.

RESOLUTION NO. 006-2024 (*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 Greeno moved to adopt the Resolution, seconded by Councilman Bauman. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Warnecke, Wobser, Bauman, DeArment. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

RESOLUTION NO. 007-2024 (*CDBG Findlay Hope House - for The Homeless Inc*) **requires three (3) readings**

first reading

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY RETROACTIVE TO JANUARY 1, 2024.

First reading of the Ordinance.

ORDINANCES:

ORDINANCE NO. 2024-003 (*2023 annual sewer & manhole lining #35633600*) **requires three (3) readings**

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2024-004 **requires three (3) readings**

second reading

(*HAN-Greenway Trail Phase III, PID11709, Project No. 31931900, additional design services and right-of-way acquisitions*)
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2024-006 (*Community Foundation Grant award*) **requires three (3) readings**

first reading - adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilwoman Warnecke noted that this is just to accept grant money.

Councilwoman Warnecke moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Warnecke, Wobser, Bauman, DeArment, Frische. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Hellmann, Niemeyer, Palmer, Warnecke, Wobser, Bauman, DeArment, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-006 and is hereby made a part of the record.

ORDINANCE NO. 2024-007 (*RLF refund of overpayment*) **requires three (3) readings**

first reading - adopted

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Palmer noted that this was just an honest mistake by the individual paying their loan when they already paid it off.

Councilman Palmer moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilwoman Warnecke. Ayes: Niemeyer, Palmer, Warnecke, Bauman, DeArment, Frische, Greeno, Hellmann. The Ordinance received its second and third readings. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Palmer, Warnecke, Wobser, Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-007 and is hereby made a part of the record.

ORDINANCE NO. 2024-008 (*HAN-Bright Rd & Melrose Ave multi-use path, 2024 TAP application*) **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 GRANT FUNDS AND SIGN ANY APPLICABLE AGREEMENTS OR RELATED DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE HAN-BRIGHT ROAD AND MELROSE AVENUE MULTI-USE PATH 2024 TAP APPLICATION AND DECLARING AN EMERGENCY.

Discussion:

Councilman Bauman asked if this gives the City Engineer the green light to apply for that funding. City Engineer Kalb replied that is correct. The TAP application is due by the end of the month, but before any funds are appropriated, Council will be seeing additional legislation. This is just for the grant application.

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

Discussion:

Councilwoman Frische asked if any of the property is on Melrose in the County or if everything is in the City. City Engineer Kalb replied everything is in the City.

Ayes: Wobser, Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-008 and is hereby made a part of the record.

ORDINANCE NO. 2024-009 (*2024 early projects*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2024-010 (*US 68/SR 15 Interchange renovation*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE MAUMEE WATERSHED CONSERVANCY DISTRICT AS SET FORTH IN THE MEMORANDUM OF AGREEMENT ATTACHED HERETO AS EXHIBIT A, APPROPRIATE AND TRANSFER FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2024-011 (*Downtown Recreation Area Environmental next steps*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. FOR ADDITIONAL WORK FOR ENVIRONMENTAL REVIEW OF THE DOWNTOWN RECREATION AREA, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2024-012 (*CDBG administration*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEARS 2024 AND 2025 RETROACTIVE TO JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2024-013 (*Technology Drive name change*) **requires three (3) readings** **first reading**
AN ORDINANCE CHANGING THE NAME OF TECHNOLOGY DRIVE, IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

Discussion:

City Engineer Kalb noted that he has been working with Blanchard Valley on this on the name change. He asked Council if they want signatures from the other property owners that are affected by this. He has emails showing that they are good with it, but asked if Council would prefer to see signatures at the next City Council meeting. He asked what Council's preference is. He asked Blanchard Valley to talk to the property owners that would be affected by this name change to ensure they are good with it.

Councilwoman Frische pointed out that there recently was a street name change discussion with One Energy that she recalls there were things that involved not only involved property owners, but also 911 and location finders, etc. that could be affected that had a lot more in-depth things that needed to happen. Service-Safety Director Martin replied that was part of that discussion. He was not involved in that conversation. CAD systems that actually locate streets are keystroke changes and not a labor intensive process, but can be done. Councilwoman Frische asked if Council has to do anything. Service-Safety Director Martin replied that if an ordinance does occur and the name is changed, it would just be a keystroke in the dispatching software that would change it for location. City Engineer Kalb added that the only property that has a Technology Drive address is the Blanchard Valley one. The Horizon Apartments are not addressed as Technology Drive. They are on Claudia Lane. The One Energy name change would have property owners that are affected, but the only ones affected by an address change for this request would be Blanchard Valley.

Acting President of Council Wobser asked Council what their pleasure of City Engineer Kalb's request is. Councilman Hellmann replied that with City Engineer Kalb's last comment and explanation, he does not have a problem moving forward with the paperwork that he has done and does not feel property owner signatures are necessary.

Acting President of Council Wobser asked Council to nod if they are in agreeance with Councilman Hellmann's response. All Councilmembers nodded in agreement.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS: none

NEW BUSINESS: none

Councilman Bauman moved to adjourn City Council at 7:09pm, seconded by Councilman Palmer. All were in favor. Filed.

CLERK OF COUNCIL

ACTING COUNCIL PRESIDENT