

## FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

MARCH 20, 2024

COUNCIL CHAMBERS

### ROLL CALL of 2024-2025 Councilmembers

**PRESENT:** Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Russel, Warnecke, Wobser

**ABSENT:** Palmer

President of Council Harrington notified Council that Councilman Palmer informed him that he would not be in attendance tonight. Councilman Bauman moved to excuse Councilman Palmer, seconded by Councilman Greeno. All were in favor. Filed.

President of Council Harrington opened the meeting with the Pledge of Allegiance and a moment of silence. Filed.

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

Councilman Wobser moved to accept the March 5, 2024 Regular Session City Council meeting minutes, seconded by Councilman Niemeyer. All were in favor. Filed.

### ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Russel moved to add-on the following on tonight's agenda, seconded by Councilman Hellmann. All were in favor. Filed.

#### ADD-ONS:

1. Letter from City Engineer Kalb – **Swale Sale** Benching Properties, Project No. 31941500 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**).
2. Letter from Hancock Regional Planning Commission Director Cordonnier – moratorium amendment (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section**).
3. The Ohio Open Meetings Act printout – was discussed during the 3/13/24 Ad-Hoc Committee meeting (**COMMITTEE REPORTS section**).
4. Ordinance No. 2024-038 – Swale Benching Properties, Project No. 31941500 (**LEGISLATION section**).
5. Ordinance No. 2024-039 – moratorium amendment (**LEGISLATION section**).

#### discussion:

Mayor Muryn pointed out that item #1 should be Swale Benching Properties and not sale.

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PETITIONS:** none

### ORAL COMMUNICATIONS:

President of Council Harrington informed Council that there are four (4) ORAL COMMUNICATION requests to speak on the same subject of the 3/13/24 AD-HOC COMMITTEE and that Council's Rules of Procedure only allow for three (3) in favor and three (3) against a subject matter, but that Council can make a motion to allow all four (4) speakers if they want. Councilman Russel moved to allow all four (4) speakers, seconded by Councilman Bauman. All were in favor. Filed.

#### Haydee Sadler – Ad-Hoc Committee and freedom of speech

Ms. Sadler informed Council that over the last couple of months, she has come before Council with information voicing her concern over the direction City Council is leading the city. During her oral communications on February 20, 2024, she reminded City Council and the Mayor about republican values when she was gavelled down by President of Council Harrington. During her allowed four (4) minutes, she was interrupted and accused of using salacious comments and saying things that the citizens of Findlay know are not true. The truth is, she has given Council facts that prove PlanningNext, who has prepared Findlay's Strategic Plan, helps committees with SmartCity initiatives. She has shown how all the 5G and smart meter infrastructure that is being installed is connected to the internet of things. She has shown that the companies being used (MetroNet and Suez North America) for Findlay's water system and that their software gathers information and data that connects us to the internet of things. An ecosystem that involves the internet of bodies, internet of behaviors, internet of thinking, and the internet of binomial things. Not only is she concerned about overall health from all the radiation being emitted, but also all the infrastructure that is surveillance driven, just like China. She has shown how the U.S. Conference of Mayors follows Biden's Bill Back Better agenda which directly opposes conservative republican values. She has proven that the Ohio Mayor's Alliance instructs Mayors how to use grant dollars to fundamentally transform Ohio cities. Council has proven to follow a socialist agenda by allowing an immigration task force, by the Mayor, to help acclimate these illegal immigrants and their invasion of not just our country, but of our City. She has come to Council with facts, data, and very important information. During Mayor Muryn's teary response to her request of her resignation, she stated that people were ridiculous, crazy, and were stating insulting things. She stated Ms. Sadler's emails were ludicrous and that she had no accountability to speak truth, get facts, or share facts that were asked for. She comes to Council with factual information and is the one being attacked with Mayor Muryn's words by calling her ridiculous, crazy and insulting, all for requesting her resignation for not doing her job as she was elected to do to serve "we the people", and not her agenda. While there are very serious issues plaguing the City, Council has chosen to create an AD-HOC COMMITTEE to move the public input process because they did not care to hear the concerns of their constituents.

Councilman DeArment stated that the City has given the citizens the privilege to speak at public meetings and went on to say that as soon as people feel disrespected, it gets very emotional and is distracting to the purpose of the meeting. The people getting emotional in this debate were President Harrington and Mayor Muryn with her salacious teary-eyed response to her claiming that she was setting her on fire. Council is the ones creating the drama. At the end of this AD-HOC COMMITTEE meeting, a concerned citizen approached the members of this committee about respect and their voices being heard. While she spoke, her representative Councilwoman Warnecke was walking out. Councilman Palmer, committee chair, kept his head down showing complete disregard for the people's voice. Councilman Hellmann showed up thirty (30) minutes late to this freedom of speech battle. Wow! The fact is, this Council has disrespected the people and their own constituents. We are the ones being disrespected with the tyrannical way of being gavelled down and with disparaging tones for speaking up against policies they do not agree with. Council has even bullied members of their own Council . . . President of Council struck the gavel informing Ms. Sadler that her four (4) minutes were up. Filed.

#### **Danny DeLong – Comments regarding Ad-Hoc Committee**

Mr. DeLong is before City Council tonight with several comments regarding the 3/13/24 AD-HOC COMMITTEE. He was very disappointed about the outcome of that meeting. Citizens were not given the opportunity to speak. When asked if they would be allowed to speak at the next meeting, they were told to speak at this Council meeting. That decision had not been made whether they were going to be allowed to speak at the AD-HOC, so that is why he is speaking to Council tonight. The meeting started with a training given by Assistant Law Director Feighner regarding the Ohio Sunshine Laws, specifically the Open Meetings Act. He proceeded to explain the law and cited case studies where citizens had filed lawsuits against City governments and lost. He mentioned a case by a citizen named Martin. Mr. DeLong found a case by a Chris Martin that was filed in Cleveland that went against the City Council. He brought the lawsuit because members of the public should be able to speak on issues that they care about without fear of being silenced because the presiding officer disapproves of their view point. He quoted a famous Broadcaster by the name of Paul Harvey, and now the rest of the story. Chris Martin was awarded five hundred dollars (\$500.00) against the Cleveland Council and the Council was instructed not to make temporary rules. Mr. DeLong also could not find where the Assistant Law Director had completed any training on the Sunshine Laws from attendance reports from the Ohio website. That being said, he could not find any evidence that the three (3) Councilmembers of this committee that had completed any training on the Sunshine Laws. He asked what the qualifications are to make recommendations to Council to change Council rules if they have not completed formal training. The meeting as a whole did not have a good feeling for the citizens by having two (2) City Police Officers standing guard at the front of the meeting shoulder to shoulder. He asked if that was to show intimidation to the citizens. Really? This meeting was held at City Hall which is the headquarters of the City Police, but when viewing the YouTube video, their presence was not visible. They were off camera. The meeting, after the lecture on the Open Meetings Act, there was a twenty (20) page proposal that sounded like this is what they are going to do with the rules, even though prior to the meeting, citizens were instructed to contact their Council Representative for suggestions. Nothing was notated or discussed from the citizens. He asked if it is any wonder that the citizens of Findlay do not feel that they are being heard. Council asks for input that they do not address and do not allow citizens to talk at committee meetings. This is very frustrating. Remember, Council works for the citizens of Findlay as they are the ones that put Councilmembers in office. The last footnote on page 132 of the Ohio Open Meeting Act, point 3, states the right to hear, but not to be heard. There is also a sentence in it that says "however the Ohio Open Meeting Act does not provide or prohibit attendees the right to be heard at meetings". To him, this whole thing sounds like a contradiction. He thanked Council for allowing him to address them with his concerns.

#### *discussion:*

Councilman Wobser asked Mr. DeLong if he had any comments about the proposal put forth in that meeting. Mr. DeLong replied by asking as far as changing the order. Councilman Wobser replied that Mr. Palmer put together a proposal. He asked Mr. DeLong if he had any comments specifically about his proposal. Mr. DeLong replied that he liked the idea that it could brought up at the different points as far as when they were discussing the different policies instead of right at first. He does not like the idea of bringing that up at the end.

Councilwoman Frische noted that she has heard that others like what Mr. DeLong has said. The one question she has, since she does not know if she is allowed to talk during those meetings either, is if those discussions can only take place during legislation or when as it will not be known if those discussions will happen at the first, second or third meeting of the legislation depending if rules are suspended or not. That is the difference between the PLANNING COMMISSION and City ordinances. The PLANNING COMMISSION has an agenda and know what they are discussing. Council knows what they might be discussing, so that is just food for thought. Filed.

#### **Michael Arabucki – Ad-Hoc Committee**

Mr. Arabucki started out by saying one thing that Mr. DeLong touched on about the meeting last week was that Councilman Hellmann came in thirty (30) minutes late and that he never apologized to anybody there. He asked Council if that is what they are all about. It would be nice to say you are sorry. He asked if Councilman Hellmann was entered in with a vote when he came in thirty (30) minutes late. He asked if it was a legal meeting. He asked if roll call was taken. Council is ready to make new rules. During election times, Councilmembers meet with citizens and pretend they hear what their constituents have to say, but after they are elected and when paraphrasing Councilman Russel, if you want to speak, to go tell it on the mountain, oh sorry, I mean in the town square. Really? He asked if that is what this is all about. Maybe we should start by recalling Councilman Russel and taking back some of our power. Findlay citizens should be the rule makers for the Council and Council follow their rules. If citizens want to change the rules regarding speaking before their Council, the citizens should decide. He asked what the citizens of Findlay think about that. He asked if it is known that anyone is looking at the meetings online and taking notes. He asked if Councilmembers are watching the people who are speaking or if they are looking down making a shopping list. The City Lawyer made a lengthy speech last week, but never once did he take the side of his employers and say that City Council has other options which is to let the citizens speak. As to what he said about court cases, it is just opinion, and that Mr. Arabucki does not believe them. As a public question, did he find any other cases in the law that takes the side of the citizens right to speak. He asked what about Andy Geronimo who is a Professor from Case Western Reserve Law School.

He is in charge of their First Amendment Rights Division. Mr. Arabucki thinks Mr. Geronimo has a case right now before the Supreme Court. In his mind, he is wondering why Council wants to make rules if there is something before the Supreme Court to make decisions on this.

Council already changed the rules in January and are now looking to change them again. In his estimation, his was a home team opinion and Council is really representing their citizens and should go by the old saying that you work for us and does not think Council should be making their own rules. The citizens should have a right to speak about that. He is glad Councilwoman Frische is going to remain with the City.

*discussion:*

Councilman Wobser asked Mr. Arabucki if he had any comments about the proposal that was put forward. Mr. Arabucki replied if he meant regarding speaking. Councilman Wobser replied yes, what Council is looking at possibly adopting. Mr. Arabucki replied that what Andy Geronimo as the head of their first amendment speech department says . . . Councilman Wobser interrupted asking if Mr. Geronimo is from Case Western. Mr. Arabucki replied yes. Councilman Wobser asked how that has bearing on what is being talked about here. Mr. Arabucki replied that he has done that for Cleveland and Cincinnati giving them recommendations . . . Councilman Wobser interrupted stating that his question to Mr. Arabucki was if he had a comment about what Council is proposing to do for public comment. Mr. Arabucki replied yes that he proposes that Council leave it the way it is or leave it up to the citizens and not Council. Council should not police themselves and should let the people police them. Councilman Wobser asked Mr. Arabucki how that would be done exactly. He asked if there would be a public vote. Mr. Arabucki replied yes. Councilman Wobser asked if that vote would be just for those that are in attendance. Mr. Arabucki replied that could be done if Council wants. Councilman Wobser replied no, he is just trying to understand what Mr. Arabucki is proposing. Mr. Arabucki replied that it would not be advantageous to Council. He asked when the next election is. Councilman Wobser replied in November. Mr. Arabucki replied by asking if it is feasible to put it on a ballot and ask the people what they want. Councilman Wobser asked what the question would be. Mr. Arabucki replied if the rules regarding citizens addressing Council should be kept the same or to change them.

City Auditor Staschiak noted that there has been a properly filed initiative notification of his office that was filed some time ago, possibly six (6) weeks ago, that goes exactly to this point where the citizens are in the process of circulating a petition that will define certain rules of engaging this Council from the public. It addresses length of time and addresses the number of people. Neither of those things are allowed under the current rules. If enough citizens sign the petition that are valid registered voters, when it is turned into him with those signatures, he will call the Board of Elections to notify them that he has received it in which they will tell him the number and he will review. The City Auditor's Office has the role of determining whether the signatures are indeed appropriate and if they are validated, and then he sends them to the Board of Elections who in turns validates that the count is proper. If that happens before the deadline in late August, it will be on the ballot in November. There is an initiative petition that is actively being circulated for this matter which addresses Mr. Arabucki and Councilman Wobser's questions.

Mr. Arabucki replied that there is an old saying of who's watching the watchers or who's looking over the ruling class and making sure that they are doing what the citizens want. Filed.

**Patti Klein – Council rules**

Ms. Klein hopes that Councilman Wobser asks her the question at the end so that it doesn't use part of her four (4) minutes because she does have commentary on the meeting, but has something else she wants to present first. She is a former educator. She worked in special education. Her job was adapting things. As she thought about the AD-HOC COMMITTEE meeting that she observed, she thought about her ideas to improve this and adapt so that those that are frustrated and feel they are not being heard can better connect with the Council Representatives. Citizens elect Councilmembers as their representatives which is what they expect, but are frustrated because it doesn't feel like that anymore. She provided handouts including what the sign-in sheet for ORAL COMMUNICATIONS that is out on the table before each City Council meeting should look like. It is a small thing that could be changed. It connects the Councilmember to the residents. Her idea for a communication form does not just apply to oral communications here at Council. This form could somehow be attached to an email communication. The first page of her handouts is a dummy version of her form. The one big change is to include what ward the speakers are in/Council Representative so that the information that someone is speaking about at Council would be connected to their representative that they voted for. For example, her Council Representative is Councilwoman Warnecke which is Ward 3. The rest is general information. At the bottom, she put submitter's requested action. She wrote to consider using this form to improve accountability and transparency. She suggested to add these forms to the website for transparency. At the very bottom of her form, she listed actions taken by Council representatives and then they would sign off that they looked at it. It is embarrassing to see others stand up here stating they emailed and called their Council representative, but that no one got back with them. This form would give them accountability that their Council representative actually looked at their concern and how they addressed it. For example, if there are planes flying over someone's house loudly that wasn't there before, it gives their Council representative the opportunity to respond in a reasonable amount of time. Her suggestion for reasonable would be by the next Council meeting. This is something she would have liked to have presented at the AD-HOC COMMITTEE meeting if she had been allowed to speak there. She did submit something for it, but that public comments were not brought up at that meeting nor were they included . . . President of Council Harrington interrupted informing Ms. Klein that her four (4) minutes were up.

*discussion:*

Councilman DeArment noted that part of the committee's plans were that they were going to redo the ORAL COMMUNICATIONS form as part of it. There are three (3) meetings scheduled for this that includes looking at the ORAL COMMUNICATIONS form. He thanked Ms. Klein for her input.

Councilman Wobser thanked Ms. Klein for her very thoughtful input and work on this. He asked her what she thinks about the proposal. Ms. Klein replied that she was at the meeting and thinks it can get confusing and long if they were to be able to comment in real time. Councilman Wobser asked if she means at the time of discussion. Ms. Klein replied at the time of the topic.

She asked if the public would only be able to comment on legislation or if they would be able to comment on a subject matter such as the minutes from the WATER AND SEWER COMMITTEE meeting minutes that was held that week, so in that case, that is on the agenda, but is not legislation. She asked how the public can comment on those things too just like she is now commenting on an AD-HOC COMMITTEE meeting. Councilman Wobser replied that the public can comment on anything on the agenda, so if the WATER AND SEWER COMMITTEE meeting minutes are on the City Council agenda, the public could make a comment on that.

Ms. Klein replied that she would be very against having public comment at the end of a City Council meeting if the rumors she is hearing is true in that people would walk out if there is something from the public that they do not want to hear. There are rumors going around that Council wants to change public comment to the end of the meeting so that they can leave. That would be really disappointing, really rude, and just childish. Councilman Wobser replied that is a rumor started by someone that has never been the discussion of anyone in this group that he knows of. Moving topics that were not on the agenda to the end of Council meetings was talked about. He asked Ms. Klein what she thinks about doing that. Ms. Klein replied by asking if the meeting would have to be adjourned if a speaker was speaking on things that Council has no interest in or if someone was asking for the Mayor's resignation, etc, if it made people uncomfortable or if that speaker would get to finish their thought. Councilman Wobser replied that is a good question, but that he thinks they would get their four (4) minutes like everyone else as long as they weren't being disruptive. Mayor Muryn added that is consistent with what was being discussed at the STRATEGIC PLANNING COMMITTEE meeting a couple of months ago in that they wanted to have a more standard process that anybody can submit feedback or something that they would like the City to review or discuss for consideration. That could be submitted via email or via the website and then there would be a process for the committee to follow back up with them which is how the TRAFFIC COMMISSION is handled such as street repair. This is Council's meeting and Council's rules so it is important to note that what everyone is trying to achieve is that this is the business meeting of Council, just as committee meetings are business meetings of Council that are focused on specific topics. What Council does not want have happen is that the public comes in and talks about things that are going on in Mars as it is not the business that they are here to do and that the Administration is here to comment on what they are trying to achieve, keeping it focused and cordial. She recognizes that there can be different interpretations of comments that are related. For example, MetroNet has been brought up multiple times but is not within the purview of City Council or even the City. It is a public utility that is regulated by the State and Federal Government that the City does not have any ability to stop. That has not been on Council's agenda for discussion, but citizens would still be able to bring it up as a comment topic. Ms. Klein replied that the important part to her is connecting a comment to their Council representative. If someone brings up aliens on Mars, the Council person could still state that it is something the City is not working on. It is that connection, accountability, and transparency that are the three (3) things she thought about when she created this form. Mayor Muryn agreed stating it is really helpful in that everyone wants to improve communication and just want it to be effective communication.

Councilman Bauman added that Ms. Klein is headed in the right direction. He likes some of her suggestions. Some of this has been blown out of proportion in that Council has never been in the business of limiting free speech, but are trying to create an environment where there is adult public discourse and get business accomplished at the same time.

Councilman DeArment suggested adding an email address to Ms. Klein's form as another way to communicate.

Councilwoman Frische added that this was a great start for the committee and may need to define what effective communication is because at the end of the day, City Council business is public's business, so for Council to define things will cause them to get into the weeds, so this helps to allow the public to speak and then revert it over to a Council person to have further discussion. She thinks that is a great way to go about it. Ms. Klein replied that she thinks it is a good thing to put a list of who each Council representative is out at the table so that those that do not know who their Council representative can see that. Many do not know what ward they are in or who their Council representative is. Filed.

#### **Deb Stacy – Black Swamp Combinator in Allen Township**

Ms. Stacy lives in 2505 Township Road 229, Van Buren, Ohio (Allen Township). Allen Township has been her home for sixty-seven (67) years. Her husband, son, daughter-in-law and herself have owned and operated a multi-generational farm in Allen Township. On March 1<sup>st</sup>, The Courier printed an article regarding economic development in the Findlay Hancock County area announcing the name of this project as Black Swamp Combinator. It will encompass more than five hundred (500) acres. Residents living in this immediate area have observed soil borings done by One Energy and there is an awareness that land owners have options to enter into neighbor agreements with One Energy. Based on this information, it includes Township Roads 215, 228, 230 and County Road 216. This location is not located near the connector road. It is in the very heart of Allen Township. This is a residential and agricultural community. Sixty-four (64) homes are located in the immediate area of this project and many more are in close proximity. An industrial infrastructure of this magnitude including mega wind turbines, solar panels, the largest electric charging station in the United States and much more will be the energy hub of the Midwest. It needs to be located on an industrial site that already houses compatible entities. This project, along with township residents, would be better served if a site was chosen that was closer to the interstate and next to existing warehouses. Allen Township does contain land on the south side of the connector road close to the City limits of Findlay that would fit much better with this type of development. Responsible and logical planning needs to be done in accordance with existing structures. There needs to be a conservative effort to protect the community from inappropriate land use. There needs to be transparency. She asked who is responsible for providing information as to the exact location of this massive endeavor. She asked who will address residents' concerns for health, welfare and safety given the project is located in the current proposed area. She asked if there will be an impact study from an independent source. She asked if there will be a public forum so questions can be asked and make their concerns known. The time is now.

*discussion:*

Councilwoman Frische asked if the roads Ms. Stacy mentioned are in the City or County. Mayor Muryn replied that roads are in the township. There are two (2) different topics that Ms. Stacy is merging together. The Black Swamp Combinator is an office complex that would be put on the campus of One Energy as a partnership for an innovation hub with the State of Ohio. It would be office space where there would be prototyping and different shops in that. That would be a less intense use than what Ms. Stacy is referencing. The campus, wind turbines and solar panels are separate from the Black Swamp Combinator and is the project related to Whirlpool's project with One Energy for their net zero target with energy infrastructure. It is a privately owned and operated project that includes no private property and is a private project. Councilwoman Frische asked if the Black Swamp is in the City. Mayor Muryn replied that the Black Swamp Combinator would be on the campus of One Energy and would just be office spaces on their campus. Ms. Stacy asked what the purpose is for the commercial wind turbines and the solar panels that are not going to feed into the electric charging station. Mayor Muryn replied that those would be providing private energy to Whirlpool as part of their project. Whirlpool has put out press releases about it on the properties that they or One Energy already own. It is a private property matter that the City has no involvement with. Ms. Stacy asked if Mayor Muryn is aware of where these wind turbines are going to be located as she has not been able to receive any information on it. She went to the County Commissioners meeting last Thursday and spoke with Commissioner Bateson prior to the meeting asking him to provide some information. She read a statement that was somewhat similar to this, but is a little different. Commissioner Bateson told her that he had no information and that he really didn't know anything about it. Mayor Muryn replied that she has not seen the specific locations of that and if it is construction occurring on private property with no zoning per Allen Township, they would not need to file anything with the City or County unless they are trying to extend the City's infrastructure in which she is not aware of, but would have to separate them out so that they do not conflict with each other as they have with their existing turbines. She has not seen any specific plans, but that they would not need to file anything with the City or County. Ms. Stacy asked if the wind turbines and the solar panels are for Whirlpool. Mayor Muryn replied that is her understanding. Ms. Stacy asked if they will have nothing to do with the actual Bitcoin mining and the electric grid for the charging station. Mayor Muryn replied that not all of them would be just for Whirlpool. One Energy could continue to put up additional turbines on their property to supply as long as it is behind the meter and is not going onto the grid which is how they operate. They could supply it to that. She does not know the specifics and she is unsure if the five hundred (500) acres Ms. Stacy is referencing is an accurate amount as she has not been all that involved with the project. The wind turbines and solar panels that are being expanded are for Whirlpool. Ms. Stacy replied that she is pulling the information from the Black Swamp Combinator website because it states on there that it is going to be five hundred plus (500+) acres and that she has not been able to get any information from Mr. Kent of One Energy. It is a strained situation because he has litigation against their Township Trustees, and other people as well, and that there is a gag order placed on individuals making it difficult to try to get information. She was trying to get more concise information as to the actual area from the County Commissioners. This is a residential and agricultural area, and that if it is an industrial complex of this magnitude, she would like some information as there will be impact on her welfare, safety and property values. It is impacting her, but she has no voice. She would like to meet with Mayor Muryn and the Mr. Schafer with the Economic Development to discuss this because she is not getting information and really needs information. Mayor Muryn replied that the reason it references five hundred (500) acres as part of the Black Swamp Combinator is because it is part of that entire project campus. The County Auditor's website lists the different parcels in which a large portion of them are already owned by One Energy which will give an idea of what properties are being referenced.

Councilman Wobser asked Ms. Stacy if she is involved in the current Allen Township zoning proposal process that is ongoing. Ms. Stacy replied that she is a resident and a voter in Allen Township. The Allen Township Trustees had a special election on December 20, 2023. At that meeting, people in the township transplanted themselves from the hearing that the County Commissioners had because Mr. Kent wanted to change the name of Township Road 215 to Electric Avenue. Councilman Wobser asked Ms. Stacy if she is involved in their zoning proposal on the November ballot so that she could get her township zoned. Ms. Stacy replied it is in the works. Councilman Wobser asked Ms. Stacy if she is involved in that. Ms. Stacy replied that she personally is not but that she does vote and is supportive of it. Councilman Wobser asked Ms. Stacy if she was in support of the last two (2) times the zoning came forward. Ms. Stacy replied yes and that she was on the Zoning Commission.

Councilwoman Frische pointed out that she was at the County Commissioners meeting last week when a couple of individuals came in with concerns. There was some confusion from the announcement of Black Swamps, but that Mayor Muryn helped clarify that for Ms. Stacy. Councilwoman Frische requested the County Commissioners, who were receptive of her request, to possibly have the City and County Economic Development teams have a public forum. She asked Mayor Muryn if she could reach out to the County Commissioners to help coordinate that to help get them on the same page because they have a lot going on in their wheelhouse. Since the City's zoning abuts up to Allen Township, it would be helpful if the City could put some caveats in there to be considerate of backing up into residential areas or have something to partner better with Allen Township on some of these pieces. She asked Mayor Muryn if she could reach out to the County Commissioners and help coordinate a meeting which would be the biggest help for Ms. Stacy to get what she needs. Mayor Muryn replied that she will be happy to talk to the County Commissioners, but that it is distinctly two (2) different subjects because she is not getting involved with Allen Township zoning as it is not her place. Ms. Stacy replied that the residents have questions that they would like to have some information on. Mayor Muryn replied that she and Ms. Stacy can meet to better understand her questions so that she can delineate the two (2) subjects. Filed.

**WRITTEN COMMUNICATIONS:**

**email from Deb Tyson – Sunny Farms Landfill aka Wind Waste Innovations.** Filed.

**Rooney & Ranzau, Ltd. Philip Rooney – Downtown Findlay Improvement District (DFID)**

Mr. Rooney represents the Downtown Findlay Improvement District, Inc. (DFID) who provided this letter and attached documentation (*copies available in the Council Office*) pursuant to Ohio Revised Code Section 1710.06 as the DFID's petition to renew the Downtown Findlay Improvement District and adopt a renewed downtown services plan for a term of five (5) years. He attached a petition for renewal, amended and renewed services plan and district map which was submitted to all property owners within the downtown improvement district. He also attached copies of the executed petition signature pages for the participating property owners within the district and a list of all property owners within the district (*copies available in the Council Office*). Pursuant to the Ohio Revised Code, the owners of at least seventy-five percent (75%) of the area within the district must execute petitions in support of the district services plan. The total area in the district has been determined to be two million two hundred forty-one thousand seven hundred thirty-five square feet (2,241,735 sq ft). To meet the requirements of ORC 1710.06, it would be necessary to have approval of owners holding one million six hundred eighty-one thousand three hundred one square feet (1,681,301 sq ft).

The area represented by executed petitions (*copies available in the Council Office*) totals one million eight hundred forty-five thousand three hundred forty-eight square feet (1,845,348 sq ft) which is in excess of eighty-two percent (82%) of the outstanding owners. Based on these facts, the DFID requests that Council, at its earliest date, prepare and approve a resolution adopting the amended and renewed services plan for a term of five (5) years commencing January 1, 2025, so that an assessment for services can be placed on the county real estate tax duplicates for next year. Resolution No. 012-2024 was created.

*discussion:*

City Auditor Staschiak pointed out a spreadsheet that is on the backside of Mr. Rooney's letter. The DFID is a normal process that has been reviewed several times for five (5) year periods with a gap of one year, per one of the recent renewals. In this document, it references a Memorandum of Understanding (MOU) with the City of Findlay where the City is to receive forty thousand dollars (\$40,000) per year. A lot of the work is being done by City employees in the downtown area. There was quite a bit of discussion last year in working with the Administration to make sure that time energy effort materials that go into that work are being accounted for, but that it far exceeded forty thousand dollars (\$40,000). In fact, last year, it exceeded one hundred thousand dollars (\$100,000). This renewal period is Council's opportunity to consider whether or not a forty thousand dollar (\$40,000) payback from the downtown district is appropriate or if Council wants to consider more. He is not advocating for either side and is just letting Council know that this is their opportunity to make it more equitable if they feel that is necessary. Filed.

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

**Findlay Police Department Activities Report** – February 2024. Filed.

**Findlay Municipal Court Activities Report** – February 2024. Filed.

**City Income Tax Monthly Collection Report** – February 2024.

*discussion:*

City Auditor Staschiak reminded Council that he has been telling them to expect a normalization of the withholding income this year. He spoke with Councilman Wobser and Income Tax Administrator Price about a significant windfall in withholding income. Without that windfall, the City would still be looking at a reduction in the amount compared to last year. This is the year the City should see a normalization of those numbers. There was a windfall, which was a blessing, but that they need to be careful when considering operational and budget items in that Council is aware that those numbers are now normalizing. Filed.

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control** for Bakers Café LLC, located at 408 South Main Street, Suite B, Findlay, Ohio for D1 liquor permits. This requires a vote of Council.

James H. Mathias, Chief of Police – A check of the records shows no criminal record on the following:

Lisa M. Allen

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

**City Planning Commission staff report** – March 14, 2024; **agenda** – March 14, 2024; **minutes** – February 8, 2024. Filed.

**Findlay Fire Department Activities Report** – February 2024. Filed.

**Treasurer's Reconciliation Report** – February 29, 2024. Filed.

**A set of summary financial reports for February 29, 2024:**

- Summary of Year-To-Date Information as of February 29, 2024
- Financial Snapshot for General Fund as of February 29, 2024
- Open Projects Report as of February 29, 2024
- Cash & Investments as of February 29, 2024

Filed.

**Service-Safety Director Martin – insurance payment for repairs of a Police Department vehicle from an accident**

The City of Findlay has received payment for the repair of a vehicle from an accident from the City’s insurance company in the amount of one thousand one hundred one dollars and twenty-four cents (\$1,101.24) that has been deposited in the General Fund. Legislation to appropriate funds is requested. Ordinance No. 2024-036 was created.

FROM:	General Fund	\$ 1,101.24
TO:	Police Department #21012000-other	\$ 1,101.24

Filed.

**City Engineer Kalb – 2024 Annual Street Resurfacing/Curb Repairs, Contract B (Asphalt), Project No. 32840100**

By authorization of Ordinance No. 2024-009, a bid opening was held for these projects on February 22, 2024. Bids were received from three (3) potential contractor with bid amounts ranging from #355,233.00 to \$399,253.40. The lowest and best bid was received from Shelly Company-Northwest of Findlay, Ohio. This is the asphalt portion of the annual street resurfacing program that the City bids out annually. Legislation to appropriate and transfer funds for construction, inspection and contingency is needed to commence the asphalt portion of the project. Ordinance No. 2024-037 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 516,000.00
TO:	2024 Annual Street Resurfacing/Curb Repairs, Project No. 32840100	\$ 516,000.00

*discussion:*

Councilman Russel asked if Newcomer is pouring cement. City Engineer Kalb replied that they are here and will be pouring concrete hopefully yet this week if the weather holds out. Councilman Russel pointed out that Council approved funds for curbs and gutters in one reading because there was a benefit to getting them here and starting. He asked if a head start on the paving is needed and if there is a necessity for this part of it to be passed tonight. City Engineer Kalb replied no. He does not think that asphalt plants are even open yet. This request can go through all three (3) readings. If that changes, he will let Council know. Filed.

**Mayor Muryn – District 13 Integrating Committee appointment**

Mayor Muryn is appointing Jeremy D. Kalb, P.E. City Engineer for the City of Findlay, to the District 13 Ohio Public Works Commission Integrating Committee. This term will expire May 1, 2027. In the event Mr. Kalb cannot attend a scheduled meeting, Assistant City Engineer Lee Rausch, P.E. for the City of Findlay, will serve as an alternate to the District 13 Ohio Public Works Commission Integrating Committee. This appointment does not require Council’s confirmation. Filed.

**President of City Council Harrington - appointment to 9-1-1 Program Review Committee**

In accordance with ORC 128.06(A)(5), Mayor Muryn is appointing Dan DeArment to serve on the 9-1-1 Program Review Committee as the representative from Findlay City Council. This 9-1-1 Program Review Committee is required to meet at least once a year for the purposes of maintaining or amending a final plan. During the meeting, the previous year budget is also presented. This committee is also charged with hiring a 9-1-1 Coordinator should there be a need. The current 9-1-1- Coordinator is Brian Stozich. This appointment requires Council’s confirmation.

*discussion:*

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

**Hancock Regional Planning Commission (HRPC) – minutes February 21, 2024. Filed.**

**Human Resources Director Essex – Employee Satisfaction Survey results**

In the fall of 2023, the City Administration launched an organization-wide employee satisfaction survey. As in past years, this survey provides employees the opportunity to weigh in on areas such as employee engagement, communication, leadership/management, strategic planning, work culture, benefits/compensation and information technology. Organizational responsiveness to surveys can lead to higher retention rates, lower absenteeism, improved productivity, better customer service and higher morale. The goal is to seek out feedback from employees so that we can continually grow as an organization and better serve the community. Attached to this letter are the areas receiving the highest (top) and lowest (bottom) ratings on the employee satisfaction survey. Throughout the years, employees have rated their understanding of the City’s (organization-wide) strategic plan lower than other sections of the survey. The Administration, along with Department Heads and Supervisors, will continue to provide information and education in this area. It is also introduced to new hires as part of the onboarding process. As a result of the 2022 survey results and the City’s strategic plan, an employee retention group was formed in order to discuss these items with representatives from each City department on a quarterly basis. Filed.

**Board of Zoning Appeals minutes – February 8, 2024. Filed.**

**City Engineer Kalb – Swale Benching Properties, Project No. 31941500**

Over the past couple of years, the County has been working with a property owner within the Phase I Benching area to purchase the required land that is necessary to finish the benching project. It has recently been brought to the City’s attention that the County has reached a deal with the property owner and are requesting funds from the City to complete the purchase. The agreed upon sale price is sixty-nine thousand dollars (\$69,000) with the County willing to commit twenty-nine thousand dollars (\$29,000) with the City covering the forty thousand dollar balance. In order to ensure that Phase I Benching can be completed in its entirety, the City feels it necessary to commit these funds to ensure this essential flood mitigation project can be completed. Legislation to appropriate and transfer funds is requested. Ordinance No. 2024-038 was created.

FROM: CIT Fund – Flood Mitigation Restricted Account \$ 40,000.00  
TO: Swale Benching Properties, Project No. 31941500 \$ 40,000.00

Filed.

**Hancock Regional Planning Commission Director Cordonnier – moratorium amendment**

The Hancock Regional Planning Commission (HRPC) is requesting City Council to amend Ordinance No. 2023-035 that extended a 6-month moratorium on the creation of games of skill businesses. The Moratorium was put into effect on October 18, 2022 and expires April 18, 2024. HRPC respectfully requests that Ordinance No. 2023-035 is amended and the moratorium be extended an additional twelve (12) months so that it ends April 19, 2025. HRPC additionally requests that the moratorium include the relocation of an existing games of skill. HRPC requests additional time to investigate methods of regulating games of skill. In light of recent crime investigations, would like to investigate more aggressive forms of regulations. Ordinance No. 2024-039 was created.

*discussion:*

Councilwoman Frische asked why something more permanent is not being done at this point. This request letter is for a games of skill moratorium that is expiring that was originally extended for six (6) and now want to extend it for another twelve (12) months. She asked why it is not being made permanent. HRPC Director Cordonnier replied that the moratorium that originally for six (6) months and then was extended for twelve (12) months that is expiring in the middle of April this year, and are now asking for an extension of twelve (12) months again. The reason for another extension and not permanent is because it slipped through the cracks in the major zoning code update last year. He would like to bring it forward, but that the necessary time to bring amendments to the zoning code would be past the middle of April. He would like to put this in place and bring something forward the end of April, beginning of May of this year.

Councilman DeArment asked if there are other moratoriums in place. He asked if there is a small box moratorium in place and what the status of that one is. HRPC Director Cordonnier replied he is unsure if that moratorium was ever put in place. It has been almost two (2) years that Council reviewed . . . Councilman DeArment asked if it was on cannabis. HRPC Director Cordonnier replied that he will provide an update on that later. There is the only moratorium for games of skill, small gambling type parlors. Council was not in favor of a small box retail store moratorium and was only in favor of the games of skill moratorium.

Councilwoman Frische asked HRPC Director Cordonnier if the moratorium that the West Park residents had been asking about had to be figured out by April or if they would be out for another year. HRPC Director Cordonnier replied no. Anyone can bring forward any recommendation to changes of zoning, moratoriums, etc. Councilwoman Frische replied that she thought moratoriums were on a certain cycle to put one in place. HRPC Director Cordonnier replied that the current moratorium on games of skill parlors ends in the middle of April. There is no time limit to amending the zoning code. Any citizen can request any change to the zoning code.

On a personal note, President of Council Harrington congratulated HRPC Director Cordonnier’s son on an excellent season for Findlay High School basketball. It was an enjoyment to watch him play this year and that Mr. Cordonnier was at every single game. Mr. Cordonnier replied yes he was at every game and that it was a lot of fun. Filed.

**COMMITTEE REPORTS:**

An **AD HOC COMMITTEE** met on March 13, 2024 to review the 2024-2025 Council Rules of Procedure.

*We recommend continued discussion on rules of procedure changes at the next AD-HOC COMMITTEE meeting on 26 March 2024 at 4pm.*

Councilwoman Warnecke moved to accept the committee report, seconded by Councilman Wobser.

*discussion:*

President of Council Harrington reminded Council that the Ohio Open Meetings Act printout that went with this was an add-on tonight.

All were in favor.

*note: Councilman DeArment provided a summary of this AD-HOC COMMITTEE meeting to Council Clerk DeVore on 3/25/24 that was placed with the committee report, and other supplemental information, on the City’s website.* Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Rooney & Ranzau, Ltd. Phil Rooney, agent for the petitioner, for the zoning of 77.808 acres of land located on Township Road 230 and County Road 212 known as the Sheetz/Hat Trick/Buchanan annexation, being part of the east one-half (1/2) of the southwest one-quarter (1/4) of Section thirty-two (32), Allen Township, Ohio, owned by Stella Buchanan. Said parcel is currently in the process of being annexed into the City of Findlay, Ohio limits, to be zoned as I-1 Light Industrial.

*We recommend that the property located on Township Rd 230 and County Road 212, known as Sheetz/Hat Trick/Buchanan annexation be zoned as I-1 Light Industrial.*

Councilman Bauman moved to accept the committee report, seconded by Councilman Hellmann.

All were in favor. Filed.



The **PLANNING & ZONING COMMITTEE** to whom was referred a request from the Women’s Resource Center of Hancock County to rezone 1600 Laquineo Street from R3 Small Lot Residential to O1 Office/Institutions.

*We recommend to table this agenda item.*

Councilman Russel moved to accept the committee report, seconded by Councilman DeArment.

*discussion:*

Councilman Russel asked Councilman Bauman to explain why this was tabled. Councilman Bauman replied it came out of a discussion that took place at the CITY PLANNING COMMISSION. The applicant had made the request, but that it was determined that they didn’t need the request and could just put signage on the property and did not need to go through the process of the zoning request change.

All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Young Mens Christian Association (YMCA) to vacate the north-south alley between Lots 568 and 569 in the Carlins S&P Addition, and the east-west alley between Lots 565-568 and 587-590 in the Carlins S&P Addition.

*We recommend vacation of the above referenced alleys.*

Councilman DeArment moved to accept the committee report, seconded by Councilman Bauman.

*discussion:*

Councilwoman Frische asked if this is the alley that runs behind the YMCA that runs out onto Sandusky. Service-Safety Director Martin replied it is east of the building by the parking lots where the houses have been demolished. It is the alley that ran between those houses. Councilwoman Frische asked if this is a full vacation or if there are other properties that will have a dead end. Service-Safety Director Martin replied it is a full vacation.

Councilman Bauman added that a portion of this alley had already previously been vacated and that it just made sense to continue that trend.

All were in favor. Filed.

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 012-2024** (DFID) requires one (1) reading

*first reading - adopted*

A RESOLUTION APPROVING THE RENEWAL PETITION, SERVICES PLAN AND BUDGET OF THE DOWNTOWN FINDLAY IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

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

*discussion:*

Councilwoman Frische asked to refer this to the APPROPRIATIONS COMMITTEE for discussion on changing amounts and if it needs three (3) readings. President of Council Harrington replied it only needs one reading. Councilwoman Frische pointed out that she looks at the cost factor for the one employee, so if it is at one hundred thousand dollars (\$100,000), it is not covering our cost. Recently, she was in a citizen meeting with some of the Administration and County departments regarding the cleaning of the Blanchard River and that ninety-five percent (95%) of the cost to keep the Blanchard River area clean inside the City is going to be the City’s responsibility in which she commented that maybe it might be more than double that, and if that is the case, going back to either a three (3) or five (5) year contract should be discussed. Mayor Muryn replied that negotiating the MOU should be a separate discussion and should not hold up their ability to appropriately do the tax roles. That can be discussed, but that this was really just to cover the expense of some of the added things that the City is doing. For example, flowers that were previously purchased by the City had a bunch of issues when the person that was maintaining them retired. She would rather just let them keep the money and reinvest it into the district than keep dealing with the headache of the chargebacks that the City is having to manage when there are already people helping to maintain it. When talking about the downtown recreation area, it is built in the MOU and is part of the plans to expand Elliott’s role to help do maintenance in that downtown area. It is also being discussed how to help clean up the river in a more effective manner throughout the City of Findlay in working with the Blanchard River Watershed Partnership Soil and Water. It would not be beneficial to merge all of topics and would just hold this up. This is an effective organization that reins in invest in the downtown. The MOU is a completely separate document.

City Auditor Staschiak noted that the timing of this is pertinent, so if Council is going to consider it, he recommends that it be tabled and have that discussion because part of his role in this once it is approved is to take the square footage of the properties and the amount they are assessing on themselves and divide it by the square footage of the properties excluding schools, churches and government. If there is a need for them because of tight budgets or because of the amount of money the City is spending on them and wanting to collect more and having to adjust that number, it needs to be done before the district is passed and before it is put into place, and before he validates an assessment over to the County Auditor’s Office. He agrees that the MOU discussion is separate in the sense of the agreement itself, however, if the dollar amounts are gong to change and impact what he needs to assess, then that needs to be done as part of this document. Mayor Muryn replied that she understands what City Auditor Staschiak has stated, but that she would be against trying to make them increase their amount. These are property owners that, for the benefit for the downtown, are already assessing themselves an additional tax. The City going back to them delaying the process after they have already had all of the property owners sign the petitions to be able to file the paperwork would not benefit the community as the organization was meant to do.

Councilwoman Frische pointed out that she used to manage a property that was part of the DFID. It's original use was to help them do the work themselves, but has changed over dramatically in that the City is pretty much taking over everything for them with them getting charged an assessment back.

Councilwoman Frische moved to table the resolution and send it to the APPROPRIATIONS COMMITTEE because it is fiscally responsible for the City to have that discussion. She is sure that the DFID group would understand that because it should be reviewed before Council approves it. Motion failed for lack of a second to the motion.

Councilman Russel noted that he is the Council Representative for the DFID and has had that role for numerous years. There has been a transition with the DFID to using the City to do the labor and now the purchasing of flowers which was a reaction to the reality of the labor market. The DFID could not find people to specifically do the flower watering, the beautification, and clean up at a reasonable cost. A couple of years ago, there was some difficulty with the watering of the flowers. The City provided the best labor source for this because they are available and reliable. Elliott does this almost as if it is his personal yard. It was a reliability issue and a more expensive issue that was eating up two-thirds (2/3) of the DFID budget. The DFID is a collection of property owners and is not the businesses. It is the building owners that are assessing themselves and are very focused on that bottom line. The sixty thousand dollar (\$60,000) a year fee buys them less as inflation takes more of a bigger bite, but that they really hold to that. He has never heard a discussion where they wanted to revisit that total amount. To do so at the last minute would be very pressing on the DFID. They want to get this passed so that they can continue the stream of the sixty thousand dollars (\$60,000) that they self-assess on themselves and keep that stream coming uninterrupted.

Councilwoman Frische pointed out that prior to the DFID, property owners originally shoveled their own snow, beautified their front windows, took care of their sidewalks, etc. The DFID was formed to unify if better and allowed business owners to save some money and get things done, but then found that they really weren't getting that benefit and that there were some struggles to recertify one year to get enough property owners in there. While Elliott does a great job, the rate is not going to be raised so Council should discuss what is going to be covered and not covered because the City has to be fiscally responsible with taxpayer dollars and leave some of the responsibility on the property owner. The City provides property owners outside the downtown with snow removal, but do not do their sidewalks. It was great when downtown improvements were done on bump outs, mid-block crosses, and added in flowers. Maybe the City should take on the flags. It needs to be determined what works and what doesn't work. She does not know why it is a hardship on them and could be a hardship on the City. It has been five (5) years. This should be evaluated to make sure things still line up. No one is looking to price gouge anybody.

Councilman Bauman moved to call the question. Motion failed for lack of a second to the motion.

Councilman Russel pointed out that downtown areas are very unique to a community and are vitality important in ways that are not always easy to put a finger on. Any successful downtown is a combination of public and private partnerships that helps make them successful. He knows from his own personal experience from when friends visit and see Findlay and Findlay's downtown, that they are always impressed. Editor Spears's father writes a weekly column in The Courier. He mentioned in the newspaper last week, the reaction of his friends coming to visit Findlay for the first time, how they see the City of Findlay, what downtown has to offer, and how they have an impressed view of what our downtown is. The DFID started with John LaRiche, Mike Mallet, Dr. Wires, the Wasboros, and countless other property owners that have worked hard together to make sure that this thing shines to the benefit of all Findlay and Hancock County. They set the budget. The MOU is a separate issue. The City needs to continue working with the DFID, downtown property owners, and downtown businesses to keep making this thing shine. It keeps getting better each year because it is a jewel for this area.

Ayes: Bauman, DeArment, Greeno, Hellmann, Russel, 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.

#### **ORDINANCES:**

**ORDINANCE NO. 2024-027** (~~bid extend current~~ contracts for City insurance policies) **requires three (3) readings** **third reading - adopted**

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO TAKE BIDS AND ENTER INTO CONTRACTS FOR INSURANCE COVERAGE FOR AIRPORT LIABILITY, AUTOMOBILE, BOILER MACHINERY, CONTRACTOR'S EQUIPMENT, CRIME INSURANCE, POLICE PROFESSIONAL LIABILITY, PUBLIC OFFICIAL'S ERRORS AND OMISSION LIABILITY, REAL AND PERSONAL PROPERTY, AND DECLARING AN EMERGENCY.

#### *discussion:*

Council Clerk DeVore noted that the description on the agenda for this is stated incorrectly as "extend current" contracts for City insurance policies and should be to "bid" contracts for City insurance policies.

Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: DeArment, Frische, Greeno, Hellmann, Niemeyer, Russel, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-027 and is hereby made a part of the record.

**ORDINANCE NO. 2024-030** **requires three (3) readings** **second reading**

*(Strong Ave vacation - 60' unimproved ROW on the west side of Strong Ave north of Blanchard Ave)*

AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN STREET (HEREINAFTER REFERRED TO AS THE STRONG AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2024-031 requires three (3) readings**

**second reading**

*(Sixth St vacation - 15' unimproved ROW on the west side of Strong Ave)*

AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERRED TO AS THE SIXTH STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2024-033 (first 2024 Capital Improvement appropriation) requires three (3) readings**

**second reading**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2024 DEPARTMENT EQUIPMENT LIST, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2024-035 (legal settlement) requires three (3) readings**

**first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**adopted during OLD BUSINESS**

**ORDINANCE NO. 2024-036 requires three (3) readings**

**first reading - adopted**

*(insurance payment for repairs of a Police Department vehicle from an accident)*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

*discussion:*

Councilman Wobser pointed out that since this is just a small transfer for an insurance settlement, he will make a motion to suspend rules and adopt tonight.

Councilman Wobser moved to suspend rules and give the Ordinance its second and third readings, seconded by Councilwoman Warnecke. Ayes: Frische, Greeno, Hellmann, Niemeyer, Russel, Warnecke, Wobser, Bauman, DeArment. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Greeno, Hellmann, Niemeyer, Russel, Warnecke, Wobser, Bauman, DeArment, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-036 and is hereby made a part of the record.

**ORDINANCE NO. 2024-037 (2024 annual street resurfacing/curb repairs, contract B (asphalt) requires three (3) readings**

**first reading**

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

*First reading of the Ordinance.*

**ORDINANCE NO. 2024-038 (Swale Benching property) requires three (3) readings**

**first reading**

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH THE HANCOCK COUNTY COMMISSIONERS TO PURCHASE REQUIRED LAND WITHIN THE BENCHING AREA IN ORDER TO FINISH PHASE I OF THE BENCHING PROJECT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**ORDINANCE NO. 2024-039 (moratorium amendment) requires three (3) readings**

**first reading**

AN ORDINANCE AMENDING ORDINANCE NO. 2023-035 THAT AMENDED ORDINANCE NO. 2022-119 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO TO EXTEND THE CURRENT MORATORIUM ON THE ESTABLISHMENT OF ANY SKILL-BASED AMUSEMENT BUSINESSES IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER INCORPORATING THE PROPOSED ADDITIONS INTO THE CURRENT ZONING CODE AS OUTLINED BELOW BEFORE ENACTING THEM AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**UNFINISHED BUSINESS:**

**OLD BUSINESS:** none

**NEW BUSINESS:**

Councilwoman Frische noted that there is never any parking in the municipal parking lot on Crawford Street and that the City used to lease some spaces to businesses, and with the construction of the new court building, parking is restricted and sees a lot of City employees parking in that lot. She asked if the City is utilizing the Marathon Center for the Performing Arts parking lot and asked how parking can improve. Service-Safety Director Martin replied that as Councilwoman Frische has stated, downtown parking has been challenging recently, but that there is a plan that has been implemented since those one hundred eighty plus (180+) parking spots were taken away. City employees primarily use the Parker Lumber parking lot which is west of the Sheriff's Office and is property the City owns. Overflow should go to the Marathon Center for the Performing Arts and park in the north lots there.

There are spots on North West Street which is further west or past the Parker Lumber parking lot that is being utilized and in front of the Sheriff's Office. The intent is to maintain the municipal parking lot for those that want to conduct business here. The cadence of coming and going is hard to keep track of who is in those parking spots, but that the Parking Enforcement Officer is doing a great job of it, but that it does appear to be full a lot of the time. He is unaware of who those are that are occupying parking spots, but is his understanding that they are conducting business here. Councilwoman Frische asked if any spaces are still being leased. Mayor Muryn replied that the City leases spaces in the Argyle lot and other places, but do not lease any spaces out of the municipal lot. Filed.

Councilman Greeno reminded Council that two (2) weeks ago, a proclamation was done for Developmental Disabilities Awareness month. He took it one step further and brought it to Council's attention that tomorrow, March 21, 2024 (321) is World Down Syndrome Day. 321 represents three (3) of the twenty-first (21<sup>st</sup>) chromosomes that causes Down Syndrome. He read an anonymous illustration that he found that makes it easier for people to understand: Who knows why Down Syndrome occurs. Why does the extra twenty-first (21<sup>st</sup>) chromosomes stick to the cell when the fertilized egg is first and cell division? It can be compared to what happens in nature to a field of clover. Usually, three (3) leaves are seen on each clover, but that every once and awhile, a clover is found with an extra leaf, making it a four (4) leaf clover. We do not know why Mother Nature decided to add this extra leaf. She just did. There is no obvious explanation in that all of the clover plants grew in the same soil and were exposed to same sun, rain, etc. Mother Nature just decided to add an extra leaf on one of the clovers in this clover patch. This doesn't make it better or not as good as the other clovers. It just makes it different. Some people believe this brings them good luck when they find a four (4) leaf clover. It is much of the same way with an extra chromosome. We don't know why Mother Nature let the cell divide unevenly, but that she did. She decided to add an extra chromosome to baby's cells. It doesn't make the baby better or not as good as other babies. Just makes it different. If anyone finds one of these babies, they are truly lucky for they are very special babies who grow into very special people. One of those special people is his little Ollie. He just wants him to know that poppy loves him very much. Filed.

Mayor Muryn asked Council to revisit Ordinance No. 2024-035 (*legal settlement*). Councilman Hellmann moved to reconsider the Ordinance, seconded by Councilman Wobser. Ayes: Frische, Greeno, Hellmann, Niemeyer, Russel, Warnecke, Wobser, Bauman, DeArment. Councilman Wobser moved to suspend rules and give the Ordinance its second and third readings, seconded by Councilman Bauman. Ayes: Greeno, Hellmann, Niemeyer, Russel, Warnecke, Wobser, Bauman, DeArment, Frische. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman DeArment.

*discussion:*

Mayor Muryn pointed out that this is a transfer out of the City's self-insurance fund and was a topic discussed in executive session because it is a legal matter.

Ayes: Hellmann, Niemeyer, Russel, Warnecke, Wobser, Bauman, DeArment, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-035 and is hereby made a part of the record. Filed.

Mayor Muryn gave her condolences to the families of those whose lives were lost in the storms last week. Findlay was grateful that there wasn't more damage in our community and that the storm passed the City of Findlay. She thanked the City's team who responded and the spotters who were out around the County keeping a close eye on it and keeping everyone informed to keep the community safe, as well as those that helped with cleanup across the region. Filed.

Mayor Muryn is continuing to prompt the State for an update on the marijuana issue. As was previously stated when the legislation was passed through the constitutional amendment, the State Legislator is still working through the regulations and process that will be in place. Most notably, they will be putting in the administrative rules that will restrict the licensing available for dispensaries. Once she has more clarification on it, she will bring it to Council for discussion, but that right now, it is unknown what, if any, restrictions will be put in place and how the City will manage that. She will continue to stay on top of that. As soon as she hears anything, she will let Council know. Filed.

Councilman Hellmann revisited some statements that were made in public comments over the past couple of weeks or months about a piece that was in the news having to do with water meters. City Council has heard so much about that that it aggravates him to the point that it is ill-informing the public. The statement that was on the news was that the meters operate on a closed network making them more secure than the average smart home or internet connection device. The meters radio frequency is weaker than that of a cell phone and that the batteries are comparable to the ones used in laptops or other devices. Some of the comments that have been made appear to be more scare tactics than anything and would like others to understand that there are other opinions of the safety of the water meters and that he trusts the City Engineering Department, and those that are in charge of these kinds of things, to see to it that citizens are not being radiated to the point that they are losing their minds.

Councilman Bauman added that it is his understanding that the meters turn on once when the billing cycle has come due and transmit data, and then they turn back off.

Councilman DeArment asked if the meters wake up once a month. President of Council replied that his water bill is every two (2) months. Service-Safety Director Martin replied that they cycle in a process and are not continuously on and that there is more to it than on and off.

Councilman Bauman pointed out that they are not on all day every day, so some of the concerns might be overstated. Service-Safety Director Martin replied that is correct. Filed.

Councilman Bauman moved to adjourn City Council at 7:29pm, seconded by Councilman DeArment. All were in favor. Filed.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT