

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

JUNE 4, 2024

COUNCIL CHAMBERS

ROLL CALL of 2024-2025 Councilmembers

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

ABSENT: none

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

President of Council Harrington introduced Nick Goshe in the audience with Boy Scout Troop 319. He is attending City Council tonight for his communication and public speaking merit badge. Filed.

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Palmer moved to accept the May 21, 2024 Regular Session City Council meeting minutes, seconded by Councilman Bauman. All were in favor. Filed.

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

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS: none

ORAL COMMUNICATIONS:

President of Council Harrington explained the changes that are now in effect for Council's Rules of Procedures. There are now two (2) public speaking timeframes: 1) agenda item 2) non-agenda items. There are no requests tonight to speak to any agenda items, so there will not be any ORAL COMMUNICATION speakers at this point of tonight's meeting. When an agenda item that is indicated on the form is under consideration, that is when the requestor will speak. If it does not qualify for an agenda item, then it will be done at the end of the meeting when the President of Council calls them up at that time. Filed.

WRITTEN COMMUNICATIONS:

email from Leonard Brown – Immigration Task Force. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Meijer Stores Limited Partnership dba Meijer #51 Gas Station Only, 2200 Tiffin Avenue, Findlay, Ohio for a C2 liquor permit. [This requires a vote of Council.](#)

A letter from the Ohio Department of Liquor Control included a letter with this request stating that this applicant has been designated a "master file" by their office, which is an internal designation given to businesses that have at least four (4) active liquor permits within Ohio. Due to this designation, the Liquor Control did not send background information to the City of Findlay Police Department because they have previously conducted background checks, including any required disclosures at renewal time on the disclosed master file's owners and officers prior to it gaining the master file status. As a result, they do not need the City of Findlay Police Department to conduct a criminal background check on this specific application.

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

City Engineer Kalb – ODOT Municipal Bridge Program, grant application

The City of Findlay has recently been notified by the Ohio Department of Transportation (ODOT) of a Municipal Bridge Program that will provide grant funds to municipalities for the rehabilitation of existing bridge structures. Through the program, ODOT will provide funding for project design and project construction with two (2) different funding models. Through the program, project design will be funded at eighty percent (80%) federal funds and twenty percent (20%) local match. Project construction will be funded at ninety-five percent (95%) and five percent (5%) local match. If awarded, the funds will be available for construction between the 2025 to 2027 construction seasons. The City of Findlay Engineering Department will be utilizing this program to perform deck and structural repairs to the existing bridge on Blanchard Street that crosses the Blanchard River. The City of Findlay has a good opportunity of receiving grant funding for necessary repairs on the Blanchard Street Bridge because of the inspection services that the City of Findlay received from ODOT Municipal Building Inspection Program. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to apply for funds and sign any applicable agreement(s) or related document(s) for the Municipal Bridge Program is requested. Ordinance No. 2024-074 was created.

discussion:

Councilwoman Frische asked if the City is working with the County on this as she was under the impression that bridges were handled through the County. City Engineer Kalb replied that there are four (4) bridges that are under the City’s maintenance and control. The Blanchard Street bridge is a City bridge. Filed.

City Engineer Kalb – Runway 7/25 Nav-Aid Rehab, Project No. 35234500 grant fund de-appropriation

As part of Ordinance No. 2024-018, the Ohio Department of Transportation (ODOT) Aviation grant funds were appropriated to the Nav-Aid Rehab project. In the initial grant approval, the City of Findlay was awarded \$465,880.00 to go towards this project, but because the project cost came in lower than what was originally estimated, the grant amount was amended to \$405,167.00. To ensure that there is no over-expenditure of grant funds and that records match the ODOT agreement, grant funds will need to be de-appropriated from the project to reflect the change. Legislation to de-appropriate funds is requested. Ordinance No. 2024-075 was created.

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|------|--|--------------|
| FROM | Runway 7/25 Nav-Aid Rehab, <i>Project No. 35234500</i> | \$ 60,713.00 |
| TO: | ODOT Aviation Grant (M24-13) | \$ 60,713.00 |

Filed.

City Engineer Kalb – Project Hat Trick, Project No. 35631500 appropriation of 629 funds

As discussed in previous meetings, the Ohio Department of Development (ODOD) has committed 629 Roadway Development funds towards the construction of the TR 230 Widening (Project Hat Trick) project. Due to the lower bid price received, the City of Findlay Engineering Department is working with The Ohio Department of Transportation (ODOT) Jobs and Commerce and the ODOD to finalize the funding amounts. To ensure the grant funds will be available to the City of Findlay for usage on this project, it is desired to appropriate the 629 Grant Funds to the project. Once the ODOT Jobs and Commerce amounts are finalized, an additional appropriation will be made at a future City Council meeting. Legislation to appropriation funds is requested. Ordinance No. 2024-076 was created.

| | | |
|-------|--|-----------------|
| FROM: | Ohio 629 Roadwork Development Grant (SBIG20246958) | \$ 1,100,000.00 |
| TO: | Project Hat Trick, <i>Project No. 35631500</i> | \$ 1,100,000.00 |

Filed.

COMMITTEE REPORTS: none

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 016-2024 (AMERICA 250-OH) **requires three (3) readings** **second reading**

A RESOLUTION OF THE CITY OF FINDLAY, OHIO SUPPORTING THE OHIO COMMISSION FOR THE UNITED STATES SEMIQUINCENTENNIAL (AMERICA 250-OH).

Second reading of the Resolution.

RESOLUTION NO. 018-2024 (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 Russel moved to adopt the Resolution, seconded by Councilman Bauman. Ayes: Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXV, and is hereby made a part of the record.

ORDINANCES:

ORDINANCE NO. 2024-058 (WTP generator replacement) **requires three (3) readings** **third reading - adopted**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman DeArment. Ayes: DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-058 and is hereby made a part of the record.

discussion:

Councilman Niemeyer asked if Mr. Rowald in the audience is here tonight to speak on this matter. President of Council Harrington replied no, that he is here to talk about 50 North. Councilman Greeno added that this Ordinance is for the Water Treatment Plant.

ORDINANCE NO. 2024-059 ~~requires one (1)~~ **requires three (3) readings** **third reading - adopted**

(West Park sanitary extension-septic removal)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-059 and is hereby made a part of the record.

ORDINANCE NO. 2024-065 (annual bids and contracts) **requires three (3) readings** **second reading**

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2025, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2024-066 requires three (3) readings
(Runway 7/25 Nav-Aid Rehab Reconfiguration Flight Inspection)

second reading

discussion:

Councilman Russel asked if this is a requirement from the FAA and where in the project cycle it is at. He asked if it is a beginning or end step. City Engineer Kalb replied it can be a beginning step, but is towards the end, so this Ordinance could wait to be adopted until its third reading.

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

Second reading of the Ordinance.

ORDINANCE NO. 2024-067 requires three (3) readings
(HWE Cooperative Territorial Protection Franchise)

second reading

AN ORDINANCE GRANTING TO HANCOCK WOOD ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF FINDLAY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC POWER AND ENERGY TO PARTS OF THE CITY OF FINDLAY AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH OR ACROSS SAID CITY OF FINDLAY, STATE OF OHIO, SUBJECT TO AND IN COMPLIANCE WITH THE CERTIFIED TERRITORIES FOR ELECTRIC SUPPLIERS ACT (OHIO REVISED CODE SECTIONS 4933.81 TO 4933.90).

Second reading of the Ordinance.

ORDINANCE NO. 2024-069 requires three (3) readings
(third Capital Improvement appropriation of 2024)

second reading - adopted

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO 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.

discussion:

Councilman Palmer asked if there are any lead times with the equipment that would require this to be adopted tonight. City Engineer Kalb replied that one of them is to appropriate money for the Riverside Toy. A purchase order to the company cannot be assigned for the remaining money and cannot be split out. It has to be one whole package which is the biggest lead time on it. The City of Findlay Street Department is moving quickly on street resurfacing so he would like to get money to them.

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

discussion:

Councilwoman Frische explained that the reason she voted against suspending the statutory rules on this is because it has been over a month since the capital discussion on this took place and that only a very short explanation was provided and that it was supposed to go back to get a five (5) year projection that Councilman Wobser was working on, so because that has not happened, she is not in favor of suspending rules or adopting it. Councilman Wobser replied that discussion is going to be more centered around a five to ten (5-10) year timeframe and not this year.

Ayes: Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment, Greeno. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-069 and is hereby made a part of the record.

ORDINANCE NO. 2024-070 (*Findlay RLF for 50 North*) **requires three (3) readings** **second reading – adopted**

AN ORDINANCE AUTHORIZING TO UTILIZE CITY OF FINDLAY REVOLVING LOAN FUND DOLLARS FOR 50 NORTH PROJECTS, AUTHORIZING THE SUBMISSION OF AN APPLICATION AND EXECUTION OF ALL NECESSARY DOCUMENTS TO THE OFFICE OF COMMUNITY DEVELOPMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO.

Discussion:

Richard Rowald (ORAL COMMUNICATION) – 50 North RLF via Ordinance No. 2024-070

Mr. Rowald feels that the funds could be better used by a better organization than 50 North. He has a personal interest in this. He was eating lunch at 50 North the beginning of November and for no apparent reason after he finished his lunch, he was escorted by a City Police Officer and a couple staff members from 50 North through a back office where he was handed a letter from an attorney that had a wrong address for him saying basically he was Persona non grata meaning he would not be welcomed back to 50 North. He asked for a reason, but was not given one and was told that if he went back to 50 North or contacted any of the people at that facility there on Melrose Avenue that he would be cited for trespassing and may go directly to jail. He is a voting Ohio resident. He was born in Ohio. He is a Vietnam Veteran. He honorably served his country. He enjoyed the company and the facilities there. He broke no rules nor was he escorted to jail. They would not explain any rules or anything to him. They handed him a letter from their attorney and escorted him out the exit and told him not to come back. Part of the funding for this project/Ordinance is for security. He does not feel money should go towards security when they did this to him without investigating the matter. He asked if Council is going to dump good money on top of bad. He asked if Council is going to dump a lot of cash in their lap so they can spend it on security for doing a bad job. He asks that the money be passed onto another government or City entity that would better use the funds.

Councilman Wobser pointed out that this is a grant from the Revolving Loan Fund. It is part of an organization that does a great job for the City. He asked 50 North Director Carolyn Copus in the audience to come to the podium to provide details on what is going on at 50 North. He asked what this request is going to be used for and what the bigger scope is of having this generator upgraded or replaced. Carolyn Copus replied that shortly after 2007, it was identified that an emergency shelter for the community would be nice to have. They worked in collaboration with the City to put in a generator so that 50 North could be an emergency shelter. The generator is for the shelter and is not to keep the door open for 50 North if the power were to go out. It is only for the original building and not for the whole building. If the power were to go out, it will only be for that one original area where they can put in cots. There are showers in that area. That area and the kitchen works through the generator. This project is for the community. If they do not receive this funding, they would not invest in a generator just to keep their doors open. This is strictly for the community. Councilman Wobser asked if this is a replacement in that the old generator is out of warranty and/or no longer useful and needs to be replaced. Ms. Copus replied that 50 North has been putting a lot of money into it to fix it. The recommendation was that they can keep fixing it, but cannot guarantee that it will keep running. Councilman Wobser asked for stats on who 50 North serves. He asked how many individuals use 50 North. He asked Ms. Copus if she has the breakdown of City and County. Carolyn Copus replied that last year, they were just over five thousand six hundred (5,600) individuals that 50 North served. On any given day, they can have between six to eight hundred (600-800) individuals in their building from 7:00am until 8:00pm Monday-Thursday and are open less hours on Fridays. Their numbers have been remarkable. In fact, they have already ran out of room in some of their areas. The growth of the utilization was twenty-six percent (26%) last year. The service they provide to their older adults is one that is appreciated and enjoyed by many. Councilman Wobser replied that the facility is getting a lot of use there. He asked if this project will be taken care of by 50 North staff. Ms. Copus replied that they will work with a contractor to be able to install it.

Councilwoman Frische asked if a generator was put in 2007 or 2009. Ms. Copus replied 2009. Councilwoman Frische pointed out that the City is now putting in a generator at the CUBE and asked how many locations there will be for emergency disaster spots. Mayor Muryn replied at least four (4) that are currently utilized at the CUBE and at 50 North. The Airport is a different situation in that one of the hangars can be used as an emergency shelter. On the east side, the City is currently in discussions with a couple of locations to be able to have some there.

One of the goals is if a snow storm were to knock out power for prolonged periods of time where motorists could not be on the roadways, that they would be able to walk to shelters around town. These funds are not always going to specifically be used for this, but are a qualifying use under CDBG guidelines for emergency shelters. Councilwoman Frische pointed out that when the original one was put in, the City partnered with 50 North at that time and asked how the original generator was funded. Mayor Muryn replied that she does not know the specific financial structure of the last one but that 50 North has been maintaining it solely at their cost and that they are doing some other improvements and had approached the City if that would be a usable fund. Because 50 North is utilizing these dollars, they had to go through the prevailing wage structure and process to be able to qualify the project, and was reviewed and approved through the State. Councilwoman Frische asked why ARPA dollars are not being used instead. Mayor Muryn replied that there were a variety of other projects that the American Rescue Plan Act (ARPA) funds were already allocated towards and that this was not identified as a need by 50 North. Councilwoman Frische asked if that means that cannot be done now. Mayor Muryn replied those dollars are already spoken for.

City Auditor Staschiak clarified that the ARPA dollars could actually be used depending on what ends up happening with spending. Spending money through this year is actually behind and that he intends on addressing that in the mid-year review as to actual progress. There is approximately sixty thousand dollars (\$60,000.00) that is unappropriated. It is the Administration's purvey to allocate the funds as they want.

Councilwoman Frische pointed out that ARPA dollars do not have to be paid back and asked if this is being done as a non-repayment and if funds were de-appropriated from the demolition program. Mayor Muryn replied it is a grant that was in the last packet from the last City Council meeting. The Revolving Loan Fund is giving it as a grant that they are able to do for certain specific items so they are not having to pay them back. The CDBG dollars have more restrictions than the ARPA funds, so she does not recommend doing that. There will be a lot more flexibility with how the ARPA Funds are handled to divert those if needed into other projects that are also going to serve the community.

City Auditor Staschiak noted that both he and Councilwoman Warnecke are on the RLF Board. He commented to tonight's speaker that roughly two-thirds (2/3) of the money was being spent on the generator with one-third (1/3) going towards security. He does not know the specifics to that.

Councilman Wobser informed Council that since this project is part of community safety issue, he will make a motion to suspend Council's rules and give this Ordinance its third reading.

Councilman Wobser moved to suspend statutory rules and give the Ordinance its third reading, seconded by Councilman Russel. Ayes: Palmer, Russel, Warnecke, Wobser, Bauman, DeArment, Greeno, Hellmann. Nays: Niemeyer, Frische. The Ordinance received its third reading. Councilman Wobser moved adopt the Ordinance, seconded by Councilman Greeno. Ayes: Palmer, Russel, Warnecke, Wobser, Bauman, DeArment, Greeno, Hellmann. Nays: Frische, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-070 and is hereby made a part of the record.

ORDINANCE NO. 2024-071 (*CAV/FEMA floodplain regulations violations*) **requires three (3) readings** **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2024-072 (*severance payout appropriation*) **requires three (3) readings** **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2024-074 requires three (3) readings

first reading - adopted

(ODOT Municipal Bridge Program, grant application)

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO APPLY FOR GRANT FUNDS AND ENTER INTO GRANT AGREEMENTS OR RELATED DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION IN ORDER TO RECEIVE FUNDS FOR THE MUNICIPAL BRIDGE PROGRAM, AND DECLARING AN EMERGENCY.

discussion:

Councilman Russel pointed out that this is a request to apply for funding to help maintain a pretty important bridge, he will make a motion to suspend rules and give the Ordinance its second and third readings.

Councilman Russel moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman DeArment. Ayes: Russel, Warnecke, Wobser, Bauman, DeArment, Greeno, Hellmann, Niemeyer, Palmer. Nays: Frische. The Ordinance received its second and third readings. Councilman Russel moved adopt the Ordinance, seconded by Councilman DeArment. Ayes: Warnecke, Wobser, Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-074 and is hereby made a part of the record.

ORDINANCE NO. 2024-075 requires three (3) readings

first reading - adopted

(Runway 7/25 Nav-Aid Rehab grant fund de-appropriation)

AN ORDINANCE DE-APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Wobser, Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke. The Ordinance received its second and third readings. Councilman Bauman moved adopt the Ordinance, seconded by Councilman Palmer. Ayes: Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-075 and is hereby made a part of the record.

ORDINANCE NO. 2024-076 requires three (3) readings

first reading - adopted

(Project Hat Trick appropriation of 629 funds)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

discussion:

Councilman Russel pointed out that this is taking one million one hundred thousand dollars (\$1,100,000) of Department of Development funds and appropriating it so that it can be for the Project Hat Trick. It allows the City to use the money, so he is going to make a motion to give the Ordinance all three (3) readings tonight.

Councilman Russel moved to suspend statutory rules and give the Ordinance its second and third readings, seconded by Councilman Greeno. Ayes: DeArment, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman. Nays: Frische. The Ordinance received its second and third readings. Councilman Palmer moved adopt the Ordinance, seconded by Councilman Bauman. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-076 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilwoman Frische pointed out that Service-Safety Director Martin sent an email out this afternoon on Ordinance No. 2024-071 (FEMA's CAV) as well as a map, but that it doesn't provide detail. She does not understand the bullet points and asked for more clarification. Notice to owners of violations on their properties through FEMA during the CAV and then the City will gain permission for a survey with the City remediating those flood issues, but that this has nothing to do with flood mitigation as stated in the email. She asked why the City is required to fix these problems. Service-Safety Director Martin replied that back when this original assessment was done in 2012, FEMA made these requirements obligated for these properties when flood mitigation is done or the re-planning of the flood maps in that they can be eligible to not have flood insurance. Whatever FEMA or CAV did in their visit there are specific things that need to get done to these specific properties (i.e. crawl space elevation, venting, etc.) that will fall under those categories. The City wants to communicate with these property owners first because since 2012, there might have been sales of the properties and/or some of the requirements may have already been accomplished by the owners, so the City wanted to be able to communicate with the property owners to explain what FEMA is actually requiring for their property to have done so that the City can proceed with this process. The map that he provided with his email was generic in purpose but that it created the spectrum of how it goes across the entire area that was impacted by the flood.

Mayor Muryn added by referring back a layer further in that the reason that the City is helping these properties remedy the issues that have been identified is because in order for the City of Findlay to participate in the FEMA program, they have to meet certain requirements, and if the City did not work with these property owners to ensure that they have proper documentation on file, it would be a ding against the City. The reason the City is stepping in for these specific properties is because the initial assessment was done back in 2012 that identified issues that the City missed documentation that they should have gotten from the properties. The properties did not necessarily purposely skip something that they should have provided to the City, but that now the City is going to go back to the property owners informing them that the City missed something and shouldn't be on them and that all the issues that have been identified are minor and that an event needs to be in place or documentation of what their elevation is and that the City did not feel it was right to potentially penalize someone who could be a current owner that bought a property and was not aware that they were not in compliance with this when it is a relatively small cost to the City to make it right.

City Auditor Staschiak reiterated his comment from the last meeting that the map is showing as of June 2, 2011 that the City has done a phenomenal amount of work for that river since that time on what that flood zone is expected to be or the impacted areas to be when the maps are redrawn for the elevations. His question at the last meeting was if the City has properly investigated and documented that a stay on this cannot be obtained until those maps are redrawn for these impacted properties without impacting our flood standing with FEMA because it seems like the City has the potential to throw good money after bad if these properties come out of the flood zone during the remapping when the remapping could have been started more than a few years ago had the City wanted to redo it. He thinks it would be worth pursuing that question due to the age of these properties and when they were done. If it has been done, it should be properly documented. He would like to see that documentation.

Councilman Russel asked where this fits in the process for remapping. He assumes there is an examination requirement for these thirty-five (35) properties regardless of what the flood maps are. He asked what the goal of the remapping is besides putting a lot of properties out of the flood insurance requirement and asked where it fits in with the whole thing, as well as the requirement of it from City Auditor Staschiak's perspective. Service-Safety Director Martin replied that the question was asked when the video conference with the FEMA representative took place and reviewed all the specifics. It is not an either/or weight and needs done. They knew that the remapping was going to be done, the flood mitigation process, the benching, phase I was already done, and phase II, so they are well aware of what is going on. With the anticipation of all this mitigation, as well as all the remapping, this has to get done. It is not an either/or.

Councilman Russel asked if this is a requirement for the remapping or if it is more or less a 2012 hold over that now has to be addressed. Service-Safety Director Martin replied it is a holdover from 2012 that needs to be addressed. Mayor Muryn added that they would have to be documented on record before the remap would happen. This is something that should have previously been addressed.

Councilwoman Frische understands the reason of the remapping, but asked what the difference is between these thirty-five (35) properties and that everybody else who had flood issues that took care of their problem such as filling in basements, ventilation, etc.). She asked why these thirty-five (35) properties are different from everybody else in that the City may be fixing their properties. She asked if there is an issue that property owners have not fixed and why the City is going to go in and fix it. Mayor Muryn replied that the issue is that these properties were not aware that they needed to provide this to the City. It was a City-miss and not an individual property-miss. Property owners would not appreciate it if they bought a new property and then are told that they need to get a survey to show that the base of their house is above the base flood elevation and that they need to put a vent in their basement because the City missed it back in 2012. It was a mistake on the City end of not getting the proper documentation from these properties. The overall cost is very minimal and is simply to make sure it is on record moving forward. Councilwoman Frische asked if the City is anticipating to fix anything and are just getting the map and survey documented. Mayor Muryn replied that the primary issues identified are to get surveys, elevation certificates and vents. If something more significant is needed that the property owner should have taken care of, then the City will work with that property owner, and that anything more significant would be evaluated and brought back to Council. The majority of these are that there are no elevation certificates on file in which the City should have previously had.

City Auditor Staschiak pointed out that these appear to be private property and asked what legal right the City has to do this and if there will be an egress/ingress for them. Mayor Muryn replied that at this point in time, the City is just setting aside funds and are letting Council know that the City is going to be contacting these property owners. The City wanted to notify Council that it will be going through this process so that if any Councilmember gets any phone calls, they will have been informed. A copy of the letter that will be going out was included and then the City is going to be contacting the property owners because the City has to have their consent to complete it. Filed.

NEW BUSINESS:

Councilman Russel: **WATER AND SEWER COMMITTEE** meeting on Wednesday, June 12, 2024 at 5:00pm in the first floor Council Chambers of the Municipal Building (CC).

- agenda: 1. continued discussion about the evaluation of the process for changing water rates
- 2. Van Buren organization request to tap into City sanitary and water services
- 3. examination of properties within City limits not on City's sanitary & on septic systems

City Auditor Staschiak suggested that if the Van Buren question falls within Van Buren's district that the City has a contractual agreement with that they be part of that meeting so that the City does not infringe on their rights in using the City's water services, and if it is outside the City limits, then there is a bigger question that will need to be discussed. Filed.

Councilwoman Frische pointed out that the capital discussion has not been taken back to the APPROPRIATIONS COMMITTEE and asked if a meeting is going to be scheduled. Councilman Wobser replied that they have not gotten around to putting that together yet. Councilwoman Frische asked if he has a timeframe. Councilman Wobser replied he does not. Filed.

Councilman Bauman: **PLANNING AND ZONING COMMITTEE** meeting on Thursday, June 13, 2024 at 12:00pm in the first floor Council Chambers (CC).

- agenda:
1. 116 Laquino St rezone (tabled)
 2. Tappan St vacation
 3. 2nd & 3rd St vacation
 4. Hancock Wood Electric Cooperative Territorial Protection Franchise via Ordinance No. 2024-067

Filed.

City Engineer Kalb notified Council that the City is finalizing the Project Hat Trick project with the Ohio Department of Transportation Office of Jobs and Commerce on their agreement. He has been working with Deputy Auditor Sampson on it. He anticipates getting that agreement from them within the next week for their three hundred thousand dollar (\$300,000.00) commitment. He will have legislation on the next City Council meeting agenda for the acceptance of it. The City has worked out all the terms of the agreement with them. Councilman Russel asked City Engineer Kalb if he has a general timeline of when the City will start seeing things happening on Township Road 99 and County Road 230. City Engineer Kalb replied sometime in June. The biggest question now is how soon they can get the pipe and the manholes for the sanitary because getting that sanitary in is going to be the first big push. Dirt will start moving the end of June/early July. Filed.

Mayor Muryn notified Council that today's newspaper has an article about the upcoming Flag Day programs. It is her hopes that all Councilmembers have their flags out or are planning to refresh their flags in the near future. Filed.

Mayor Muryn invited Councilmembers to come out to the Play Ball event that is on Thursday, June 13, 2024 at 6:00pm at the Miracle Field. It is an annual event that the City hosts in conjunction with the U.S. Conference of Mayors, as well as the MLB. Kids that show up will be given a t-shirt that has been donated from the MLB. It is a great fun free event. Filed.

Mayor Muryn informed Council that construction has begun on the CR 99 project. She asked motorists to slow down and pay attention in construction zones whether it be on County Road 99 or other construction zones where cones/barrels are out. Workers need to be kept safe, so the best way to do that is to slow down and pay attention. Motorists should not go around barrels. When a section is shut down for people to be working in, that means motorists are not to go in it. Filed.

Mayor Muryn noted that a press release went out this afternoon about twenty-three (23) states currently experiencing a 911 outage from calls from AT&T. She is unsure what the issue is, but that the City is on top of it. If someone is on AT&T, they may need to make calls from a landline. The City will keep the public posted as soon as it is able to be resolved. It is a multi-state issue and not a local issue. Filed.

Mayor Muryn noted that two (2) Councilmembers were at the Welcome To A New Life breakfast this morning. That organization does a lot in the community to help individuals that are coming out of jail to get assimilated to provide mentorship. The most important thing is to give them hope and recognize that they are valued. It is a great program. It was great to hear from both the mentors and mentees. She encouraged everyone to get engaged with any of the non-profits in the community that are serving and trying to make a difference. Councilman Wobser added that the amount of days that organization can account for taking out of the jail time sentences is over nine thousand (9,000) days which is listed in their pamphlet. It is money that did not have to be spent by the City and County to incarcerate individuals which is outstanding. Filed.

Councilman Wobser thanked Mayor Muryn for her article that was in the paper this past Saturday that was a lengthy and drawn out, but worth the read. It answered a lot of questions. He hopes many took the time to read it and took it to heart so that they understood the details of what is going on with the immigration situation here in the City. Filed.

Councilwoman Frische noted that there was an email on the banner policy that she was not aware of the change and asked Mayor Muryn to explain it so that the public understands the new banner policy downtown. Mayor Muryn replied that the banner program for downtown has changed. The City has moved away from allowing non-profit organizations to display banners throughout the year. Previously, there have been approximately thirty (30) organizations that would utilize the program to raise awareness of their organization. The City would occasionally hear from visitors and individuals visiting that it was giving a specific snapshot of the community and that they didn't feel that they were not welcoming or representative, so she felt like it was a good time to pause that and have more generic banners. Project Manager Hohman has designed the pastel colors banners that are downtown now. There will be seasonal ones throughout the year, and will continue the Hometown Heroes banners and recognize certain holidays. Non-profits are no longer allowed to paint the roadways or do the banner programs. Those changes were announced in October and took effect January 1, 2024. Filed.

ORAL COMMUNICATIONS:

Dan DeLong – revisit Resolution No. 017-2024 (*CDBG Grant Application – Allocation Melrose Avenue Multiuse Path*)

Mr. DeLong is before City Council tonight to revisit Resolution No. 017-2024 that Council passed the last City Council meeting for the Melrose bike path. He has several questions and comments regarding it. He provided Council with some history about sidewalks in Findlay. In 1993, property owners in the Ranch Vala Subdivision, which includes North Cliff, South Cliff, Woodcliff and Briarcliff, were told that if they did not do a sidewalk, it would be put on their taxes and then the City would put the sidewalk in for them. Residents in that area were forced to have sidewalks. At the conclusion of that process that was mandated for that area, the City no longer required sidewalks. The furthest subdivision in the City at the time was Ranch Villa which is behind La Charita restaurant. Since then, the City has expanded. The reason he is bringing this up is because his family was involved in it who had to put a sidewalk in. After they put that sidewalk in, Council decided not to do that anymore. It all depends on which way the wind blows. Ordinance 905.2 states that sidewalks are not required on unplatted streets. Melrose is a platted street and would also be a primary thoroughfare. It is not a secondary street. It would stand to reason that the property owners with no sidewalks there should be required by that ordinance to have sidewalks. It would be logical to complete sidewalks just in that area and not do the big spending of the path that the City is going to spend two hundred twenty-five thousand dollars (\$225,000) for. Originally, that was going to be covered ninety-five percent (95%), but that now it is only going to be covered half (1/2) with the City spending approximately two hundred twenty-five thousand dollars (\$225,000.00) for that path. Existing sidewalks will be replaced with ten foot (10') asphalt. He asked what happens to all the concrete when it is tore up. He asked if that will go to the landfill. He asked if any Councilmembers have gone out and viewed that area. He went out Monday and used a tape to see what ten feet (10') would be in that area. There are some trees on both sides of where the path will be, specifically two (2) large evergreens. He asked if any trees will be cut down to put the path in. Findlay is known as Tree City USA, so cutting down any trees to put a path in does not sound good. As Councilmembers, they pass resolutions and ordinances way too fast without first doing their homework. He agrees with Councilwoman Frische that it should have gone to a sidewalk committee. It would not have cost the City any money if the property owners themselves would have put in the sidewalks to complete that side. Two hundred twenty-five thousand dollars (\$225,000.00) for this project is not a good use of citizens tax money.

discussion:

Councilwoman Frische asked City Engineer Kalb if he could answer the question about plotted primary thoroughfares, if that parcel is not developed, if it is in the City or County, and Mr. Delong's question about trees. City Engineer Kalb replied it is a minor thoroughfare that has heavy traffic. The area Mr. Delong mentioned without a sidewalk is not a developed area yet. What has happened in the past as they are developed is that sidewalks are then enforced, but that area is not developed. When the Crawford Apartments went in there, there were no sidewalks in front of them either, but when it was developed, sidewalks were placed there. Once an area is developed, sidewalks are then required to go in. He cannot say how many trees will be removed, if any, which is determined when the survey is done. It is a large right-of-way area through there. He does not like taking trees out just as much as anyone else. That comes with the cost and is an aesthetic look. It has to be determined if trees have to be removed in the right-of-way area. If any trees do have to be removed, the City works with the SHADE TREE COMMISSION to ensure trees can be put back in a safe spot that they will not affect the path. It is unfortunate when trees are in the City right-of-way, but when they are taken out, they are put back in a safe spot. With the Greenway Trail there, a lot of trees were taken out in that area, but worked with the property owners to get them back because it gives aesthetics to the whole path throughout there.

Councilman Bauman added that from the SHADE TREE COMMISSIONS perspective with each of the projects, whether it is 568 or the 236 project, the COMMISSION has worked with the City of Findlay Engineering Department to replace trees if trees are removed. This project is on the COMMISSION's radar and have actively worked to remedy those situations to make sure that trees will be placed back in those locations.

Mr. Delong added that there is a large cement area and pole stating "don't dig here" that is AT&Ts. City Engineer Kalb replied that before plans are finalized, the City sends them to AT&T, Columbia Gas, etc. to give feed back on it. Many times the City runs into snags and works out solutions (i.e. can a sidewalk be placed over it or move around it, etc.). The City works hand-in-hand with them on the design phase so that there are no surprises. Mr. Delong noted that he posted this on social media with several thousand people viewing it. Most of the comments he received were that an overwhelming amount of people did not want to spend the two hundred twenty-five thousand dollars (\$225,000.00).

Councilman Russel agreed that the City does not handle sidewalks well in the City. This isn't the first area that concerns were raised. There has been many efforts over the years to address sidewalks. There still are gaps and sidewalks that are inadequate. When the Blanchard Station came in, he looked for a solution to try to get a sidewalk in that specific area that Mr. Delong is speaking of, but was not successful. It does not appear that the City has the ability to force anyone holding a property to put in a sidewalk until they develop. The City has done a lot of work on bike paths in the last handful of years using a majority of Transportation Alternative Project (TAP) funds from the Ohio Department of Transportation (ODOT). At some point in time, the TAP funding needs to be augmented with some of the City's own money. The vision is to make that trail off-road and rideable going from Tall Timbers to Broad Avenue that provides an alternative access into Tall Timbers for those who work but might not have access to a car. Quality of life for a lot of citizens that have a choice on where to live are looking for off-road bike and walk amenities. Bluffton, for example, has embraced that and does much better than Findlay who is playing catch up and retrofitting it into an existing infrastructure. ODOT, through their TAP program, has stated that this project is important to them which is why they are making the funds available and is why the City is availing themselves of that. He understands the arguments raised, but that he supports continuing to move forward with this type of alternative transportation (i.e. bike paths) and start connecting things, connecting Tall Timbers into neighborhoods connecting north/south so that we can get to what we are building between Riverbend Park and to the west side of Findlay and continue to build that out because more and more people have a choice on where to live which is one of the criteria that they are using as to where they choose to live, which is why he supports this.

Councilwoman Frische noted that the City has the connectivity everywhere but on one parcel. The reason she wanted it to go to a sidewalk committee is to see if they could improve the ordinance for main thoroughfares for safety measures to require property owners to put in a sidewalk instead of the City supporting the removing of concrete that is in perfectly good shape. The safety measures are there on Melrose on the south side other than one parcel section on the north side and that tax dollars could be better utilized in other areas. The City is putting in multi-use paths but should not say we are catching up and should not be comparing ourselves and need to be looking at our coffers and make sure the funds are there and where to spend them. She agrees with Mr. Delong and has heard from a lot of people that were not happy about it. It is her ward and wants it to be safe, but does not want to be spending money in appropriately, but unfortunately is what is going to happen this time.

Mr. Delong looked up the definition of platted vs unplatted. Platted is when someone actually owns the property. Unplatted is when they do not own the property and does not know who owns the property. The City knows who owns that property. Councilwoman Frische replied that it is marketed to be sold.

Councilman Hellmann noted that he has traveled that road often and has visited 50 North several times and has noticed the sidewalk situation there. He asked if it is the intent to put the new ten foot (10') wide path on just one side of the road or both sides. City Engineer Kalb replied just one side of the road. Councilman Hellmann asked which side of the road it will be on. City Engineer Kalb replied that there are a couple of websites and apps that are used to determine which side to use. One is called STRAVA that is used by a lot of bikers, runners, walkers, etc. to record where it is. The north side was an area that a lot of travelers use. If the AT&T box cannot be used with that, the south side would be looked at for efficiency, but that right now, the north side has a lot of travelers going from the north side over to the Tall Timbers area. Regardless if there is a sidewalk on that property or not, it would still be looked at because across the whole city, that is a heavy pedestrian traffic area. They are trying to leave these paths to ultimate destinations that can be used as alternative modes of transportation to and from work, school, etc. This is a heavily used area that was important to get a path that multiple individuals could use.

President of Council Harrington notified Council that the current discussion has been fifteen (15) minutes in length. Councilman Hellmann asked if the City has ever considered putting that concrete path in there that is missing on the north side and putting a lean on the property so that when it does sell, somebody picks up the tab for reimbursing the City.

Mayor Muryn added that there have been conversations about the challenges of sidewalks and consistency throughout the community. She is aware of three (3) conversations since she has been with the City and she is sure there will be more future conversations. One of the reasons the City is moving forward with this project, though it may appear there are other easier solutions, is that this is an area that the State has said the City is to create this connectivity in order to be better positioned for these other connectors out to the east. There were talks about just putting it in and providing it, but that there is more value in the short term and long term in doing the larger path rather than just coming in and just putting in a strip of sidewalk in that area, which is something that can be discussed, but that this was a secondary project with the State wanting the City to do that one first so that there is better connectivity. The City is being put in a challenging position, but is setting it up for further development.

Councilwoman Frische clarified that the original TAP project was going south and not north when it hit Bright Road and was not heading towards Tall timbers employment area. It was heading towards 12. The TAP grant that the City applied for was denied by the State, so she does not think the State is dictating to the City what we have to do, but that they did deny the original grants. City Engineer Kalb replied that the Melrose portion is the same as what the City applied for the TAP program. The only part that is not a part of this is the Bright Road portion. The Melrose portion is the same one that Council approved as part of the TAP application. The City has been very fortunate over the last couple of years to get TAP funds from ODOT, but cannot always rely on that and will always need to expand our system. ODOT does not feel that it has a great connection to anything yet, so it became an opportunity to get that connection to 236, Broad Avenue, etc. The Melrose portion is still the same that the TAP was. The only thing that is not on this one compared to the TAP is that Bright Road is not on that.

President of Council Harrington noted that this ORAL COMMUNICATION and discussion lasted eighteen (18) minutes. Filed.

Renee Leguire - immigration

Ms. Leguire did not read the article in the paper and she does not get the paper. The Administration talks a lot about transparency and honesty, however, many people think, including herself, that they are not being honest about the immigrants in our City. The Mayor had said at one of the Council meetings that there are three hundred to five hundred (300-500), and then on the news, she said there were a thousand (1,000), so she asked what the number is. Some people she has talked with are afraid to go to Walmart and Great Scot on the north end of town. She asked how many are here legally and how many are here illegally. She asked how many are seeking asylum. She asked what countries they are coming from that are seeking asylum. She asked what exactly is the Immigration Task Force doing and who is paying for services such as housing, food, medical care, etc. She truly believes that there are more illegals in the City than are being counted. She asked what the City of Findlay will do when one of these illegals commits a horrendous crime like what has been happening in other cities, especially just recently in New York where two (2) Police Officers were shot by an illegal immigrant. People have been killed by illegal immigrants. She is all about compassion, but she also believes that illegals in our City need to be sent back to their Country of origin and return if they want to legally as many have done in the past. She has dear friends that escaped communist Vietnam and came to the United States legally. They worked hard. They became citizens and they run a very successful business right here in Findlay. They didn't ask for handouts, and they are now very patriotic citizens. To her, it is a slap in their faces to allow illegals to stay in our city. She suggested to dissolve the Immigration Task Force and sit down with Federal Representatives Latta and Vance to make sure that they hold the Federal Government to securing our border.

discussion:

Mayor Murny informed Ms. Leguire that she can forward the article to her and that she also shared it on her social media so that those that do not have access to The Courier could read it. She addressed the majority of the points that Ms. Leguire brought up and is now highlighting a couple now. As she stated over the last couple of months, the original figures last year were about three to five hundred (300-500). There is about a thousand (1,000) that she is aware of probably in the County and not specifically in the City, but working in the region at various businesses or living here. As she has shared in the past, the City is not bringing them here and is not paying for them to be here. There are different programs through the State and Federal Refugee organizations or resettlement organizations that may be providing support to those individuals. We have not had many interactions if any of individuals who could not provide documentation. They are here on legal work visas. Some have been in the Country for many years, some are newer to the area, some are asylum seekers and some refugees that have been here for quite awhile. The majority of the population are Haitian. They have not been causing problems. There have been some traffic violations and a couple minor domestic violation issues. With the current Federal policy, and as she has stated multiple times, she continues to advocate for Federal change such as increased border security and better immigration reform. It has been known that the immigration system has been broken for decades and continues to use that as a political football rather than to solve the problem. We should hold all of our legislators accountable for that and not addressing the issue, which is what we have sent them to do. On a local basis, as she has shared multiple times, she does not control the border and she is not the Federal Government. The only constitutional ability she has to address someone is if they have done something, then there is interaction with law enforcement and then would notify ICE. She does not have a right, just because someone looks different, to walk up to them and tell them to leave or show her their papers. That is not how this country works nor does she think that is how anyone wants this country to work. Law enforcement has regularly checked on the concerns at Walmart and Great Scot and have not heard any complaints from those employers or businesses. They have had a couple of minor issues. When she talked with Great Scot, she was told that they had a customer that didn't quite make it to the restroom and was really embarrassed, which can happen to anybody. She regularly checks in with the Police Department to find out if there is anything that she needs to be aware of that they are noticing.

The reason she set up the Immigration Task Force is because one of the things the community has always been really good at is ensuring that our non-profits are working together and resources are being used wisely. When individuals that are newcomers to the community may not be aware of customs, may need assistance, may not speak our language, systems are needed to meet the needs of our local community members. Many of the same challenges are what these newcomers are facing. They just need direction. They are having a hard time finding housing or need transportation to work. Language is a huge barrier. We need to make sure what is working for one non-profit is to be communicated to another. The Immigration Task Force is trying to make sure they are approaching the challenges that all of them are experiencing, sharing information, and adapting existing systems. We are just helping coordinate and understand how we can work as a system to help those that are truly in need while communicating to those that are working, are good financially, they have housing and do not need to go to Chopin Hall and get clothing on a regular basis because that is for individuals that truly need it, and that they are in good shape. When coming from a frugal culture, some might take advantage of things that are offered for free. She does not think everyone in the community is legal, but cannot prove that and she is not going to try to claim that. The City's experience to date is that there are not significant issues and will continue to advocate for reform, but that they are individuals that have come to the community through a legal process that can be validated. The City should at least help them feel welcome and does not mean that we should have to pay their way through the world, but should help them feel acclimated and look to us for assistance in getting them ingrained into our community. Filed.

Councilman Russel moved to adjourn into Executive Session under ORC 121.22(G)(2) to discuss the potential purchase of property with no action to be taken after the Executive Session at 7:16pm, seconded by Councilman Bauman. All were in favor. Councilman Russel moved to adjourn out of Executive Session at 7:33 pm, seconded by Councilman Palmer. All were in favor. Councilman Palmer moved to adjourn City Council at 7:34pm, seconded by Councilman Greeno. All were in favor. Filed.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL