

## FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

JULY 16, 2024

COUNCIL CHAMBERS

### ROLL CALL of 2024-2025 Councilmembers

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

**ABSENT:** Greeno

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

President of Council Harrington welcomed three (3) Boy Scouts in the audience from Troop 319 who lead the Pledge of Allegiance. Filed.

President of Council Harrington requested a moment of silence. Filed.

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

Councilman Palmer moved to accept the July 2, 2024 Regular Session City Council meeting minutes, seconded by Councilman Bauman. All were in favor. Filed.

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

Councilman Russel moved to remove the following on tonight's agenda, seconded by Councilman DeArment.

#### REMOVALS:

1. letter from City Engineer Kalb – Emory Adams Fort Findlay Playground, project no. 31931200 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section).
2. Ordinance No. 2024-085 – Emory Adams Fort Findlay Playground (**LEGISLATION** section).

#### *discussion:*

Councilman Russel asked for explanation why these two (2) items are being removed from the agenda. Service-Safety Director Martin replied that as this project started to move forward and being the staple in the southern part of the community, they want a lot of public input on it. It was a community build when it was originally built, so they want that same feel this time. The process was started at the Chamberlin Hill School during the school year, but as time went on, they did not obtain community input and that the community deserves to provide their input. After some internal discussions, the decision was made to pull this legislation and get the community campaign moving in order to get the input it deserves and then will bring this legislation forward again to get these dollars where they need to be in order to get the project done.

Councilman Hellmann asked how that affects the timeframe for construction. Service-Safety Director Martin replied that with the timeline that they are trying to move forward with, if equipment could be ordered in the next months to six (6) weeks, it would be an early spring build in 2025. If they get the campaign out and receive input over the next month, they can then move forward. It will push it back a little, but will be okay.

All were in favor. Filed.

**PROCLAMATIONS:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PETITIONS:** none

**ORAL COMMUNICATIONS:**

President of Council Harrington pointed out that there are two (2) individuals wishing to speak towards non-agenda items this evening that will be addressed under NEW BUSINESS:

1. Sharon Hillabrand - immigration
2. Haydee Sadler – immigration task force

President of Council Harrington will call them up when it is time for them to speak. Filed.

**WRITTEN COMMUNICATIONS:**

**email from Teresa Thomas – dispensary and cultivation.** Filed.

**email from Haydee Sadler – illegal immigrants.** Filed.

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

**City Income Tax Monthly Collection Report – June 2024.** Filed.

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

**Findlay Fire Department Activities Report - June 2024.** Filed.

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

**City Planning Commission agenda – July 11, 2024; staff report – July 11, 2024; minutes – June 13, 2024.** Filed.

**Traffic Commission minutes – June 17, 2024.** Filed.

**Mayor Muryn – Blanchard Valley Port Authority appointment**

Mayor Muryn is reappointing Paul Sears to the Blanchard Valley Port Authority. Mr. Sears has served as a joint City of Findlay/Hancock County appointment to the Port Authority since its inception in 2007. His appointment will be effective through June 30, 2028. This appointment requires Council confirmation.

*discussion:*

Councilman Hellmann moved to accept this appointment, seconded by Councilman DeArment. All were in favor of this appointment. Filed.

**A set of summary financial reports for June 30, 2024:**

- Summary of Year-To-Date Information as of June 30, 2024
- Financial Snapshot for General Fund as of June 30, 2024
- Open Projects Report as of June 30, 2024
- Cash & Investments as of June 30, 2024

Filed.

**City Engineer Kalb – CUBE building generator, project no. 31923000**

The City of Findlay Administration is in the process of finalizing the American Rescue Plan Act (ARPA) funds that were allocated to the City of Findlay to ensure the funds will be used by the end of the year. The CUB building generator project previously had ARPA funds appropriated to the project in 2023. To complete the installation of the new generator and the automatic transfer switch, additional funds are needed to cover labor cost. A transfer of ARPA funds from the Sidewalk Improvement Program to the CUBE building generator to help offset some of the cost. This transfer of funds will leave five thousand dollars (\$5,000) of ARPA funds in the Sidewalk Improvement Program for usage on identified areas.

Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into contracts and to appropriate and transfer funds is requested. Ordinance No. 2024-084 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 5,250.00
TO: CUBE Building Generator, <i>Project No. 31923000</i>	\$ 5,250.00
FROM: Sidewalk Improvement Program, <i>Project No. 31932700</i>	\$ 35,000.00
TO: CUBE Building Generator, <i>Project No. 31923000</i>	\$ 35,000.00

Filed.

**City Engineer Kalb – Emory Adams Fort Findlay Playground, project no. 31931200**

~~removed from the agenda~~

~~The Fort Findlay Playground project has come to a point where playground equipment can be ordered. The new playground has a lead time for delivery of five to seven (5-7) months. The Fort Findlay project will be utilizing the remaining American Rescue Plan Act (ARPA) funds that need allocated to a project and transferring leftover ARPA funds from the Parker Training/Restroom Remodel to help offset some of the cost. In order to receive this equipment in early winter for a spring 2024 build, the playground equipment will need to be ordered once the funds are appropriated to the project. This project will be utilizing a cooperative agreement through Sourcewell to complete the purchase from the equipment vendor. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into contracts, as well as appropriate and transfer funds is requested. Ordinance No. 2024-085 was created.~~

<del>FROM: CIT Fund – Capital Improvements Restricted Account</del>	<del>\$ 500,000.00</del>
<del>TO: Emory Fort Findlay Playground, <i>Project No. 31931200</i></del>	<del>\$ 500,000.00</del>
<del>FROM: Parker Training/Restroom Remodel, <i>Project No. 31912000</i></del>	<del>\$ 32,246.06</del>
<del>TO: Emory Fort Findlay Playground, <i>Project No. 31931200</i></del>	<del>\$ 32,246.06</del>
<del>FROM: ARPA Fund</del>	<del>\$ 63,402.31</del>
<del>TO: Emory Fort Findlay Playground, <i>Project No. 31931200</i></del>	<del>\$ 63,402.31</del>

Filed.

**City Engineer Kalb – FFD Mechanic Bay air conditioning unit**

The mechanic’s bay at the City of Findlay Fire Station No. 4 get uncomfortably hot when working on the equipment during warmer months. The City of Findlay Fire Department would like to install a new air handler in the mechanic’s bay to help alleviate some of the heat. This was not originally on the radar, but with warmer temperatures, the concern was brought up for consideration. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to enter into contracts, as well as appropriate and transfer funds is requested. Ordinance No. 2024-086 was created.

FROM: Fire Department #21014000-other	\$ 16,542.00
TO: FFD Mechanic Bay Air Conditioning Replacement	\$ 16,542.00

*discussion:*

Councilman Wobser asked if this should be referred to the APPROPRIATIONS COMMITTEE. He asked if this is the only location that has this issue. Service-Safety Director Martin replied that he discussed this with Fire Chief Eberle and department heads about needs versus wants. At the time that they were preparing this, it was not on the radar. With some of the timing of the maintenance that was being done this spring into summer and with some of the periods of heat spells that have taken place, it was recognized that it is an environmental safety concern because of the heat in the mechanics bay. As they started looking at spend downs of the American Rescue Plan Act (ARPA) dollars moving through this year, it was one of the conversation points if the HVAC could be put in to make it a better environment. The decision was to move forward with this. Due diligence is done on the 10-year capital plan, but that there are things like this that just come up. He would have liked to have had it in the plan, but was one that just came along as the situation presented itself. Councilman Wobser asked if it would be better to have it in the 2025 budget because by the time this has gone through Council, approved, ordered and installed, it will be cooler outside. He asked if there will be any benefit to getting it yet this year. The request did not mention using ARPA dollars for it and asked if any of those funds will be used. Service-Safety Director Martin replied no ARPA dollars will be used for this. It was part of a conversation leading up to this request. Councilman Wobser replied that he would understand the request for this year if using ARPA dollars because of the deadline with those funds, but that it is not the case with this request. Service-Safety Director Martin replied it is not. He'd like to say it can wait, but would like to get it turned around quickly. Once it goes through the legislative process, it is a pretty quick install, so there would be a benefit to getting it installed quickly as the summer extends into the fall months. Councilman Wobser asked if a bid process was done on this. Service-Safety Director Martin replied that no bid process was done. The company that the quote was received from is one that the City has been working with. They already do preventive maintenance out there and have done some work with the STRICT Center, and other maintenance work elsewhere for the City, so it made sense to have them do this work as well.

Councilman DeArment asked how big of a space it is and how many individuals work in that area. Service-Safety Director Martin replied that there are up to two (2) mechanics that work out there based on the demand of the maintenance that needs to be done. It is not because of the width and length of the building, but because of the height of the ceilings. It is tall enough that a ladder truck can fit in the mechanic bay area.

Councilwoman Frische asked how often the Mechanics are in the bay and what hours they work. She asked how often it is used. She asked if there is a current a/c unit already in there. Service-Safety Director Martin replied there currently is not an a/c unit in the mechanics bay. Councilwoman Frische asked how many years there has not been one there. Service-Safety Director Martin replied that there has not been one in that area since it was built in the early 2000s. Over the last few years, maintenance work has transitioned into more internal work. There are two (2) certified mechanics that retired from fire service and then came back on as part-time mechanics. They do not work full-time. They are both part-time. They sometimes work together based on the workload of what needs to get done, and some times there is just general maintenance work that one of them can accomplish alone. Because of that, there is not a set schedule and is based on the demand of maintenance routine or whatever comes up that will determine if it requires one person or two. They traditionally work during the day. Councilwoman thinks this should be sent to committee because it comes back to Council at the end of the day. A lot of good questions were asked and that it need to be determined if this needs done now or wait. Another thought is that it might not even need an a/c unit. Many bigger buildings with larger roofs have big ceiling fans that get the job done and may be cheaper. Service-Safety Director Martin replied that there currently are ceiling fans and that the legislative body can choose what they want.

Councilman Wobser referred this to the APPROPRIATIONS COMMITTEE meeting. Notice of date, time, and location of that meeting will be given once it is scheduled. Filed.

**Precipitation and Reservoir levels report** – second quarter 2024 (April-June). Filed.

**City Engineer Kalb – fourth Capital Improvement appropriation of 2024**

The fourth Capital Improvement allocation of the year is to transfer funds into capital projects in order to continue on with a couple of projects. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to advertise for bids and enter into contracts, as well as appropriate and transfer funds is requested. Ordinance No. 2024-087 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 149,000.00
TO: Computer Services Office Rehab #31943800	\$ 65,000.00
TO: Police Property and Records Rooms Remodel	\$ 24,000.00
TO: Airport C-Row Pavement Rehab #35243700	\$ 60,000.00
FROM: Water Fund	\$ 40,000.00
TO: Roof Replacement #35740800	\$ 40,000.00
FROM: Sewer Fund	\$ 25,000.00
TO: Saratoga and Windsor Manhole Replacement #35643100	\$ 25,000.00

Filed.

**City Engineer Kalb – AIP-33 North Apron Rehab construction, project no. 35224000**

Due to Federal Aviation Administration (FAA) regulations, all construction projects withhold a ten percent (10%) payment until all closeout documents are submitted and accepted by the FAA. Depending on the workload of the FAA and the amount of closeout documents in the queue, this process could take up to a year for the City of Findlay to receive the final ten percent (10%) of the grant. The North Apron Rehab project was completed and accepted by the City in 2023 and are currently waiting on the FAA to approve the closeout documents. To ensure that the contractor is not being withheld money due to the long lead time by the FAA, the City desires to appropriate funds to the project to cover the final ten percent (10%) of the contract amount. Once the FAA accepts the closeout documents, the City will receive the grant funds and will be fully reimbursed for the amount that is being paid to the contractor at this time. Legislation appropriating and transferring fund is requested. Ordinance No. 2024-088 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 140,000.00
TO: AIP-33 North Apron Rehab Construction, <i>Project No. 35224000</i>	\$ 140,000.00

Filed.

**City Engineer Kalb – 5<sup>th</sup> Street alley sanitary sewer replacement, project no. 35644000**

During the sewer lining project, a sanitary sewer in a grass alley off of 5<sup>th</sup> Street was found to be severely damaged and unable to be lined. After several attempts to clean and repair the pipe, it was determined that the whole line will need to be replaced. Due to the condition of the pipe, the City of Findlay reached out to three (3) local contractors to provide proposals so that the work could be completed in a timely manner. The City received two (2) proposals ranging from one hundred two thousand eight hundred eighty-two dollars and thirty-seven cents to one hundred sixty-five thousand two hundred twenty dollars and no cents (\$102,882.37-\$165,220.00). The lowest and best bid was received from Hohenbrink Excavating, LLC of Findlay, Ohio. Due to the condition of the pipe, the City would like to treat this sanitary sewer project as an emergency project and replace the sewer as soon as possible.

Since the cost is over the seventy-five thousand dollar (\$75,000.00) threshold, it is requested to waive the formal advertising and bidding requirements for the project. Hohenbrink Excavating, LLC is currently working in the City of Findlay on the Small Waterline Project and will be able to start this sewer replacement project as soon as materials are obtained.

Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to waive formal advertising and bidding requirements, enter into contracts, and appropriate funds. Ordinance No. 2024-089 was created.

FROM: Sewer Fund	\$ 115,000.00
TO: 5 <sup>th</sup> Street Alley Sanitary Sewer Replacement, <i>Project No. 35644000</i>	\$ 115,000.00

*discussion:*

Councilwoman Frische noted that this did not go to the WATER AND SEWER COMMITTEE for discussion and asked what the reason was to look at this sanitary sewer to begin with, if it was on the regular cycle, or if there were complaints. Service-Safety Director Martin replied that this sanitary was part of the lining project that was scheduled to be done. The lining device was inserted to clean the roots before they line. When the device got hung up on a couple large roots, they had to pull back. The line is televised which is when they found that the integrity of the sanitary line was being held up by the root system and was in disrepair and needs to be fixed. Those types of issues are not found until they got into it. The City was lining it, but found that it needed to be replaced. It is six hundred feet (600') in a grass alleyway that runs between 5<sup>th</sup> and 6<sup>th</sup> Streets with cross roads of Eastgate Road and Amelia Avenue. It was intended to be lined, but ended up not being an option when it was televised and found that this is the best solution to rectify it. Councilwoman Frische asked if it was televised before being put on the lining program and if it is getting sewage contamination. Service-Safety Director Martin replied that the roots have penetrated through the sanitary line that are holding it together and is in disrepair that is prioritized to get it done. Filed.

**City Auditor Staschiak – Revenue Estimates for fiscal year 2025**

Ohio clearly defines a budgetary process that includes the requirement that municipalities prepare an annual tax budget by July 20. The County Budget Commission has not required the filing of a complete tax budget for many years, but requires the City of Findlay to provide the attached estimated revenues for submission to the Budget Commission for the next fiscal year. In order to meet the statutory requirements for the distribution of local government money, this document should now be formally accepted by Council so that it can then be filed with the County Auditor no later than July 20, 2024. A motion for acceptance of the revenue estimates will be needed. As required by statute, a public hearing before tonight's 7/16/24 Regular Session City Council meeting was scheduled, notice of which was published ten (10) days before the hearing. The document has been available for public inspection in the City Auditor's Office since July 3, 2024. City Auditor Staschiak requests that this letter be read into the record of the 7/16/24 Regular Session City Council meeting.

*discussion:*

Councilman Palmer moved to read the letter in its entirety, seconded by Councilwoman Frische. Ayes: 7, Nays: 2. The Council Clerk read the letter in its entirety.

Councilwoman Frische asked how City Auditor Staschiak how far off he is allowed to be. City Auditor Staschiak replied that this is a statutory process that has no impact on the budget. Most of the numbers come during the prior fall's budget process because department heads do a 2-year forward estimating what they will be doing, as well as on the revenue side of it. Conversations with the Administration and department heads do not take place on what operational changes they are doing or what they might see differently until late into the year. The income tax reports have varied wildly this year going way up and then way down. They are now down this month. There is no impact or concern and is only a statutory requirement, however, if it was a situation where local government funds were at risk or were being fought for by the townships against the agreement that has been in place for a number of years, it would become more important at that point because the City would need to defend its position on the amount that that they are contractually getting from the County. The agreement has been in place for a few decades and supersedes the annual review that is done in some counties for local government funds. There will be some discussion on it that is required by statute, but nothing significant. He and Councilman Wobser will be meeting with County Auditor Rauschenberg in August, in a required meeting, that she invited him to. There is a lot going around it this year.

Councilman Russel moved to accept the revenue estimates as presented, seconded by Councilman Wobser. All were in favor. The revenue estimates are adopted. Filed.

**Treasurer's Reconciliation Report – June 30, 2024.** Filed.

**COMMITTEE REPORTS:** none

**LEGISLATION:**

**RESOLUTIONS:** none

**ORDINANCES:**

**ORDINANCE NO. 2024-079** requires three (3) readings

*third reading – adopted*

*(purchase of Findlay City Schools property on Foraker Avenue)*

AN ORDINANCE AUTHORIZING THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH FINDLAY CITY SCHOOLS FOR THE ACQUISITION OF THE PARK PROPERTY LOCATED ON FORAKER AVENUE, FINDLAY, OHIO, PARCEL NO. 600001008634 CURRENTLY OWNED BY FINDLAY CITY SCHOOLS.

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Palmer.

*discussion:*

City Auditor Staschiak asked if anyone inquired whether or not phase 1 needed to be done or not on this. Service-Safety Director Martin replied that he worked with legal counsel that did a title search back to the 1900s that was tracked to the original owners in which he has a certified letter stating that there is no indication that environmental are necessary.

Ayes: Bauman, DeArment, Frische, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-079 and is hereby made a part of the record.

**ORDINANCE NO. 2024-080** (*Tappan St vacation*) **requires three (3) readings** **second reading**  
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN STREET (HEREINAFTER REFERED TO AS THE TAPPAN STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2024-081** **requires three (3) readings** **second reading**  
(*marijuana 12-month moratorium*)

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A TWELVE (12) MONTH MORATORIUM ON THE ESTABLISHMENT OF ANY CULTIVATION, PROCESSING, OR DISPENSING OF RECREATIONAL MARIJUANA FACILITIES IN THE CITY OF FINDLAY IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER THE RAMIFICATIONS OF RECREATIONAL MARIJUANA AND POTENTIAL ZONING CHANGES THAT MAY BE CONSIDERED, AND DECLARING AN EMERGENCY.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2024-082** (*Traffic utility truck and equipment*) **requires three (3) readings** **second reading**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO CONTRACTS FOR THE PURCHASE OF A NEW UTILITY PICKUP TRUCK FOR THE CITY OF FINDLAY TRAFFIC SIGNALS DEPARTMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2024-084** (*CUBE bldg generator*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO CONTRACTS FOR THE CITY OF FINDLAY CUBE BUILDING GENERATOR PROJECT NO. 31923000, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

~~**ORDINANCE NO. 2024-085** (*Emory Adams Ft Findlay playground*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO CONTRACTS FOR THE CITY OF FINDLAY EMORY ADAMS FORT FINDLAY PLAYGROUND PROJECT NO. 31931200, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.~~

~~*First reading of the Ordinance.* removed from the agenda.~~

**ORDINANCE NO. 2024-086** (*FFD mechanic bay a/c unit*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO CONTRACTS FOR THE INSTALLATION OF A NEW AIR HANDLER IN THE MECHANIC BAY AIR CONDITIONING UNIT AT THE CITY OF FINDLAY FIRE STATION NO. 4, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*



**ORDINANCE NO. 2024-087** requires three (3) readings

*first reading*

*(fourth Capital Improvement appropriation of 2024)*

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.

*First reading of the Ordinance.*

**ORDINANCE NO. 2024-088** (AIP-33 North Apron Rehab Construction) requires three (3) readings *first reading*

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

*First reading of the Ordinance.*

**ORDINANCE NO. 2024-089** requires three (3) readings

*first reading*

*(5<sup>th</sup> St alley sanitary sewer replacement)*

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO CONTRACTS WITH HOHENBRINK EXCAVATING, LLC. FOR SANITARY SEWER REPLACEMENT IN THE ALLEY OF A SECTION OF 5TH STREET IN THE CITY OF FINDLAY, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

*discussion:*

Councilman Russel pointed out that this is a situation that only goes in one direction, which is not a good one, and with Hohenbrink Excavating, LLC ready to go, he will move to suspend rules and give all three (3) readings tonight.

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

*discussion:*

Councilman Hellmann asked what Councilman Russel meant by his comment about this only going in one direction before giving the motion to suspend rules on this. Councilman Russel replied it is a sanitary sewer that is being held up by roots that is something that cannot be scoped, so it would be difficult for flow to go through it. It either needs to be resolved now or when there is sanitary flowing into resident's yards. This project needs to be done one way or the other. It is a matter of it being done on our timeline or on the sanitary line's timeline.

President of Council Harrington informed Council that per Council's Rules, in order to suspend statutory rules and give the Ordinance it second and third readings on a super majority, which is three quarters (3/4), and with only nine (9) Councilmembers present tonight, it would take eight (8) votes in favor to suspend rules, but that there was only seven (7) in favor tonight, therefore, all communication after that vote is mute.

*First reading of the Ordinance.*

**UNFINISHED BUSINESS:**

**OLD BUSINESS:**

Councilman DeArment reminded Council that Council adopted the proposed rule changes on May 21, 2024 for a four (4) meeting trial and utilized the new rules on June 4, 2024, June 18, 2024, July 2, 2024 and tonight (July 16, 2024) making it the fourth (4<sup>th</sup>) Regular Session City Council meeting. He believes the new rules have helped, specifically when American Electric Power (AEP) and Hancock Wood Electric (HWE) were present and thinks it was great that they were active participants during that discussion as opposed to them speaking at the very beginning and then addressing the topic forty-five (45) minutes later. That has been a positive rule change. Council is still open to comments. Those with comments are asked to send them yet this week to the AD-HOC COMMITTEE chairman Councilman Palmer.

Councilman DeArment: **AD-HOC COMMITTEE** meeting on Monday, July 22, 2024 at 5:30pm in the first floor Council Chambers (CC). The meeting will be livestreamed.

agenda: review of revised 2024-2025 Council's Rules of Procedures

**NEW BUSINESS:**

**Sharon Hildebrand (ORAL COMMUNICATION) - immigration**

Ms. Hildebrand lives in the second ward. She is a member of Judicial Watch, a conservative nonpartisan American educational foundation that promotes transparency, accountability and integrity in government, politics, and the law. As a member, she receives status reports on litigation and reports on critical issues affecting Americans. She is before Council tonight to share information from those reports as she feels the City is making a serious and dangerous mistake in bringing a large number of illegal aliens into the community and state. To clarify, she uses the term "illegal alien" as it is descriptively accurate and legally correct under both the Federal Immigration and Nationality Act, USC 1227, and US Supreme Court precedent. The immigration law is being broken every day by politicians and NGOs which are non-governmental organizations including corporations, 501C3s and 501C4s, lobbyists, political pacts, etc. who are all colluding with the government. The only reason they say it is broken is because it doesn't serve their purposes. Today, America is being invaded by illegal aliens at the invitation of our government and in total disregard for the law. America has a back door which should always be locked, and a front door which is the correct way to enter. When an illegal alien comes through the front door and expresses a desire to become a citizen, there is a process: 1) must have some kind of sponsorship. 2) must learn how to speak and read in English. 3) must take a civics course. 4) must learn to be independent so as not to be a burden on American citizens. 5) must be lawful. Section 237 of the Immigration and Nationality Act lists a plethora of grounds for deportation. 6) must assimilate to American culture. Any failure to meet these criteria is grounds for deportation. In other words, there are responsibilities which have to be accepted with assimilation being the required outcome. She asked the Mayor and Council what responsibilities they are requiring of those in or coming to Findlay. Most everything she has heard are instructions on how citizens should be accepting, helpful, understanding, etc. as the local Administration is laying down the red carpet. How dare they think it appropriate to dump the responsibilities on the citizens of Findlay. Illegal immigrants bleed our Federal, State and local governments of billions of taxpayer dollars annually for law enforcement, public education, and public healthcare costs of one billion thirty-four million, nine hundred thousand dollars (\$1,034,900,000) a year. The unlawful support that illegal aliens receive from sanctuary cities, counties, and states across America also threaten the integrity of elections by making easier for non-U.S. citizens to vote.

Cincinnati, Columbus, Lorain, and Oberlin are sanctuary cities. Decades of failure by democratic and republican presidents and congresses to enforce immigration laws have undermined the rule of law in America. She asked if they are being vetted and replied that no, they are not. There is no checking for diseases, gang affiliation, drug trafficking, or child human trafficking. Today, there are eighty-seven thousand (87,000) unaccompanied children lost in our country today. There are also two million (2,000,000) got-aways. She has not heard about any discussion on the cultures of all the illegal aliens. Over one hundred seventy (170) countries are being represented . . . President of Council Harrington interrupted Ms. Hildebrand informing her that her allotted four (4) minutes were up.

*discussion:*

Councilwoman Frische moved to allow more time for Ms. Hildebrand to speak, seconded by Councilman Hellmann. All were in favor.

Ms. Hildebrand continued stating over one hundred seventy (170) countries are being represented by the invasion. She asked if they are compatible with U.S. culture, if they are from countries that shout “death to America”, practice female genital mutilation, believe in live-in concubines, believe that the legal age for sex is twelve (12), have little-to-no hygiene skills, etc. She asked what proactive steps Council is taking to protect the citizens of Findlay from theft, rape, assault, etc. She asked Council if they really think it can’t happen here. Citizens of Findlay have a right to know. Findlay’s culture and economy are going to be drastically affected by the up to one thousand (1,000) person increase in low-income workers. She finds it reprehensible that so much focus is being placed on the illegal aliens who are flush with cash from the government while the citizens of Findlay are experiencing a twenty-two percent (22%) inflation in their household budgets. She personally thinks it is cruel to bring people from third world countries and deposit them all over America. America is a very sophisticated advanced highly-technical country. The only reason to being illegal aliens here is to undercut low-income wages of Americans, count them in the next census to beef up government representation and funding, and to ensure a new voting block for democrats.

*discussion:*

Councilwoman Frische appreciates Ms. Hildebrand’s research and directed some questions she has to Mayor Muryn. Ms. Hildebrand brought up comments about culture and that Councilwoman Frische has had a lot of calls reaching out about Broad Avenue which always seems to be the hot spot. She asked if the City’s Neighborhood Enhancement and Abatement Team (N.E.A.T.) has addressed anything out there because those in that area do feel like they are in a different place at times other than Findlay, Ohio when over there. She asked if N.E.A.T. should be involved to try to clean things up and manage things a little bit better. She has been at Beckett’s Burger Bar restaurant when some indigents were sitting in the parking lot, laying under trees, etc. It is a different environment for businesses to be surrounded by that. She asked if N.E.A.T. is involved with that area. She asked Mayor Muryn where she is with a count on new population today from where it was the last time she provided Council with a count. Mayor Muryn replied that N.E.A.T. has not been involved and she is not aware of any complaints against the property. If the City is contacted by a neighbor concerned with the property, the City would reach out. She is not aware of any complaints of the property and that N.E.A.T. would be related to zoning violations and different cleanups that would be necessary. She does not have any updates on population. She is not aware of any real increase that has been seen and that it is mainly dictated by being able to find housing. She is not aware of any increase above the estimate of about one thousand (1,000) people within the Findlay-Hancock County area.

Mayor Muryn asked Ms. Hildebrand if this is all related to Federal policy that the City of Findlay does not have influence on and that she has reached out to members of Congress and the Senate. Ms. Hildebrand replied yes, definitely. Judicial Watch is in the process now of litigating sanctuary cities litigating the immigration influx. They are also actively pursuing that. The City of Findlay is not dismissed from obeying Federal Law. Mayor Muryn replied that she completely agrees. As she has shared multiple times, the City of Findlay is in a challenging situation. She has stated that and wants to be very clear. The City of Findlay is not bringing individuals here. She has no involvement in recruiting people, busing people in, paying for them to be here, neither does the City of Findlay government. Ms. Hildebrand replied that she can deny their presence. Mayor Muryn replied not if they are here legally. Once someone is in our country, they have the same rights as other citizens. Ms. Hildebrand interrupted stating that is wrong. Mayor Muryn continued stating that they do and that she cannot just say she does not want them here and kick them out. If they have proper Federal paperwork, whether anyone likes it or not, they are here legally under Federal law. Unless they are committing a crime that warrants deportation, she does not have any ability to just walk up to someone and say that they are not from here, don't really like them and that they have to go. She agrees that these are challenging situations and that Federal policy needs to be changed and have a secure border, but that she does not control those things. When they come to this community, if they have proper paperwork and are following our laws, she cannot just kick them out. She asked Ms. Hildebrand if she has any recommendations on what to do. The goal at the community level has been how to help them assimilate to our community. If they are going to live here, these are the laws of the land. If they have a driver's license and has a vehicle, they need to obey the traffic laws because they are enforced here. She asked Ms. Hildebrand what she thinks the City of Findlay should be doing that she is not currently doing when someone has legal paperwork to be in the community. Ms. Hildebrand replied that as she stated on page 1, laws are being broken. The current Federal Government does not have the authority through executive order to override or cancel any kind of a law that is not a president's purview. It is only in Congress that any laws that can be changed. She asked what Federal Law the City thinks they are following because Federal Immigration Law 1227 only permits anyone to come in the front door and that the Federal Government gives them their papers. All of the NGOs and 501C3s that are transporting them up here do not have legal authority to do that. The staffing person in Springfield does not have the authority to do that. Companies that want to hire the illegals do not have the authority to circumvent the law. Mayor Muryn replied that someone in the community that the City of Findlay interacts with provides a work visa, a refugee status or asylum status and are all currently under Federal Law as legal paperwork. Whether someone agrees or disagrees with the Federal Government and how they are issuing them is outside her purview. She does not have that level of authority, but that paperwork, under Federal Law is valid and that she does not have any ability to walk up to someone and say that it is not valid. She would be happy to have another conversation with Ms. Hildebrand outside of tonight's conversation. Ms. Hildebrand replied yes, she would like to have another conversation because she does not believe the paperwork Mayor Muryn is banking on is legal. It was not given to the City by the Federal Government unless it was one of those blanket agreements, in which it was not. She would like to discuss it in depth with Mayor Muryn. Filed.

**Haydee Sadler (ORAL COMMUNICATION) – Immigration Task Force**

Ms. Sadler lives in ward 6. Ms. Sadler is before City Council to read her letter that she wrote since it was just a letter to be filed.

*Dear Mayor and Councilmembers:*

*Over the past several months, I have taken a lot of time to speak at City Council meetings regarding the influx of illegal aliens being allowed and assisted not only into our city, but also surrounding villages and townships. Many of the residents of Findlay have reached out with concerns about this growing population. In an article in Breitbart on July 10, 2024 the headline reads “Biden floods Ohio town with 20,000 Haitian Migrants: 10 to a bedroom”. An article you can find on Breitbart.com, which I have also attached. This article is talking about Springfield, Ohio. Is this the same Springfield that is supplying the labor to our local factories? Is this the same Springfield that Chief of Police Mathias mentioned during the budget hearing in December when he said “we are in the same boat as Springfield. They come in waves and the waves get bigger”. Should Findlay be concerned about Biden flooding our city because the illegal immigrants already have their foot in the door? This Administration has also created an Immigration Task Force to help assist this invasion in our city, an agenda that is very dangerous considering we don’t know who is coming into our town and whether or not they are criminals. The illegal immigrants are committing crimes from rape to murder across the country yet given a free pass to our city with our taxpayer dollars that you call grants. These grants are given to non-profit organizations and other non-governmental agencies. That is not how we want our tax dollars spent. It is out of this growing concern that I am asking this Administration to dismantle the Immigration Task Force in order to preserve the future of this charming community and the future for our children. Filed.*

Councilman Wobser will be calling an **APPROPRIATIONS COMMITTEE** meeting next week during the day. He will let Council Clerk DeVore know when the date, time and location are determined.

agenda: FFD mechanic bay a/c unit) via Ordinance No. 2024-086

Councilman Russel moved to adjourn into Executive Session as authorized under ORC 121.22(G)(2) to discuss the potential purchase of property with no action to be taken after the Executive Session at 6:45pm, seconded by Councilman Bauman. All were in favor. Councilman Bauman moved to adjourn out of Executive Session at 6:51 pm, seconded by Councilman Palmer. All were in favor. Councilman Palmer moved to adjourn City Council at 6:52pm, seconded by Councilman Bauman. All were in favor. Filed.

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CLERK OF COUNCIL

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PRESIDENT OF COUNCIL