

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

SEPTEMBER 3, 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 Pro Tem Russel explained that Mayor Muryn is not in attendance tonight, therefore, President of Council Harrington becomes Acting Mayor and that he becomes President Pro-Tem. Filed.

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

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Palmer moved to accept the August 20, 2024 Regular Session City Council meeting minutes, seconded by Councilman Hellmann. All were in favor. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Wobser moved to add and replace the following on tonight's agenda, seconded by Councilman Palmer. All were in favor. Filed.

ADD-ONS:

1. Letter from President Pro-Tem Russel – DFID Assessment Equalization Board (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section).
2. 9/3/24 APPROPRIATIONS COMMITTEE meeting agenda and committee report (**COMMITTEE REPORTS** section).

REPLACEMENTS:

1. Ordinance No. 2024-105, AS AMENDED – CyberOhio Local Government Grant Program (**LEGISLATION** section).

3rd WHEREAS:

WHEREAS, said grant will cover up to twenty thousand dollars (\$20,000.00) or eighty percent (80%) of consulting costs, ~~along with~~ the City of Findlay's twenty percent (20%) local match.

to now be:

WHEREAS, said grant will cover up to twenty thousand dollars (\$20,000.00) or eighty percent (80%) of consulting costs **requiring** the City of Findlay **to cover the** twenty percent (20%) local match.

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Pro-Tec Rental Properties, LLC – re-establish use for 740 Crystal Avenue

Kim Swartzmiller of Joe Built Homes, LLC/Pro-Tech, LLC, represents the owner of the real property located at 740 Crystal Avenue, Findlay, Ohio, would like to re-establish the use of 740 Crystal Avenue as a car repair business as it has been used for in the past. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Zoning amendment request – 1700 Western Avenue

Mohammad Khalil on behalf of Hippie Hut Smoke Shop. Mr. Khalil would like to change the zoning of 1700 Western Avenue to C2 General Commercial. It is currently zoned as L1 Light Industrial. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals minutes – June 27, 2024. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Lis Seafood Boil, LLC dba Seafood Boil Restaurant, located at 1123 Trenton Avenue, Findlay, Ohio for a D5 liquor permits This requires a vote of Council.

James Mathias, Chief of Police – Lis Seafood Boil LLC dba Seafood Boil, located at 1123 Trenton Avenue, Findlay, Ohio. A check of the records shows no current criminal record on the following:

Qiumi Li

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

Assistant Law Director Feighner – special assessment collection objection

A timely objection was filed by Findlay Inn Limited Partnership on the assessment notice mailed to them regarding the DFID renewal. With them having done so, they are entitled to a hearing by a board put together by Council (assessment equalization board) under the authority of ORC 727.16. Putting that board together may take some time. Having reviewed applicable law, understanding a filing date is due with the County of the effected properties, Mr. Feighner recommends still compiling same and providing it to the County, but with the removal of parcel number 570001004934 and 570001005814 (Findlay Inn parcels). Depending on the outcome of any decisions made by the assessment equalization board, those parcels may be removed from the current assessment or their assessment amount modified. Filed.

City Engineer Kalb – HAN-Interstate and FHS Trail, PID 115232 (32821400)

As authorized via Ordinance No. 2022-025, a bid opening was held for this project on August 14, 2024. Bids were received from five (5) potential contractors with the bid amounts ranging from \$1,075,057.00 to \$1,242,289.30. The lowest and best bid was received from Great Lakes Demolition Company of Clyde, Ohio. This project is included in the Capital Improvements Plan and will use grant funding received from the Ohio Department of Transportation (ODOT) Transportation Alternative Plan (TAP).

The grant funds can be used to cover ninety-five percent (95%) of the construction cost up to \$1,249,093.00 (95% of the Engineer’s Estimate and Construction Engineering Reimbursement). Since the grant agreement is for \$1,249,093.00, that amount needs to be appropriated even though the City should end up receiving \$1,026,500.00 based upon the bid amount. An appropriation is needed to cover the City’s portion of the construction cost and provide a contingency for the project. Legislation to appropriate and transfer funds for the capital expenditure is requested. In order to maintain the schedule that is required for funding, this ordinance needs to be approved during the September 3, 2024 City Council meeting. Ordinance No. 2024-106 was created.

FROM: ODOT Transportation Alternatives Plan Funds	\$ 1,249,093.00
TO: HAN-Interstate and FHS Trail, PID115232, <i>Project No. 32821400</i>	\$ 1,249,093.00
FROM: CIT Fund – Capital Improvements Restricted Account	\$ 65,000.00
TO: HAN-Interstate and FHS Trail, PID115232, <i>Project No. 32821400</i>	\$ 65,000.00

Filed.

City Engineer Kalb – Municipal Building LED Replacement Phase 2, Project No. 31942700

The City of Findlay Engineering Department has been working with the Building Maintenance Department to finalize the plans and specifications for the next phase of the LED lighting replacement in the Municipal Building. In the next phase of the project, all of the existing lighting in the offices or work spaces will be replaced with the appropriate LED fixture. At this time, it is desired to appropriate enough funds to the project so that it can be advertised for bidding. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to advertise for bids and enter into contracts for construction and to appropriate funds. Ordinance No. 2024-107 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 2,000.00
TO: Municipal Building LED Replacement Phase 2, <i>Project No. 31942700</i>	\$ 2,000.00

Filed.

City Engineer Kalb – 2024 Annual Street Resurfacing/Curb Repairs, Project No. 32840101

City Engineer Kalb would like to take a portion of the June/July allocation of the Capital Improvements Restricted Account and appropriate it into the 2024 Annual Street Resurfacing & Curb Repair Project. This allocation will allow the Street Department to cover any associated chargebacks to the project, resurface two to three (2-3) additional roadways and continue the resurfacing of alleys throughout the City. Legislation to appropriate and transfer funds is requested. Ordinance No. 2024-108 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 100,000.00
TO: 2024 Annual Street Resurfacing/Curb Repairs, <i>Project No. 32840101</i>	\$ 100,000.00

discussion:

Councilwoman Frische asked for more detail on what the chargebacks to the project are. City Engineer Kalb replied for example, if the City’s Street Department does any work on the City’s resurfacing program, their time is charged back to the project. That way, the budget of that is recouped when using funds outside of the Street Funds to cover projects costs. It would pay that time out of a project. It is moving one bucket of money over the to the project to make sure it is properly accounted for. Councilwoman Frische asked if these are larger projects that the City is stepping in and assisting with. City Engineer Kalb replied no, this is the City’s program. It is what the Street Department is doing and have to properly charge back their time to the project because it was part of project. Filed.

Hancock Regional Planning Commission Grant Administrator Kaysie Penzinski – EECBG Equipment Voucher Application

The City of Findlay is eligible to receive a project award of up to \$76,520.00 as part of the Energy Efficiency and Conservation Block Grant Program (EECBG). The EECBG program is designed to assist local governments and tribes in implementing strategies to reduce energy use, cut carbon emissions, and improve energy efficiency. This is a reimbursement-based program, and equipment rebates can be used for purchasing and installing energy-related equipment that lower fossil fuels use, reduce total energy use, and increase energy efficiency. In partnership with the City of Findlay Engineering Department, the Hancock Regional Planning Commission (HRPC) respectfully requests an ordinance authorizing the City of Findlay to file an EECBG Equipment Voucher Application to install new energy efficient windows and doors at the City of Findlay Airport. HRPC requests that this legislation also authorize the City of Findlay Auditor’s Office to receive reimbursement funds up to the total allocated amount of \$76,520.00, and for HRPC to implement the EECBG Program for the aforementioned voucher application. If awarded, another ordinance will be requested at a later date to appropriate funds. The EECBG Program requires the legislation to be submitted by October 31, 2024, therefore, HRPC requests this legislation include the emergency clause to meet the grant deadline. Ordinance No. 2024-109 was created. Filed.

Service-Safety Director Martin – annual Community Park Improvement Program grant

The City of Findlay Public Works Department is applying for the annual Community Park Improvement Program Grant through the Hancock Park District (HPD) for three (3) projects:

- Project #1 requests \$15,000 for new concrete to extend the bandshell stage at Riverside Park by 12’x52’. The work will be done by the City of Findlay team. New seating will be requested in the 2024 Capital Plan.
- Project #2 requests \$25,000 to tuck and point shelter, fix mortar joints, and seal brick at Riverside Park. The work will be performed by a local contractor.
- Project #3 requests \$25,000 to replace walking paths at Riverside Park. The work will be done by the City of Findlay team.

The HPD grant is offered each year to communities within Hancock County to improve their park systems. This grant is then divided among the communities that request the available funds. These funds are at no cost to the community and do not require matching funds. The City of Findlay has completed many projects in its parks using these grant dollars. One of the requirements of the grant is to “Obtain project approval during a public meeting from its governing body. City Council’s verbal authorization of the aforementioned projects through grant funds is requested. Requires Council’s verbal approval to fund this project by grant funds.

discussion:

Councilman Hellmann moved to approve this application for this program grant to fund these projects, seconded by Councilman Greeno. Filed.

City Planning Commission agenda – September 12, 2024. Filed.

President Pro-Tem Russel – Downtown Findlay Improvement District (DFID) Assessment Equalization Board

President of Council Pro-Tem Russel recommends the appointment of the following citizens to the Assessment Equalization Board per Ohio Revised Code 727.16. All are citizens of Findlay, own property within the city, are disinterested freeholders with regards to the Downtown Findlay Improvement District (DFID), and have agreed to serve.

- David Koveleski
- Thomas Lause
- David Murphy

President of Council Pro-Tem Russel further recommends that Council enable the Assessment Equalization Board to set the time of the hearing in accordance with the requirements set forth in Ohio Revised Code (ORC) 727.16 and that such a hearing be held prior to Council’s September 17, 2024 meeting. These appointments require Council’s confirmation.

discussion:

Councilman Russel requested that this letter be read because Council needs to take action on it.

Councilman Russel moved to read the letter in its entirety, seconded by Councilman Bauman. All were in favor. The Council Clerk read the letter in its entirety.

Councilman DeArment moved to approve the appointments, seconded by Councilman Hellmann.

Councilman Russel pointed out that the Ohio Revised Code (ORC) states that Council has to set the meeting date. He asked if Council also wants to approve giving these three (3) appointments the ability to schedule their own meeting date.

Councilman DeArment moved to amend his earlier motion to include that the appointments can schedule their own meeting date, seconded by Councilman Hellmann.

Councilwoman Frische asked how it was determined to have these three (3) appointments. She asked where they came from and why they were asked. Councilman Russel replied that Councilman DeArment provided him with Mr. Lause and Mr. Murphy’s names, and he provided Mr. Koveleski’s name. Mr. Koveleski has been attending City Council meetings regularly. He has known all three (3) individuals since he moved to Findlay. All three (3) are active citizens in the City.

Councilman Hellmann asked if any of these three (3) individuals are here tonight. Councilman Russel replied that Mr. Koveleski is in the audience. Councilman Hellmann asked why they volunteered. Councilman Russel replied that Mr. Koveleski volunteered simply because he was asked. Councilman DeArment added that Mr. Lause and Mr. Murphy are upstanding citizens, are homeowners on Main Street, both are retired, but have been in the business community for decades and know the downtown district well. He nominated them because he felt that they would be qualified and fair.

All were in favor. Filed.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the change of the City of Findlay’s current Third Party Administrator (TPA) to MedBen via Ordinance No. 2024-100.

We recommend that Council authorize the Findlay City Auditor to contract with MedBen as the third party administrator (TPA) for the City of Findlay’s healthcare plan and related services.

Councilman Wobser moved to approve the committee report, seconded by Councilman Greeno. All were in favor.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 027-2024 (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 Palmer moved to adopt the Resolution, seconded by Councilman Wobser.

discussion:

Councilwoman Frische pointed out that this bill was from the Law Director's Office to pay an outside attorney for the George Martens litigation and that she is hoping that is coming to an end sooner rather than later.

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. 2024-091 (DIFD postage costs) requires three (3) readings **third reading - adopted**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Bauman. Ayes: DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-091 and is hereby made a part of the record.

ORDINANCE NO. 2024-095 (Covington Greens replat #2) requires three (3) readings **third reading - adopted**

AN ORDINANCE ACCEPTING THE DESIGNATED AREA AS SHOWN ON THE COVINGTON GREENS SUBDIVISION 1ST ADDITION REPLAT #2 WHICH HAS BEEN ACCEPTED BY THE CITY PLANNING COMMISSION.

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

discussion:

Councilwoman Frische asked if Covington Greens is South Main Street. City Engineer Kalb replied no, it is behind Walmart off Tiffin Avenue. It is near Ashley Furniture and Millstone. Councilwoman Frische asked if there are any issues with water or sewer there knowing water pressure over there is an issue. City Engineer Kalb replied that most of those lines are already in from when they built the first subdivision, so there is already a lot of infrastructure within that area. The storm water detention standards were not in place when the first phase was built, but are in place now. The ponds now have to be reworked to make sure that it covers what the storm detention is today.

Ayes: Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-095 and is hereby made a part of the record.

ORDINANCE NO. 2024-096 requires three (3) readings

third reading - adopted

(Dale Park Subdivision final plat)

AN ORDINANCE ACCEPTING THE DESIGNATED AREA AS SHOWN ON THE DALE PARK SUBDIVISION FINAL PLAT WHICH HAS BEEN ACCEPTED BY THE CITY PLANNING COMMISSION.

Councilman Bauman moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-096 and is hereby made a part of the record.

ORDINANCE NO. 2024-099 requires three (3) readings

third reading - adopted

(CDBG administration for years 2024-2026)

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) AND THE OHIO DEPARTMENT OF DEVELOPMENT (HEREINAFTER REFERRED TO AS ODOD) TO PROVIDE SERVICES RELATED TO THE ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (RLF) PROGRAM YEARS 2024 THROUGH 2026 RETROACTIVE TO JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman DeArment. Ayes: Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment, Frische, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-099 and is hereby made a part of the record.

ORDINANCE NO. 2024-100 requires three (3) readings

third reading - adopted

(Health Care 3rd party administrator change)

AN ORDINANCE AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO, TO CONTRACT WITH MEDBEN AS THE THIRD PARTY ADMINISTRATOR (TPA) AND OTHER HEALTHCARE PLAN RELATED SERVICES FOR THE CITY OF FINDLAY'S HEALTHCARE PLAN, AND DECLARING AN EMERGENCY.

Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Niemeyer, Palmer, Russel, Warnecke, Wobser, Bauman, DeArment, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-100 and is hereby made a part of the record.

ORDINANCE NO. 2024-103 *(disaster siren replacement)* requires three (3) readings

second reading

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

Second reading of the Ordinance.

ORDINANCE NO. 2024-105, AS AMENDED requires three (3) readings

second reading - adopted

(CyberOhio local government grant program)

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 STATE OF OHIO DEPARTMENT TO RECEIVE FUNDS FOR THE CYBEROHIO LOCAL GOVERNMENT GRANT PROGRAM, AND DECLARING AN EMERGENCY.

discussion:

Councilman Palmer noted that since the deadline for this grant is September 16th and Council's next meeting is September 17th, he is going to make a motion to suspend statutory rules and give the Ordinance its third reading tonight.

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

discussion:

Councilwoman Frische asked what the changes are. President of Council Pro-Tem Russel replied that the changes are listed on tonight's add-on & replacements cover sheet (also listed above in (ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA section of tonight's agenda – pg 1).

Ayes: Russel, Warnecke, Wobser, Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-105 and is hereby made a part of the record.

ORDINANCE NO. 2024-106 (*HAN-Interstate and FHS Trail*) **requires three (3) readings** *first reading - adopted*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER TO ACCEPT AND UTILIZE AWARDED GRANT FUNDS FROM THE OHIO DEPARTMENT OF TRANSPORTATION ALTERNATIVE PROGRAM FOR THE HAN-INTERSTATE AND FHS TRAIL, PID115232, PROJECT NO. 32821400, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

discussion:

Councilman Palmer asked if there are any deadlines on this since it includes State funding from ODOT. City Engineer Kalb replied yes, this is similar to other ODOT programs that the City utilized in that they have a 30-day turnaround deadline for a fully executed contract, and that he also has to establish a purchase order for this. In order to do that, the money has to be appropriated.

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

discussion:

Councilwoman Frische asked if this is the project that was discussed last year that ODOT was involved with the driveways and that the City was required to do the project a certain way because of ODOT's involvement. City Engineer Kalb replied that within the school drives, the City had to provide additional right-of-way because of going further back into the school drives. This gives more clearance time from Broad Avenue to where the multi-use path is. This is the one that the City had additional right-of-way with. Councilwoman Frische asked if the City still has to provide sixty-five thousand dollars (\$65,000.00) for this. City Engineer Kalb replied yes, that will cover the charge back time and construction of it. As part of that, the ninety-five percent (95%) that ODOT covers is the City's inspection time or any time that has to be charged back to the project (construction and construction engineering). Councilwoman Frische asked if the City should get two hundred thousand dollars (\$200,000.00) back. The construction costs were one million two hundred thousand dollars (\$1,200,000.00). City Engineer Kalb replied that the City has a five percent (5%) match.

Ayes: Wobser, Bauman, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-106 and is hereby made a part of the record.

ORDINANCE NO. 2024-107 requires three (3) readings

first reading

(Municipal Building LED Replacement Phase 2)

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE MUNICIPAL BUILDING LED REPLACEMENT PHASE 2 PROJECT NO. 31942700, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2024-108 requires three (3) readings

first reading

(2024 Annual Street Resurfacing/Curb Repairs)

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

First reading of the Ordinance.

ORDINANCE NO. 2024-109 *(EECBG Equipment Voucher application)* requires three (3) readings *first reading*

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO FILE FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FUNDS, AND IF AWARDED, SIGN THE AGREEMENT(S) IN ORDER TO RECEIVE FUNDS FROM THE U.S. DEPARTMENT OF ENERGY FOR THE INSTALLATION OF NEW ENERGY EFFICIENT WINDOWS AND DOORS AT THE CITY OF FINDLAY AIRPORT, LOCATED AT 1615 GRAY STREET, FINDLAY, OHIO, AS WELL AS AUTHORIZE THE HANCOCK REGIONAL PLANNING COMMISSION TO IMPLEMENT THE EECBG PROGRAM FOR THE AFOREMENTIONED VOUCHER APPLICATION, AND DECLARING AN EMERGENCY.

discussion:

Councilwoman Frische asked if the estimated cost is to put these windows and doors at the Airport is the seventy-six thousand dollars (\$76,000.00) that the City is applying for. City Engineer Kalb replied that there is not match required. The estimate came in just under seventy-six thousand dollars (\$76,000.00).

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilman Hellmann asked if the storm water detention basins that were put in earlier are up to standards. City Engineer Kalb replied that those standards changed after it flooded. They were revised to have different calculation numbers. The ponds have to be able to hold what is required now. The standards were changed since they were built and the add-ons are not grandfathered in and have to comply to standards. Councilman Hellmann asked if the City checks the existing detention basins and if they are maintained by the City. Some look like they are a swamp. City Engineer Kalb replied that there currently are no programs in place and is the property owner's responsibility to maintain them, and that there have been discussions on how to establish a program for their maintenance without the City of Findlay maintaining them because they are on private property. Property owners have to maintain them and make sure they hold to capacity. It is something that the Administration is working with the Floodplain Manager to figure out what other communities are doing to implement a program in the long run. Councilman Hellmann would like the City to proceed with that because some of them on Tiffin Avenue and other areas of the City are eyesores. Filed.

Councilwoman Frische asked for the status of the retention ponds in Hunters Creek. City Auditor Staschiak replied that he referred that to Councilman Russel and Law Director Rasmussen. He then responded to Councilman Hellmann's earlier comment stating that it is well placed and there is a significant period of time on either side of 2000 for several years where the retention calculations were not verified. If Council or the Administration is interested in pursuing that, he can assign a special line item in the budget for that in order to keep track on what has been spent on it. Filed.

NEW BUSINESS:

City Auditor Staschiak would like to have the City's pre-budget and mid-year review either in an APPROPRIATIONS COMMITTEE meeting or a COMMITTEE OF THE WHOLE meeting. He is asking for the meeting date to be September 24, 2024 at 4:00pm. Deputy Auditor Sampson is working with the Administration on some numbers needed in order to be prepared, which is pushing this meeting back about a week later than when it normally takes place each year. Councilman Wobser asked if this is historically done through a COMMITTEE OF THE WHOLE or an APPROPRIATIONS COMMITTEE meeting. City Auditor Staschiak replied it has been done through both of them. All of those previous meetings depended on the mood of the Council at the time. The budget affects everyone. There is a component in it, so depending on what the committee's involvement is, there is a section for Council in it, and there is a general overview on where the City is going. The more in attendance, the better it suits Council. Councilman Wobser replied that since it affects everyone, he will make a motion to call a COMMITTEE OF THE WHOLE meeting for this, seconded by Councilman Palmer.

Councilman Wobser: **COMMITTEE OF THE WHOLE** meeting on Tuesday, September 24, 2024 at 5:00pm in the third floor conference room of the Municipal Building (CR1). It will be livestreamed.

agenda: City's pre-budget and mid-year review

Filed.

Councilwoman Frische reminded Council that Dan DeLong came before City Council (ORAL COMMUNICATIONS) about the Howard Run Ditch cleaning project, and that City Engineer Kalb attended the County Commissioners meeting where he was able to get a 60-day hold on the project. She asked if it is on hold for the Mayor to attend or if an APPROPRIATIONS COMMITTEE meeting needs to be scheduled. City Engineer Kalb replied that he just received the numbers back from them on where the calculations are, so there will be legislation on the next City Council agenda that Council can schedule an APPROPRIATIONS COMMITTEE meeting or however they want to handle it. Per the Auditor's Office, ARPA dollars can be used towards that and will look at what the ARPA Fund balance is. The Administration will send a letter to Council and that it can be modified from there. Councilwoman Frische asked if the legislation will authorize to go ahead and pay it. City Engineer Kalb replied yes, that can be referenced through an APPROPRIATIONS COMMITTEE meeting or however Council wants to do it. Filed.

Councilman Wobser: **STRATEGIC PLANNING COMMITTEE** meeting on Monday, September 9, 2024 at 4:00pm in the third floor conference room of the Municipal Building (CR1).

agenda: implementation of a TIFF District

Councilman Hellmann noted that he will be out of town that day. Filed.

Councilman Bauman: **PLANNING & ZONING COMMITTEE** meeting on Thursday, September 12, 2024 at 12:00pm in the first floor Council Chambers of the Municipal Building (CC).

- agenda:
1. Bank St/E Pearl St/S Blanchard St vacation
 2. 615 E Edgar Ave rezone
 3. unimproved alley portion of W Sandusky St vacation
 4. 740 Crystal Ave re-establish use

please note: The 1700 Western Avenue rezone will be on the October 10, 2024 PLANNING & ZONING COMMITTEE agenda. Filed.

City Auditor Staschiak received a request from the Administration to change some permissions on the City's fiscal system for some of the City's Supervisors, but that he was not able to do that because of the structure of the Ordinances that the City Auditor's Office has to follow. They became aware that there is a new organizational chart that is floating around that has been distributed to employees. He does not have any comments on the implementation or status of it, but that he is concerned, from the feedback that the City Auditor's Office is getting, that it is heading down a path that might put him a situation where he might not be able to pay an employee's wage, a bill, or project, etc. From the City Auditor's Office appearances on the fiscal side, there is conflict between the organizational structure and the Ordinances of the City of Findlay, and possibly some of the State Statutes, so he is encouraging the Administration to present to City Council, Civil Service, and the City Auditor's Office, a review of what they are doing, where they are going with it, how it impacts, and who will be in charge of who, where, and when to make sure all are on the same page, and if necessary, either modify the organization or the Ordinances so that all comply. He is leaving this to the discretion of those that are running the City. Service-Safety Director Martin replied that there, is in fact, some operational streamlining functions that are being looked at with staffing levels, when talking about recruitment and retainment, and the ability for certain departments and frontline skilled individuals that can do certain work. There are some crossover and some opportunities to streamline things with certain groups that have certain skills. The Administration is creating a streamline process and have been talking through this with the department heads, one being Water Distribution, Sewer Maintenance, and also Public Works. It is understood that there are rules within the Codified Ordinances, as well as from the State level, and water rules that come from those. They are following the processes to ensure that enterprise funds stay within the enterprise and do not cross. They are charging back and following processes that are established and feel this is something they are obligated to do in order to continue to maintain the level of service that the City has come to expect with the individuals the City has to be able to do the work. It is new and is different, and are not creating a new system of floating individuals to get the work done wherever needed on demand. It is not a new process and not a new concept, just new for the Administration. The formal organization chart is not yet available, just a generic draft. People tend understand pictures, so he could explain it multiple times, or could just provide a generic organizational structure of what reporting would look like in which most understand that better. There is not a formal organizational chart that is being put out there. They are having individuals report on frontline jobs and projects, and are coordinating it through a different model than what it was. Individuals that reported through the Water Distribution Department will still be a part of the Water Fund, and those through the Sewer Maintenance Department will still be a part of the Enterprise Fund.

The rules dictate that the Superintendent for Water or Water Pollution have to continuously be in charge of the system and says nothing about the labor that is being managed to actually put a pipe in the ground, dig a hole or coordinate the efforts of the infrastructure. There will be more to come as he was not prepared to bring this to Council at this point and will provide information to Council later. Ultimately, the City is trying to do more with less with the individuals they already, retain talent, provide work enhancement and cross training to enhance the ability to get more done with less. It has changed, and want to ensure the accountability of dollars where they need to be and not be deficient or illegal in the process. He will share information as they continue to evolve through this.

Councilwoman Frische noted that she had some conversations with some concerned individuals over the last week. One question that was brought up to her was if it is allowable that a City employee was transitioned over from the management side that is running through two (2) separate funds. She asked if an employee can be on both sides of two (2) separate funds and work for the City. Service-Safety Director Martin replied that it is the accountability of knowing what department they are part of and where the work that they do is accounted for. If an employee is part of Water Distribution that does functions within Water Distribution, that is clean and no change of dollars. If that employee is needed for another job in another department such as Sewer Maintenance that has a big project (i.e. lead services on Center Street, transmitter projects), their hours would then be charged back to the project or department where the services are. Councilwoman Frische replied that the question was on a management position. She asked if an employee of the Street Department is allowed to be in two (2) separate funds. Service-Safety Director Martin replied that they would work with the Auditor's Office on that type of situation. For example, the Public Works Superintendent is over the Street Department, Cemetery, and the Recreation Department, so his time as a manager is divided out based on what work is done in those departments on a percentage basis (i.e. 60%, 20%, etc). That absolutely can be done. Councilwoman Frische noted that the Water Department budget and the Street Department budget are two (2) separate budgets and asked if that creates any issues. She asked if an employee that is managing all of the departments on the Street side can also receive a paycheck on the water fund side. City Auditor Staschiak replied yes they can and it commonly happens. He wouldn't use the word "paycheck" and would use the word "funds" of paying the wage of that individual. The issue goes more towards functionality and properly tracking those funds and functions under the laws and ordinances that are in place, hence his suggestion that there be a formal presentation as soon as possible that will also include Civil Service, due to the testing and other requirements of some of the individuals that are involved, in order not to step on toes. He spoke with two (2) members of the Civil Service Commission who were not aware of this. It would be helpful information to have and that the City Auditor's Office and the Civil Service Commission would be happy to also participate. Ultimately, they want to see everything done correctly and do not want to have a problem where he will have to come to Council for permission to pay this and prefer to have it done upfront. Filed.

Randy Otermat (ORAL COMMUNICATIONS) - Fort Findlay playground update

Mr. Otermat lives in the fourth (4th) ward. He is before City Council tonight to address the plan to remodel and expand the Fort Findlay Playground. He is not opposed to any remodeling of the Fort Findlay Playground and is excited about it. He was excited about it last year. It has been over a year since the six hundred thousand-dollar (\$600,000.00) American Rescue Plan Act (ARPA) Fund was designated for this project. He was excited because he lives right across the street from it. His grandkids played there who were born a year after the park opened. Everyone else loves it too. It is very unique.

What makes it different is not the playground equipment, but the fort structures that kids can climb, hide and run around in. Other than that, it is just another park. In fact, it is not much of a park compared to some of the others without that. He asked City Engineer Kalb if the City could pause the funding for the design process. City Engineer Kalb replied that is on hold because of the gathering of public comment phase it is currently in. Mr. Otermat continued stating that he would like the City to continue to get feedback from the public, not just school kids, but also parents. Anyone under the age of fifty (50) that has lived in the City and has played there, their kids have played there, and their grandkids have played there. It is a place where people come from all over. He was there recently talking with some people about it during a soccer game and while they played at the playground, in that he had trouble finding people who were from Findlay. People come from all over to go to that park. They come from Lima, Michigan, etc., so it gets a lot of use. There has been some feedback on it. One of the City's web pages had a survey on it in which most of those comments were not positive on replacing what is there. They want to keep what is there. Whenever the final plan come out, they have to incorporate the original structure that is there now. There may be some issues with it long-term, but that it cannot be just torn down because if it is torn down, it cannot be rebuilt the way it currently is. He has discussed this with Service-Safety Director Martin and City Engineer Kalb and understands the new safety guidelines that now include bigger fall zones, no sharp or rough edges that they might cut themselves on, all has to be plastic, etc., but he is unsure if that all needs to be done at this point. He would like to see a detailed list of exactly what repairs need to be made on the original structure and what it would cost because it was originally a community build, so if something needs fixed, the City can get people to fix it. He has toured this playground with a couple of individuals in this room, and a couple of others, to try to determine the issues, and has not seen a lot of things that need major repair right now. He understands it has a lifespan and that it eventually will have to come down, but that time is not now, not next year, and probably not the year after. This plan can move forward if the City wants to make improvements there by taking some funds and moving the basketball court, or add onto it and make it bigger, possibly more playground equipment, etc., and work around the fort structure that is already there and incorporate those changes into it. He thinks that can be done. Filed.

Councilman Bauman moved to adjourn City Council at 6:48pm, seconded by Councilman Palmer. All were in favor. Filed.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL PRO-TEM