

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

SEPTEMBER 17, 2024

COUNCIL CHAMBERS

ROLL CALL of 2024-2025 Councilmembers

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

ABSENT: Bauman

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

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

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Palmer moved to accept the September 3, 2024 Regular Session City Council meeting minutes, seconded by Councilman Niemeyer. All were in favor. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

Councilman Russel moved to replace the following on tonight’s agenda, seconded by Councilman Greeno. All were in favor. Filed.

REPLACEMENTS:

1. Ordinance No. 2024-112 – Airport fuel (**LEGISLATION** section).

- Header:

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

to now be:

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

- SECTION 1:

FROM:	Airport Fund	\$ 250,000.00
TO:	Airport #25010000-other	\$ 250,000.00

to now be:

FROM:	General Fund	\$ 250,000.00
TO:	General Expense #21010000-76403	\$ 250,000.00
FROM:	Airport Fund	\$ 250,000.00
TO:	Airport #25010000-other	\$ 250,000.00

- SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that additional fuel may be purchased for resale.

to now be:

- SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate **and transfer** said funds so that additional fuel may be purchased for resale.

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Petition for Annexation – CR 220/CR 99 (aka Sheetz aka C.S.P. Investments, Inc.) annexation

A petition for annexation to the City of Findlay filed by Underhill & Hodge LLC, Attorneys & Counselors At Law, agent for the petitioners on August 26, 2024. A legal description for said property consisting of 21.724 acres is attached with the petition. The property requested (parcel no. 020001015352) to be annexed is currently in Allen Township, Hancock County. Referred to Law Director for Resolution of Services legislation. Resolution No. 028-2024 was created. Filed.

ORAL COMMUNICATIONS:

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

1. Randy Otermat - Fort Findlay playground survey results
2. Haydee Sadler - illegal immigrants

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

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Income Tax Monthly Collection Report – August 2024. Filed.

City Planning Commission agenda – September 12, 2024; **staff report** – September 12, 2024 **minutes** – August 8, 2024. Filed.

Findlay Police Department Activities Report - August 2024. Filed.

Findlay Fire Department Activities Report - August 2024. Filed.

A set of summary financial reports for August 31, 2024:

- Summary of Year-To-Date Information as of August 31, 2024
- Open Projects Report as of August 31, 2024
- Cash & Investments as of August 31, 2024
- Financial Snapshot for General Fund as of August 31, 2024

Filed.

Treasurer’s Reconciliation Report – August 31, 2024. Filed.

Income Tax Board minutes – May 1, 2024; August 7, 2024 (*draft*).

discussion:

City Auditor Staschiak pointed out that there was a lengthy discussion about page 3 of the May 1, 2024 minutes acknowledging that the collecting of income taxes for other communities puts the City of Findlay at risk for a lawsuit down the road by someone similar to what Mr. George Martens has done to the City, hence his ongoing concern with that. The City has liability and takes on risk when doing services for other communities.

Councilwoman Frische asked if the City should have some kind of special liability coverage. Mayor Muryn replied that the City’s insurance already has provisions for providing this service. The City includes a statement within the contracts with the different villages and entities that states that they are responsible for reimbursing the City for fees incurred related to their expenses. Filed.

Board of Zoning Appeals minutes – August 15, 2024. Filed.

City Engineer Kalb – Ohio Public Works Commission (OPWC) grant application Morrical Blvd waterline replacement phase II

The City of Findlay Engineering Department is preparing to submit the annual grant application to the Ohio Public Works Commission (OPWC). This application will be for a continuation of the waterline replacement on Morrical Boulevard (from Bliss Avenue to Lima Avenue). The waterline on Morrical Boulevard is currently a 6-inch line that is in need of replacement, as well as upsizing for water quality and flow. The waterline will be upgraded to a 12-inch main line. A new 12-inch loop running from the main line under I-75 to the existing 12-inch main on Lima Avenue for the second phase of this project. Legislation authorizing City representatives to execute the necessary grant application(s) and/or agreement(s) to receive grand funding is requested. Ordinance No. 2024-110 was created.

discussion:

Councilwoman Frische asked if this request is to get ahead of the game or if this application is how long it is going to take to get to phase II. City Engineer Kalb replied it is the length of the process. It will be turned into the OPWC in October where it gets voted on. The City does not get the money until July 2025 because of how their fiscal year works. It is an offset year. Filed.

City Engineer Kalb – fifth Capital Improvement appropriation of 2024

The fifth 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 for construction, as well as appropriate and transfer funds is requested. Ordinance No. 2024-111 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 120,000.00
TO: Municipal Building Door Locks #31932200	\$ 75,000.00
TO: Roadway Resurfacing – Cemetery #31944500	\$ 40,000.00
TO: HAN-Melrose/Broad Avenue Resurfacing PID117615 #32844200	\$ 5,000.00
FROM: Water Fund	\$ 120,000.00
TO: Morrical Waterline Replacement Phase I #35744600	\$ 40,000.00
TO: S. West Street Waterline Replacement #35740400	\$ 80,000.00

FROM: Sewer Fund	\$ 50,000.00
TO: Western Avenue Sanitary Sewer Repair #35644700	\$ 25,000.00
TO: Carnahan Avenue Sanitary Sewer Replacement #35644800	\$ 25,000.00

Filed.

Findlay Municipal Court Activities Report – August 2024. Filed.

City Engineer Kalb – Howard Run Ditch Cleaning, Project No. 32549500

The Howard Run Ditch Cleaning Project was discussed in the previous City Council meeting and had a final hearing on August 22, 2024. During that final hearing, the City requested the County Commissioners to table the hearing for sixty (60) days so that City Council had time to evaluate if the City would be contributing any funds towards the project. After the hearing, the City received data from the County Engineer that provided a breakdown of the cost, as well as the cost to effected residents within the City limits. From that data, the project cost within the City limits are \$286,787.30 for engineering and construction, and \$24,241.08 for the five percent (5%) maintenance fee. This project is eligible for ARPA Fund usage and to ensure the City can use up the ARPA Funds prior to the end of the year. It is proposed to use the ARPA Funds to cover the cost of \$311,028.38 to cover a portion of the Howard Run Ditch Cleaning. Legislation to appropriate and transfer funds is requested. Resolution No. 029-2024 was created.

FROM: Emory-Fort Findlay Playground, Project No. 31931200	\$ 311,030.00
TO: Howard Run Ditch Cleaning #32549500	\$ 311,030.00

discussion:

Councilman Russel informed Council that he and City Engineer Kalb discussed this prior to it being placed on the agenda. The WATER AND SEWER COMMITTEE is going to discuss it at their meeting tomorrow. He and City Engineer Kalb felt it was best to give this its first reading and put some dollars to it to help with the discussions that the WATER AND SEWER COMMITTEE will have and then come back to Council with a recommendation on how to proceed with the second reading of the legislation.

Councilwoman Frische noted that there are a lot of questions from the article in the newspaper about the City pulling ARPA dollars from the Fort Findlay project. Her response to those questions have been that it will be discussed during the WATER AND SEWER COMMITTEE meeting, but would like to touch base on the reasoning and what is forecasted for 2025 budgeting for the Fort Findlay playground. City Engineer Kalb replied that the Fort Findlay playground project is still in the discussion phase and are gathering the community’s input on it. There is a deadline with the ARPA funds with this, so he did not want to put those funds in jeopardy. This is a larger scale project that those funds could be used on, but now that ARPA funds are not a part of it, capital funds will have to be used to cover the cost. There is a lot of discussion that needs to take place so that no hasty decisions are made on it and want to make sure that all of the ARPA funds that were allotted to the City are used up by the allotted date. Councilwoman Frische asked if it would be more appropriate to refer this to the APPROPRIATIONS COMMITTEE since it is not coming out of the Water or Sewer Funds. She asked if it would be better suited there. Councilman Russel replied that prior to talking with City Engineer Kalb about this, he and Councilman Wobser discussed this after the last meeting on where it would be more appropriate to discuss it in which they decided it would be best to discuss it in a WATER AND SEWER COMMITTEE meeting because of the ongoing funding would most likely come out of Water and Sewer Funds versus ARPA funds. ARPA funds are just a unique opportunity.

The WATER AND SEWER COMMITTEE will be answering questions tomorrow during their committee meeting: if it is this something appropriate for the City to take on and if so, how much money should be allocated towards it and where that money should come from (if it should come from ARPA or utilities). The WATER AND SEWER COMMITTEE will make a recommendation of where the money comes from that Council can change during the second reading of the legislation.

City Auditor Staschiak pointed out that the City Auditor’s Office has some concern that the ARPA dollars will get spent, meaning not just appropriated and actually spent against a purchase order or contract that it is known will have to pay. It is a different requirement than what has been done in the past with other grants.

City Engineer Kalb added that the Administration will provide a letter at the next City Council meeting addressing the ARPA funds. Filed.

Service-Safety Director Martin - Airport fuel budget

The City of Findlay Airport (FDY) requires an additional \$250,000.00 for the purchase of aviation fuel. FDY has experienced a record breaking year in air traffic and 100LL fuel sales. As of September 1, 2024, the Airport has surpassed the forecast from when the current budget was approved. When compared to 2023, FDY has seen a year-to-date forty-three percent (43%) increase of 100LL sales and a thirty-five percent (35%) increase of JET-A sales. Operationally, to achieve the best purchase price with a quick turn around the Airport team maintains up to eight (8) open purchase orders (POs) with a variety fuel vendors. In a market as volatile as petroleum product pricing, having a purchase order at the time of receiving quotes allows the City of Findlay to capitalize on the best quote and avoid possible delays with requisitions. As a result, nearly \$250,000.00 in open purchase orders may encumber allocated funds that may not be used at the time of purchase. Due to the City’s strategy of maintaining open purchase orders, along with sales this year significantly outperformed the City’s 2024 projections, an additional appropriation of \$250,000.00 is being requested to supplement the Airport’s budget through year end. These additional funds allow for the Airport to continue buying fuel for resale. Legislation to appropriate and transfer funds is requested. Ordinance No. 2024-112 was created.

FROM: General Fund	\$ 250,000.00
TO: Airport Operations Budget	\$ 250,000.00

Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Joshua Slough to vacate the east/west alley between Bank Street and South Blanchard Street located between Lots 4671, 4672, 4715, and 4716 in the Park Addition.

We recommend to approve as requested.

Councilman Russel moved to approve the committee report, seconded by Councilman Hellmann. All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Joshua Slough to rezone 615 Edgar Avenue from R2 Medium Lot Residential to R3 Small Lot Residential.

We recommend to approve as requested.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Cam Brown to vacate a portion of undeveloped alley being the north-south alley between Lot 4107 in the Joy Addition and Lot 3408 in the Carnahans Addition (hereinafter referred to as the undeveloped portion of West Sandusky Street).

We recommend to approve as requested.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Kim Swartzmiller, Office Manager with Pro Tech Rental Properties located at 740 Crystal Avenue to re-establish a non-conforming use of the property as a car repair business.

We recommend to approve the request as presented with approval from legal counsel.

Councilman Russel moved to approve the committee report, seconded by Councilman Greeno.

discussion:

Councilman Russel informed Council that there is a condition on this asking for an opinion from the Law Director concerning the ability to establish conditions on the re-establishment of a non-conforming use. He spoke with Law Director Rasmussen prior to the meeting who told him he will do some research on it. The desire of the committee was to ensure that whatever business was operating there was doing so in harmony with the neighbors and ensuring that we had such protection on that.

All were in favor. Filed.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to discuss cannabis dispensary zoning.

We recommend to have Regional Planning with C2 and I-1, 1,000 feet and 1,500 feet map presented to the committee, along with modifications to the zoning code.

Councilman Russel moved to approve the committee report, seconded by Councilman Niemeyer.

discussion:

Councilman Russel noted that there an interesting conversation that took place on how to handle cannabis dispensaries. The State of Ohio already has their rules for medical dispensaries in that there has to be a five hundred foot (500 ft) buffer around playgrounds, schools, churches, etc. They also give the ability to establish a limit of how many stores are available (i.e. 0, 1, 2, no limit, etc.). The committee discussed what zoning would be appropriate for the establishment of a dispensary. The committee determined that the appropriate zoning classifications would be C2 and I1 and looked at the overlay maps to determine that five hundred feet (500 ft) was probably too small and would prefer to look at a map with a one thousand foot (1,000 ft) buffer and also a one thousand five hundred foot (1,500 ft) buffer, which is what the language is talking about.

The committee also asked the Hancock Regional Planning Commission to come back with the actual zoning code language that would implement those restrictions for dispensaries and to make them a conditional use in C2 and I1 so that they would have to appear in front of the CITY PLANNING COMMISSION in order to be approved to operate. That is where the committee is going with this and will have another meeting in probably the next month with the hopes of having the zoning code changes in front of City Council sometime in quarter four (Q4).

Councilwoman Frische asked if C2 is Trenton Avenue or Tiffin Avenue. Councilman Russel replied it is General Commercial. Councilwoman Frische asked if any restrictions will be put on how many are allowed in the community after the CITY PLANNING COMMISSION's detailed information is available. She would rather see them in I1. Councilman Russel replied that is a discussion topic. Judging from the conversation amongst the three (3) committee members present, the general consensus is that some kind of limit would be appropriate, however, the State might also be limiting it based on licensing and are having to check every week if the State added more to how they are implementing it. Generally speaking, there will be a limit on the total number.

All were in favor. Filed.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 028-2024 requires three (3) readings

first reading

(CR 220/99 Sheetz annexation – services City will provide if annexed in)

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE NORTHWEST AND SOUTHWEST QUARTER OF SECTION 31, AND THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 36, T2N, R11E, A TRACT OF LAND CONSISTING OF 21.724 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE CR 220/99 (SHEETZ ANNEXATION).

First reading of the Resolution.

RESOLUTION NO. 029-2024 (*Howard Run Ditch cleaning*) requires three (3) readings

first reading

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

First reading of the Resolution.

ORDINANCES:

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

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

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-103 and is hereby made a part of the record.

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

second 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.

Second reading of the Ordinance.

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

second reading - adopted

(2024 Annual Street Resurfacing/Curb Repairs)

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

discussion:

Councilman Palmer asked if there is any incentive to get this passed tonight. City Engineer Kalb replied yes. All of these funds are going to be used by the City Street Department, so the sooner the funds are available to them, the sooner they can continue on with resurfacing of a couple of streets and alleys.

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

discussion:

Councilwoman Frische asked if these funds are for chargebacks to other departments for their working staff. City Engineer Kalb replied it is chargebacks to the Street Department of this project. The majority of this is for the City's Street Department to perform resurfacing work. Councilwoman Frische asked what streets this will be for. City Engineer Kalb replied Glendale Avenue and various alleys.

Ayes: Greeno, Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, DeArment, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-108 and is hereby made a part of the record.

ORDINANCE NO. 2024-109 requires three (3) readings

second reading - adopted

(EECBG Equipment Voucher application)

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:

Councilman Palmer noted that since this is just an application for a grant, he will make a motion to suspend rules and give it its third reading tonight.

Councilman Palmer moved to suspend statutory rules and give the Ordinance its third reading, seconded by Councilman Niemeyer. Ayes: Hellmann, Niemeyer, Palmer, Russel, Warnecke, Wobser, DeArment, Frische, Greeno. The Ordinance received its third reading. Councilman Palmer moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Niemeyer, Palmer, Russel, Warnecke, Wobser, DeArment, Frische, Greeno, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-109 and is hereby made a part of the record.

ORDINANCE NO. 2024-110 requires three (3) readings

first reading - adopted

(OPWC grant application – Morrival Blvd waterline replacement phase II)

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION FOR PHASE II OF THE REPLACEMENT WATERLINE ON MORRICAL BOULEVARD RUNNING UNDER I-75 TO THE EXISTING 12-INCH MAIN ON LIMA AVENUE, AND DECLARING AN EMERGENCY.

discussion:

Councilman Palmer noted that since this is a grant application, he will make a motion to suspend rules and give it its second and third readings tonight.

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

discussion:

Councilwoman Frische asked for the status of the boring and whatever else that is being done on the sewer and water lines. She asked if additional costs are expected on any of the projects happening in West Park (digging through bedrock). City Engineer Kalb replied that the sanitary line is moving along. Councilwoman Frische asked if any issues are anticipated because of this being a boring project. City Engineer Kalb replied no, it will be an open cut project.

Ayes: Russel, Warnecke, Wobser, DeArment, Frische, Greeno, Hellmann, Niemeyer, Palmer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXIII, Page 2024-110 and is hereby made a part of the record.

ORDINANCE NO. 2024-111 requires three (3) readings

first reading

(fifth 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 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. 2024-112 (*Airport fuel budget*) **requires three (3) readings**

first reading

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

discussion:

Councilman Russel asked what the timing is on this. Service-Safety Director Martin replied it can wait for a second reading, but due to sales being up and that it is in the same position again this year, they would like to have the third reading at the next City Council meeting.

City Engineer Staschiak suggested that he and the Administration get together and look at the cash flow in the fund and the anticipated final cash balance based on revenue and expenses through the end of the year because if it is truly selling at a good profit, Airport money should be used for this rather than General Fund. It can go either way. If that can be done and kept in the Airport Fund, it keeps it clean, which would allow for a cleaner budget for next year when getting into the budgeting cycle. Service-Safety Director Martin replied that when the revenue comes in, it goes into the General Fund and then have to get the money out of the General Fund in order to put it back in the budget because it is selling more than actually budgeted for in 2024. City Auditor Staschiak replied that is incorrect. Service-Safety Director Martin replied that is how it was explained before. City Auditor Staschiak replied no, and that they can sit down and talk about the budget fundamentals again if needed, but that independent funds (water, sewer, airport, parking, streets) are expenses where revenues go into those appropriate funds. Airport revenue comes into the Airport Fund. There is a caveat to that similar to what is done with the income tax. When income tax comes in at a level that exceeds the budgeted revenues, he then informs Council that there is extra income tax and have to change the certificate. By changing the certificate, an appropriation is requested to be applied for budgeting. The same thing has happened a few times when it has come in under budget. When the money comes in and exceeds revenue expectations that Council desires to spend, the State of Ohio obligates him to update the certificate so that Council can then appropriate the money for the expenditures. Council can then make a decision and the Administration can express their preference to Council with Council approving or disapproving where the money comes from. The City Auditor's Office will not be slowing it down from getting it done.

Mayor Muryn noted that based off of the forecast of the Airport revenue, this would be a significant hit and recommends it move through the General Fund, but would be happy to meet with the City Auditor to discuss further.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilman Hellmann pointed out that Councilwoman Frische had asked if the project for Ordinance No. 2024-110 is going to be bored with City Engineer Kalb replying that it was going to be an open cut. He asked if an open cut is going to be done over I-75. City Engineer Kalb replied no. There is already a bore underneath I-75, so phase I tied into that section from the I-75 bore that is a 10-inch and are bringing the 12-inch down as part of phase I. This is the second phase to go down Lima Avenue so that there is a constant 12-inch loop through that area. It gets fed into a 10-inch from a 12-inch to split off into a 6-inch with a 6-inch through the whole system. If one side were to go down, there would be two (2) 12-inch feeds coming into the area. It will be open cut because most of it will be along Morrical Boulevard and Lima Avenue. He clarified that this will be along Balsley Avenue, Glendale Avenue (large patch section), and Maple Avenue (as money and weather allows). Filed.

NEW BUSINESS:

Councilman Wobser pointed out that residents started receiving gas aggregation letters. Residents have to opt-out of the program, otherwise, they are in it. The letter this year lists two (2) choices to opt-out. Residents either have to call the aggregate company via their toll-free line or cut off the bottom of the letter and fill in their 15-digit Columbia Gas number, put it in an envelope with a stamp on it at their expense, and sent it back. While that may not sound like much, if the gas aggregate company wants City residents' business, the opt-out option needs to be made a lot easier. They should have an online option way to do it. It should come with a prepaid envelope for residents to fill out the form and send it back in the mail. It is a little bit tedious that seems to get more difficult every time this process takes place. Service-Safety Director Martin thanked Councilman Wobser for his input. He has fielded quite a few phone calls about it this last week. He is looking into how to streamline it to make it a lot easier and clearer. Filed.

Councilman Russel informed Council that the Ohio Department of Transportation (ODOT) informed him that it is National Roundabouts Week. The statistics of the Lima Avenue roundabout show that total crashes have been reduced by eighty-five percent (85%) and injury crashes by eighty-eight percent (88%). He finds those statistics remarkable and worth noting. He is a heavy user of that intersection both in car and on bicycle, and finds it very easy to use. He thanked ODOT for coming up with the design and implementing it. Filed.

Mayor Muryn notified Council that the City sent out a news release earlier today stating that Saratoga Drive will be closed tomorrow for road work and bridge repair, and that parts of McManness Avenue will be closed. That news release was put out on social media and various news outlets. Filed.

Mayor Muryn thanked Councilmembers who attended the STRICT Center ribbon cutting today. It was a great day and a wonderful event. It was awesome to see how years of work finally came together to create a unique space that will serve the community and region well. Both the State Fire Marshal and Deputy Fire Marshal were present and in awe of what was accomplished. They encouraged the City of Findlay to keep investing in training as it is a critical part of the community's safety. She is excited for first responders to be able to use it, train, train together, and train repeatedly because that saves lives. She is also excited that it is going to serve volunteer Firefighters in the community. Even though the City of Findlay may not directly utilize them often, they are the City's mutual aid in ensuring that they are trained to be able to meet the needs of the community in keeping everyone safe. Her step-father was a Firefighter, so making sure that they, as well as law enforcement, have proper support and training is always near and dear to her heart. Filed.

Mayor Muryn informed Council that K9 Axle Fry will be completing his training this Friday and will be beginning his career over the weekend. A media release on it will be sent out within the next couple of days. Filed.

Mayor Muryn noted that as part of Japan Governor Ono's stop in the midwest United States, he stopped in Findlay as a way to continue the City of Findlay's relationship with Japan and the investment with the City of Findlay that has been made over the many decades and how to continue to strengthen that partnership to not only benefit the local economy and culture exchange, but also the educational exchanges with the Friendship City relationship that continues to bolster. Also, the University of Findlay is continuing to expand their programs and partnerships with universities in Saitama and Fukui Prefectures in an effort to get more students to come here. It was a great day. Filed.

Mayor Muryn reminded Council that she placed a copy at each Council seat of the media release that was sent just a little while ago related to the City of Findlay crime statistics. This is something that has been included in the KPIs on a quarterly basis, but because it was out of sync, she wanted to draw their attention to it and call out the great work that law enforcement is doing. Non-violent crimes are down year-to-date under the 3-year average. Violent crimes are trending at or below the 3-year average. Traffic enforcement has increased with Police Chief Mathias encouraging Officers to get out and be proactive enforcing speeding violations and focusing on noise violations. There is a lot more work to be done of pushing proactive community enforcement causing citations to be up by holding people accountable. Traffic accidents are down significantly. These are all great things that she wanted to point out in a time when many are stating that national crime is on the rise, but that it is not seen in the Findlay community. Filed.

City Auditor Staschiak thanked Councilman Wobser for sending an email out about moving the budget meeting to before the next City Council meeting out of necessity. The closer it is held to a Council meeting, the shorter the budget hearing will end up being. He is going to send an email over to the Administration about additional training on findings of recoveries in the State of Ohio by the State Auditor's Office that touches everything from payroll to projects and topics discussed over the last year, including other organizations that help the City. He asked the Administration to break out where they are looking at helping other organizations such as the Downtown Findlay Improvement District (DIFD), schools, City Income Tax, etc. because from what he is learning, there is going to have to be some additional detail given to Council and additional approvals that will have to come from Council where the City is "just helping its neighbors". He does not think it is a bad thing and thinks it is a good thing. The City will want to handle as much of that as possible through its basic budget so not to end up with other special items. It likely will have to become part of the budget. Filed.

Randy Otermat (ORAL COMMUNICATIONS) - Fort Findlay playground

Mr. Oterman did not plan to speak tonight since he just spoke on this issue a couple of weeks ago, but since it has been hot in the press the last couple of days, he thought he'd add a few words. He would like to check on the survey results. He tried to get on after it closed and pull the results up, but could only get to the page that shows the master plan and did not see anything on the survey results. He would like to see a paper copy or would like someone to explain it to him. He was able to see the master plan that he has his own opinions on.

The City's release of the \$1,400,000 rebuild plans for the Fort Findlay Playground met with a considerable amount of push back on social media with many residents arguing for preservation for preserving the miniature fort. City officials said the little fort is beyond its service life and should be demolished. Results of a public opinion survey favor keeping the fort, which is where he is at and from when he spoke at the last Council meeting. He would like to see this project put on hold for now because the City has taken the money from the American Rescue Plan Act (ARPA) dollars and will have to replan the budget. This project does not need to be done this year and probably does not need to be done next year. He realizes it will need to be done some time, but would like to hold off until there is a solid idea of exactly what people want and what they are going to be happy with to determine what the City can work with on that. Next year is an election year for City Councilmembers, so there may be different members on Council by the time the City gets back to this project in a year or two from now. The City has some other serious issues right now to deal with and that this is not one of them, so this can be put on hold for right now and come up with a good plan at some point in the future that will make everyone happy.

discussion:

Councilwoman Frische asked if the City is done spending money on the engineering design for this. City Engineer Kalb replied that right now, the next step is to come up with specs and plans for it. He contacted the developer and told them not to develop them at this time. Councilwoman Frische asked if legislation should be passed to pause the project so that it is clear and on the record that the project is on pause and that ARPA funds have not been pulled yet. Mayor Muryn replied no action needs to be taken now. The intention was to gather the information from the survey results and then go back to the Parks and Recreation Board and invite all Councilmembers to provide more input. The initial renderings that were put out were lacking, so when the new master plan was put out, it better shows some of the fort elements that are incorporating, but do not quite show the scale. The proposed fort entrance is approximately fifteen feet by fifteen feet by thirty foot tall (15 ft x 15 ft x 30 ft) with significant climbing structures and a bridge across them. This project is on pause, primarily to have further discussion and lead times that would be necessary to do the development. The Administration will be coming back with a proposal on how to spend the ARPA funds, but that this park project also has other funds already contributed to it and will have to be done regardless. With the survey results, there should be scrolling on the homepage under Fort Findlay, but that she will double check. There were fifteen hundred (1,500) responses that would be very cumbersome to provide all of them to Mr. Otermat and that there is a multi-page summary that is on the website. The general sentiment was that people understood that it is a twenty-five (25) year old park that is made out of wood that sits out in the elements, and that only so much can be repaired. For instance, when looking underneath the structure, objects can be stuck through the pillars which is something that cannot be that way unless it is to just be rebuilt as it is in order to continue to be all wood, but will have to make changes. At this point in time, it will be a project that will probably have more discussion on next year and then look at construction the following year focusing on that overall master plan. At this point in time, no changes need to be made with ARPA money because it would be recommending that those be taken away so that they can be spent down this year in order to meet the Federal guidelines timeline.

Councilwoman Frische has heard from a lot of people that want to preserve the Fort Findlay playground. There was a lot of questions such as what the cost factors would be to maintain the fort for another twenty-five to fifty (25-50) years. They want to know what exactly is wrong with the park and what it would cost to fix it. The City obviously has been maintaining it as anyone can visually see that pieces and materials have been replaced. If it wasn't safe, then the City would have an obligation to close the park. She does not think it is anywhere near needing to be closed and would hate to have this project sitting with the engineering company spending dollars on it before being able to answer the one thousand five hundred (1,500) statements and questions the public has voiced because that discussion would be to preserve it. Councilman DeArment went out and talked with individuals about this project. Her impression from his conversations with them was that no one thought the sky was falling. People are asking valid questions and she would hate to keep spending money on design until the project is at that point. Legislation to pause this would be appropriate. It is not ending it and is just waiting until capital is redone. It would allow the City to answer some of the public's questions that the project is going in the right direction of what the public wants. Mayor Muryn replied that Councilwoman Frische is correct that this project is not to the point that the park needs to be shut down and are trying to avoid that because it is a very utilized park that the City wants to have available. It takes about a year of planning to get to construction, then a couple of months for the actual construction, weather depending. The plan is to keep the existing park open during the rebuild, and then be able to relocate so that there is a functioning park the entire time. There is some leeway and that the sky is not falling and are not putting people in danger, but that she would challenge how many structural engineers that were out there to look at it because everything that needs replaced is not always seen. In comparison, when telephone poles are taken down, they may look fine, but that the center is completely disintegrated. The City is finding the balance of not having to shut down the park and can get estimates of what it would cost in today's dollars to rebuild it in its same form and function. The City can continue to maintain it for another three (3) years, but will start to have to close down certain elements of the park for safety purposes.

City Engineer Kalb added that the ARPA funds for it are considered obligated per the ARPA regulations towards it, but that the funds are not received until the end of this year. The project is for 2026. It is difficult to close a contract with a firm for this then try to get them back on board. Councilwoman Frische replied that she was not asking to cancel anything and that she would hate to be spending money. The message that people are absorbing is that the project is still going forward per the Administration's agenda, so the City needs to do their due diligence of answering those questions before spending another penny. Filed.

Haydee Sadler (ORAL COMMUNICATIONS) - illegal immigrants

On January 31, 2024, she sent a letter to be read into the Council meeting on February 6, 2024, but that letter was not read and was instead met with response from the Mayor for the illegal immigration task force. She read parts of that letter to Council that relate to what is happening today:

Dear Councilmembers, as a formal member of the Community Outreach Team for the Strategic Planning Committee, a frontline surveyor and scribe at the roundtable meetings, she can confidently say that a safe and connected city were not at the top responses that the strategic plan has in place as goals, neither is an active community.

In addition to the goals mentioned, one of the seven (7) goals listed in the plan is a caring government, yet our local government does not lend an ear to the people who speak as it is agreed upon by thousands in the community. The McPherson neighborhood that did not want apartments set up and the increased water rates are just two (2) prime examples. Through my outreach to the community, one of the most common responses when asked about concerns for our City was illegal immigrants as they were never addressed by the City. Drug trafficking and human trafficking were also major concerns of the citizens, yet, these concerns were not addressed at all through Findlay's Strategic Plan. Rather than exemplifying the caring government goal of addressing the concerns of illegal immigrants, drug trafficking and human trafficking, you support Mayor Muryn's efforts in opening the doors of our City to invite them in. The residents of the City of Findlay still have the same concerns as before except perhaps now with more distress and even anxiety. Will City Council be approving housing for them through taxpayer dollars called grants that the City of Findlay so freely takes without giving any benefits to the community members as other cities give. What I have noticed is there is an invasion of the U.S. border, and Findlay is complicit. There's human trafficking at our border, and Findlay is complicit. The United States is thirty-five trillion dollars (\$35,000,000,000,000) dollars in debt, and Findlay is complicit. Biden's policies are intentionally destroying our country, and Findlay is complicit. Will Findlay look at the Build Back Better agenda continuously funded through grants, private partnerships, and stakeholders that is instilled through the United States Conference of Mayors that is paid by the City of Findlay in order to participate. Are there no concerns for the socialist agenda that this Administration is ushering in by inviting illegal immigrants to live in our City and tap into our nonprofit organizations. How are you meeting your strategic plan goal of being a caring government if you don't take heed to the concerns of your constituents. Today, I am requesting that you as members of City Council that govern the City give more thought to the approvals you make regarding our taxpayer dollars called grants. Prior to Springfield making national news, our City was in direct contact with Springfield regarding the influx of immigrants in our community and at the budget hearing Chief Mathias reported that the people will come in waves and the waves will get bigger. The Mayor has reported that no crimes are being committed by illegal immigrants yet we have Jackson Darzilla sitting in our County jail for gross sexual imposition waiting for his conviction prior to his deportation. When City Council is removed, retires to Florida, and the Mayor moves up the ladder, what are you leaving as your legacy in our City. This agenda has become dangerous to our City and the number one strategic goal of being a safe city will never happen when inviting illegal immigrants into our community. Biden's agenda has become dangerous to our country just as our local government has become dangerous to our community for following it.

Filed.

Councilman Palmer moved to adjourn into Executive Session to discuss a legal matter at 6:53pm, seconded by Councilman Russel. All were in favor. President of Council Harrington noted that there will be no action taken after the Executive Session. Councilman Palmer moved for no business to occur after Executive Session, seconded by Councilman Niemeyer. All were in favor. Councilman Palmer moved to adjourn out of Executive Session at 7:37pm, seconded by Councilman DeArment. All were in favor. Councilman Palmer moved to adjourn City Council at 7:38am, seconded by Councilman Russel. All were in favor. Filed.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL