

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**June 4, 2019**

**COUNCIL CHAMBERS**

**PRESENT:** Frische, Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough, Watson, Wobser  
**ABSENT:** Ostrander

President of Council Pro-Tem Russel informed Council that Councilwoman Ostrander notified him that she will be absent from tonight's meeting due to personal reasons, therefore, she is excused unless there is an objection from Council. No objections given. Councilwoman Ostrander is excused.

President of Council Pro-Tem Russel opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

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

- Councilman Slough moved to accept the May 21, 2019 Public Hearing minutes to rezone 731 West Sandusky Street via Ordinance No. 2019-029. Councilman Niemeyer seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the May 21, 2019 Regular Session City Council meeting minutes. Councilman Slough seconded the motion. All were in favor. Motion carried. Filed.

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

Councilman Harrington moved to add-on, replace, and remove the following on tonight's agenda, seconded by Councilman Slough. All were in favor. Motion carried. Filed.

### ADD-ONS:

1. Public notification for Findlay Senior Towers from Fairstead Affordable LLC for a 146-unit apartment building for seniors to be located at 806 Bright Road (**WRITTEN COMMUNICATIONS** section).
2. Letter from County Engineer Douglas Cade – Howard Run ditch cleaning (**LEGISLATION** section) – reference letter for Ordinance No. 2019-043.

### REPLACEMENTS:

1. Resolution No. 017-2019 (**LEGISLATION** section) – Exhibit A  
Added:  
– CSX Transportation Inc. (no PO in place) \$3,500.00

### REMOVALS:

1. Ordinance No. 2019-040 – Olive Street waterline replacement (from Main Street to Fairmont Drive) (**LEGISLATION** section).  
– This was adopted during the May 21, 2019 City Council meeting.

**PROCLAMATIONS:** - none.

## RECOGNITION/RETIREMENT RESOLUTIONS:

**RESOLUTION NO. 018-2019** (*Jerrold Harsh retirement*) **requires one (1) reading** **first reading** **adopted**  
A RESOLUTION COMMENDING JERROL HARSH FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

Councilman Slough moved to adopt the Resolution, seconded by Councilman Shindledecker. Ayes: Frische, Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough, Watson, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

**PETITIONS:** - none.

**ORAL COMMUNICATIONS:**

**Renee Leguire – LGBTQ**

Ms. Leguire informed City Council that she is a Christian and that Mayor Muryn ran on the premise of being a Christian. She does not hate anyone, and as a Christian, she loves everyone. While she may not always like what everyone does, says or who they hang around with, but she is called to love everyone. She tries to do that to the best of what she is capable of because Jesus lives in her, so she can love everyone. With that being said, she was quite distraught over the LGBTQ celebration. She believes that celebrating something that is an abomination to God is going to reap consequences for us. She will be reading a scripture that the Lord put on her heart. She is not judging anyone. She is not anyone’s judge, but does know what God’s word says and she stands upon his word because she believes it is true. Jesus said “I am the way, the truth, and the life and no man comes to the Father except through me.” Jesus claims to be the truth. People can believe whatever they want to believe, but there is only one truth just like we have one President right now. Someone can say that someone else is the President, but the truth of the matter is that we have only one President representing us right now. Someone can say that someone else is President, but there is just one truth.

She Isaiah 13:9:

*Behold, the day of the Lord is coming with pitiless fury and fierce anger. The land will be made desolate destroying the sinners who inhabit it. For the stars of the heavens and their constellations will not give their light. The rising sun will be obscured and the moon won’t shine. I will bring punishment to the world for its evil and the wicked for their sins. I will shatter the arrogance of the proud and will humble the pride of the high and mighty.*

She finds it very interesting that this movement is called “gay pride” because she believes that God hates pride, so she thinks it is very appropriate to call it what it is. As a person who adheres to these principles, and that our country was founded on bible principles, we need to adhere to those principles in order to live a much more peaceful life. She believes the LGBTQ movement is a very destructive movement that tears down everything that our country was built upon. As a Christian, everyone is forgiven. Her sins are at the cross and anyone else can come to the cross and be forgiven. It does not matter what anyone has done and does not matter who you are. There is a level playing field at the foot of the cross. Filed.

**WRITTEN COMMUNICATIONS:**

**John Tatum, Partner of Fairstead Affordable LLC – 146-unit apartment building for seniors located at 806 Bright Road**

This letter is to inform Council that Findlay Preservation MM LLC plans to be the managing member of a residential rental development located in or within a one-half (1/2) mile radius of our political jurisdiction and will submit an application to utilize the multifamily funding programs of the Ohio Housing Finance Agency (OHFA) for the development of this property.

Findlay Senior Towers is an existing 146-unit apartment building for seniors located at 806 Bright Road, Findlay, OH 45840 in Hancock County. It has a Section 8 HAP Contract with the US Department of HUD covering 114 units, or 78% of total units. The development has 107 1-bedroom a-bath units and 39 2-bedroom 1-bath units contained in one 8-story mid-rise building and was originally constructed in 1974. The rehabilitation will include kitchen/bathroom cabinet, countertop and fixture upgrades; new energy star appliances; wall/ceiling/door/corridor repairs and painting; addition of UFAS units; mechanical/plumbing/electrical/fire safety/elevator upgrades; improved site lighting, security cameras and landscaping.

The proposed development will be financed with private placement tax exempt bonds and 4% housing tax credit proceeds.

Development Team:

Managing Member: Findlay Preservation MM LLC (Sole Member is Fairstead Affordable LLC)

Developer: Fairstead Affordable LLC

General Contractor: Tober Building Company, LLC

Property Manager: SHP Management Copr.

Project Address: 806 Bright Road, Findlay, OH 45840 in Hancock County

Number of Units: 146

Program(s) to be utilized  
In the Project: OHFA Housing Tax Credit Program, OHFA Multifamily Bond Program

Right to Submit  
Comments: You have the right to submit comments to OHFA regarding the proposed project’s impact on the community. any objection to the project must be submitted in writing and signed by a majority of the voting members of the legislative body. Comments must be received by OHFA within 45 days of the mailing date of this notice.

The person to be notified at OHFA and their address is:

Mr. Sean Thomas, Executive Director  
Ohio Housing Finance Agency  
57 E. Main Street  
Columbus, OH 43215

OHFA will provide a written response to any objections submitted under the terms outlined above.

Filed.

## REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

### Mayor Muryn – appointment to Parks and Recreation Board

Mayor Muryn is appointing Ben Taylor to the Parks and Recreation Board for the City of Findlay to fill the unexpired term of the late Mike Slough. His term will expire December 31, 2021. Mr. Taylor has expressed a desire and willingness to serve the community in this capacity. This appointment does not require confirmation by Council. Filed.

### Mayor Muryn – appointment to Parks and Recreation Board; Civil Service Commission

Mayor Muryn is appointing Colin Earl to the Parks and Recreation Board for the City of Findlay to fill the unexpired term of Dave Trisel. His term will expire December 2020.

Mayor Muryn is appointing Jeffrey Fort to the Civil Service Commission to fill the unexpired term of John Urbanski. His term will expire December 31, 2021. Both Mr. Earl and Mr. Fort have expressed their desire and willingness to serve the community in this capacity. These appointments do not require confirmation by Council. Filed.

### Safety Director Schmelzer – insurance payment on Police cruiser

The City has received payment for the repair of a police cruiser from an accident from the insurance company in the amount of \$654.52. It has been deposited in the General Fund. Legislation to appropriate funds is requested. Ordinance No. 2019-041 was created.

FROM: General Fund (insurance proceeds)	\$ 654.52
TO: Police Department #21012000-other	\$ 654.52

Filed.

### Mayor Muryn – U.S. Conference of Mayors grant for Childhood Obesity Prevention Award Program

The City of Findlay was awarded a one hundred thousand dollar (\$100,000) grant from the U.S. Conference of Mayors as part of its Childhood Obesity Prevention Award program, in partnership with American Beverage Foundation for a Healthy America. The grant monies will be used to increase access to physical activity for children and youth, by expanding the existing Keep Active . . . Keep Healthy program. The monies have been received, and an appropriation is respectfully requested as follows:

FROM: USCM Childhood Obesity Prevention Grant	\$ 100,000.00
TO: Keep Active . . . Keep Healthy Program #31993600-other	\$ 100,000.00

Legislation to appropriate funds is requested. Ordinance No. 2019-042 was created.

#### Discussion:

Councilman Russel asked that the letter be read into the record, seconded by Councilman Harrington. All were in favor. The Council Clerk read the letter in its entirety. Filed.

Councilman Russel noted that this program has been extremely active in setting up various events. Keep Active Keep Healthy has a list of events throughout the summer (Pickleball, Kickball, Ultimate Frisbee, Lacrosse, Obstacle Course, Archery, etc.). He encouraged everyone in the community to attend these events. For more information, see the Parks and Recreation website who does a great job of promoting the events. Filed.

**Treasurer's Reconciliation Report** – April 2019. Filed.

**City Planning Commission agenda** – June 13 2019; **minutes** – May 9, 2019. Filed.

### City Auditor Staschiak – Union contracts

New City union contracts were executed this year. The City Auditor's Office has maintained records on the contracts for many years. Attached is a spreadsheet outlining all City employee benefits. It has been provided in the past, so this table includes the most recent contracts.

#### Discussion:

Council President Pro-Tem Russel noted that City Auditor Staschiak's request to have this read is the motion, seconded by Councilman Russel. All were in favor. The Council Clerk read the letter in its entirety. Filed.

### City Auditor Staschiak – outstanding debt

City Auditor Staschiak provided various documentation on the status of the City of Findlay's outstanding debt as of December 31, 2018. That total amount is seventeen million two hundred sixty-one thousand dollars (\$17,261,000.00). The City of Findlay does not borrow monies for operating purposes. Outstanding debt generally represents financing for capital improvements. This report is not statutorily required, is unaudited and simply intended to inform.

#### Discussion:

Council President Pro-Tem Russel noted that City Auditor Staschiak's request to have this read is the motion, seconded by Councilman Russel. All were in favor. The Council Clerk read the letter in its entirety. Filed.

**President of City Council R. Ronald Monday/President Pro-Tem of City Council Grant Russel – Local Board of Tax Review appointments**

Pursuant to Ohio Revised Code 718.11 (A)(2)(HB5), the legislative authority of any municipal corporation that imposes tax on income shall maintain a Local Board of Tax Review of which two (2) members shall be appointed by the legislative authority of that municipal corporation.

Council President Monday and President of Council Pro-Tem Russel recommend Douglas Huffman and Roger Miller be appointed to continue serving on this committee, retroactive to January 1, 2019. Both are practicing attorneys in Findlay and have indicated a willingness to serve. This requires Council confirmation.

Councilman Slough moved to accept these appointments, seconded by Councilman Hellmann. All were in favor. Filed.

**COMMITTEE REPORTS:** - none.

**LEGISLATION:**

**RESOLUTIONS**

**RESOLUTION NO. 017-2019** (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 Harrington moved to adopt the Resolution, seconded by Councilman Wobser.

Discussion:

Councilwoman Frische asked where the CSX project is located. Service Director/Acting City Engineer replied it is for the waterline replacement on Bigelow Avenue. He did not have a purchase order before the invoice arrived. They usually send a quote first, but sent an invoice instead this time, so by the time he received the invoice, he was not able to get a purchase order that day.

Ayes: Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough, Watson, Wobser, Frische. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

**RESOLUTION NO. 018-2019** (Jerrold Harsh retirement) requires one (1) reading  
See page 1 (**RECOGNITION/RETIREMENT RESOLUTIONS** section).

**ORDINANCES**

**ORDINANCE NO. 2019-031** (sale of City-owned parking lot) requires three (3) readings **tabled after third reading on 6/4/19**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY, AS WELL AS, THE 500 BLOCK WEST, LLC, FOR THE SALE OF A CITY-OWNED PARKING LOT LOCATED AT IMMEDIATELY WEST OF 524 SOUTH MAIN STREET, AND DECLARING AN EMERGENCY.

Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Slough.

Discussion:

Councilman Wobser pointed out that there is not a lot at this point in time that can be said about this and that he anticipates that those in the audience tonight are here to hear about it, but discussions are ongoing with the developer and the Port Authority. He asked Acting Law Director Werth to provide more details. Acting Law Director Werth replied that a Special Session City Council meeting took place last night where Councilmembers and the Administration adjourned into an Executive Session. Executive Sessions are not privy to the public and what is discussed in them is not something that can be disclosed. Talks are still ongoing. Specific details cannot be released.

Councilman Wobser moved to table the Ordinance, seconded by Councilman Slough. Ayes: Hellmann, Niemeyer, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was tabled.

**ORDINANCE NO. 2019-033** (*changes to zoning code*) **requires three (3) readings** **third reading** **adopted**  
AN ORDINANCE REPLACING SECTION 521.01(u), 521.04(b) and 521.07(a) AND ADDING NEW SECTION 521.10 OF CHAPTER 521 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Harrington.

Discussion:

Councilman Russel noted that he was asked about decorative grasses in one particular neighborhood. This Ordinance is a moderate clean up of the language. There has been some concern of the definition of noxious grasses and noxious weeds, so this Ordinance will change it to just be grasses and weeds. Part of the Ordinance that stays the same is that there has to be an inspection of the premises by the Safety Director. The Zoning Office employees use their best judgment. The difficulty is in writing an ordinance to list the exact species of what can stay and what cannot. The intent needs to be evident in the Ordinance and then give a human the ability to use judgement. If the judgement is not in the property owner's favor, their recourse is their City Council representative and the City Administration. This is just a tough situation where human view has to come into play. In some municipalities, that might be difficult, but not here in Findlay. There is no history of City Council or the Administration visiting a property with a ruler measuring the grass and telling the property owner it has to be cut. Ordinances that are enforced are blatant. The City has a history of bending over backwards working with property owners to remedy the situation before the City has to mow it. He supports this Ordinance. It is a good step forwarded to clean up and firm up some of the code and continue to work towards making Findlay the best place to live.

Ayes: Niemeyer Russel, Shindledecker, Slough, Watson, Wobser, Harrington, Hellmann. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-033 and is hereby made a part of the record.

**ORDINANCE NO. 2019-035** (*305 & 307 W Lincoln St rezone*) **requires three (3) readings** **second reading**  
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 305 AND 307 WEST LINCOLN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO "R4 DUPLEX/TRIPLEX RESIDENTIAL".

Second reading of the Ordinance.

**ORDINANCE NO. 2019-036** (*Gardner alley vacation*) **requires three (3) readings** **second reading**  
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERED TO AS GARDNER ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

**ORDINANCE NO. 2019-037** (*533 Davis St rezone*) **requires three (3) readings** **second reading**  
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 533 DAVIS STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "R4 DUPLEX/TRIPLEX RESIDENTIAL".

Second reading of the Ordinance.

**ORDINANCE NO. 2019-039** **requires three (3) readings** **second reading**  
(*MOU - Maumee Watershed Conservancy District, Hancock County Commissioners, and City of Findlay for continued flood mitigation efforts*)  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE HANCOCK COUNTY COMMISSIONERS, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

**ORDINANCE NO. 2019-041** (*insurance payment on damaged PD cruiser*) **requires three (3) readings** **first reading** **adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance received its second and third readings. Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-041 and is hereby made a part of the record.

**ORDINANCE NO. 2019-042** **requires three (3) readings** **first reading** **adopted**  
(*US Conference of Mayors grant – Childhood Obesity Prevention Award program*)  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Watson. Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Russel, Shindledecker. The Ordinance received its second and third readings. Councilwoman Frische moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-042 and is hereby made a part of the record.

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

Councilman Russel asked that the letter for this Ordinance that was added to tonight's agenda be read into the record, seconded by Councilman Harrington. All were in favor. The Council Clerk read the letter in its entirety.

Safety Director Schmelzer thanked County Engineer for progressing this project. They originally starting talking to the County in 2014 about Howard Run. He expects this project to move forward. If it does, the cost for advertising will be pulled out of the actual assessments for the project and the bond will be returned. The money will be held in escrow. They are also working on Oil Ditch.

Councilman Harrington moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Slough. Ayes: Wobser, Frische, Harrington, Hellmann, Niemeyer, Slough, Watson. Nays: Russel, Shindledecker. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Slough.

**Discussion:**

Councilwoman Frische asked if the Ordinance is being amended or just adding the letter that goes along with it. Safety Director Schmelzer replied the letter was supposed to be in the Council packet to follow up the Ordinance.

Councilman Russel asked if the City is paying the assessment for the properties inside the City limits for this. Safety Director Schmelzer replied not that he is aware of. It would ultimately be Council's decision. The ditch is being petitioned so that it can be done formally. The County will adopt the project, put this advertisement out, do the preliminary planning and develop an estimate for the construction of the project. They will then have another hearing to discuss it. At that point, Council can entertain how they want to fund that, otherwise, it will be assessed to the property owners within the watershed. Councilman Russel asked if that list of property owners within the watershed is available. Safety Director Schmelzer replied it is and is part of the petition. The County develops the list of all the property owners that are impacted. They will be notified on what the costs associated with it will be.

Ayes: Frische, Harrington, Hellmann, Niemeyer, Russel, Slough, Watson, Wobser. Abstain: Shindledecker.

Councilman Shindledecker explained that he abstained because this project will affect where he lives. President of Council Pro-Tem Russel asked for a brief recess to discuss Councilman Shindledecker's abstain vote. Council took a brief recess to do so.

President of Council Pro-Tem Russel noted that this is a first time that anyone has abstained since the 2018-2019 City Council Rules and Procedures have been approved. There is a prescribed manner that needed to be addressed which was the genesis of what was discussed. Acting Law Director has not read the rules in detail to provide counsel on the matter. Councilman Shindledecker's abstain vote has no effect on the passing of this Ordinance, but was an attempt to follow the Rules of Council in passing the Ordinance with an 8-0 and 1 abstain vote. Safety Director Schmelzer

The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-043 and is hereby made a part of the record.

**UNFINISHED BUSINESS:  
OLD BUSINESS**

Councilwoman Frische pointed out that the WATER AND SEWER COMMITTEE met in April to discuss backflows including some requested clarification. She asked the Service Director/Acting City Engineer if any fees were implemented on residents' water bills as she was under the impression that the inspection fees were going to be kept separate and were waiting on a legal opinion. She asked if an Ordinance is needed to add the fees onto water bills. Service Director/Acting City Engineer Thomas replied that the legal opinion was that the Administration could add the fees to water bills and did not need Council's authorization to do so. Councilwoman Frische pointed out that WATER AND SEWER COMMITTEE meeting was then not needed if the Administration did not need Council's authorization. She asked if fees went through the contractor and if the contractor signed anything stating whether or not the backflow passed. She asked what the process is of assessing the fee to water bills if it is added before the testing is conducted. Service Director/Acting City Engineer Thomas replied that the property owner is ultimately responsible for submitting a test that passes. Whether the contractor has to do one (1) test or multiple tests, only one (1) test is submitted which is the one that passes. Since they have to submit one that passes, the City's Utility Billing Department includes it in the water bill which is easier for them to keep track of. The contractor could bring just one (1) check or multiple checks that would have to be matched up to all the different properties that are having the backflow test done and make sure they are taken care of. The contractor would have to sit there and wait for that to happen, or if they do not wait, they may be short a fee. Councilwoman Frische asked if properties are charged more than one (1) fee if they have more than one (1) backflow. Service Director/Acting City Engineer Thomas replied that they will be charged for however many backflows they have. Councilwoman Frische replied that she thinks it is confusing and not what the WATER AND SEWER COMMITTEE had suggested which was to keep the same process as the Health Department uses. Property owner may be confused, so it should be clarified.

City Auditor Staschiak asked if any documentation of the legal opinion on this could be forwarded to him. The City Auditor's Office has not received, shared, or been part of any of those conversations, nor has anything been provided to them and will be needed to accurately follow what is going on with the financial books. Councilwoman Frische noted that this was discussed back in April and asked if funds are being held for this and if there is an account set up for it. City Auditor Staschiak replied that nothing has changed and nothing has been communicated to the City Auditor's Office since that meeting. Service Director/Acting City Engineer Thomas replied that is not quite accurate. The WATER AND SEWER COMMITTEE requested a legal opinion. That legal opinion stated that nothing is needed from City Council and that they could go ahead and move forward. Law Director Rasmussen's legal opinion was that nothing was needed from City Council. Deputy Auditor Sampson asked if the fees have been collected and if so, what fund they were to go to. He told her to split it out. He is unsure how she deposited them, but he provided the information that she needed. City Auditor Staschiak asked when that was. Service Director/Acting City Engineer Thomas replied it was via an email and he will forward it to him. City Auditor Staschiak asked that the legal opinion was provided by the City Law Director to be forwarded to him. Councilwoman Frische added that the WATER AND SEWER COMMITTEE had asked for follow-up that needed to come back to the committee but did not happen and then the Administration made changes which is why she is out of the loop. The committee did not receive the legal opinion either. The committee asked for a definition of what a commercial property is. There are residential property owners that have questions (i.e. if their duplexes would be required to have backflows put in). She asked the Service Director/Acting City Engineer to email answers to those questions. Service Director/Acting City Engineer Thomas replied that he will do so.

Councilman Wobser asked for an update on the repairs to the crosswalks. Service Director/Acting City Engineer Thomas replied that representatives from the manufacturer were in last Tuesday. They spent the day here. When they left at the end of the day, all of the crosswalk lights were working. He did not get a chance to go out today to make sure they were still working, but he is under the impression that they are. Councilman Wobser replied that he can verify that is true. He thanked Service Director/Acting City Engineer Thomas for getting them fixed. It is a big step forward and makes a huge difference regardless if you use them or not.

Councilman Wobser thanked City Auditor Staschiak for putting together the summation of the union contracts which is a great document to go through and compare the contracts. It is easy to find information on them. The City debt summary that City Auditor Staschiak provided is very telling and warrants conversation on how the City is doing with debt. The City's debt continues to come down. By the end of this year, the debt will be down to below fifteen million dollars (\$15,000,000.00). City Auditor Staschiak nodded in agreement. Councilman Wobser added that by 2030, the City will be completely out of debt. The City is in really good shape with its debt service which allows for the City to be able to do a lot of different things financial things and through strategic planning.

Councilman Watson noted that he received some phone calls from a couple of Greenacre Drive residents on the smell of Dalzell Ditch and things being dumped in it. He asked what the Administration can do about those two (2) items. Safety Director Schmelzer replied that he also took a complaint that he forwarded to the Division of Soil and Water who are responsible for the maintenance of it. They investigated it within a couple of days of the complaint. Complaints can be forwarded to him. He will track them and follow through on them. The ongoing and largest issue is the establishment of vegetation in the ditch. He has discussed that with the Division of Soil and Water, so they are aware of it and are working on it. They are trying to come up with a solution for it in attempts to cut down on some of the erosion and odor once those banks are established. Councilman Watson noted that there has been a sewer overflow issue in that area and asked if that could be contributing to the smell. Service Director/Acting City Engineer Thomas replied that is possible. Councilman Watson asked if there are any possible remedies. Service Director/Acting City Engineer Thomas replied that he discussed it with the City's Sewer Department today. They are going to check if that may or may not be the cause and see if there is anything the City can do to take care of it.

Councilwoman Frische asked for an update on new meters and software for the Water Department. There is a bid coming to the City, but is on hold. Service Director/Acting City Engineer Thomas replied that he and Water Treatment Superintendent Phillips came up with some possible options. They are getting some prices and quotes for those other options. They want to make sure that if any committee wants to look into them, that they have everything laid out and can answer any questions there may be about it in just a meeting or two in an attempt to eliminate multiple meetings. Councilwoman Frische asked if that will be within the next month or so as there is a rush on it. Service Director/Acting City Engineer Thomas replied that is his hopes.

**NEW BUSINESS** - none.

President of Council Pro-Tem Russel adjourned Council at 7:50pm.

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL PRO-TEM