

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

AUGUST 6, 2019

COUNCIL CHAMBERS

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

ABSENT: none

President of Council Monday opened the meeting with the Pledge of Allegiance and a moment of silence in memory of the victims of El Paso, Texas and Dayton, Ohio this past week.

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Councilman Slough moved to accept the July 16, 2019 Public Hearing minutes for fiscal year 2020 revenue estimates, Councilman Hellmann seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the July 16, 2019 Public Hearing minutes to rezone 606 Howard Street via Ordinance No. 2019-044, Councilman Slough seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Harrington moved to accept the July 16, 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 Russel moved to replace and add the following on tonight's agenda, seconded by Councilman Hellmann. All were in favor. Motion carried. Filed.

REPLACEMENTS:

1. Ordinance No. 2019-059 (**LEGISLATION** section) – Runway 7/25 Rehab – Crack Seal Design/Construction; Rehabilitate Taxiway A (A4 to A6) – Design
 - Changed 2nd TO: project number to now be #359293400
2. Ordinance No. 2019-063 (**LEGISLATION** section) – Country Club Drive Slope Rehabilitation
 - Added TO: project number #32593900

ADD-ONS:

1. Letter from Clerk of Council (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section) – funds for Bricker & Eckler LLP invoice
2. Ordinance No. 2019-064 (**LEGISLATION** section) MWCD/ODNR state funding for continued flood mitigation efforts
3. Ordinance No. 2019-065 (**LEGISLATION** section) – safety upgrades to Police cruisers
4. Ordinance No. 2019-066 (**LEGISLATION** section) – funds for Bricker & Eckler LLP invoice

RECOGNITION/RETIREMENT RESOLUTIONS:

Lori Brodie, Auditor of State’s Office, is before Council to present an award to the City Auditor’s Office. She is here on behalf of State Auditor Keith Faber to present the City of Findlay with the Auditor of State Award with Distinction. This award puts the City of Findlay in a very selective group. The Auditor of State’s Office audits approximately five thousand nine hundred (5,900) entities in the state with only three to five percent (3-5%) being eligible for the award. The Auditor of State Award with Distinction is presented to local governments and school districts upon a completion of a financial audit that meet the following criteria of what is considered a clean audit:

- complete comprehensive annual financial reporting
- CAFR within six (6) months of fiscal year end
- have a clean audit with no findings for recovery, no material citations, material weaknesses, significant deficiencies, single audit findings or questioned cost
- have no other financial concerns
- the management letter contains no comments related to ethics referrals, question costs less than ten thousand dollars (\$10,000.00), lack of timely report submission or reconciliation issues, failure to obtain a timely single audit, findings for recovery or any public meetings or public record issues

Those are just some of what has to be adhered to in the Findings Department. This award represents the hard work of every City employee who strives each day to achieve accounting excellence. She recognized City Councilmembers and Mayor Muryn who have done an excellent job of accounting for every dollar here in the City of Findlay. She recognized James Staschiak, City Auditor, for his outstanding leadership, professionalism, and commitment to fiscal integrity. On behalf of the Auditor of State Keith Faber, she is presenting to the City of Findlay the Auditor of State Award with Distinction.

Discussion:

City Auditor Staschiak thanked Ms. Brodie and noted that it is an honor to accept the award for the City of Findlay as a whole and on behalf of his staff who work hard every day. Filed.

PROCLAMATIONS: none

PETITIONS:

Zoning amendment request – 726 S Blanchard St

David Rader and Brian Rader would like to change the zoning of 726 South Blanchard Street to R4 Duplex/Triplex. It currently is zoned as C1 Local Commercial District. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

Zoning amendment request – Speedway Dr

VanHorn, Hoover & Associates, Inc. on behalf of Nickolas Asset Management LLC (aka Nickolas Asset XVI, LLC) would like to change the zoning of 0 Speedway Drive to I1 Light Industrial. It currently is zoned C2 General Commercial District. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

ORAL COMMUNICATIONS:

Carol and Audie McDonald – tree cuts in overflow ditch in their property

Ms. McDonald notified Council that for the second time yesterday, they experienced a dumping of tree branches into the overflow. All the rain they had this last spring did some damage. There are tree limbs that have been there for two (2) years now from trees being trimmed around electrical lines. It is a big problem. Mr. McDonald added that whomever trimmed the trees the other day left what they took down. They did not haul anything away. They had a large chipper/shredder, but did not chip or shred anything. They left it piled in the ditch which is an overflow ditch. If the ditch plugs up, the water will come into their backyard, shed, and possibly all of the houses in the area. He is unsure who is responsible for the ditch, but noted that they had two (2) trees cut down last year and were told that it is the property owner's responsibility to pay for those trees that were cut down which is about a three hundred dollar (\$300.00) fee. He asked if that is the case, why the branches are being left in the ditch as that could end up being their problem too and would have to pay for that. They provided photos.

Discussion:

Councilwoman Frische asked if it is an electric company that is doing tree trimming. Ms. McDonald replied it is whatever service the City has in town. Councilwoman Frische replied that the City does not trim trees and asked Safety Director Schmelzer who it could be. Safety Director Schmelzer replied there are different vendors who do that depending on the area. He thinks it was American Electric Power (AEP) as he has already contacted them regarding some other tree trimming. He will look into this situation and reach out to AEP to see if it is their contractor and if so, have them take some action. Mr. McDonald added that the tree branches they left are at the top of the ditch.

Councilman Niemeyer noted that Wright Brothers' Tree Service are working for AEP right now. He knows this because he was made aware of another problem by them. It is possible they are who did this, but AEP would be able to answer that. Safety Director Schmelzer replied that he will check with AEP. He is not sure if AEP has the same contractor handling the whole contract.

Councilman Harrington noted that they are trimming around utility lines on the south end of Findlay. He is unsure if it is electric lines or what type of utility lines. They currently are still on the south end of Findlay.

Councilwoman Frische asked what ditch it is and if the Soil and Water Conservation District should look into this. She asked if the whole length of the ditch is full of trimmings or just certain areas. Ms. McDonald replied just certain areas. Councilwoman Frische replied that the County Commissioners should be notified so that they can also contact AEP. Safety Director Schmelzer that it would be Soil and Water.

Ms. McDonald also mentioned that there is a tree at the cul-de-sac that is overgrown. It is difficult to see cars coming when pulling out. She asked if that could be taken care of. Safety Director Schmelzer replied he will also take a look at that. Filed.

Wayne Breitigam – West Park bike and walking path

Mr. Breitigam is before Council about the bike and walking path both in and out of West Park. They, as a community, are landlocked in their neighborhood and have no way to get out by walking or riding a bike. He provided this scenario: a junior high school student get up late and misses the bus, so he has to ride his bike to get to school because his parents have already left for work. He will have to cross lanes of traffic coming off of U.S. 68/I-75, or I-75 to U.S. 68/15 which is a dangerous situation. There are approximately one (100) children in his neighborhood. They had a beautiful bike path that worked very well that went down to Cooper by the Department of Natural Resources (DNR). It had a stoplight to cross, but has been taken away and there is nothing now. West Park deserves better than that. The State Engineer and an Ohio Department of Transportation (ODOT) Supervisor attended their last Block Watch meeting where they explained the roundabouts ensuring that they would save traffic deaths and minimize serious accidents, but did not guarantee that a child would not be killed while crossing two (2) major highways to go to school or a playground somewhere else in the City (i.e. Emory Adams Park), which is very busy place. He does not understand why West Park is never at the forefront of any conversations on improvements or how changes will affect those who live there. They are not only at the end of the line when the City does things, but also at the State level as well. They had a nice bike and walking path before all of the construction started. There was a traffic light at the corner of Western/Lima, but now there is nothing. They are landlocked into a corner of town that the City is happy that they cannot get out of. He asked why the residents of West Park are always being thought of as not mattering and just do not count anymore. There is a lot of talk about new bike paths in other parts of the City, but there have been no conversations with the West Park residents. He asked how they will get in and out of their neighborhood. He would like for the West Park residents to be given some attention and correct a very dangerous situation for their kids sake and for those that walk to the store, playgrounds, and elsewhere in the City. Their playgrounds have very little for their children to enjoy. They had a ballfield at one time, but that is now gone. It is time to start looking at the West Park area to bring them up to what the rest of the City has. They also pay taxes and deserve what everyone else in the City has. The City needs to do something before a child is killed. They love their kids as much as everyone else sitting on this Council. He suggested Council put themselves in their shoes and do the right thing. They had a beautiful bike path before. They were told that when the construction started, it would be replaced by something, but what it is being replaced with is not adequate for the children living in West Park.

Discussion:

Safety Director Schmelzer informed Mr. Breitigam that he would be happy to sit down with him and the residents of West Park to find out what exactly they are wanting. When the path was originally put in, which was before ODOT was looking at their project, it was with the intent that it would be replaced in its entirety with a crosswalk. He has are some records that elude to what was planned. He has had some conversations with ODOT on the replacement of that path. It was purposefully put in with some stone base and some asphalt at minimum as part of a TAP project. He can provide those records to Mr. Breitigam for review of what they had told him and compare it to his notes. Mr. Breitigam replied that ODOT told them during their meeting that they will not put stoplights in because that is the reason for the roundabouts which is to eliminate stoplights. Safety Director Schmelzer replied that could be the case, but there should be crosswalks and other signage that give pedestrians right of way. Mr. Breitigam replied that the traffic in those areas with those interchanges is not safe for a child to make a judgement whether or not they should cross that street or not. Regardless of what the traffic laws say, people do not always follow the law. Filed.

The West Park neighborhood and Council will feel very bad when a child is killed there. Council needs to address the situation as soon as possible. Safety Director Schmelzer replied that he would be happy to sit down with Mr. Breitigam and talk about it. He is unsure what ODOT has planned, but he would be happy to look into it. Filed.

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals minutes –June 13, 2019. Filed.

Safety Director Schmelzer – insurance payment on Police cruiser

The City has received payment for the replacement of a police cruiser from an accident from the City's insurance company in the amount of \$25,961.50 that has been deposited in the General Fund. Legislation to appropriate the funds is requested. Ordinance No. 2019-055 was created.

FROM: General Fund (insurance proceeds)	\$25,961.50
TO: Police Department #21021000-other	\$ 25,961.50

Filed.

City Income Tax Monthly Collection Report – July 2019. Filed.

Mayor Muryn – City Planning Commission appointment

Mayor Muryn is reappointing Jackie Schroeder to the City Planning Commission. Her appointment will be effective through July 7, 2025. This appointment does not require Council confirmation. Filed.

City Planning Commission agenda – August 8, 2019. Filed.

Law Director Rasmussen - funds for postage for certified mail for DFID assessment

Resolution No. 012-2019 was passed during the March 19, 2019 City Council meeting for a renewal of the DFID assessment requiring a certified mailing to each property owner. Funds will be needed for this causing a shortage in Council's budget. An appropriation of funds is requested to pay for postage and certified mail services for this assessment. Legislation to appropriate one thousand dollars (\$1,000.00) from the General Fund to cover the postage costs is requested. Ordinance No. 2019-056 was created.

FROM: General Fund	\$ 1,000.00
TO: Council #21001000-other	\$ 1,000.00

Filed.

Law Director Rasmussen – DFID legislation

Resolution No. 020-2019 and Ordinance No. 2019-057 will be before you at the August 6, 2019 meeting. They are the last pieces of legislation for the Downtown Findlay Improvement District (DFID). Resolution No. 020-2019 is to provide enhanced public services in the Downtown Findlay Improvement District, and Ordinance No. 2019-057 allows the Clerk of Council to certify the assessments to the Hancock County Auditor's Office. Notice of assessments were mailed July 22, 2019, and while some questions were asked, no one has filed an objection within the statutory timeline. He is requesting Council to give both pieces of legislation their first reading during the August 6, 2019 City Council meeting, and then their second and third readings during the August 20, 2019 meeting so that they may be timely filed with the Hancock County Auditor's Office. The filing deadline with the Auditor's Office is September 9, 2019. Filed.

Mayor Muryn – 2nd qtr 2019 Key Performance Indicators (KPIs)

The second quarter Key Performance Indicators of "KPIs" have been compiled. They are the performance measurements that are monitored for each department on a continuous basis. The KPI document "Findlay Performs" can also be found on the City website:

<https://www.findlayohio.com/governmetn/transparency-performance>).

Highlights:

- General Fund spending is about even with the budget at a .98 spend rate.
- Lost days related to worker's compensation is higher than target related to two (2) specific claims
- Overtime is over the target due to the timing of leaves and some staff transitions in Police, Fire and Dispatch
- Jet fuel sales have increased in the second quarter and are better than target
- Zoning permit violations are down over the prior year
- Unaccounted for water dropped from levels over twenty percent (20%) to eleven and eight-tenths percent (11.8%) for the month of June. This will be monitored to sustain acceptable levels.

These KPIs are a critical tool used to measure service delivery and operational effectiveness of the City. They indicate the progress towards goals set for continuous improvement. Filed.

Mayor Muryn – proposed Blanchard Street restriping

Attached is a summary of the history, data and next steps for the currently proposed modifications to Blanchard Street. Over the last few years, the City of Findlay has submitted applications for funding for projects through the Transportation Alternative Program (TAP) which is funded by the Ohio Department of Transportation (ODOT). In mid-2016, after receiving approval from Council, the City submitted an application requesting funding for a multi-use path on Lincoln Street from Cory to Blanchard Street, a multi-use path on Blanchard Street from 6th Street to the existing path on the north side of the river, and adding sharrows on Sandusky Street from Blanchard Street to County Road 236. Following the review of the City's application, ODOT determined that the Sandusky Street project was not warranted at this time and only approved funding for the Lincoln and Blanchard projects. The TAP grant funding was for ninety-five percent (95%) of construction up to one million two hundred fifty thousand dollars (\$1,250,000). In January 2018, the City requested qualifications from engineering firms.

Qualifications were received from eight (8) firms with half of them recommending a redistribution of lane widths with the belief that modifying the lane widths would increase the safety of the corridor while also accommodating future projected traffic volumes.

In May 2018, the City conducted a standard walkthrough with ODOT. During that meeting, ODOT expressed concerns about the work on Blanchard Street and did not believe that the multi-use path along the side of the road could be accommodated due to the limited space and need for ADA compliance. They also believed that a more efficient and safer layout for the corridor could be generated from a redistribution of lanes. After receiving recommendations from various firms, ODOT and with permission from the Traffic Commission, the City requested the selected consultant complete an additional traffic and safety study. The study was shared with Council on October 2, 2018 and a submitted a request to apply for Safety Funds through ODOT to comply with TAP grant funds. On October 10, 2018, ODOT approved a safety grant for ninety percent (90%) of construction up to one million five hundred thousand dollars (\$1,500,000) for lane distribution, resurfacing, bike lanes, and traffic signal improvements from 6th Street to Tiffin Avenue.

As of July 30, 2019, the selected consultant, GPD Group, is working to complete additional renderings and the City, along with ODOT, should have final plans and specifications completed by the end of October. Filed.

Service Director/Acting City Engineer Thomas – Easements for American Electric Power

American Electric Power (AEP) will be relocating two (2) transmission lines located along the City’s Swale Park property to accommodate the Maumee Watershed project. AEP is requesting a new easement for each line so that they can have legal access for maintenance purposes in the future. These easements will be fifty feet (50 ft) wide and will be centered on the power lines. Legislation authorizing the Mayor to sign the necessary paperwork to grant the easement is requested. Ordinance No. 2019-058 was created.

Discussion:

Councilman Hellmann asked if this is an overhead or underground utility. Service Director/Acting City Engineer Thomas replied it is an overhead. Councilman Hellmann asked if there will be high-tension power lines going through the middle of the park. Service Director/Acting City Engineer Thomas replied yes, but will not be through ballfields. There are lines that run through there now. They are rerouting them to get them through the benching area. Councilman Hellmann asked if it will interfere with the recreational area. Service Director/Acting City Engineer Thomas replied no. Filed.

Service Director/Acting City Engineer Thomas – Runway 7/25 Rehab – Crack Seal Design/Construction (35293200) & Rehabilitate Taxiway A (A4 to A6) – Design (35284800)

The Federal Aviation Administration (FAA) has awarded the City a grant in the amount of one hundred eighty-four thousand four hundred seventy-three dollars and fifty cents (\$184,473.50) for these projects. These projects are included in the 2019 Capital Improvement Plan. Legislation to appropriate and transfer funds, along with authorization to sign the grant agreement is requested. Ordinance No. 2019-059 was created.

FROM: FAA Grant	\$ 131,273.50
FROM: CIT Fund – Capital Improvements Restricted Account	\$ 6,909.50
TO: Runway 7/25 Rehab – Crack Seal Design/Construction #35293200	\$ 138,183.00

FROM: FAA Grant	\$ 53,200.00
FROM: CIT Fund – Capital Improvements Restricted Account	\$ 2,800.00
TO: Rehabilitate Taxiway A (A4 to A6) – Design #35293400	\$ 56,000.00

Filed.

Service Director/Acting City Engineer Thomas – 2019 Annual Manhole Adjustment Program #35691600

This program was initiated this year to allow the Street Department to adjust manholes as necessary to improve the rideability of the road and decrease the odds of damaging snowplow blades in the winter months. The project is in the Capital Plan with a total estimated cost of a fifty thousand dollar (\$50,000.00) split between the Sewer Fund and the Stormwater Fund. Previously, twenty-five thousand dollars (\$25,000.00) was appropriated from the Sewer Fund and now the remainder needs to be appropriated from the Stormwater Fund. Legislation to appropriate and transfer funds is requested. Ordinance No. 2019-060 was created.

FROM: Sewer Fund – Stormwater Restricted Account	\$ 25,000.00
TO: 2019 Annual Manhole Adjustment Program #35691600	\$ 25,000.00

Filed.

Service Director/Acting City Engineer Thomas – 2019 Annual Sewer Televising #35691400

By authorization of Ordinance No. 2019-013, a bid opening was held for this project on July 31, 2019. Bids were received from four (4) potential contractors with the base bid amounts ranging from two hundred thirty-five thousand five hundred eighty-one dollars and forty-four cents to four hundred fifty-three thousand three hundred nineteen dollars and no cents (\$235,581.44 - \$453,319.00). There were also three (3) alternates as part of the bid ranging from five thousand five hundred seventy-eight dollars and ninety-one cents to twelve thousand eight hundred sixty dollars and no cents (\$5,578.97-\$12,860.00). The lowest and best bid was received from Taplin Group, LLC of Kalamazoo, Michigan. This project is included in the 2019 Capital Improvements Plan with an estimated cost of three hundred thousand dollars and no cents (\$300,000.00). The full amount is being requested to appropriate since the bid amount is less than what was included in the Capital Plan so that additional sections of sewer can be added to the project. Legislation to appropriate funds is requested. Ordinance No. 2019-061 was created.

FROM: Sewer Fund	\$ 280,000.00
TO: 2019 Annual Sewer Televising #35691400	\$ 280,000.00

Discussion:

Councilman Russel asked if this is on hold until this appropriation goes through. Service Director/Acting City Engineer Thomas replied it is. He cannot award them the contract to do the work until Council approves the appropriation. Councilman Russel asked if it will start sooner and/or will be able to get more done if the appropriation is passed tonight. Service Director/Acting City Engineer Thomas replied that the amount they will be able to get done depends on the amount of money that is appropriated. If it is approved tonight, they will be able to start sooner, but will still only spend what that dollar amount is. They will not be able to get more done if it is approved tonight, but could get it done sooner. Filed.

Service Director/Acting City Engineer Thomas – ODOT Municipal Bridge Inspection Program

The City of Findlay is currently a member of ODOT’s Municipal Bridge Inspection Program. As part of this program, ODOT inspects the bridges that the City is responsible for. ODOT provides their findings to the City. The current program will be ending on December 31, 2019, so ODOT is in the process of renewing the program for three (3) more years until 2022. The program includes any Ohio municipality with bridge inspection responsibilities and has a population of less than fifty thousand (50,000). Legislation authorization the Mayor and the President of City Council to sign the necessary paperwork to enter into the Ohio Department of Transportations’ Municipal Bridge Inspection Program. Ordinance No. 2019-062 was created.

Discussion:

Councilman Wobser asked if this shifts the City’s liability to the State. Service Director/Acting City Engineer Thomas replied no. Councilman Wobser asked if they just come in and do the inspections for the City. Service Director/Acting City Engineer Thomas replied that is correct. As long as the City meets the requirements (population under 50,000), we can apply for it. There are four (4) bridges that the City is responsible for (Martin Luther King Parkway, Blanchard Street over the Blanchard River, Trenton Avenue over the CSX tracks, and Saratoga Drive over Rush Creek). The rest of the bridges fall under the County or ODOT. Councilman Wobser asked if the inspection passes, but then the bridge collapses if the liability is shifted. Safety Director Schmelzer replied that the liability would be no different from any other consultant that the City has hired. This is something that ODOT has contracted with the City to do. They do bridge inspections every day and are fairly conservative with their reviews. In this situation, the liability remains the same whether the City hires someone or if ODOT does it for us. Councilman Wobser replied that he feels that whomever does the inspection should have some skin in the game. The City puts good faith in their reports. Safety Director Schmelzer replied that there is nothing that precludes the City from examining those results and doing our own visual inspection. At the end of the day, anyone can take the City to court for anything. Filed.

Service Director/Acting City Engineer Thomas – Country Club Drive Slope Rehabilitation

There has been a failure in the north bank of the Blanchard River on Country Club Drive just south of Glen Road. A storm sewer runs through the failure area, has been damaged and cannot be properly repaired until the bank is repaired. The bank can continue to move until it is repaired. In that event, the road could be undermined making it necessary to close the road. The City’s Engineering Department advertised for qualifications from consulting firms. The highest scoring firm was S&ME, Inc. of Dublin. The proposal from S&ME would include all soil borings and testing, survey and mapping, drawings and specifications, as well as environmental permit preparation and assistance and construction services with a total fee of ninety-eight thousand seven hundred thirty-one dollars and no cents (\$98,731.00). This project was not included in the 2019 Capital Improvement Plan, therefore, the Appropriations Committee might want to discuss the project. Legislation to appropriate funds is requested. Ordinance No. 2019-063 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 98,731.00
TO: Country Club Drive Slope Rehabilitation #32593900	\$ 98,731.00

Discussion:

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

Councilwoman Frische noted that she lives around the corner from this. She asked if there are structural issues in the road. Service Director/Acting City Engineer Thomas replied that there is not, but water is not good in those situations. The more rain there is, the more likely it is for it to continue to move. Councilwoman Frische asked what caused this and if it is collapsing. Service Director/Acting City Engineer Thomas replied that the sewer did not collapse. The bank rotated. It could be some erosion on the downstream side, plus water. The sewer did not cause the problem. The bank rotated. It could have been some erosion on the downstream side, as well as water. When the bank moved, it pulled the pipe apart. If it continues to move, it will continue to pull it apart. It is big issue that needs to be addressed sooner rather than later, but does not have to be done tonight.

Councilman Russel asked if this includes the construction costs and if that would include another appropriation. Service Director/Acting City Engineer Thomas replied that would be something different because it is unknown what the solution is going to be. It could be as simple as the bank needs to be cleared and insert some gabions, which are wire baskets full of rocks at the bottom. Or, it could be as complicated as putting in a concrete retaining wall. He is unsure what the solution will be at this point in time, so he is unsure what the cost will be. This request is for all the Engineering services. Once the designs and options are known, he will come back to Council with an estimate before it is bid out.

Councilwoman Frische asked if there is any other liability or partnering with the County since it is the river and the bank of the river eroding. She asked if property owners have any responsibility to clean and maintain their area. Safety Director Schmelzer replied that river banks move and have the legal ability to move. It is up to the City to determine whether or not to control that movement to protect the asset which is the road. If he was with any of the other interested parties (i.e. County) in regard to flood mitigation, they can certainly entertain the question, but would have to look at the purpose behind it which is to protect a City asset.

Councilman Russel asked if the appropriation is needed now or wait until additional information is gained, or if Council has enough information now to appropriate the funds now. His thoughts are that Council does have enough information and should appropriate the funds on an emergency. He will vote in favor to suspend the rules and give the Ordinance its second and third readings tonight.

Council President Monday asked if Council wants this to go to the Appropriations Committee. Councilman Harrington replied that it will come up as a first reading during the LEGISLATION portion of tonight's meeting and can be addressed then.

Councilwoman Frische asked if the City Engineering Department can do any of the work themselves to save on costs. Service Director/Acting City Engineer Thomas replied that the soil borings part would have to be contracted out. It would be easier to group all the work together so that the contractor can make sure they have what they want to get the job done. If the City does some of the work, it might be done differently than what the contractor was planning to do.

Councilman Monday noted that interest to refer it to the Appropriations Committee was not expressed, so he will not refer it there. Filed.

Mayor Muryn – agreement with ODNR and MWCD

The City has been working with the Maumee Watershed Conservancy District (MWCD) and the Ohio Department of Natural Resources (ODNR) to determine a path forward to receive capital funding from the State of Ohio in their continued efforts to advance flood mitigation in our community. It is requested that the fifteen million dollar (\$15,000,000) appropriation be covered by the funds expended locally for the benching project as it will be vital to the success of the project. ODNR has approved that request with the condition that the City maintain and own the area for a minimum of fifteen (15) years to coincide with the life of the bonds for the project. This agreement sets forth the agreement to those terms and is in concert with a previously signed agreement with MWCD. Legislation authorizing the Mayor to enter into an agreement with ODNR is requested. Ordinance No. 2019-064 was created.

Discussion:

Councilwoman Frische asked that the letter be read into the record, seconded by Councilman Hellmann. All were in favor. The Council Clerk read the letter in its entirety.

Councilwoman Frische asked if the reason the City is keeping ownership for fifteen million dollars (\$15,000,000) is because of matching funds. Mayor Muryn replied that as a requirement of them providing the matching funds, the City is to maintain it to protect the asset for the life of their bonds. Councilwoman Frische asked if it requires any liability or anything additional. Mayor Muryn replied not that she is aware of.

Councilman Wobser asked what it will cost to maintain it. Safety Director Schmelzer replied that it depends on how much the City wants to mow it. He can provide the green space plan for what the Conservancy District has approved. This is basically the benching project. Associated with it was a reroute of the path to the upside of the slope as well as some planting of different types of tall grasses. If the City chooses to let them grow, there will be very little if any maintenance costs. If the City wants to mow it and/or doing anything with the park, they will be able to do so. Maintenance costs should be very low. Mayor Muryn added that it does not change the plan with the properties. The City has been maintaining them for quite some time.

Councilman Wobser noted that the exhibits that are mentioned in the contract are not attached and asked if they are available. Safety Director Schmelzer replied that the exhibits are available and he will provide them to Council. They should have been included with this. Filed.

Clerk of Council DeVore – funds for Bricker & Eckler LLP invoice

In May of this year, City Council requested outside legal counsel’s review of the Sale Agreement for City-owned property located immediately west of 524 South Main Street (parcel number 600001008730). Attached is the invoice of those services that Bricker & Eckler LLP provided. Council’s budget did not take this into account, therefore, funds are needed to pay the invoice. An appropriation of five thousand dollars (\$5,000.00) is being requested to be appropriated from the General Fund to Council’s account #21001000-other. Ordinance No. 2019-066 was created.

Discussion:

Councilwoman Frische asked that the letter be read into the record, seconded by Councilman Wobser. All were in favor. The Council Clerk read the letter in its entirety.

Council President Monday asked Law Director Rasmussen if a motion is needed to refer this to the Appropriations Committee and how Council gets the authority to approve the money. Law Director Rasmussen replied there is legislation for this. Filed.

COMMITTEE REPORTS: none

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 019-2019 (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 Slough. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, 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.

RESOLUTION NO. 020-2019 (DFID – renewal petition) requires three (3) readings

first reading

A RESOLUTION DECLARING IT NECESSARY TO PROVIDE ENHANCED PUBLIC SERVICES IN THE DOWNTOWN FINDLAY IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCES:

ORDINANCE NO. 2019-048 (*ODOT FY20 Resurfacing/HAN-CR-236-0.00*) requires three (3) readings
third reading - adopted

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

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-048 and is hereby made a part of the record.

ORDINANCE NO. 2019-049 (*annual street resurfacing/curb repairs 2019*) requires three (3) readings
third reading - adopted

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

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-049 and is hereby made a part of the record.

ORDINANCE NO. 2019-050 (*WPC UV replacement*) requires three (3) reading
third reading - adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-050 and is hereby made a part of the record.

ORDINANCE NO. 2019-051 (*Utility Billing software*) requires three (3) readings
third reading - tabled

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT OR CONTRACTS WITH MUNI-LINK FOR THE UPDATING OF THE CITY OF FINDLAY'S UTILITY BILLING DEPARTMENT'S SOFTWARE, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

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

ORDINANCE NO. 2019-052 (*E. Bigelow Avenue Waterline Replacement Project*) requires three (3) readings
second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

second reading of the Ordinance.

ORDINANCE NO. 2019-053 (*Capital Improvement Appropriation for June Allocation*) **requires three (3) readings**
second reading

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.
second reading of the Ordinance.

ORDINANCE NO. 2019-055 (*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 Watson. Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilwoman Frische. Ayes: Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-055 and is hereby made a part of the record.

ORDINANCE NO. 2019-056 (*DIFD postage costs*) **requires three (3) readings**
first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
first reading of the Ordinance.

ORDINANCE NO. 2019-057 (*DFID - certify assessments*) **requires three (3) readings**
first reading

AN ORDINANCE DETERMINING TO PROCEED WITH THE PROVISION OF THE ENHANCED PUBLIC SERVICES IN THE DOWNTOWN FINDLAY SPECIAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.
first reading of the Ordinance.

ORDINANCE NO. 2019-058 (*AEP easements*) **requires three readings**
first reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO EXECUTE EASEMENT AGREEMENTS PER LOCATION WITH AMERICAN ELECTRIC POWER FOR THE RELOCATION OF TRANSMISSION LINES LOCATED ON CITY-OWNED PROPERTY, IN ORDER TO ACCOMMODATE THE MAUMEE WATERSHED PROJECT TO ENABLE LEGAL ACCES FOR MAINTENANCE PURPOSES, AND DECLARING AN EMERGENCY.

Councilwoman Frische moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Niemeyer. Ayes: Frische, Niemeyer. Nays: Slough, Watson, Wobser, Harrington, Hellmann, Ostrander, Russel, Shindledecker. Motion fails.

first reading of the Ordinance.

ORDINANCE NO. 2019-059 requires three (3) readings

(Runway 7/25 Rehab – Crack Seal Design/Construction; Rehabilitate Taxiway A (A4 to A6) – Design)

first reading – adopted during OLD BUSINESS

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION, AND APPROPRIATE \$9,709.50, FIVE PERCENT (5%) OF THE TOTAL PROJECT AMOUNT FOR THE CONSTRUCTION OF RUNWAY 7/25 REHAB CRACK SEAL DESIGN/CONSTRUCTION PROJECT NO. 35293200, AS WELL AS THE REHABILITATION TAXIWAY A (A4 TO A6) DESIGN PROJECT NO. 35284800, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2019-060 (2019 Annual Manhole Adjustment Program) requires three (3) readings

first reading

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

first reading of the Ordinance.

ORDINANCE NO. 2019-061 (2019 Annual Sewer Televising) requires three (3) readings

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2019-062 (ODOT Municipal Bridge Inspection Program) requires three (3) readings

first reading - adopted

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO RENEW THE CURRENT MUNICIPAL BRIDGE INSPECTION PROGRAM, AND DECLARING AN EMERGENCY.

Councilman Russel 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, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-062 and is hereby made a part of the record.

ORDINANCE NO. 2019-063 (Country Club Drive Slope Rehabilitation) requires three (3) readings

first reading - adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Russel pointed out that river banks and less heavily traveled roads might not seem like an issue, but for those who travel on them, it is important to them. It is in Council's best interest to move quickly on this, especially with the amount of money involved and the City's current financial position on it which is why he moved to suspend the rules and give it its second and third readings tonight. He is in favor of passing this tonight.

Councilman Wobser asked if the Fire Department would be able to use that road in case of a fire or if they would come down Tiffin Avenue. Safety Director Schmelzer replied that he would not rule out the use of that road for any emergency service and/or for any citizen to use. The Engineering Department has been keeping good track of whether or not that pavement section has been moving since the storm sewer issue was first discovered which was a number of months ago. The Service Director's/Acting City Engineer's description in this letter of what has happened is adequate in that a previous rain storm (not the most recent one) had caused some slope movement in addition to the water that is moving through that storm sewer causing the majority of what we are looking at. The City is taking a very proactive stance with this. There is no risk to any vehicle that is going down that road or any risk to us really worsening the situation with any load that we could put on it with any vehicle. It is just a matter of waiting for the next flood to more seriously undermine the bank, because at some point, if nothing is done, the road may have to be closed. Councilman Wobser asked if this might be a potential problem down the road for the Reservoir, or if it is just because of the sewer separating that is causing the additional erosion. Service Director/Acting City Engineer Thomas replied that he cannot say for sure what caused it. On the other side of the banks, there appears to be metal plating through part of it. It is hard to get to the area especially with the slope, so he is not eager to try to get down there. He is unsure why they did not put plating everywhere or if they did, the plating has moved over the years. It does not appear that there are any issues upstream or downstream in that area. It appears to be focused in just that area.

Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-063 and is hereby made a part of the record.

ORDINANCE NO. 2019-064 requires three (3) readings

(MWCD/ODNR state funding for continued flood mitigation efforts)

first reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH THE MAUMEE WATERSHED CONSERVANCY DISTRICT AND THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE CONTINUATION OF FLOOD MITIGATION EFFORTS, AND DECLARING AN EMERGENCY.

first reading of the Ordinance.

ORDINANCE NO. 2019-065 *(safety upgrades to Police cruisers)* requires three (3) readings

first reading

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY OF THE CITY OF FINDLAY, OHIO, TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS, AND ENTER INTO A CONTRACT OR CONTRACTS WITH D.R. EBEL, FOR THE MANADTORY SAFETY EQUIPMENT UPGRADES TO THE CITY OF FINDLAY POLICE DEPARTMENT'S NEW CRUISERS, AND DECLARING AN EMERGENCY.

Discussion:

Safety Director Schmelzer informed Council that this is a vendor that the City has used to outfit the Explorers when cruisers are purchased. The City has used the same vendor to outfit the cruisers in very similar fashion by design for the past five (5) or six (6) years. As part of a purchase, the City contracts them to do exactly the same thing in all the vehicles, but are now over the fifty thousand dollar (\$50,000.00) limit because of the number of vehicles that the City is purchasing and are now asking Council's permission to do the same exact thing that has been done in all of the cruisers to maintain the uniformity, so that they all operate in similar fashion. In the past, when four (4) vehicles were purchased at a cost of twelve thousand dollars (\$12,000) each to outfit them, the City went directly to that vendor, but now that the City is purchasing five (5), they are asking for Council's permission to do the same exact thing that has always been done in all of the cruisers to maintain uniformity, so that when Officers get into the vehicles, they all operate in similar fashion. Pricing per vehicle has gone up a little every year, but not significantly. This company has done a fine job outfitting the cruisers. The Police Department, Officers and leadership are satisfied with the product, so he is requesting Council's permission to go with the same vendor this year.

Councilman Slough asked if this being requested as an emergency legislation. Safety Director Schmelzer replied that is not necessary. He is just providing the background on the request.

Councilman Hellmann asked if these vehicles are currently being used. Safety Director Schmelzer replied that they are not in use because they cannot be used until they are outfitted. The sooner the legislation is passed, the sooner they can be outfitted and be used. This is a vendor that puts on lights, back seats, cages, drains in the floor, etc. They do a lot of interior work.

Councilman Frische asked if they are a state contracted vendor. Safety Director Schmelzer replied that he is unsure if this scope of work falls under a state bid because their request is so varied. Each Police Department is so different in how they want things outfitted. For example, the type of backseat that is put in requires a drain in the floor, a slide cage between the front and back seat, etc. He doubts that this would be a state bid. He looked at past vendors and evaluated their service and their products and made sure that the price has not escalated by going back to the same vendor every time.

first reading of the Ordinance.

ORDINANCE NO. 2019-066 (*Bricker & Eckler LLP invoice*) **requires three (3) readings**

first reading

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 Niemeyer.

Discussion:

Councilwoman noted that since this is just for insurance proceeds, she is asking for all three (3) readings tonight. Council corrected Councilwoman Frische stating that this is a different Ordinance than what she is referring to.

Councilwoman Frische moved to withdraw her motion. Motion withdrawn.

first reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS

Service Director/Acting City Engineer Thomas noted that Ordinance No. 2019-059 is for the grant agreement from the FAA and an appropriation (City's share of the project) of just over nine thousand seven hundred dollars (\$9,700). The grant agreement was just received last week. They have a quick turnaround timeframe on it. They want the signed agreement back on the 21st which is the day after the next City Council meeting. He asked if Council would reconsider passing it tonight so that he would not have to overnight it back to them after the next City Council meeting and could get it back to them sooner.

Councilman Russel moved to reconsider Ordinance No. 2019-059, seconded by Councilman Hellmann. All were in favor. The Ordinance is being reconsidered.

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

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-059 and is hereby made a part of the record. Filed.

Councilwoman Frische asked if the five (5) vehicles mentioned in Ordinance No. 2019-065 is adding or replacing to the current fleet. Safety Director Schmelzer replied they are replacing. It is part of the Capital Plan. Councilwoman Frische asked if anyone is without a vehicle. Safety Director Schmelzer replied no one is without a vehicle. Filed.

City Auditor Staschiak noted that a 5:00pm meeting on Tuesday, August 13, 2019 was mentioned for the Mid-Year Review. He asked Council if that still is the preferred date and time.

Discussion:

Councilman Hellmann mentioned that he cannot attend at that day.

Councilman Russel noted that it was mentioned to have it in place of the Appropriations Committee. He is unsure what time was mentioned, but is in favor of whatever time the majority of Council wants.

Council President Monday asked Council what date and time they would like to have the meeting.

Councilman Harrington asked how long it is anticipated to last. City Auditor Staschiak replied that it is normally under forty-five (45) minutes.

Council President Monday asked if this would be considered a COMMITTEE OF THE WHOLE meeting. City Auditor Staschiak replied that it is ordained that he provide the Mid-Year Review to Council where all of Council typically attends. It is not normally just for the APPROPRIATIONS COMMITTEE because it is a City-wide all-encompassing review of the City from a financial perspective and would treat it like a COMMITTEE OF THE WHOLE.

Council President Monday summarized stating that Council has suggested 6:00pm on Tuesday, August 13, 2019 for the meeting. It can be called a COMMITTEE OF THE WHOLE meeting. A committee report will be generated so that there is a paper trail that the meeting was held.

Councilman Harrington moved to have the meeting on Tuesday, August 13, 2019 at 6:00pm, seconded by Councilman Slough. All were in favor. Mid-Year Review meeting on Tuesday, August 13, 2019 at 6:00pm in the third floor conference room (CR1) of the Municipal Building. Filed.

Councilwoman Frische reminded Council that Ordinance No. 2019-051 was tabled for additional information. It is for the Billing software. Council would like to go visit a similar facility to see how the software works before further discussions on appropriating money for it. Filed.

Councilwoman Frische has been asked a lot of questions about the cleaning of the Howard Run Ditch. She asked if any money has been appropriated for the City's share of the project in order to start the project similar to what was done for the Dazel Ditch and Oil Ditch projects. Safety Director Schmelzer replied that there was a small appropriation several years ago, but he is unsure if any of those funds were expended. The City's portion for Howard Run Ditch is not significant like it was for Dazel. For Dazel, it was fifty percent (50%) of the total construction costs up to three hundred thousand dollars (\$300,000) in which it came in less than that. That was because Dazel Ditch was once petitioned, but decided not to follow through with the cleaning of that ditch and escalated the costs. The Howard Run Ditch has never been petitioned. A number of years ago, funds were placed into a project to get the process going with the County. The County is just now getting that process going and are now waiting on the Commissioners to appropriate approximately thirty-seven thousand dollars (\$37,000) to the project so that the County Engineer can begin the process to get the design done. The initial hearing is scheduled for sometime this month for the viewing where they meet and confirm it is a ditch that needs to be cleaned. At that point, the Commissioners will get the design done and the County Engineer will be able to refine his estimate, then a second public hearing will be held where estimates will be given for all the assessments to all the property owners. At that point of time, if Council wants to consider it, they can take a look at it at an APPROPRIATIONS COMMITTEE meeting or can let the normal process play out where each parcel is assessed according to its acreage within the watershed for both the completion of the project and some smaller maintenance costs that will go into a bank for the first time that maintenance is required. Councilwoman Frische added that she has received a lot of phone calls on it. The watershed seems very large. She has been asked why the City petitioned it. Safety Director Schmelzer replied that is in similarly poor condition to Dazel Ditch. Back when the petition was done, Howard Run, Oil Ditch and Dazel Ditch were all on the minds of the citizens, most likely after a rain storm. A lot of the discussions that took place around Dazel Ditch were from those on Rector Avenue, Prentiss Avenue, and Clifton Avenue who experience flash flooding a lot. It is not to say that flash flooding is not going to occur in those areas again, but will be significantly less frequent because the ditch is cleaned out. The residents along Howard Run want the same thing. It runs behind Glenwood School and runs across Main Street by the University. He anticipates the scope of work to be very similar to Dazel Ditch. The average cost per parcel for Dazel was around two hundred forty dollars (\$240) per property and about six dollars (\$6) per property for maintenance. He is unsure if the cost will be the same because every watershed is a little bit different. After the second hearing, there will be a better idea of what each property owner is going to be responsible for.

Councilman Shindledecker noted that he received his letter on this, this week. The viewing/hearing is scheduled for August 17, 2019 at Brugeman Lodge which is far away from Howard Run. There is another meeting scheduled for October 1, 2019 at the same location and same time as the hearing. Mayor Muryn replied that when the City was reviewing this with the County Engineer, he informed her that the first meeting is for the Engineer to walk the Commissioners through the area, presents some pictures of the issues, etc. It is a routine meeting that provides a scope of the project to the Commissioners. Filed.

NEW BUSINESS

Councilman Harrington informed Council that this month's **PLANNING & ZONING COMMITTEE** meeting will be held on Friday, August 9, 2019 instead of the usual Thursday, August 8, 2019 due to Hancock Regional Planning Commission's Director not being able to attend on the 8th.

Councilman Harrington: **PLANNING & ZONING COMMITTEE** meeting on Friday, August 9, 2019 at 12:00pm in the third floor conference room beside the Mayor's Office (CR1)

- agenda: 1. 726 South Blanchard Street rezone
2. zoning map changes

Councilman Wobser congratulated City Auditor Staschiak and his staff on their accommodation tonight. It takes a lot of work to accomplish that. Filed.

Councilman Wobser: **STRATEGIC PLANNING** meeting on Tuesday, August 20, 2019 at 5:30pm in the third floor conference room of the Municipal Building (CR1). Filed.

Councilman Wobser noted that there were a lot of add-ons for tonight's meeting. He asked if it is still part of Council's rules that legislation is to be in to the Law Director by the Wednesday noon the week before a City Council meeting in order to be on the next City Council agenda. Council President Monday replied that is correct. Anything after that time limit requires Council's approval. Councilman Wobser noted that he does not recall a time within his tenure that Council did not approve to add something, but tonight there is a lot of legislation that is being added on. He asked if there was a specific need for this to be added on to tonight's agenda or if it should have waited until the next meeting. Safety Director Schmelzer replied that Ordinance No. 2019-064 was supposed to be on the agenda, but there was a duplicate ordinance number. The item was on the agenda, but there was no actual ordinance included. Councilman Wobser asked if it was just a change. Safety Director Schmelzer replied that the ordinance that should have been included in the packet was not. There was a line item for the ordinance, but was assigned a duplicate ordinance number. Per the packet agenda, it lists an ordinance for the Water Conservation District agreement. It had a duplicate ordinance number to a previous one, which was the ODOT ordinance. It was a mistake where a duplicate number was assigned to the ordinance that was not included in the packet. It was suitable to include the actual ordinance in line with the agenda. Councilman Wobser replied that is fine, but at quick glance, it did not look like it was the same thing. Filed.

Councilman Russel informed Council that the City Police Department held a public meeting for the CALEA program. Two (2) individuals that attended, Stan Kajawa and Puck Rowe, discussed the program that they have been working on to help with rehabilitation of those in prison. In follow up discussion, they were very complimentary of the Findlay Police Department and the cooperation of not only what the Findlay Police Department provides to their efforts, but also the court systems, the Sheriff's Office, as well as the entire community. It is not something that gets a lot of publicity. It was sparsely attended which is a testament to the job that Findlay Police Department does. Citizens expect the Findlay Police Department to simply work without issue or big fanfare. After recent shooting incidents, citizens realize that the Police Department has a tough job that they have to be prepared to do at all times. The confidence that is shown speaks volumes to the Findlay Police Department, in this case, by their non-presence at a hearing. He appreciates the job that the Findlay Police Department does. Safety Director Schmelzer added that Stephanie Whitted of the Findlay Police Department did an excellent job of keeping track of all the of training and personnel records in making sure that everything is available for a spotless CALEA review. The results of the review will be in November. He is confident that based on what was heard, that it will be in good shape. Filed.

Councilman Hellmann asked City Auditor Staschiak if he has any comments on the Comprehensive Annual Financial Report that was handed out to each Councilmember. City Auditor Staschiak replied that it is posted online as soon as it is released by the State, which was about a week ago and noted that anyone that does not want a paper copy, to let him know. The City Auditor's Office does get requests for them. The institutions and those that hold the City's debt look at it closely. Filed.

City Auditor Staschiak asked if he and the Mayor should be voting members at Strategic Planning meetings as Council's Rules stated they did at one time. The new rules do not state they are. He asked if they should be and if they should be attending those meetings. Councilman Wobser replied that as chair of that committee, there was no change made in those committee rules when the Council rules were revised. That should not have changed and there was no discussion on it as part of the rule changes. Both the City Auditor and the Mayor are welcome to attend those meetings and are still voting members. He and Councilman Russel will look into it. Filed.

Councilwoman Frische is glad that there will be a meeting on the bike paths as it is needed. When looking at grants such as this where the City has received funding and are still in the design phase, she asked if changes are still able to be made. Mayor Muryn replied that until the project begins, changes can still be made, but that there may be some ramifications for making those changes this late in the game, which is why they want public feedback to take that into consideration. She has recently sent several emails to Councilmembers about this so that they are informed when addressing citizen's concerns. She has been asked why the City doesn't just expand the sidewalk and do a multi-use path along that area, which was what Council had originally proposed, but as the Engineers and ODOT reviewed the plans, they determined that there is not enough space to do so. Based off the volumes in that corridor, it will create a safer environment with lane changes. It will be one lane each direction within the center turn lane and dedicated left turns at those intersections. The original proposal of having a multi-use path was rejected by ODOT. They have also taken public feedback into consideration for modifications.

Councilwoman Frische asked if this will be treated the same as the Main Street projects where the City obtained the funding and still took public feedback into consideration before implementing it. Service Director/Acting City Engineer Thomas replied that this is different because there are multiple funding sources involved. The TAP portion is the same as the Main Street project, but when the consultants starting looking at it, they took the traffic and crash history on Blanchard into an account. The consultant did a corridor and safety study that he forwarded to Councilmembers to review at their leisure. ODOT has a spreadsheet that will estimate the number of accidents that can be expected based off of the traffic and lane configurations. With the existing traffic and lane configurations currently on Blanchard Street, approximately thirty-nine (39) crashes can be expected per year. The history of the traffic counts from 2015 to 2018 show forty-nine (49) crashes per year. Lane configurations with center turn lanes of dedicated turn lanes at Sandusky and Lincoln Streets drops the expected crashes to thirty-one (31) which will bring it down below where it is now and what can be expected. The reason is that the majority of the crashes were at Sandusky Street with left turns due to the lack of left turn lanes. The majority of the crashes were sideswipes from someone driving down the middle lane and the car in front of them stops to turn left and try to change lanes quickly, but since someone is already there, they hit them. Having a center turn left lane will allow motorists to get over so motorists can keep going straight. The other is that motorists are stopping for driveways. The left turn lane allow those who want to turn onto a driveway to get over. Since those were the results back in October, he came back to Council with a second letter asking for authorization to apply for safety funds which is the second grant, to make changes with lane configurations, update ADA ramps, and update signals bringing them up to standards. Bikes lanes are being put in, but configuration is not being done for the bike lanes. Reconfiguration is being done for safety and also allows for the bike lanes. Plans have not been finalized. Some changes can be made. Depending on the extent of the changes, it may affect grant dollars and how much the City would have to pay. Mayor Muryn added that it is not set in stone, but if the City does not follow the ODOT safety recommendations, we will lose the safety funding and would still have some grant TAP funding.

Councilman Shindledecker was surprised when these changes were made and asked if Council should have been informed of the changes as the last report that Council received from the Mayor today was dated August 18, 2018. Service Director/Acting City Engineer Thomas replied that he is unsure if Council read it or not, but that it was discussed at Traffic Commission with the minutes from that meeting approved by City Council. His letter asking for permission to apply for the safety funds included a sketch that showed the reconfiguration from Sixth Street to Tiffin Avenue. He did not instruct Council to look at them. Mayor Muryn added that the Administration wants to make sure that everyone is aware and well-informed and there is always room for improvement which is something that has been discussed at length within all departments. They do not want to have anyone be surprised. Filed.

Councilman Wobser asked for clarification in that the Service Director/Acting City Engineer is stating that changes can be made and that the Mayor is saying changes cannot be made without a potential funding loss. He asked if any changes are made if any funding is lost. In the past, the City has gone back and changed things and has resubmitted it and checked if funds were still available based on changes that were made. The City is asking for the public to attend a public meeting on this with the assumption that their comments will be used for potential changes down the road if Council and the Administration agreed to their requested changes. Mayor Muryn replied that changes can occur, but depending on what the changes are, it may affect funding and could potentially lose the grant.

Councilman Watson understands that potential changes mean potential loss of revenue as nothing will be gained from it. What was very helpful in the Mayor's letter, was the outline of the process. He was aware of the changes because he keeps tabs on those types of things. The bike lane funding is very important to him which is why he asked for an update on those projects a couple of meetings ago. He does not feel it is okay to lose two and a half million dollars (\$2,500,000) in grant funding from multiple funds to invest on Blanchard.

Councilwoman Frische asked if a safety study was done to include the bike lanes. Service Director/Acting City Engineer Thomas replied yes. Councilwoman Frische asked if that took it down to thirty-one (31). Service Director/Acting City Engineer Thomas replied that is correct.

Councilman Shindledecker asked how much the safety grant is for and if the City could lose both grants if significant changes are made. Mayor Muryn replied that she does not know the specific amount but that it is a large sum of money. Service Director/Acting City Engineer Thomas added that the TAP is ninety-five percent (95%) of the eligible costs up to a cap of one million two hundred fifty thousand dollars (\$1,250,000). The safety fund is eighty percent (80%) of replicable items up to one and a half million dollars (\$1,500,000) with a total of two million seven hundred thousand dollars (\$2,700,000).

Councilman Wobser asked if the configuration of where it is currently specked out will improve traffic flow through that area. Service Director/Acting City Engineer Thomas replied that is correct. Councilman Wobser asked if the reason is because it defies logic when taking away two (2) lanes and putting in one (1) lane, that traffic gets better. Service Director/Acting City Engineer Thomas replied that the reason is because of the number of driveways and intersections that are in that area. Right now, there are two (2) lanes headed north. If a car is in the inside lane waiting to turn left, the road still functions as one (1) lane because motorists cannot use that lane. The center lane will allow them to get over and will still have one (1) lane going through. The curb locations are not changing and are not narrowing the road. There will still be room for emergency vehicles to get around and can use the center lane if needed. If no one is in the bike lanes, motorists can pull over into that lane if needed. Because of the number of driveways, roads, and left turns, it will still be functional and should reduce the number of crashes in the area. Mayor Muryn added that because the width of the road is not changing, and if the City moves forward with the project as it stands, but later finds that it is not working or sees a huge increase in the traffic in that area, it can be reconfigured because at that point, it will be striping changes. She grew up on Brookside so she has traveled north on Blanchard often where motorists at Sandusky Street and Blanchard wait in the left turn lane blocking other cars from getting over into that turn lane. Through traffic will be able to move where the left turn lane is dedicated opening up visibility faster because of the dedicated left turn lane. She was very skeptical when she first saw this project, but after reviewing it, she now feels it is the appropriate steps to take, especially for safety in that corridor. Filed.

President of Council Monday adjourned City Council at 8:30pm.

CLERK OF COUNCIL

COUNCIL PRESIDENT

Councilman Watson understands that potential changes mean potential loss of revenue as nothing will be gained from it. What was very helpful in the Mayor's letter, was the outline of the process. He was aware of the changes because he keeps tabs on those types of things. The bike lane funding is very important to him which is why he asked for an update on those projects a couple of meetings ago. He does not feel it is okay to lose two and a half million dollars (\$2,500,000) in grant funding from multiple funds to invest on Blanchard.

Councilwoman Frische asked if a safety study was done to include the bike lanes. Service Director/Acting City Engineer Thomas replied yes. Councilwoman Frische asked if that took it down to thirty-one (31). Service Director/Acting City Engineer Thomas replied that is correct.

Councilman Shindlecker asked how much the safety grant is for and if the City could lose both grants if significant changes are made. Mayor Muryn replied that she does not know the specific amount but that it is a large sum of money. Service Director/Acting City Engineer Thomas added that the TAP is ninety-five percent (95%) of the eligible costs up to a cap of one million two hundred fifty thousand dollars (\$1,250,000). The safety fund is eighty percent (80%) of replicable items up to one and a half million dollars (\$1,500,000) with a total of two million seven hundred thousand dollars (\$2,700,000).

Councilman Wobser asked if the configuration of where it is currently specked out will improve traffic flow through that area. Service Director/Acting City Engineer Thomas replied that is correct. Councilman Wobser asked if the reason is because it defies logic when taking away two (2) lanes and putting in one (1) lane, that traffic gets better. Service Director/Acting City Engineer Thomas replied that the reason is because of the number of driveways and intersections that are in that area. Right now, there are two (2) lanes headed north. If a car is in the inside lane waiting to turn left, the road still functions as one (1) lane because motorists cannot use that lane. The center lane will allow them to get over and will still have one (1) lane going through. The curb locations are not changing and are not narrowing the road. There will still be room for emergency vehicles to get around and can use the center lane if needed. If no one is in the bike lanes, motorists can pull over into that lane if needed. Because of the number of driveways, roads, and left turns, it will still be functional and should reduce the number of crashes in the area. Mayor Muryn added that because the width of the road is not changing, and if the City moves forward with the project as it stands, but later finds that it is not working or sees a huge increase in the traffic in that area, it can be reconfigured because at that point, it will be striping changes. She grew up on Brookside so she has traveled north on Blanchard often where motorists at Sandusky Street and Blanchard wait in the left turn lane blocking other cars from getting over into that turn lane. Through traffic will be able to move where the left turn lane is dedicated opening up visibility faster because of the dedicated left turn lane. She was very skeptical when she first saw this project, but after reviewing it, she now feels it is the appropriate steps to take, especially for safety in that corridor. Filed.

President of Council Monday adjourned City Council at 8:30pm.


CLERK OF COUNCIL


COUNCIL PRESIDENT