

**FINDLAY CITY COUNCIL MEETING MINUTES**

**REGULAR SESSION**

**SEPTEMBER 3, 2019**

**COUNCIL CHAMBERS**

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

**ABSENT:** none

President of Council Monday informed Council that there are five (5) Boy Scout members of Troop 338 in tonight's audience who meet at St. John's Evangelical Lutheran Church: Aaron Bressler, Luke Bressler, Beau Bibler, Josh Meeks, Nigel Woodall, and Cole Barnes who will lead Council in the Pledge of Allegiance, followed by a moment of silence.

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

Councilman Slough moved to accept the August 20, 2019 Regular Session City Council meeting minutes, Councilman Wobser seconded the motion. All were in favor. Motion carried. Filed.

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

Councilman Russel moved to replace the following on tonight's agenda, seconded by Councilman Harrington. All were in favor. Motion carried. Filed.

**REPLACEMENTS:**

- Ordinance No. 2019-057 (**LEGISLATION** section) DFID assessment  
— Replacement exhibit

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PROCLAMATIONS:** none

**PETITIONS:**

**Zoning amendment request – 640 Davis Street**

Alan Killion would like to change the zoning of 640 Davis Street to R4 Duplex/Triplex. It currently is zoned as R2 Single Family Medium Density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

**ORAL COMMUNICATIONS:**

**Scott Fennimore – Blanchard Street**

Mr. Fennimore noted that when the bike path first started, it was soundly opposed, but then the name was changed to reconfiguration and safety of the road. School buses will be traveling that road for nine (9) months of the year. Right now, if a school bus is traveling southbound and stops, the northbound motorists will continue to travel on. If the road is made into a two (2) lane road, both lanes will have to stop for the stopped bus because it is the law. Children on that bus can then cross the street if they want. He does not feel that is a very safe factor. Accidents on Blanchard Street have been talked about. The majority of accidents on Blanchard Street are at the intersection of East Sandusky Street and Blanchard Street. The rest of the road is not prone to accidents. About seventy-five percent (75%) of the accidents in Findlay are at that intersection. Tiffin Avenue has tremendous accidents, many being injury accidents. Fortunately, Blanchard Street has not had many injury accidents.

He recommended having an Engineer look at that intersection. He also suggested the City purchase the property needed to make it a safe intersection. The City has the power to obtain the right-of-way that is needed which would eliminate a lot of the accidents on Blanchard Street. He asked Law Director Rasmussen if this project is a done deal. Law Director Rasmussen replied that the comment period is not up yet on this project. Mr. Fennimore asked if there will be a vote from Council on it. Law Director Rasmussen replied that he assumes that in some point in time there would be. Mr. Fennimore informed Councilmembers that it is up to them to stop this project and ask for an Engineer to look at the East Sandusky Street/Blanchard Street intersection to make it a safer intersection, which is the problem. The rest of the street has very few accidents.

Discussion:

Councilwoman Frische informed Mr. Fennimore that the project was a bike discussion. Council approved for the Administration to apply for the grant. By approving that, money was appropriated to do the engineering design work to start the process. The City tried to acquire that intersection in an attempt to address the safety issue at Sandusky and Blanchard. Safety Director Schmelzer added that it has been a number of years since those discussions took place and that since he has been with the City, there has been an equal number of complaints about the safety and accidents at that intersection with those same complains and opposition for this project. It was prudent to at least pursue the opportunity to see what kind of safety dollars the City could get. The City's choices are: do nothing, take the property by eminent domain which is not very popular, pay an exorbitant amount of money for right-of-way for that one intersection and sacrifice all the safety funding, or do this project. What has been taken back to ODOT from citizen's comments is the bike path in the road. When the comment period is all done, the City will summarize all of them and take them back to ODOT to see if there is anything that can be done. He has no doubt, given the traffic counts, that this alternative is the most cost effective way to solve the issues at that intersection which is why he feels it is one of the City's legitimate choices. He does not think there will be an overwhelming number of bicycles in the street, nor does he think it is driven by the necessity to put bikes on Blanchard Street. That is not the focus of this project. This alternative is being considered because the City wants to do something about the problem without either taking or buying a lot of additional right-of-way at more than that intersection.

Councilwoman Frische reiterated that the original project was a bike project not in the road. There were some issues that moved it into the road. From there, the City was given the opportunity for a safety grant. The City has applied for it and has been approved. Everything is done at this point. Council's next step is to approve to move City funds to continue the project. Council does not actually approve the project. Council just approves to move the funds for the City's portion of the project if the project goes forward. He asked Law Director Rasmussen if that is correct or if Council does need to approve the project. Law Director Rasmussen replied that it is in-between in that it needs to be determined if it is the project the City wants to do and then funding the project.

Councilwoman Frische noted that there has been a lot of citizen input on this and asked if Council will have any discussions with the Administration on options. She asked if the City can do just the Sandusky intersection for safety and not every intersection in order to get things paved. She asked if only part of the project can be done and if bikes in the street can be eliminated.

She asked where the give and take is. She believes there is give and take, but feels there needs to be more communication on the process that the City is going through in order to get citizen input.

Mr. Fennimore asked if this project is a done deal. Mayor Muryn replied that the plan is to look at all the feedback gathered from our citizens, which closes on Friday, and consolidate that data putting together what the main concerns are and forwarding it to ODOT. As they have been coming in, the Administration has been discussing how they can go back to ODOT to see if there are any changes that can be made and will provide those options back to Council and what impact those changes would have on funding. Filed.

### **Richard Schrock – Findlay Pickleball**

Mr. Schrock, as a member of the Flag City Pickleball Club, along with one hundred eighty-five (185) other members, wish to make a special thank you to City Council, Mayor's Administration, Findlay Parks and Recreation Department for agreeing last year to convert the three (3) dilapidated tennis courts at Riverside Park into eight (8) pickleball courts. The use of the courts have been phenomenal. From May to September, those courts are now being used six (6) mornings a week, three to four (3-4) evenings per week with close to two hundred (200) individual uses per week. The Club, in conjunction with the Findlay Parks and Recreation Department, have been trying to put on two to three (2-3) training session per summer for both adults and children. Last year, during one of those sessions, forty-five (45) adults showed up who had never played before to learn how to play pickleball. The Club has a Facebook page that promotes the sport and Riverside pickleball courts. Individuals from all over the country have commented on how lucky Findlay is to have a City that would do something like this for them because most cities would not. Individuals from Canada and all over the country have contacted the Club saying they want to stop in sometime when they are in Findlay and play. There have been at least twenty (20) out-of-state individuals that have come and played pickleball when they were in Findlay visiting friends and family. The Club thanks City Council and want to make them aware of how much they appreciate the new courts and Council's wiliness to spend the money to make it happen. The number of individuals playing has nearly doubled in one year which is a result of these courts.

#### Discussion:

Councilman Harrington asked if the courts are so full that there is a waiting period. Mr. Schrock replied that they are not there yet.

Councilman Harrington noted that there are two (2) dilapidated tennis courts behind Chamberlin Hill School. They have not been utilized in a couple of years. He asked if they could be addressed by the Parks and Recreation Board. He is unsure if the school owns them. If pickleball is growing as fast as it sounds, that area may be another opportunity. Mr. Schrock replied that he has been asked that already to which his reply is that he values the City's money. The Club will come to the City when they get to the point that they are full enough that players have to wait, he will come to Council and ask them to do more. The worst thing that could be done is to spend more money and then find out that they are not being filled. He wants to fill them first.

Safety Director Schmelzer thanked Mr. Schrock for running such a fine organization. It is facility that both the City and citizens utilize. The City appreciates the Club putting organizations together that use them the proper way. The US Conference of Mayors provided fifty thousand dollars (\$50,000) for the project. Mr. Schrock replied that AARP also donated.

Councilman Wobser thanked Mr. Schrock for providing Council with an update on the use of the courts as he had been wondering what the status of them was. Councilman Wobser thanked Mr. Schrock for conducting classes as it is needed in the community for this growing sport. He asked if there will be a tournament in Findlay in the near future. Mr. Schrock replied that he his hoping to have tournaments here next year. Tournaments are the Club's goal, but cannot guarantee it will happen. It is their goal for next year. They have had some internal tournaments of their own.

Councilman Russel echoed what Safety Director Schmelzer stated that when this idea came before the Parks and Recreation Department, it was not a request to simply build it. There was a lot of input on educating the Parks and Recreation Department about pickleball and how it would be used. It was also explained how it would be beneficial to the Get Healthy Get Active initiatives. It is a great partnership. The pickleball courts have been mentioned in the Wall Street Journal.

Mayor Muryn pointed out that some of the funds from the one hundred thousand dollar (\$100,000) childhood obesity prevention grant that was just received were used towards the purchase of pickleball paddles that are City of Findlay branded. They were used during one of the Keep Healthy Keep Active events with children. Some of the pickleball adult players have helped train children. It was a lot of fun and she looks forward to getting children involved in it as it is for all ages to play.

Mr. Fennimore from the audience noted that the pickleball court are in his backyard. He has yet to see even a piece of trash lying on the ground. It is always kept very clean after each game.

**WRITTEN COMMUNICATIONS:** none

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

**Second Ward Councilman Hellmann; Fourth Ward Councilman Slough; At-Large Councilman Russel – Income Tax Chapter 193**

Second Ward Councilman Hellmann; Fifth Ward Councilman Slough; and At-Large Councilman Russel request legislation to amend Chapter 193 Income Tax of the Codified Ordinances of the City of Findlay to make the following changes:

- Any program or change in collection procedures that significantly modify the standard collection processes of the City Income Tax Department may not be implemented until a written procedure describing the modification has been created and that a written procedure has been approved first by the City Income Tax Board followed by City Council.
- That change will become effective on January 1, 2020 so as to not affect the remaining life of the existing Income Tax Estimated Payment Waiver Program.
- Eliminate 193.12(c) "a special windfall tax provision"

Ordinance No. 2019-072 and 2019-073 were created. Filed.

**City Planning Commission agenda** – September 12, 2019; **minutes** - August 8, 2019. Filed.

**City Auditor Jim Staschiak – Resolution accepting millage rates and amounts**

The County Budget Commission has completed their work and returned our Certificate of Estimated Resources for our 2020 budget. Our tax millage has been certified exactly as submitted; 2.6 mills for the General Fund and 0.3 mills each for Police and Fire Pension Funds to a total of 3.2 mills. Local government money is estimated to be \$469,587.62 for 2020 subject to likely adjustments by the State. Council should now accept the amounts and levy the tax rates as certified by the Budget Commission. The proper Resolution must be adopted and returned to the County Auditor no later than September 30, 2019. Legislation for this is requested and only requires one reading. Resolution No. 023-2019 was created.

Discussion:

Councilman Russel 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. Filed.

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control** for 535 Trenton Avenue LLC, dba Gas & Express Marts, located at 535 West Trenton Avenue, Findlay, Ohio for a C1 and C2 liquor permit. This requires a vote of Council.

John E. Dunbar, Chief of Police – 535 Trenton Avenue LLC, dba Gas & Express Marts, located at 535 West Trenton Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Akashdeep Singh  
Jasneet Kaur

Councilman Slough moved for no objections be filed, seconded by Councilman Shindledecker. Filed.

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control** for Dougie Johns Pizza LLC, located at 106 South Main Street, Findlay, Ohio for a C1 liquor permit. This requires a vote of Council.

John E. Dunbar, Chief of Police – Dougie Johns Pizza LLC, located at 106 South Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

Douglas J. Craig

Councilman Slough moved for no objections be filed, seconded by Councilman Harrington. Filed.

**Service Director/Acting City Engineer Thomas – Ohio Public Works Commission Grant Application**

Engineering is preparing to submit the annual grant application to the Ohio Public Works Commission (OPWC) for Logan Avenue, Phase 3 (from Tappan Street to Harrison Street). The project will be to lower the existing pavement so curbs can be installed, installation of storm sewers and replacing the existing six (6) inch waterline with an eight (8) inch waterline. Legislation authorizing City Representatives to execute grant applications and/or agreements to receive grant funding. Ordinance No. 2019-074 was created.

Discussion:

Councilman Russel asked if this includes the west side of Harrison. Service Director/Acting City Engineer Thomas replied that is not currently part of it. Councilman Russel asked if the West Park area will be the next part of this process. Service Director/Acting City Engineer Thomas replied that the plan is to improve the drainage and roadways out there. Councilman Russel asked where at the next work will be done at. Service Director/Acting City Engineer Thomas replied that before he started with the City, a master plan was done for that part of town. He will need to look at the map for where the next part will be. Councilman Russel asked if the City will have to chip through rock. Service Director/Acting City Engineer Thomas replied that is correct. The project includes lowering the road to add curb and drainage. When doing that, water services have to be lowered and the gas company has to lower gas services. He assumes the storm sewer is in rock. There are borings from before. He has not verified where that elevation is because the project has not gone that far yet. Filed.

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

The City has received Federal Aviation Administration (FAA) grant monies to cover ninety percent (90%) of these projects. The City has received FAA approval, so the next step is to apply to ODO Aviation for the Airport matching grant program. Similar to other projects that have been completed in the past, the grant would be for five percent (5%) of the costs which would reduce the City’s share from ten percent (10%) to five percent (5%) or approximately nine thousand seven hundred nine dollars and fifty cents (\$9,709.50). Legislation authorizing the Service Director to apply for funding from the Ohio Airport Matching Grant Program for the Taxiway A Rehabilitation Project and the Runway 7-25 Crack Seal and Remarketing Project at the Findlay Airport. Ordinance No. 2019-075 was created. Filed.

**Service Director/Acting City Engineer Thomas – Blanchard River Greenway Extension 2 (Design) Project No. #31993800**

The existing Blanchard River Greenway Trail ends behind the old Kodak building on East Main Cross Street is proposed to extend the trail to Bright Road using TAP funds that were applied for any awarded in 2017. The proposed construction for this part of the project is scheduled for 2020. The Blanchard River Greenway Extension 2 was included in the 2019 Capital Improvement Plan and is for the design of the extension of Blanchard River Greenway Trail from Bright Road to County Road 236. The Engineer requested qualifications from engineering firms. Five (5) firms submitted qualifications for the project with the highest scoring from being Strand Associates of Columbus, Ohio. At this time, an appropriation is needed so that the engineering services (including survey work, geotechnical work, engineering design, permitting, and easements) can be complete. Legislation to appropriate and transfer funds for the capital expenditures is requested. Ordinance No. 2019-076 was created.

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 200,000.00
TO: Blanchard River Greenway Extension 2 #31993800	\$ 200,000.00

Filed.

**Service Director/Acting City Engineer Thomas – County Road 180 Drainage Plan #35594100**

As authorized by Ordinance No. 2019-039, the City of Findlay has entered into a memorandum of understanding with the Hancock County Commissioners. As outlined in the agreement, the County is looking at four (4) projects located in the city limits that will help keep major roadway open longer in the event of a major flood event. Plans are being finalized for the first project which will add additional drainage along County Road 180 to the Blanchard River. As stated in the agreement, the City is responsible for the bidding and inspection of the project during construction. Funds are now being requested so that the project can be bid. Legislation to appropriate and transfer funds for the capital expenditures is requested. Ordinance No. 2019-077 was created.

FROM: CIT Fund – Capital Improvement Restricted Account	\$ 1,000.00
TO: County Road 180 Drainage Plan #35594100	\$ 1,000.00

Filed.

**Service Director/Acting City Engineer Thomas – Municipal Building HVAC Controller Replacement #31994700**

The HVAC system in the Municipal Building has not been functioning properly resulting in areas of the building being extremely cold during the summer. Not only is that uncomfortable for the employees, but also causes additional energy consumption to cool areas beyond what is comfortable to the employees. The first step to get the system repaired is to replace the HVAC controller. This will help regulate the temperatures so that the building will be more comfortable for the employees while also reducing energy consumption. There are still some parts of the system that are original form when the building was constructed, but are currently working correctly. The City’s Building Maintenance Department is working on a plan to start replacing the aging parts of the system in phases. The replacement of these parts is not expected to begin until 2020, so it will be part of next year’s Capital Improvement Plan. The roof on the Municipal Building was replaced earlier this year with that project coming in under budget. The funds that were returned when the roof project was closed is more than enough to cover the replacement of the HVAC controller. The replacement of the controller was not included in the 2019 Capital Plan, but the overall spend from the Capital Fund will remain the same. Legislation to appropriate and transfer funds for the capital expenditure is requested. Ordinance No. 2019-078 was created.

FROM: CIT Fund – Capital Improvement Restricted Account	\$ 75,000.00
TO: Municipal Building HVAC Controller Replacement #31994700	\$ 75,000.00

Filed.

**Service Director/Acting City Engineer Thomas – 2019 Annual Sewer Lining #35691300**

By authorization of Ordinance No. 2019-013, a bid opening was held for this project on August 7, 2019. Bids were received from four (4) potential contractors with the base bid amounts ranging from \$381,673.05 to \$496,948.10. There were also seven (7) alternates that were part of the bid. Alternate prices ranged from \$127,072.95 to \$156,176.00. The lowest and best bid was received from Inland Waters Pollution Control, Inc. of Detroit, Michigan. This project is included in the 2019 Capital Improvement Plan with an estimated cost of \$400,000. He is asking for the full amount to be appropriated so that additional sections of sewer can be added to the project. Legislation to appropriate funds is requested. Ordinance No. 2019-079 was created.

FROM: Sewer Fund	\$ 380,000.00
TO: 2019 Annual Sewer Lining #35691300	\$ 380,000.00

Filed.

**Service Director/Acting City Engineer Thomas – Lime Hauling for Water Treatment**

As part of last year’s budget process, there was a discussion about a large one-time budget increase that was needed to dispose of spent lime (from the Water Treatment Plant) that had been stockpiled on the north side of the Water Pollution Control Center. The OEPA is in the process of changing its rules for lime which will limit the number of days that spent lime can be placed in a stockpile and will add testing requirements for the lime before it can be disposed of. Both reasons mean that it is to the City’s advantage to dispose of as much as the stockpile as possible because the cost will increase once the new rules take effect. To date, the contractor has been able to clean each of the three (3) drying beds once, removed all of stockpile #1 and about a fourth (1/4) of stockpile #2. The budgeted funds are nearly spent and Water Treatment is estimating that it will take an additional four hundred thousand dollars (\$400,000) to remove the remainder of stockpile #2 and have funds left to clean out two (2) of the drying beds an additional time. He is requesting this be sent to committee to discuss the pros and cons of the additional funding request. Legislation to appropriate funds is requested. Ordinance No. 2019-080 was created.

FROM: Water Fund \$ 400,000.00  
TO: Water Treatment #25050000-other \$ 400,000.00

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.

Councilman Wobser asked if the four hundred thousand dollars (\$400,000) will come out of Water and Sewer Funds. Service Director/Acting City Engineer Thomas replied just from the Water Fund. Councilman Wobser asked if this will be referred to the Water and Sewer Committee or the Appropriations Committee. Council President Monday replied that he will refer it to the Water and Sewer Committee initially. If it needs to also be referred to the Appropriations Committee, the chair can indicate that on the committee report. Referred to the Water and Sewer Committee. Filed.

**Service Director/Acting City Engineer Thomas – annual Community Park Improvement Program Grant**

The City of Findlay Public Works Department is again applying for the annual Community Park Improvement Program Grant through the Hancock Park District. This \$10,000 grant is to repair walkways in Riverside Park and replace trees within the City parks system. The Public Works Department will be performing all the labor on the project. The Hancock Parks Grant is offered each year to communities within Hancock County to improve their park systems. This grant is then divided among the communities that request available funds. Those funds are at no cost to the community and do not require matching funds. The City has completed many projects in our parks using these grant dollars. One of the requirements of the grant is to obtain project approval during a public meeting from its governing body. Legislation approving the aforementioned project to be funded by these grant funds is requested. Needs Council’s approval to fund said projects by grant funds.

Discussion:

Councilman Russel moved to authorize the Service Director/Acting City Engineer to apply for said grant, seconded by Councilman Hellmann. All were in favor. Filed.



**COMMITTEE REPORTS:**

The **STRATEGIC PLANNING COMMITTEE** met on August 20, 2019 to continue September 4, 2018, August 7, 2018, June 5, 2018, May 1, 2018, April 3, 2018 and March 6, 2018 discussions on year one (1) goals and expectations.

*We recommend that the committee pursue a vendor to conduct a City-wide assessment for data that will be the basis of a strategic plan.*

Councilman Slough moved to adopt the committee report, seconded by Councilman Hellmann.

Discussion:

Councilwoman Frische asked how much is anticipated to be budgeted to get this done. Councilman Wobser replied that at this point in time, the committee is unsure if there is enough time to determine what the scope will be which will determine the biggest portion of the cost and what vendor it will be. It will be part of the budget discussions in December.

All were in favor. Filed.

**LEGISLATION:**

**RESOLUTIONS:**

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

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

Councilman Slough moved to adopt the Resolution, seconded by Councilman Russel. 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. 021-2019** (no PO) **requires three (3) readings**  
**second reading**

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).

*Second reading of the Resolution.*

**RESOLUTION NO. 022-2019** (no PO) **requires three (3) readings**  
**first reading**

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).

*First reading of the Resolution.*

**RESOLUTION NO. 023-2019** (*millage rates and amounts*) **requires one (1) reading**

***first reading - adopted***

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Councilman Russel moved to adopt the Resolution, seconded by Councilman Shindledecker. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, 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.

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

***third reading – tabled after third reading on 8/6/19***

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.

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

***third reading - adopted***

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Russel. Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-056 and is hereby made a part of the record.

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

***third reading - adopted***

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

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Harrington. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-057 and is hereby made a part of the record.

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

***third reading - adopted***

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

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Slough. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-060 and is hereby made a part of the record.

**ORDINANCE NO. 2019-061** (2019 Annual Sewer Televising) requires three (3) readings  
**third reading - adopted**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Watson asked what the target end date is or when all the sewer will be done. Service Director/Acting City Engineer Thomas replied he is unsure what the exact date is. They are trying to get as much done as they can.

Councilman Russel asked the Service Director/Acting City Engineer Thomas if he could email that end date to all Councilmembers. Service Director/Acting City Engineer Thomas replied he will.

Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-061 and is hereby made a part of the record.

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

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 MANADATORY SAFETY EQUIPMENT UPGRADES TO THE CITY OF FINDLAY POLICE DEPARTMENT'S NEW CRUISERS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-065 and is hereby made a part of the record.

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

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-066 and is hereby made a part of the record.

**ORDINANCE NO. 2019-067** (*gas aggregation*) **requires three (3) readings**

***second reading - adopted***

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE MAYOR TO EXECUTE A SUPPLY AGREEMENT AMENDMENT WITH VOLUNTEER ENERGY SERVICES, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND NOVEMBER 2019 WHEN THE CURRENT SUPPLY AGREEMENT ENDS, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Shindledecker asked Mayor Muryn to reiterate what was received regarding the electric aggregation. Mayor Muryn replied that a couple of citizens have called the Mayor's Office stating that they had some individuals coming to their door stating they were with the City of Findlay trying to obtain information from them. She is unsure if they were from specific companies or someone just randomly going door to door. The City's vendors are Volunteer Energy and Mid-American Energy. If anyone stops by a residence to ask for their credentials, they can contact the Mayor's Office. Those entities going door to door do not have a solicitor's license to do so.

Councilman Wobser asked if the gas aggregation company would actually go out and solicit business. Service Director Schmelzer replied there should be no door to door activity for the City's aggregate companies. Any communication from them would all be done by mail, so our citizens should not expect a visit from either one of them.

Mayor Muryn clarified that she meant that she is unclear if the calls that came to the Mayor's Office were representatives from their aggregate companies or if they were impersonating one of those companies. She is sure they were not from one of the aggregate companies the City is in contract with.

Councilman Shindledecker noted that non-contracted City aggregate companies may be contacting our citizens by telephone. He does not stay on the telephone with them long enough to find out and simply hangs up on them.

Councilman Harrington pointed out that one of the aggregate companies going door to door that are not authorized to do so are identifying themselves as Houston Energy. It is important that our citizens know that the City is in contract with two (2) aggregate companies: Volunteer Energy for electric and Mid-American Energy for gas.

Councilman Wobser reiterated that no one should be coming to any of our citizens' doors soliciting business that has to do with the City. Everything will be done by mail.

Councilman Hellmann asked why Council was asked to expedite this. Councilman Russel replied because it is an opportunity to lock in the best price and help our citizens save money, so he is in favor of waiving the third reading and adopting it. Safety Director Schmelzer added that the City cannot lock in until Council authorizes the Administration to continue. Right now, he cannot lock the City in with a best price until Council authorizes him to do so. If it is advised to do so until then, he would have to tell them he cannot because he is not authorized by Council yet to do so. If it is Council's objective to continue with the program, which he anticipates it is, the sooner they can lock into that program, the better.

Ayes: Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-067 and is hereby made a part of the record.

**ORDINANCE NO. 2019-069** (726 S Blanchard 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 726 S BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C1 LOCAL COMMERCIAL" TO R4 DUPLEX/TRIPLEX.

*Second reading of the Ordinance.*

**ORDINANCE NO. 2019-071** (mid-year budget appropriations) **requires three (3) readings**  
**first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**ORDINANCE NO. 2019-072** (amend Income Tax Section 194.013) **requires three (3) readings**  
**first reading**

AN ORDINANCE AMENDING SECTION 194.013 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

*First reading of the Ordinance.*

**ORDINANCE NO. 2019-073** (amend Income Tax Section 194.07) **requires three (3) readings**  
**first reading**

AN ORDINANCE AMENDING SECTION 194.07 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

*First reading of the Ordinance.*

**ORDINANCE NO. 2019-074** (OPWC grant applications – Logan Ave, Phase 3) **requires three (3) readings**  
**first reading - adopted**

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE LOGAN AVENUE PHASE 3 PROJECT NO. 32894300, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilwoman Frische asked what the reason is to give this Ordinance all three (3) readings tonight. Other Ordinances that are asking for permission to apply for grants have gone through all three (3) readings. Councilman Russel replied that he requested to suspend the rules and give it all three (3) readings tonight because it is just to apply for the grant and does not feel it would require six (6) weeks of Council's consideration. Service Director/Acting City Engineer Thomas added that he had this request on his calendar so that he would not forget. It does not need to be approved tonight, but if it is approved tonight, it will give them more time to read and approve the application.

Councilman Shindledecker added that the Ordinance that Councilwoman Frische is referring to is a rezoning request that is required by law to receive all three (3) readings at three (3) separate meetings. Councilwoman Frische replied that is not what she was referring to. She was referring to the bike paths as it was a request that was not predicted to be a big deal with the community, but turned into a big deal. If there is no rush on passing the ordinance, she is not in favor of rushing it. She is not against applying for the grant, but should give it ample time so that citizens know what grants the City is applying for.

Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser. Nays: Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-074 and is hereby made a part of the record.

**ORDINANCE NO. 2019-075 requires three (3) readings**

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

***first reading - adopted***

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO SIGN THE NECESSARY GRANT APPLICATIONS AND AGREEMENTS WITH THE OHIO AIRPORT MATCHING GRANT PROGRAM FOR THE TAXIWAY A REHABILITATION PROJECT AND THE RUNWAY 7/25 CRACK SEAL AND REMARKING PROJECT AT THE CITY OF FINDLAY AIRPORT, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilwoman Frische asked for an explanation how this grant benefits the City. Service Director/Acting City Engineer Thomas replied that the City has already received approval of the FAA money for ninety percent (90%) of this project. This Ordinance authorizes the City to go to ODOT to take the City's ten percent (10%) match down to five percent (5%). The project consists of crack sealing on Runway 7/25, which runs east/west, to help make the pavement last longer and also to restripe it. The second part of it is to obtain design funds to look at a section of Taxiway A which is on the same runway towards the west end. The runway is not in the greatest condition.

The FAA will not give funds for anything until the pavement is in good condition. This Ordinance is to apply for the ODOT matching funds to reduce the City's match from ten percent (10%) to five percent (5%).

Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-075 and is hereby made a part of the record.

**ORDINANCE NO. 2019-076** (*Blanchard River Greenway Extension 2 (Design)*) **requires three (3) readings**  
***first reading***

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

**ORDINANCE NO. 2019-077** (*CR 180 Drainage Plan*) **requires three (3) readings**  
***first reading***

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

**ORDINANCE NO. 2019-078** (*Muni Bldg HVAC Controller Replacement*) **requires three (3) readings**  
***first reading - adopted***

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.  
Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Watson. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Harrington.

Discussion:

Councilman Russel pointed out that the reason he asked to give the Ordinance its second and third readings tonight is because the amount is small and has no budgetary impact because the roof project came in underbudget, so this money is being taken out of the same funds and has no budget affect for 2019.

Councilman Harrington noted that it would be nice to see City employees not have to wear sweaters and coats when it is eighty degrees (80°) outside.

Ayes: Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-078 and is hereby made a part of the record.

**ORDINANCE NO. 2019-079** (2019 Annual Sewer Lining) requires three (3) readings

***first reading - adopted***

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

**Discussion:**

Councilman Russel pointed out that the reason he made the motion to give all three (3) readings tonight was because the money is already part of the Capital Plan. If Council approves this tonight, then it can start as soon as possible.

Councilwoman Frische asked what has been done with lining this year. Service Director/Acting City Engineer Thomas replied that they are scheduled to do the lining from last year, so if Council approves it now while they are here, they can get everything done at one time instead of waiting for them to come back. Councilwoman Frische asked if this additional work. Service Director/Acting City Engineer Thomas replied it is additional to what was done last year and previous years. It is an annual project that a little bit is done each time. Councilwoman Frische asked if all if it can all be done yet this year. Service Director/Acting City Engineer Thomas replied that is correct.

Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-079 and is hereby made a part of the record.

**ORDINANCE NO. 2019-080** (Lime Hauling for Water Treatment) requires three (3) readings

***first reading***

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

*First reading of the Ordinance.*

**UNFINISHED BUSINESS:**

**OLD BUSINESS**

Councilman Hellmann asked if there have been any surprises found so far on what has been done on the annual sewer televising project (Ordinance No. 2019-061) such as any major collapses. Service Director/Acting City Engineer Thomas replied that some have been found to be in good condition and some have been found in bad condition. No large sections of pipe have been found to be missing. They are trying to do everything at once (sanitary and storm sewer) in each area. In the past, storm sewers have not been looked at. They have found some issues that need to be addressed, but have not found anything surprising.

Councilwoman Frische asked what the status is of the collapsing drain on Country Club Drive. Service Director/Acting City Engineer Thomas replied that about a week and a half ago, the soil borings were done. They have started the process and are working to resolve it.



City Auditor Staschiak educated Council on the process of grant reviews. The legislative authority should consider having a formal grant review process. The intent of the formal grant process is to discuss what the grant is really for, why it is appropriate to apply for the grant, what the obligations and implications are, and it creates an opportunity for public input. He is bringing this up due to the amount of comments given on grants that the City has applied for and because it is a best practice.

Councilman Harrington: **PLANNING & ZONING COMMITTEE** meeting on Thursday, September 12, 2019 at 12:00pm in the first floor Council Office (CO).

- agenda: 1. Speedway Drive rezone  
2. 640 Davis Street rezone

Councilman Shindledecker informed council of the passing of Dan Snyder. His obituary did not give any references to committees and commissions with the City of Findlay. He offered his condolences to his family.

#### **NEW BUSINESS**

Councilman Wobser: **STRATEGIC PLANNING** meeting on Tuesday, September 17, 2019 at 5:00pm in the third floor conference room beside the Mayor's Office (CR1).

- agenda: continue discussions on year 1 goals and expectations

Councilwoman Frische: **WATER & SEWER COMMITTEE** meeting on Tuesday, September 17, 2019 at 6:00pm in the third floor conference room beside the Mayor's Office (CR1).

- agenda: water and sewer billing software upgrades

President of Council Monday adjourned City Council at 8:04 pm.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT

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CLERK OF COUNCIL



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