

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

DECEMBER 17, 2019

COUNCIL CHAMBERS

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

ABSENT: none

President of Council Pro-Tem Russel noted that President Monday is absent tonight because he is in Missouri watching his grandson graduate from basic training.

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

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Councilman Slough moved to accept the December 3, 2019 Regular Session City Council meeting minutes, Councilman Harrington seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Letter from Fire Chief Eberle – STRICT Center (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section)
- Resolution No. 028-2019 – no PO (**LEGISLATION** section)

REPLACEMENTS:

- Ordinance No. 2019-110 – year-end appropriations (**LEGISLATION** section)
 - Changed tenth appropriation item "TO" amount to now be \$250,000.00 (~~was \$ 50,000.00~~)
 - Changed last appropriation item "TO" amount to now be \$ 4,490.62 (~~was \$,490.62~~)
- Ordinance No. 2019-112 - Runway 7/25 Rehab – Crack Seal Design/Construction project No. 35293200 Rehabilitate Taxiway A (A4 to A6) – Design project No. 35284800 (**LEGISLATION** section)
 - Changed project # for first "FROM:" in first appropriation (SECTION 1:) to now be #35293200 (~~was #32593200~~)
 - Changed project # for second "FROM:" in first appropriation (SECTION 1:) to now be #35293400 (~~was #35284800~~)
 - Changed project # for second "TO" in second appropriation (SECTION 2:) to now be #35293400 (~~was #35284800~~)

REMOVAL:

- Letter from Hancock Regional Planning Director Matt Cordonnier – Hancock County All Natural Hazard Mitigation Plan (**LEGISLATION** section)
- Resolution No. 027-2019 – Hancock County All Natural Hazard Mitigation Plan (**LEGISLATION** section)

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Alley vacation request – 1101 North Blanchard Street vacation

Daniel Stone, Van Horn, Hoover & Associates, Inc. on behalf of Wendy McCormick, Executive Director of Habitat for Humanity is requesting to vacate a portion of North Blanchard Street right-of-way along the curve in the vicinity of Vincent Street and Central Avenue along lots 2509-2511 of the Strothers Addition. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

ORAL COMMUNICATIONS:

Renee Leguire – Blanchard Street/Lincoln Street

Ms. Leguire is before City Council on behalf of her son Mathias Leguire as he cannot be here tonight due to being at work. She read his letter verbatim:

For some of you, this will be your final meeting. In the past two (2) years, I have gotten to know a lot more about all of you than I ever thought possible. Most of you have made some pretty bad mistakes (i.e. Main Street street bumpouts, trying to give away a City lot, vacating some streets, no bicycles on Main Street, etc.). You need to be held accountable for your actions. Grant Russel was the loudest among you when it came to restricting bicycles on sidewalks in his downtown. Well, Mr. Russel now you should face the consequences of your actions. Kenny Bender used to ride his bicycle safely around Findlay on the sidewalks. Kenny did not qualify to obtain his driver's license due to cognitive disabilities, so he rode his bike everyone on sidewalks where he was safe. One of his favorite places to visit was Muddy River Bicycle Company in downtown. Grant Russel pushed through a bicycle ban on sidewalks in downtown because of reported near misses between bicyclists and pedestrians, no reported accidents mind you, only near misses. So, to limit the freedoms of everyone in town, they passed the ordinance restricting bicycles on sidewalks instead of the invisible boundaries that make up the precious downtown. Kenny Bender got busted by our Findlay Police and was issued a two hundred dollar (\$200) citation for riding his bicycle on the sidewalk where he was safe. Many friends of Kenny Bender went to the Municipal Building to try to get the citation dropped against Kenny, but to no avail. The former Mayor wanted to make an example and there were to be no exceptions, no warnings. He was to pay the two hundred dollars (\$200) and was never to ride on the sidewalk downtown ever again. We're talking about a man with a mental disability being forced to pay two hundred dollars (\$200) for riding where he was safe and telling him if he was caught riding on the sidewalks again, he will again be punished with another citation. So his family, peers, support people and friends of the Muddy River Bicycle Company taught him how to ride his bicycle in the street to avoid more two hundred dollar (\$200) tickets. Grant Russel may have prevented future near misses between pedestrians and bicyclists, however, it cost Kenny Bender his life. That is correct, if Grant Russel hadn't forced his law on society, Kenny Bender would still be alive today. That is why we are holding City Council and Grant Russel for the death of Kenny Bender. Your law put him in the street where he was ran over by a reckless driver. He never would have been riding in the street if you had not made a ridiculous law limiting where he could ride his bicycle safely.

Side note: your two hundred dollar (\$200) fine for riding a bicycle on the sidewalk is much greater than the fines Corey Conley paid for his past drug offenses and citations.

Now, all of you have another decision to make regarding Blanchard Street and possible lane reductions. For those of you who are not puppets, you really need to consider all the possible consequences of your actions and keep Blanchard Street four (4) lanes. Just fix the intersection at Sandusky Street, make it like Blanchard/Tiffin Avenue. I understand some of you Councilmembers will use the copout that you voted based on the recommendation of the study, or ODOT, or someone who doesn't live in Findlay. Someone who doesn't drive on Blanchard. Instead, do your job. Listen to the people who live on Blanchard. Listen to the people who live in Findlay. Do not reduce the number of lanes on Blanchard Street. Please, Grant, remember how foolish you looked when the actual government, we the people, got a referendum petition on the ballot after you ran against the best interest of the public. You spat in the face of three (3) reports which all recommended not to vacate, yet you forced it through. It is time you are held accountable. It is time that you listen to the public and turn a deaf ear to your puppet masters. Passing this legislation as an emergency to prevent a referendum was a deceitful manner in which to operate. It is exactly what we have come to expect from you. Remember Kenny Bender now that your ordinances have unintended consequences which you should be held accountable for. Vote against the proposed changes to Blanchard Street and rescind all laws restricting bicycles downtown. Sincerely, Mathias Leguire.

Discussion:

Councilman Wobser asked Ms. Leguire if she can answer questions for Mathias. Ms. Leguire replied she is not sure. Councilman Wobser asked if he understands what Mathias is stating in that he is upset that Kenny was in the street and got hit, but is against bike lanes where bicyclists would ride safely. Ms. Leguire replied that those bike lanes would not be a safe place for people to travel because of having to cross. She does not think it will be safe. She would not ride with her grandchildren on a street that has three (3) lanes that people were used to having four (4) lanes. He was safe on the sidewalk. She and her grandchildren are safe when they ride on the sidewalk.

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Treasurer's Reconciliation Report – November 30, 2019. Filed.

Findlay Municipal Court Activities Report – November 2019. Filed.

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

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Fort Findlay Enterprises Incorporated, dba Bistro On Main, located at 407 South Main Street, 1st Floor, Findlay, Ohio for a D2, D2X, D3 and D6 liquor permit. This requires a vote of Council.

John E. Dunbar, Chief of Police – Fort Findlay Enterprises Incorporated, dba Bistro On Main, located at 407 South Main Street, 1st Floor, Findlay, Ohio. A check of the records shows no criminal record on the following:

- Benjamin C. Huston
- Jordan M. Arnold

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

City Auditor Staschiak – summary financial reports

A set of summary financial reports for the prior month follows including:

- Summary of Year-To-Date Information as of November 30, 2019
- Financial Snapshot for General Fund as of November 30, 2019
- Open Projects Report as of November 30, 2019
- Cash & Investments as of November 30, 2019

Filed.

Traffic Commission minutes – November 18, 2019. Filed.

Findlay Fire Department Activities Report – November 2019. Filed.

City Auditor Jim Staschiak – year-end items to transfer/appropriate

The following accounts require an appropriation or a transfer for this budget year so that the City may remain in compliance with ORC and audit. It is important that the rules be suspended and the legislation for these transfer be passed at the December 17, 2019 City Council meeting in order to remain in compliance.

Transfer Resolution:

FROM:	Treasurer’s Office #21004000-other	\$	20.00	
TO:	Treasurer’s Office #21004000-personal services		\$	20.00
FROM:	Human Resources #21018000-other	\$	50.00	
TO:	Human Resources #21018000-personal services		\$	50.00
FROM:	General Expense #21010000-other	\$	50,000.00	
TO:	Parks Department #21034000-personal services		\$	50,000.00
FROM:	General Expense #21010000-other	\$	14,000.00	
TO:	Cemetery #21046000-personal services		\$	14,000.00
FROM:	WPC #25061000-other	\$	25,000.00	
TO:	WPC #25061000-personal services		\$	25,000.00

FROM: City Income Tax #27047000-personal services \$ 21,000.00
 TO: City Income Tax #27047000-other \$ 21,000.00

REASON: the transfers deal with moving already appropriated funds between the department's personal services (wages and related benefits) and other (operational expenses) accounts to be able to finish the rest of the year. Legislation to transfer funds is requested. Resolution No. 026-2019 was created.

Appropriation Ordinance

FROM: CR 236 TIF Fund \$ 38,828.01
 TO: CR 236 Widening Debt Service #23060310-other \$ 38,828.01

FROM: CR 236 Widening Debt Service #23060310-other \$ 38,828.01
 TO: CIT – Capital Improvement Restricted Account \$ 38,828.01

REASON: the CR 236 debt payments were appropriated and paid initially by CIT Fund-Capital Improvements money for 2019. \$38,828.01 has been received in 2019 of TIF revenue to offset a portion of the 2019 debt payment. These appropriations allow the TIF Fund money to be used for the debt and reimburse Capital Improvements.

FROM: County Permissive Fund \$ 365,619.99
 TO: CR 236 Widening Debt Service #23060310-other \$ 329,930.99
 TO: CR 236 Land Debt Service #23060210-other \$ 35,689.00

FROM: CR 236 Widening Debt Service #23060310-other \$ 329,930.99
 FROM: CR 236 Land Debt Service #23060210-other \$ 35,689.00
 TO: CIT – Capital Improvements Restricted Account \$ 365,619.99

REASON: The CR 236 Debt payments were appropriated and paid initially by Capital Improvements money for 2019. \$365,619.99 of County Permissive Fund money to pay the 2019 debt payments as an allowable use of the money. These appropriations allow the County Permissive money to be used for the debt and reimburse Capital Improvements.

FROM: Energy Bonds Series B #23056100 \$ 17,339.89
 TO: CIT Fund – Capital Improvements Restricted Account \$ 17,339.89

FROM: Energy Bonds Series A #23056000 \$ 5.72
 TO: CIT Fund – Capital Improvements Restricted Account \$ 5.72

REASON: The City had to appropriate the entire amount of the interest payment for the Energy Bonds for the 2019 debt payments. However, the Series B bonds are federally subsidized and the City received a portion of the subsidy payment. Due to the federal mandated sequester, the City did not receive the entire subsidy. Also, the amount that was due on the Series A bonds ended up being less than was shown on the amortization schedule and was originally budgeted. These transactions return the fronted appropriation to CIT Fund – Capital Improvements Restricted Account.

FROM: Special Assessments Sidewalks #28020000 \$ 317.61
TO: General Fund \$ 317.61

REASON: In 2004, the City made the final debt payment on the 2003 Sidewalk Construction Program, however, there were several assessment deferrals granted at that time in addition to several property owners that had chosen not to pay the assessment. Also, the City made the final debt payment on the 2010 Sidewalk Repair and New Construction projects in 2014. About half (1/2) of the assessed property owners chose not to pay this assessments. The City had to cover the costs of the debt payments with General Fund money and was to be reimbursed when the property owners finally made payment. The \$317.61 represents the amount of money that was received in 2019 for some of these properties. This money should now be returned to the General Fund. There are still a few outstanding assessments to be collected from these projects.

FROM: Police Pension Fund \$ 16,791.85
TO: Police Pension #27078000 \$ 16,791.85

FROM: Fire Pension Fund \$ 16,791.85
TO: Fire Pension #27079000 \$ 16,791.85

REASON: A portion of the amount received from the assorted property taxes from the County tax settlements is deposited into Police and Fire Pension Funds by law. The cash balance is then transferred to the General Fund at the end of the year. Although the revenue budgets for 2019 were estimated very closely, the transfers out of these funds were budgeted low. The County revises their revenue estimates after adoption of our annual appropriation ordinance, and in order to avoid potentially over-budgeting the fund on the certificate filing, the transfer out is budgeted lower than expected.

FROM: City Income Tax Fund \$ 250,000.00
TO: City Income Tax #27047000-other \$ 250,000.00

REASON: Based on current projections, the actual income tax collections will be more than the original estimate. The tax is allocated to CIT Fund – Capital Improvements Restricted Account and General Fund based on actual collections. I will be able to transfer more money than originally budgeted and need to appropriation increased by this amount in order to complete the transfer to the General Fund.

FROM: Cemetery Trust Fund \$ 4,490.62
TO: Cemetery Trust #27086000-other \$ 4,490.62

REASON: The amount of interest earned on the Cemetery Trust investment has come in higher than the original budgeted estimate. This appropriation allows for the total amount of interest earned to be transferred to the General Fund. Legislation to appropriate funds and to adopt on an emergency for the above listed items is requested. Ordinance No. 2019-110 was created.

Discussion:

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

Mayor Muryn – Design Review Board appointments

This letter is to serve as my request for your confirmation of the following individuals to the Design Review Board. The terms will expire on December 31, 2022. Requires Council confirmation.

Jeff Fort

Brian Hurt

Councilman Harrington made a motion to accept these appointments, seconded by Councilman Hellmann. All were in favor. Filed.

Findlay Police Department Activities Report – November 2019. Filed.

~~**Hancock Regional Planning Director Matt Cordonnier – Hancock County All Natural Hazard Mitigation Plan**~~
Per the Disaster Mitigation Act of 2000, a mitigation plan must be approved by FEMA and the State of Ohio for any community wishing to obtain funding from the Hazard Mitigation Grant Program. All communities must be assessed and be included in the plan and finally adopt the plan. All eighty-eight (88) Counties in Ohio currently have Hazard Mitigation Plans. In 2007, Hancock Regional Planning created the County's first Hazard Mitigation Plan that was approved by FEMA and the State of Ohio EMA and subsequently adopted by the County, City of Findlay, and all of Hancock County's Villages. In 2013, Hancock Regional Planning Commission (HRPC) conducted the first required five-year update of the plan. In 2019, HRPC conducted the County's second five-year Hazard Mitigation Plan update. In order to update the plan, HRPC conducted two (2) public hearings on the following dates: 11/5/2018 and 11/19/2018. In addition to the public meetings, letters and surveys were sent to the City of Findlay, Hancock County, and all the Townships and Villages. Waiving the required three (3) readings and adopting the 2019 Hazard Mitigation Plan update on an emergency is requested. ~~Resolution No. 027-2019 was created.~~ As previously noted in the **"ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:"** section of tonight's agenda, this item and corresponding Resolution No. 027-2019 was removed from the agenda.

Service Director/Acting City Engineer Thomas – ODOT guardrail project

Notification from the Ohio Department of Transportation (ODOT) has been received that they are planning on upgrading and/or replacing the guardrail at the Trenton Avenue (US 224) intersection with Broad Street as it wraps around Broad Street to where it ends on Broad Street. ODOT will bear financial responsibility for all of the costs with the construction of the project. The City will not owe ODOT money for completion of these improvements. The project is scheduled to bid in late 2020, but ODOT will need the City's consent to proceed with the project. ODOT is requesting that Council enact a preliminary consent ordinance and return a copy to them by January 17, 2020 so that they can begin the design of the project. Legislation to provide preliminary consent for the project is requested. ODOT-provided Ordinance No. 2019-111 was created. Filed.

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

In August, it was requested that the Federal Aviation Administration (FAA) grant funds for these projects be appropriated into the projects. These projects were also awarded a grant from ODOT Aviation. The total amount that was requested was the FAA Grant amount and the ODOT Aviation amount, but should have been separated out. In order to remedy the situation, \$9,709.50 needs to be de-appropriated from the projects and then the same amount needs to be appropriated from the ODOT Aviation Grant to the projects. This needs to be completed by the end of the year so that the financial books are corrected. Legislation to de-appropriate and appropriate funds is requested. Ordinance No. 2019-112 was created.

De-appropriation:

FROM: Runway 7/25 Rehab – Crack Seal Design/Construction (35293200)	\$ 6,909.50	
FROM: Rehabilitate Taxiway A (A4 to A6) – Design (35284800)	\$ 2,800.00	
TO: FAA Grant		\$ 9,709.50

Appropriation:

FROM: ODOT Aviation Grant	\$ 6,909.50	
TO: Runway 7/25 Rehab – Crack Seal Design/Construction (35293200)		\$ 6,909.50
FROM: ODOT Aviation Grant	\$ 2,800.00	
TO: Rehabilitate Taxiway A (A4 to A6) – Design (35284800)		\$ 2,800.00

Filed.

Parks and Recreation Board minutes – October 21, 2019. Filed.

Service Director Thomas – annual Community Park Improvement Program Grant 2020 #31995000

In September, the County provided permission for the City of Findlay Public Works Department to apply to the Hancock County Park District for their annual grant program in which the City has received the grant from the Park District. Legislation to move the grant monies into the project is requested. Ordinance No. 2019-113 was created.

FROM: HPD Grant	\$ 14,961.45	
TO: HPD Grant 2020 #31995000-other		\$ 14,961.45

Filed.

Findlay Fire Department Fire Chief Eberle – STRICT Center

During the regular Hancock County Firefighters Association monthly meeting, Fire Chief Eberle provided an update on the progress of the STRICT Center, the multi-agency public safety training facility planned for Findlay Fire Station 4. The Support of the HCFA agency members has been unwavering since the inception of the project and nearly all of them had previously provided letters of support for it. To validate the need for this facility within Hancock County, after the update last week, the HCFA voted to donate ten thousand dollars (\$10,000) toward the construction of the STRICT Center, with a check payable to the City of Findlay. This shows that not only do the agency members verbally support the project, but that they are also willing to invest a large percentage of their association’s funds towards making this a reality. Chief Eberle thanked the Hancock County Firefighters Association for the continued support who realizes the value the STRICT Center will bring to the first responder community in the area. He appreciates their willingness to invest their own funds into this project.

Discussion:

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

COMMITTEE REPORTS:

An **AD HOC COMMITTEE** met on December 9, 2019 to review Council's Rules of Procedures for the 2020-2021 Council term, as well as Council sub-committee assignments.

We recommend continued discussion on December 18th at 1:00pm in the Council Office to present preliminary assignments to 2020-2021 Council Representatives for feedback.

Councilman Harrington moved to adopt the committee report, seconded by Councilman Wobser. All were in favor. Filed.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the VHF radio system via Ordinance No. 2019-108.

We recommend Council pass Ordinance No. 2019-108 with suspended third reading at the December 17, 2019 meeting. Ordinance No. 2019-108 received its first reading during the November 19, 2019 City Council meeting.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Bridgett Mundy, on behalf of Blanchard Valley Health Association, to rezone 0 Birchaven Lane from C1 Local Commercial to M2 Multiple Family, High Density.

We recommend approval as requested. Legislation for this will be on the January 2020 City Council agenda.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 024-2019 (*walkable community*) requires three (3) readings

third reading – tabled after third reading on 11/19/19, adopted during OLD BUSINESS

A RESOLUTION SUPPORTING THE UNITED STATES SURGEON GENERAL'S CALL TO ACTION TO PROMOTE WALKING AND WALKABLE COMMUNITIES.

RESOLUTION NO. 025-2019 (*Lorraine Hutson retirement*) requires three (3) readings

first reading - adopted

A RESOLUTION COMMENDING LORRAINE HUTSON FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

Councilman Slough moved to adopt the Resolution, seconded by Councilman Harrington. 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. 026-2019 (*year-end transfer of funds*) requires three (3) readings

first reading - adopted

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

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

~~**RESOLUTION NO. 027-2019** (*Hazard Mitigation Plan*) requires three (3) readings~~

~~***first reading*** — removed from the agenda during ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA: portion of the meeting.~~

~~A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ADOPT A HAZARD MITIGATION PLAN AS THE OFFICIAL PLAN FOR THE CITY OF FINDLAY, OHIO AS A GUIDE TO REDUCE RISKS TO CITIZENS AND PROPERTY, AND DECLARING AN EMERGENCY.~~

RESOLUTION NO. 028-2019 (*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 Russel moved to adopt the Resolution, seconded by Councilman Wobser. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

ORDINANCES:

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. 2019-100 (*County software licenses*) 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. Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-100 and is hereby made a part of the record.

ORDINANCE NO. 2019-101 (*digital sign bids*) requires three (3) readings

third reading - defeated

AN ORDINANCE AUTHORIZING THE PLACEMENT OF AN ADVERTISEMENT IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE MUNICIPAL CORPORATION TO SOLICIT BIDS FOR AN ELECTRONIC ADVERTISING SIGN ALONG THE INTERSTATE IN FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Hellmann asked if the City proceeds with asking for bids for the sign if that means we are obligated to approve whichever one we want, or if all bids can be denied. Law Director Rasmussen replied they can all be denied. This Ordinance is just to advertise for bids and receive bids. Councilman Hellmann feels that this is asking companies to invest a lot of time to put a bid together, which costs them time and money, but the City has not determined if we will approve a digital sign on the freeway. It seems that we have the cart before the horse. Mayor Muryn replied that this will give the City the opportunity to consider proposals. If the City is not interested in doing so, that is perfectly fine. It allows the City an opportunity to see what companies can present. The City will confirm that what they are proposing is aesthetically pleasing. Some of the companies that are interested in providing bids have different designs that they would be willing to put forward. It is up to Council to decide if this is something they are interested in having done. All this would commit the City to is to be able to receive proposals and not require us to accept and move forward a proposal at this time.

Councilwoman Frische has similar concerns that Councilman Hellmann has and agrees with him that we might have the cart before the horse. During the limited discussion during the last City Council meeting, it was mentioned that the Administration was going to find out some of the legalities of the property to find out if a sign can even be put there. There should be an ordinance stating that the City wants to use their property for electronic signs before this ordinance is addressed. Mayor Muryn replied that Law Director Rasmussen and Safety Director Schmelzer looked into deed restriction, political ad restriction and another item. Safety Director Schmelzer noted that one question was if a sign would follow the City's approval process in which the answer is yes. It was also asked if there is a deed restriction prohibiting the use on the property to which he could not find any. The last question asked was what the review standards would look like. It depends on what could be presented on it. There is language that can be inserted into the agreement that would state that the City can review to some extent and/or prohibit some messaging on the sign. At this point, none of those are concerns. Putting the cart before the horse is not the case here. The exact criteria has to be determined for what the City wants to put a bid out which means a lot of discussion and conversations amongst Councilmembers about what they want to see. He is not in a position to tell Council what all the opportunities look like. If Council is interested, minimum criteria could be put around this and put it out to bid. It would be the choice of those that want to put a bid together to do the work and present the information to Council to evaluate whether or not they like it. If a company does not want to do the work and submit it to Council, they do not have to.

City Auditor Staschiak asked how the potential for a lawsuit based on constitutional grounds and/or freedom of speech would be handled if there is language in an agreement preventing certain types of advertising. Law Director Rasmussen replied that the City would provide certain restrictions (i.e. political advertising). It would be an advertisement that would run with certain restrictions. We cannot get there unless it is known that someone is interested. Safety Director Schmelzer added that there is already language that is relatively standard in both agreements that the City received from the vendors that were interested. He would be happy to provide that to see if Council wants to add any restrictions to it. Those would be used as guidelines in their bid submittals. These types of signs have been put up multiple communities. Findlay is not the only community that is concerned with certain types of language and/or advertisements. These concerns have been addressed without any constitutional conflict.

Councilwoman Frische believes what is perceived from the legislation that came out that the City is wanting to put out an electronic billboard on City property with two (2) companies that want to place them on our property. The benefit to the City has not been determined yet. Mayor Muryn replied that she has no opinion on this. These two (2) companies reached out to the City and asked what the appropriate process is to follow which is why the Ordinance came about. It is to see if Council wants to see proposals. There is some opportunity to receive some income from it. She understands the concerns with having this type of sign on the interstate and City property. This is up to Council what they want to do.

Councilman Hellmann does not want this to be interrupted that the City is promoting digital billboards on City property or on non-City property along the freeway by taking bids for it. He does not want to see the I-75 corridor to be like the Tiffin Avenue which is not a pretty sight in terms of sign code. He would like to see that discouraged if possible. Mayor Muryn understands Councilman Hellman's concerns and agrees that the City wants to protect their property along that corridor and that we are putting the City's best foot forward for when motorists are traveling through as it makes an impression on them. Because this is a parcel by parcel of property by property proposal, the City is not soliciting nor allowing multiple signs along this corridor. The City's response to those that were inquiring about having a sign in this location was that the City is interested in entertaining proposals and can decide if this particular location works or find another site that is appropriate, or are not interested in any signs at all. We have the flexibility to determine if the proposals are what we want. She is fine with wanting to receive bids and seeing where it comes in at to get an idea of what would be put there. She is also fine with having a sign in this location, or look at other locations.

Safety Director Schmelzer feels that if Council passes this, they are saying we are in an agreement of a digital sign. It would come down to conditions of the sign. There is going to be a large electronic sign there, so if Council does pass this, they are saying to vendors that they are okay with the digital sign concept. If Council is not saying that, he recommends not voting in favor of this.

Councilwoman Frische asked if either of these two (2) interested vendors have placed their signs on City property anywhere else and if anyone has seen any types of documents on how they write those types of contracts. Safety Director Schmelzer replied that he has seen two (2) examples. Councilwoman Frische feels that if this moves forward that the examples that Safety Director Schmelzer has should be forwarded to Council. Safety Director Schmelzer replied that he will be happy to do that. The framework of that agreement and the conditions that the vendors would be willing to subscribe would be part of the review.

Councilman Harrington moved to table the Ordinance, seconded by Councilman Slough. Ayes: Slough, Harrington, Hellmann. Nays: Russel, Shindledecker, Watson, Wobser, Frische, Niemeyer, Ostrander. Motion to table is defeated.

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

Discussion:

Councilman Russel pointed out that if this Ordinance is adopted tonight, this Council will be making the decision if bids are accepted or not. If it is not adopted tonight, the next Council will be the decision makers on what the criteria is. This Council could vote the Ordinance down and the next Council could bring it back up on the agenda. Based on the conversations on this, there seems to be some hesitation on this in which he shares those concerns, but allowing it to go out to bid brings more information to the table for Council to make an informed choice. He will be voting in favor of the Ordinance.

Councilman Shindledecker pointed out that all unpassed legislation will die at the conclusion of tonight's Council meeting. He is in favor of letting this Ordinance die tonight and if the next Council chooses to resurrect it and write a new ordinance and start all over again.

Councilman Harrington noted that his reasoning for his motion to table the Ordinance is what Councilman Shindledecker just stated. There are a lot of questions that Councilmembers have and should be sent to committee and have a lot of those questions answered and address legislation at a later date.

Councilman Wobser pointed out that the reason he voted against tabling the Ordinance is because he feels Council needs to vote on it now because if it is tabled, it goes away. It is not something that Council needs to vote on now. He would like to wait to deal with it until all of the construction on the I-75 corridor is done so we can see what it looks like. He will be voting against this.

Councilwoman Frische informed Council that she will be voting against the Ordinance. She does not think the City should waste anyone's time and give them the impression we want to do something when we do not have all the information in advance to make the decision.

Councilman Watson feels that more information is better and would like to get more information.

Councilwoman Frische asked Councilman Watson what information he is looking for. Councilman Watson replied design features as well as what the City would gain from a contract where we are not bound by any decisions by accepting bids, so he does not understand why the City would not want to seek information and then make a decision on that information.

Ayes: Watson, Harrington, Niemeyer, Russel. Nays: Shindledecker, Slough, Wobser, Frische, Hellmann, Ostrander. Motion to adopt is defeated.

ORDINANCE NO. 2019-102 (*STRICT FFD training facility*) requires three (3) readings

third reading - adopted

AN ORDINANCE AUTHORIZING THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO MANAGE PROCUREMENT OF MATCHING FUNDS THROUGH PUBLIC, PRIVATE, AND JOINT SOURCES, AND AUTHORIZE PROFESSIONAL SERVICES AS REQUIRED FOR A REGIONAL TRAINING FACILITY TO BE UTILIZED BY PROFESSIONAL AND VOLUNTEER FIREFIGHTERS OF HANCOCK COUNTY, OHIO, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

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

Discussion:

Safety Director Schmelzer thanked the Firefighters Association for their contribution.

Ayes: Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-102 and is hereby made a part of the record.

ORDINANCE NO 2019-103 (2321 North Main Street rezone) requires three (3) readings
third reading - adopted

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 2321 NORTH MAIN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C2 GENERAL COMMERCIAL" TO R3 SINGLE FAMILY, HIGH DENSITY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-103 and is hereby made a part of the record.

ORDINANCE NO. 2019-105 (Blanchard St/Lincoln St project) requires three (3) readings
third reading – adopted as amended

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Discussion:

Councilman Wobser noted that there will be several amendments offered for this Ordinance and it will get somewhat confusing on where things are going. He asked if a motion needs to be on the table before Council can amend the Ordinance. Law Director Rasmussen replied by nodding his head in agreement.

Councilman Watson moved to adopt the Ordinance, seconded by Councilman Russel.

Discussion:

Councilman Wobser noted that this has been a widely discussed project with a lot of pros and cons for it with each Councilmember having an idea on what should happen with it. He would like to amend the Ordinance to follow down the lines of what he mentioned during the last Council meeting to change Blanchard Street, from Sandusky Street to Lincoln, to one-lane putting turn lanes in and leaving everything else the same which will cost the City approximately one million two hundred thousand dollars (\$1,200,000) net which is one million five hundred thousand dollars (\$1,500,000) extra to have it done versus what ODOT is proposing. It is important that the City looks at this from several different angles. He is offering his amendment to simply changing Blanchard Street, from Sandusky Street to Lincoln Street, to one-lane and add turn lanes, leaving the rest of Blanchard Street as is, essentially taking out bike lanes.

Councilman Wobser moved to amend the Ordinance, seconded by Councilman Russel.

Discussion:

Councilman Watson noted that Councilman Wobser has been looking for a compromise on the whole project, but he is concerned with the overall financial cost. One million two hundred thousand dollar (\$1,200,000) is a lot of money and would be getting away from impacting the entire corridor and having the safety benefits of the plan as proposed. While Councilman Wobser's amendment will affect one intersection, it will be missing the overall impact of the study and making the whole corridor safer than just one intersection.

Councilman Shindledecker read his comments verbatim:

Ever since we were taken completely by surprise about six (6) months ago when the original configuration for the Blanchard Street Bike Lane project had changed dramatically, the main selling point for the revised plan seems to be safety for motor vehicular traffic as if bike lanes, whether dedicated or shared, is a given. I want to talk about safety also, not regarding motorized traffic, but the bike lane concept itself. In a word, I believe bicycle traffic on Blanchard Street in any form is dangerous and needs to be discouraged rather than encouraged. Let's start in the west side of Blanchard where the proposed bike lane would begin at Blanchard and Center Street. Do we really want to start a bike lane where vehicular traffic comes and goes in six (6) different directions, east and west, north and south on Blanchard, northeast and southwest off of the Martin Luther King Parkway. If a biker could survive that dangerous starting point, traveling south, he or she would encounter the Water Department offices with considerable traffic into and out of the parking area. Immediately south is the fueling station for City vehicles with all kinds of cars and trucks coming and going at all hours. Then there is the Blanchard River bridge where site lines are not the best, followed by the West Main Cross Street intersection. Then, further south are several in and out businesses, including a pizza shop, a catering business, the Marathon station, an oil change operation, and a bakery – all with considerable traffic. Then, at Lincoln Street is a cigar store and the new Dollar General, all generating lots of traffic. After crossing another bridge, First Street is the only entry and exit from a youth baseball field. At Second Street, a church is now occupying a former residence. Further south at Blanchard Avenue, Route 37 traffic enters at an angle, and a used car lot and a drive-thru are all traffic generators. Then we come to Wyandot Street that leads to Whittier School. The traffic, including school buses, leads to more dangers. In short, Blanchard Street is not a good location for bike lanes either dedicated or shared and is hardly a scenic bikeway either. There are other alternatives for a north-south bikeway. Maple Street, Washington, Park, or one I favor – Wilson Street and Brookside Drive. Now the plans are for one-lane traffic with turn lanes at major intersections. It is argued that it would be safer and still allow thru traffic to flow smoothly and not become congested. Really? I wondered if there is a similar intersection with the same proposed configuration. There is. West Main Cross and Western Avenue. Have you ever been caught in traffic backed up as far east as Dietsch's? Well, from Glessner Avenue east bound to Western. I think we all have and it happens several times a day. Do we really want to duplicate all of that chaos on Blanchard Street that carries an even greater traffic load. Now, I don't simply like to oppose something without offering an alternative. It's been argued we should paint bike share lanes, then eliminate them if things don't work out. I proposed a similar experiment on southbound Blanchard near Main Cross, install signage similar to what existed until recently for northbound traffic south of Lincoln. Signage directing thru traffic to the curb lane, but not outright prohibiting it in the middle lanes, then replace the traffic signal at Blanchard and Sandusky to accommodate a time specific left turn option. Anyone can interject public comments regarding the proposed changes to their own benefit, but in more than fifty (50) years reporting on and considering public opinion as a Councilman, I have never seen such widespread opposition to a plan. There are situations where numbers don't necessarily reflect the right decisions we have to make. Case in point, the Main Street project, which I voted for. There was much opposition to that proposal also, but if you recall, one positive for reducing through traffic on Main Street was the availability of Blanchard Street to absorb some of that congestion. Now, we want to eliminate that alternative.

Regardless of the outcome, listening to the people always has to be given serious and sober consideration. This time, I strongly believe the people are right. The Blanchard Street project is unsafe, unnecessary, and passionately unwanted. Lastly, there's the elephant in the room, the check from the State for bicycle accommodations. That's a lot of money, but is it really worthwhile to undertake a project that is just plain wrong. I for one am unwilling to deal with the devil for a project such as this. If other Councilmembers truly believe this is safe, worthwhile and good for the community, by all means let's take the State money and forge ahead, but bear in mind that several persons have already indicated they would round a referendum effort that if successful, would keep the entire project hanging until next November. It's time to do what's right. Leave Blanchard Street alone until it can be shown that is really is the right thing to do.

Councilman Wobser talked with a couple of new people this week on this project who suggested to designate the bike lanes so that they would not be used during high traffic times and would go back to a traffic lane during rush hour. Safety Director Schmelzer replied that it is an interesting idea. He is unsure how it would be striped to not be used all times. If it would be turned into a regular traffic lane, it would have to have a convoluted striping configuration. If there were some restrictions on bike lane usage, he would have to review the City's ability to restrict it. It would probably consist of no bicycle riding between certain hours if deemed to be unsafe. It could be restricted via signage or via an ordinance. Bicyclists will make prudent decisions based on their experience level whether or not they bike in that lane during certain times. Some bicyclists are more experienced than others. He is unsure if a bike lane on Blanchard would be heavily used or even used by anyone. The City is not eliminating any options and are not requiring anyone to ride in that lane. The lanes that were just mentioned on other streets are also possibilities. It currently is legal for someone to ride in Blanchard Street now.

Councilman Watson asked if the City can restrict bicycle riding during certain hours. He asked if it is possible to have a city ordinance for it. Law Director Rasmussen replied an ordinance to do that can be created, but is difficult. There will have to be special markings. Large cities that have done this have lights. He cannot offer an opinion to the safety or whether it would or would not be complied with.

Council President Pro-Tem Russel pointed out that an amended version of this Ordinance is in front of Council tonight. He discussed the last WHEREAS before SECTION 1 with Councilman Wobser and then later with Councilman Hellmann who had a similar idea for an amendment. The WHEREAS clause states that a traffic study will be required to be done within one (1) year of the completion of Blanchard Street to evaluate how it is working. It does not mesh well with Councilman Wobser's amendment, but he will offer it for Council's consideration after Council discusses and votes on Councilman Wobser's amendment. He and Councilman Wobser discussed the amendment to respond to citizen concerns of what is being proposed on Blanchard whether or not it will make things worse which is not the intent of the Blanchard Street project, nor is it his intent. He does not believe it will make things worse, the proposed study will give the City a point in time to check themselves. It will be similar to what was done for the reverse angle parking downtown that is now one of the most popular parking. It will be looked at again in a year with an evaluation to decide whether or not to continue with it.

Councilwoman Frische pointed out that there has been a lot of opposition to this project within the last six (6) months because there has been two (2) parts to it. She did a survey with the public via her social media to try to find if citizens agree that there was a problem or a need. The majority agree that there is an issue at Blanchard and Sandusky. It is visible with the everyday traffic flow. The bike safety is a huge issue. The biggest issues are the safety of bikers on Blanchard and vehicles going down to one lane. She agrees with Councilman Wobser's give and take, but does not agree with his not having a solution to that financial number. The Service Director/Acting City Engineer sent some emails out this week about the life of Blanchard Street. Council has been told it has a fifty percent (50%) life and are unsure what that means. Fifty percent (50%) life is a lot of time to plan and get the street done. The Administration and Council seem to be focusing on the dollar figure. If the City can get that much money and do the changes that are required in the grant, it will save the City tax dollars, but there is so much opposition with this project. She does not understand how the City can force something at this level when the street is not full of potholes and is not in dire need of repair. Even though the Water Department's paving was not done to the best of the City's ability mainly because they assumed this project would be done, there is options there that have not been evaluated in doing the project in stages. She would be open to the idea of putting in turn signals, but not putting in turn lanes. It is like that in a couple other locations within the City where it has worked and it trains motorists to get out of that lane because it is turning and instead continue into the right lane. The public fears by having a designated turn lane that it is going to back up traffic into that single lane at certain times of the day and certain events during the year. She asked if the emergency clause in SECTION 2 in the proposed amended version gives a thirty (30) day wait or if it is immediately effective. If there is a thirty (30) day wait, it gives the public a last option for a possible referendum. She does not want to prohibit that option for them. She asked if either version of this Ordinance is passed if both have the emergency clause in them and if so, what has to happen to pass it immediately or give it the thirty (30) day wait. Law Director Rasmussen replied that it is written as an emergency, so it would have to have seven (7) votes in favor of it to eliminate a possible referendum. If the emergency clause stays in the Ordinance, it goes into effect as soon as the Mayor signs it. Councilwoman Frische noted that if there is less than seven (7) and the public wants to take it further, then they have that option to voice their vote. Law Director Rasmussen replied that it is a two-thirds (2/3) vote which is seven (7) votes.

Councilman Wobser asked if the emergency clause is removed if that means that the Mayor would not sign until after thirty (30) days. Law Director Rasmussen replied that is correct. She cannot sign it until after thirty (30) days. Councilman Wobser asked if that then gives the public thirty (30) days to form a referendum if they want to. Law Director Rasmussen replied that if Council's vote on the Ordinance is seven (7) to three (3) with the emergency clause, it goes into effect immediately when the Mayor signs it, so there is no referendum. Otherwise, there is a referendum period which is thirty (30) days. Councilman Wobser asked if the public would be able to file a referendum within the thirty (30) day timeframe even if it has a seven (7) to three (3) vote. Law Director Rasmussen replied no. Councilman Wobser asked if a seven (7) to three (3) vote makes it referendum-proof regardless. Law Director Rasmussen replied that is correct.

Councilwoman Frische clarified that if Council wants to allow for a referendum, whether it ends up being a seven (7), eight (8), nine (9) or ten (10) vote, the emergency clause will need to be removed. If the emergency clause is removed, the Ordinance has a thirty (30) day effective date no matter what. Law Director Rasmussen replied that is correct. Councilwoman Frische asked if it allows the public the option for a referendum regardless if it is a seven (7) or more vote to pass it. Law Director Rasmussen replied that if the emergency clause is not removed and passed and is a seven (7) or more vote, the public does not get the option to have a referendum.

Councilwoman Frische moved to amend the Ordinance to remove the emergency clause.

Discussion:

Councilman Wobser asked for clarification on whether or not another motion can be made before the vote is taken on the last motion before Council considers this motion. Law Director Rasmussen replied that Council would have to debate the first motion and vote on it. Council President Pro-Tem Russel informed Council that consideration to Councilman Wobser's motion needs to be given consideration first before additional amendments can be considered.

Councilwoman Frische asked if Councilman Wobser can amend his amendment before it is voted on if he wants to. President Pro-Tem Russel replied that he can as well as the Councilmember that seconded his motion. Councilwoman Frische asked who seconded it. Councilman Russel replied that he did.

Councilman Wobser asked if the emergency clause is removed and regardless of the vote count, if a referendum can be formed. Law Director Rasmussen replied that is correct if it does not have the emergency clause in the Ordinance. Councilman Wobser asked if the emergency clause is in the Ordinance and the vote is less than seven (7) if a referendum could be formed. Law Director Rasmussen replied that is correct because there has to be a two-thirds (2/3) vote.

Safety Director Schmelzer informed Council that if they remove the emergency clause and it goes to referendum, it would be telling ODOT that we are not sure if we want to do this or not and would be moving their money into the next fiscal year and it is likely that ODOT would tell us no.

Councilman Wobser noted that his amendment has some ODOT funds involved, so if it is voted that way, there would still be some ODOT funds in it and it goes to referendum . . . Safety Director Schmelzer interrupted stating that if Councilman Wobser's amendment has is a thirty (30) day waiting period and if it goes to referendum, we would be telling ODOT that we would not be taking their money until November which puts it into the next fiscal year and that we currently do not have rights to that money in their next fiscal year.

Council President Pro-Tem Russel pointed out that there is an amendment on the floor that has been seconded and has had discussion on it, so he is calling the question on it. Councilman Hellmann asked if it is Councilman Wobser's amendment. President Pro-Tem Russel replied that is correct. The amendment is for a three (3) lane configuration from Sandusky Street to Lincoln Street with a center turn lane and remove bike paths along the entire length of the project at a cost of approximately one million two hundred thousand dollars (\$1,200,000) funding from ODOT.

Ayes: Wobser, Shindledecker. Nays: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Slough, Watson. Motion to amend per Councilman Wobser's changes is defeated.

Councilman Russel proposed another amendment as presented on the hard copy at each Councilmember seat. He read the amended changes:

WHEREAS, the City will measure the as-built condition of the project within one (1) year of completion to determine the impact on safety and level of service, and make determinations based on sound engineering principles whether to continue with the lane configuration change or to make alternate plans to restore prior configuration and address safety in a different way.

Councilman Russel moved to amend the Ordinance as presented via the hard copy at Council seats tonight, seconded by Councilman Harrington.

Discussion:

Councilwoman Frische asked if Councilman Russel wants to remove the emergency clause in his amendment. Councilman Russel replied he does not.

Councilman Wobser asked if this amendment allows to have an impact study done to see if it is working or not within one (1) year after completion. If it is not working, then it can be put back the way it was and that there would be no call-back clause in the ODOT monies. So, if the City is awarded ODOT's funds, it can still be turned back to the way it was if we so choose. Safety Director Schmelzer replied that within the one (1) year would be the outside number. If this does not perform in accordance with the models that have been projected, he will be the first one to request a new traffic study and he will invite ODOT to help pay for the modifications to make it more safe. If their report and their traffic analysis is incorrect, then the City has a right to have a conversation about the traffic study that the City paid for and the design that the City paid for. Just because it says a year does not mean that if it does not work right that we have to wait a year.

Councilman Hellmann asked if once the assessment is done and the study is taken care of if we have to go back to 4-lane arrangement and if it could be altered in any way to make it safer so that traffic flows better and works the way we had intended. Safety Director Schmelzer replied that we would be looking at as-built performance and get a study done based on that performance. Whether it is functioning perfectly or not, he feels it is worthwhile to do and then we can make decisions based on what we see.

Councilman Wobser asked if it is a one million two hundred thousand dollar (\$1,200,000) compromise by not using the City's money and looking at how the project is doing within a year. Safety Director Schmelzer replied that he agrees that going with this latest amendment will eliminate the City having to pay the one million two hundred thousand dollars (\$1,200,000). He would view this as having its own built-in referendum and ability to go back and examine the as-built condition. There is nothing that says that we have to live with a decision in perpetuity when the information that we were given turns out to be incorrect.

Councilman Shindledecker feels that if we do not take the opportunity for the public to speak out on this, he feels it will be a great mistake.

Councilwoman Frische feels that if we go through with this, it will come across to the public as if the City knows more about it than they know. By not taking SECTION 2 out, it will no longer be possible for the public to referendum it and indicates that we are not confident in doing the right thing for the public. The idea of a built-in referendum doesn't work. She would consider this Ordinance if SECTION 2 was removed, but without doing so, she will not consider it at all. Safety Director replied that he is not afraid of a referendum. He is not concerned with that. He is concerned with the plan and is also concerned that ODOT will tell us no and not give the City any money for this project. His concern is entirely with the timeline. Councilwoman Frische replied that she was not saying that Safety Director Schmelzer is the only one afraid of a referendum, but meant the entire Administration. She is concerned that when an election is going on, how some of the verbiage that was used will be taken by the public. When discussing the pros and cons of ODOT funds for this project, it sounds like its more about paving and paving infrastructure dollars, but there is still life in the road there. If SECTION 2 is not taken out, it is saying that the City is not representing their constituents by not giving them the option. If the public does not file a referendum after thirty (30) days, then there will be nothing to worry about. She feels SECTION 2 (emergency clause) should come out of the Ordinance.

Mayor Muryn clarified that if the Ordinance is not passed on at least a seven (7) in favor, three (3) against vote, then it is subject to referendum.

Councilman Hellmann does not care for Councilwoman Frische's comment that the City knows better as he does not know any better than anyone else on this project. The City is taking the advice of those who know better (i.e. Traffic Engineers, those who have studied this, consultants that the City has used, ODOT, etc.), plus the results of what other cities have done. He is willing to take the advice of the Engineers who have made the recommendation and move forward with this experiment. If it doesn't work, then the City can ask for forgiveness and go back to something else.

Councilman Watson likes having the ability to revert with no harm, no foul. Inside of one year is a big selling point for him. He asked for clarification on what is meant by fifty percent (50%) life of the road. Service Director/Acting City Engineer Thomas replied that as explained in his email, during the last City Council meeting it was mentioned that there is fifty percent (50%) life left in the pavement. The current rating of the street is in the fifties. The current rating is not the same as useful life. Pavement ratings is between 0-100 with 100 being a perfect street. When comparing Blanchard Street with a perfect street on a test, it would score in the fifty percentile which does not mean there is fifty percent (50%) life left. The City's Water Department did not do a bad job of paving that area. Only trench repair is done for water and sewer lines, then the City goes back and then the following year, the road is repaved which gives the trench time to settle. The contractor compacts the stone, but there is still some settlement. Nothing different was done on Blanchard Street than what has been done on other streets when replacing a water line or sewer line.

Councilman Shindlecker takes issue with Councilman Hellmann's comments that the City is taking the advice of those who know more than we do. While he does not dispute that those in the Engineering Department and ODOT are smarter than he is, anyone can see what was done at Main Cross and Western Avenue and can see that it just does not work.

Mayor Murn followed up on Service Director/Acting City Engineer Thomas's comments in that the fifty (50) rating was also done before all of the work was done on Blanchard, so it is most likely less than that at this point.

Councilwoman Frische feels the Administration and Council are splitting hairs and will not go down that level of discussion. Blanchard Street is not in dire need of being paved today. It has been discussed to put it in the three to five (3-5) year capital plan if this option was not available, which tells her that there is plenty of life left in that road. In her opinion, by leaving SECTION 2 in the Ordinance, the City is telling the public we know more than what they are asking for. This project was not on the radar until grant monies from ODOT became available. Whether the vote is more or less than a seven (7), it should not matter to remove the emergency clause in SECTION 2 to show the public that we are hearing them and are giving them the opportunity if they want to step up and take action, and if they don't, that is fine too. Whether it is less than a seven (7) vote, she does not see what the problem is in taking the risk and removing the emergency clause (SECTION 2). She would like to see that part removed.

President of Council Pro-Tem Russel reminded Council that a motion to amend has been made and seconded. With no additional comments on the amendment, a roll-call vote will be taken to approve the amendment. Ayes: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Slough, Watson, Wobser. Nays: Frische, Shindledecker. The Ordinance is amended.

Discussion:

Councilman Wobser noted that Councilwoman Frische can still make a motion to amend the Ordinance to take out SECTION 2 in which this would be the time to do so. He feels that last amendment made was the right thing to do. If Councilwoman Frische is concerned about the emergency clause, she should offer an amendment to remove it.

Councilwoman Frische moved to amend the Ordinance to remove SECTION 2 (emergency clause), seconded by Councilman Shindledecker.

Discussion:

Councilman Harrington asked for clarification on what SECTION 2 is. Councilwoman Frische read SECTION 2 verbatim:

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that the aforementioned project may proceed expeditiously,

Councilman Watson asked if the emergency clause were to be removed, if it pushes it into the next fiscal year and ODOT could tell the City no. Safety Director Schmelzer replied yes, it is within their purview. He does not know if they would.

Councilwoman Frische does not believe the answer Safety Director Schmelzer gave to Councilman Watson is correct. If the public does not do a referendum, it goes through in thirty (30) days. Safety Director Schmelzer replied that there is no question about that. Councilwoman Frische pointed out that if the public does not do a referendum in thirty (30) days, whether it is five (5) in favor or more of the Ordinance, it leaves the option open to the public if they want to take that step.

If they do not want to, the clause for the review within one (1) year is a good give and take and taking out SECTION 2 is a good give and take for the public to have a voice. If there ends up being a referendum, it would be strong enough to tell the City that we shouldn't be doing this. Safety Director Schmelzer noted that the plans have to be submitted by February 15, 2020. If thirty (30) days goes by without a referendum, the City will submit the plans. We will probably plan on submitting the plans regardless of doing the work. If there is a referendum, he believes ODOT will consider whether or not the City will get to keep the money. Even if the project passes, if the voters say they want it, the City may not be paying for it themselves.

Councilman Shindledecker asked if the City does not have the money at this point. Safety Director Schmelzer replied that the City does not have it in their hands, but does have a commitment from ODOT stating that they will pay ninety percent (90%) of the project.

Councilman Wobser noted that if this does go to referendum, there is just as good of a chance that the referendum is voted down, therefore, the legislation would stand as is. If this goes to referendum, there is a good chance that ODOT would tell us that too much time has expired and their money is gone, so even if a referendum says to go ahead and put the bike lanes in, they would cost more than the additional one million five hundred thousand dollars (\$1,500,000). Safety Director Schmelzer replied that is what he is saying. He cannot guarantee what ODOT will decide if there is a referendum, but that there is a risk. The Project Manager has stated that this has gone on a very long time and if it is pushed into the next fiscal year, he does not know what the decision will be.

Councilwoman Frische feels that the affirmative votes on this are already there not to have a referendum, but if it ends up being a six (6) in favor and four (4) against, then there is the possibility of a referendum.

Council President Pro-Tem Russel informed Council that a motion and a second has been made to remove SECTION 2 out of the Ordinance.

Ayes: Shindledecker, Wobser, Frische. Nays: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Slough, Watson. Motion to amend to remove SECTION 2 is defeated.

Council President Pro-Tem Russel informed Council that the motion to adopt the Ordinance as amended, with the emergency clause in (SECTION 2) has been made and seconded.

Councilman Harrington moved for adoption of the amended Ordinance leaving the emergency clause in (SECTION 2). Council President Pro-Tem Russel asked for a point of order and asked Law Director Rasmussen if this is a necessary motion in that there has already been a motion to do so. Law Director Rasmussen replied that those were subsidiary motions, so it now goes back to the original motion of the Ordinance as amended. Council President Pro-Tem Russel asked if another motion is needed for adoption of the amended Ordinance. Law Director Rasmussen replied no.

Discussion:

Councilman Russel pointed out that comments were made that this was sprung upon Council six (6) months ago, but Council voted on this project prior to that with the three (3) lane configuration. He had asked for the configuration and looked at it, as well as had conversations with the City Engineer about what it looked like. He is unsure if everyone on Council was aware of that. He and Councilman Wobser discussed Charlevoix, Michigan and US 31. Charlevoix is in the northern tip, north of Traverse City. US 31 is their main north/south road through town. It is the only north/south road through town. They went through a similar configuration from a four (4) lane to a three (3) lane configuration that we are looking at on Blanchard. They are before and after pictures on Google Maps. Michigan's Department of Transportation recently released a study on this in a similar manner to what has been amended to our Ordinance. The safety benefits were immediate with fifty percent (50%) in one direction and sixty percent (60%) in the other where the service of the road remained the same with no decrease in service in either direction, with approximately a minute and a half (1 1/2) increase in service, with an average twenty-seven (27) minute drive from one end of this project to the other, which was about a minute and a half (1 1/2) decrease in service. They have more stacking, or cars backing up longer because they are in a single lane instead of two (2) lanes or in a single turn lane, but their thru-put through intersections is the same. That is another community in a similar situation to Findlay that was done and was successful. Another comment that was made was that it was not known that there was a safety issue until the bike plan was looked at when the Engineers informed us there was an issue of too many accidents on Blanchard for the amount of traffic we have which was the driver for him for this project. The City of Findlay has the opportunity to improve the safety on Blanchard Street. He personally witnessed a motorcycle/car accident on Blanchard and Sandusky approximately fifteen (15) years ago that he hopes to never see again. If the City has the ability to make the streets safer so that citizens do not have car accidents and have to repair their cars or miss work because their car is not functioning, and when the City has a relatively simple solution and the ability to reconsider it if not proven to be successful, he has an obligation to support such an effort, which has been his primary reason for being behind this project. It would be safer for bicyclists to be in a dedicated bike lane and not be competing with cars in the same lane. It is a safer alternative for cars which is what ODOT put forth.

Councilman Shindledecker agrees with Councilman Russel that it would cut down on vehicular accidents, but for the most part, it is a lot less heart-wrenching and a lot less difficult to repair a fender-bender car than it is to paralyze a bicyclist in a bike lane that is totally unsafe. He reminded those that voted for the Main Street project that any implicit promise that Western Avenue didn't work out all that well and that traffic would be rerouted to Blanchard Street to remove some of the through traffic on Main Street. It left an impression that it was one of the reasons why the Main Street project was done to begin with to remove the through traffic to some degree and push it to Western or Blanchard.

Councilwoman Frische agreed with Councilman Russel that it was more than six (6) months ago that this opportunity came up. She admits Council made a mistake by not vetting the process. She is disappointed that Councilman Russel and Councilman Wobser had a discussion that they did not bring to Council. This project should have gone through a process where it was discussed to the extent the grant process was fully understood. When the second part of this opportunity came up making it a safety grant, it was never discussed, but instead a letter came from Councilman Russel and another Councilmember asking Council to approve the letter to move forward with the second option requiring additional dollars. Council did not do its job and communication with the public did not happen. She is disappointed that Councilman Russel had a one-on-one discussion and did not share it with the rest of Council. While Council did not know they had a safety issue until the opportunity came up, there are safety issues everywhere in the community. Council made a mistake of not vetting it properly.

Councilman Watson was surprised to hear that Councilman Shindledecker agrees with Councilman Russel in that this project would reduce vehicular accidents because that is a major pro for the project. He does ride a bicycle and can ride on Blanchard right now, but does not like to ride there right now. He would prefer to ride in a bike lane on Blanchard compared to how it is right now as it would be safer.

Councilman Harrington called for the question. President of Council Pro-Tem Russel pointed out that there still is discussion going on. Councilman Harrington moved to call for the question.

Councilman Russel asked for a point of order. He asked Law Director Rasmussen if discussion is still going on if the question can be called. Law Director Rasmussen replied that the President of Council can ask if there are any inquiries and go from there. President of Council Pro-Tem Russel replied that he has other comments to make and there still are comments to come from the City Engineer.

Service Director/Acting City Engineer Thomas clarified that when the option came up to include the safety portion of this, it was discussed at a Traffic Commission meeting with those minutes being approved by City Council, as well as a letter came to Council asking for permission to apply for a grant.

Councilman Russel noted that he did not write a letter to Council asking for an approval. It is not his job to ensure that Council is notified in their packets or do their research or when he has one-on-one conversations with anyone. That is to be done individually. His job is to represent the citizens. He has always felt that Councilwoman Frische is one of the better prepared Council Reps here. He is sorry that that she feels she needs him to fill her in on all his conversations. Councilwoman Frische replied that she is only stating that it was not vetted. Committees are formed, not just the Traffic Commission, but other committees (Appropriation Committee, Committee of the Whole, etc.). When budgets are discussed, further detail is given, but in this case, that was not done. She did not question the Administration that there were bigger discussions. What was said to Council was that there is an opportunity to get the street paved, which everyone would like to do that, but when it was realized approximately six (6) months ago that a major change to the lane configuration was to be done with a lot of public input and concern is when it changed. While Councilman Russel can have conversations with each individual Councilmember if he so chooses, this project was not vetted as a COMMITTEE OF THE WHOLE or an APPROPRIATIONS COMMITTEE.

Ayes: Hellmann, Niemeyer, Ostrander, Russel, Slough, Watson, Harrington. Nays: Shindledecker, Wobser, Frische. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-105 and is hereby made a part of the record.

ORDINANCE NO. 2019-108 (*VHF Radio System*) requires three (3) readings

second reading – adopted

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

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

Discussion:

Councilman Russel pointed out that this was discussed during an APPROPRIATIONS COMMITTEE meeting. This radio system will provide a back-up to the MARCS system the City already has. It also provides an opportunity to have some cost savings on actual radios that are used. It might end up that some will go off the MARCS radios and use the VHF as a cost-savings manner.

Safety Director Schmelzer appreciates the diligence or Lieutenant Swope working through this issue in trying to get it as concise as possible for Council's consideration. The MARCS system is something that the City is heavily invested in. This is not a move away from MARCS. It provides the ability to still communicate in the event that MARCS does not perform as it should. If the VHF system is set up, it will save money on radio purchases. There are significant cost savings between radios that are required to operate on the MARCS system and those that could be used in the Fire Department and in Public Works. Every time radios are recycled, it saves about five hundred thousand dollars (\$500,000). Without the VHF system being built, we would not have the ability to consider that. There could be some cost savings of \$10/month per radio for subscription fees for any radios that are on MARCS. There were some instances with the MARCS system where the radios did not function properly. As a Safety Director, he works with emergency responders to find options for Council's consideration to make sure that in those events, they are still able to operate as a community. It is important for them to communicate with outside communities on very large scale events with a focus on making sure that they are always able to communicate here, which is what that project does. It will create four (4) channels for the City to communicate with both the north and south water towers. Approximately three hundred fifty thousand dollars (\$350,000) has already been appropriated to this and are looking to appropriate about two hundred fifty thousand dollars (\$250,000) more.

Councilman Wobser thanked Safety Director Schmelzer for going through the different options during the APPROPRIATIONS COMMITTEE meeting. It makes a lot of sense given the history of the MARCS system and the cost of it. It is what is needed for City services that are not critical for the time as an emergency and still have the ability to be under the MARCS system if need be.

Councilwoman Frische asked if the equipment was eliminated when the City went with the MARCS system. Safety Director Schmelzer replied that is correct. Those radios are no longer in use. There still are a couple of older ones floating around. The Police Department has the ability to use both. They will continue to use the infrastructure that has already been purchased for those departments through their life spans. He is not suggesting to buy new radios as that is not needed. The MARCS radios are already past their warranty, but have continued to use them. They have done some preventive maintenance on them. In the event some of those radios have reached their useful life, they can be replaced with a significantly lower cost model.

Councilman Hellmann asked how many radios there are. Safety Director Schmelzer replied one hundred four (104) in the Police Department, eighty-seven (87) in the Fire Department, and two hundred ten (210) in the Public Works Department and other departments.

Councilman Russel asked if this is being asked for now to take advantage of pricing with a vendor at their year-end discount. Safety Director Schmelzer replied that is correct. He had asked for price quotes earlier to allow for this Ordinance to receive all three (3) readings, but they did not get it to him in time for that.

Ayes: Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-108 and is hereby made a part of the record.

ORDINANCE NO. 2019-110 (*year-end appropriations*) requires three (3) readings
first reading - adopted

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

Councilman Slough moved to suspend the statutory rules of Council 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 Slough 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 2019-110 and is hereby made a part of the record.

ORDINANCE NO. 2019-111 (*ODOT guardrail project*) requires three (3) readings
first reading - adopted

AN ORDINANCE COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR UPGRADES AND/OR REPLACEMENT GUARDRAILS AT VARIOUS LOCATIONS IN THE ODOT DISTRICT 1 AREA INCLUDING TRENTON AVENUE (US 224) INTERSECTION WITH BROAD STREET AS IT WRAPS AROUND BROAD STREET TO WHERE IT ENDS ON BROAD STREET, AND DECLARING AN EMERGENCY.

Discussion:

Councilman Wobser asked for a summary of what this is. Service Director/Acting City Engineer Thomas replied that the day after the last City Council meeting, he received a letter from ODOT wanting to replace the guardrail on Trenton as it wraps around Broad. They will bore all the costs for construction. It will not cost the City any money. Since it is located within the City limits, they need an Ordinance of cooperation from the City stating we are okay with it. With the way things fall, he had the opportunity to put it on tonight's agenda and ask Council to give it all three (3) readings tonight or put on the agenda for the first meeting in January, but since they want it back by the 17th, he decided not to wait until January and have the new Council have to give it all three (3) readings, and since it is no cost to the City, he wanted to put it before Council tonight.

Councilman Wobser asked if this is the southwest corner by the high school. Service Director/Acting City Engineer Thomas replied it is.

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

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

Discussion:

Councilman Niemeyer asked if these are the ones that are already half knocked down. Service Director/Acting City Engineer Thomas replied that they were planning on replacing them, but that they are the ones that were damaged in the accident where the control box for the traffic signal was hit.

Ayes: Watson, Wobser, Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-111 and is hereby made a part of the record.

ORDINANCE NO. 2019-112 requires three (3) readings

(Runway 7/25 Rehab – Crack Seal Design/Construction project No. 35293200 Rehabilitate Taxiway A (A4 to A6) – Design project No. 35284800)

first reading - adopted

AN ORDINANCE DE-APPROPRIATING FUND AND APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules of Council 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 Harrington moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Frische, Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-112 and is hereby made a part of the record.

ORDINANCE NO. 2019-113 requires three (3) readings
(HPD Annual Community Park Improvement Program grant)

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: Harrington, Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Hellmann, Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-113 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS

Councilwoman Frische was under the impression that a County Commissioner was going to be in attendance at tonight's City Council meeting to discuss the proposed County Probate Court/Juvenile Court and asked why they are not present. Mayor Muryn replied that they requested to attend the second meeting in January so that they could have the builder there to present as well.

Councilman Russel moved to lift Resolution No. 024-2019 from the table, seconded by Councilman Watson. Ayes: Niemeyer, Ostrander, Russel, Shindledecker, Slough, Watson, Wobser, Frische, Harrington, Hellmann.

Discussion:

Councilman Russel noted that he made the motion to table this at the last City Council meeting because the Mayor was not in attendance and not able to answer questions about what this program is about, how it will be implemented, and how it will benefit the City.

Mayor Muryn informed Council that the benefit and the goal of this Resolution is to encourage safe paths to school, safe sidewalks and improvements in showing the City's goal of being able to create an environment that is safe for citizens to walk and encourage healthy living. The City is working to reconsider a sidewalk program. The Administration will be working with the 2020-2021 City Council to put together guidelines and will continue to work with the schools to improve paths to schools keeping in mind the Surgeon General's call to action that is to create communities that promote walking for healthy living. As a community, we recognize the importance of having healthy communities and the benefits it brings to citizens and the economy.

Councilman Russel asked for more information on the sidewalk program. Mayor Muryn replied that sidewalks in the City of Findlay are the private citizens' responsibility. Unsafe sidewalks, especially around schools and areas where there is a lot of walking, are deteriorating and could end up being a trip hazard. The City has been working with those areas to replace them at a discounted price to the resident, however, there is not a formalized process for it. They have researched a couple of different communities on how they have handled it. They will be working with the STREETS, SIDEWALKS, AND PARKING COMMITTEE to figure out how they will be able to do it and if they want to put aside funds, or put together a plan to identify where sidewalks need replaced. They are trying to be more proactive as there are citizens that have brought those concerns forward. The Administration would like to be proactive on sidewalk issues where problems are known rather than waiting for citizens to bring those issues forward. Sidewalks are something they want to pay more attention to in 2020.

Councilwoman Frische asked if the City is looking to address sidewalks that are in bad condition rather than implementing installation of new sidewalks. Mayor Muryn replied that there are some areas that have sidewalks, then there are gaps in the sidewalks. For example, the east side of Bright Road across from St. Michael's Church has areas without sidewalks which is a small area within the township. It is an area that the City wants to reach out to the township to work with them to get the sidewalk extended because pedestrians walk in that area or are having to push a stroller through mud. So, there are some instances where the City would like to reach out to them to extend sidewalks and also identify areas where sidewalks are deteriorating. Councilwoman Frische noted that before her time, there was a sidewalk program where sidewalks were required so many feet from a school that caused some issues for property owners who did not want them.

Councilman Russel moved to adopt the Resolution, seconded by Councilman Hellmann.

Discussion:

Councilman Hellmann asked if the City is paying for this. Mayor Muryn replied that the City is not requiring anyone to have them. Currently, property owners within the City of Findlay limits are responsible to maintain their sidewalks. If a sidewalk is deteriorating and something were to happen, the property owner would be liable. The Surgeon General's call to action is not requiring sidewalks to be there. They are providing some measures that cities can take to create environments that are conducive to safe walking. One of those measures is the Safe Routes to School Program that the City has been involved with. Another measure is to add trails. It is mainly to give attention to the benefits of walking. They are not giving the City a set amount of money, but there are benefits to participating. For example, being involved with the Move With The Mayor Campaign opens up opportunities for grant funding.

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

Councilman Russel noted that in 2020, the Hancock Park District will be celebrating its fifth (50th) year anniversary. During that time, they have had two (2) Directors. In celebration of their anniversary, they are hosting a walk in all of the parks in the order that the parks were brought into the Park District with the first one being January 4, 2020 beginning at Civitan Park. Mayor Muryn added that the Hancock Park District rents snow shoes and also cross-country skis if needed.

Councilman Hellmann noted that Ordinance No. 2019-015 (Utility Billing software) has been tabled for quite some time and asked if it falls off the agenda beginning in 2020. Mayor Muryn replied yes it does.

NEW BUSINESS

President of Council Pro-Tem Russel adjourned City Council at 9:13pm.

CLERK OF COUNCIL

COUNCIL PRESIDENT PRO-TEM

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CLERK OF COUNCIL



COUNCIL PRESIDENT PRO-TEM