

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

APRIL 21, 2020

COUNCIL CHAMBERS

ROLL CALL of 2020-2021 Councilmembers:

PRESENT: Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser

ABSENT: none

President of Council Harrington 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 March 31, 2020 Special Session City Council meeting minutes, Councilman Wobser seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept to the April 7, 2020 Regular Session City Council meeting minutes, Councilman Greeno seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA: none

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Zoning amendment request –0 Midland Ave (parcel #610000330200)

Chad Oman, on behalf of Tamarack Construction North LLC would like to change the zoning of 0 Midland Avenue (parcel #610000330200 empty lot) to R4 Duplex/Triplex High Density Residential. It currently is zoned as R2 Single Family Medium Density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay Municipal Court Activities Report – March 2020. Filed.

Findlay Police Department Activities Report – March 2020. Filed.

Findlay Fire Department Activities Report – March 2020. 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 March 31, 2020
- Financial Snapshot for General Fund as of March 31, 2020
- Cash & Investments as of March 31, 2020
- Open Projects Report as of March 31, 2020

Filed.

Treasurer's Reconciliation Report – March 31, 2020. Filed.

Service Director/Acting City Engineer Thomas – Blanchard St & Lincoln St bike lane/shared lanes, project no. 32876000

The Engineering Department has received authorization from the Ohio Department of Transportation (ODOT) to bid this project. In order to stay on schedule, it requires a tight timeframe for bidding and awarding of this project. The final award package must be to ODOT by June 4th at the latest. The final award package includes all signed form, contracts, etc., so Engineering will need some time after the local funds are appropriated in order to get all of the forms signed. Following the required bidding timeframe, the appropriation of the local funds will need to be made during the May 19th Council meeting and would require Council's rules to be suspended and an appropriation be made with one reading. Given the history of this project, preference is not to ask that the appropriation be made with only one reading, so an estimate will be provided instead to begin the approval process to allow for the ordinance to receive its first reading on April 21st and a second reading on May 5th. The bid opening will be on May 13th and the ordinance can be amended if needed before it receives its final reading on May 19th which will allow the ordinance to receive three (3) readings. The estimate should be a worst case scenario, so if the ordinance needs amended, the amendment should be to reduce the amount of funds needed. Legislation to appropriate and transfer funds is requested. Ordinance No. 2020-046 was created.

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|-------|--|---------------|
| FROM: | CIT Fund – Capital Improvements Restricted Account | \$ 350,000.00 |
| TO: | Blanchard Street & Lincoln Street Bike Lane/Shared Lanes <i>Project No. 32876000</i> | \$ 350,000.00 |

Discussion:

Councilman Wobser thanked Service Director/Acting City Engineer Thomas for the detail he put in the letter for this and the timeline he provided. He asked what will happen if the bid is over the estimate. Service Director/Acting City Engineer Thomas replied it will be like any other project where he will come before City Council asking for more funds and Council will have to decide if the funds will be appropriated or not. Filed.

City Planning Commission agenda – May 14, 2020; **minutes** – April 9, 2020. Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from W. Anthony Scanlon on behalf of G & H Enterprises, LLC to rezone 701-807 Adams Street/700-714 Putnam Street from M2 Multiple Family Residential District to R4 Duplex/Triplex High Density Residential District.

We recommend approval as requested. Ordinance No. 2020-045 was created.

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

LEGISLATION:

RESOLUTIONS: none

ORDINANCES:

ORDINANCE NO. 2020-032 (*2019 Ordinances & Resolution changes*) **requires three (3) readings** **third reading - adopted**
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Russel informed Council that he spent the last couple of weeks reading through these changes and did not find anything out of the ordinary and has no concerns with the changes.

Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindlecker, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-032 and is hereby made a part of the record.

ORDINANCE NO. 2020-033 (*Airport hanger lease agreement*) **requires three (3) readings** **tabled after second reading on 4/7/20**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO NEGOTIATE AND ENTER INTO A NEW LAND LEASE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY FOR PURPOSES OF CONSTRUCTING A PROPOSED HANGER FACILITY AT THE FINDLAY AIRPORT FOR USE AND OPERATION BY MARATHON PETROLEUM CORPORATION.

ORDINANCE NO. 2020-036 (2020 CUBE parking lot repairs) requires three (3) readings
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

third reading - adopted

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

Discussion:

Councilman Russel reminded the public that this is for the CUBE's parking lot. He asked if this could be done in 2021 or even later instead of now due to the current budgetary situation. While he understands the parking lot is not in good shape and that this was approved as part of the Capital Plan, it should wait to be done due to the City's economic situation.

Councilman Wobser asked if this project is not done now if it will cause an increase in cost on anything else. Projects are sometimes bundled together and have some synergy between them. Service Director/Acting City Engineer Thomas replied that because of the size of the parking lots out there (parking lot on the south side of the building, north side, and east side), the project was broke down in phases. Phase 1 was bid last year with paving starting next week. Funds for that have already been appropriated. It is to do the main parking lot to the south of the building which was in bad shape and needed done. This year, Phase II is for the parking lot to the east of the building. He has no concerns with waiting to do the last phase for the parking lot on the north side of the building as it is not as bad. He has no way of determining if this Phase (Phase II – parking lot east of the building) would be more costly to bid it next year versus this year, but he has received pretty good pricing for it right now. He feels it is something that Council should move forward with now. Councilman Wobser asked what portion of the parking lot this ordinance is for. Service Director/Acting City Engineer Thomas replied it is for Phase II which is for the parking lot east of the building which is between the CUBE and Main Street. Councilman Wobser asked if the third portion is the north side of the parking lot. Service Director/Acting City Engineer Thomas replied that is correct. Councilman Wobser asked what the total amount of this project is. This ordinance is asking for \$132,000. Service Director/Acting City Engineer Thomas replied this Ordinance is just for Phase II.

Mayor Muryn pointed out that she and Service Director/Acting City Engineer Thomas have discussed what capital projects could wait and what ones should move forward. This one is one that should continue to move forward keeping in mind that as the top layer of asphalt deteriorates, they want to prevent the layer below it from also deteriorating which requires additional funds to be able to get it to a condition where it can be replaced. The third phase is something that could be held off if need be, but it would be beneficial to move forward with this phase.

Councilman Shindledecker has a soft spot for the CUBE as he was on the joint Recreation District Board from its inception until the City bought it and agrees with Councilman Russel that this is something that should be put off. Mayor Muryn replied that the Administration appreciates and understands Councilman Shindledecker's concerns and will abide with whatever Council's decision is. While reviewing all the Capital Projects, one parking lot that is being put off is Emory Adams. While parking lots are not an exciting thing to maintain, they still are the City's responsibility to maintain at an appropriate level. It is no longer beneficial to just patch the part of the parking lot. The plan designated \$90,000 towards Emory Adams's parking lot, but only \$10,000 will be utilized instead to just patch it. It is no longer beneficial to just patch Phase II of the CUBE parking lot. This ordinance is to provide a long-term solution.

Councilman Palmer asked what the likelihood would be of costing the City more money later if Phase II of the CUBE parking lot is not done now. Service Director/Acting City Engineer Thomas replied that he cannot predict what the next winter will be like nor can he estimate how roads will hold up. It is a guessing game. Winters we have had and with streets side by side, it is difficult to determine which will hold up better than the other one. When cracks in the surface and/or potholes start, a conduit is created where water can run down and cause deterioration. Once the second layer is damaged, it cannot just be milled and filled. The whole parking lot would have to be removed and redone which costs a lot more money to do.

Councilman Wobser asked if the Administration is holding back projects based on the current budget situation and are not relying on Council to say yes or no to projects to meet a budget number. Service Director/Acting City Engineer Thomas replied that is correct. A meeting or two ago, a list of the projects for this year that are going to be held off were provided which equaled approximately one million three hundred thousand dollars (\$1,300,000). Based on the latest projections, it is anticipated that the City will not be getting approximately one million four hundred thousand to one million five hundred thousand dollars (\$1,400,000-\$1,500,000) in capital, depending on what the revenue does. Some projects will have money returned. He will go through the list of open projects next week to see if any of them are done and can be closed with possible money going back to the fund. Projects are being evaluated as they go. Each week, he compares where the latest revenue is and adjust accordingly.

Mayor Muryn clarified that the Administration was aware that five million (\$5,000,000) of the seven million dollar (\$7,000,000) amount that City Auditor Staschiak provided would be short back in December and had already starting talking with department heads about making adjustments. As of last Friday, revenues have come in approximately five percent (5%) lower than expected and will get more drastic going into April. Capital cuts that were proposed to Council were approximately one million four hundred thousand dollars (\$1,400,000). On a regular basis, departments have been returning between five to eight percent (5-8%) of their annual expenses and have been asked to identify an additional five to eight percent (5-8%) in areas that can be pulled from their operational expenses. The Administration will continue to look at the capital projects. At this point, department heads and the Administration are self-monitoring and are not bringing anything before Council that are not beneficial to move forward with. Once additional detail is available, it will be provided to Council. Right now, they are still refining it with the mentality of how they can make those adjustments daily. The Bureau of Workers Compensation from the State of Ohio is refunding approximately three hundred eighty thousand dollars (\$380,000.00) to the City. She has been notified that the City will be receiving approximately seventy thousand dollars (\$70,000.00) in grant funding from the Federal Aviation Administration (FAA) for the airport. City Administration continually seeks out any additional revenue funding available. She will provide a full report on how the Administration is working with the Federal and State Government to ensure some gap funding not just for COVID-19 related expenses, but as the Federal Government provides their aid packages, she will do everything that she can to ensure that the City receives some funding to help. The state of Ohio is one of the few states that is primarily funded on municipalities based on income tax revenue which will always be heavily impacted. The Administration will continue to advocate, on a continual basis, to receive the support that is needed long-term. They continue to monitor the City's funds ensuring that they are okay even if dipping into reserves is possible, which is what they are there for, but making sure there are reserves available keeping an eye on the margin as much as possible.

Councilman Wobser asked Mayor Muryn if she will have additional information at the next City Council meeting on May 5th. Mayor Muryn replied she will. Department heads went through their budgets and provided their initial drafts. Those drafts were discussed today, but the Administration did not feel comfortable sharing them with Council yet, but she will provide that at the next meeting.

Councilman Hellmann asked if the cost will double if this project is not funded this year and instead waits another year with the possibility of having to repair the lower base material. Service Director/Acting City Engineer Thomas replied that it depends on what is there, how bad it is damaged, and whether or not the entire parking lot needs repaired or just portions, so he cannot say for sure if it is exactly double, but would definitely be higher.

Ayes: Haas, Hellmann, Niemeyer, Palmer, Slough, Warnecke, Wobser, Greeno. Nays: Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-036 and is hereby made a part of the record.

ORDINANCE NO. 2020-037, AS AMENDED (CR 180 drainage plan) requires three (3) readings **third reading - adopted**
AN ORDINANCE ACCEPTING BIDS AS RECEIVED AND AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE COUNTY ROAD 180 DRAINAGE PLAN PROJECT NO. 35594100, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-037 and is hereby made a part of the record.

ORDINANCE NO. 2020-038 (4th Capital Improvement appropriation) requires three (3) readings **third reading - adopted**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-038 and is hereby made a part of the record.

ORDINANCE NO. 2020-039 (229 Howard St rezone) requires three (3) readings **second reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 229 HOWARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO R4 DUPLEX/TRIPLEX.

Second reading of the Ordinance.

ORDINANCE NO. 2020-045 (701-807 Adams St/700-714 Putnam St rezone) **requires three (3) readings** **first reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 701-807 ADAMS STREET, AS WELL AS 700-714 PUTNAM STREET REZONE) WHICH PREVIOUSLY WAS ZONED "M2 MULTIPLE FAMILY RESIDENTIAL DISTRICT" TO R4 DUPLEX/TRIPLEX HIGH DENSITY RESIDENTIAL DISTRICT.

First reading of the Ordinance.

ORDINANCE NO. 2020-046 (Blanchard St & Lincoln St bike lane/shared lanes) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS:

Mayor Muryn reminded Council that the Census 2020 is going on right now with approximately sixty percent (60%) responses. Those that have not completed it can go to my2020census.gov and complete it online. The University of Findlay is going to be pushing out to all of their off-campus housing residents over the next couple of weeks which will help response rates. She appreciates everyone's support.

NEW BUSINESS:

Councilman Russel: PLANNING & ZONING COMMITTEE meeting on May 14, 2020 at 12:00pm. This will be a virtual meeting.
agenda: 0 Midland Avenue (parcel #610000330200) rezone

Mayor Muryn informed Council that they should have received an invitation for a conference call on April 30, 2020 for an update on the CR 99 and I-75 interchange project. The City, in conjunction with Ohio Department of Transportation (ODOT) and the United States Department of Transportation (USDOT), are wanting to update that interchange. There has been some failure of services with development in that area with truck traffic that comes off of I-75 into the industrial park. They are looking at reconfiguring work there and have invited Council to be in on those discussions. They are seeking federal funding through the USDOT to do updates in that area. Councilman Hellmann asked for the time and location of that meeting. Mayor Muryn replied it is a conference call on April 30, 2020. Councilmembers should have received an invitation for it the end of last week, but she will send the notification to all Councilmembers. The invite would have come to Councilmember's City email from ODOT.

Mayor Muryn has been hearing a lot of discussion on reopening local businesses. It will be a slow process as the last thing anyone wants is for a resurgence or an influx of cases within the community. She encouraged everyone to continue social distancing. As businesses reopen, she asks that everyone be considerate of others by wearing a mask when out and about, taking your temperature regularly, covering coughs and sneezes, and not touching items whenever possible. She thanked Councilmembers for continuing to communicate with their constituents on safety. She has had conversations with many State and Federal representative on the importance of allowing the flexibility of getting back to business as every county in Ohio is different on the severity of the virus, while keeping public safety as top priority on getting everyone back to work.

Councilman Russel would like to see the criteria of those getting back to business be changed. It should not be based on who is critical or important to be at work, but who can work safely. For example, a car detailing shop that only has two (2) employees in a 2-car garage that poses no danger to themselves or anyone else, but are not allowed to work and want to contribute to society and wants to maintain a small business to continue on, should be allowed to be open and work. In his opinion, that should be the criteria. Mayor Muryn replied that she completely agrees and has voiced that to State Representative Cross, Senator McColley, and Governor DeWine's office. She will continue to do so. She is in full support in getting people back to work if they can do so in a safe and compliant manner, and that the State should allow the maximum flexibility with the most safety measures allowing individual businesses and local entities to be able to turn in how strict it needs to be based off of the concern with an outbreak.

Mayor Muryn noted that during a couple of meetings, it has been mentioned that it would be beneficial to have all City Council Representatives that sit on all other boards, provide a report following that meeting. Letterhead will be provided via email to be used every time there is a meeting to provide a 1-page summary of the meetings to ensure that information is getting back to the Council as a whole because Council representatives of those meetings are a representative of City Council and it is important that everyone knows what is going on in other committees. She will follow up on that concept over the next couple of months.

Mayor Muryn reminded Council that the Bureau of Workers Compensation will be providing a refund to the City. She will continue to seek grants and other supplemental support through the Cares Act, will continue to monitor the fourth (4th) supplemental federal stimulus package, and will continue to advocate funds coming to municipalities, not just to the state, and not just reimbursement aid. The third (3rd) stimulus package was only for reimbursement of direct COVID-19 related expenses. Thankfully, Findlay has not endured much increased expenses mainly because there has not been a huge influx of the virus here. She would like to continue to that trend, but has seen a revenue impact due to local businesses being closed, so she is advocating that funds be available to supplement operational expenses and not just direct COVID-19 related expenses. She will continue to inform Council as she receives information on it.

Mayor Muryn notified Council that East Main Cross is currently marked to start being closed beginning May 4, 2020 for the bike path extension from the Kodak building to Bright Road by closing one lane at a time. The Sandusky Street project has not been done because of a couple of tie-overs by Columbia Gas that have to be done first in which they do not feel comfortable going into residences during this time nor having to shut off gas service to residences because of the virus situation. The contractors understand that both lanes cannot be shut down at the same time. The project is to be completed as soon as possible.

Councilman Slough moved to adjourn, seconded by Councilman Niemeyer. All were in favor. Meeting adjourned at 7:34pm.

CLERK OF COUNCIL

COUNCIL PRESIDENT