

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

JUNE 2, 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 May 19, 2020 Public Hearing meeting minutes to rezone 701-807 Adams Street/700-714 Putnam Street via Ordinance No. 2020-045, seconded by Councilman Niemeyer. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the May 19, 2020 Public Hearing meeting minutes for Zoning Text amendments via Ordinance No. 2020-026, seconded by Councilman Palmer. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the May 19, 2020 Regular Session City Council meeting minutes, Councilman Palmer seconded the motion. All were in favor. Motion carried. Filed.

ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:

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

ADD-ONS:

- Hancock Regional Planning Commission Director Matt Cordonnier – supplemental information RLF for public infrastructure for Penrose Senior Living Facility (**WRITTEN COMMUNICATIONS** section)
- Blanchard Valley Health System/Blanchard Valley Continuing Care Services/Birchaven Village Director of Residential Care Bridgett Mundy – letter of support for the RLF for public infrastructure for Penrose Senior Living Facility (**WRITTEN COMMUNICATIONS** section)

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

ORAL COMMUNICATIONS:

Alliance Economic Development Chief Tim Mayle – Penrose CDBG Resolution No. 017-2020

Mr. Mayle is before City Council to walk through the handout he just provided for this and answer any questions Council may have. The purpose of Resolution No. 017-2020 is to utilize Revolving Loan Fund (RLF) money as a grant to the City of Findlay to bid and install a publicly owned and operated infrastructure. The project is for a 50-unit senior citizen residential project out at Birchaven that Economic Development has been trying to do for a residential area for variety of reasons. This project came before Council in 2018 for a rezone and then went blithe for a couple of years because it was going through some financing pieces. The RLF Board approved a grant to the City of Findlay to install a public waterline which is what they are asking Council to do – approve that grant from Regional Planning to the City of Findlay. There is emergency legislation that is tied to this. One piece of legislation allows the HRPC Office which authorizes the Mayor to bid this work. It also allows some mitigation for lending because it is scheduled to close on June 16th. The appropriation for this comes later, so no money is being appropriated tonight and simply allows HRPC to bid out the work allowing it to align with the construction timeframe, and then after the environmental review and closing of the property when they know the cost, they will come back to City Council to ask for an appropriation of funds. Mobilization and site work are scheduled to start shortly thereafter and then they will come back to Council if this follows through sometime this summer. The handout he provided at the start of the meeting outlines the project. He asked that Resolution No. 017-2020 be approved on an emergency basis.

Discussion:

Councilman Wobser asked Mr. Mayle if he will still be here for the legislation portion of tonight's meeting so that questions can be asked of him then. Mr. Mayle replied he will be.

PETITIONS:

Zoning amendment request – 253, 251, 0 Madison Ave

Eric Emery, on behalf of Tuckerman Development LLC, and owner Douglas Aversch of BDA Properties LLC would like to change the zoning of 253 (parcel #580000238260), 251 (parcel #580000238250), and 0 (parcel #580000238240) Madison Avenue to C2 General Commercial. It currently is zoned as R2 Single Family Medium Density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

WRITTEN COMMUNICATIONS:

The **REVOLVING LOAN FUND (RLF) Board** held a virtual meeting on May 27, 2020 to review five (5) applications for the new ten thousand dollar (\$10,000.00) Findlay Business Catalyst Loan Program. There was also a request for a grant of one hundred thousand dollars (\$100,000.00) to the Penrose Group for Infrastructure in Eastern Woods for Low Income Housing.

Loan applications were from:

RooBarb Studios
Findlay Brewing Company
Objects of Desire, Artful Living
Branded by Martina, LLC
Dr Trena Reed, DPM

All applications and requests were approved with the exception of Objects of Desire, Artful Living both of which did not meet the low income levels required for the loan.

Discussion:

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

Discussion:

Councilman Wobser asked for an explanation of why Objects of Desire, Artful Living did not meet the lower income levels required for the loan. He asked if there is a maximum level of income that they did not meet. Councilwoman Warnecke replied that the owner of the business circled the very last income level on the application which is above the limits of what qualifies for the loan.

Director Cordonnier added that the loans are for job retention. Companies that have employees and are not just sole proprietors have an easier time meeting that low to moderate income standard. Fifty-one percent (51%) of their employees have to be for one job they are retaining and that person has to be low to moderate income. Councilman Wobser asked if these loans are related to the CARES Act or if it is something different. Director Cordonnier replied that it is the Housing of Urban Development's (HUD) guidelines for the Revolving Loan Fund. Originally, owners of companies were not counted as job creation or retention, but that has been changed by the State of Ohio's HUD. Councilman Wobser asked if Objects of Desire, Artful Living would qualify for the CARES Act in which the loan is for retention of employees. Director Cordonnier replied that he cannot speak to the CARES ACT. This is for the standard RLF that is set up for ten thousand dollars (\$10,000.00) loans for quicker access and quicker turnaround.

Mayor Muryn added that there is a lot of Federal and State support available for businesses right now in a variety of ways. Some directly through State funding and some through Federal funding through the CARES Act. Some businesses have already applied for it and some have already received funds through the Payment Protection Program (PPP) which focuses on covering payroll costs associated with retaining employees who are not going on unemployment. This business Catalytic loan focuses on allowing for working capital that is designed for businesses that have been keeping employees that either have not been operating or deemed non-essential, but have stayed open and have seen a dramatic decrease in revenue. It supports them and ensures that as they are continuing and trying to implement the safety measures that are being required of them, but that their revenue has still not picked back up, this will provide an opportunity to help support them financially. The RLF dollars are received through HUD. CDBG development dollars are managed by HRPC. All of the loans that have been received, except for Objects of Desire, were ones that had to continue to represent that they were retaining jobs and making an additional investment in the community. The reason Objects of Desire did not qualify under the guidelines for RLF dollars was because it consists of one single employee, the sole proprietor for that business, so it did not qualify for some of the income restrictions needed. That business was very understanding and continues to operate. The businesses that have applied and were recommended by the RLF are very excited to receive those dollars and are continuing to make those improvements and continue to operate in the City of Findlay.

Councilman Wobser asked if these loans are subject to the repayment like typical RLF loans. Mayor Muryn replied that is correct. The recommendation of the loan from the RLF are for six (6) months and are interest free and are one percent (1%) below prime. They are low interest loans. Director Cordonnier added that they allow for a six (6) months deferred payment, so they do not make payment for six (6) months with zero percent (0%) interest on the loan for five (5) years. Councilman Wobser asked if that is standard for RLF loans. Director Cordonnier replied that a standard RLF loan before the COVID virus was one percent (1%) below prime. Mayor Muryn added that the standard loans are what she just described with zero percent (0%) interest for six (6) months and are one percent (1%) below prime. Catalytic loans allow for six (6) months of deferred payment, and then zero percent (0%) interest after that. Filed.

Blanchard Valley Continuing Care Services/Birchaven Village Director of Residential Care Bridgett Mundy – letter of support for Penrose Senior Living Facility RLF via Resolution No. 017-2020

Blanchard Valley Health System (BVHS) expresses its support for a grant from the City of Findlay, for up to one hundred thousand dollars (\$100,000.00) for construction of public infrastructure improvements related to the Eastern Woods Senior project on Birchaven Lane. BVHS has been working on the development of the mixed-use Eastern Woods campus for many years. In recent years, they have been exploring to determine the best path forward to continue the development of the remaining undeveloped land within the campus. In 2018, BVHS partnered with Penrose to further advance BVHS's master plan for their Eastern Woods campus, which envisioned a mixed-use, mixed-income intergenerational community. In 2019, their partnership was fortunate to receive an allocation of Low Income Housing Tax Credits (LIHTC) from the Ohio Housing Finance Agency (OHFA), as the primary source of funding for Phase I of this plan. This first phase, called Eastern Woods Senior, is a 50-unit independent living senior housing community nearby their already existing Birchaven Village continuing care retirement community. Penrose and BVHS have been working diligently to find a viable plan of financing to ensure the ability to utilize the significant investment of housing tax credits from OHFA. BVHS has secured an investor in the tax credits and a construction and permanent loan, but still have a remaining financial gap to make their vision a reality. In 2019, BVHS applied for a Federal Home Loan Bank grant and just narrowly missed receiving that grant which would have closed the majority of the remaining funding gap. It is the best to close on the financing BVHS has as soon as possible as the current COVID-19 situation has created uncertainty in future equity investment pricing and the path to move forward on this first phase only becomes more uncertain the longer they wait while the community need for affordable housing has remained constant, if not increased. This grant from the City of Findlay will help significantly in finalizing a path to closing and beginning construction in the near term. Filed.

Hancock Regional Planning Commission Director Cordonnier – additional information for Revolving Loan Fund for public infrastructure (Penrose Senior Living Facility via Resolution No. 017-2020)

Mr. Cordonnier provided further details and information about the use of Findlay Revolving Loan Fund (RLF) money to install public infrastructure in the Eastern Woods Subdivision. The State of Ohio allows municipalities to use their RLF programs for public infrastructure when fifty-one percent (51%) of those who benefit from the project are low to moderate income. This infrastructure project is eligible because it will serve the Penrose Senior Living Facility, which will provide housing for low to moderate income seniors. Additionally, the waterline will be available for future development in the Eastern Woods Subdivision. He is requesting that Resolution No. 017-2020 be passed through emergency procedures waiving the three (3) reading requirements. The timing of the project is critical so that construction of the public infrastructure does not delay the construction of the apartment complex. This project will be administered by the Hancock Regional Planning Commission (HRPC), publicly bid out, and the construction contract signed by the City of Findlay. The total Findlay RLF balance is currently six hundred fifty-nine thousand dollars (\$659,000.00). The RLF Board has set aside three hundred thousand dollars (\$300,000.00) of the balance for the Small Business Catalyst Loans (\$10,000.00). The unencumbered balance of the City RLF Program is three hundred fifty-nine thousand dollars (\$359,000.00) that can provide thirty (30) small business catalyst loans and complete this infrastructure project and still have two hundred fifty-nine thousand dollars (\$259,000.00) left in the program. The monthly balance increases approximately seven thousand dollars (\$7,000.00) each month as loans are repaid. As the City RLF Manager, he is confident that the FLR Fund can be complete this infrastructure project and still have adequate funds to assist small businesses in the City of Findlay. As it stands, the CARES Act will be making additional CDBG Economic Development funds available very soon. Those funds can be used to issue additional RLF loans if the balance is inadequate. Mr. Cordonnier is in support of the use of Findlay RLF dollars for this infrastructure project. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Hancock Regional Planning Commission Director Cordonnier – City of Findlay Revolving Loan Fund Request for Appropriation (The RooBarb Studios LTD)

On May 27, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to The RooBarb Studios LTD in the amount of \$10,000.00. The funding will provide funds for working capital. The closing date for the loan has been set for June 5, 2020. Legislation to appropriate funds on an emergency basis in order to accommodate the timeline of the project and to accommodate the time sensitive needs of business and the bank involved in financing the project is requested. Ordinance No. 2020-064 was created.

FROM:	City of Findlay Revolving Loan Fund	\$ 10,000.00
TO:	RooBarb Studios LTD (31902100)	\$ 10,000.00

Discussion:

President of Council Harrington asked Director Cordonnier to explain what these requests are about. Director Cordonnier replied that the requests are for Ordinance Nos. 2020-064 through 2020-067 which are for appropriations of ten thousand dollars (\$10,000.00) for each loan that went through the Revolving Loan Fund last week. He requested they be passed on an emergency basis and that the three (3) readings be waived. The closing for those loans are set for this Friday. The purpose of them is to get the money to the businesses as quickly as possible. Resolution No. 014-2020 is to authorize the Mayor to allow Regional Planning to apply for CDBG funds on behalf of the City of Findlay for a sewer line, televising, and lining if necessary, for Broad Avenue, Rockwell Avenue, Clifton Avenue, and many other avenues. The application is due June 17th, so he is requesting legislation be passed on an emergency basis to waive the three (3) readings. HRPC was notified on April 21st of the fund availability and worked with the Engineering Department to create the projects. The State provides timelines to be followed.

Councilman Hellmann asked if these have to be in that office by the 17th or if they can be postmarked by the 17th. Director Cordonnier replied that they would prefer not to cut it that close. Mayor Muryn noted that the City has to leverage state dollars for a project that the City knows they need to be doing. Taking care of and maintaining infrastructure is not glamorous and is not something that is noticed until it goes bad. These areas are affected by water infiltration and some of the backdrops that are occurring, so they want to get a better understanding of what the issues are and how to address those issues.

President of Council Harrington reminded Council that the Council Clerk read the letter pertaining to Ordinance No. 2020-064 and asked Council if there is anything further on that letter. No response given by Councilmembers. Filed.

Hancock Regional Planning Commission Director Cordonnier – City of Findlay Revolving Loan Fund Request for Appropriation (Findlay Brewing Company LLC)

On May 27, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to Findlay Brewing Company LLC in the amount of \$10,000.00. The funding will provide funds for working capital. The closing date for the loan has been set for June 5, 2020. Legislation to appropriate funds on an emergency basis in order to accommodate the timeline of the project and to accommodate the time sensitive needs of business and the bank involved in financing the project is requested. Ordinance No. 2020-065 was created.

FROM:	City of Findlay Revolving Loan Fund	\$ 10,000.00
TO:	Findlay Brewing Company LLC (31902000)	\$ 10,000.00

Filed.

Hancock Regional Planning Commission Director Cordonnier – City of Findlay Revolving Loan Fund Request for Appropriation (Branded by Martina LLC)

On May 27, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to Branded by Martina LLC in the amount of \$10,000.00. The funding will provide funds for working capital. The closing date for the loan has been set for June 5, 2020. Legislation to appropriate funds on an emergency basis in order to accommodate the timeline of the project and to accommodate the time sensitive needs of business and the bank involved in financing the project is requested. Ordinance No. 2020-066 was created.

FROM:	City of Findlay Revolving Loan Fund	\$ 10,000.00
TO:	Branded by Martina LLC (31902200)	\$ 10,000.00

Filed.

Hancock Regional Planning Commission Director Cordonnier – City of Findlay Revolving Loan Fund Request for Appropriation (TC Reed DPM LLC)

On May 27, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to Branded by Martina LLC in the amount of \$10,000.00. The funding will provide funds for working capital. The closing date for the loan has been set for June 5, 2020. Legislation to appropriate funds on an emergency basis in order to accommodate the timeline of the project and to accommodate the time sensitive needs of business and the bank involved in financing the project is requested. Ordinance No. 2020-067 was created.

FROM:	City of Findlay Revolving Loan Fund	\$ 10,000.00
TO:	TC Reed DPM LLC (31901800)	\$ 10,000.00

Filed.

Hancock Regional Planning Commission Director Cordonnier – commitment of matching CDBG grant funds

On April 21, 2020, the Office of Community Development opened an application for the Community Development Block Grant (CDBG) PY2020 Allocation Grant. The Hancock County Regional Planning Commission (HRPC) intends to apply for the grant on behalf of the City of Findlay. The City Engineer has identified the lining of sewer lines in and around the following areas to be the best use of grant funds:

Broad Avenue, Rockwell Avenue, Clifton Avenue, Rector Avenue, Prentiss Avenue, Lester Avenue, Edith Avenue, Bolton Street, Fox Street, Ferndale Avenue, Delmonte Drive, Cottonwood Street and sewers in the rear yards behind Edith Avenue and Melrose Avenue.

The City of Findlay is eligible for \$177,600.00 in grant dollars. The City Engineer has estimated this project to be up to \$247,263.50. Legislation authorizing the Mayor to file an application for the CDBG PY2020 Allocation grant program, and the commitment of approximately \$69,663.50 towards the project. This application has a submission deadline of June 17, 2020 at 4:00pm, therefore, it is requested that legislation for this be passed through emergency procedures waiving the three (3) reading requirements. Resolution 016-2020 was created. Filed.

Hancock Regional Planning Commission Director Cordonnier – Revolving Loan Fund for public infrastructure (Penrose Senior Living Facility)

On May 27, 2020, the City of Findlay Revolving Loan Fund Board approved a public infrastructure grant in support of Penrose, LLC. The grant will use City of Findlay Revolving Loan Fund dollars to construct up to \$100,000.00 of public infrastructure for the proposed senior living facility. Penrose LLC has proposed a 50 unit senior living facility located in the Birchaven Development. The public infrastructure project will be administered by HRPC and publicly bid through the City of Findlay. Legislation authorizing the use of up to \$100,000.00 of Findlay Revolving Loan Fund dollars for public infrastructure related to the Penrose Senior Living Facility is requested to be passed through emergency procedures waiving the three (3) reading requirements. Resolution No. 017-2020 was created.

Discussion:

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

Councilman Hellmann asked Director Cordonnier if he has a presentation on this and/or if he would like him to ask questions now or after his presentation. Director Cordonnier replied he did not prepare a presentation, but can answer questions. Councilman Hellmann noted that this gave him a lot of heartburn when he first saw it, but after speaking with Mr. Mayle, it is now clearer to him. He asked Service Director Thomas why the City would build and pay for a waterline on private property who informed him that it is a very common practice and that the City has done it many times in the past. The reason it gives him heartburn is that it obligates the City to have to maintain it for the rest of its life. Director Cordonnier replied that is correct. Councilman Hellmann asked if a waterline freezes or breaks why it would not be the responsibility of the developer or owner and why the City's staff or someone contracted by the City fixes it. Director Cordonnier replied that it is a public waterline like all the other lines in the City. It is not a private tap-in, but is a public waterline that anyone within that development can use. It is anticipated that there will be other users in the future who will tap in and benefit from that waterline for development in the Eastern Woods Subdivision. Councilman Hellmann noted that since learning this today, he is now okay with this project. Director Cordonnier replied that there will be an easement awarded and the City will always have access to the waterline. Regardless if it is located on private property or in the public right-of-way, it is still treated the same. It is still a public waterline that the City maintains. Councilman Hellmann asked if a waterline is going down private property if the responsibility is of the developer who puts it in, pays for it, and then deeds it over to the City if it is a regular development or tap-in. Director Cordonnier replied that is the traditional scenario. Councilman Hellmann asked if this is a loan. Director Cordonnier replied it is not a loan. It is a grant. Councilman Hellmann asked if the amount of money in the RLF that has not been spent is significant. Director Cordonnier replied that is correct. Before the Corona virus, they were not seeing a lot of loan requests and were instead getting financing through the banks. The RLF is most often utilized when businesses are not getting all the money they need from banks. There are a lot of different factors that play into it. The current balance is six hundred fifty-nine thousand dollars (\$659,000.00). Three hundred thousand dollars (\$300,000.00) was set aside for catalyst loans. After this infrastructure grant, there will still be two hundred fifty-nine thousand dollars (\$259,000.00) remaining in the RLF. Approximately seven thousand dollars (\$7,000.00) a month is paid back into the RLF from the outstanding loans that are out in the field. One hundred million dollars (\$100,000,000.00) was available for the first round of the CARES Act and there is one hundred million dollars (\$1,000,000,000.00) set aside for the State of Ohio CDBG Fund, seventy-three million dollars (\$73,000,000.00) of that goes to larger counties/larger cities known as entitlement communities with twenty-seven million dollars (\$27,000,000.00) of that set aside for non-entitlement communities in which the City of Findlay and Hancock County are part of. It would be used for economic development loans and for homelessness prevention. If HRPC uses up all the money in the RLF, there is still a resource to loan out additional loans through that program, but there would be a lot of competition for those funds.

Conversely, HRPC is not eligible for those funds if it can be paid for with RLF funds. Councilman Hellmann asked if the State would prefer HRPC use RLF funds when applying for State money to be given to them. Director Cordonnier replied that is correct. If a competitive CDBG loan is submitted, they will not provide grant money and are to use RLF money on an infrastructure project instead of additional grant money being provided. The State is receiving a lot of pressure from HUD to get RLF balances below approximately one hundred thousand dollars (\$100,000.00). It is an art form, not a science. The State wants it a lot lower and can force HRPC to get it lower. Councilman Hellmann asked if that is what has happened here and if it is one of the reasons this is being given as a grant and not a loan so the RLF can be spent down. Director Cordonnier replied that the merits of the grant stand by themselves. The timing is good and the merits of it stand of itself in that it is opening up more land for development while supporting Findlay's greatest need which is housing by putting in public infrastructure. If the RLF money is spent, that is great. If not, that is fine too. Councilman Hellmann asked if they could ask HRPC for any money to be sent back. Director Cordonnier replied no. They will never ask for any to be sent back, but will always look for opportunities to use RLF money instead of providing more grant money.

Councilman Wobser recapped stating that there are four (4) loans for ten thousand dollars (\$10,000.00) each and a one hundred thousand dollar (\$100,000.00) grant that are all coming from the same entity. He asked why the City is loaning money to small businesses and yet granting (giving) the money to Penrose for infrastructure. He asked how the RLF Board has the ability to do loans and grants. Director Cordonnier replied that a lot of that is through the guidance of the State. HRPC cannot grant money to a company which was a discussion that was held as part of the catalyst loan in an effort to make part of it forgivable, but the State said it cannot grant RLF dollars to a company, but can use RLF for infrastructure that benefits a population of greater than fifty-one percent (51%) in low to moderate income individuals. Waterlines and sidewalks can be installed and bridges can be repaired with RLF dollars. Those funds can be used on infrastructure as long as that infrastructure falls within the fifty-one percent (51%) of low to moderate income. Councilman Wobser asked if this will be used for senior living. Director Cordonnier replied that is correct. Councilman Wobser asked if the fifty-one percent (51%) has to be low to moderate income seniors. Director Cordonnier replied that is correct. The State Tax Credit System has greater requirements than fifty-one percent (51%). Being a State Tax Credit project, it is going to exceed the standards that the RLF has established. It meets the standards of fifty-one percent (51%) low to moderate income. Councilman Wobser asked if there is too much money in this fund and that it needs to be spend down in order to get it replenished. Director Cordonnier replied that the State will not take any funds away, but at the same time, the City will not get new competitive grant dollars unless the current amount is spent down. This project has been in the works for awhile now and he has been having discussions about it since February. There is no penalty for not spending it down. The total allocation is expected to be sixty million dollars (\$60,000,000.00) for our community, so he is not concerned with lowering the balance because it can be replenished at this time easier than they have ever been able to replenish it. Councilman Wobser asked Director Cordonnier if he is certain he will be able to replenish the account. Director Cordonnier replied that the City will forward their loans to the State who will approve them and will then give funds to local business in Findlay or Hancock County where that loan will be paid back to the City which will bolster the RLF. Councilman Wobser asked why the City will not require the ten thousand dollar (\$10,000.00) applicants request grants instead. Director Cordonnier replied because the State will not approve them nor will they allow it. Councilman Wobser asked why the City cannot give money to a business who is asking for it, but can use it to build something else. Director Cordonnier replied that the City can use it for public infrastructure.

Councilman Shindledecker asked if the RLF has ever given a grant instead of loans in the past. Director Cordonnier replied that the County RLF lent a business called Partitions Plus four hundred thousand dollars (\$400,000.00) and then granted one hundred thousand dollars (\$100,000.00) for infrastructure to get it built. That achieved a goal in our community for job creation. The Penrose project is meeting a goal of creating more housing opportunities

Councilman Hellman asked if a grant was awarded to the City for Partitions Plus and/or Penrose so that they could build the infrastructure there. Director Cordonnier replied that in the case of Partitions Plus, which is very similar to this, the County bid it out and constructed it. Councilman Hellmann asked if it was a public entity. Director Cordonnier replied that is correct. HRPC administers it on behalf of the County. The County signed the contracts. It was handled the same way that HRPC would administer it and the City of Findlay would sign the contracts to build the waterline.

Councilman Wobser asked if this is normally done for a developer where a developer would pay for the initial infrastructure costs if they want to develop a new complex. Director Cordonnier replied that is correct. There are few opportunities, especially in residential housing, where this fund would be eligible because of the fifty-one percent (51%) low to moderate income level. They

cannot help a single family housing subdivision because fifty-one percent (51%) of those homeowners would have to be low to moderate income. There are very few opportunities in housing to utilize the fund.

Councilman Wobser asked why the infrastructure (water and sewer) cannot be put in with City funds and then charge them a fee over time to get the money back instead of giving them the infrastructure for free. Safety Director Schmelzer replied that the City does not want to get into the business of cash flow funding of private development projects. Councilman Wobser asked if that is what the City is doing here. Safety Director Schmelzer replied no, not for projects that are not within the guidelines. The City does not give them money and have the borrower pay the City back. The City is essentially fronting the loan, fronting the development costs. What the interest rate is, how much money will be used, and what kind of projects is a whole different can of worms. There are already guidelines in place for what Director Cordonnier is to use to determine if a project is/is not eligible. This property is contractually obligated to select from a lease group based on age which is only seen in senior living. He is unsure if there are deed restrictions, but the restrictions are very stringent on who they can lease to for twenty to thirty (20-30) years which is why this property is eligible for the loan. Councilman Wobser asked if this conversation would even be taking place if it wasn't for the fact that this is for low income senior living. Safety Director Schmelzer replied that is correct. The requirements are very stringent with age and income requirements which makes it eligible for a grant.

Mr. Mayle added that in addition to the age requirement of 55 and older, there is a thirty (30) year requirement for average median income which is a sixty percent (60%) average income of around fifty-one thousand dollars (\$51,000.00) within our community's average median income. Those that qualify to rent there would have to have thirty thousand dollars (\$30,000.00) in income, not in assets. It is set up for someone that is going to retire and live out there. In 2019, the State of Ohio incentivized the developer and offered them a tax credit and then required them to cap the rent, so that there is an opportunity for senior citizens who retire in our community and who can afford to live in the community. Councilman Wobser asked if this developer is also getting a tax credit from the State for building this. Mr. Mayle replied that is correct. It is from the Ohio Housing Finance Agency. Councilman Wobser asked if they will get tax credits from the State, plus the RLF will build one hundred thousand dollars (\$100,000.00) in infrastructure for nothing. Mr. Mayle replied that is correct. There will be a Phase II that should follow shortly after this, and then will be a Phase III that will be for future developments. Councilman Wobser asked if that since this grant money was used for this low income senior living facility if Phase II and Phase III will be the same. Mr. Mayle replied that they will use the same waterlines designed for that capacity. Councilman Wobser asked if the residents have to be of the same income brackets. Mr. Mayle replied it depends if they go through the Ohio Housing Finance Agency. The preference is to have Registered Nurses (RN) and State Tested Nursing Assistants (STNA) to live on the Birchaven campus for Phase II. Their next intended phase is to allow medical personnel to live on campus. He is unsure if that qualifies for a tax credit or not. It is all dependent on income level. Filed.

City Planning Commission agenda – June 11, 2020; **minutes** – May 14, 2020. Filed.

COMMITTEE REPORTS:

WATER & SEWER COMMITTEE met on May 21, 2020 via zoom to discuss water meter/transmitter project updates.

The committee was presented with a brief review of the issues regarding the water meters and transmitter problems throughout the City. Much of the discussion centered around the condition of the transmitters and the amount of labor that is required for manual reading. The committee was brought up to date in regard to the options presently being given consideration to remedy the situation. One of the options that was discussed would eliminate the manual reading of the meters. No decision on either options was made. The Acting City Engineer, Water Treatment Superintendent and Billing Supervisor will provide the committee with additional information at the June Water & Sewer Committee meeting.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 015-2020 (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 Slough moved to adopt the Resolution, seconded by Councilman Wobser. Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

RESOLUTION NO. 016-2020 (*CDBG grant funds – Howard Street improvements*) **requires three (3) readings** **first reading - adopted**
A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO FILE AN APPLICATION FOR FISCAL YEAR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

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

RESOLUTION NO. 017-2020 (*RLF public infrastructure for Penrose Senior Living facility*) **requires three (3) readings** **first reading - adopted**
A RESOLUTION AUTHORIZING THE USE OF CITY OF FINDLAY REVOLVING LOAN FUND DOLLARS FOR THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE AND AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS.

Councilman Hellmann moved to suspend the statutory rules and give the Resolution its second and third readings, seconded by Councilman Slough. Ayes: Niemeyer, Palmer, Russel, Slough, Warnecke, Greeno, Haas, Hellmann. Nays: Shindledecker, Wobser. The Resolution received its second and third readings. Councilman Slough moved to adopt the Resolution, seconded by Councilman Hellmann.

Discussion:

Councilwoman Warnecke pointed out that she voted against this based on some of the comments that she heard tonight. She would like to have the money there to support small businesses and does not understand why this cannot be a loan. She asked Mr. Cordonnier yesterday if this could be a loan and was told it could have been. The other issue she has with it is that with City departments having to watch their budgets and watch spending, she feels giving this business another one hundred thousand dollars (\$100,000.00) could have been cut out since it already is a nine million dollar (\$9,000,000.00) project, especially since they will receive the rent money from this project once it is built.

Councilman Wobser struggles with this request for a couple of reasons in that it is an unusual situation where Council is being asked to approve on short notice. He would prefer to have it go through its three (3) readings, but Council is being told it has to be done tonight. He asked Mr. Mayle how long this project has been going on. Tim Mayle replied that the rezoning was approved in 2018. Councilman Wobser added that was done in 2018, but yet Council has to approve this part of it in twenty-four (24) hours which does not give them much time to review it. The City does a good job of using State funds and other grants, but those State funds are still taxpayer dollars. He struggles with it being a nine million dollar (\$9,000,000.00) project with a request for another one hundred thousand dollars (\$100,000.00) when the infrastructure should be less than eighty-eight thousand dollars (\$88,000.00).

Councilman Shindledecker noted that he voted against suspending the rules and giving it all three (3) readings tonight, but is voting in favor of the project as he understands the financial situation of it, with the stock market the way it currently is and the virus going on, finances are fluctuating up and down just about every day. He would have been much more comfortable with giving it its first reading tonight and then during the next Council meeting, suspend the rules. He will vote for it, but he is not pleased that it was provide to Council at such a late date.

Councilman Russel pointed out that he received notice of this with his packet last Friday and not today. In a perfect world, it would be nice to be able to give this all three (3) readings, but that is not always the case. Senior housing is in the City's best interest and this is an opportunity to utilize money that has already been taxed and taken from the public and put to use here in Findlay. This is a proper and legal use of those funds, so he supports it for those reasons.

Councilman Hellmann also struggles with this. Another concern he has with it is that it may set a precedent that will build infrastructure pieces for various developments which is a slippery slope to go down. Eventually, individuals will have to be turned down that do not qualify or if the money runs out. He does not want to establish a procedure or precedent that any kind of project that comes along that qualifies for a grant is given one instead of given a loan or financed through a bank.

Councilman Russel noted that he will vote favorably on any qualifying project that moves the City of Findlay forward. Housing has been identified as a need for the City. In this case, it is public infrastructure that meets qualifications for this type of funding from the State. He will vote in favor for this and for the next one that meets the criteria.

Mayor Muryn pointed out that there are very specific restrictions on these dollars, especially related to income. There are few areas within the community that these infrastructure dollars could be used for. It is something they regularly look at on how they can invest

and best leverage these dollars. Overall, this is a great use of those dollars. It will create additional housing, will free up other housing in our community, and will provide an opportunity for those struggling to find housing. It is very restrictive on the utilization of those dollars. Any qualifying project that is brought before Council will be utilized wisely.

Ayes: Palmer, Russel, Shindledecker, Slough, Wobser, Greeno, Haas, Hellmann, Nays: Warnecke, Niemeyer. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

ORDINANCES:

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. 2020-051 (*farmland lease*) **requires three (3) readings** **second reading**

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A LEASE AGREEMENT(S) TO FARM APPROXIMATELY ONE HUNDRED EIGHTY-ONE (181) ACRES IN THE VICINITY OF THE AIRPORT, APPROXIMATELY SIXTY-FOUR (64) ACRES IN THE VICINITY OF THE RESERVOIRS, AND APPROXIMATELY TWENTY-THREE (23) ACRES AT THE CARLIN STREET LOCATION, ALL OWNED BY THE CITY, AND DECLARING AN EMERGENCY.

Second reading of the Ordinance.

ORDINANCE NO. 2020-054 (*lane light project*) **requires three (3) readings** **second reading**

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

Second reading of the Ordinance.

ORDINANCE NO. 2020-055 (*Madison and Monroe sewer replacements*) **requires three (3) readings** **second reading**

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

Second reading of the Ordinance.

ORDINANCE NO. 2020-056 (*2020 annual sewer televising program*) **requires three (3) readings** **second reading**

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

Second reading of the Ordinance.

ORDINANCE NO. 2020-062 **requires three (3) readings** **second reading**

(*2020 Street Preventive Maintenance, Project No. 32800200; 2020 Sidewalk/Accessible Ramps, Project No. 32801700*)

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

Second reading of the Ordinance.

ORDINANCE NO. 2020-064 (*The RooBarb Studios LTD RLF*) **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 and give the Ordinance its second and third readings, seconded by Councilman Greeno. Ayes: Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer. The Ordinance received its second and third readings. Councilman Slough moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-064 and is hereby made a part of the record.

ORDINANCE NO. 2020-065 (*Findlay Brewing Company LLC RLF*) **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 and give the Ordinance its second and third readings, seconded by Councilman Haas. Ayes: Slough, Warnecke, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker. The Ordinance received its second and third readings. Councilman Slough moved to adopt the Ordinance, seconded by Councilman Haas. Ayes: Warnecke, Wobser,

Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-065 and is hereby made a part of the record.

ORDINANCE NO. 2020-066 (*Branded by Martina LLC RLF*) **requires three (3) readings** **first reading - adopted**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilwoman Warnecke moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke. The Ordinance received its second and third readings. Councilman Slough moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-066 and is hereby made a part of the record.

ORDINANCE NO. 2020-067 (*TC Reed DPM LLC RLF*) **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 and give the Ordinance its second and third readings, seconded by Councilman Greeno. Ayes: Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno. The Ordinance received its second and third readings. Councilman Greeno moved to adopt the Ordinance, seconded by Councilwoman Warnecke. Ayes: Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Has. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-067 and is hereby made a part of the record.

UNFINISHED BUSINESS:

NEW BUSINESS:

Councilman Russel: PLANNING & ZONING COMMITTEE meeting on June 11, 2020 at 12:00pm. This will be a virtual meeting.
agenda: 253, 251, 0 Madison Ave rezone

City Auditor Staschiak provided a letter for fiscal year 2021 revenue estimates. He is providing this now instead of having it as an add-on. He will be providing the estimated revenues for the next fiscal year in the July 7, 2020 City Council packets. This is the first step required under Ohio budgetary law and the figures are a best estimate of what is expected in revenues over the next eighteen (18) months. In order to meet the statutory requirements for the distribution of the local government money, this document should be accepted by Council during the July 7th meeting so it can then be filed with the County Auditor by no later than July 20th. A motion for acceptance of the revenue estimates will be needed during the July 7, 2020 City Council meeting. The Council Clerk will schedule a public hearing for July 7, 2020 before the Regular Session City Council meeting, notice of which must be published ten (10) days before the hearing, during which period two (2) copies will be available for public inspection in the City Auditor's Office. When receipts from the City Income Tax Office were recorded today, the tax was down a little more than nine percent (9%) compared to last year, however, the deferred deadline from the individual component of the tax, should be down three to four percent (3-4%). It is holding steady and should continue to increase. The City Income Tax Administrator increased his estimates for this calendar year significantly to about one million and a half dollars (\$1,500,000.00). The City Income Tax Administrator asked taxpayers to consider filing early even though the deadline is not until July. In order to analyze that revenues are coming in properly, he has asked the City Income Tax Administrator to break down and provide a percentage of the number of filers that he has received. April 15, 2019 is considered one hundred percent (100%). He would like to know what percentage has come in while approaching the July deadline and what percentage will need to be taken to collections, and what percentage has filed for an extension. If that information is provided to him, he will be able to provide a better analysis of the data he has requested. He will also share with Council any information he obtains from the City Income Tax Board.

Councilman Harrington noted that City Auditor Staschiak forwarded the agreement with Julian & Grubb for the annual City audit to him so that he can sign on Council's behalf. It is an agreement for them to come in and do the annual audit. Estimated cost is forty-five thousand dollars (\$45,000.00). City Auditor Staschiak replied that it is an audit of us, but is not our audit. It is done by an outside firm contracted by the State of Ohio who bills the City for it. When the State did the City's audit approximately three to four (3-4) years ago, it was very expensive, around seventy thousand dollars (\$70,000.00). The City saves tens of thousands of dollars by having a third party contracted to do the audit. Julian & Grubb has a good reputation and does a great job. They provide good recommendations that are provided to Council with the intent to clear those recommendations off the books. While it costs the City money to have the audit, there

is nothing the City can do about it because the State is going to bill the City one way or the other. The City will want to continue having a third party firm perform the audit instead of the State doing it.

Councilman Hellmann asked what date this public hearing is set for. City Auditor Staschiak replied it is just before the Regular Session City Council meeting on July 7, 2020. He has to have revenues turned in to the County no later than July 20th, so he needs this to be accepted during the first City Council meeting in July. It contains best estimates based on what is available eighteen (18) months before the information is actually available. It is a statutory requirement that is turned into the Budget Commission consisting of a County Prosecutor, County Treasurer and County Auditor who reviews it. It is a process the City has to go through in order to receive local government money. If the City does not do this process, the Budget Commission can cause the City to lose out on a significant amount of money if the City does not follow the process. The public hearing will be just before the first City Council meeting in July.

Mayor Muryn pointed out that the item on the WATER & SEWER COMMITTEE report has been an item of discussion the last couple of years. At this point, the committee is gathering more information. At one point, having a full community update was looked at on the transmitter and to go from a 2G to a 5G, but now feel they have a game plan to do it over time as transmitter and meters fail to replace them so that it is not one large expense. Different opportunities will be vetted through the WATER & SEWER COMMITTEE.

Mayor Muryn noted that revenues continue to be strong. As she receives information from the City Income Tax Administrator, she will pass that along to Council. When preparing the Capital budget, they used revenue projections of approximately twenty-three and a half million dollars (\$23,500,000.00) which was significantly below what was budgeted overall, but is actually right in line with the Auditor's projection and what he is projecting right now. It does not account for the items that are being held off on. The Administration is continuing to pay attention and cut back on whatever they can and be wise fiscal stewards.

Mayor Muryn pointed out that it has been an interesting couple of weeks dealing with COVID as the Administration continues to manage and support the community through this interesting time. Just when it seems like everyone is getting a rhythm and starting to get back to normal, a terrible situation has taken over that is permeating communities across the Country. Findlay has been very fortunate that the protestors that are voicing their frustrations on our community both yesterday and today, and will most likely continue over the next couple of weeks, have been carrying themselves in a way that makes her proud. They have been very peaceful in voicing their frustrations and coming together and doing it in a respectful manner overall. While everyone may not agree on everything, something everyone can agree on is that everyone wants to voice their opinions and be heard in the community in a safe manner.

Mayor Muryn noted that a couple of months ago, the Diversity Coalition and a couple of other groups in the community reached out to her stating that they want a diversity, equality and inclusion statement resolution adopted by City Council. That was at the beginning of the COVID pandemic, so she asked them to hold off so that she could focus on the pandemic. Looking back at that, it was not appropriate of her because making sure people belong and are welcome in our community should never be put off, regardless of their background, beliefs, heritage, citizenship, sexual orientation, etc. At the next City Council meeting, she will be circulating a draft resolution that has been prepared by a large community group that she would like Council to consider that reaffirms the commitment of the City of Findlay, whether she agrees with someone or not, have the same religion or not, that everyone is welcome here. It is an important statement to make not only during this trying time, but everyone should feel welcome here every single day.

Mayor Muryn noted that a decision was made today to cancel the fireworks for Independence Day at the Hancock County Fairgrounds. The Hancock County Agricultural Center typically that puts on the fireworks for Findlay/Hancock County informed her that they are not going to be able to do so. It was not a decision that anyone wants to have to make, but is a time where there cannot be large congregations and she doubts that mass gathering restrictions will be lifted by the 4th of July as that tends to have approximately ten thousand (10,000) individuals in attendance at the fairgrounds. She has been asked why the fireworks cannot be let off and not allow anyone to enter the fairgrounds which creates its own operational challenge. People gather along the sides of the roads, some block traffic, etc. It creates an unsafe environment, so they felt it was the right decision at this point to not have the fireworks. There have been many discussions on this and are open to ideas on how to recognize the holiday. The Independence holiday is not about fireworks. It is about recognizing that we are Americans and that we have that freedom because we fought and have established ourselves as a

wonderful country that we are proud of no matter what challenges we are facing. While it may be disappointing and may not be the normal festive celebration, everyone will find a new way to celebrate this year. There will be a fireworks celebration later this year as soon as we are able to do so.

OLD BUSINESS:

Mayor Muryn noted that the Census is still going on. Hancock County is still ahead of the State of Ohio and most of the national averages, but there are still some that have not filled it out yet. She asked those that have not filled it out yet to do so. Councilman Russel asked if we have overtaken the state up north. Mayor Muryn replied she does not believe we have, but has not paid a lot of attention to them.

Councilman Slough moved to adjourn, seconded by Councilman Palmer. All were in favor. Meeting adjourned at 8:17pm.

CLERK OF COUNCIL

COUNCIL PRESIDENT