

## FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

JULY 7, 2020

COUNCIL CHAMBERS

### ROLL CALL of 2020-2021 Councilmembers:

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

**ABSENT:** Hellmann

President of Council Harrington pointed out that Councilman Hellmann had informed him that he would not be in attendance tonight. Councilman Russel moved to excuse Councilman Hellmann, seconded by Councilman Wobser. All were in favor. Filed.

President of Council Harrington opened the meeting with the Pledge of Allegiance followed by a moment of silence in memory of Toledo Police Officer Anthony Dia who was killed on duty on July 4 2020. He is survived by his wife, two (2) sons, and his parents.

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

Councilman Slough moved to accept the June 16, 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:

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

#### ADD-ONS:

- Letter from City Auditor Staschiak – HB 481/CARES Act funding (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS section*)
- Ordinance No. 2020-080 – HB 481/CARES Act funding (*LEGISLATION section*)

#### REMOVALS:

- Ordinance No. 2020-075 ODOT lease of City Airport auxiliary building (*LEGISLATION section*)

**PROCLAMATIONS:** none

### RECOGNITION/RETIREMENT RESOLUTIONS:

**RESOLUTION NO. 020-2020** (*PD Chief Dunbar retirement*) **requires one (1) reading** **first reading - adopted**  
A RESOLUTION COMMENDING POLICE CHIEF JOHN DUNBAR FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

Councilman Slough moved to adopt the Resolution, seconded by Councilman Shindledecker. Ayes: Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser.

Discussion:

Mayor Muryn extend the City's thanks to Chief Dunbar who has positioned the City well and has prepared the City for the transition. While there will be a great loss to the community with his retirement, the City is excited for him to move into a new chapter in his life. It speaks volumes of the community and of the caliber of Findlay's Officers from what she has seen not only from citizens, but also fellow Officers. She, Chief Dunbar, and newly promoted Chief Ring attended the funeral of Officer Dia today where she observed the brotherhood and sisterhood of law enforcement officers who are willing to pay the ultimate sacrifice on a daily basis to protect the community. It is a calling that many will not understand but consistently have to remember not just in times of tragic events or on special occasions, but every day because that is what they do every day.

Safety Director Schmelzer added that it has been a pleasure for him to work with Chief Dunbar and that he always appreciated his level of professionalism that he had propagated throughout the department. He is certain that Chief Ring will continue that same level of expertise. The community was lucky to have had Chief Dunbar, lucky to have Chief Ring and all the Officers on his team.

Mayor Muryn presented the Resolution that was just read, along with a City of Findlay watch.

Police Chief Dunbar appreciates the recognition and noted that his tenure went fast. He started in public service in Kenton, Ohio and came to Findlay, Ohio in July of 1992. Looking back at the times he worked nights, weekends, and holidays, time went very fast. The citizens of Findlay are in good hands. He has known Chief Ring since he started in the department in 1996 and has been an upstanding citizen. He is very approachable, level-headed and is an honest person. He will be an excellent Chief, as well as the men and women that make up the Police Department, not only the Officers, but also the civilians, the support staff and Dispatchers who all do an excellent job. He appreciates the recognition, but could not have done it without them. When an employee is at a level at the top, it is the staff underneath them that makes them look good or bad. He has had some excellent employees underneath him. He had an excellent command staff who made him look very good. He also appreciates the citizens of Findlay, Ohio. Findlay has an excellent Police Department. They are approachable, easy to talk to, and if there is a problem, Chief Ring will do his best to work it out. He extended his appreciation to Safety Director Schmelzer whom he has known for a number of years and who helped him through his career and that they worked well together. He also enjoyed his time working with Mayor Muryn, as well as former Mayor Mihalik.

The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record. Filed.

#### **ORAL COMMUNICATIONS:**

##### **Nina Parker – diversity training & psychiatric reviews for Police Officer; double arch with lights over the Dr. Martin Luther King Jr. Way overpass; affordable housing; drug rehab centers**

Ms. Parker informed Council that she is not here to take from the Findlay community, but will continue to give. She has given to the community all of her life (64 years). She was born in Mississippi. Her father was invited to come to Findlay by Cooper Tire Rubber Company by Wayne Brewer which is how her family ended north. She is here to continue to make the community better. She started working with children at the age of thirteen (13) and continued the pursuit with establishing the Black Heritage Library and Multicultural Center and continued it to what it is today by the generosity of this community, tenacity, hard work, and blood sweat and tears. For those who have businesses, Councilmembers and Mayor Muryn all know that it is not tea and cookies. It is tough work. It is good work.

She would like to suggest diversity training for the Police Department to get to know one another. Generally speaking, whites need to get past the guilt of what happened to blacks, and black people have to get past the anger. Everyone needs to get to know each other. There needs to be a down to earth diversity training similar to what she and Darnell did many years ago for the entire Police Department. The training was six (6) to eight (8) hours a day for a week. It is very important for all of the leaders in the community to go through diversity training. Findlay is approximately ninety-seven percent (97%) Caucasian, one percent (1%) Asian, one percent (1%) Hispanic and/or Latino and approximately a half percent (1/2%) African American, so Findlay really does not know each other. Diversity training is very important. If anyone has any objections to a potential Officer, it might include a psychiatric review to weed out hate. She does not know any other way to weed out hate except to have a professional review those involved. While it may be costly to do, she knows some that may be able to do so for gratis.

The BBML2 group would like to have a public forum possibly in September. She is working with a young lady who works at Marathon and would like to have the forum at a large venue such as Findlay High School Auditorium, the CUBE, or the Marathon Performing Arts Center.

Under the Mayorship of Tony Iriti, she worked very hard to get the Dr. Martin Luther King Jr. Way roadway established. She would like City Council to consider a double arch with lights around the Dr. Martin Luther King Jr. Way roadway. It would be fabulous and would show that Findlay is welcoming and would reflect Findlay's progressiveness. She can do some fundraising to help pay for it, and there are some grants available for it.

Findlay's cost of living is very high. Not everyone can afford a home or an apartment in Findlay. If Findlay is going to be the shining star and beacon for a welcoming community, then they have to get the housing cost down. While there are complexes for low income, there are some that are just above low income, but not quite middle income. This needs to be a priority for the community. Real estate taxes are very high in Findlay. If they continue to be high, citizens will vote everything down.

A drug rehab in Findlay is feasible and is critical. Findlay has had a serious drug problem here since she has been in high school. Findlay has had rose-colored glasses on for way too long. She would like to see a facility where those recovering can live at the facility and not just be there for short periods of time. She would like the facility to house and feed individuals while being helped by professionals. That type of facility would be a lot less expensive than putting them in jail. It would be a lasting invaluable thing to do to help them. She knows rich kids, poor kids and in-between kids that have died from drug overdoses. There have been some that have fought against having such a facility in Findlay. She asked why it shouldn't be in a decent area and asked why anyone would want it in a poor area where more drug dealers could come and sell to them. Some will say the drug problems come from Detroit, but nothing was known of Detroit back when she was in high school. If there is no demand, then there will not be a sale. Findlay needs to care for people in need. Findlay needs to be considered a friendly community. Many already think Findlay is ultra-friendly, but growing up in Findlay was hard, it was ultra-hard. It was not easy to start the Black Heritage Library for Multicultural Center. She received hate mail from the KKK, from the black side and the white side, but she knew she had to do it. She helped children of all demographics gain a better understanding that someone may have a different color of skin than themselves.

She will continue to work with them as she is not here to take, but is here to continue to give. She is not asking for any money as she is retired. People have different ideas. They want the body cams. The money is there. She believes the Governor would give it to former Mayor Mihalik who would send it back here as they like Findlay. They respect this community. Findlay accepted the Governor's Award in front of four thousand (4,000) people. Findlay cannot be a shining star if they are not welcoming and do not hear the voices from everyone.

Discussion:

Councilman Shindledecker thanked Ms. Parker for what she said tonight and what she has said over the years. He appreciates what people like Ms. Parker and Emory Adams have done for race formations in this community.

#### **Anita Kiene – left the meeting, so did not provide an oral communications**

#### **Scott Lammers – house and foundation laws**

Mr. Lammers lives in Hunters Ridge. There are three (3) homes in that area that are less than fifteen (15) years old. He and his wife purchased their home on July 3, 2007 and have lived there for thirteen (13) years now and already have to spend approximately thirty thousand dollars (\$30,000.00) to fix it. The company they hired to fix their foundation has pulled out bricks, tires, wood and trash. It has been brought up before that builders need to be held accountable, but do not have any rules or laws to be able to do so. While he does not know or understand everything there is to know about it, he is before Council tonight representing himself and others in the neighborhood to find out how builders can get away with they are doing. He just had his foundation fixed yesterday and would like for everyone to come see what was pulled out from his foundation area. Fill dirt was just brought in to raise it up, but when junk is left like it was for his home, it is no wonder foundations are failing. When he asked the builder about it, he was told it was just due to Mother Nature. He asked Council to give it some thought and to establish some building rules. Builders need to be held accountable for their work. Not every builder out there is a reputable builder. His father lives in the Forest Lake Subdivision whose builder fixes any issue they have for free regardless of how long it has been since he built the house. There are builders who do not care. They put up a house in a few months and do not take the time to do it the right way and cut corners. Findlay residents are paying a lot of money for their homes only to have major repairs and be out that money that they will never see again.

Discussion:

Councilman Russel asked Mr. Lammers how many of his neighbors have encountered similar problems. Mr. Lammers replied that there currently are three (3) of them, but if he were to walk around his subdivision, he would see bricks falling out from other homes. His issues are in his crawlspace. The builders have put trash onto other properties when they finish building a home. Instead of taking the trash away, they leave it there. He has seen four to five (4-5) more homes that will potentially have issues. His entire floor started sinking because the barriers that hold up the posts to keep the floor level had so much garbage that he had to have jacks put in plus an extra steel beam put in just to keep his floor up (he has photos of it). There are at least five (5) other houses in his neighborhood where bricks have started to pull apart from the home, so whether or not they will have issues remains to be seen.

Councilman Slough asked Mr. Lammers if he has spoken with his builder about this. Mr. Lammers replied that the builder is not an easy person to talk to. He has to threaten to sue him because when flooding happened in Findlay, he found out that his sump pump was not installed correctly. He has a dry pit where it states all over the box that if you have a dry pit, there has to be a quarter of a weep hole between the check valve and the sump pit. He discussed this with the builder numerous times who did not want to hear it and gave him every excuse there is. He then called the City and an employee came out and pumped dye into it. There was a main tile between his home and his neighbor's home and could not find any dye anywhere, so the City employee made Roger Best come back and dig up his tile and did not locate any disconnection. A plumber and a City employee found a rock behind his check valve and the sump pump causing his sump pump valve to stay open. Two (2) months later, the exact same thing happened. His pump appeared as though it was running, but was not and he got water in his basement. He took the pump apart and put it back together and has not had a problem since. He informed the builder that it had a hole in it causing it to get an air pocket in it who told him it wasn't his problem because he was not the one who put the plumbing in and brushed him off to one of his subcontractors. It has been the same situation with his foundation. The builder forwarded him to the manufacturer of the bricks who will not fix the problem because they did not put the brick in and is not covered under their ten (10) year warranty. Councilman Slough asked if there are others in the neighborhood that are having the same issues. Mr. Lammers replied there are. It is basically the same builder in the neighborhood.

Councilman Wobser asked what neighborhood Mr. Lammers lives in. Mr. Lammers replied that he lives at 1809 Lippincott Avenue. He is parallel with the fairgrounds on Fishlock Avenue. To get to his property, you have to take a left onto First Street, then a right onto Williams Street which dead ends onto his street. He is behind the subdivision behind Hunters Creek. Councilman Wobser asked if he is in Hunter's Ridge. Mr. Lammers replied he is.

#### **Mary Lou Smith – decline to speak stating that Mr. Lammers spoke for her**

**PETITIONS:**

**Zoning amendment request – 1028 & 1030 Hurd Ave**

Douglas & Karla Yoder would like to change the zoning of 1028 and 1030 Hurd Avenue to R2 Single Family Medium Density. It currently is zoned as R1 Single Family Low Density. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

**WRITTEN COMMUNICATIONS:** none

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

**Board of Zoning Appeals Minutes** – March 12, 2020. Filed.

**Mayor Muryn – HWE street lighting services contract renewal**

The City of Findlay’s contract with Hancock-Wood Electric Cooperative for street lighting services is set to expire on July 1, 2020. Legislation authorizing to enter into a contract with Hancock-Wood Electric Cooperative for street lighting services from July 1, 2020 to June 30, 2030 with the emergency clause is requested. Ordinance No. 2020-076 was created. Filed.

**City Auditor Jim Staschiak – Revenue Estimates for fiscal year 2021**

Ohio clearly defines a budgetary process which includes the requirement that municipalities prepare an annual tax budget by July 20th. The County Budget Commission has not required the filing of a complete tax budget for many years and requires the City of Findlay only to provide the attached Estimate Revenues for submission to the Budget Commission for the next fiscal year. In order to meet the statutory requirements for the distribution of the local government money, this document should be formally accepted by Council so that it can be filed with the County Auditor by no later than July 20. A motion for acceptance of the revenue estimates will be needed.

As required by statute, the Council Clerk has scheduled a public hearing before this meeting, notice of which must have been published ten (10) days before the hearing. The document has been available for public inspection in the Auditor’s Office since June 26, 2020. City Auditor Staschiak is requesting this letter be read into the record. A public hearing is scheduled for July 7, 2020 at 6:55pm.

Discussion:

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

Councilman Wobser asked City Auditor Staschiak if there is anything he wants to add to this before Council moves to accept it. City Auditor Staschiak replied he does not.

President of Council Harrington noted that there needs to be a motion made by Council to accept the revenue estimates.

Councilman Wobser moved to accept the estimated revenues, seconded by Councilman Slough.

Councilman Russel asked if Resolution 018-2020 is for this as the agenda states. Council Clerk replied that was an agenda error and that there is no corresponding legislation. Ayes: Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno. Filed.

**City Planning Commission agenda** – July 9, 2020; **minutes** – June 11, 2020. Filed.

**Service Director/Acting City Engineer Thomas – 2020 Annual Sewer and Manhole Lining Program Project No. 35600600**

One thousand dollars (\$1,000.00) was previously appropriated to this project for plan design and bidding. It has taken a little more time than anticipated to get the plans ready for bidding. An additional two thousand five hundred dollars (\$2,500.00) is being requested to finalize drawings and bid the project. Legislation to appropriate funds is requested. Ordinance No. 2020-077 was created.

FROM:	Sewer Fund	\$ 2,500.00
TO:	2020 Annual Sewer and Manhole Lining Program <i>Project No. 35600600</i>	\$ 2,500.00

Filed.

**Service Director/Acting City Engineer Thomas – 2020 Street Preventative Maintenance, Project No. 32800200 and 2020 Sidewalk/Accessible Ramps, Project No. 32801700**

The Service Director/Acting City Engineer would like to take a portion of the June allocation to the Capital Improvements Restricted Account and appropriate it into these projects which will allow the Street Department to continue their efforts to maintain the City’s existing roadway system. Legislation to appropriate and transfer funds is requested. Ordinance No. 2020-078 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 150,000.00
TO:	2020 Street Preventative Maintenance, <i>Project No. 32800200</i>	\$ 140,000.00
TO:	2020 Sidewalk/Accessible Ramps, <i>Project No. 32801700</i>	\$ 10,000.00

Filed.

**Service Director/Acting City Engineer Thomas – Annual Street Resurfacing/Curb Repairs 2020 Project No. 32894500**

By authorization of Ordinance No. 2020-006, a bid opening was held for this project on February 5, 2020. Bids were received from three (3) potential contractors with bid amounts ranging from \$476,599.68 to \$528,414.75. The lowest and best bid was received from Helms and Sons Excavating of Findlay, Ohio. This is the asphalt portion of the annual street resurfacing that the City bids out annually. The concrete portion of the work has already been appropriated and the work is underway. An appropriation for construction, inspection and contingency is now needed to complete the project. Legislation to appropriate and transfer funds is requested. Ordinance No. 2020-079 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 500,000.00
TO:	Annual Street Resurfacing/Curb Repairs 2020 Project No. 32894500	\$ 500,000.00

Filed.

**City Income Tax Monthly Collection Report – June 2020. Filed.**

**Mayor Muryn – City’s property and liability insurance policies**

The City’s property and liability insurance policies expire in July of this year. The City was planning to bid these policies for the renewal period of July 2020 to July 2024, but it is being recommended by City Auditor Staschiak and the Mayor Muryn that the current insurance policies be extended for one year, expiring on July 20, 2021 and to bid the policies next year. Filed.

**City Auditor Staschiak – HB 481/CARES Act funding**

The Ohio General Assembly passed HB 481 that provides for the distribution of \$350 million of Federal CARES Act funding to the counties, townships, villages and municipalities that have a population of fewer than 500,000 residents. This funding is referred to as the Coronavirus Relief Fund (CRF). The distribution formula is based upon the local government funding allocation and the CRF was distributed to the respective County Auditors on June 23, 2020. The first step for each local entity to receive its allocation from the County Auditor is for each legislative body to pass a resolution accepting the CRF and provide a copy of such resolution to the County Auditor and to the State of Ohio Office of Budget and Management (OBM). Findlay Council passed this required resolution at its June 16, 2020 meeting and the copies have been appropriated filed. In addition, the required registration process with OBM has been completed. The City received its distribution of the CRF on Friday, July 3, 2020 in the amount of \$557,496.79.

There are several criteria to keep in mind for the use of this money:

- This is considered Federal funding and strict guidelines as to the use of the funds must be adhered. The use of money will be audited by potentially more than one agency.
- The funds have to be deposited into and expensed out of the City’s newly established Coronavirus Relief Fund (CRF) as directed by law.
- Unexpected money of each local entity must be returned to the County Auditor by October 15, 2020.
  - If the City expends all money from this fund, then it will be eligible for any potential redistribution of the returned amounts from the other entities on October 22, 2020.
    - Any unexpended funds from the second distribution would be returned to the State OBM by December 28, 2020.
  - If the City returns unexpended money on October 15, 2020, it would NOT be eligible for a redistribution.
- The money CANNOT be used as a revenue replacement for lost revenues experienced during the COVID-19 pandemic.
- The expenses must be necessary expenditures incurred due to the COVID-19 pandemic.
  - Detailed documentation will be required for each use or decision of use not explicitly allowed by guidance.
- The expenses must not have been already accounted for in the budget.
  - The cost cannot lawfully be funded within the budget OR the cost is substantially different use from any expected used of funds in such line item, allotment, or allocation.
- The expenses must occur between March 1, 2020 and December 30, 2020.
  - Amounts cannot be in purchase order encumbrances; they must have been paid by the deadline dates(s).
- The CRF can be used for (not an all-inclusive list):
  - PPE
  - Disinfection of public areas (supplies or professional services)
  - Reimbursement to the City for the Federally mandated Emergency Paid Sick Leave and Expanded FML through the FFCRA passed by Congress in March
  - Unemployment expenses experience by the City for former employees not covered or reimbursed through other mean

- Costs for personnel that are substantially dedicated to COVID-19 response or mitigation
  - o More than 505% of their full time duties, or
  - o Overtime pay specifically supporting pandemic response, or
  - o Unplanned backfill for positions related to the pandemic
- Costs for personnel that are substantially different than their originally budgeted purpose
  - o Such as an administrative assistance reassigned/repurposed to cleaning playground equipment
- Equipment such as improving telework capabilities, disinfection equipment, sneeze guards, or any other equipment that can be justified as being used toward the prevention of the spread of the virus (touchless faucets, etc.)

As required by law, the Certificate of Estimated Resources has already been updated and filed with the County to indicate the establishment of the new fund and the newly received revenue. At this time, it is necessary for Council to appropriate the money so that the City can start utilizing it to reimburse themselves for expenses already incurred, as well as, for future expenses. The City Auditor's Office is in the process of compiling and identifying these particular expenses for reimbursement.

Legislation to appropriate fund is requested. Ordinance No. 2020-080 was created.

FROM:	Coronavirus Relief Fund (HB 481)	\$ 557,496.79
TO:	Coronavirus Relief (CRF) #22099000-other	\$ 557,496.79

The first window of spending is compressed by State Law (October 14, 2020), so suspending the statutory requirement to give the Ordinance all three (3) reading and adopt on an emergency basis during the July 7, 2020 meeting is requested. Auditor Staschiak is requesting this letter be read into the record. Ordinance No. 2020-080 was created.

Discussion:

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

Councilman Wobser asked Mayor Muryn if she has an update on where this is at. Mayor Muryn replied that Findlay has been fortunate in that there have not been many cases in the community and do not have any substantial overtime costs and have not had much expense from employees being off work. The majority of the expenses have been related to plexiglas, hand sanitizers, and additional cleaning supplies. Councilman Wobser asked if it is anticipated that the City will utilize the entire amount by the deadline. Mayor Muryn replied that City Auditor Staschiak provided emails on it last week and is putting together a meeting for elected officials to discuss it in which President of Council Harrington was included in the emails. She is waiting on additional guidance because the Treasury keeps coming back due to entities not having a ton of expenses and are wanting to allocate this money where revenues have decreased and the funds cannot be used for revenue replacement. Entities would like to use the funds for payroll of safety-services. She spoke with Senator Portman's office is continuing to push for Treasury leniency. Other communities have done other unique things such as grant opportunities for small business and/or support for non-profits. There is not a specific list other than direct expenses because the guidance continues to change.

City Auditor Staschiak noted that he and Mayor Muryn have not had a chance to talk about this since the holiday. There is a significant difference in where the City was at to where it was a few weeks ago. The use of the money is changing almost daily based on the questions that are being asked of the regulatory agencies and their responses. The City can use in excess of one hundred thousand dollars (\$100,000.00), possibly up to one hundred thirty thousand dollars (\$130,000.00). The City is a direct reimbursement employer for unemployment with a number of claims of tens of thousands of dollars for former employees that are retired from the City and on a full pension in that the City has unemployment obligations for them that can be reimbursed with CARES Act funds. He only sent his emails to elected officials and not to all Councilmembers was because he felt it should be President of Council Harrington's decision on how he wants to handle it. Elected officials can meet and determine how to spend the funds. The Courts have a lot of traffic coming in and out of their area. These funds provide an opportunities to make adjustments on entry into the Courts as well as the building to make it safer and healthier. It has been suggested to install a blue light system for the air handler. This is an opportunity to incur savings on things that the Administration has always wanted to do. He does not anticipate coming up with ideas on how to spend the funds (i.e. touchless facets, touchless doors, etc.). Checks have to be cut by the October 15, 2020 deadline. There cannot be any outstanding purchase orders and money has to be spent by that date. He will send an updated email to elected officials tomorrow. He would like President of Council Harrington to decide if this should be handled by the APPROPRIATIONS COMMITTEE or a COMMITTEE OF THE WHOLE. These funds will be beneficial to the City as they are funds that the City did not previously have for things they did not expect to do.

Mayor Muryn noted that this has been discussed over the last couple of months to brainstorm and figure out how to utilize the money. She would like to get some insight and direction from Council as she is not inclined to put a bunch of money into touchless faucets. While those are beneficial, she would rather see the money go to the community if the City is not directly able to utilize it, to determine if there are ways to utilize it to help with businesses and free up money that can be utilized over the next couple of years eliminating the need to cut corners. She will bring back ideas that they have come up with and seek direction from Council on what to do.

President of Council Harrington agrees with City Auditor Staschiak in that the goal post seems to be moving minute by minute on the way the money can be used. It has been suggested that elected officials meet with Municipal Court, the City Auditor and the Administration to determine what can be done for the City itself directly, and if it can be used for the public. He asked Council if they want to have a COMMITTEE OF THE WHOLE and include the Municipal Court in that meeting or if Council wants to refer this to the APPROPRIATIONS COMMITTEE.

Councilman Russel feels the letter on this spells it out in that the government is giving the City half a million dollars (\$500,000+) and we are trying to figure out how to spend it. Even though the perimeters on this are changing, he does not know what role he has as a Councilmember when trying to figure out how to spend it just because it is here.

Councilman Wobser added that the timeline on this is extremely short in that whatever is purchased with these funds have to be purchased and paid for by the deadline. He anticipates the City will do well to utilize the funds. The rules are changing so decisions need to be made on this very soon. This should be referred to the APPROPRIATIONS COMMITTEE because they will have to appropriate the money out of this fund to pay for expenditures. City Auditor Staschiak replied the City has already spent in excess of one hundred thousand dollars (\$100,000.00) of funds that qualify for this. He would be disappointed if elected officials were not able to spend the entire amount. Mayor Muryn had expressed to him to put the money out to the community, but he is against that idea for two (2) reasons: While it may be possible to put the money out to the community, it would put the City in a very precarious situation for subgrantees and accountability with very limited amount of time given to spend the money which could jeopardize the ability to get Federal grants in the future if one grantee does not respond to the City the way they need to respond and provide the information needed. The City is responsible that everything is documented that money is spent properly. Traffic passing in the hallways of the building has caused concern with City employees because of the amount of traffic there is. There are a lot of things that can be done that are costly. For instance, he ordered two (2) plexiglas screens for the City Auditor's Office that are three foot by three foot (3' x 3') that cost three hundred dollars (\$300.00). Even if the City cannot spend all of the money given, they can put a healthy dent in it if creative minds prevail to modernize and make changes to this building. A professional cleaning crew could be hired to clean every City playground every day so that they could be opened up. There are a lot of things that could be done with the money. He is asking Council to pass the legislation tonight because expenses have already been incurred and this would allow him to start the process of recapturing those expenses on a very limited timeframe to do so. If perimeters change and the City is able to utilize the money for overtime, he will then provide a resolution of transfer legislation to do so.

Councilman Wobser asked if the expenses that have already been incurred need to be moved out of the fund to pay those back. City Auditor Staschiak replied that is correct. He created the fund yesterday and submitted the certificate to the County. Councilman Wobser asked if funds will be moved out of that fund as receipts are turned into the City Auditor's Office to be recorded to the Federal Government. City Auditor Staschiak replied that is correct. Councilman Wobser asked if new items are purchased (i.e. touchless hand sanitizers) if money has to be appropriated for that. City Auditor Staschiak replied no. Funds are being appropriated tonight with Ordinance No. 2020-080. Councilman Wobser asked if anything that is purchased with these funds are already appropriated. City Auditor Staschiak replied that is correct which is what is typically done with grants like this. The City Auditor's Office would appropriate the grant and move forward with the spending which is why he requested a meeting of elected officials to discuss approaching Council, Courts, Administration, and all elected officials to decide how to approach spending of the money as a whole. Council has the ability to go a different direction, but does not have much time. Councilman Wobser replied that he still feels this should go to the APPROPRIATIONS COMMITTEE as they will need to move quickly. The smaller the group is that discusses this, the more nimble they will be. Everyone is welcome to come to the meeting to hear what is going on.

Safety Director Schmelzer encouraged Council to contact those that will be dictating the guidance of how the money will be spent to allow it to be spent on the City's safety forces. Due to COVID, revenues have been impacted, so this is revenue coming to deal with COVID related-expenses. When it was known that revenues were going to come in lower than expected, the Administration had to make decisions (i.e. maintain staffing levels or make adjustments). The City Fire Department are first responders who deal with COVID and are prepared to deal with it every day which is an eligible expense. He encouraged Council to push the legislature in that direction. Also, playgrounds are open.

**COMMITTEE REPORTS:**

A **COMMITTEE OF THE WHOLE** meeting was held on Tuesday, June 23, 2020 to discuss a five (5) year Capital Improvement Plan Policy; a Minimum Reserve Balance Policy; and a Rainy Day Reserve Account via Resolution No. 018-2020.

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

**LEGISLATION:**

**RESOLUTIONS:**

**RESOLUTION NO. 018-2020** requires three (3) readings **second reading**  
(5 year Capital Improvement Plan/Rainy Day Reserve Account)

A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND REPEALING ALL RESOLUTIONS AND/OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Second reading of the Resolution.

**RESOLUTION NO. 020-2020**

See page 1 (RECOGNITION/RETIREMENT RESOLUTIONS section)

**ORDINANCES:**

**ORDINANCE NO. 2020-033** (Airport hanger lease agreement) requires three (3) readings **removed from the agenda during OLD BUSINESS formerly 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 CO.

**ORDINANCE NO. 2020-054** (lane light project) requires three (3) readings **tabled after third reading 6/16/20**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2020-068** (1020 Adams St vacation) requires three (3) readings **second reading**  
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERED TO AS 1020 ADAMS STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

Second reading of the Ordinance.

**ORDINANCE NO. 2020-069** (253, 251, 0 Madison Ave 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 253, 251, AND 0 MADISON AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO C2 GENERAL COMMERCIAL.

Second reading of the Ordinance.

**ORDINANCE NO. 2020-074** (ODOT Aviation FY21 Apron Rehabilitation project) requires three (3) readings **second reading - adopted**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) TO RECEIVE GRANT FUNDS FROM THE OHIO DEPARTMENT OF TRANSPORTATION OFFICE OF THE AVIATION FOR PAVEMENT REHABILITATION PROJECT OF THE CITY'S NORTH APRON AREA, AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Russel explained that he moved to suspend the statutory rules of Council and give this its third reading tonight because this is for a grant application and should move through.

Ayes: Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-074 and is hereby made a part of the record.



**ORDINANCE NO. 2020-075** (*ODOT lease City's Airport Auxiliary bdg*) **requires three (3) readings**  
**second reading – removed from the agenda during the ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA portion of tonight's meeting**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR LEASING OUT THE CITY OF FINDLAY'S AIRPORT AUXILIARY BUILDING LOCATED AT 1205 LIMA AVENUE, FINDLAY, OHIO, WAIVING FORMAL ADVERTISING AND BIDDING, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2020-076** (*HWE street lighting services contract*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH HANCOCK-WOOD ELECTRIC COOPERATIVE, INC. TO LIGHT CERTAIN STREETS IN THE CITY OF FINDLAY, OHIO WHERE ITS SERVICES ARE AUTHORIZED, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-077** (*2020 annual sewer and manhole lining program*) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-078** **requires three (3) readings** **first reading**  
(*2020 street preventative maintenance project no. 32800200; 2020 sidewalk/accessible ramps project no. 32801700*)  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-079** (*annual street resurfacing/curb repairs 2020 project no. 32894500*) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2020-080** (*HB 481/CARES Act funding*) **requires three (3) reading** **first reading - adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Wobser 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, Niemeyer, Palmer. The Ordinance received its second and third readings. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Niemeyer, Palmer, Russel. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-080 and is hereby made a part of the record.

#### **UNFINISHED BUSINESS:**

##### **OLD BUSINESS:**

Councilman Russel moved to lift Ordinance No. 2020-033 (*Airport hanger lease agreement*) from the table due to the COVID-19 pandemic, the project is not going to move forward, Councilman Wobser seconded the motion. Ayes: Slough, Warnecke, Wobser, Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker. Councilman Russel moved to remove the Ordinance from the agenda, seconded by Councilman Greeno. Ayes: Warnecke, Wobser, Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough. All were in favor. The Ordinance is removed from the agenda.

##### **NEW BUSINESS:**

Councilman Russel asked that an Ad Hoc Committee be formed to discuss Council Rules concerning COVID-19 and related issues for Council meetings. Councilman Palmer moved to form an AD HOC COMMITTEE for this, seconded by Councilman Palmer. All were in favor. Councilman Russel replied that as a result of the approval of forming an AD HOC COMMITTEE, as President Pro-Tem, he is appointing Councilman Haas, Councilman Palmer, and himself to the committee. He will have a report back to Council by the next City Council meeting. President of Council Harrington asked if that is the only item on the agenda. Councilman Russel replied that is the only item they will be addressing.

**AD HOC COMMITTEE** meeting on July 16, 2020 at 6:00pm in the first floor Council Office of the Municipal Building (CO)  
agenda: COVID-19 procedures for City Council meetings

Councilman Greeno: **WATER AND SEWER COMMITTEE** meeting on July 16, 2020 at 5:00pm in the first floor Council Chambers of the Municipal Building (CC)

- agenda: 1. Water meter transmitters  
2. Water Fund

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on July 9, 2020 at 12:00pm in the first floor Council Chambers of the Municipal Building (CC).

- agenda: 1017 Hurd Avenue vacation

Mayor Muryn noted that she provided an FYI at each Council seat tonight about the City of Findlay Fire Department and what they do behind the scenes that is not often recognized. It provides some of the work the Fire Department has been able to do over the last couple of months as their team is always looking to add value and look for ways to contribute to the community. It also lists how the FFD works with commercial properties in emergency situations so that they are positioned to be able to provide an expedient response.

Mayor Muryn provided her condolences to Officer Dia's family and encouraged Council to reach out and encourage Findlay's Officers as it has been a rough couple of months. A word of appreciation for what they do would go a long way.

Mayor Muryn sent an email out this afternoon about the Census and asked Council to continue to get the word out to their constituents. Canvassers are tentatively planned to go out around mid-August. The goal is to not have them knock on too many citizens' doors. Approximately sixty percent (60%) of the community has completed and returned the Census by self-response. Citizens can continue to do so either online, over the phone, or by mail.

Mayor Muryn has received some questions about mandating masks. There have not been any discussions locally of enforcing a mask mandate and will continue to follow the State recommendations and requirements. If it reaches the point of an extreme outbreak in the community, it will be addressed then. She reiterated that everyone should wear masks in group settings. Small changes make for a big difference. She does not want to see Findlay end up like other communities that have seen a large outbreak. She asked everyone to continue good hygiene, cover coughs, and if ill, to stay home, conduct self-assessments as well as wear masks when able, and wash hands well. Those preventive measures can be very beneficial. She does not want to shut the economy back down, so it takes everyone to make small changes to have an impact on the community. She is not looking to doing a community-wide mandate at this point and only would do so in an extreme situation.

Mayor Muryn noted that she will send Councilmembers a link to the housing study summary. It is also on the City's website. It provides a third party analysis of the community and the County as a whole. They estimate an additional fifteen hundred (1,500) housing units of various price points and various kinds over the next five (5) years. The data that they were able to put together provides additional insight on what it should look like. She encouraged Council to have that information available to them. The goal is to put that information into action and move forward over the next couple of months. She will provide an action plan as soon as it is available as the Economic Development, Housing Coalition, and Mayor Muryn work together to determine what that should look like for the community. Councilman Slough asked when that will be available. Mayor Muryn replied by the end of August at the latest. It depends on how frequently the work group can get together.

President of Council Harrington asked Council what their preference is for discussing the H4 481/CARES Act funding issue brought forward by City Auditor Staschiak. City Auditor Staschiak replied that it would be in Council's best interest to do it sooner rather than later. Councilman Wobser replied that he would prefer it be referred to the APPROPRIATIONS COMMITTEE versus the COMMITTEE OF THE WHOLE. President of Council Harrington pointed out that COMMITTEE OF THE WHOLE MEETINGS tend to end up being more like another meeting. This subject matter is important. It is a lot of money and the community looks to Council to be stewards of the City's money and to make the right decisions. Councilman Palmer agreed with Councilman Wobser in that it should be addressed during an APPROPRIATIONS COMMITTEE meeting. City Auditor Staschiak replied that he will invite the Judges.

- APPROPRIATIONS COMMITTEE** meeting on July 14, 2020 at 5:30pm in the first floor Council Chambers of the Municipal Building (CC).  
agenda: HB 481/CARES Act funding

City Auditor Staschiak reminded Council that the City is audited annually to ensure that elected officials have taken the classes for open meetings and Sunshine Law. After each elected official has completed that, a copy of that certificate of completion needs to be given to the City Auditor's Office. The classes can be taken online. He encouraged Councilmembers to do so as soon as possible. The sooner it is done, the more benefit comes out of it.

Councilman Russel moved to adjourn, seconded by Councilman Palmer. All were in favor. Meeting adjourned at 8:23pm.

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CLERK OF COUNCIL

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COUNCIL PRESIDENT