

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

JULY 21, 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 Slough. All were in favor. Filed.

President of Council Harrington opened the meeting with the Pledge of Allegiance followed by a moment of silence.

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Councilman Slough moved to accept the July 7, 2020 Public Hearing meeting minutes for FY2021 Estimated Revenues, seconded by Councilman Shindledecker. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the July 7, 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 and replace the following on tonight's agenda, seconded by Councilman Slough. All were in favor. Motion carried. Filed.

ADD-ONS:

- 7/15/20 REVOLVING LOAN FUND (RLF) Board report (*WRITTEN COMMUNICATIONS* section).
- Service Director/Acting City Engineer Thomas – Rehabilitate Taxiway A (Taxiway A4 to A6) Project No. 35293400 (*REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS* section).
- Ordinance No. 2020-083 – Rehabilitate Taxiway A (Taxiway A4 to A6) Project No. 35293400 (*LEGISLATION* section).

REPLACEMENTS:

- Precipitation and Reservoir levels report – second (2nd) quarter April - June 2020 (*REPORTS OF MUNICIPAL OFFICER AND MUNICIPAL DEPARTMENTS* section).
 - Attached survey was cut off
- Resolution No. 018-2020 AS AMENDED – Rainy Day Reserve Account (*LEGISLATION* section)
 - Changed header from:
~~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.~~
to now be:
A RESOLUTION ADOPTING 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.
 - Removed first two (2) ~~WHEREAS~~ paragraphs, SECTION 1 (Five Year Capital Improvement Plan Policy, Minimum Reserve Balance Policy) paragraphs.
 - SECTION 2 became SECTION 1
 - Changed SECTION 3 (became SECTION 2) from:
~~That the Auditor be and he is hereby authorized to establish a Rainy Day Reserve Account within the General Fund, and to transfer one million (\$1,000,000.00) from the General Fund to the Rainy Day Reserve Account.~~
to now be:
That the Auditor be and he is hereby authorized to establish a Rainy Day Reserve Account within the General Fund, and to transfer the amount needed to bring the reserve balance to five percent (5%) of the previous fiscal year's revenue from the General Fund to the Rainy Day Reserve Account.
 - SECTION 4 became SECTION 3

- Ordinance No. 2020-082 - Blanchard Street Sewer Replacement project no. 35592200 (**LEGISLATION** section)
 - Changed:

FROM: Sewer Fund	\$60,000.00
to now be:	
FROM: Sewer Fund – Stormwater Restricted Account	\$ 60,000.00

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

ORAL COMMUNICATIONS:

Charles Williams – Police motto protect and serve

(typed verbatim)

June 6th, I had a tenant, colored guy, Isaac Moore, 12:30 gave me a call and says he wants me to come over and secure the building his partner. So I go that morning to check it out. Door had been destroyed. Tenants come down and tell me about our Police Department. So here's Isaac Moore in his apartment, he calls it a crib, door kicked in by his ex-wife. He's assaulted. Beaten with a metal pipe. He calls his wife, estranged, he calls 911 and the Police come and arrest him. Wow! It gets better. So, I told him I'd hire him a lawyer, which I would, so he goes on the 10th to Court and Judge says you'll be fined one thousand dollars (\$1,000.00), you'll be a felony, you can't hold a gun, and that's the procedure. So I talked to a Policeman. This is a good thing. He's from Georgia. He's not a racist. So we're on the third floor and we continue to talk about what happened. The guy sitting there had a piece of paper there from Michigan. The lady that attached him was wanted in Michigan on a warrant. He told the Police Department that and yet they arrested him, took him to jail, but then had to take him to the hospital because his blood pressure went sky high. That's your Police Department. It gets better. So, five weeks later, Monday morning he gets attacked again by the same person. He's knifed, stabbed, beaten with a frying pan. His leg looked like he was bitten by a shark and the Police said they have never seen anything like it, and she stabbed him in his balls. But this Mayor here, I wanted to speak about it on Main Street and she denied me free speech. Can you believe that? Wow! So now, she didn't go in there. She went in to kill him because he is going to court today in Michigan to testify against her. I think, quite frankly, our Mayor should be relieved of duty because freedom of speech is freedom of speech and she denied my free speech a martyr in front of everybody. Now, I want to know if the Mayor will make a comment. President of Council Harrington asked Mr. Williams to please address Council. Mr. Williams replied I've talked enough to Council. President of Council Harrington replied to Mr. Williams that if you are done with Council, then you are done. Mr. Williams replied that is fine. I still have a minute here. President of Council Harrington replied you have one (1) more minute. Mr. Williams continued so here's this man, he is beaten by a thug and he goes to jail. Are you kidding me? Now to try to backtrack. They are going to drop all the charges and they are going to backpedal because the cops that got involved really screwed up. Now it's going to be one major lawsuit, and it should be. Now, I've got to make my mind up if I'm going to sue the Mayor. Quite frankly, I think I'm going to. I think it speaks for itself when a Mayor tries to knife out of a man's hand.

Dr. Nathaniel Ratnasamy – COVID-19

Dr. Ratnasamy is before Council tonight to raise awareness that COVID-19 is still here and our guard should not be let down and that everyone needs to be extra vigilant during these times. COVID-19 came into our sights in January, first known in China. The first case here in Hancock County was March 22, 2020. During that time, we went into mitigation measures to shut down reduce social contact where the virus did come down. Fortunately, Hancock County did not see the full brunt of the disease that other communities did. Things seem to have been improving with reopening in May to help struggling individuals and businesses affected by the mitigation procedures. During that time across the United States, the spread of the COVID infection, hospitalization, and deaths were going up which was a combination of reopening up measures too soon and people traveling causing rates to go up significantly. Testing has increased, but the number of cases is not just from the testing which is evident by the percentage of positive tests in relation to a total number of tests. Certain states have gone over fifteen percent (15%) positive. He would ideally like to see Hancock County stay under five percent (5%). Ohio is just over six percent (6%) with Hancock County hovering at five percent (5%). If Hancock County does not do anything, they will be following the trend of our neighbors in the southern part of our state and see rates increase in cases, hospitalizations, and deaths. The virus is effecting a younger age group. The median age in Ohio has dropped to forty-three (43). Death rates are tremendously higher in those over seventy (70), and hospitalization rate is in the forties (40s) peaking in the sixties (60s) and seventies (70s) age group. When hospitalization rates go up and rooms and ventilators are utilized, it ties up services for routine care. Many put off coming to the hospital because they are concerned they will be exposed to COVID. Instead of coming in for mild chest pain, many wait until they have a major heart attack before coming in. Younger individuals can spread the infection. Children starting around age ten (10) are capable of spreading the infection just like adults. Those that have high blood pressure, diabetes, heart disease, lung disease can be affected severely by COVID-19. When younger individuals get the disease, they may still spread it to their parents and grandparents causing death rates to go up.

Discussion:

Councilman Russel moved to extend Dr. Ratnasamy's allotted time to speak, seconded by Councilman Greeno. All were in favor.

Dr. Ratnasamy continued stating that another issue is that if someone is infected, they are exposed to other individuals, so they are put into quarantine and observed for symptoms which can be a public health concern because many sectors of the population are affected. Back in March, Columbus had approximately forty (40) Firefighters that had to be put into isolation. In Miami, seventy-nine (79) members of their Police Department had the COVID-19 infection with one hundred nineteen (119) put in quarantine. Significant members of service and professions may be taken out of action. COVID-19 is not down from the scene. It is here. Local rates in the past week have gone to double digits. March and April were in the single digits, but within the last week, it has gone up to double digits. Many have let their guard down. He asked everyone not to forget social distancing and not travel to unnecessary hot spots. Going to Disney World in Florida may not be the best thing to do right now. He understands we are social people who like to get together with others, but is asking not to do so temporarily, especially if six feet (6') social distancing cannot be done and/or masking cannot be done in close spaces. He encourages mask wearing in public spaces, washing hands for the appropriate period of time, and encourage those feeling ill to stay home and not expose others. If Findlay does not look out for others, it may become like its neighboring counties. It is hopeful that as everyone cares for each other and does the right things, it can minimize the COVID-19 virus.

Councilman Wobser asked Mr. Ratnasamy if he thinks Hancock County could see a spike similar to Lucas County. Mr. Ratnasamy replied that he has seen the number of cases start to go up recently. There has been more clusters of cases. Nursing homes have been very fortunate in that they have not seen the number of cases in neighboring areas have which is more of a reason to be vigilant and try to keep numbers down.

Mayor Muryn asked Dr. Ratnasamy to provide his credentials. Dr. Ratnasamy replied that he is an Infectious Diseases Physician and practices at the Blanchard Valley Health System and also is the Director of the Hancock County Public Health.

Mayor Muryn asked about the incubation period and the course of when symptoms of severity takes place. Dr. Ratnasamy replied that the incubation period is from the time the person is infected to the virus and become symptomatic. A large percentage of those infected do not show symptoms and can still spread the virus. Those that show symptoms range from two (2) days to fourteen (14) days which is the length of time they recommend to be in quarantine. Individuals start spreading the virus at least two (2) days before they start showing symptoms starting little ripples wherever they go causing a second (2nd) wave ten (10) days later and a third (3rd) wave two (2) weeks later and may not see the growth until a few weeks later.

Councilman Russel asked if a result of the Independence Day holiday get-togethers will be felt now. Dr. Ratnasamy replied that a press release was put out today from Hancock Public Health stating that they have witnessed large gatherings where many have let their guard down and were not wearing masks when spacing is not ideal. From those clusters, the ripples will soon be seen. Summer time is a popular time for getting together in the community that could potentially cause a problem as well.

Dr. Karim Baroudi – COVID-19 pandemic and Public Health response

Dr. Baroudi reiterated that the incubation period is which is approximately two (2) weeks behind the initial contact, so what everyone is seeing today, probably happened two to three (2-3) weeks ago. On Sunday, July 19, 2020, Hancock County reported the most cases in one (1) day being sixteen (16) cases being reported and detected. Hancock Public Health tries to determine who those cases have come into contact with. They are seeing a shift in age groups of those infected with twenty-two percent (22%) of the cases detected being under twenty (20) years of age with most of those cases attended private parties, social gatherings and COVID-19 hot spots, some cases coming from Put-In-Bay. The population is tired of COVID-19 as they have had to sacrifice a lot since March, and many are letting their guard down. He urges everyone to support the hospital system, the Mayor and the Public Health's response to COVID-19. He thanked Mayor Muryn for her leadership as she has been very engaged in her response and had attended many incident command meetings with the Health Department and the hospital in an effort to make sure the community is safe. Action is to be done now and cannot wait. If nothing is done about it right now, the ripple effects will be felt in a couple of weeks from now. Many communities are waiting to see the numbers of those hospitalized or deceased to react which will be too late. As of this afternoon, there are one thirty-three (133) confirmed cases, fifty (50) of which are active, adding eight (8) today that Hancock Public Health is looking into to see if they are still infectious.

Councilman Slough asked if those individuals are under quarantine. Dr. Baroudi replied they are under isolation and quarantine. Hancock Public Health is following up with them to make sure their symptoms are under control. The infection rate for Hancock County came back at six and sixteen tenths percent (6.16%). Earlier today, it was around five percent (5%). Hancock County is currently in the yellow (Dr. Baroudi held up a printout indicating what stage each Ohio county is in), some surrounding counties to Hancock are in orange or red and are under state orders to wear masks.

Discussion:

Councilman Russel moved to extend Dr. Baroudi's allotted time to speak, seconded by Councilman Greeno. All were in favor.

Dr. Baroudi continued stating that Hancock County does not want to get there and wants to stay in the yellow. Hancock County citizens and leadership did a great job during the beginning of the pandemic by staying home and by urging their constituents to be careful and take precautions, but now with things opening back up, many are tired of the restraints, but the virus is not tired of us. The virus is continuing to spread which is why what is done now will dictate how Hancock County will fare at the end of this pandemic. Hancock County has low numbers because of everyone's response to the pandemic. He asked Council, as leaders of the community, to support the action of the Public Health, the hospital system, and Mayor by asking all Findlay citizens and visitors to wear masks when out in public, practice effective social distancing, avoid gatherings, wash hands often with warm soapy water, and stay at home when sick. He thanked everyone that has stepped up during this difficult time and did their due diligence in minimizing the spread, but the threat is not over.

Councilman Slough asked if those under quarantine are in the hospital or at home. Dr. Baroudi replied most are at home. There have been thirty (30) hospitalized since the beginning of the pandemic with four (4) of them still in the hospital. Four (4) more individuals have been admitted to the hospital in the last two (2) days.

Councilman Wobser noted that there is a lot of controversy about wearing masks. He asked Dr. Baroudi for his opinion if masks are a good or bad thing. Dr. Baroudi replied that masks are the best thing we have right now in the absence of vaccinations. The best preventive measures are vaccinations, with masks, washing hands, and social distancing being the best methods that can be done right now. They are simple tasks. He encouraged Council to be as much of an example as they can and wear masks in public because citizens will follow their lead. A mask is not only for the person wearing its protection, but also for others. Councilman Wobser asked Dr. Baroudi if the positive outweighs the negatives. Dr. Baroudi replied absolutely.

Councilman Russel asked where someone can obtain a COVID test and what the expected turnaround time of the results is. He asked if the accuracy of the results have improved. Dr. Baroudi replied that the hospital has been testing since the beginning of the pandemic. NWO, Physicians Plus, and CVS Pharmacies are also now testing. Hancock Public Health has tested over two thousand individuals in Hancock County with a population of seventy-six thousand (76,000) which is a small portion. Mass testing is still not available in Hancock County. They are lobbying the State to bring in mass testing with high priority, but is not likely going to happen because Hancock County has done so well. Testing results can take up to five to seven (5-7) days.

Mayor Muryn asked when severe symptoms begin for those with COVID that need hospitalization. Dr. Baroudi replied that happens relatively quickly. While everyone reacts differently to the virus, they generally do not see someone with it until they come to the hospital and are admitted to the ICU and on a respirator where the outcome is not good. There are some that are able to get off the ventilator.

Mayor Muryn noted that many see that Hancock County is at five percent (5%) infected rate and do not feel that is impactable, but when it begins to grow expeditiously, it quickly spreads and quickly begins to double requiring some to need hospitalization. The hospital has finite resources. Blanchard Valley Hospital currently has thirty-four (34) critical care beds, twenty-two (22) ventilators, so those beds and ventilators get utilized very quickly which can cause a lot of issues. BVHS services more than just our region. When businesses were closed down back in March, it was prepared to react and to focus on reducing the initial spread. She asked experts Dr. Ratnasamy and Dr. Baroudi to come before Council to address the issue and answer any questions. One thing everyone can do is to cover their mouths when coughing and sneezing and to stay away from others, and wear masks when that is not possible which is our only line of defense at this point. We owe it to our businesses that since they shut down to protect us, we need to mask up to be able to allow them to continue to operate. She will be releasing information tomorrow pleading with the community that they need to mask up, and Council give their stamp of support so that it does not become a mandate. This is the last defense we have before having to mandate or a potential shutdown. We cannot continue to wait with the idea it will not work itself out as it is not going to and that masks will have to be worn for quite awhile. Filed.

PETITIONS:

Alley vacation request – University of Findlay (College St/Frazier St)

Peterman Associates, Inc. on behalf of the University of Findlay, is requesting to vacate the north/south alley between 0 College Street, 332 Frazier Street, and 328 Frazier Street, Lots 5808, 5809, 5796, and 5797 in the Howard Addition. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

WRITTEN COMMUNICATIONS:

The **Hancock Regional Planning Commission** held a zoom meeting on July 15, 2020. Discussion topics:

- Discussion about publishing required public notices using web sites vs. The Courier to save costs and hopefully increase distribution.
- County has cut their contribution to the HRPC by approximately \$17,000. As a result, the HRPC staff has gone to a four-day/week schedule although the office will remain open five days a week. They will remain on this schedule for the remainder of the year. They are participating in the Shared Work Ohio Program which supplements lost staff wages through unemployment funding.
- Note: The City of Findlay has budgeted and contributed \$136,500 to HRPC in 2020.
- Reviewed a potential request for variance to the lot size requirements on a property in Washington Township. The majority were not in favor of the potential variance.
- City, Village, Township, Blanchard River Watershed Partnership & HRPC summaries were presented by various attendees.
 - CARES Act and how that could be spent was discussed. HRPC offered assistance to the townships to administer CARES Act funding.
 - HRPC has contracted with a Toledo-based attorney who specializes in zoning issues to assist with Village and Township zoning updates.

Filed.

The **CITY OF FINDLAY REVOLVING LOAN FUND (RLF) BOARD** met on July 8, 2020 to review one (1) application from The Sunshine Institute LLC for the new ten thousand dollar (\$10,000.00) Findlay Business Catalyst Loan Program. The application was incomplete so the Board met again on July 15, 2020 where Council Representative Warnecke was unable to attend. The loan to The Sunshine Institute LLC was approved at the meeting on the 15th. Because of the incomplete application which has been a frequent occurrence, it was suggested that a check list be created of what the applicant needs to provide before the loan can be reviewed. That was given to the group at the last meeting, along with a statement of the outstanding loans both of which are attached. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay Fire Department Activities Report – June 2020. Filed.

Findlay Municipal Court Activities Report – June 2020. Filed.

Findlay Police Department Activities Report – June 2020. Filed.

Board of Zoning Appeals minutes – June 11, 2020. Filed.

Precipitation and Reservoir levels report – second (2nd) quarter April - June 2020. Filed.

City Auditor Staschiak – summary financial reports

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

- Summary of Year-To-Date Information as of June 30, 2020
- Financial Snapshot for General Fund as of June 30, 2020
- Open Projects Report as of June 30, 2020
- Cash & Investments as of June 30, 2020

Filed.

Treasurer’s Reconciliation Report – June 30, 2020. Filed.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Casey’s Marketing Co, dba Casey’s General Store 3778, located at 1403 North Main Street, Findlay, Ohio for a C2 liquor permit. This requires a vote of Council.

Robert K. Ring, Chief of Police – Casey’s Marketing Co, dba Casey’s General Store 3778, located at 1403 North Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

- Terry W. Handley
- Robert C. Ford
- James R. Pistillo
- Michael R. Richardson
- Jay Soupene
- Julia L. Jackowski

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

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Dolgen Midwest LLC, dba Dollar General Store 21084, located at 707 South Blanchard Street, Findlay, Ohio for a C1 liquor permit. This requires a vote of Council.

Robert K. Ring, Chief of Police – Dolgen Midwest LLC, dba Dollar General Store 21084, located at 707 South Blanchard Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

- Jason Reiser
- Steven R. Deckard

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

Hancock Regional Planning Commission Director Matt Cordonnier – City of Findlay Revolving Loan Fund Request for Appropriation (The Sunshine Institute, LLC)

On July 15, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to The Sunshine Institute, 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 July 24, 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. 2020-081 was created.

FROM:	City of Findlay Revolving Loan Fund	\$ 10,000.00
TO:	The Sunshine Institute LLC #31903000	\$ 10,000.00

Filed.

Mayor Muryn – Operating budget update

Mayor Muryn provided a mid-year operating budget update providing a summary of where the City is through June compared to target. These operational changes were in response to expected decrease in revenues related to the COVID-19 pandemic. All departments are to limit spending on items necessary for the continued performance of their departments in which departments have spent just forty-nine percent (49%) of their targeted budget. Planning & Zoning expense is at ninety-nine percent (99%) because of annual contributions towards Hancock Regional Planning Commission already being paid. General Expense is at seventy-four percent (74%) because of annual payments that have already been paid out including the Health Department, Raise the Bar, Pool Subsidy, Jail costs, and a few Capital Improvement transfers. Spending will continue to be monitored for the remainder of the year and will regularly report back to Council to ensure appropriate management of the community’s tax dollars. Filed.

Service Director/Acting City Engineer Thomas – Blanchard Street Sewer Replacement project 35592200

This project was part of the 2019 Capital Improvement Plan that involves replacing some damaged sewer near the Blanchard Street and Crystal Avenue intersection. The original estimate in the Capital Plan was three hundred thousand dollars (\$300,000.00). After reviewing the sewer videos from the area, the Engineering Department had determined that the most inexpensive way to get the project completed is to have a contractor replace the sewer while the Street Department repairs the intersection. The sewer repair is not as extensive as originally thought and by having the City’s Street Department help with the project, it is now estimated that the project can be completed for eighty thousand dollars (\$80,000.00). Twenty thousand dollars (\$20,000.00) was previously appropriated from the Stormwater Fund to the project for design and startup. Sixty thousand dollars (\$60,000.00) is now needed for construction, inspection, and contingency in order to complete the project. Ordinance No. 2020-083 was created.

FROM:	Sewer Fund – Stormwater Restricted Account	\$ 60,000.00
TO:	Blanchard Street Sewer Replacement Project No. 35592200	\$ 60,000.00

Filed.

Service Director/Acting City Engineer Thomas – Rehabilitate Taxiway A (Taxiway A4 to A6) Project No. 35293400

The grant agreement for this project has been received from the FAA. This grant will pay for one hundred percent (100%) of the construction cost. The agreement needs to be signed and returned by July 31, 2020. Legislation authorizing the Service Director to apply for this grant and execute any and all documents to accept the grant is requested. Ordinance No. 2020-083 was created. Filed.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Kim Hamilton to vacate the alley between Lot 132 in Byals A P O L and Lots 1901-1904 in the Schwartz & Firmins Addition from Hurd Avenue east to the north-south alley.

We recommend denial of the request.

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

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss House Bill (HB) 481/CARES Act funding.

We recommend the Administration continue to move forward with purchases of equipment, goods or services that will be covered by the CARES Act reimbursement. If, by mid-September, the above does not utilize all of the funds, and we have received clarification that the funds can be used for pandemic related salary expenses, then the remainder of the funds will be used toward salary reimbursement. If no clarification is received on the salary question, then only the equipment and goods will be submitted.

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

The **WATER AND SEWER COMMITTEE** met on July 16, 2020 to discuss March 11, 2020 and May 21, 2020 updates to the water meter/transmitter project.

We recommend that there be continued discussion.

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

An **AD HOC COMMITTEE** met on July 16, 2020 to discuss COVI-19 and related issues for City Council meetings.

We recommend that Council choose between one of two paragraphs to be added to the end of Section 11 E – Attendance:

In the event of a public health emergency declared by either the State or County Health Department, all who attend a Findlay City Council meeting or committee meeting are required/requested to adhere to all guidelines prescribed by the State or County Health Department.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 018-2020, AS AMENDED requires three (3) readings

third reading - adopted

(5 year Capital Improvement Plan/Rainy Day Reserve Account)

A RESOLUTION ADOPTING 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.

Councilman Sough moved to adopt the Resolution, seconded by Councilman Wobser.

Discussion:

Councilman Russel does not support this resolution because the timing of it is during a financial flux and this would further restrict the flexibility of five hundred thousand dollars (\$500,000). While there is merit to having a Rainy Day Fund, funds should not be restricted from the General Fund and moved to the Rainy Day Fund at this time. There is history with the Administration for fiscal discipline that has allowed the City to be in the financial position it is in with that discipline continuing to serve the City well for funding and beyond.

Councilman Shindledecker previously thought that a reserve should be done now, but after hearing the City Auditor state that transferring the money to the Rainy Day Fund would restrict the funds when they may end up being necessary to make payroll, he does not think the funds should be moved now. With the possibility of eighteen (18) employees leaving employment before the end of the year with some of them not being replaced until the following year at a much lower salary than those who are leaving, for those reasons, as well as the reasons Councilman Russel mentioned, he is opposed to doing this now and would instead consider placing the funds in the Rainy Day Fund for next year. He does not see the need to do so now.

Councilman Wobser disagrees with Councilman Russel and Councilman Shindlecker. It has been discussed for quite some time of putting the City in a better financial position with this being a very simple step to doing that. The Administration has indicated that they have cut back on spending. The year started out with approximately thirteen million dollars (\$13,000,000) in the General Fund and will end the year with approximately nine million dollars (\$9,000,000). City Auditor Staschiak is asking to take a half million dollars (\$500,000) and put it into the Rainy Day Fund so that if the City gets into a very tight situation, it will be able to continue to pay salaries. This will ensure that the City will run for another thirty to forty-five (30-45) days. It is a very simple thing to do at this point in time. It should be done to protect City employees. While Councilman Russel is correct that the current Administration has handled the City's budget well, legislation on the City's finances are not made for today, but is for Administrations down the road, for times to come and are not in a situation right now to have to spend this money which is why the timing to do it is now. It should be done now in case the City's future Administrations do not do things as well as the current Administration as that has happened in the past and will more than likely happen in the future. This will protect against that. He urged Council to vote in favor of this legislation.

City Auditor Staschiak thanked Council for giving this Resolution consideration and giving him the opportunity to bring ideas strategically forward to Council for consideration. Department Heads went through challenges when they had to decide which City employees were going to stay and who would go. Regardless if Department Heads have a month or six (6) months to make those kinds of decisions, it is never enough time. The primary thing Council would be doing by setting this money aside for operational purposes is to buy time for Department Heads in a crisis to make critical decisions regarding cuts. The City has a current example of what happens when funds are not set aside for that specific reason. The Sewer Fund has multiple significantly large restricted accounts attached to it which is probably the healthiest fund in the City. Two and a half (2 1/2) years ago, the Water Fund had over a ten million dollars (\$10,000,000) of an unappropriated cash balance in it, but is now not only under threat, but is upside down operationally. The City is spending more just on operations in the Water Fund than what is coming in. That compiled with having a proper Capital Plan to keep the infrastructure in place that has depleted from a ten plus million dollar (\$10,000,000) balance to a projected one million two hundred thousand dollar (\$1,200,000) balance per his presentation the other night (APPROPRIATIONS COMMITTEE) using the most current figures provided by the Administration. He is not stating that to criticize anyone, but to illustrate what can happen very quickly when a crisis like the current pandemic happens. If nothing is changed to the Water Fund and if the budget as presented in the 5-year Capital Plan is followed, it will be out of money half way through next year. Had the Water Fund not had restricted funds for critical equipment, some of the waterline projects probably would not have been done because the money would not have been there for the expansions and overlays and would not be in a position today to fund an emergency. He asked Council to protect the City in a way that makes sense. The Rainy Day Fund is a million dollars (\$1,000,000) and an additional half million dollars (\$500,000) should be set aside for operations which is a reasonable amount of money that is likely to be used whether it is restricted or not. He asked Council to strongly consider restricting this money to protect the General Fund so that the City does not end up in a situation like the Water Fund is in today or the General Fund was in 2009-2010.

Councilman Russel feels that if the five hundred thousand dollars (\$500,000) that is being requested to be put into a Rainy Day Fund stays as it currently is in the General Fund, it does not disappear, but simply is not part of the Rainy Day Fund. It is still there to cover salaries if the City gets into a position where it needs funds to cover payroll. The amendment to it is that the reserved balance is not to exceed five percent (5%), will stay at approximately five percent (5%) with the need to keep the reserve balance at five percent (5%). He asked if it will not exceed five percent (5%) or if it will stay at approximately five percent (5%). The legislation presented to Council tonight is vague and he is unsure if it matches or sides with the general opposition as stated. City Auditor Staschiak replied that the amendment to it tonight came as a result of the conversation he had with Councilman Wobser. The original Resolution was the entire resolution that encompassed the Enterprise Fund, minimum reserves, and other items. It was confusing to some, so it was requested that the Resolution be amended to only deal specifically with the one paragraph that is changing. The five percent (5%) number in the original ordinance stated one million dollars (\$1,000,000) which caused concern and implied that an additional million dollars (\$1,000,000) be added which is not the case. While the total is still a large number of going from one million dollars (\$1,000,000) to one and a half million dollars (\$1,500,000), that number is limited by State Statute to five percent (5%) of the prior year's audited numbers. The language is strictly for the purpose of making sure. If the number stated is one million five hundred thousand dollars (\$1,500,000), it stays at one million five hundred thousand dollars (\$1,500,000). It is not ambiguous. It is very specific and incorporates the State Statute. By doing it this way, the entire Resolution from 2009 and then amended in 2014 is still intact.

Councilman Wobser asked if Councilman Russel believes that the City is going to restrict the fund, then they should get rid of the Rainy Day Fund and take the million dollars (\$1,000,000) and put it the General Fund so that it can be used any way the City wants. At one hundred percent (100%) flexibility, there shouldn't be a Rainy Day Fund. The requested amount to be in the Rainy Day Fund is to make sure that in the event of a serious downturn, that those monies are there and cannot be spent unless Council makes a way to get that done. It puts very little restriction on it and helps to ensure that the City can get through an economic down turn. Councilman Russel's theory is to just get rid of the Rainy Day Fund and put it back in the General Fund and spend it at any given time which is how it is handled today.

Safety Director Schmelzer feels the decision to have a Rainy Day Fund now or wait until budgets is irrelevant. It is not a big deal one way or the other due to the planning that has taken place. Comments regarding the strategy to make the City more fiscally sound to be able to deal with the economic conditions that are being dealt with today were partly due to the most strategic decision of putting thirteen million dollars (\$13,000,000) in the bank. He understands how difficult it was because he has heard numerous times about how much money there is in the bank and how that is too much money and how the City should be doing something more important with it. He agrees with both sides of this issue. His opinion of why the Rainy Day Fund exists is because of the arrangements that have been put together on wage increases and the different position the City is in relative to the union negotiations which is why there is a Capital and Rainy Day Fund. In a perfect world, there would not be a need for a Rainy Day Fund, but simply handle funds properly which is what the job of the Administration is to do so which was Councilman Russel's point of why funds even need to be put in a Rainy Day Fund if the City is managing funds properly in the first place which is why he feels it is irrelevant. He does not agree that a parallel should be drawn between what is going on with the Water Fund which is why money should be moved into the Rainy Day Fund, nor does he agree with Auditor Staschiak's position on the Water Fund. The City needs to manage their money appropriately on a daily basis and are fortunate that reserves were built to be able to deal with this current pandemic.

Councilman Wobser asked Safety Director Schmelzer if the City's money had been handled appropriately when he came into office. Safety Director Schmelzer replied no.

Mayor Muryn is supportive of implementing this policy and moving funds over, but recommends tabling the conversation and looking at it later in the year because of the five percent (5%) cap and that last year's revenue is going to be significantly different than this year's revenue, so it makes more sense to look at this at the end of the year and make the transfer early next year. This is a long term decision that should be done at a later date.

Councilman Wobser noted that Mayor Muryn was in favor of this when it first came about and asked what has changed her mind. Mayor Muryn replied that she is in favor of it, but does not feel that it is an immediate item that needs to be addressed.

Councilman Slough asked City Auditor Staschiak if there are any concerns with Council tabling this now and bringing it up later. City Auditor Staschiak replied that what Mayor Muryn is referring to is in the amended ordinance that states that should it not be five percent (5%), if the revenues are too high, that restricted account will be reduced appropriately and will now be able to maintain the five percent (5%) balance. The way the language is written in the ordinance takes care of that. If it is something that is worth doing, is something that is good for the City, it does not matter if it is done tonight, but could matter tomorrow if Council does not get to it. He agrees with Safety Director Schmelzer in that he walked into a tough situation financially, and had there been some of these protections in place, it would have been better. It is common sense to do so and puts the City in a better situation and sends a message to City employees, the world around you, and to those that may have an interest in loaning the City money when it is needed and that the City is fiscally prudent and willing to provide credentials into policy.

Councilman Russel pointed out that his stance on this is not a reflection on City employees as he takes their work and dedication to the City of the uttermost importance. His vote against this is not a desire to make their job situation more difficult as he is dedicated to maintaining current staffing levels as they are and he does not want to see Police and Fire layoffs. His non-support of Rainy Day Fund legislation that Safety Director Schmelzer characterized as irrelevant and that it is a vote against City employees is outlandish. Councilman Wobser replied that was never insinuated and is not the situation.

Councilman Shindledecker is not opposed to doing this, but is opposed to doing so at this time. He would be in favor of tabling it and not voting on it now as it is not the time to do so. If the City runs into a problem, it can be dealt with in two (2) weeks. If it gets to a point that there is a serious situation in less than two (2) weeks, then the City will really be in trouble.

Councilman Niemeyer called the question and requested Council vote on the Resolution, seconded by Councilman Palmer. All were in favor.

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

RESOLUTION NO. 021-2020 (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 Russel. Ayes: Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

ORDINANCES:

ORDINANCE NO. 2020-054 (*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**

third reading - adopted

AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERED TO AS 1020 ADAMS STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

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

Discussion:

Councilman Wobser pointed out that the PLANNING & ZONING COMMITTEE had some discussion on denying this request and asked if that is still the stance of the committee. Councilman Russel replied yes the stance of the committee was to deny. The committee's stance remains the same.

Councilman Russel pointed out that he voted against the committee's recommendation that the use requested is not correct for this property. Part of the change in use is to store items, but the committee's concern is the condition of what will be stored in it and if the property will be cleaned up. If the property is not cleaned up, it will be dealt with through the City of Findlay Zoning Office. He favors this request and will set a precedent for City Council.

Councilman Shindledecker voted to deny the request because of the history of the property in the past in that there have been requests before for this, but the property has never been taken care of. It was informally indicated during the committee meeting that they would like to see some good faith effort to clean up some of the property. He does not believe a garage big enough could be built on the property to store everything that is currently in the back yard. He has not seen any good faith effort besides mowing the lawn. He does not believe it is feasible for the property owner to do what he wants to do without getting rid of a great deal of material in the back yard.

Mayor Muryn noted that she did not check if any formal complaints have been filed with the Zoning Office on this property. When this originally came up, she brought forth the fact that the City goes through a process when someone has an open zoning complaint against them in which they cannot file for permits with the zoning office or request an alley vacation. She agrees with Councilman Russel's assessment in that she is in favor of this request and that this is an individual "kind" to clean up their property and while they have not made substantial effects at this point, they have followed the appropriate process and have requested something that is reasonable to be able to utilize their property and the adjacent properties are in support of this. She will check tomorrow if any formal cleanup requests have been filed and that they received notice so that the City can work with the property owner and address concerns.

Councilman Niemeyer has received numerous calls from that area with no effort to clean it up and has gotten a little worse than last time. There are unlicensed vehicles on the property and the property attracts wild animals that get into the neighbor's gardens. He would like to take those issue into consideration. When Council receives calls or complaints from constituents, they need to be reported to the City of Findlay's Zoning Office so they can be tracked and can file the appropriate paperwork, and can be followed up on as there are no definitive requirements around what clean up is and what property owners are supposed to do. For instance, someone may have a junk vehicle on their property, but may be working on it. She agrees run down vehicles, trash and debris, etc. on properties is unfair to their surrounding neighbors. In this specific situation, denial of this request is not the appropriate reaction. It may be appropriate to table this request and can work to file and follow up with the constituent to address the situation. A flat denial would not be appropriate.

Ayes: Palmer, Russel, Warnecke, Wobser, Greeno, Haas. Nays: Niemeyer, Shindledecker, Slough. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-068 and is hereby made a part of the record.

ORDINANCE NO. 2020-069 (*253, 251, 0 Madison Ave rezone*) **requires three (3) readings**

third reading - adopted

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 253, 251, AND 0 MADISON AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO C2 GENERAL COMMERCIAL.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-069 and is hereby made a part of the record.

ORDINANCE NO. 2020-076 (*HWE street lighting services contract*) **requires three (3) readings**

second 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.

Second reading of the Ordinance.

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

second reading

Second reading of the Ordinance.

ORDINANCE NO. 2020-078 **requires three (3) readings**

second reading - adopted

(2020 street preventative maintenance project no. 32800200; 2020 sidewalk/accessible ramps project no. 32801700)
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its third reading, seconded by Councilman Wobser. Ayes: Shindledecker, Warnecke, Wobser, Greeno, Haas, Niemeyer, Russel. Nays: Slough, Palmer. The Ordinance received its third reading. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Slough, Warnecke, Wobser, Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXII, Page 2020-078 and is hereby made a part of the record. *In order to suspend the statutory rules and give the Ordinance its third reading and possible adoption, a ¾ majority vote is required. The vote was seven (7) in favor; two (2) opposed, so the rules should not have been suspended and therefore could not be adopted. This was corrected during OLD BUSINESS where it was adopted.*

ORDINANCE NO. 2020-079

second reading – adopted

(annual street resurfacing/curb repairs 2020 project no. 32894500) **requires three (3) readings**

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

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

Discussion:

Councilman Wobser asked if there is a specific reason why this is receiving its third reading tonight. Councilman Russel replied because it is appropriated money and provides the opportunity to begin paving two (2) weeks early during paving season.

Ayes: Wobser, Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke. The Ordinance was declared adopted and is recorded in Ordinance Volume XXII, Page 2020-079 and is hereby made a part of the record.

ORDINANCE NO. 2020-081 (The Sunshine Institute, 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 of Council and give the Ordinance its second and third readings, seconded by Councilman Palmer. Ayes: Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser. The Ordinance received its second and third readings. Councilwoman Warnecke moved to adopt the Ordinance, seconded by Councilman Slough.

Discussion:

Councilman Shindledecker asked what this organization does. Councilwoman Warnecke replied the reason there were two (2) meetings for this was because the applicant (The Sunshine Institute, LLC) did not have their paperwork and she was unable to attend the second meeting as she had plans to be out of town. Mayor Muryn added that they provide a variety of counseling services for families and children. She has visited their location on Tiffin Avenue.

Ayes: Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXII, Page 2020-081 and is hereby made a part of the record.

ORDINACNE NO. 2020-082 (Blanchard Street Sewer Replacement project no. 35592200) **requires three (3) readings**

first reading

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

First reading of the Ordinance.

ORDINANCE NO. 2020-083

first reading – adopted

(Rehabilitate Taxiway A (Taxiway A4 to A6) Project No. 35293400) requires three (3) readings

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION FOR THEIR AIRPORT IMPROVEMENT PROGRAM GRANT, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Haas. Ayes: Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas. The Ordinance received its second and third readings. Councilman Russel moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno, Haas, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXII, Page 2020-083 and is hereby made a part of the record.

UNFINISHED BUSINESS:

OLD BUSINESS:

Councilman Russel asked for a point of order/clarification on Ordinance No. 2020-078. The motion to suspend the Statutory Rules passed with a seven (7) to two (2) vote, but Council's Rules state that a three-fourths (3/4) majority vote of Council is needed to suspend the Statutory Rules which would be eight (8) members of Council. Councilman Hellmann's absence tonight is considered a "no" vote, so this Ordinance did not get suspended and therefore could not be adopted tonight. He asked Law Director Rasmussen if a motion to reconsider can be given at this point. Law Director Rasmussen replied it can be. Councilman Russel asked if the only way this can be changed would be for one of the two (2) Councilmembers that moved to suspend the Statutory Rules ask for reconsideration. Councilman Shindledecker pointed out that the only Councilmember that can make a motion to reconsider this is who had a prevailing vote. As it was passed, the approving vote was seven (7), but the prevailing votes would be one of the two (2) nay votes and only one of the seven (7) yes votes would be allowed for consideration. Councilman Russel asked that the parliamentarian make a ruling on the question. Law Director Rasmussen replied that the motion would have to be from whomever voted no. President of Council Harrington reiterated that only those Councilmembers that voted against suspending the Statutory Rules can make a motion to reconsider.

Councilman Palmer moved to reconsider the suspending of the Statutory Rules and give the Ordinance its third reading, seconded by Councilman Russel (any Councilmember can second the motion). Ayes: Greeno, Haas, Niemeyer, Palmer, Russel, Shindledecker, Warnecke, Wobser. Nays: Slough. The Ordinance received its third reading. Councilman Wobser moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Haas, Niemeyer, Palmer, Russel, Shindledecker, Slough, Warnecke, Wobser, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXII, Page 2020-078 and is hereby made a part of the record.

Safety Director Schmelzer updated Council on the lanelight project. Council had discussed wanting to make some decisions on mid-block crossings and how they were signalized, if at all. The Traffic Commission met yesterday and had a lengthy discussion and decided to move forward with signalization that is similar to what is on West Main Cross that are push button activated. The Traffic Commission felt like that was the best option for the City going forward. The Traffic Commission recognized the effectiveness of the lanelights, when they are working, and also took into an account the number of times the City's Traffic Department has had to work on that to get it up and running. He and Service Director Thomas had some discussions with Perrysburg on their experience with infrastructure with their Rectangular Rapid Flashing Beacon (RRFB) system. In order to move forward with this, he needs to confirm pricing that he has been verbally told the City can get for the infrastructure from a distributor if it is within the Ordinance that was previously brought before City Council on the cost for modification for the lanelight structure. He will be asking Council to appropriate money for this at the next meeting so that this can move forward.

Councilman Wobser thanked Safety Director Schmelzer for continually working on this. The old system was great when it worked, but was a shame that it did not continually work. This new option will be a great replacement for it. Safety Director Schmelzer replied that at the time the current system was installed, it was the only option available to the City. If there were other options then, the City would have went with something that was tried and true for the community. It is unfortunate that the City did invest money for it, but will still utilize the passive system for activating the RFB. The camera that recognizes a pedestrian in the crosswalk will still be utilized in addition to a push button in an attempt to capture as many pedestrians in the crosswalk as possible even if they do not push the button to make it as safe as possible.

City Auditor Staschiak reminded Council that the RLF Fund sets aside three hundred thousand dollars (\$300,000) for catalyst loans. There is approximately two hundred thirty thousand dollars (\$230,000) of ten thousand dollar (\$10,000) loans left or approximately twenty-three (23) loans targeted for individual small business owners caveat things they need to preserve one (1) low income job as part of that loan at zero percent (0%) interest for five (5) years with no payments for six (6) months. Most, if not all, of the current recipients of the loans have come from membership with the Alliance and/or Chamber of Commerce. He encouraged Council to let their constituents know that the fund exists and is a great tool for equipment and job reservation to get them through the economic downfall in light of the concerns they have of what the government will do.

NEW BUSINESS:

Councilman Greeno: **WATER & SEWER COMMITTEE** meeting on July 30, 2020 at 6:00pm in the first floor Council Chambers of the Municipal Building (CC).

agenda: water transmitter project

Councilman Russel: **PLANNING & ZONING COMMITTEE** meeting on August 13, 2020 via zoom

agenda: 1. 1028 & 1030 Hurd Avenue rezone
2. University of Findlay (College St/Frazier St vacation)
3. Lake Cascades Pkwy vacation

Councilman Russel pointed out that the meeting minutes of the AD HOC COMMITTEE meeting from last week are included in tonight's City Council packet. He thanked Councilman Haas and Councilman Palmer for serving on the committee and were involved with the discussions on what Council's rules would be for COVID and similar issues. Conversations amongst them were civil which is a testament that while they may disagree, their outcome was not disagreeable. The group put a lot of thought and effort into this both before and during the meeting. He is pleased at the conclusions they came up with. While the committee was not unanimous with the recommendations being made with a 2-1 vote. He and Councilman Haas understand Councilman Palmer's view. All three (3) of the Councilmembers in the Ad Hoc Committee can address questions or concerns with the change in rules. They feel these changes are worth discussions tonight with a final vote on which of the two (2) options Council sees fit to change Council's rules to.

Discussion:

Councilman Wobser thanked the Ad Hoc Committee for taking this on as it is a tough subject and was able to get through it with good discussions and have come up with two (2) good ideas. Option 1 states that the City will wait for the State or County Health Department to tell everyone to wear a mask in a meeting. Option 2 would require masks be worn now. Councilman Russel replied that both options are the same except that one option states "require" and the other states "request" which are both based on following the recommendations of the State and/or the County Health Department. If the State or County Health Department puts out a requirement of masks for the general public for general meetings, then Council will require them for Council meetings for the public, Councilmembers, and the Administrative staff. If the rules will state "request", then Council will request of everyone and not "require". Councilman Wobser noted that if Council adopts either option tonight that nothing will happen because at this point in time, neither the County Health Department nor the State have required masks in Hancock County. Councilman Russel replied that he did some research today to be able to answer that same question, but could not find a definitive answer on either the County's Health Department website or the State, but did see verbiage stating that if Hancock County goes to a level 3 that masks will be required. He was unable to define what level 1 was.

Mayor Muryn replied that Hancock County is not currently under a mask mandate which is not required under a level 1 or level 2 and would be mandated under level 3, however, in a general office setting, the Centers for Disease Control and Prevention (CDC) recommendation, as well as any requirements for any businesses entity and government entity, are that all employees should be masked. Under City Council setting, everyone should be masked.

President of Council Harrington asked if all City employees are required to wear a mask. Mayor Muryn replied that they are if they are within six feet (6') or in general areas.

Councilman Wobser asked if the Ad Hoc Committee discussed mandating masks for City Council meetings only. Councilman Russel replied that all of the committee's consideration included Council meetings and committee meetings and was not specifically for Council meetings. At no time during that committee meeting was it stated that starting immediately, masks will be required to be worn in a Council meeting regardless of what the Health Department says and require those masks be worn until such time that Council rules are changed. The committee did not speak about it per se, but was implementing something that would respond to the issue at hand so that if things got worse or got better, the rules would not need to be changed to reflect the changing situation. Councilman Palmer added that he has the same recollection as Councilman Russel.

Councilman Wobser asked if there are any benefits to Council requiring masks be worn in this setting as many businesses are now doing so and many office buildings are doing so within the city.

Councilman Haas pointed out that Councilmembers are City leaders in which Findlay citizens are looking at them as examples of why masks are being worn which is for their benefit. When things like this happen, the public sometimes feel that it is not as bad as it is, but we cannot take that chance. Wearing masks is for the betterment of the whole city. Councilman Russel added that Councilman Wobser's question was at the heart of the discussions and was a large part of the discussion. There is an interesting line drawn between require and request and voluntarily doing what Council thinks is best and leading by example, etc. which lead to the difference of opinion of the three (3) Ad Hoc Committee members. The committee's compromise was to construct a paragraph and change the verb required in which Councilman Palmer would most likely vote against both of those options.

Councilwoman Warnecke noted that she has been wearing a mask because she is a cautious person and can accept a difference of opinion, but the lower the amount of the public attending City Council meetings, the better the chances of keeping the virus down as it is unknown where they have been and/or if they have been out of state or out of the country, so she would like to see the public wear masks also. If she does not wear a mask, she cannot ask or require the public to wear a mask, so she would like for all of Council to wear a mask so that Council can ask the public to do so as well.

Councilman Wobser asked if the Council Chambers would fall under the guideline of what the Mayor stated as an office setting which would fall under option 2 requiring masks be worn by Councilmembers and attendees. Councilman Russel replied that is correct in that masks would be required to be worn by anyone in attendance at a City Council meeting. Those not wearing a mask will be asked to leave and if he/she does not leave on their own, they will be escorted out.

Councilman Wobser asked if Council can afford a box of masks that can be given out to those who show up and do not have a mask so that they could wear one coming in. Mayor Muryn replied that she has a sufficient supply of masks that the U.S. Conference of Mayors sent.

Councilman Shindledecker noted that the governor pretty much indicated that it is almost inevitable that mandated masks will be a state-wide situation. He took his wife to Delaware County for a doctor's visit today where they are at a level 3 where it gets pretty serious. The mask he is currently wearing is one he had to wear inside the Ohio Health Facility. He thought the mask he had brought was sufficient for the facility, but was told he had to wear the mask he currently has on instead. He believes it is inevitable that masks will soon be required by the State. While Council cannot take formal action on this, they need to be prepared for it and have masks available for those attending. Mayor Muryn agrees to an extent in that Council as a whole needs to be an example of the standard they are trying to set which is the only way to avoid going to a mandate is to wear masks in the first place.

Councilman Haas pointed out that there are a number of individuals that travel through Hancock County every day that we do not know where they are coming from or going to or if they have been exposed to the virus. Some stop in Hancock County to eat, get gas, shop, etc. There are several counties at a level 1, some at a level 2, and one currently at a level 3 – Wood County who is not that far away. Findlay gets a lot of business from up there.

Councilman Wobser asked if it is appropriate at this time to make a motion to make a change to Council's rules. Councilman Russel replied now is as good a time as any.

President of Council Harrington asked if Councilmembers are employees of the City as elected officials in that City employees are required to wear masks. He will wear a mask regardless of the answer to that question because he has someone in his immediate family that has a compromised immune system and is ecstatic that everyone will now be required to wear masks while in the Council Chambers. He thanked the Ad Hoc Committee for working through this and noted that everyone has a constitutional right to their opinion. It is his hopes that everyone will follow the rules making it easy not only on him, but for other Councilmembers. For example, one of the oral communications tonight asked if he had to wear a mask to which President of Council Harrington replied that he recommended he do so, but they are not required to, so that guest did not wear one, but wished he would have and now he can require everyone to do so. He does not want to see this become confrontational with the citizens of the community or with Councilmembers where a Police Officer would have to be called to enter the Council Chambers and escort someone out because of a mask. It is a simple request that is already requested in other venues in this community. He pointed out that it is now one of Council's rules that he is to enforce as the President of Council.

Councilman Haas moved to adopt the verbiage to require (paragraph 2) masks be worn at City Council meetings, seconded by Councilwoman Warnecke. Ayes: Niemeyer, Shindledecker, Warnecke, Wobser, Greeno, Haas. Nays: Palmer, Russel, Slough. Rules of Council have been changed requiring masks be worn during City Council meetings.

Mayor Muryn updated Council on the vandalism that occurred this past weekend. All viewpoints are welcome in the community. While everyone has a right to freedom of speech, defacing public property or vandalizing other's properties are not the way to do that. Sections of concrete on West Main Cross had to be torn out for sidewalks that were not to specs, so repairs in that area will continue a little while longer to finish that.

Mayor Muryn noted that the subject of dash cams/body cams has been brought up. She informed Council that the Ohio Mayors Alliance has established the Police Reform Network. As a member of the Ohio Mayors Alliance, she has access to an individual that will be specifically available to communities to do research to compile information on Police reform. Findlay is fortunate in that there are fewer tweaks that need to be made compared to other communities. She reached out to them and they will compile information on what it may look like to implement dash and body cameras for Findlay and Hancock County, what the cost will be long term, what it will look like to implement that, what data resources are needed, and what legislation is needed, etc. It will be a long project and is something that information is being compiled for and will be brought back to Council. Safety Director Schmelzer, Police Chief Ring, as well as the rest of the Police Department are supportive of gathering that information

Mayor Muryn informed Council that the City has received Personal Protective Equipment (PPE) kits from Jobs Ohio and RGP which is the Regional Growth Partnership through the northwest economic development group. Those kits will be distributed on Friday morning starting at 8:00am until they run out at the Marathon Center for the Performing Arts (MCPA). Any local business or non-profit that is interested in obtaining PPE items can just stop by and pick them up. There are one hundred seventy-five (175) kits available.

Mayor Muryn reminded Council that the Census is still going on. She asked Councilmembers to remind their constituents to complete it.

Service Director/Acting City Engineer Thomas informed Council that he will be sending an email to all Councilmembers about the Ohio Department of Transportation (ODOT) having another stakeholders meeting on July 30, 2020 at 1:00pm about the project they are looking at for the CR 99/I-75 interchange. It will be a virtual meeting. He will include comment forms in his email. The public is welcome to fill out a comment form and send it in.

Councilman Slough asked when work will be started on Blanchard. Service Director/Acting City Engineer Thomas replied the work started yesterday with them bringing in equipment. They will start the concrete work on the east side of Sixth Street up to Tiffin Avenue, will turn around and then come back on the west side. Councilman Slough asked how long project will take. Service Director/Acting City Engineer Thomas replied it has to be done towards the end of October. He hopes it does not take that long, but is dependent on the weather.

Councilman Russel moved to adjourn, seconded by Councilman Wobser. All were in favor. Meeting adjourned at 9:00pm.

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