

FINDLAY CITY COUNCIL MEETING MINUTES

REGULAR SESSION

SEPTEMBER 15, 2020

COUNCIL CHAMBERS

ROLL CALL of 2020-2021 Councilmembers:

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

ABSENT: Warnecke

President of Council Harrington pointed out that Councilwoman Warnecke had informed him that she would not be in attendance tonight. Councilman Russel moved to excuse Councilwoman Warnecke, seconded by Councilman Palmer. 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 September 1, 2020 Regular Session City Council meeting minutes, Councilman Wobser 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 to tonight's agenda, seconded by Councilman Shindledecker. All were in favor. Motion carried. Filed.

ADD-ON:

- Financial summary – Mayor Muryn

REPLACEMENTS:

- Exhibit A for Resolution No. 027-2020 (LEGISLATION section)
 - Added last two (2) items to Exhibit A
- Ordinance No. 2020-103 AS AMENDED = Lake Cascades ROW vacation (LEGISLATION section). Revision per County Auditor's Office.
 - Changed SECTION 1 legal description:
Situated in the City of Findlay, County of Hancock and State of Ohio: Being the northern section of Lake Cascades Parkway's right-of-way along Cooper Tire & Rubber Company facility up to Western Avenue (Lake Cascades north) in the City of Findlay.
to now be:
Situated in the City of Findlay, County of Hancock and State of Ohio: Being the northern section of Lake Cascades Parkway's right-of-way along Cooper Tire & Rubber Company facility in the City of Findlay. See attached legal description and plat.

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

ORAL COMMUNICATIONS:

Mark Wright, Badger Meter, - water meter replacement system via Ordinance No. 2020-092

Mr. Wright is before City Council tonight with the understanding that Council will be voting on Ordinance No. 2020-092 tonight for the water meter system replacement. Before that vote takes place, he asked to clarify that Badger Meter was unable to respond to the City's bid back in 2018 and also clean up some misinformation surrounding their cellular product. Due to the restrictive specs, the proposal was for a collector base solution. Cellular was ruled out due to poor encryption and non-license frequency. The reason that is so significant is because of what Council is voting on tonight which is a RF Hub that sends a signal from the home to the collector. That collector takes every single read and goes over to Cellular Network. Something that was written out of the spec is actually how the City will retrieve their reads. It goes to the data collector and the data collector calls in. Their Orion cellular product from Badger Meter is a LTE-M product that uses an advanced encryption standard or AES256 and is non-proprietary and is 5G ready, 2-way cellular, and is a licensed network. The network is private and serves only machine to machine and never touches the public network. Badger Meter products are ISO27001 compliant and SOC 2 compliant. Badger Meter is an industry leader when it comes to secure data. Their cellular product is capable of connecting to twelve (12) encoder types from numerous meter manufacturers making it a universal product allowing utilities like Findlay to have the freedom to choose their supplier or makes it meter agnostic. In the past, his company has presented solutions that would have greatly benefited the City, not only on cost, but on the customer side as well with leak notifications. Badger Meter can offer a single software solution that takes the City's investment from 2009 and incorporates it today with their cellular network and does not add a single piece of infrastructure throughout the City. While he understands this process has taken a long time to resolve, his company just wants an opportunity to compete for the City's business. He feels it is the best solution and AMA to market and does not involve adding any unnecessary infrastructure throughout the City. If Badger is given this opportunity, they can have an official proposal within three (3) weeks for the City's review.

Discussion:

Councilman Hellmann asked why Badger was prohibited from presenting their proposal. Mr. Wright replied that in the specifications, it ruled out that cellular would not be entertained (a cellular transmitter). Back in 2018, it was a different product. Over the evolution of their products, it is now an LTEM machine to machine product. Technology changes rapidly, especially has since 2018. Councilman Hellmann asked what other cities Badger has their technology utilized in. Mr. Wright replied they have approximately one thousand (1,000) utilities throughout the United States. Some Ohio cities such as Avon and North Sheffield which are in the same position as Findlay where they have a Galati system and are just upgrading their software. As Galati systems fail, Badger will replace it with a cellular unit. Councilman Hellmann asked if Badger has ever ran into this similar situation with bidding before. Mr. Wright replied they have.

Councilman Wobser asked if Badger's products existed in 2018. Mr. Wright replied yes it did exist, but has evolved. Councilman Wobser asked if the product has evolved in that it meets the specs, but didn't in 2018. Mr. Wright replied that it didn't but was possibly interpreted a little different in 2018. The interpretation might have been that it wasn't encrypted or wasn't on the LTEM network (machine network) and might have been on the LTE transmitter which was in the public network. It was always licensed and was always encrypted.

Mayor Muryn asked Mr. Wright that when Badger read the specs and determined that their product was not going to meet the specs, if they requested the City to consider their product regardless of it meeting the initial RFQ standards. Mr. Wright replied no, they could not be responsive to the City's specs. Previous to the bid that Badger was unaware of, they were in the middle of negotiating with the City of Findlay, but then within a day, they found out that an RFQ was coming out with no indication or warning that they were not going to negotiate. Prior to this, Badger Meter had made several offers to the City of Findlay to rectify some of the issues they were having in the field. Those meetings went forward for a long time and then all of a sudden an RFQ request goes out. Badger understood what the City's position was. Mayor Muryn replied that this is a complex topic that she Councilman Greeno as the Chair of the WATER AND SEWER COMMITTEE have discussed. He provide some dates for a COMMITTEE OF THE WHOLE meeting to be announced later this evening. In that meeting, they will be able to present additional information. She has also forwarded a lot of content on the entire process to Council over the last couple of weeks. She requested that the legislation for this remain tabled until it can be gone over in more detail where it will become more evident why the specs were created the way they were and why the City did not consider Badger's product.

PETITIONS:

Zoning amendment request – 780 6th Street

Mozelle and Evelyn Miree would like to change the zoning of 780 6th Street to R4 Duplex Triplex. It currently is zoned as R1 Large Lot Residential. Referred to City Planning Commission and Planning & Zoning Committee. Filed.

WRITTEN COMMUNICATIONS:

ECONOMIC DEVELOPMENT ADVISORY BOARD September 3, 2020 minutes. Filed.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Auditor Staschiak – Employee Roth IRA 457 Options availability

The City of Findlay participates in two (2) deferred compensation programs for the benefit of the employees. The Ohio Association of Professional Firefighters 457 Deferred Compensation Plan and the Ohio Public Employees Deferred Compensation Program. Both of these programs have now developed opportunities allowing public employees to invest in Roth IRAs through payroll deductions. Legislation to enable the Roth IRA 457 Option to be activated through both programs beginning 2021 allowing employees to invest in the option as of the first payday in January 2021 is requested. Ordinance Nos. 2020-106 and 2020-107 were created.

Discussion:

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

Findlay Police Department Activities Report – August 2020. Filed.

Mayor Muryn – annual bids and contracts

The City of Findlay annually bids a number of chemicals, materials, and services. The contracts for those items run for a calendar year with option(s) to renew the contracts in one (1) year increments. A review and evaluation of the current contracts and contracted vendors is being conducted. For those contracts that will not be renewed, the City will advertise and receive bids in October. Items that are normally bid each year include several chemicals used by the Water Treatment Plant and Water Pollution Control Center, uniforms, services, and supplies. Legislation authorizing the Mayor to contract these items is requested. Ordinance No. 2020-108 is created. Filed.

City Income Tax Monthly Collection Report – August 2020. Filed.

Findlay Fire Department Activities Report – August 2020. Filed.

Findlay Municipal Court Activities Report – August 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 August 31, 2020
- Open Projects Report as of August 31, 2020
- Cash & Investments as of August 31, 2020
- Financial Snapshot for General Fund as of August 31, 2020

Discussion:

City Auditor Staschiak added a couple of lines in the snapshot portion of the report to reflect the allocation for retirements. The center section “Severance Payout Reserve Fund #2090” started with a projected balance of \$980,545.00 and will be asking for an appropriation of \$325,000.00 to pay out the current cost set that incurred. In calculating the City’s total liability for retirements that could occur yet this year, they are not anticipated to happen this year, but wanted to make Council aware that an additional \$1,200,000+ obligation as of December 31, 2020 will be approximately \$600,000.00 more than the million dollars that was started with this year which is a significant number that will grow when going into next year’s budget.

Councilman Russel asked if retirement costs are projected more than one year out. City Auditor Staschiak replied he is comfortable going out the second year. He can go out further if Council would like him to. The second year does not add the significance the first year does because the first year has the carry-forward from prior years which is approximately three to four hundred dollars (\$300-\$400).

Councilman Wobser asked if the numbers in this report are known retirements. City Auditor Staschiak replied that they are known employees who are eligible to retire. If an employee has military service or transferrable service, they would be unknowns on top of the number in the report. Councilman Wobser asked if projected numbers could be provided for retirements up to five (5) years. City Auditor Staschiak replied that there is less randomness as you go up because employees sometimes changes jobs but, could be projected out for budgetary purposes. It would be a moving target, but are able to do it based on employees today. Currently, they budget two (2) years. Councilman Wobser pointed out that retirements will peak at some point because it is an increasing number every year and then will decrease as the workforce gets younger. City Auditor Staschiak replied that a lot of it would have an impact from changes in Deferred Comp. as it went from one (1) system to an ABC 3-tiers. Most employees in the A System are able to retire at any time. Those in the B System have to work another three to four (3-4) years. He has not done a peak analysis, but that would affect it significantly.

Councilman Russel asked if there is a certain percentage of retiring employees in the different pools (A, B, C). City Auditor Staschiak replied the City Auditor’s Office Payroll Clerk has a wonderful handle on that who could get a very close dollar amount on it based on the existing population. Councilman Russel noted that the concern is that there will be sufficient funds to meet the requirements under the obligations that have been made to City employees as part of their employment contract. He would like to gain an understanding where the City is at with the retirement fund in comparison to other areas that are not in a good financial standing on that fund. City Auditor Staschiak replied that he would like to address that during the budget meetings and then Council can decide if they want to have any additional meetings on it after that. Councilman Wobser agreed with City Auditor Staschiak that it should be discussed then and that he also would like to see where the City is at with that fund. Filed.

City Planning Commission agenda – October 8, 2020; minutes – August 13, 2020. Filed.

Treasurer’s Reconciliation Report – August 31, 2020. Filed.

Board of Zoning Appeals minutes – July 9, 2020. Filed.

City Engineer Thomas – 6th Capital Improvement appropriation

City Engineer Thomas would like to transfer the 6th Capital Improvement allocation of this year to order the last piece of equipment from the Capital Improvement Plan. Legislation to appropriate and transfer funds is requested. Ordinance No. 2020-111 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 45,000.00
TO:	Streets #22040000-other	\$ 45,000.00

Ordinance No. 2020-111 was created. Filed.

City Auditor Staschiak – Federal CARES Act funding

The Ohio Controlling Board has distributed Federal CARES Act funding to the counties, townships, villages, and municipalities. 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 Auditor’s Office the week of September 1, 2020. The County has notified the City Auditor’s Office that a second amount is being deposited into the City’s account. City Auditor Staschiak is awaiting a ruling from the State of Ohio OBM regarding the Mayor’s desired allocation of remaining funds for reimbursement of Fire Department wages. A COVID-19 FAQ document issued by the Auditor or State seems to make doing this difficult at best and the Federal Treasury’s Office of Inspector General and the US Department of Treasury have issued conflicting FAQs as well, therefore, the City of Findlay must wait on an approval from the direct oversight authority the Ohio OMB. Although there is pending legislation at the State, the first window of encumbrance is greatly compressed by State Law (October 15, 2020). Legislation to appropriate funds and to suspend the statutory requirements in order to give the legislation all three (3) readings at the September 15, 2020 City Council meeting and adopt on an emergency is requested. Ordinance No. 2020-110 was created. Additionally, an Appropriations Committee meeting would be of some value for the Deputy Auditor and City Auditor to update the committee on the many ways the funds are being utilized locally and also to discuss the pending third round of funding.

FROM: Coronavirus Relief Fund (State Controlling Board) \$ 278,748.40
TO: Coronavirus Relief (CRF) #22099000-other \$ 278,748.40

Discussion:

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

City Engineer Thomas – Ohio Public Works Commission grant application State and Markle Street Reconstruction #32803300

Engineering is preparing to submit the annual grant application to the Ohio Public Works Commission (OPWC). The application will be for the reconstruction of State and Markle Streets. The project will consist of repairing/replacing existing curbs as needed on the section of the streets that have existing curbs, installing curb on the sections of streets that do not have existing curb, pavement reconstruction, installation of storm sewers and replacing the existing six (6) inch waterline that was installed in the mid 60s. Legislation authorizing City representatives to execute the necessary grant application(s) and/or agreement (s) to receive grant funding and to suspend the statutory requirements in order to give the legislation all three (3) readings at the September 15, 2020 City Council meeting and adopt on an emergency in order to meet the October 6, 2020 application deadline is requested. Ordinance No. 2020-112 was created.

Mayor Muryn Financial Summary – will be addressed during NEW BUSINESS section of tonight’s meeting.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from SRC Group LLC on behalf of Mark Snyder to rezone 525 and 529 Davis Street from R2 Single Family, Low Density to M2 Multiple Family District, High Density.

We recommend approval as requested. Ordinance No. 2020-113 was created.

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Donald G. Croy to vacate the east-west alley between Broad Avenue and the alley east between Lots 12178 and 12179 in the Riverview Addition. *We recommend approval as requested.*

Ordinance No. 2020-114 was created.

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

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 025-2020 (*E Bigelow Ave annexation – resolution of services*) **requires three (3) readings** **second reading**

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN MARION TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE OF SECTION 6 SOUTH, T1N, R11E, A TRACT OF LAND CONSISTING OF 8.584 ACRES OF LAND, MORE OR LESS.

Second reading of the Resolution.

RESOLUTION NO. 027-2020 (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 Russel moved to adopt the Resolution, seconded by Councilman Slough. Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

ORDINANCES:

ORDINANCE NO. 2020-092 (water meter system replacement) requires three (3) readings

tabled after third reading on 9/1/20

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

ORDINANCE NO. 2020-096 (2020 annual sewer and manhole lining) requires three (3) readings

third reading - adopted

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Wobser, Greeno. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-096 and is hereby made a part of the record.

ORDINANCE NO. 2020-098 (5th Capital Improvement appropriation) requires three (3) readings

third reading - adopted

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

Councilman Slough moved to adopt the Ordinance, seconded by Councilman Wobser. Ayes: Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Wobser, Greeno, Haas. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-098 and is hereby made a part of the record.

ORDINANCE NO. 2020-099 (MLK Pkwy improvements/ODOT FY21 resurfacing) requires three (3) readings

third reading - adopted

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO AN AGREEMENT OR AGREEMENTS FOR THE MARTIN LUTHER KING PARKWAY IMPROVEMENTS PROJECT NO. 32803100, AS WELL AS THE OHIO DEPARTMENT OF TRANSPORTATION FY21 RESURFACING PROJECT NO. 32801400, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Greeno moved to adopt the Ordinance, seconded by Councilman Hellmann. Ayes: Niemeyer, Palmer, Russel, Shindledecker, Slough, Wobser, Greeno, Haas, Hellmann. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-099 and is hereby made a part of the record.

ORDINANCE NO. 2020-102 (1028 and 1030 Hurd Avenue 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 1028 AND 1030 HURD AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R1 SINGLE FAMILY LOW DENSITY" TO "R2 MEDIUM DENSITY".

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

Discussion:

Councilman Russel pointed out that this is a situation where if the proposed zoning map change was already in effect, this ordinance would not be needed and the property owner would not have to go through the process to have the property rezoned to R2.

Ayes: Palmer, Russel, Shindledecker, Slough, Wobser, Greeno, Haas, Hellmann, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-102 and is hereby made a part of the record.

ORDINANCE NO. 2020-103, AS AMENDED (*Lake Cascades Pkwy ROW vacation*) **requires three (3) readings** **third reading - adopted**
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN RIGHT-OF-WAY (HEREINAFTER REFERED TO AS LAKE CASCADES PARKWAY VACATION) IN THE CITY OF FINDLAY, OHIO.

Discussion:

Councilman Hellmann asked if this is the second amendment on this Ordinance. President of Council Harrington replied it is the second amendment. The second amendment was added this evening. Councilman Hellmann asked what the amendments entail. President of Council Harrington replied that the first amendment was to change "alley" to "right-of-way" and the second amendment was changes to the legal description per the County Auditor's Office request.

Councilman Russel moved to adopt the Ordinance, seconded by Councilman Palmer. Ayes: Russel, Shindledecker, Slough, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-103 and is hereby made a part of the record.

ORDINANCE NO. 2020-106 (*Deferred Compensation Plan – Firefighters*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND AUDITOR OF THE CITY OF FINDLAY, OHIO, TO EXECUTE ALL DOCUMENTS NECESSARY TO MAKE THE BENEFITS OF THE OHIO ASSOCIATION OF PROFESSIONAL FIREFIGHTERS 457 DEFERRED COMPENSATION PLAN ROTH 457 OPTION AVAILABLE TO ALL FINDLAY FIREFIGHTERS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2020-107 (*Deferred Compensation Plan – all City employees*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND AUDITOR OF THE CITY OF FINDLAY, OHIO, TO EXECUTE ALL DOCUMENTS NECESSARY TO MAKE THE BENEFITS OF THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM ROTH 457 OPTION AVAILABLE TO ALL CITY OF FINDLAY EMPLOYEES, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2020-108 (*annual bids & contracts*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR/ACTING SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2021, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2020-109 (*ee payroll deductions for HSA*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYROLL DEDUCTIONS FOR THOSE EMPLOYEES WHO HAVE ELECTED TO ENROLL IN THE HEALTH SAVINGS ACCOUNT (HSA) PLAN AND DECLARING AN EMERGENCY.

Discussion:

Councilman Russel asked if this is for Council to approve the HSA for next year. City Auditor Staschiak replied that is correct and that it can receive three (3) separate readings.

First reading of the Ordinance.

ORDINANCE NO. 2020-110 (*HB481/CARES Act funding*) **requires three (3) readings** **first reading - adopted**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

Discussion:

Councilman Hellmann asked why it was necessary to suspend the statutory rules, give all three (3) readings tonight and adopt this. Councilman Russel replied that he moved to suspend the rules and give it all three (3) readings because the City Auditor requested it because of the fast-approaching deadline and in order to be able to utilize the funds.

Councilman Wobser asked if it has been determined what these funds can/cannot be used for. Mayor Muryn replied that as the City Auditor's letter states, the guidance that the City has received from the Treasury as recent as last week clearly states that it can be used for Safety-Service payroll. They have not received a direct response from OBM, but it is anticipated that they will update their RFQs in the near future. The Treasury document was updated recently.

It was stated during the COMMITTEE OF THE WHOLE meeting that these funds would be used to ensure that City employees were safe and that they have items they need to do so (i.e. plexi glass, hand sanitizers, sanitation systems, etc.) and if funds could be used towards payroll, they would do so, and if not, the funds would go back to the County and State. The funds will not be used for upgrades that are not seen as a benefit. It is taxpayer dollars whether collected and used locally or not and should be going back to communities that truly need it in which Findlay is in pretty good shape. The City has already spent over two hundred fifty thousand dollars (\$250,000.00) on making sure their employees are safe. With this amount and the first payment received, and the anticipated third amount should be approved by the House of Representatives this week or next week giving the City an additional amount over one million dollars (\$1,000,000+), totaling approximately two million two hundred thousand dollars (\$2,200,000.00) locally. Any funds not used will go back to the County. Councilman Wobser asked what the initial amount was. Mayor Muryn replied was just over five hundred fifty-seven thousand dollars (\$557,000.00+).

There still are funds remaining from the first amount, and are waiting for clarification from the OBM that all of the items have been seen as necessary and appropriate to be safe have been purchased. Councilman Wobser asked if the City will use the additional funds for salaries if OBM comes back and grants permission to use the funds for that. Mayor Muryn replied that yes they will use the funds for salaries if they receive the statement back from OBM that the City can do so. Forty percent (40%) of Firefighter payroll is being dedicated to EMS calls. The City pays over four hundred thousand dollars (\$400,000.00) a month in Firefighter payroll. The City would easily use up the funds for payroll for March until the end of the year. In her opinion, that can be done now, but are hoping to receive clarification from OBM so that there are no gray areas.

Councilman Shindledecker asked what the deadlines are for spending the money and if they vary from development to development or line item to line item. Mayor Muryn replied that it is established by the State because there are guidelines that have to go back to the County where the County has the opportunity to redistribute the received funds at an allocated amount back to entities that used their first portion or can say how they are going to use it. The deadline with the State keeps changing. The most recent date was October 15th. The County has to have it back to the State by November 20th, and the State has to have it back to the Federal Government by the 28th or 29th of December. Councilman Shindledecker asked if there is an anticipated date on when it will be known if any of these funds can be dedicated to the Firefighters or not. Mayor Muryn replied that she should hear back from OBM any day now. She reached out to the Ohio Mayor's Alliance in that the Executive Director who has a good relationship with OBM and has asked him to push to get a response from them. Most recently, she was asked why the City needs additional clarification as they feel their document is clear to which she responded that the City wants it in writing. She hopes to have it in writing any day now. The City Auditor will communicate any updates he receives from OBM.

City Auditor Staschiak added that under the current legislation, the City has to encumber the money by November 15th, with legislation possibly pushing it off until November 20th. The original notice stated that the City has to spend the money by the deadline date. The money now just has to be encumbered. He attended a webinar this afternoon on this matter in which it was stated what his letter had stated in that the three (3) bodies disagree. While he hopes the City is able to use the money as Mayor Muryn would like to, it is not clear yet. The City has the opportunity to modernize its facilities with these funds. The City Auditor's Office has received reports from employees and from the public that they are being told that there is no money available. There is over five hundred thousand dollars (\$500,000.00+) available right now that can be used for COVID appropriate expenses such as touchless facets and air handlers which is why he and Deputy Auditor Sampson would like to have a meeting with the APPROPRIATIONS COMMITTEE. The City is waiting on justification from OBM to lump sum the money to utilize in the Fire Department as it currently does not give the money to them. Instead, it reassures the reason for being able to take the money. Large cities hire consultants to answer that question. As soon as the OBM says the City can, he will be good to go. He sent the request to them about two (2) weeks ago. Based on what he heard today and the fact that the Federal Government is openly arguing over this, he would be surprised if there will be a ruling locally from OBM because they are the body over Ohio before the Federal Government settles the matter. He does not want to see the City miss an opportunity and have to send the money back. The City Auditor's Office is receiving questions and concerns about the funds, so he would like to make it clear that there is over five hundred thousand dollars (\$500,000.00+) available.

Councilman Wobser asked Mayor Muryn if there have been requests outside of what has been discussed. He asked if anyone in the community has requested use of the funds. Mayor Muryn replied there has been and the Administration is working with them. There is a larger pot of money in the County and Townships. There was an article in the newspaper where County Auditor Rauschenberg spoke with the Commissioners because there are a number of townships that are giving funds back because they do not have the ability to utilize the funds, so there is a good portion of their funds still available. The City has a narrow scope of who it can impact, so they are recommending the County sub-grant the funds to county-wide organizations such as HHWP or Community Action Commission (CAC). She requested five hundred thousand dollars (\$500,000.00) go to the CAC to support their vision for benching, utility offset, and some of the housing issues that are currently happening and are expecting over the next couple of months with unemployment and are still having issues getting back to their original income levels and not be able to meet their bills, be evicted and then have a housing issue which is much more costly than helping people in the short term. The City is recommending the housing organizations develop a hotline where they coordinate with those that need help to ensure that all of the non-profits are working together instead of giving money multiple times to the problem. CAC is an organization that frequently meets the Federal requirements and have the ability to manage the audit trail and then would go through the various housing organizations.

The schools will also receive approximately eighty thousand dollars (\$80,000.00) to provide nurses in the County schools that currently do not have them to be on call and manage the clinicals that happen to be in place. Those conversations are taking place, but are difficult because of the audit process because there has to be appropriate documentation and management of any organizations that the City would sub-grant funds to. The County is the larger organization that is able to do that as they want to have the funds and want it to be County-wide instead of the City of Findlay being ahead of the curve and can only help City of Findlay citizens. Councilman Wobser asked if the City will direct citizens/businesses to the County that are asking for some of the funds. Mayor Muryn replied that is correct or they can speak with her. The Community Development and the United Way have also been involved in the conversations. She encouraged anyone inquiring about utilizing the funds to reach out to her, Auditor Rauschenberg, or Commissioner Bechtol.

Ayes: Slough, Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-110 and is hereby made a part of the record.

ORDINANCE NO. 2020-111 (*6th Capital Improvement appropriation*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

ORDINANCE NO. 2020-112 **first reading – adopted**
(*OPWC grant application – State & Markle Street Reconstruction*) **requires three (3) readings**
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE STATE AND MARKLE STREETS RECONSTRUCTION PROJECT NO. 32803300, AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules and give the Ordinance its second and third readings, seconded by Councilman Niemeyer. Ayes: Wobser, Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough. The Ordinance received its second and third readings. Councilman Slough moved to adopt the Ordinance, seconded by Councilman Greeno. Ayes: Greeno, Haas, Hellmann, Niemeyer, Palmer, Russel, Shindledecker, Slough, Wobser. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2020-112 and is hereby made a part of the record.

ORDINANCE NO. 2020-113 (*525 & 529 Davis St rezone*) **requires three (3) readings** **first reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 525 AND 529 DAVIS STREET REZONE) WHICH PREVIOUSLY WAS ZONED “R2 SINGLE FAMILY, LOW DENSITY” TO “M2 MULTIPLE FAMILY, HIGH DENSITY”.

First reading of the Ordinance.

ORDINANCE NO. 2020-114 (*811 Broad Ave vacation*) **requires three (3) readings** **first reading**
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERED TO AS 811 BROAD AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

First reading of the Ordinance.

UNFINISHED BUSINESS:

OLD BUSINESS: none

NEW BUSINESS:

Councilman Greeno: **COMMITTEE OF THE WHOLE** meeting on Tuesday, September 29, 2020 at 5:30pm in the first floor Council Chambers (CC) of the Municipal Building

agenda: water meter transmitter project via Ordinance No. 2020-092

City Auditor Staschiak: **Pre-Budget hearing** on Wednesday, September 30, 2020 at 5:30pm in the first floor Council Chambers (CC) of the Municipal Building. The budget will be in book form by December 1, 2020.

Mayor Muryn highlighted the financial summary snapshot she provided as an add-on. Departments are continuing to do a fantastic job of managing their finances and are just slightly over their budget. Revenues are coming in strong and are just five percent (5%) off year to date. Expenses are on target and are holding steady at eighteen and nine tenths percent (18.9%). Departments are managing their budgets well. Councilman Russel asked if it is anticipated to be at or below the 2020 target. Mayor Muryn replied that she anticipates departments will be very close if not below their target. They have done a great job over the last several years giving between six to eight percent (6-8%) of their budgeted expenses back due to good money management. The Administration told them to be prepared to cut back even more in which they have done that. Budgets were pretty lean to start with, but have still made changes. This is just operational expenses and does not include any capital changes made. When projects were cleaned out and when some of the projects came in under budget, it caused transfers and refunds of over two hundred thousand dollars (\$200,000.00).

Mayor Muryn provided an update on the Census. Hancock County is at seventy-four percent (74%) completed self-response rate which is five percent (5%) above Ohio. Group housing has yet to be recorded and will be counted at the close. Overall, Hancock County has done a great job of completing the census. Last date to complete the census is September 30, 2020. It can be done online, over the phone or in person by a Census taker.

Mayor Muryn updated Council on the zoning map updates. Over seven thousand (7,000) postcards went out to affected property owners. Eighty-five (85) attended the zoom meeting last week that went very well. There were two hundred fifty (250) phone calls to Hancock Regional Planning Commission asking questions about it, and so far, ninety-five (95) have opted out. The deadline to opt out is the end of this month which can be done by returning the form that can be printed off the City's website or they can come to the HRPC office and complete it.

Councilman Russel moved to adjourn, seconded by Councilman Slough. All were in favor. Meeting adjourned at 7:59 pm.

CLERK OF COUNCIL

COUNCIL PRESIDENT