

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

JANUARY 5, 2016

COUNCIL CHAMBERS

ROLL CALL of 2014-2015 Councilmembers

PLEDGE OF ALLEGIANCE

MOMENT OF PRAYER

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS: – none.

ACCEPTANCE OR CHANGES OF MINUTES AND PUBLIC HEARINGS:

- Acceptance or changes to the December 15, 2015 public hearing minutes for right-of-way vacation for 401 Oakland Avenue (Ordinance No. 2015-103).
- Acceptance or changes to the December 15, 2015 City Council meeting minutes.
- Acceptance or changes to the December 30, 2015 public hearing minutes for the Zoning Code (Ordinance No. 2015-098).

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

RECOGNITION/RETIREMENT RESOLUTIONS: – none.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS: - none.

PETITIONS: – none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS: – none.

COMMITTEE REPORTS: – none.

LEGISLATION: – none.

UNFINISHED BUSINESS: – none.

REGULAR SESSION

JANUARY 5, 2016

COUNCIL CHAMBERS

ROLL CALL of 2016-2017 Councilmembers

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

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 004-2016

A RESOLUTION COMMENDING COUNCILWOMAN ANNE SPENCE FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

First reading

RESOLUTION NO. 005-2016

A RESOLUTION COMMENDING COUNCILMAN RANDALL VAN DYNE FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

First reading

RESOLUTION NO. 006-2016

A RESOLUTION COMMENDING COUNCILMAN ROBERT NICHOLS FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

First reading

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Steven Kiefer – Ohio Creates

Mr. Kiefer is before City Council tonight to give a brief presentation on programs that leverage the creative industries for community and economic development. He is looking to see if Findlay is where he wants to locate his business. Ohio Creates is a non-profit organization whose mission is to leverage the creative assets of Northwest Ohio to bring greater prosperity to the region. Mr. Kiefer requests to continue his presentation in greater length at a separate meeting, perhaps a Committee of the Whole meeting.

PETITIONS:

Alley vacation request – College Street

Martin Terry, on behalf of the University of Findlay, is requesting a vacation for the east-west alley between Lots 5862 through 5853 (1117 Morey Avenue through 227 David Street) and 5840 through 5850 (304 through 340 College Street) and the north-south alley between lots 5847 (316 College Street) and 5848 (314 College Street) in the Howard Addition to the City of Findlay. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay City Board of Health minutes – October 21, 2015.

Director of Law Donald Rasmussen – appointment of Assistant Directors of Law

Law Director Don Rasmussen is requesting the appointment of the following positions be assigned to the Findlay Municipal Court to handle prosecutions in said Court, commencing January 1, 2016. These are important positions in the Director of Law's Office and are necessary to maintain the smooth operation and efficiency of the Findlay Municipal Court System:

- Alan D. Hackenberg, Assistant Director of Law I
- Robert E. Feighner, Assistant Director of Law I
- Stephanie Wykes, Assistant Director of Law II
- Elliott Werth, Assistant Director of Law IV

City Planning Commission agenda – January 14, 2016; **minutes** - December 10, 2015.

Mayor Lydia Mihalik – Mayor appointments to various Boards or Commissions

Mayor Mihalik is requesting the following appointments to the following Boards or Commissions:

Airport Advisory Board – *does not require Council confirmation*

Gary Junker

Term to expire on December 31, 2018

Hancock Regional Planning Commission Board – *requires Council confirmation*

Dennis McPheron

Terms to expire December 31, 2017

Parks and Recreation Board – *does not require Council confirmation*

Mike Slough

Term to expire on December 31, 2018

Mayor Lydia Mihalik – Ordinance Nos. 2016-004 and 2016-005

In the wake of last year's Ohio municipal income tax uniformity changes, and under the advice of counsel of their mutual Solicitor, Don Rasmussen, the Village of Mount Cory and the Village of Vanlue recently enacted income tax ordinances to be effective January 1, 2016. Both villages have requested that the City of Findlay Income Tax Department administer and enforce their ordinances.

Municipal income tax collection agreements with these communities will offer the same cost-effective and mutually-beneficial opportunities to our residents and taxpayers provided by the existing agreement that has been in place successfully with the Village of Arlington since 2003.

Under the Mayor's direction and in accordance with Resolution No. 036-2003, she is seeking Council's formal approval to authorize the Service-Safety Director to enter into municipal income tax collection agreements with Mount Cory and Vanlue. In anticipation of Council's support, Law Director Rasmussen has prepared emergency legislation for the January 5, 2016 City Council meeting to authorize these agreements. Ordinance Nos. 2016-004 and 2016-005 were created.

COMMITTEE REPORTS:

An **AD HOC COMMITTEE** met on December 22, 2015 to select Council committee assignments and review Council's Rules of Procedures for the 2016-2017 Council term.

We recommend:

1. *The Appropriations Committee consist of five (5) members.*
2. *The Standing Committee of Streets, Sidewalks, Streetlights, and Parking be changed to eliminate streetlights.*
3. *Council no longer provide a representative to the following boards:*
 - *Home Builders Association*
 - *Stormwater Advisory Committee*
 - *Be Healthy Now Hancock County Coalition*
4. *The procedure be changed as to reading correspondences at a Council meeting. Procedure be added to the "2016-2017 Council Rules of Procedure".*
5. *Councilmembers assignments to committees/boards attached.*

The **AD HOC COMMITTEE** to select Council Committee assignments and review Council's Rules of Procedures to the 2016-2017 Council term, to whom was requested by Law Director Don Rasmussen to reappoint Denise DeVore as Council Clerk. Further request her payroll status go from Administrative Assistant III to Administrative Assistant IV.

We recommend approval of the above.

LEGISLATION: RESOLUTIONS

RESOLUTION NO. 001-2016 (allows Auditor to request advances on tax settlements at the County)

first reading

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2016 PURSUANT TO OHIO REVISED CODE §321.34.

RESOLUTION NO. 002-2016 *(Internet auctions)*

first reading

A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 003-2016 *(no PO)*

first reading

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).

RESOLUTION NO. 004-2016

See page 1.

RESOLUTION NO. 005-2016

See page 1.

RESOLUTION NO. 006-2016

See page 1.

ORDINANCES

ORDINANCE NO. 2016-001 *(appropriations for current expenses & other expenditures for 2016)*

first reading

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2016, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-002 *(sewer fund)*

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-003 *(CIT funds - re-allocation)*

first reading

AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-004 *(Mt Cory income tax)*

first reading

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH MOUNT CORY FOR SERVICES TO ADMINISTER, ENFORCE, AND COLLECT TAXES LEVIED BY MOUNT CORY UNDER THEIR VILLAGE INCOME TAX ON CERTAIN INCOMES OF RESIDENTS, NON-RESIDENTS, NET PROFIT OF RESIDENTS, AND NET PROFITS OF NON-RESIDENT BUSINESS ENTITIES IN ACCORDANCE WITH SAID VILLAGE ORDINANCE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-005 *(Vanlue income tax)*

first reading

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH VANLUE FOR SERVICES TO ADMINISTER, ENFORCE, AND COLLECT TAXES LEVIED BY VANLUE UNDER THEIR VILLAGE INCOME TAX ON CERTAIN INCOMES OF RESIDENTS, NON-RESIDENTS, NET PROFIT OF RESIDENTS, AND NET PROFITS OF NON-RESIDENT BUSINESS ENTITIES IN ACCORDANCE WITH SAID VILLAGE ORDINANCE, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS

ORAL COMMUNICATION FORM

TO THE HONORABLE COUNCIL OF THE CITY OF FINDLAY, OHIO:

I, Steven Kiefer, RESIDING AT

2659 Walnut Ridge Dr., Troy, OH 45373, 937-216-6759
(ADDRESS) (PHONE)

WISH TO ADDRESS YOUR HONORABLE BODY IN REGARDS TO:

A letter of endorsement for programs that leverage the creative
industries for community and economic development

(See Attached for a summary of the presentation)



(SIGNATURE)

Due to limited time and in order to permit all persons and groups equal time, all oral communications are limited to a time period of not more than **four (4) minutes per person**. No more than three speakers shall speak to each side of a question before Council.

Council may extend or limit debate with regard to a particular question, depending upon the number of speakers, the nature of the question before Council and the urgency of the question.

Executive Summary



Mission

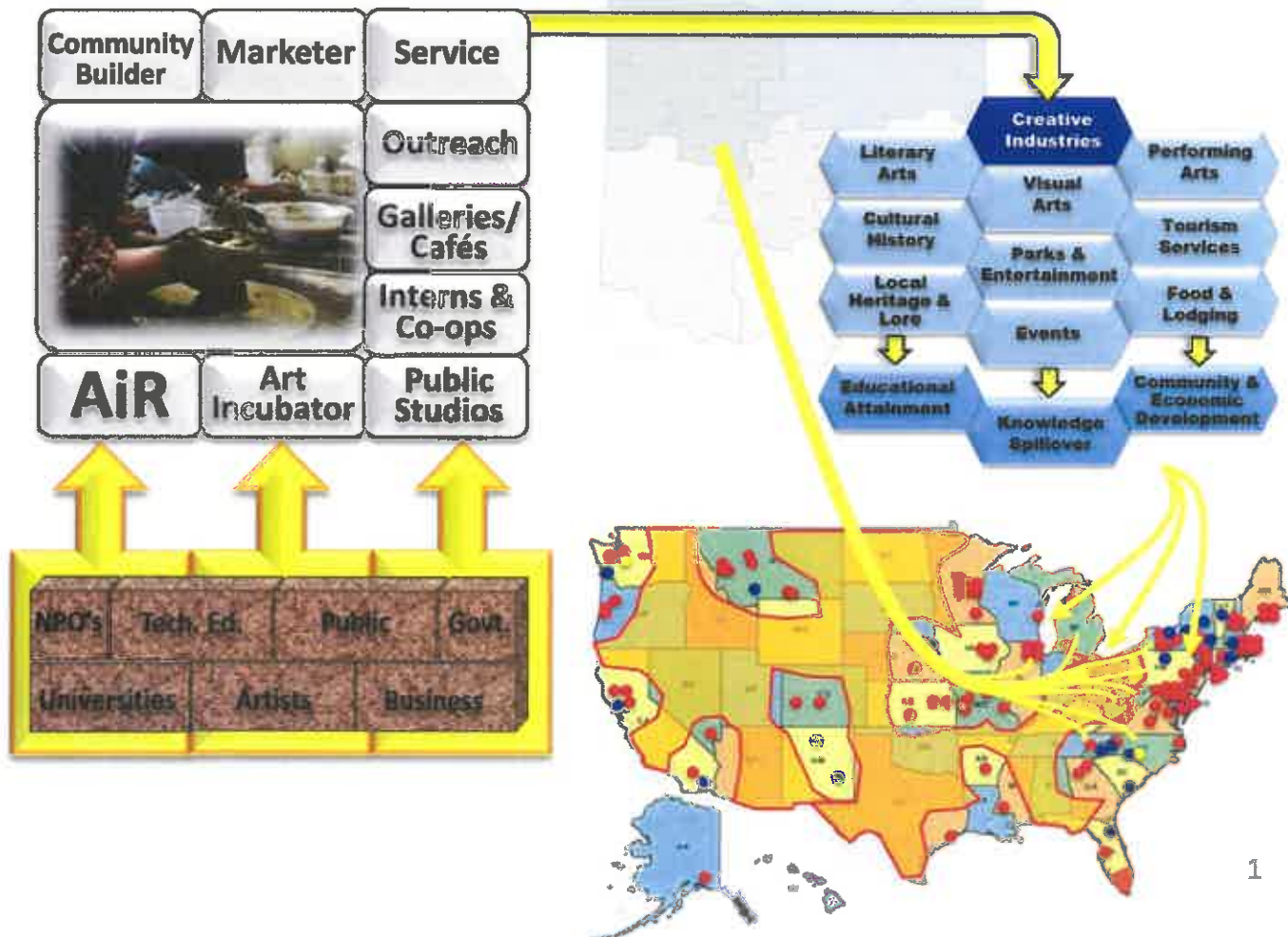
Ohio Creates will be a non-profit organization whose mission is to leverage the creative assets of Northwest Ohio to bring greater prosperity to the region.

Specifically, we will leverage *functional* (and politically neutral) three-dimensional art to create a greater public understanding of the impact of the arts on academics, economic vitality and community well-being.

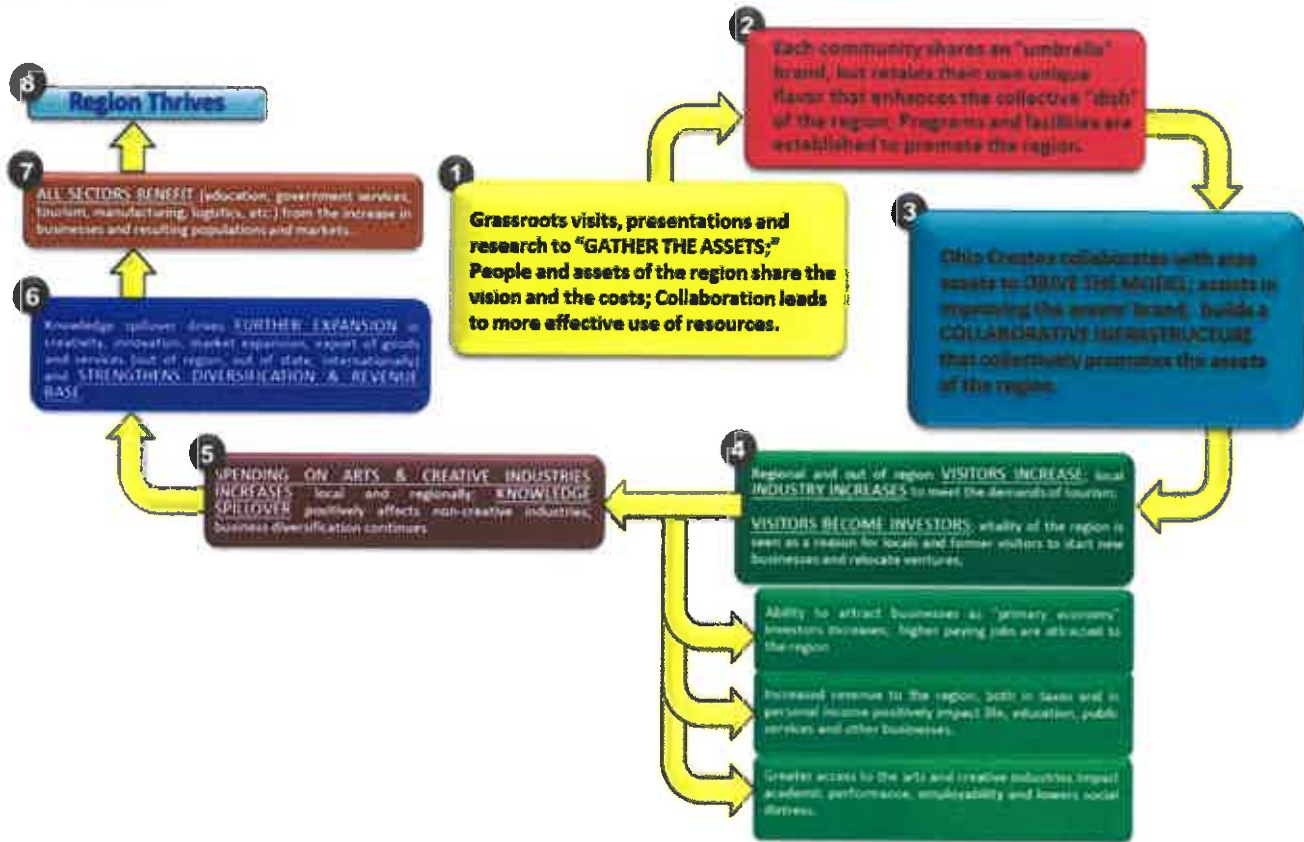
We will collaborate with, and promote other arts programs and venues, cultural resources, parks and recreation, and other regional assets to help brand the region as a premier tourist destination and collectively reap the benefits of cooperation.

We will do this through several programs:

1. An **artist residency program**, a business incubator for artists and business students, as well as experiential learning opportunities to work with community-wide organizations and their business for concerted purposes.
2. **Low-cost and modern marketing assistance** via on-line networking and series of kiosks strategically placed to bring attention to the region's assets.
3. **Non-profit cafés** that showcase art while offering students alternative learning opportunities...and help the needy.
4. **Public outreach** to provide schools greater access to facilities and programs lost or limited through budget issues; and to make future consumers and producers of art.



How It Works



Steps to a Solution

We need to bring greater prosperity to the region by increasing the awareness of the arts, particularly ceramics and sculpture to improve academic attainment and to bring color and hope to our residents.

We need to combine efforts, across industries and sectors to attract people to visit the region, spend on the arts, and other tourist-related industries and events.

We need to re-brand the region as a premier destination to enjoy our arts, culture and our way of life, and to make others aware that we have a great place to live, work and play.

This is how we can reap the benefits of cooperation.

What We Need

1. A site from which to operate: **A Host Community**
2. **Endorsements** from Communities and Counties (for funding opportunities)
3. **Partners** to help champion the project
4. **In-kind donations and other financial resources**



website: petermanaes.com
 email: petermansw@aol.com

3480 North Main Street, Findlay, Ohio 45840

Phone: 419-422-6672
 Fax: 419-422-9466

TRANSMITTAL LETTER

TO: Findlay City Council
 318 Dorney Plaza, Room 114
 Findlay, Ohio 45840

PROJECT NO.: 15-0451
 PROJECT University of Findlay
 Alley Vacation Petition


DATE: December 15, 2015

TRANSMITTED: (X) Herein () Separate Cover () As Requested
 VIA: () U.S. Mail () UPS Overnight () UPS Ground
 () Federal Express (X) Courier () Pick Up
 PURPOSE: (X) Approval () Use () Record
 () Review/Comment () Distribution () Return
 INCLUDES: (X) Drawings () Copy of Letter () Change Order
 () Specifications () Shop Drawings (X) Application

Copies	Description
1	Alley Vacation Petition and Fee
1	Plat of Alley Vacation

Remarks The attached request is for the east-west alley located between 1117 Morey Avenue through 227 Davis Street and 304 College Street through 340 College Street as well as the north-south alley located between 314 and 316 College Street. This alley is primarily used to access University of Findlay parking lots and the University owns all the properties abutting this alley vacation request.. If you have any questions please do not hesitate to contact me.

Copies to: (with enclosures)

By: 
 Todd M. Jenkins, P.E.

NOTE: If enclosures are not as noted, please call us immediately

ALLEY/STREET VACATION PETITION

FEE PAID \$75.00

DATE _____

ADVERTISING AND FILING FEES PAID _____ DATE _____

HONORABLE MAYOR AND COUNCIL, CITY OF FINDLAY, OHIO:

We, the undersigned, being owners of property abutting the requested Alley vacation shown on the attached plat, respectfully petition (street/alley)

your Honorable Body to vacate the Alley described as: street/alley

East-West alley between lots 5862 through 5853,(1117 Morey Ave through 227 Davis St.) and 5840 through 5850 (304 through 340 College St) & North-South alley between lots 5847 (316 College St) and 5848 (314 College St)

Being further described as abutting the following described LOTS in the SUBDIVISION of:
Lots 5863 through 5853 and 5840 through 5850 of the Howard Addition

A \$75.00 fee is submitted to pay for the cost of vacating the above-described Alley (street or alley)

We agree to pay all cost and/or assessments that are now or have been constructed serving this property. Upon adoption of legislation, applicable advertising and filing fees will be invoiced to the petitioner. A plat of the area showing the portion to be vacated & a list of all property owners on that portion of the alley running from street to street, but not in the request for vacation are attached.

OWNER	ADDRESS	LOT NUMBER
See attached		

TO: Applicants for Street or alley Vacation
FROM: Council Clerk
 City law requires persons requesting the vacation of a street or alley to file a petition with City Council. Council then refers the request to the City Planning Commission and the Planning & Zoning Committee for their findings. These Committees file their report with Council, who in turn makes the final ruling on the request.

APPLICATION REQUIREMENTS

Petition forms are available in the Council Clerk's Office. It requires the signature of a majority of the property owners that abut the requested vacation. A plat of the area shall accompany the application indicating the street or alley to be vacated. This plat can be obtained from the City Engineer's Office.

In addition to the petition for an alley vacation being signed by the abutting property owners, which is notice, if said proposed alley vacation is less than the full alley running from street to street, either north and south or east and west as the case may be, then the Clerk will also send notices to the abutting property owners on that portion of the alley extended but not in the request for vacation. For example, if an alley runs from north to south from street A to street B, intersected by a east-west alley, and the request is to vacate the alley running from street A to the intersecting east-west alley, then the abutting property owners on the remaining portion of that north-south alley between street A and street B shall also receive notice of the petition to vacate from the Council Clerk. (Rules of Procedure, as amended, of Findlay City Council).

Ideally, the petition must be signed by all abutting property owners. If not, a Public Notice of Consideration to Vacate has to be advertised in the Courier for six consecutive weeks. The cost of the advertising shall be paid by the petitioner. Anyone wishing to address Council concerning the petition may do so as a result of the publication. This can occur at any of the three readings which Council must give an Ordinance that vacates right-of-way.

FEE

At the time of submitting the request to the Council Clerk, a **\$75.00 non-refundable fee** shall accompany the petition. This is to off-set some of the City's expenses. **Upon adoption of legislation, applicable advertising and filing fees will be invoiced to the petitioner.**

ASSESSMENTS

By law, if there were assessments to the abutting properties for improvements to the street or utilities, the petitioners are to pay the assessment fee for the property being vacated. These assessments, if any, are recorded in the City Engineer's Office. They are requested to be researched for the property upon legislation request. The petitioners will be invoiced for the total expense, and it must be paid before Council will vacate the street or alley.

PLANNING COMMISSION ACTION

Planning Commission action on vacation petitions will be in the form of a recommendation to City Council. Council may then either concur with the Commission's recommendation or override it. Concurring action may be accomplished with a simple majority vote, while overriding action requires a two-thirds (2/3) vote of Council. Notice of the Planning Commission Meeting will be sent from the Engineer's Office to the filer of the petition advising him/her when the request shall be heard.

COMMITTEE ACTION

This Committee's action will be in the form of a recommendation to City Council. Council may then either concur with the Committee's recommendation or override it. Action is a simple majority vote to concur or override the Committee report. Notice of the Planning & Zoning Committee Meeting will be sent by the Council Clerk to the petitioners advising them when the request shall be heard.

CITY COUNCIL ACTION

Once the petition is placed on Council's agenda, it will be referred to the City Planning Commission and the Committee with all documentation submitted. Both the City Planning

Commission and the Planning & Zoning Committee shall review the request. Upon their findings, Council will request legislation and give it three (3) separate readings if the vacation is to proceed.

In order to vacate a public right-of-way, City Council must adopt an ordinance doing so. Normally, legislation is prepared when the Planning & Zoning Committee recommends that an action be taken. However, appropriate legislation can be drawn at the request of any Council member, whether or not the vacation is supported by the Committee. Ordinances require three readings prior to adoption, and this normally occurs over the course of three consecutive meetings of Council.

A majority affirmative vote of at least five (5) members is necessary to enact a vacation ordinance. If Council disagrees with the Planning Commission's recommendation, it will take six (6) affirmative votes of members of Council to enact a vacation ordinance. The ordinance is not effective until at least 30 days after signing by the Mayor.

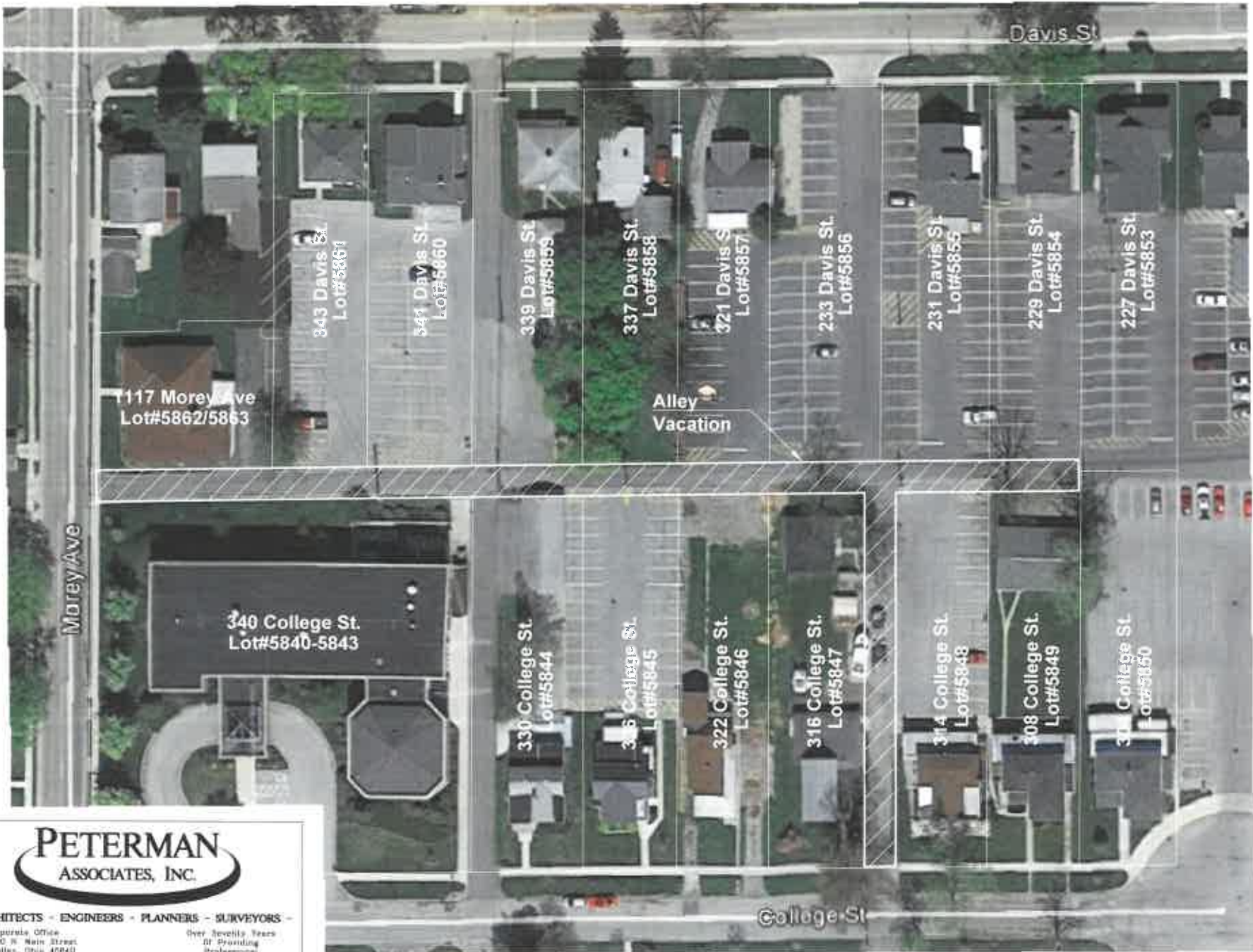
Revised 12-05

Name of Contact Person Martin L. Terry

Mailing Address University of Findlay 1000 N. Main St. Findlay, Oh 45840

Phone No. (Home) _____ (Business) (419)434-4521
12-14-15 _____
(date) (Signature of Contact Person)

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Over 30 years
of Providing
Professional
Services

PAJ PROJECT NO. 15-0451

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

October 21, 2015

FINDLAY CITY MUNICIPAL BUILDING

Members Attendance:

- X Mayor Lydia Mihalik, *President Ex Officio*
- X Dr. Stephen Mills, Health Commissioner/Board Secretary
- X Mr. Gregory Cline, *President Pro Tempore*
- X Mr. William Alge
- X Dr. Robert McEvoy
- X Mrs. Joan Work
- A Licensing Council Rep Vacant

Staff Attendance:

- X Mrs. Barbara Wilhelm, Deputy Health Commissioner
- X Mr. Craig Niese, Environmental Health Director
- X Mrs. Becky Bern, Nursing Director
- A Mr. Eric Helms, Plumbing Inspector
- X Mr. Chad Masters, Emergency Response
- X Mr. Noah Stuby, Implementation Coordinator

X Will McHugh

Call to Order: Mayor Mihalik called the meeting to order at 7:31 A.M.

Due to a lack of quorum Mrs. Mihalik proceeded to division reports.

HEALTH COMMISSIONER REPORT

1. Dr. Mills will be speaking at Blanchard Valley Hospital's January quality review meeting about an initiative to promote heart health and prevention for heart month. The initiative is based on the Mayo Clinic's heart risk calculator.

DEPUTY HEALTH COMMISSIONER REPORT

1. Will McHugh was present to ask the Board to approve a resolution to allow the new leadership team for the combined department to begin taking on that leadership role for their respective division. He hopes this will help eliminate some confusion for staff members and allow the new leadership team to begin holding meetings and give directions. The financial aspects of each department will remain separate until January 1st. He will meet with the County Board of Health tonight to ask them to approve the same resolution. (At the time of Mr. McHugh's presentation the Board did not have a quorum.)
2. Mrs. Wilhelm reminded the Board that with the CFHS grant that we have the department has been conducting a nutrition and physical activity curriculum in the schools. The evidence based *Balance My Day* curriculum is used and Mr. Stuby had hoped to put together a supplemental booklet to be used with the program. Since he has been spending so much time with the merger this has been difficult and instead he has been working with the University of Findlay's P.A. program to accomplish this. A team from the P.A. program will be working together to compile and assemble the booklet which will help provide an evaluation piece as well as supplement the program. Mrs. Wilhelm felt this was an excellent example of community partnership.

3. Long time administrative assistant Roxane Shaath has turned in a letter declaring her intention to retire effective November 30, 2015.
4. There was a town hall meeting held October 5th in which Mrs. Wilhelm was one of the presenters regarding the negative effects of marijuana legalization. There were about 60 in attendance. She also noted there will be some ads in the paper and on the radio in the next two weeks.
5. Mrs. Wilhelm continues to provide Naloxone education including a recent presentation to the staff of Century Health. Upcoming trainings will include A Renewed Mind and Focus on Friends.
6. The Hospital Council of Northwest Ohio has reported a good return thus far on the health assessment surveys and there should be no problem getting enough responses to ensure reliable data.

Mr. Alge and Dr. McEvoy joined the meeting during the Deputy Health Commissioner's report.

NURSING REPORT

1. Mrs. Bern reported that distribution of flu shots has been going well.
2. Mrs. Bern is also working with the ENGAGE Youth Council on distributing anti-smoking material, smoking cessation information and anti-marijuana information in the community. The ENGAGE Council consists of 24 high school age students.
3. Mrs. Bern introduced Shannon Chamberlin who has been selected as the Nursing Director for the newly combined health district.

ENVIRONMENTAL HEALTH REPORT

1. Mr. Niese presented the plan review for the Marathon Center for the Performing Arts, 200 W. Main Cross St. There will be a small kitchen for catering and a small concession stand to start. Mr. Cline motion to approve the plans as submitted for the Marathon Center for the Performing Arts, 200 W. Main Cross St. Seconded by Mrs. Work. Motion carried 4-0.

EMERGENCY RESPONSE / EPI REPORT

1. Mr. Masters updated the Board on a small group of crypto cases locally that he has been investigating. Questionnaires were distributed and Mr. Masters is currently reviewing the information.
2. Mr. Masters also reported that he received an email from infectious disease specialist Dr. Ratnasamy explaining that he had previously participated in a mentorship program with the high school and felt the health department would also be a good partner. The program consists of 18 hours of job shadowing and there are currently two students who may be interested in careers in microbiology or epidemiology. Mr. Masters would like to share the time between Blanchard Valley Lab, Dr. Ratnasamy and the health department since in real life these three groups would be working together. The program runs from mid-November through January.
3. The first case of hospitalized influenza has been reported from Blanchard Valley. The hospital has distributed 1100 doses of 2600 vaccines ordered and Mr. Masters reports they have been aggressive in vaccinating staff. Discussion ensued between Mrs. Work and Mr. Masters on how to encourage flu vaccination among long term care as well.
4. Dr. McEvoy noted that traditionally we have been told that we have no cases of locally acquired Lyme disease in Hancock County. He inquired as to whether Lyme disease is reportable to which both Mr. Niese and Mr. Masters confirmed that it was. Dr. McEvoy noted that he was aware of a recently hospitalized case at Blanchard Valley. Mr. Masters explained the case would be reported in the jurisdiction in which the patient resided. Mr. Masters will speak to the hospital infection control practitioner Colleen Abrams regarding this.

PLUMBING REPORT

1. No Report

MEETING REQUESTS

No meeting requests

OLD/UNFINISHED BUSINESS

Since Mr. Alge and Dr. McEvoy joined the meeting after the meeting was called to order Mayor Mihalik asked for approval of the September Board of Health minutes. **Mrs. Work motioned to approve the minutes of the September 16, 2015 Board of Health meeting.** Seconded by Dr. McEvoy. Motion carried 4-0. Filed

Mayor Mihalik then invited Mr. McHugh to review his request for the earlier resolution. After his explanation Mr. Cline moved to approve the Resolution to allow the leadership team of the newly combined health department to begin directing staff. Seconded by Mr. Alge. Motion carried 4-0.

NEW BUSINESS

Mrs. Work commended the supervisor and crew from the City of Findlay who so quickly and professionally responded to a tree that came down in her neighborhood yesterday.

EXPENSES

Dr. McEvoy moved to approve the expenses for October. Seconded by Mr. Cline. Motion carried 4-0. Filed

The meeting was adjourned at 7:59 A.M.

 _____, President

 _____, Secretary (Health Commissioner)

City of Findlay Office of the Director of Law

318 Dorney Plaza, Room 310
Findlay, OH 45840
Telephone: 419-429-7338 • Fax: 419-424-7245

Donald J. Rasmussen
Director of Law

December 18, 2015

Honorable City Council
Findlay, OH 45840

RE: appointment of Assistant Directors of Law

Dear Council Members:

I hereby request the appointment of my Assistant Directors of Law which positions are assigned to the Findlay Municipal Court to handle prosecutions in said Court. As you know, these are important positions in the Director of Law's Office and necessary to maintain the smooth operation and efficiency of the Findlay Municipal Court System.

It is with great honor that I designate the following individuals to be my Assistant Prosecutors commencing January 1, 2016:

- Alan D. Hackenberg, Assistant Director of Law I
- Robert E. Feighner, Assistant Director of Law I
- Stephanie Wykes, Assistant Director of Law II
- Elliott Werth, Assistant Director of Law IV



Donald J. Rasmussen
Director of Law

City of Findlay City Planning Commission

Thursday, January 14, 2016 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

ITEMS TABLED AT THE DECEMBER 10, 2015 MEETING

SITE PLAN APPLICATION #SP-28-2015 filed by Country Club Acres, Inc., 655 Fox Run Rd., Findlay for Senior Housing complex to be located at 11815 TR 145, Findlay

NEW ITEMS

- 1. ALLEY/STREET VACATION PETITION #AV-01-2016 filed to vacate an east/west alley running east from Morey Avenue and an interesting north/south alley running north from College Street.**
- 2. APPLICATION FOR FINAL PLAT #FP-01-2016 for a Replat of Ohio Logistics Business Park to dedicate new right-of-way, vacate old right of way, vacate easements, and replat ground.**
- 3. SITE PLAN APPLICATION #SP-01-2016 filed by Chris Nagy, 1335 Lima Avenue, Findlay for 5000 square foot expansion of a building located at 1233 Lima Avenue, Findlay.**
- 4. SITE PLAN APPLICATION #SP-02-2016 filed by Marathon Petroleum, 539 S. Main Street, Findlay for a hotel to be located at 631 S. Main Street, Findlay.**

ADMINISTRATIVE APPROVALS

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, December 10, 2015 - 9:00 AM
Municipal Building, Council Chambers

Minutes

(Staff Report Comments from the meeting are incorporated into the minutes in lighter text. Actual minutes begin with the DISCUSSION Section for each item)

MEMBERS PRESENT:

Paul Schmelzer
Lydia Mihalik
Dan DeArment
Jackie Schroeder
Dan Clinger

STAFF ATTENDING:

Matt Pickett, FFD
Matt Cordonnier, HRPC Director
Judy Scrimshaw, HRPC
Todd Richard
Don Rasmussen
Brian Thomas

GUESTS:

Jeff Myers, James Koehler, Lou Wilin, Doug Jenkins,
Andrew Kalnitsky, Dan Stone, Mary Hada

CALL TO ORDER

ROLL CALL

The following members were present:

Paul Schmelzer
Dan DeArment
Lydia Mihalik
Jackie Schroeder
Dan Clinger

SWEARING IN

All those planning to give testimony were sworn in by Judy Scrimshaw.

APPROVAL OF MINUTES

Dan Clinger made a motion to approve the minutes of the November 12, 2015 meeting. Dan DeArment seconded. Motion to accept carried 5-0.

NEW ITEMS

1. PRELIMINARY PLAT APPLICATION #PP-01-2015 for Hickory Lake 1st-3rd Additions

HRPC

General Information

This request is located off the west side of TR 242 in Section 11 of Marion Township. It is zoned R-1 Single Family Residential. Land to the west is also zoned R-1 Single Family. To the south and east is A-1 Agriculture and to the north is zoned B-1 Institutions and Offices. It is not located within the 100 year flood plain. The City Land Use Plan designates the area as Single Family Large Lot.

Parcel History

The Preliminary Plat was originally reviewed in June, 2014. Because it has been more than one year since approval it must be resubmitted.

Staff Analysis

The applicant is proposing a residential subdivision consisting of 36 building lots and three (3) cul-de-sac streets off the west side of TR 242.

Something that was missed back in 2014 and even last month at the HRPC review of the plat is that TR 242 is designated as a Secondary Thoroughfare on the County's Thoroughfare plan. Secondary thoroughfares require 80' of right-of-way. This means that the developer will need to dedicate 25' along the length of his subdivision for additional right-of-way on the west side of TR 242. That will mean an extra 10' has to be added to the right-of-way line as shown on the plat. The lots affected will still exceed the 100' of frontage that is required in the Marion Township Zoning Resolution.

ENGINEERING

No comments

FIRE PREVENTION

Provide a looped water system with hydrants properly spaced.

STAFF RECOMMENDATION

Staff recommends that FCPC approve **PRELIMINARY PLAT APPLICATION #PP-01-2015 for Hickory Lake 1st-3rd Additions with the following conditions:**

- Add 10' to the right-of-way dedication along TR 242 (HRPC)
- Provide a looped water system with hydrants properly spaced.

DISCUSSION

Dan Clinger asked Matt Pickett if he anticipated any water pressure problems for firefighting. Mr. Pickett stated that the point of the looped system is that if there is a break there is still a water source. He said this area does not currently fall under their jurisdiction but they are reviewing it as such. Mr. Schmelzer stated that that may be more of an engineering question and the answer is no or they would require them to loop it now.

Mr. Schmelzer asked if there are any issues with the additional right-of-way and if this puts the waterline in the right-of-way. Mr. Stone replied that it will put it just inside the right-of-way and his client has no issues with the additional right-of-way.

Jackie Schroeder stated that previously there were drainage issues with Forest Lake. This appears to be draining to the east. She asked if there are any concerns about the ditch this will drain into. Mr. Stone replied that it is the same ditch. He said this subdivision has three separate drainage areas. Some goes west, some goes south and some goes east. They were originally going to go south. They met with the Township, the County and some residents. They deemed it was not the best solution. The developer has been working with the property owners to the east to run it east directly to the ditch.

Dan Clinger asked if this has been to Marion Township or if it goes to them again. Mr. Stone replied that it does not go to the Township for approval. It has been through HRPC and as a courtesy they will submit a plan to them. They asked for it even though they have no jurisdiction over plat approval. He stated that this will be private roadways. The Trustees are aware of that. They are working with the County on drainage maintenance.

MOTION

Paul Schmelzer made a **motion to approve PRELIMINARY PLAT APPLICATION #PP-01-2015 for Hickory Lake 1st-3rd Additions subject to the following condition:**

- Add 10' to the right-of-way dedication along TR 242 (HRPC)

2nd: Dan Clinger

VOTE: Yay (5) Nay (0) Abstain (0)

2. FINAL PLAT APPLICATION #FP-03-2015 for Hickory Lake 1st Addition.

HRPC

General Information

This request is located off the west side of TR 242 in Section 11 of Marion Township. It is zoned R-1 Single Family Residential. Land to the west is also zoned R-1 Single Family. To the south and east is A-1 Agriculture and to the north is zoned B-1 Institutions and Offices. It is not located within the 100 year flood plain. The City Land Use Plan designates the area as Single Family Large Lot.

Parcel History

The Preliminary Plat for Hickory Lake was reviewed in the previous case.

Staff Analysis

This first phase to be platted contains 11 lots and a 600' cul-de-sac street (Canadian Way).

As stated in the preliminary review, the right-of-way dedication along TR 242 needs to be increased by 10' to bring the west side of the centerline to 40'.

It appears that the street is to be public. We have heard back and forth between private and public in previous conversations. The status of the street needs to be verified now so the construction standards approved will be correct.

Staff Recommendation

HRPC Staff recommends approval to FCPC of **FINAL PLAT APPLICATION #FP-03-2015 for Hickory Lake 1st Addition subject to the following conditions:**

- Dedication of an additional 10' of right-of-way along TR 242
- Verification of whether the street is public or private.

ENGINEERING

For lots 13 to 17, it might be less confusing if the setback line was moved to coincide with the sanitary sewer easement.

FIRE PREVENTION

Provide a looped water system with hydrants properly spaced.

STAFF RECOMMENDATION

Staff recommends approval to FCPC of **FINAL PLAT APPLICATION #FP-03-2015 for Hickory Lake 1st Addition subject to the following conditions:**

- Dedication of an additional 10' of right-of-way along TR 242 (HRPC)
- Verification of whether the street is public or private. (HRPC)
- Provide a looped water system with hydrants properly spaced. (FIRE)

DISCUSSION

Paul Schmelzer asked what they had resolved with the Township in regard to the private street. Dan Stone replied that according to what Mr. Cordonnier and Ms. Scrimshaw told them, the Subdivision Regulations state that the private street is set within an easement of 60' and not a dedicated right-of-way as they had done in the earlier Hickory Lake plat. It will be shown as an easement right-of-way and not a dedicated one now. Mr. Stone said the Township Trustees preferred that it not be a public road. The final plat will be modified to show this as an easement right-of-way that is owned maintained and operated by the association.

Mr. Schmelzer asked if the lot lines will be extended to the centerline. Mr. Stone said at this point his intent is not to do that. Mr. Schmelzer said that at some point they will have to delineate ownership of that real estate. Mr. Stone said it may have to be designated as a lot. Then ownership can be transferred or maintained by the developers. Dan Clinger asked if private streets are still constructed to City Engineering standards. Mr. Stone replied yes. Ms. Scrimshaw replied that the pavement would be, but they don't require curb and gutter. They must submit the construction drawings and have them approved by the Engineer.

Mayor Mihalik commented that one of the things they hear with these private roads is that 10-15 years from now and the development is completed, they start calling the City and asking why we don't plow their snow and why the City hasn't done any improvements. We hope these issues will be communicated properly to the owners in the beginning so there is not that confusion later.

Mr. Schmelzer asked if they intended to start this right away. Mr. Koehler replied that they intend to put in the storm sewer next week. He said they hope to have it done by April. Mr. Schmelzer asked if the construction plans the Engineer show the details as being for private streets. Mr. Thomas replied yes.

MOTION

Paul Schmelzer made a **motion to approve FINAL PLAT APPLICATION #FP-03-2015 for Hickory Lake 1st Addition subject to the following conditions:**

- Language be attached to the notes stating that the right of way for the private street is an easement. (Mr. Schmelzer)
- Dedication of an additional 10' of right-of-way along TR 242 (HRPC)
- The water system will be looped when all phases are recorded. (FIRE)

2nd: Jackie Schroeder

VOTE: Yay (5) Nay (0) Abstain (0)

3. SITE PLAN APPLICATION #SP-28-2015 filed by Country Club Acres, Inc., 655 Fox Run Rd., Findlay for Senior Housing complex to be located at 11815 TR 145, Findlay

HRPC

General Information

This request is located on the south side of TR 145 just west of Goldenrod Lane. It is zoned M-2 Multiple Family High Density. Land to the east and south is zoned C-2 General Commercial. Land to the north is zoned R-1 Single Family Low Density. To the west is zoned R-3 Single Family High Density. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Agricultural.

Parcel History

Vacant land

Staff Analysis

The applicant is proposing to construct a 3 story apartment complex for the 55 and over age group.

Front yard setback is a minimum of 40' in the M-2 district. Sides and rear yards are 35'. All setbacks are met or exceeded in the plan.

The M-2 District permits one unit per 3,500 square feet. The site is 6.592 acres which computes to 287,147 square feet. The site could potentially support a maximum of 82 units. The plan indicates that the complex will contain 62 units.

The M-2 District allows a maximum coverage of impervious surfaces (buildings, pavement, etc.) at 40%. The plan as presented has approximately 25% of impervious coverage.

Parking in the M-2 District is calculated at 2.5 spaces per unit plus 1 space per 2 units for visitors. 62 apartments units would require 186 parking spaces. The plans show a parking lot with a total of 94 spaces. The developer stated that in their experience with this type of housing, as many as 60% of the tenants will not own a vehicle, so the parking shown should be adequate. They have applied for a variance with BZA to reduce the parking requirements. Staff has looked at the Fox Run facility next door which is assisted living/nursing home. They have constructed parking for 102 vehicles at the front of the building and an additional 47 at the rear. At the time they were reviewed, the standard for such a facility would have only required 70 spaces, so they

did more than the minimum. The difference here is that this development is not assisted living or nursing home status. The tenants here are living totally independently. Findlay also does not have much in the way of public transportation other than a cab company and HATS. Staff has discussed a possible “banking” of parking. The developer would show where additional parking would fit into the site and based on how the situation plays out when the development is in operation, if there is a need for more parking, they will be required to construct it.

The landscaping plans submitted show various deciduous and evergreen trees on site, planting in islands of the parking areas and foundation plantings along the front areas of the building.

The building will be a combination of brick and siding. There is variation in the roofs. The main entry will have a covered porch with columns.

A lighting plan submitted shows adequate ranges at property lines abutting residential areas. According to a schedule on that page of the plan, the poles are 22’ in height with a 3’ base. This meets the maximum height permitted of 25’.

Staff Recommendation

HRPC Staff recommends **approval of SITE PLAN APPLICATION #SP-28-2015 for a Senior Housing complex to be located at 11815 TR 145, Findlay subject to the following condition:**

- **A variance in regard to parking from BZA (HRPC)**

ENGINEERING

Access – The applicant is proposing one (1) drive onto Township Road 145. The drive is located on the west side of the property to minimize the amount of construction that would need to take place inside the pipeline easement.

According to the Thoroughfare Map, Township Road 145 is a secondary thoroughfare which requires an 80 foot right-of-way (40 foot each half). The existing south half of the right-of-way is 22.5 feet. An additional 17.5 feet of right-of-way should be dedicated to bring the right-of-way up to the standard distance (this was also a requirement for the nursing home located west of the site).

Water & Sanitary Sewer – The applicant is proposing two (2) water services and one (1) sanitary service. Township Road 145 was repaved within the last couple of years so the water services will need to be bored under the road. The plans currently show a 3” domestic line for the building. Water Distribution cannot make a 3” tap. The tap will either need to be increased to a 4” tap or reduced to a 2” tap. Water Distribution will also require a detector meter on the fire line with a bypass line for testing purposes. The plan also currently shows a fire hydrant connected to the fire line, this is not permitted.

Stormwater Management – Stormwater detention is being provided by existing detention basin location on the south side of the property. The detention basin was sized to include this property. The parking lot is shown draining into the center island but there are no outlets shown from the island. I am not sure if this is being used as a raingarden or if the plans have just not been finalized yet. This will need to be addressed because as it currently stands, water will back up and will eventually spill out the drive and into the public roadway.

Sidewalks – There is a proposed four (4) foot sidewalk shown on the south side of Township Road 145. Per City standards, the walk needs to be extended through the proposed drive (8 inch thickness in the drive area).

Recommendations: Conditional approval of the plan subject to the following conditions:

- Dedication of an additional 17.5 feet of Right-of-way for Township Road 145
- Water services must be bored under Township Road 145
- Revising the size of the domestic tap to either a 2” tap or 4” tap
- A detector meter with bypass be installed on the fire line
- The fire hydrant cannot come off of the fire line
- The design engineer must address the parking lot drainage to the satisfaction of the engineering department
- The proposed walk must be extended through the drive

The following permits may be required prior to construction:

- An approved Stormwater Pollution Prevention Plan
- Sanitary Tap Permit
- 2 – Water Tap Permits
- Storm Sewer Tap Permit
- Sidewalk Permit
- Curb Cut Permit
- Street Opening Permit

FIRE PREVENTION

-Provide an emergency access drive from the proposed drive and parking area around the south side of the structure. This will serve for proper building evacuation and apparatus placement in an emergency.

-The proposed hydrant placement is sufficient and since it is included on the underground fire line, an 8” fire line shall be installed due to the dead end main being over 300 feet.

-The Fire Department Connection (FDC) shall be a 5” Storz connection with a 30 degree elbow. An exterior horn/strobe shall be placed above the FDC working on water flow only.

-The final location of the FDC and hydrant shall be determined by FFD.

-This structure will require a Knox box.

STAFF RECOMMENDATION

Staff recommends that FCPC **approve SITE PLAN APPLICATION #SP-28-2015 for a Senior Housing complex to be located at 11815 TR 145, Findlay subject to the following conditions:**

- A variance in regard to parking from BZA (HRPC)
- Dedication of an additional 17.5 feet of Right-of-way for Township Road 145 (ENG)
- Water services must be bored under Township Road 145 (ENG)
- Revising the size of the domestic tap to either a 2” tap or 4” tap (ENG)
- A detector meter with bypass be installed on the fire line (ENG)
- The fire hydrant cannot come off of the fire line (ENG)

- The design engineer must address the parking lot drainage to the satisfaction of the engineering department (ENG)
- The proposed walk must be extended through the drive (ENG)
- Provide an emergency access drive from the proposed drive and parking area around the south side of the structure. This will serve for proper building evacuation and apparatus placement in an emergency. (FIRE)
- The proposed hydrant placement is sufficient and since it is included on the underground fire line, an 8" fire line shall be installed due to the dead end main being over 300 feet. (FIRE)
- The Fire Department Connection (FDC) shall be a 5" Storz connection with a 30 degree elbow. An exterior horn/strobe shall be placed above the FDC working on water flow only. (FIRE)
- The final location of the FDC and hydrant shall be determined by FFD. (FIRE)
- This structure will require a Knox box. (FIRE)

DISCUSSION

Dan Clinger asked Brian Thomas if when the detention for this area was designed if this had been zoned for multi-family. Mr. Thomas replied that it included a runoff coefficient of .8. The calculations submitted for this development were somewhere between .3 and .4. Mr. Thomas stated that even if they have to add additional parking they will still be under the .8%.

Mr. Schmelzer asked what leeway this body has per our zoning code in regard to parking standards. He thought there had been some language before about basing on current numbers of employees, etc. which he thought he had applied in industrial situations before. He asked if such language still existed in the current code. He said he understands there is a stipulation that they get a variance from the BZA. He said he thinks that without this body making some kind of recommendation on a variance to that body, he doesn't see a variance occurring. He stated that he doesn't see a hardship.

Mary Hada said that in their 20 years of experience with 3 story housing that they tend to average age 70. If they provide one parking space per unit it is more than adequate with seniors because even if it is more than one bedroom there tends to be only one person living in the unit. She stated that they tend to have excess parking even with only one space per unit. They are exceeding that number on the plan showing 94 spaces. They have demonstrated that they can bank more if needed. She said they do have operating reserves set aside per the Ohio Housing Financing Agency (OHFA) to have funds to do that.

Mr. Schmelzer said his second question is how does this "bank" work. More importantly, once this may no longer be a "Senior" facility and there is a parking deficit per the code, how does that get addressed? How does the bank work? Mary Hada replied that they have it outlined in a drawing. She stated that there is a restrictive covenant that is filed with the county that this is to remain as Senior Housing (55 and older) for at least 30 years. To date the company which develops, manages, etc. has not sold any property they have started.

Mr. Clinger said he assumes there are other government agencies involved in these developments. Do they have any parking requirements? Mary Hada replied yes, the Ohio Housing Finance Agency, when they submit the application for the tax credits, requires one per unit.

Mr. Cordonnier said that in conversations with the developers he had said that a good supporting documentation for them to present would be other similar developments which do not have local public transportation that they currently own and operate. Ms. Hada replied that they have done a lot of 3 story housing in rural areas. She said they can demonstrate that whether here or Indiana. She said their biggest concern is servicing their residents. If they didn't have adequate parking, they will have problems leasing. Mr. Cordonnier said he is a believer in that they know their clients' needs. He asked if they have any facilities that are now off the 30 years. She said no that the tax credit program hasn't been in existence that long yet. She said they have been developing for 21 years and they have long term projections. She stated they don't have any anticipation of selling anything. They cash flow very well. They have waiting lists.

Mayor Mihalik asked Todd Richard if when they go to BZA what will the hardship be. She said they have a green field site. They could design it however they like, so what can the hardship be? Mr. Kalnitsky commented that the easement on the property is a factor. They do not really want to build anything in that area if possible. If Marathon would have to do any maintenance on that pipeline, they will not fix the improvements; the apartments will have to do it. Mr. Myers said that there was a question on the placement of the building. We had wondered why they angled it on the site instead of running it parallel to the property line. He said the parking is still very expandable with the layout as it is. He stated that angling the building makes it a better product. Instead of looking straight into the facility next door or the detention area, they have a little better view of landscaping and green space. Mr. Myers said that they do have the 100 foot wide Marathon Petroleum pipeline easement for a 10' line at about a 3 foot depth. They are trying to minimize any impact on that pipeline as it crosses the property. The plans have done their best to minimize any grading or landscaping on top of that. They can build on that easement and they are working on an agreement with Marathon to have everything in writing with the site plan as shown. If they had to expand into that area they are subject to any costs with replacing any improvements. The hardship is that they do have detention on the south side of the property and the pipeline on the northeast side and they are trying to make a better product for the tenants and Findlay in general.

Mayor Mihalik asked if the pipeline went in after they acquired the property. Mr. Myers said no that pipeline has been there for quite some time. Ms. Mihalik said so you knew it was there when you were doing your due diligence and trying to see what would fit for your product. Mr. Myers said that is correct. He said the product they show is what they believe is best for the community and the site in general. Ms. Mihalik said then you assumed you would get a variance for half the parking requirement. Mr. Myers said they did not assume but they are certainly working to get that variance. They do not want to build a sea of parking either. He stated that the code is not really written specifically for senior housing, 55 and over. He said that would be the hardship as well. Mayor Mihalik stated that it is interesting to her that the facility next to them, Fox Run, which doesn't necessarily have a transient population where people are checking themselves in and out of the nursing home, is actually providing more parking than there were required. But you who are trying to develop a residential independent living facility would like to have half the amount of parking on your green site. Mary Hada commented that when she had been over to Fox Run numerous times, there is a vast amount of parking that is not used. She said she has been there at various times of day and there is a lot of cement that is not being used. She said she could maybe see it used once a year for a big party, but that is probably it. The other thing she wished to point out was that when they submitted their application to OHFA they have to put in a pro forma and do it to their standard.

She said when they were designing this they thought the 2 ½ was above and beyond what had ever been requested in other cities and they were meeting the OHFA one to one ratio and going above that so they hoped that would be adequate. It is affordable housing so the pro forma is pretty tight. OHFA monitors every expense and they have already approved that pro forma.

Dan Clinger said that in looking at the parking on the east side of the proposed parking could add about 27 spaces without cutting into the pipeline easement significantly. Mr. Schmelzer said he recalled a concept plan that was submitted when the City wrote a letter of support. He asked if they had a copy of that. Ms. Hada replied that she did but it is all written over. Mr. Schmelzer asked if he could see that. Mary Hada replied yes but to keep in mind that that was a unit analysis. When they turn that into the State they don't have full engineering done. They give them a sample site plan saying this is what they think they can do. They do not spend all the money for drainage studies, etc. when they don't know if they will be funded, so this is just a sample site plan for the application.

Mayor Mihalik replied that she sent a letter of support for the project understanding that it should be something similar to what was provided on this plan. In fact it is completely different. Mary Hada replied that the cottage style was removed and at the time the site went over the impervious area. It was not vetted through the City, it was just a sample. Mr. Schmelzer commented that there were 2 spaces per unit on this plan. It says 7 units and 140 parking spaces. Mr. Schmelzer said he wanted to know if there is flexibility for this body based upon a specific use like this in the zoning district.

Matt Cordonnier replied that Planning Commission has the authority to reduce the impact of a development. He said the short answer is he doesn't believe so. Mr. Schmelzer said he is interested in making sure we have Senior Housing available and he thinks from these discussions it would be prudent for the Law Director to take a look at this and make a determination of whether we have the ability to do that. He said he certainly can't see a Board of Zoning Appeals making a hardship determination without this body making a recommendation based upon what is in the code. He stated that detention is not a hardship; an existing pipeline is not a hardship. The fact that they won't repair your parking lot if they have to tear it up is not a hardship. Given the fact that he would like to come to a resolution legally and make sure they have the ability to do that, and given the other requirements that need to be worked out he would make a motion to table this request.

MOTION

Paul Schmelzer made a motion to table #SP-28-2015 filed by Country Club Acres, Inc., 655 Fox Run Rd., Findlay for Senior Housing complex to be located at 11815 TR 145, Findlay.

2nd: Dan DeArment seconded.

VOTE: Yay (5) Nay (0) Abstain (0)

Mr. Schmelzer stated that this is automatically on the agenda for next month. They will look at anything they wish to submit between these meeting dates. Mary Hada commented that she understands and this puts them a month behind. She wanted to clarify that it was never their intent to be deceitful in what they presented which is what she feels is being implied. They want to comply but they understand that with parking, if it's family or senior, it is two different animals completely. She said that whether you can make a legal decision as to whether the planning commission can make a decision at this time she doesn't understand if there's no Law Director who has ever given direction on this before. Are we the first for this? Mr. Schmelzer said he didn't know. He couldn't answer what planning commission has done with something like this prior. He said that hopefully Mr. Rasmussen can do some research on that. He said it was not his intent to insinuate anything; he was just trying to put the facts together so they could make a good decision. Ms. Hada commented that they are trying to build a nice product for this community and if anyone would tour any of their facilities, they would know that they build very high quality.

Lydia L. Mihalik
Mayor

Paul E. Schmelzer, P.E., P.S.
Service-Safety Director

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310

Findlay, OH 45840

Telephone: 419-424-7137 • Fax: 419-424-7245

www.findlayohio.com

December 30, 2015

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

This letter will serve as my request for your confirmation of the following individuals to the respective Boards or Commissions:

Airport Advisory Board

Does not require Council confirmation

Term will expire on December 31, 2018

Gary Junker

Hancock Regional Planning Commission Board

Requires Council confirmation

Term will expire on December 31, 2017

Dennis McPheron

Parks and Recreation Board

Does not require Council confirmation

Terms will expire on December 31, 2018

Mike Slough

I trust that you will concur with my choices and confirm my appointments. Thank you for your consideration.

Sincerely,



Lydia L. Mihalik
Mayor

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310
Findlay, OH 45840

Telephone: 419-424-7137 • Fax: 419-424-7245
www.findlayohio.com

December 31, 2015

Honorable City Council
City of Findlay, Ohio

Re: Ordinance Numbers 2016-004 and 2016-005

Dear Honorable Council Members:

In the wake of last year's Ohio municipal income tax uniformity changes and under the advice and counsel of their mutual Solicitor, Don Rasmussen, the Village of Mount Cory and the Village of Vanlue recently enacted income tax ordinances to be effective January 1, 2016. Both villages have requested that the City of Findlay Income Tax Department administer and enforce their ordinances.

Municipal income tax collection agreements with these communities will offer the same cost-effective and mutually-beneficial opportunities to our residents and taxpayers provided by the existing agreement that has been in place successfully with the Village of Arlington since 2003.

Under my direction and in accordance with Resolution Number 36-2003, I am seeking your formal approval to authorize the Service-Safety Director to enter into municipal income tax collection agreements with Mount Cory and Vanlue. In anticipation of your support, Mr. Rasmussen has prepared emergency legislation for the January 5th City Council meeting to authorize these agreements.

Thank you for your consideration of Ordinance Numbers 2016-004 and 2016-005. If you have any questions, please contact me, Don Rasmussen, or Andrew Thomas.

Sincerely,



Lydia L. Mihalik
Mayor

cc: Donald J. Rasmussen, Director of Law
Andrew Thomas, Income Tax Department

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

An AD HOC COMMITTEE met on December 22, 2015 to select Council committee assignments and review Council's Rules of Procedures for the 2016-2017 Council term.

We recommend

- #1 - THE APPROPRIATION COMMITTEE CONSIST OF 5 MEMBERS
- #2 - THE STANDING COMMITTEE OF STREETS, SIDEWALKS, STREET LIGHTS, AND PARKING BE CHANGED TO ELIMINATE STREET LIGHTS
- #3 - COUNCIL NO LONGER PROVIDE A REPRESENTATIVE TO THE FOLLOWING BOARDS: HOME BUILDERS ASSOCIATION, STORM WATER ADVISORY COMMITTEE, BE HEALTHY NOW HANCOCK CO. COALITION
- #4 - THE PROCEDURE BE CHANGED AS TO READING CORRESPONDENCES AT A COUNCIL MEETING. PROCEDURE BE ADDED TO THE "2016-2017 COUNCIL RULES OF PROCEDURE"
- #5 - COUNCIL MEMBERS ASSIGNMENTS TO COMMITTEES/BOARDS ATTACHED.


R. Ronald Monday, Chair

LEGISLATION: _____


Robert Nichols

DATE: DECEMBER 22, 2015

Grant Russel

COMMITTEE: AD HOC RULES OF PROCEDURE

Randy Van Dyne

COMMITTEE ASSIGNMENTS FOR 2016-2017

APPROPRIATIONS:

Chairman: R. Ronald Monday
John Harrington
Tom Klein
Grant Russel
Jeff Wobser

PLANNING & ZONING:

Chairman: Grant Russel
John Harrington
Dennis Hellmann
Tom Shindledecker
Jeff Wobser

WATER & SEWER:

Chairwoman: Holly Frische
R. Ronald Monday
Tim Watson

STREETS, SIDEWALKS, & PARKING:

Chairman: Tom Shindledecker
Holly Frische
Tim Watson

INTER-GOVERNMENT RELATIONS & LEGISLATION REVIEW

Chairman: Tom Klein
Jim Niemeyer
Tom Shindledecker

PRESIDENT PRO-TEM -

CLERK OF COUNCIL – Denise DeVore

THE ALLIANCE– Dennis Hellmann

AIRPORT ADVISORY BOARD – Jim Niemeyer

ARTS PARTNERSHIP – Tim Watson

DOWNTOWN FINDLAY IMPROVEMENT DISTRICT BOARD – Tom Klein

FLOOD MITIGATION – Tom Klein, Tom Shindledecker

HANCOCK REGIONAL PLANNING COMMISSION REP – Grant Russel

PARKS AND REC BOARD – Grant Russel, Jeff Wobser

PARKING AUTHORITY – Tom Klein, Jim Niemeyer

REVOLVING LOAN FUND – John Harrington

SHADE TREE COMMISSION – Jim Niemeyer

STREET DESIGNATION COMMITTEE – Holly Frische, Dennis Hellmann

TRAFFIC COMMISSION – R. Ronald Monday

RULES OF PROCEDURE 2016-2017

COUNCIL OF THE CITY OF FINDLAY, OHIO

The following rules and regulations are hereby adopted by the Council of the City of Findlay, Ohio, as the rules and procedure governing the conduct and business of said legislative body. They shall be in full force and effect from and after January 1, 2016, subject, however, to amendment or repeal in whole or in part, at any time, by the Council of the City of Findlay, in accordance with the rules and regulations hereinafter set forth governing the amendment or repeal of these rules and procedure.

SECTION I. MEETINGS

A. REGULAR

Regular meetings will be held on the first and third Tuesday of each month in the Chambers of the Council of the City of Findlay (hereinafter referred to as "Council") located in the Municipal Building, beginning at 7:30 P.M.

B. SPECIAL

A Special Meeting may be called at any time by the Mayor or any three members of Council. Notice will be given to each member, served personally; left at the member's residence or usual place of business; or by email with receipt verification received by the sender at least twenty-four (24) hours prior to the time of such meeting. Special Meetings shall be held in Council Chambers, unless otherwise designated.

C. QUORUM

No business shall be conducted at any meeting of Council unless a majority of the members shall be present.

D. ADJOURNMENT OF MEETING

The members of Council may adjourn a meeting to another designated time and/or public place.

E. DISCIPLINARY ACTION

Council may punish or expel any member from committee assignment, without chair approval, or regular meetings for disorderly conduct or for violation of its rules and for an absence which continues for two (2) months without a valid excuse. A vote of two-thirds of the members of Council will expel a member, but only after notice of the charge on which the motion for expulsion is based and an opportunity for the member to be heard.

F. ORDER OF BUSINESS

The order of business at all regular Council meetings is:

1. Call to Order
2. Roll Call
3. Pledge to the Flag and moments of meditation (Council President shall be authorized to invite members of the Clergy and the community to open Council with a prayer, not to exceed two minutes in length).
4. Minutes
5. Add to Agenda (as needed)
 - (a) A Resolution of commendation, such as retirement or special recognition may be presented immediately after the acceptance of the Minutes.

6. Communications
 - (a) Written communications, including letters, petitions, etc.
 - (b) Oral communications, including comments upon proposed legislation, requests, etc. from the gallery.
7. Reports of Municipal Officers and Municipal Departments
8. Committee Reports
9. Resolutions
10. Ordinances
11. Unfinished Business
12. New Business
13. Adjournment

G. PUBLIC COMMUNICATIONS

1. WRITTEN COMMUNICATIONS

All letters addressed to and received by Findlay City Council will be on display to the public during regular City Council office hours. In all cases, letters that do not have a proper name, address, and signature of the sender will not be considered or sent to Council.

Only those letters making a specific request for service or letter that should be referred to a committee of city Council will be read. For those letters, the Council Clerk will read the author(s) name and address, date of the letter, and a summary of the letter's content aloud during the Written Communications portion of the City Council meeting. A Council member, member of the Administration, Law Director, City Auditor or City Treasurer may have a specific letter read aloud in its entirety upon request.

2. ORAL COMMUNICATIONS

Oral comment from the gallery shall be limited to four minutes per person. No more than three speakers shall speak to each side of a specific question or issue before Council. Council may extend debate with regard to a particular question or issue, depending upon the number of speakers, the nature of the question before Council and the urgency of the question or issue. Speakers from the gallery shall be requested to fill out a form giving the speaker's name, address, phone number and the subject of his or her presentation to aid the Clerk of Council in preparing minutes of Council. No citizen or interested party will be refused the right to address Council, within the limits described above.

H. RULES OF ORDER

Council hereby adopts Robert's Rules of Order, the latest edition, to govern the conduct of business at all meetings of Council insofar as said rules are not in conflict with these Rules of Procedure and Ohio Statutes.

I. REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS & COMMITTEE REPORTS

For all written correspondence to City Council in the Reports of Municipal Officers and Municipal Departments or Committee Reports portion of a City Council meeting, the Council Clerk will read the author(s) name and title, date of the letter, and a summary of the letter's content aloud during the appropriate portion of the City Council meeting. A Council member, member of the Administration, Law Director, City Auditor or City Treasurer may have a specific letter read aloud in its entirety upon request.

SECTION II. PRESIDENT OF COUNCIL

- A. The President of Council shall preside at all regular and special meetings of Council but shall have no vote therein except in the case of a tie.
- B. The President of Council shall be the Acting Mayor when the Mayor is absent or unable to perform his or her duties, but shall not serve as President while acting as Mayor.
- C. The President of Council shall refer matters requiring study by committee to the proper committee(s). Council, by a majority vote, can refer matters to a standing committee.
- D. The President of Council is separately elected official and being part of the Executive Branch of City Government shall not enter into debate on any question before Council, all in accordance with Robert's Rule of Order.

SECTION III. OFFICERS OF COUNCIL

- A. **PRESIDENT PRO TEMPORE**
A member of Council shall be elected President Pro Tempore of Council within the first ten (10) days of the term of Council. The President Pro Tempore shall:
 - 1. Preside at all regular and special meetings where the President of Council is unable to preside.
 - 2. The President Pro Tempore shall appoint members to all ad hoc committees as may be created.
 - 3. The President Pro-Tem will appoint a representative for contract negotiations for police and fire as needed.
- B. **CLERK OF COUNCIL**
Within ten (10) days from the commencement of their term, the members of Council shall elect a Clerk of Council who shall serve for two (2) years unless sooner removed.

In the absence of the President and the President Pro Tem, the Clerk shall call the meeting of Council to order and call the roll. If a quorum is present, the Council shall appoint one of its members President Pro Tem, who shall proceed with the Order of Business.
- C. **PARLIAMENTARIAN**
The Director of Law shall act as the Parliamentarian of Council.

SECTION IV. COMMITTEES

- A. **RULES/ORGANIZATION**
A committee comprised of three members of Council appointed by the President Pro Tempore, will submit proposed committee assignments and committee chairmen to Council before the start of each two (2) year term. Confirmation of these recommendations is required by a majority of Council during its organizational meeting.

B. STANDING COMMITTEES

The following committees shall be standing committees:

1. Appropriations
2. Streets, Sidewalks, & Parking
3. Planning & Zoning
4. Water and Sewer
5. Inter-Government Relations & Legislation Review

C. COUNCIL REPRESENTATIVES

Council shall have a representative appointed to each of the following boards/commissions/committees who shall report to council twice each year as indicated below:

1. Park and Recreation Board
2. Shade Tree Commission
3. Hancock Regional Planning Commission
4. Traffic Commission
5. Re-investment Area Housing Council & Revolving Loan Fund (1st Mtg. April/September)
6. Airport Advisory Board (2nd Mtg. April/September)
7. Street Designation Committee (1st Mtg. May/October)
8. The Alliance Board (1st Mtg. February/July)
9. Downtown Findlay Improvements District (1st Mtg. June/November)
10. Arts Partnership liaison (2nd Mtg. March/August)
11. Flood Mitigation liaison (1st Mtg. March/August)

The committees of Council shall expeditiously investigate and dispose of all matters coming within the area of their committee responsibility and all matters referred to the committee. A written report of their dispositions shall be submitted. All committee recommendations should be written during the meeting when possible. Voting to accept the committee report is a vote accepting the recommendation as written.

The Appropriations Committee shall have five members. All committee meetings are open to the public.

Executive sessions may be called when confidential matters need to be considered in accordance with Ohio Revised Code 121.22

D. COMMITTEES OF THE WHOLE

Committee of the Whole may be called by a majority of Council to discuss an issue(s) which is deemed to be of such importance so as to involve the entire Council.

E. AD HOC COMMITTEES

Ad Hoc Committees may be created. Their term shall expire with the Council that created them.

SECTION V. GENERAL PROVISIONS

A. LEGISLATION

Legislation from the floor must be recommended / requested by at least two Council members. Requests for appropriations that require legislation for money already budgeted may be requested by the Administration.

All routine requests for legislation proposed for the consideration of Council shall be in the hands of the Director of Law by noon on the Wednesday preceding the meeting at which it is to be considered. Proposed legislation must accompany the agenda of legislation. No proposed legislation regarding zoning issues shall be presented to Council unless they have gone through City Planning Commission and the Planning and Zoning Committee.

B. AGENDA OF LEGISLATION

The Director of Law shall prepare a detailed agenda of legislation to be considered by Council at each meeting. Such agenda shall be available to each member of Council and available to the public by the Friday preceding each regular meeting. Such agenda shall be delivered to each member of Council at least twenty-four (24) hours prior to a special meeting.

C. MOTION TO RECONSIDER

Any member who was absent or voted with the prevailing side may move a reconsideration of any action of Council, excepting measures which shall be in immediate effect. Such a Motion for Reconsideration shall be made not later than the next regular meeting after the action to which it relates was taken. No Motion to reconsider shall be made more than once on any measure, and such a motion shall require a majority of all members elected to Council in order to prevail.

D. REPORTS

All reports and communications from the public, Municipal Administrative officials, Municipal Department heads, Municipal employees shall be in writing and delivered to the Council Office by 3:00 P.M. on the Friday preceding each regular meeting.

E. IMPROPER PETITION OR COMMUNICATION

Incorrect, incomplete or unsigned petitions and other communications to Council shall be returned by the Clerk of Council to the petitioner or communicator, accompanied by an explanation as to why they are found to be improper and will not be presented to Council until in proper order.

F. MAJORITY REQUIREMENTS FOR COUNCIL ACTION

All actions of Council shall be by a majority vote of those elected or appointed thereto, except emergency legislation, which shall require three-fourths (3/4) vote of Council to suspend the Statutory Rules and two-thirds (2/3) vote of Council to enact said emergency legislation. Also, any other affirmative requirement dictated by the laws of Ohio, or by financial procedure, or in order to secure public funding shall be adhered to, even though in conflict with these requirements for Council action.

G. MINUTES

The Clerk of Council shall mail, make available or otherwise deliver, at the option of each member of Council, minutes of each regular and special meeting to or for each member of Council not more than seven (7) days after such meeting.

- H. **MAILING PRIVILEGES**
Mailing privileges for each Council member will be granted as long as no more than five (5) letters are used to address the same topic. The cost per member (including stationery, envelopes, and postage) shall not exceed \$25.00 per term unless full Council approval is granted.
- I. **GOVERNING LAWS**
Should any of the foregoing Rules of Procedure or portions thereof conflict with the law of the State of Ohio or of the United States of America, such law shall govern the conduct of Council.
- J. **VOTE BY ROTATION**
Every vote will be by rotation so that one member of Council will not always vote first.
- K. **ATTENDANCE REQUESTED OF ADMINISTRATIVE OFFICIALS AND DEPARTMENT HEADS**
The Mayor, Director of Law, Auditor, Safety-Service Director and City Engineer are requested to attend the regular meetings of Council and to answer questions relating to the affairs of the City under their respective supervision and control. The Mayor shall be entitled to take part in the discussion of all questions before Council.
- L. **MISCELLANEOUS**
No legislation, reports or other communications shall be added to the Agenda unless Council, upon majority vote, determines that it is immediately necessary to insure the continued operation of essential City services.
- M. **Salary consideration for elected officials must be passed and approved by October 31, of the year prior to commencement of the elected officials' term.**

SECTION VI. ADOPTION

The above Rules of Procedure are hereby adopted and shall be in full force and effect as of the time of their adoption.

Adopted by Council January _____, 2016.

R. RONALD MONDAY, CHAIRMAN

ROBERT NICHOLS

GRANT RUSSEL

RANDY VAN DYNE

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The AD Hoc Committee to SELECT COUNCIL COMMITTEE ASSIGNMENTS AND REVIEW COUNCIL'S Rules of PROCEDURES to the 2016-2017 COUNCIL TERM, to whom was Requested By Law Director DON RASMUSSEN to Reappoint DENISE DEVORE AS COUNCIL CLERK. Further REQUEST the HER Payroll STATUS Go FROM ADMINISTRATIVE ASSISTANT III to ADMINISTRATIVE ASSISTANT IV.

We recommend

Approval of the above

Don Monday
Don Monday

✓ Grant Russel
Grant Russel
Robert Nichols
ROBERT Nichols

LEGISLATION: _____

DATED: 12/22/15

COMMITTEE:

City of Findlay

Office of the Director of Law

318 Dorney Plaza, Room 310
Findlay, OH 45840
Telephone: 419-429-7338 • Fax: 419-424-7245

Donald J. Rasmussen
Director of Law

JANUARY 5, 2016

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JANUARY 5, 2016 MEETING.

RESOLUTIONS

- 001-2016 A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2016 PURSUANT TO OHIO REVISED CODE §321.34.
- 002-2016 A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.
- 003-2016 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).
- 004-2016 A RESOLUTION COMMENDING COUNCILWOMAN ANNE SPENCE FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.
- 005-2016 A RESOLUTION COMMENDING COUNCILMAN RANDALL VAN DYNE FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 006-2016 A RESOLUTION COMMENDING COUNCILMAN ROBERT NICHOLS FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

ORDINANCES

- 2016-001 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2016, AND DECLARING AN EMERGENCY.
- 2016-002 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2016-003 AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.
- 2016-004 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH MOUNT CORY FOR SERVICES TO ADMINISTER, ENFORCE, AND COLLECT TAXES LEVIED BY MOUNT CORY UNDER THEIR VILLAGE INCOME TAX ON CERTAIN INCOMES OF RESIDENTS, NON-RESIDENTS, NET PROFIT OF RESIDENTS, AND NET PROFITS OF NON-RESIDENT BUSINESS ENTITIES IN ACCORDANCE WITH SAID VILLAGE ORDINANCE, AND DECLARING AN EMERGENCY.
- 2016-005 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH VANLUE FOR SERVICES TO ADMINISTER, ENFORCE, AND COLLECT TAXES LEVIED BY VANLUE UNDER THEIR VILLAGE INCOME TAX ON CERTAIN INCOMES OF RESIDENTS, NON-RESIDENTS, NET PROFIT OF RESIDENTS, AND NET PROFITS OF NON-RESIDENT BUSINESS ENTITIES IN ACCORDANCE WITH SAID VILLAGE ORDINANCE, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 001-2016

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2016 PURSUANT TO OHIO REVISED CODE §321.34.

BE IT RESOLVED by the Council of the City of Findlay, Ohio:

SECTION 1: That the County Auditor be and he is hereby requested to draw from the County Treasurer to pay on such draft to the Treasurer of the City of Findlay, Ohio, such money as may be in the County Treasury from time to time during the year 2016, to the account of the City of Findlay, Ohio, and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payments to be made from time to time as the Auditor of City of Findlay, Ohio, may request.

SECTION 2: That the Clerk of Council be and she is hereby directed to transmit a certified copy of this Resolution to the Auditor of Hancock County, Ohio.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 002-2016

A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: The internet auction of property which is not needed for public use, or is obsolete or unfit for the use for which it was acquired will be conducted in accordance with the policy and procedures established for such online internet auctions as set forth in in "Exhibit A" as amended from time to time, a copy of which is attached hereto and incorporated herein as if fully rewritten herein.

SECTION 2: All items offered for sale through online internet auction shall be offered for sale for a period of time to be determined by the administration but which period shall be not less than ten (10) days, including Saturdays, Sundays and all legal holidays.

SECTION 3: The City of Findlay will contract with a representative(s) to conduct the auction, however the general terms and conditions of sale shall be established by the city. The administration, in consultation with the auditor, shall determine and select authorized representatives to conduct the online internet auctions which representatives may change from time to time.

SECTION 4: The Clerk of Council is directed to publish, in a newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the Revised Code, notice of the City of Findlay's intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction all in accordance with R.C. 721.15(D).

SECTION 5: Notice of the City of Findlay's intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction shall be posted continually throughout the calendar year in a conspicuous place in the office of the city auditor, in the office of the mayor and on the city web site.

SECTION 6: The City of Findlay retains the right to establish a minimum price and may establish other terms and conditions of any particular sale, including requirements for pick-up or delivery, method of payment, and sales tax. Such information shall be provided on the internet at the time of the auction and may be provided before that time upon request after the terms and conditions have been determined by the legislative authority.

WHEREFORE, this Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 003-2016

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).

WHEREAS, Ohio Revised Code 5705.41(D) provides that if expenditures are incurred by a municipality without a purchase order, within thirty (30) days, the municipality must approve said expenditures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the expenditures set forth on the attached list identified as "Exhibit A" which are identified by the appropriate voucher on previously appropriated funds be and the same are hereby approved, all in accordance with Ohio Revised Code 5705.41(D)

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

OVER PURCHASE ORDER/NO PURCHASE ORDER- COUNCIL AUTHORIZATION

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
BONDED CHEMICALS INC	149458	25050000-321101	WATER TREATMENT	\$4073.87	FERRIC CHLORIDE FOR PLANT OPERATIONS	NO PURCHASE ORDER – CLOSED A BLANKET PURCHASE ORDER BY MISTAKE PRIOR TO RECEIVING SHIPMENT.

RESOLUTION NO. 004-2016

A RESOLUTION COMMENDING COUNCILWOMAN ANNE SPENCE FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Anne Spence, who served the City of Findlay, Ohio as Council At Large from January 1, 2012 to November 18, 2015, has left City Council after serving four (4) years as a Council Member, and;

WHEREAS, during her term on City Council, Anne served on numerous City Council Committees. She served on the Planning and Zoning Committee and also the Streets/Sidewalks/Streetlights and Parking Committee from 2012-2013. She served on the Shade Tree Commission from 2012-2015. She also served on the Appropriations Committee, the Storm Water Advisory Committee, and as Chair of the Water and Sewer Committee from 2014-2015. She has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the said Anne Spence be and she is hereby commended for her loyal services to her City, and her fellow Council Members join in extending their best wishes to her upon the occasion of her Council Career coming to an end.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 005-2016

A RESOLUTION COMMENDING COUNCILMAN RANDALL VAN DYNE FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Randy Van Dyne, who served the City of Findlay, Ohio as Second Ward Councilman from January 1, 2008 to December 31, 2015, has retired from City Council after serving eight (8) years as a Council Member, and;

WHEREAS, during his term on City Council, Randy served on numerous City Council Committees. He served on the Alliance Board from 2012-2015, the Appropriations Committee from 2008-2011 and from 2014-2015, the Arts Partnership from 2012-2013, Downtown Findlay Improvement District Board from 2012-2013, Economic Development Advisory Board from 2010-2015, the Flood Mitigation Group from 2008-2015, Planning and Zoning from 2014-2015, the Streets, Sidewalks, Streetlights and Parking Committee from 2008-2013, and the Re-investment Housing and Revolving Loan Fund from 2008-2013. He has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the said Randall Van Dyne be and he is hereby commended for his loyal services to his City, and his fellow Council Members join in extending their best wishes to him upon the occasion of his Council Career coming to an end.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 006-2016

A RESOLUTION COMMENDING COUNCILMAN ROBERT NICHOLS FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Robert Nichols, who served the City of Findlay, Ohio as Council At Large from January 1, 1992 to December 31, 1997 and from 2000-2003, as Fifth Ward Councilman from January 1, 1982 to December 31, 1991 and from January 1, 2010 to December 31, 2013, and as Seventh Ward Councilman from January 1, 2014 to December 31, 2015, has retired from City Council after numerous years as a Council Member, and;

WHEREAS, during his term on City Council, Bob served on the following committees:

- Appropriations from 2012-2015
- Arts Partnership from 2014-2015
- Capital Improvements from 1986-1995, as Chair of Capital Improvements from 1988-1991, 1996-1997
- Community and Inter-Governmental Relations and Convention & Visitors Bureau from 2002-2003
- Finance from 1984-1997, and from 2000-2003
- Geographic Information System from 2000-2001
- Hancock Regional Planning Commission from 2010-2015
- Home Builders Association from 2002-2003, and 2010-2015
- Inter-Government Relations and Legislation Review from 1994-1997, 2000-2001, 2010-2015
- Lights from 1982-1983, as Chair of Lights from 1984 to 1989
- Parks and Plats from 2000-2003
- Parks and Recreation Board from 1988-1997, 2000-2003, 2014-2015
- Recreation Coordinator from 1984-1987
- Re-investment Housing Council from 1988-1989
- Shade Tree Commission from 1982-1983, 2010-2011
- Solid Waste Management from 1992-1993
- Traffic Commission from 1990-1997

Bob has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the said Robert Nichols be and he is hereby commended for his loyal services to his City, and his fellow Council Members join in extending their best wishes to him upon the occasion of his Council Career coming to an end.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE 2016-001

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2016, AND DECLARING AN EMERGENCY.

Be it ordained by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That to provide for the current expenses and other expenditures of the City of Findlay, Ohio, during the fiscal year ending December 31, 2016, the following sums be and they are hereby set aside and appropriated as follows:

SECTION 2: That there hereby be appropriated from the General Fund the following:

Council	21001000 – personal services	\$	116,082.00
	21001000 – other		36,754.00
Mayor's Office	21002000 – personal services		216,223.00
	21002000 – other		62,046.00
Auditor's Office	21003000 – personal services		485,874.00
	21003000 – other		134,848.00
Treasurer's Office	21004000 – personal services		7,609.00
	21004000 – other		6,862.00
Law Director	21005000 – personal services		466,268.00
	21005000 – other		144,949.00
Municipal Court	21006000 – personal services		1,428,143.00
	21006000 – other		383,734.00
Civil Service Office	21007000 – personal services		84,461.00
	21007000 – other		41,160.00
Planning & Zoning	21008000 – other		146,719.00
Computer Services	21009000 – personal services		203,267.00
	21009000 – other		89,135.00
General Expense	21010000 – other		3,023,500.00
Police Department	21012000 – personal services		6,629,880.00
	21012000 – other		511,014.00
Disaster Services	21013000 – other		52,672.00
Fire Department	21014000 – personal services		7,026,776.00
	21014000 – other		358,849.00
Dispatch Center	21015000 – personal services		923,456.00
	21015000 – other		140,209.00
N.E.A.T.	21016000 – personal services		75,604.00
	21016000 – other		30,839.00

ORDINANCE 2016-001

Human Resources	21018000 – personal services	102,281.00
	21018000 – other	52,097.00
W.O.R.C.	21019000 – personal services	99,019.00
	21019000 – other	251,261.00
Service Safety Director	21020000 – personal services	193,231.00
	21020000 – other	55,265.00
Engineering Department	21021000 – personal services	597,511.00
	21021000 – other	168,006.00
Public Building	21022000 – personal services	85,115.00
	21022000 – other	270,829.00
Zoning	21032000 – personal services	158,741.00
	21032000 – other	15,552.00
Parks Maintenance	21034000 – personal services	399,742.00
	21034000 – other	197,314.00
Reservoir Recreation	21035000 – other	5,217.00
Recreation Maintenance	21042000 – other	140,500.00
Recreation Functions	21041000 – personal services	377,676.00
	21041000 – other	427,634.00
Cemetery Department	21046000 – personal services	240,934.00
	21046000 – other	85,938.00
GENERAL FUND TOTAL		\$ 26,750,796.00

SECTION 3: There hereby be appropriated from the Special Revenue Funds the following:

SCM&R Streets	22040000 – personal services	\$ 1,890,937.00
	22040000 – other	714,861.00
Traffic Signals	22043200 – personal services	147,455.00
	22043200 – other	121,900.00
SCM&R Hiways	22045000 – other	178,212.00
Law Enforcement Trust	22060000 – other	589.00
Drug Law Enforc Trust	22065000 – other	320.00
I. D. Alcohol Treatment	22070000 – other	40,000.00
Enforcement/Education	22075000 – other	53,843.00
Court Special Projects	22079000 – personal services	55,036.00
	22079000 – other	150,500.00
Court Computerization	22080000 – other	89,000.00
METRICH Drug Law Enf	22081000 – other	9.00
Alcohol Monitoring	22082000 – other	70,000.00
Mediation Services	22083000 – other	10,000.00

ORDINANCE 2016-001

Electronic Imaging	22084000 – personal services	44,671.00
	22084000 – other	63,500.00
C I T Administration	27047000 – personal services	323,739.00
	27047000 – other	19,763,451.00
Police Pension	27078000 – other	235,500.00
Fire Pension	27079000 – other	235,500.00
SPECIAL REVENUE		
FUND TOTAL		\$ 24,189,023.00

SECTION 4: There hereby be appropriated from the CIT Capital Improvements/Debt Service Fund the following:

Crystal/Melrose DS	23035000 – other	\$ 7,200.00
'14 Fire Ref of 04 DS	23045010 – other	198,386.40
Energy Bonds Ser A DS	23056000 – other	73,668.26
Energy Bonds Ser B DS	23056100 – other	27,972.28
HRC Rehab 08 Issue DS	23060100 – other	124,480.00
CR236 Land 08 Issue DS	23060200 – other	37,757.50
CR236 Widen 08 Issue	23060300 – other	162,906.26
5-Plex 08 Issue DS	23060400 – other	218,887.50
Howard St Improv DS	23065000 – other	7,483.12
DEBT SERVICE FUND		
TOTAL		\$ 858,741.32

SECTION 5: There hereby be appropriated from the Capital Improvement Funds the following:

Muni Court Improvement	24020000 – other	\$ 83,250.00
CAPITAL		
IMPROVEMENT FUND		
TOTAL		\$ 83,250.00

ORDINANCE 2016-001

SECTION 6: There hereby be appropriated from the enterprise funds the following:

Airport Operations	25010000 – personal services	\$	337,764.00
	25010000 – other		804,694.00
Sanitary Sewer Maint	25048000 – personal services		856,594.00
	25048000 – other		191,348.00
Stormwater Maintenance	25049500 – personal services		149,447.00
	25049500 – other		109,550.00
Water Treatment	25050000 – personal services		1,079,041.00
	25050000 – other		1,071,639.00
Main Street W/L DS	25050200 – other		6,961.32
Sherman Park W/L DS	25050600 – other		10,000.00
CR 144 W/L DS	25050700 – other		9,242.96
Broad Ave W/L DS	25050800 – other		10,000.00
W Melrose W/L DS	25050900 – other		9,679.50
Center Street W/L DS	25051000 – other		7,925.00
'14 Wtr Ref of 03 DS	25051510 – other		318,976.00
1 st , 2 nd , 3 rd W/L DS	25051700 – other		1,529.88
'14 Wtr Pump Ref DS	25051910 – other		167,593.60
'11 Wtr Refunding DS	25052400 – other		249,040.00
OWDA WTP Improvemt	25052600 – other		275,581.34
'14 WTP Clearwell Issue	25052800 – other		410,408.00
Water Distribution	25053000 – personal services		1,062,254.00
	25053000 – other		465,186.00
2001 EPA Loan DS	25060200 – other		213,556.18
2000 EPA Loan DS	25060300 – other		2,449,506.68
'14 NC Sewer Ref of 04	25060910 – other		731,204.00
Water Pollution Control	25061000 – personal services		1,247,644.00
	25061000 – other		1,653,054.00
'14 WPC Bar Screen DS	25061200 – other		275,416.00
Utility Billing	25072000 – personal services		698,291.00
	25072000 – other		407,752.00
Supply Reservoir	25073000 – personal services		98,709.00
	25073000 – other		329,499.00
Parking Facilities	25075000 – personal services		86,064.00
	25075000 – other		17,325.00
Swimming Pool	25076000 – other		84,655.00
ENTERPRISE FUND			
TOTAL		\$	15,897,130.46

ORDINANCE 2016-001

SECTION 7: There hereby be appropriated from the Internal Service Funds the following:

Int Serv – Central Stores	26063000 – other	\$	28,300.00
Self Insurance	26066000 – other		192,485.00
INTERNAL SERVICE FUND TOTAL		\$	220,785.00

SECTION 8: There hereby be appropriated from the Trust and Agency Funds the following:

Cemetery Trusts	27086000 – other	\$	1,000.00
Private Trusts	27087000 – other		2,500.00
TRUST AND AGENCY FUND TOTAL		\$	3,500.00

SECTION 9: There hereby be appropriated from the Special Assessments Funds the following:

Spec Assmt Storm Sewer	28030000 – other	\$	21,906.00
SPECIAL ASSESSMENT FUNDS TOTAL		\$	21,906.00
TOTAL OPERATING FUNDS		\$	68,025,131.78

SECTION 10: That the City Auditor is hereby authorized to draw warrants on the City Treasurer for payment from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore or an ordinance or resolution of the Council to make the expenditures provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

SECTION 11: This ordinance is subject to review and amendments by the City Council if and when it becomes apparent the expenditures for 2016 may exceed the certificate of resources.

ORDINANCE 2016-001

SECTION 12: The City Auditor is hereby authorized to debit various accounts within a particular department for charges incurred by said department up to the amount appropriated to that department without the necessity of transferring funds within an appropriated fund.

SECTION 13: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason that it is immediately necessary to appropriate said money to insure the continued operation of essential City functions;

Wherefore, this ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

President of Council

Mayor

Passed _____

Attest _____
Clerk of Council

Approved _____

ORDINANCE NO. 2016-002

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That the following sums be and the same are hereby appropriated:

FROM:	Sewer Fund (Stormwater restricted account)	\$ 258,997.00
TO:	Sewer Fund	\$ 258,997.00
FROM:	Sewer fund	\$ 5,000.00
TO:	Law Director (21005000-other)	\$ 5,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that storm water funds to support the operating budget of Stormwater Maintenance may be utilized, and so that

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2016-003

AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to reallocate City Income Tax funds, effective January 1, 2015.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That Chapter 193.12 of the Codified Ordinances of the City of Findlay, Ohio which reads as follows:

193.12 ALLOCATION OF FUNDS.

Effective January 1, 2015 funds collected under the provision of this chapter shall be deposited in the City Income Tax Administration Fund, and the funds shall be disbursed as follows.

- (a) The part necessary to defray all costs of collecting the taxes, and the cost of administering and enforcing the provisions hereof.
- (b) The balance shall be disbursed, appropriated, and allocated as follows.
 - (1) Eighty-two percent (82%) to the General Fund.
 - (2) Eighteen percent (18%) to the CIT-Capital Improvement Fund.
- (c) A special windfall tax collection provision is hereby enacted and defined as being business income tax collections that exceed the Auditor's estimate for business income tax collections for that calendar year. In such an event, fifty percent (50%) of the windfall collections shall be allocated and go to the rainy day fund, and the other fifty percent (50%) shall be allocated and go to the Capital Improvements Fund. When the balance in the Rainy Day Fund reaches one million dollars (\$1,000,000.00), all windfall collections received thereafter are hereby allocated to the Capital Improvements Funds.

Be and the same is hereby amended to read as follows:

193.12 ALLOCATION OF FUNDS.

Effective January 1, 2016 funds collected under the provision of this chapter shall be deposited in the City Income Tax Administration Fund, and the funds shall be disbursed as follows.

- (a) The part necessary to defray all costs of collecting the taxes, and the cost of administering and enforcing the provisions hereof.
- (b) The balance shall be disbursed, appropriated, and allocated as follows.

1. Eighty-one percent (81%) to the General Fund.
 2. Nineteen percent (19%) to the CIT-Capital Improvement Fund.
- (c) A special windfall tax collection provision is hereby enacted and defined as being business income tax collections that exceed the Auditor's estimate for business income tax collections for that calendar year. In such an event, fifty percent (50%) of the windfall collections shall be allocated and go to the rainy day fund, and the other fifty percent (50%) shall be allocated and go to the Capital Improvements Fund. When the balance in the Rainy Day Fund reaches one million dollars (\$1,000,000.00), all windfall collections received thereafter are hereby allocated to the Capital Improvements Funds.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to reallocate the City Income Tax collections so that Capital Improvement Fund may receive increased funding to support needed projects,

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2016-004

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH MOUNT CORY FOR SERVICES TO ADMINISTER, ENFORCE, AND COLLECT TAXES LEVIED BY MOUNT CORY UNDER THEIR VILLAGE INCOME TAX ON CERTAIN INCOMES OF RESIDENTS, NON-RESIDENTS, NET PROFIT OF RESIDENTS, AND NET PROFITS OF NON-RESIDENT BUSINESS ENTITIES IN ACCORDANCE WITH SAID VILLAGE ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, The Village of Mount Cory is desirous of having the City of Findlay Income Tax Department administer its income tax program effective January 1, 2016, and;

WHEREAS, This Council hereby desires to authorize the Service-Safety Director to enter into an Agreement to effectuate said agreement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That the Director of Public Service-Safety of the City of Findlay, Ohio be and he is hereby authorized to enter into an agreement with the Village of Mount Cory for services to administer, enforce, and collect taxes levied by Mount Cory under their Village Income Tax Ordinance on certain incomes of residents, non-residents, net profits of residents, and net profits of non-resident business entities in accordance with said Ordinance.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enact said Ordinance so that this agreement may be entered into and be in effect by January 1, 2016,

WHEREFORE, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

APPROVED _____

ORDINANCE NO. 2016-005

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH VANLUE FOR SERVICES TO ADMINISTER, ENFORCE, AND COLLECT TAXES LEVIED BY VANLUE UNDER THEIR VILLAGE INCOME TAX ON CERTAIN INCOMES OF RESIDENTS, NON-RESIDENTS, NET PROFIT OF RESIDENTS, AND NET PROFITS OF NON-RESIDENT BUSINESS ENTITIES IN ACCORDANCE WITH SAID VILLAGE ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, The Village of Vanlue is desirous of having the City of Findlay Income Tax Department administer its income tax program effective January 1, 2016, and;

WHEREAS, This Council hereby desires to authorize the Service-Safety Director to enter into an Agreement to effectuate said agreement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That the Director of Public Service-Safety of the City of Findlay, Ohio be and he is hereby authorized to enter into an agreement with the Village of Vanlue for services to administer, enforce, and collect taxes levied by Vanlue under their Village Income Tax Ordinance on certain incomes of residents, non-residents, net profits of residents, and net profits of non-resident business entities in accordance with said Ordinance.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enact said Ordinance so that this agreement may be entered into and be in effect by January 1, 2016,

WHEREFORE, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

APPROVED _____