

FINDLAY CITY COUNCIL MEETING AGENDA

REGULAR SESSION

DECEMBER 1, 2020

COUNCIL CHAMBERS

ROLL CALL of 2020-2021 Councilmembers

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Acceptance or changes to the November 17, 2020 Public Hearing meeting minutes to amend the current zoning map via Ordinance No. 2020-124.
- Acceptance or changes to the November 17, 2020 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

ORAL COMMUNICATIONS: none

PETITIONS:

Status of Amber Waves Development (E Bigelow Ave) annexation

On November 23, 2020, annexation documents for the Amber Waves Development (East Bigelow Avenue) annexation were received from the County Commissioners Office and will now be held in the office of the City Clerk the required 60 days ending January 23, 2021. Philip L. Rooney, Rooney & Ranzau, Ltd., is the agent for the petitioner Amber Waves Development, Inc. and has submitted a letter requesting the property to be zoned I1 Light Industrial This annexation will be referred to as the Amber Waves Development (East Bigelow Avenue) Annexation. Resolution No. 025-2020 (services the City will provide if annexed into City limits) was adopted during the October 6, 2020 City Council meeting. The City Planning Commission and the Planning and Zoning Committee will discuss the rezoning request during their December 10, 2020 meetings. Legislation to accept and approve the annexation, as well as to rezone the parcels will be on the agenda to receive their first reading during the February 2, 2021 City Council meeting. Annexation will be on hold in the City Clerk's Office until January 23, 2021.

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Royal Buffet 168 Incorporated, dba Royal Buffet, located at 2551 Tiffin Avenue, Findlay, Ohio for a D1 liquor permit. This requires a vote of Council.

Robert K. Ring, Chief of Police – Royal Buffet 168 Incorporated, dba Royal Buffet, located at 2551 Tiffin Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Yan zhen Guo

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Amy May's Downtown, LLC, located at 331 South Main Street, Findlay, Ohio for a D5 liquor permit. This requires a vote of Council.

Robert K. Ring, Chief of Police – Amy May's Downtown, LLC, located at 331 South Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

Amy May Taylor

Hancock Regional Planning Commission Director Cordonnier – City of Findlay Revolving Loan Fund (RLF) request for appropriation

On November 23, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to Dots in Color Inc. in the amount of one hundred forty-five thousand dollars (\$145,000.00). The funding will provide funds for business acquisition. The closing date for the loan has been set for December 4, 2020. Legislation to appropriate funds, waive the required three (3) readings and pass the ordinance on an emergency basis in order to accommodate the timeline of the project is requested. Appropriations of City RLF funds have historically been passed on an emergency basis in order to accommodate the time sensitive needs of businesses and the bank involved in financing the project. Ordinance No. 2020-135 was created.

FROM: City of Findlay Revolving Loan Fund

\$ 145,000.00

TO: Dots in Color, Inc. #31904100

\$ 145,000.00

Board of Zoning Appeals minutes – October 8, 2020

City Engineer Thomas – Madison and Monroe Sewer Replacement Project No. 35691700

As part of this project, the sanitary sewer is going to be replaced on a portion of Monroe Street. Engineering has run into an issue on the project, but has a solution. Attached is a color-coded plan for reference. The utilities from the north side of the right-of-way to the south consist of an existing storm sewer (pink line) is located between the north edge of pavement and the utility poles. The existing waterline (blue dashed line) is located in the middle of the pavement. The existing sanitary (green dashed line) is located at the south edge of pavement. The existing gas line (yellow line) is located anywhere from one foot (1') to three feet (3') from the existing sanitary. There are also utility poles with overhead lines located on the south side of the pavement between the gas line and the sidewalk. The original plan was to install the proposed sewer (darker black line) between the utility poles and the sidewalk. The underlying soils on this project are sandy and will cause issues during construction.

Sandy soils are typically an issue because the trench will not hold its shape as the sand runs into the trench. With the existing soils, Engineering is concerned that the utility poles will be undermined, causing them to possibly fall over. Engineering has also talked to the utility company about relocating the poles, but would mean the entire line along the project would have to be relocated and there is not enough room between the sidewalk and the existing right-of-way line for the relocated poles. The utility can sometimes hold the poles to keep them from falling over as work is completed around the pole, but the concern is that due to the depth of the sewer, the soil under the pole will run into the trench and the pole will drop vertically causing a problem. The proposed sewer could be pushed north into the pavement where the existing sewer or existing waterline could become undermined and would be damaged. The existing sewer has to remain in service until the new one is installed. It would not be a viable option to move the sewer to the north side of the pavement as the location of the existing storm sewer and the fact that there are also utility poles on that side would then shift to undermine or damage the existing storm sewer, the existing waterline and/or the utility poles on that side of the pavement. A solution would be to relocate the waterline to the south side of the right-of-way and place it under the existing sidewalk eliminating the undermining or damage to the existing waterline and the proposed sewer could then be placed in the pavement. The waterline will not be as deep as the sewer and can be placed closer to the right-of-way line and would then not have as much of an affect, if any, on the existing utility poles. The City's Water Distribution Department is willing to install the relocated waterline to help minimize the effect on the construction cost. Materials (with contingency) and to repair the sidewalk is estimated to be forty thousand dollars (\$40,000.00). A couple of recent completed waterline projects have been closed with just over one hundred thousand dollars (\$100,000.00) of unspent funds were returned to the Water Fund. Legislation to appropriate and transfer funds is requested as follows:

FROM: Water Fund	\$ 40,000.00
TO: Madison and Monroe Sewer Replacements <i>Project No. 35691700</i>	\$ 40,000.00

Ordinance No. 2020-136 was created.

City Planning Commission agenda – December 10, 2020; **minutes** – November 12, 2020.

City Auditor Staschiak – credit card reader for Utility Billing Dept

Customers of the City's Water and Sewer Funds have various payment options and is the desire of the City's Utility Billing Department to add the ability to pay by credit card at the counter. Fees for various payment methods charge by vendors are charged back to the customer. In order to apply best billing practices consistently across all methods of payment, a resolution is needed to be passed by Council allowing for the associated credit card fees to be charged to the customer. Once passed, installation of the new card readers with the service provided will be scheduled. Legislation allowing fees to be charged back to customers who choose to pay in this manner is requested. Resolution No. 032-2020 was created.

Safety Director Schmelzer – milling machine

Safety Director Schmelzer and Public Works Supervisor Honse have been investigating options to provide the most cost effective way to execute the City's annual paving programs. The City has made great strides in continuing to coordinate contracts and balance it with work performed by City personnel. For the past two (2) years, the Public Works Department has leased a milling machine for approximately fifty thousand dollars (\$50,000.00) a year to complete the bulk of the work for the City's SCM&R paving projects. In lieu of a lease, the City could purchase the same equipment for approximately three hundred seventy thousand dollars (\$370,000.00) for approximately ten (10) years or more of use given the number of hours that the City would use the equipment annually and would enable the City to avoid a lease schedule and be able to do the work as weather and funding permit. There is an opportunity to purchase a new 2019 unit that would accomplish these goals with a savings of over twenty thousand dollars (\$20,000.00) compared to purchasing a 2021 unit. Purchase contract options, trade-in value of older equipment and warranty language are still being examined. More details on this will be provided during the Public Works section of the budget hearing with legislation needing to be passed during the last City Council meeting in December. The contract for purchase is based on a state bid pricing schedule for a BOMAG 1300/300. Payments would come out of the SCM&R budget in lieu of an annual lease payment until the equipment is paid off. Under draft agreement terms, the City would obtain the equipment to use in 2021 with no payments required until January 2022.

COMMITTEE REPORTS: none

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 030-2020 (*CDBG – fair housing services agreement*) **requires three (3) readings** **third reading**
 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY BEGINNING NOVEMBER 1, 2020.

RESOLUTION NO. 032-2020 (*credit card reader for Utility Billing Dept*) **requires three (3) readings** **first reading**
 A RESOLUTION TO APPROVE CHARGING UTILITY CUSTOMERS A FEE FOR PROCESSING CREDIT/DEBIT CARD PAYMENTS AT THE COUTNER OF THE CITY OF FINDLAY UTILITY BILLING OFFICE.

ORDINANCES:

ORDINANCE NO. 2020-126 (*BRWP \$5,000/year renewal for three (3) years*) **requires three (3) readings** **third reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO EXTEND ITS FINANCIAL COMMITMENT TO THE BLANCHARD RIVER WATERSHED PARTNERSHIP (BRWP) OF FIVE THOUSAND DOLLARS (\$5,000.00) PER YEAR FOR CALENDAR YEARS 2021 THROUGH 2023, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-127 (*Law Director budget - more funds for legal svcs (pending litigation & proposed detox facility)*) **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-128 (*HRPC provide CDBG program*) **requires three (3) readings** **third reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-134 (*726 S Blanchard St rezone*) **requires three (3) readings** **second reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 726 SOUTH BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R4 DUPLEX/TRIPLEX" TO "C2 COMMERCIAL DISTRICT".

ORDINANCE NO. 2020-135 (*Dots in Color, Inc. RLF*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-136 (*Madison and Monroe sewer replacement project*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS



**OFFICE OF
THE MAYOR
CHRISTINA M. MURYN**

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

November 24, 2020

Honorable City Council
City of Findlay, Ohio

Re: Amber Waves Development Annexation (East Bigelow Avenue)

Dear Honorable Council Members:

On November 23, 2020, annexation documents were received for the above-referenced annexation petitioned by Amber Waves Development Inc., located on East Bigelow Avenue, Findlay, Ohio 45840. A full legal description can be obtained from the Council Office. Rooney & Ranzau, Ltd., Philip L. Rooney, is the agent for the petitioner.

These annexation documents will be in my office for the required 60 day period, which will end January 23, 2021. At that time, I will forward the documents to the Council Clerk for Council's action.

Sincerely,

A handwritten signature in black ink that reads 'Kathy K. Launder'.

Kathy K. Launder
City Clerk/Chief Assistant to the Mayor



Philip L. Rooney
Christie L. Ranzau

rooney & ranzau, ltd.
attorneys at law
320 s. main st.
findlay, ohio 45840
419-425-3821
flagcitylaw.com

RECEIVED
NOV 16 2020
MAYOR'S OFFICE

November 10, 2020

Denise DeVore
Clerk of Council
City of Findlay, Ohio
Municipal Building
Findlay, Ohio 45840

Re: Amber Waves Development Annexation

To the Clerk:

The undersigned is agent for the petitioner for the Amber Waves Development Annexation to the City of Findlay, Ohio. Please accept this letter as my client's request to the zone the property in question upon annexation to the City of Findlay as a I-1 Light Industrial zoned area.

If you have any questions after your review of this information, please feel free to contact me at your convenience.

Sincerely,

ROONEY & RANZAU, LTD.

Philip L. Rooney

City of Findlay

Christina M. Muryn, Mayor

POLICE DEPARTMENT

Robert K. Ring, Chief of Police

318 Dorney Plaza, Room 116 • Findlay, OH 45840

Phone: 419-424-7194 • Fax: 419-424-7296

www.findlayohio.com

November 23, 2020

The Honorable Council:

A check of the records of this office shows no criminal record on the following:

Yan zhen Guo

Royal Buffet 168 Incorporated, DBA Royal Buffet, 2551
Tiffin Avenue, Findlay, Ohio 45840.

Sincerely,



Robert K. Ring
Chief of Police

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

7560844 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	ROYAL BUFFET 168 INC DBA ROYAL BUFFET 2551 TIFFIN AVE FINDLAY OH 45840	
ISSUE DATE				
07 15 2020 <small>FILING DATE</small>				
D1 <small>PERMIT CLASSES</small>				
32 <small>TAX DISTRICT</small>	044 <small>PERMIT CLASSES</small>	A	C75247 <small>RECEIPT NO.</small>	

FROM 11/17/2020

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 11/17/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/18/2020

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A NEW 7560844

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF FINDLAY CITY COUNCIL
MUNICIPAL BLDG RM 114
318 DORNEY PLAZA
FINDLAY OHIO 45840-3346**

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

	SEARCH CRITERIA
Permit Number	<input type="text" value="7560844"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

Search Reset Main Menu

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 7560844; Name: ROYAL BUFFET 168 INC; DBA: DBA ROYAL BUFFET; Address: 2551 TIFFIN AVE FINDLAY 45840		
YAN ZHEN GUO	100.00	CEO

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

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City of Findlay

Christina M. Muryn, Mayor

POLICE DEPARTMENT

Robert K. Ring, Chief of Police

318 Dorney Plaza, Room 116 • Findlay, OH 45840

Phone: 419-424-7194 • Fax: 419-424-7296

www.findlayohio.com

November 24, 2020

The Honorable Council:

A check of the records of this office shows no criminal record on the following:

Amy May Taylor

Amy May's Downtown, LLC, 331 South Main St,
Findlay, Ohio 45840.

Sincerely,



Robert K. Ring
Chief of Police

Commerce Division of Liquor Control : Web Database Search

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To do another search, click the "Reset" button.

SEARCH CRITERIA

Permit Number	<input type="text" value="0140738"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

[Search](#) [Reset](#) [Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 0140738; Name: AMY MAYS DOWNTOWN LLC; DBA: ; Address: 331 S MAIN ST & PATIO FINDLAY 45840		
AMY MAY TAYLOR	5% MEMBER	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

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**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

0140738		TRFO	AMY MAYS DOWNTOWN LLC	
PERMIT NUMBER		TYPE	331 S MAIN ST & PATIO	
06	01	2019		
ISSUE DATE		FINDLAY OH 45840		
06	25	2020		
FILING DATE				
D5				
PERMIT CLASSES				
32	044	A	F24338	
TAX DISTRICT			RECEIPT NO.	

RECEIVED
NOV 23 2020
MAYOR'S OFFICE

FROM 11/19/2020

2738272			FIRESIDE BRICK OVEN PIZZA LLC	
PERMIT NUMBER		TYPE	DBA FIRESIDE BRICK OVEN PIZZA	
06	01	2019		
ISSUE DATE		331 S MAIN ST & PATIO		
06	25	2020		
FILING DATE		FINDLAY OH 45840		
D5				
PERMIT CLASSES				
32	044			
TAX DISTRICT			RECEIPT NO.	



MAILED 11/19/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/21/2020

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES A TRFO 0140738

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF FINDLAY CITY COUNCIL
MUNICIPAL BLDG RM 114
318 DORNEY PLAZA
FINDLAY OHIO 45840-3346



November 23, 2020

Findlay City Council
318 Dorney Plaza
Findlay, OH 45840

RE: City of Findlay Revolving Loan Fund
Request for Appropriation

Dear Honorable Members of Council:

On November 23, 2020, the City of Findlay Revolving Loan Fund Committee awarded a loan to Dots in Color, Inc. in the amount of \$145,000.00. The funding will provide funds for business acquisition. The closing date for the loan has been set for December 4, 2020.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to appropriate the funds as follows:

FROM:	City of Findlay Revolving Loan Fund	\$145,000.00
TO:	Dots in Color, Inc. (31904100)	\$145,000.00 <small>business acquisition</small>

I request that City Council waive the required three readings and this ordinance be passed on an emergency basis in order to accommodate the timeline of the project. The appropriation of City RLF funds have historically been passed on an emergency basis in order to accommodate the time sensitive needs of businesses and the bank involved in financing the project.

If you need any addition information, please do not hesitate to contact me.

Sincerely,

Matthew Cordonnier, Director
Hancock Regional Planning Commission

CC: Don Rasmussen
Ginger Sampson

Board of Zoning Appeals

October 08, 2020

Members present: Chairperson, Phil Rooney; Kerry Trombley; Blaine Wells; and Sarah Gillespie.

Mr. Rooney called the meeting to order at 6:00 p.m.; introduced the members to the audience and the general rules were reviewed.

The following was introduced by Mr. Adkins:

Case Number: 60188-BA-20

Address: 302 E. Hardin Street

Zone: C2 - General Commercial (Proposed to go to R3 – Single Family, High Density)

Filed by Aaron Osborne, regarding a variance from section 1135.04(A) of the City of Findlay Zoning Ordinance concerning a proposed fence at 302 E. Hardin Street. The applicant is proposing an 8-foot high fence to the west side of the dwelling that will be 5.5-feet (existing building line) from the East Street right-of-way. This section states that the fence must meet a 30-foot front yard setback.

This parcel will be changing to R-3 during the map change, when adopted the side yard setback would only be 10-feet from the East Street right-of-way. The request at that time would be minimal and the fence would replace an existing 4-foot fence at the established building line. Harmony along East Street would remain if approved being the neighbor to the North has a porch that sits closer to the right-of-way. The city does not oppose the request.

Aaron Osborne was sworn in. He asked the board if anyone had any questions for him.

Mr. Rooney asked if there are any new communications on this case.

Mr. Adkins stated there are no new communications on this case.

Mr. Wells verified the variance requested going from 4' to 8' high and it is a solid privacy fence instead of 50% open.

Mr. Adkins stated the request is to give the owners more privacy in the back yard since the street is a fairly busy street with Marathon right there.

Mr. Wells made a motion to approve the requested variance subject to obtaining the proper permits within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, subject to obtaining the proper permits within 60 days, 4-0.

The following was introduced by Mr. Adkins:

Case Numbers: 60287-BA-20

Address: 444 Westchester Drive
Zone: R1 – Single Family, Low Density

Filed by Bill VanHoose, regarding a variance from section 1121.08(B) of the City of Findlay Zoning Ordinance the maximum height for an accessory structure at 444 Westchester Drive. The applicant is proposing to build a 26 X 20 detached garage, which will be 21-feet in height. This section states that the accessory building may not exceed 18-feet in height.

The owners request will not exceed the height of surrounding dwellings, which would allow for this structure to maintain the harmony of the neighborhood. If approved, zoning will place restrictions on the loft area not to be used for anything but storage. There have been variances granted for height request in the past and being it is a minimal 3 feet request; the city would not oppose if the members grant the request.

Mr. Rooney requested clarification that the upstairs cannot be used for anything but storage.

Mr. Adkins stated it cannot be used for living space.

Mr. Bill VanHoose was sworn in. He stated he has spoken to the neighbors adjacent to the property and discussed the plans and no concerns came up. He stated there are some other structures in the surrounding area that are higher than the 18 feet that are detached garages. The bulk of them were built prior to the variance change, however, there are three within a one block area. He stated the intent is not for living space, but for office space. They have met some challenges with the Covid situation of schooling from home and working from home. They need more space to spread out and not be right on top of each other.

Mr. Trombley asked Mr. Adkins if they meet all setback requirements.

Mr. Adkins stated, yes, they do.

Mr. Wells asked if the structure will be completely within the current fence?

Mr. VanHoose stated, yes, it will be in the rear yard, inside the fence. They also moved it over more than the required setbacks to make sure they do not impose on the neighbors.

Mr. Trombley asked if the exterior is going to be siding or brick?

Mr. VanHoose stated the first four feet up, or so, will be brick and then it would be siding the rest of the way up; it will match the house.

Mr. Rooney asked if there are any communications on this case.

Mr. Adkins read into record a letter that was received from Charles and Donna Deming, of 450 Westchester Drive (next door neighbors), stating they are in favor of the variance.

Mr. Trombley made a motion to approve the requested variance subject to obtaining the proper permits within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, subject to obtaining the proper permits within 60 days, 4-0.

The following was introduced by Mr. Adkins:

Case Numbers: 60293-BA-20

Address: 417 Kirk Drive

Zone: R1 – Single Family, Low Density

Filed by Terry Hardwick, regarding a variance from section 1161.01.1(C)(2) of the City of Findlay Zoning Ordinance concerning the maximum accessory floor area at 417 Kirk Drive. The applicant is proposing to construct a new 36 X 48 detached garage, which will exceed the allowable maximum floor area for the property. This section allows for a maximum of 900 square feet of floor area per property.

In the immediate area, there is only one accessory structure, which is approximately 850 square feet. The proposed accessory structure exceeds the allowable floor area by 828 square feet. The city is opposed to this large of a request.

Mr. Terry Hardwick was sworn in. He stated he spoke with all of the neighbors and they have no problems with it. He stated it will not be used as living space; it will be strictly used for storage. He has a large boat and wants to keep it in the building so it does not have to sit outside. There is an existing fence that most of the building would be in and he has already spoken to the county about working the ditch for the driveway and access will be off of Township Road 80. It will be 14 feet off of each property line. He believes it will be approximately 90 feet from the neighbor's house and approximately 50 feet off of Township Road 80.

Mr. Trombley asked Mr. Adkins how this is on the lot ratio coverage vs. the 33% allotted coverage?

Mr. Adkins stated he believes it is approximately 32%.

Mr. Trombley stated a 36-feet by 48-feet building is much larger than the code allows; he then asked Mr. Hardwick what alternative plans has he considered, such as the minimum size needed to fit the boat in?

Mr. Hardwick stated he actually wanted to go bigger but this would be the smallest to be able to still have room to walk around and work on the boat.

Mr. Wells stated to Mr. Hardwick that he is asking for almost double the allotted amount, and as much as his efforts to talk to the neighbors and to the county is appreciated, it is a very large variance request. He then asked Mr. Hardwick what size his boat and trailer are?

Mr. Hardwick stated the boat is a 32-foot boat and with the trailer it is approximately 36-feet overall.

Mr. Trombley asked Mr. Hardwick what the building will look like?

Mr. Hardwick stated it will look like a pole barn.

Ms. Gillespie asked if it was a Morton building?

Mr. Trombley asked what the house looked like?

Mr. Hardwick stated it will match the house that has vinyl siding; it will have metal siding and be the same colors as the house.

Mr. Trombley asked Mr. Hardwick what the height of the building will be?

Mr. Hardwick stated it will be approximately 17.5 feet high – would not exceed the 18 feet limit allowed.

Ms. Gillespie stated she is not opposed to it since the property is right at the boarder of the city limits.

Mr. Rooney stated he could make a case for it since it is on a double lot at the edge of town and there are not very many houses on that street; however, a 100% variance request is big.

Mr. Wells stated he agrees with Mr. Rooney.

Mr. Rooney asked if there are any communications on this case.

Mr. Adkins stated there were no communications on this case.

Mr. Wells made a motion to approve the requested variance with the condition that the finish of the exterior of the building match the finish of the existing residential structure (house) and subject to obtaining the proper permits within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, with the condition that the finish of the exterior of the building match the finish of the existing residential structure (house) and subject to obtaining the proper permits within 60 days., 4-0.

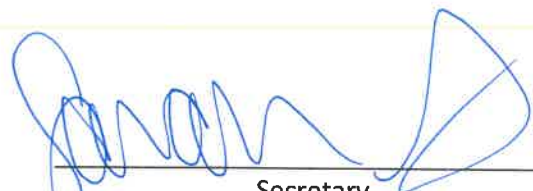
The August 13, 2020 meeting minutes were approved.

The September 10, 2020 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary



CHRISTINA M. MURYN, MAYOR

ENGINEERING DEPARTMENT

Brian A. Thomas, PE, PS, CPESC, CFM
City Engineer

Honorable City Council
Findlay, OH 45840

November 24, 2020

RE: Madison and Monroe Sewer Replacements, Project No. 35691700

Dear Council Members:

As part of this project, the sanitary sewer is going to be replaced on a portion of Monroe Street. Engineering has run into an issue on the project but has a solution. In order to make it a little easier to explain, I have attached a color coded plan sheet that I will reference. If you have any questions, please feel free to contact me before the Council meeting to discuss or I will be happy to answer any questions at the meeting.

I'll start with the existing utilities located along the project working from the north side of the right-of-way to the south. The existing storm sewer (pink line) is located between the north edge of pavement and the utility poles. The existing waterline (blue dashed line) is located in the middle of the pavement. The existing sanitary (green dashed line) is located at the south edge of pavement. The existing gas line (yellow line) varies a little bit but is located anywhere from 1 foot to 3 feet from the existing sanitary. There are also utility pole with overhead lines located on the south side of the pavement between the gas line and the sidewalk.

The original plan was to install the proposed sewer (darker black line) between the utility poles and the sidewalk. The underlying soils on this project are sandy and will cause issues during construction. Typically, sandy soils are an issue because the trench will not hold its shape as the sand runs into the trench. With the existing soils, engineering is concerned that the utility poles will be undermined, causing them to possibly fall over. Engineering has also talked to the utility company about relocating the poles but this would mean the entire line along the project would have to be relocated and there is not enough room between the sidewalk and the existing right-of-way line for the relocated poles. The utility can sometimes hold the poles, to keep them from falling over as work is completed around the pole, but the concern is that due to the depth of the sewer, the soil under the pole will run into the trench and the pole will drop vertically causing a problem.

The proposed sewer could be pushed north into the pavement but the concern then becomes with the existing sewer (which has to remain in service until the new one is installed) or the existing waterline would become undermined and would be damaged.

I looked at moving the sewer to the north side of the pavement but the location of the existing storm and the fact that there are also utility poles on that side doesn't make this a viable option as the concern would then shift to undermining or damage to the existing storm sewer, the existing waterline or the utility poles on that side of the pavement.

The solution that I have come up with is to relocate the waterline to the south side of the right-of-way and place it under the existing sidewalk. Since the concern about undermining or damaging the existing waterline would be removed, the proposed sewer could then be placed in the pavement. Since the waterline will not be as deep as the sewer, it can be placed closer to the right-of-way line and would not have as much of an affect (if any) on the existing utility poles.



CHRISTINA M. MURYN, MAYOR

**ENGINEERING
DEPARTMENT**

Brian A. Thomas, PE, PS, CPESC, CFM
City Engineer

I have talked with Water Distribution and they are willing to install the relocated waterline to help minimize the affect on the construction cost. The estimate (with contingency) for the materials and to repair the sidewalks is \$40,000. Recently, a couple of completed waterline projects have been closed and a little over \$100,000 of unspent funds were returned to the water fund.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to appropriate and transfer funds as follows:

FROM: Water Fund	\$40,000	
TO: Madison and Monroe Sewer Replacements Project No. 35691700		\$40,000

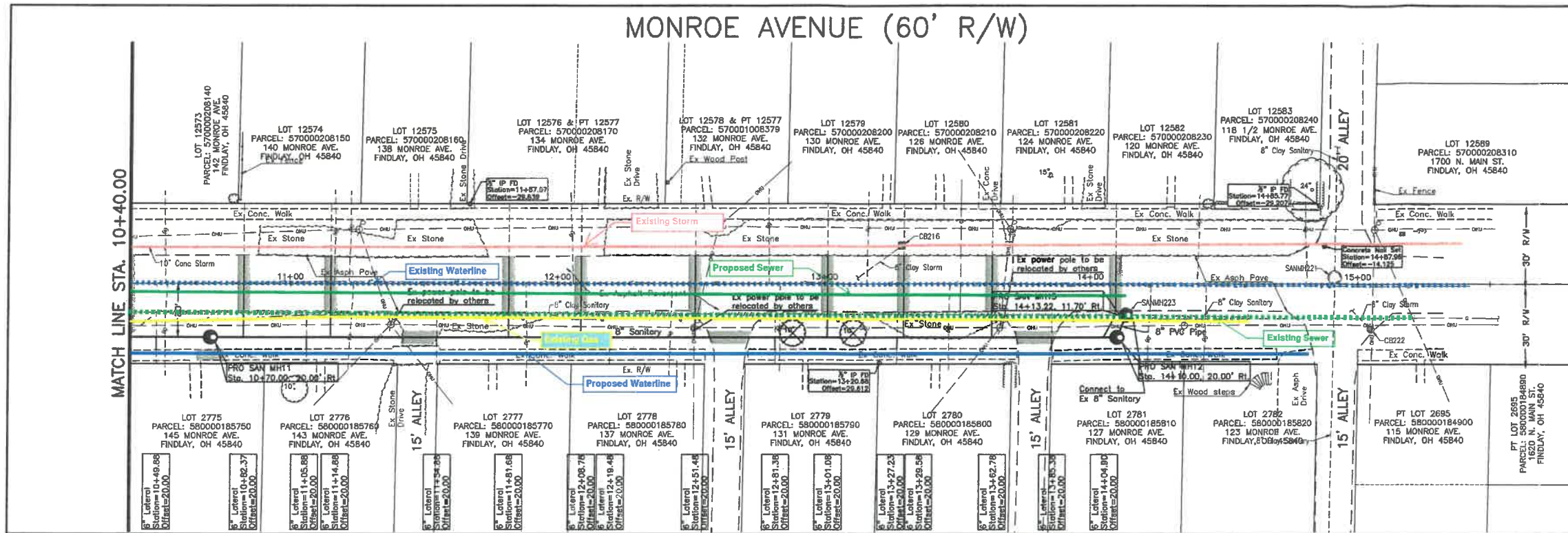
If you have any questions, please feel free to contact me.

Sincerely,

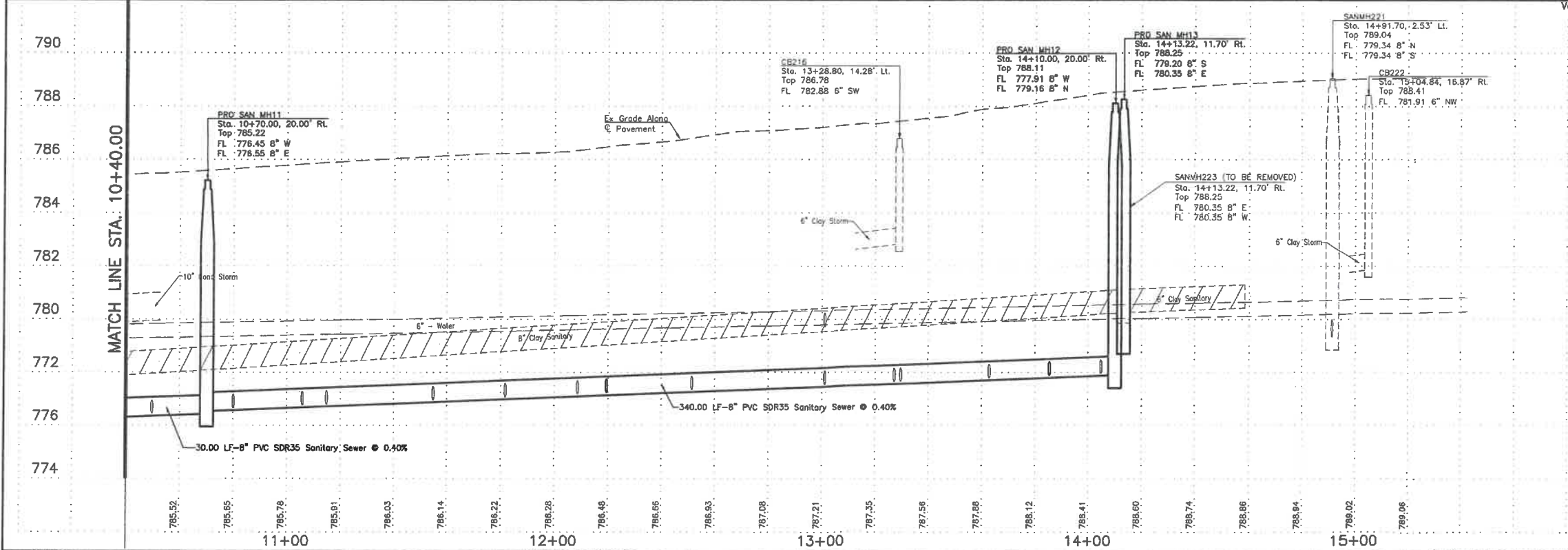

Brian Thomas, PE, PS, CPESC, CFM
City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor

MONROE AVENUE (60' R/W)



Note: The proposed laterals will connect to and replace the existing laterals as shown on the plans. Each proposed lateral is to be connected to the proposed main with a wye connection. Note: Contractor to provide temporary bypass connections if disruption to existing service occurs during installation of proposed sanitary sewer.
 Note: Existing Signs Shall be Removed, Stored, and Reinstalled. Note: Power Poles to be Relocated Shall be Coordinated by City with Utility Company. Note: Ex Sanitary Laterals are 6". Locations Based on The City of Findlay Records. Note: Contractor shall be responsible for locating and establishing depth of all sanitary sewer laterals prior to construction.



PETERMAN ASSOCIATES, INC.
 (419) 422-8672
 REVISION DESCRIPTION
 DATE BY

Calculated by: TMM, DMS, SM
 Checked by: [Signature]

GRAPHIC SCALE
 1" = 20' (1/8" = 1')

PLAN & PROFILE - MONROE AVENUE STA. 10+40.00 TO STA. 15+80.00

SANITARY SEWER REPLACEMENT
MADISON AVENUE & MONROE AVENUE
CITY OF FINDLAY, STATE OF OHIO

Project No
19-0144

8
16

NO SUBCONTRACTOR SHOULD BE PROVIDED WITH A PARTIAL SET OF PLANS FOR EITHER BIDDING OR CONSTRUCTION PURPOSES WITHOUT FIRST TAKING AMPLE TIME TO REVIEW A COMPLETE SET IN ORDER TO DETERMINE FOR THEMSELVES THE INFORMATION AND DOCUMENTATION THEY WISH TO HAVE COPIED. THERE ARE MANY CROSS REFERENCES IN A SET OF CONSTRUCTION DOCUMENTS. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE DESIGN PROFESSIONAL FOR FORMAL CLARIFICATION. SUBCONTRACTORS ARE RESPONSIBLE FOR BIDDING AND CONSTRUCTION IN ACCORDANCE WITH THE COMPLETE CONSTRUCTION DOCUMENTS, NOT SPECIFIC SHEETS. ONLY HAVING A PARTIAL SET OF DRAWINGS SHALL NOT BE ACCEPTED AS AN EXCUSE FOR DELAYS OR INCOMPLETE WORK.

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday, December 10, 2020 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

1. APPLICATION FOR SPECIAL REVIEW #SR-01-2020 filed by Taco Fiesta Hinojosa, 307 Edinborough Drive, Findlay for a pick up window at 224 N Main Street, Findlay.
2. REQUEST TO ZONE LAND UPON ANNEXATION TO THE CITY OF FINDLAY #ZA-11-2020 filed by Amber Waves Development to zone 609 E Bigelow Avenue to I-1 Light Industrial.
3. PRELIMINARY PLAT APPLICATION #PP-01-2020 for Hickory Lake 4th Addition.

ADMINISTRATIVE APPROVALS

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, November 12, 2020 – 9:00 AM

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:

Mayor Christina Muryn
Jackie Schroeder
Dan DeArment
Dan Clinger

STAFF ATTENDING:

Matt Cordonnier, HRPC Director
Judy Scrimshaw, Development Services Planner
Kevin Shenise, Fire Inspector
Brian Thomas, PE, PS, City Engineer,

GUESTS:

Dan Stone, Todd Jenkins, Mr. & Mrs. Richard Rhoton,
David Wilson, Dave Rader, Lou Wilin

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Christina Muryn
Jackie Schroeder
Dan DeArment
Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Dan DeArment made a motion to approve the minutes of the October 8, 2020 meeting. Jackie Schroeder seconded. Motion carried 4-0-0.

Christina Muryn made a motion to remove case #SP-20-2020 from the table. Dan Clinger seconded. Motion passed 4-0-0

ITEMS TABLED AT OCTOBER 8, 2020 MEETING

APPLICATION FOR SITE PLAN REVIEW #SP-20-2020 filed by Dr. Richard Rhoton, 311 Church Hill Dr., Findlay for parking lot expansion to the west of the property and additional detention area at 1113//1115 W. Main Cross Street.

A revised site plan was submitted for this item.

The detention swales have been reduced and will now remain behind the rear building line.

The pavement has been moved from near the front area of the site to the rear of the small garage building and over to the new building. The parking area in front of the main building will still be repaved as in the prior plan.

A 6' privacy fence is shown on the west side of the parcel running from the southwest corner of the small garage building to the swale area. We assume that this will be an area for storage of cars not for sale. Staff recommends that a fence also be added from the southeast corner of that garage along the edge of the new paved area to provide more screening from the street side in case vehicles cannot remain fully behind the garage.

Staff recommends approval with the addition of another section of privacy fence going east/west from the southeast corner of the garage.

DISCUSSION

Matt Cordonnier reported that we had met with the applicants after last month's meeting. Staff does like this layout much better. It will give a better appearance from W Main Cross Street.

Mayor Muryn noted that she went by last week and saw that some paving work was being done. She asked if any work on the façade was happening now. Todd Jenkins stated that they are wrapping up some work now to get their permits from Wood County. He said the pavement in front of the new building is completed and striped. The applicant has moved the cars used for parts away from the roadway. As soon as they can get occupancy, they will move some inside. Mr. Jenkins stated that they did get with Jeff Fort and are working out an agreement to share in the costs of the detention they both need.

Dan Clinger suggested that there should be landscaping from the end of the proposed fence on the west property line behind the garage down to the south property line. Matt Cordonnier noted that if a motion is made on this that we put a date by which the landscaping should be installed in the spring. That will help with enforcement.

Matt Cordonnier asked about the state of the landscaping. Mr. Jenkins replied that they will need to ask permission to forgo most of that until next year due to the fact that it is already November. Dan Clinger asked if there is a legal agreement on the shared detention. Mr. Jenkins replied that they are working on that.

Mr. Clinger also stated that he would like the stone area up front removed and reseeded with grass.

MOTION

Dan Clinger made a motion to **approve APPLICATION FOR SITE PLAN REVIEW # SP-20-2020 for parking lot expansion to the west of the property and additional detention area at 1113//1115 W. Main Cross Street subject to the following conditions:**

- **Additional landscaping added to the southwest corner of the lot from the end of the fence to the property line. All landscaping for the site shall be completed by end of May, 2021**
- **Stone area in northwest corner of the lot is removed and reseeded in grass**
- **A copy of an executed drainage agreement between the Rhoton's and Jeff Fort is submitted to the zoning office**

2nd: Christina Muryn

VOTE: Yay (4) Nay (0) Abstain (0)

NEW ITEMS

1. APPLICATION FOR CONDITIONAL USE #CU-05-2020 filed by Bridges for Freedom LLC to operate a Day Service Program for developmentally disabled persons at 701 E. Melrose Avenue, Findlay.

CPC STAFF**General Information**

This request is located on the south side of E. Melrose Avenue just west of Jennifer Lane. It is zoned R-2 Single Family Medium Density. Property to the east, west and south is also zoned R-2. To the north is zoned M-2 Multiple Family. It is not located within a 100 year flood plain. The City of Findlay Land Use Plan designates the parcel as Multi-Family.

Parcel History

This was the former site of Winebrenner Seminary. In September, 2014 a plan for a Group Home was reviewed and approved by CPC for the site.

Staff Analysis

Bridges for Freedom would like to use a portion of the site for a Day Services program for persons with developmental disabilities. Information in the application states that they will provide activities such as arts and crafts, teach social skills, provide recreational activities, etc.

They told staff that they are using one building and on occasion will use the center chapel building.

The organization also provides in-home services to clients to assist them with daily living skills and general support.

The hours of operation were stated as 9 a.m. to 3 p.m. Monday through Friday. There is no overnight accommodation.

Staff is treating the use as falling under a private education scenario which is a Conditional Use in

the R-2 district.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-05-2020 filed by Bridges for Freedom to operate a Day Service Program for developmentally disabled persons at 701 E. Melrose Avenue, Findlay.**

ENGINEERING

There are no engineering issues with the conditional use.

FIRE PREVENTION

No Comments

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-05-2020 filed by Bridges for Freedom to operate a Day Service Program for developmentally disabled persons at 701 E. Melrose Avenue, Findlay.**

DISCUSSION

Denny Jarret came forward as Employee Supervisor for Bridges for Freedom. Mr. Jarret said that the main building on the west side is where they conduct most activities. The former chapel is now referred to as the Performing Arts Center. They have found that music heals many things.

Dan Clinger asked if there will be an outdoor activity area. Mr. Jarret stated that they do have a golfer. He puts up a golf net and he hits along the south side of a building on the east side of the property that is not useable. They have not really had any outdoor activities here yet. They go off site for a lot of those things now. Dan Clinger asked how many persons they can have. Mr. Jarret replied that State law will only allow them 10 at the moment on site. That includes any office personnel due to COVID.

MOTION

Mayor Muryn made a motion to **approve APPLICATION FOR CONDITIONAL USE #CU-05-2020 filed by Bridges for Freedom LLC to operate a Day Service Program for developmentally disabled persons at 701 E. Melrose Avenue, Findlay.**

2nd: Jackie Schroeder

VOTE: Yay (4) Nay (0) Abstain (0)

2. APPLICATION FOR CONDITIONAL USE #CU-04-2020 filed by RLG Findlay II LTD, 10050 Innovation Drive, Ste. 100, Miamisburg, OH for a pick-up window on the east end of a building located at 1107 Trenton Avenue.

CPC STAFF**General Information**

This request is located on the south side of Trenton Avenue just west of I-75. It is zoned C-2 General Commercial. All abutting parcels are also zoned C-2. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This was formerly the site of Max & Erma's restaurant.

Staff Analysis

The applicant is proposing to add a pick-up only window to the east side of the former Max & Erma's restaurant. The new owner will divide the building into two separate units. The east side is proposed as an approximately 2,100 square foot restaurant space.

The existing entry point for the site is in the southeast corner of the parcel. Traffic flow to the pick-up window should enter and turn left (west), then right (north) and right again (east) to follow the drive aisle closest to the building before entering the pick-up lane. Staff suggests some directional arrows and possibly signage to encourage that pattern. A pick up window only requires space for stacking of 5 vehicles from the access point. The normal access point is considered the right-of-way, or in this case would be the entry. The drawing shows 5 cars in the lane itself and those could extend into the drive aisles.

A 9 ½' wide curbed island will be added to separate the pick-up lane from the drive aisle and parking on the east side. Some existing parking spots are being eliminated for the pick-up aisle, but the site still has 136 spots. That is well over the bare minimum required for the size of the building. (In C-2, 5000 square feet of building only requires 14 spaces.) We assume there will be some dine in space and there is also a proposed patio area shown in the northeast corner.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-04-2020 for a pick up window on the east end of a building located at 1107 Trenton Avenue.**

ENGINEERING

The site will still meet the required parking requirements after the proposed modifications and the pick-up lane has adequate stacking for a pickup window.

Recommendations: Approval of the Conditional Use

FIRE PREVENTION

No Comments

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-04-2020 for a pick-up window on the east end of a building located at 1107 Trenton Avenue.**

DISCUSSION

Dan Stone stated that the traffic for the pick-up window would actually enter and go straight up toward the pick-up lane rather than around the parking spaces. Mr. Clinger asked if maybe the traffic lane on the east side could be directed as one way. Mr. Stone replied that they could probably add some signage or pavement markings to try to direct the traffic that direction. Chipotle will most likely add some pick-up designated parking spots and have to post those anyway. Mr. Stone stated that this is the fourth Chipotle in the state that he has worked on with this prototype.

MOTION

Christina Muryn made a motion to **approve APPLICATION FOR CONDITIONAL USE #CU-04-2020 for a pick up window on the east end of a building located at 1107 Trenton Avenue.**

2nd: Dan DeArment

VOTE: Yay (4) Nay (0) Abstain (0)

3. PETITION FOR ZONING AMENDMENT #ZA-10-2020 filed by David and Jacquelyn Rader to rezone 726 S Blanchard Street from R-4 Duplex/Triplex to C-2 General Commercial.

CPC STAFF

General Information

This request is located on the west side of S. Blanchard Street south of Lincoln Street. It is zoned R-4 Duplex/Triplex. Land to the north and south is zoned C-1 Local Commercial. Land to the west is zoned I-1 Light Industrial and to the east is zoned R-3 Single Family Low Density. The outer perimeter area of the land is located within the 100-year flood plain. It appears that the actual building area is outside the flood plain. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

Parcel History

This is currently the site of a carwash. In August, 2019, the applicant had requested to change the zoning from C-1 Local Commercial to R-4 Duplex/Triplex with the intent of converting the parcel to a duplex unit.

Staff Analysis

The applicant is now requesting to change the zoning to C-2 General Commercial. While there is currently C-1 zoning on this side of Blanchard from the corner of Lincoln and Blanchard south to the creek, the upcoming zoning map amendments show the majority of the S. Blanchard Street frontage which is currently zoned as C-1 going to R-3 Single Family High Density as the uses are a mix of single family and multi-family residential. If the R-4 is no longer viable, Staff could see taking the lot back to C-1 to put the current use in compliance and matching the existing zoning in the area.

Below is the section of the zoning ordinance that lists the permitted and conditional uses in C-2 General Commercial.

The C-2 district permits all uses permitted in O-1 and C-1, in addition to the following uses:

- A. RETAIL TRADE
- B. AUTOMOTIVE SALES
- C. MOTELS AND HOTELS
- D. CINEMAS/THEATERS
- E. COMMERCIAL SCHOOLS
- F. CLUBS
- G. FINANCIAL INSTITUTIONS
- H. SHOPPING MALLS
- I. LUMBER YARDS
- J. PAWN SHOPS
- K. ACCESSORY USES
- L. TAXI SERVICES
- M. FUELING STATIONS
- N. MINOR AUTOMOBILE REPAIR SERVICES

1135.03 CONDITIONAL USE.

In addition to other requirements found in this Ordinance, uses stated below may be permitted or denied depending upon how well they can address various site issues. Common conditions for approving such uses 'conditionally' are located in Chapter **1161.15**.

- A. SPORTS & RECREATIONAL FACILITIES
- B. BARS, NIGHT CLUBS, TAVERNS
- C. FUNERAL SERVICES
- D. OUTDOOR SALE OF BUILDING MATERIALS
- E. DRIVE-THRU BEVERAGE STORES
- F. CONTRACTOR EQUIPMENT, RENTAL, & SUPPLIES
- G. CAR WASHES
- H. DRIVE THRU LANES/WINDOWS
- I. PARKING GARAGES
- J. OFF PREMISE SIGNS
- K. RV SALES
- L. MAJOR AUTO REPAIR
- M. BORROW PITS
- N. MIXED USE COMMERCIAL/RESIDENTIAL

ENGINEERING

The rezoning will not cause an issues with existing utilities or access to the property. Engineering has no objection to the zoning amendment.

FIRE PREVENTION

No Comment

DISCUSSION

The applicant, Dave Rader, stated that the property is in the process of being sold. The sale is contingent on being able to change the zoning to C-2. He had requested the R-4 zoning earlier because someone was interested in turning it into a duplex. That deal, however, fell through.

Dan Clinger asked if there was a reason it had to be C-2 instead of C-1 which it was previously zoned. Mr. Rader replied that the potential buyer needs C-2 to make the deal. He said it has been hard for him to sell because people have a use in mind and it doesn't always fit the current zoning. Ms. Scrimshaw noted that we would assume the use they want is not permitted in C-1 and therefore they need C-2. Mr. Rader replied that the realtor said that the intended use is a small car lot. Mr. Rader noted the Warner lot at the corner of S Blanchard Street and Blanchard Avenue.

Mayor Muryn asked if the new owner would have to come back here for approval for the car lot. Mr. Cordonnier noted that it will depend on what they want to do. They will likely have to come to CPC for something in regard to alteration of the site.

Dan Clinger noted that he has some concerns about other permitted uses like major auto repair. He does not want vehicles sitting outside, etc. Ms. Scrimshaw stated that that is a Conditional Use and would definitely have come back for approval.

Mayor Muryn stated that she would ultimately like to know what would be happening here and that it would not be disruptive to the neighborhood. She also understands that there are multiple commercial properties in the area.

MOTION

Christina Muryn made a motion to **recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-10-2020 to rezone 726 S Blanchard Street from R-4 Duplex/Triplex to C-2 General Commercial.**

2nd: Dan DeArment

VOTE: Yay (4) Nay (0) Abstain (0)

4. APPLICATION FOR SITE PLAN REVIEW #SP-22-2020 filed by Robert Maurer, 445 E Wooster Street, Bowling Green, OH for additional paved parking areas and a new access point onto W. Lima Street for 750 Western Avenue, Findlay.

CPC STAFF

General Information

This request is located on the west side of Western Avenue at the intersection with W. Lima Street. It is currently zoned I-2 General Industrial. Land to the north, south and west is also zoned I-2. To the east is zoned C-1 Local Commercial. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as PMUD Planned Mixed Use Development.

Parcel History

The site was formerly a part of Centrex Corporation. The property was reviewed by CPC in March 2019 to establish a Conditional Use for a fitness facility in a warehouse type building. The rest of the site was formerly office space.

Staff Analysis

The property is currently zoned Industrial, but is proposed to change to C-2 General Commercial on the zoning map update. The new owner wishes to make some improvements to the on-site parking in order to market it.

The paved area on the west side of the building will be expanded to the north and south. It will be striped for parking spaces to allow for 7 spots on the north side and 4 on the south side.

The parking lot on the north side of the building did not really function the way it was laid out. The spaces will now be straight in and a turn area has been provided at the dead end of the lot.

A new row of angled parking will be added to the east side (along railroad tracks). That lot will be entered from the north access from Western Avenue and a new exit is proposed to come out onto Lima Street.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-22-2020 for additional paved parking areas and a new access point onto W. Lima Street for 750 Western Avenue, Findlay.**

ENGINEERING

Access – The proposed parking will be accessed from the existing parking lot. One additional exit will be added to Lima Street.

Water & Sanitary Sewer – No modifications to the existing utility services are being proposed.

Stormwater Management – The proposed detention areas will provide the required detention for the proposed impervious areas being added to the site. While the applicant did add some spot elevations to the plan, engineering still needs additional information to make sure that the runoff will not run off of the property.

MS4 Requirements – The proposed disturbed area is less than one acre so the applicant will not need to comply with the City of Findlay's Erosion & Sediment Control Ordinance, they will still need to comply with all OEPA requirements for a construction project.

Sidewalks – The property has existing sidewalks on Lima Street but no sidewalks are on Western Avenue due to the location of the railroad.

Recommendations: Conditional Approval of the Site Plan with the condition that the applicant has existing elevation information added to the site plan to the satisfaction of the Engineering Department.

The following permits may be required prior to construction:

- Driveway-Curb Cut Permit(s)
- Sidewalk Permit(s)

FIRE PREVENTION

No Comments

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-22-2020 for additional paved parking areas and a new access point onto W. Lima Street for 750 Western Avenue, Findlay subject to the following condition:**

- The applicant has existing elevation information added to the site plan to the satisfaction of Engineering Department. (ENG)

DISCUSSION

Dave Wilson stated that they would have Poggemeyer prior to and during construction check the elevations and make sure that any of the water that has always been on site will stay on site. He commented that the owner appreciates the rezoning. They hope that the new parking and the change of zoning will allow them to find a suitable tenant.

Brian Thomas commented that he understands they will do the checks on site elevation during construction, but he needs that now prior to approval. When you submit a site plan the contractor should be able to take those plans and build from them. That cannot be done in this case. Mr. Thomas stated that he needs the elevations all around the site.

Dan Clinger stated that he also questions the plan without those elevations. How can he say the water does flow one direction and not the other without that. Mr. Clinger stated that he thinks there will be some degree of grading needed.

Dan Clinger stated that he would like this body to be able to review those numbers and perhaps we should table this until we have appropriate information. Brian Thomas asked if Planning Commission approves detention or does Engineering do that. If he gets that information, prior to approving the plans, would that affect the way Planning Commission feels about the site plan. There is still that check that he has to make sure it works if that is a condition of approval today.

MOTION

Mayor Murnyn made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-22-2020 for additional paved parking areas and a new access point onto W. Lima Street for 750 Western Avenue, Findlay subject to the following condition:**

- The applicant has existing elevation information added to the site plan to the satisfaction of Engineering Department. (ENG)

2nd: Dan Clinger

VOTE: Yay (4) Nay (0) Abstain (0)

ADJOURNMENT

Christina Muryn
Mayor

Brian Thomas, P.E., P.S.
Service Director



AUDITOR'S OFFICE

318 Dorney Plaza, Room 313
Findlay, OH 45840-3346
Telephone: 419-424-7101 • Fax: 419-424-7866
www.findlayohio.com

JIM STASCHIAK II
CITY AUDITOR

Tuesday, November 24, 2020

Honorable Members of City Council,

Currently customers of our Water & WPC(Sewer) Funds have various payment options. It is the desire of the Utility Billing Department to add the ability to pay by credit card at the counter.

Fees for various payment methods charged by vendors are charged back to the customer. In order to apply billing practices consistently across all methods of payment a resolution is needed to be passed by Council allowing for the associated credit card fees to be charged to the customer.

Once passed we will be able to schedule installation of the new card readers with the service provider. By copy of this letter it is requested that the Director of Law prepare the necessary legislation to allow for the fees to be charged back to the customers choosing to pay in this manner.

Respectfully,

Jim Staschiak II - City Auditor



Office of the Mayor

Christina Muryn

318 Dorney Plaza, Room 310

Findlay, OH 45840

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

www.findlayohio.com

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

November 24, 2020

Members,

I have been working with Dave Honse investigating options for more cost effectively executing our annual paving programs. The City has made great strides in continuing to coordinate contracts and balance it with work performed by City personnel.

One of our weak points is the cost of milling. For the past two years, the public works department has leased a milling machine for approximately \$50,000/yr to get the bulk of the work done for City SCMR paving projects.

In lieu of a lease, the City could purchase the same equipment for approximately \$370,000. Given the number of hours that the City would use the equipment annually, we expect to get 10 years or more out of this machine. We would also avoid a lease schedule, and would be able to do work as weather and funding permit.

I am informing Council about this now because we have an opportunity to purchase a brand new 2019 unit that would accomplish our goals at a savings of over \$20,000 compared to a 2021 unit.

We are still examining the purchase contract options, trade-in value of older equipment and warranty language. We will be able to provide more detail on this during the public works section of the budget hearing. If it all comes together in acceptable fashion, we will need legislation passed at the last meeting in December.

The contract for purchase is based on a state bid pricing schedule for a BOMAG 1300/300. The payments would come out of the SCMR budget in lieu of an annual lease payment until the equipment is paid off. Under draft agreement terms, we would get the equipment to use in 2021 but no payment is required until January of 2022.

Sincerely,


Paul E. Schmelzer, Safety Director

Cc: Christina Muryn, Mayor
Don Rasmussen, Law Director
Jim Staschiak, Auditor

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
DECEMBER 1, 2020**

RESOLUTION NO. 030-2020 (*CDBG – fair housing services agreement*) **requires three (3) readings** **third reading**
A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY BEGINNING NOVEMBER 1, 2020.

ORDINANCE NO. 2020-126 (*BRWP \$5,000/year renewal for three (3) years*) **requires three (3) readings** **third reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO EXTEND ITS FINANCIAL COMMITMENT TO THE BLANCHARD RIVER WATERSHED PARTNERSHIP (BRWP) OF FIVE THOUSAND DOLLARS (\$5,000.00) PER YEAR FOR CALENDAR YEARS 2021 THROUGH 2023, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-127 **third reading**
(*Law Director budget - more funds for legal svcs (pending litigation & proposed detox facility)*)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-128 (*HRPC provide CDBG program*) **requires three (3) readings** **third reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-134 (*726 S Blanchard St rezone*) **requires three (3) readings** **second reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 726 SOUTH BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R4 DUPLEX/TRIPLEX" TO "C2 COMMERCIAL DISTRICT".

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 1, 2020

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, DECEMBER 1, 2020 MEETING.

RESOLUTIONS

032-2020 A RESOLUTION TO APPROVE CHARGING UTILITY CUSTOMERS A FEE FOR PROCESSING CREDIT/DEBIT CARD PAYMENTS AT THE COUNTER OF THE CITY OF FINDLAY UTILITY BILLING OFFICE.

ORDINANCES

2020-135 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

2020-136 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 032-2020

A RESOLUTION TO APPROVE CHARGING UTILITY CUSTOMERS A FEE FOR PROCESSING CREDIT/DEBIT CARD PAYMENTS AT THE COUNTER OF THE CITY OF FINDLAY UTILITY BILLING OFFICE.

WHEREAS, the City of Findlay currently provides electronic payment services online to its customers and is adding the option of paying at the counter of the Utility Billing Office, and;

WHEREAS, the City of Findlay has entered into an agreement with Official Payments/ACI Worldpay, an entity which provides the means of offering electronic payments to customers, and;

WHEREAS, the City of Findlay shall provide electronic payment options to its customers for a transaction fee no greater than the cost incurred by the City of Findlay per transaction, and;

WHEREAS, IT HAS BEEN DETERMINED THAT Official Payments/ACI Worldpay is the is the electronic payment processor best meeting the needs of the City of Findlay with a proposal to provide electronic payments for a fee per transaction for utility payments made by credit/debit cards;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio, does hereby authorize said agreement to be entered into with Official Payments/ACI Worldpay for the purpose of providing electronic payments to utility customers.

SECTION 1: This Resolution shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2020-135

AN ORDINANCE APPROPRIATING AND TRANSFERRING 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 and transferred:

FROM:	City of Findlay Revolving Loan Fund	\$ 145,000.00
TO:	Dots in Color, Inc. #31904100	\$ 145,000.00

SECTION 2: That the Auditor of the City of Findlay, Ohio is hereby authorized to draw one hundred forty-five thousand dollars and no cents (\$145,000.00) from the Revolving Loan Fund Account held at Fifth Third Bank as expenses are presented for payment.

SECTION 3: 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 and transfer said funds so that the Dots In Color, Inc. may apply said funds towards their working capital.

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. 2020-136

AN ORDINANCE APPROPRIATING AND TRANSFERRING 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 and transferred:

FROM:	Water Fund	\$ 40,000.00
TO:	Madison and Monroe Sewer Replacements <i>Project No. 35691700</i>	\$ 40,000.00

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 and transfer funds so that the aforementioned project may proceed expeditiously,

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 _____