

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

November 1, 2016

COUNCIL CHAMBERS

ROLL CALL of 2016-2017 COUNCILMEMBERS

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Acceptance or changes to the October 18, 2016 public hearing minutes for the amendment to Zoning Code Section 1101.08 (Ordinance No. 2016-091).
- Acceptance or changes to the October 18, 2016 public hearing minutes for 1403 South Blanchard Street rezone (Ordinance No. 2016-093).
- Acceptance or changes to the October 18, 2016 public hearing minutes for 2411 North Main Street rezone (Ordinance No. 2016-092).
- Acceptance or changes to the October 18, 2016 Special Session City Council meeting minutes.
- Acceptance or changes to the October 18, 2016 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS:

Zoning amendment request – 15110 Flag City Drive (Menards)

Tyler Edwards on behalf of Menards would like to change the zoning for 15110 Flag City Drive (aka Menards) to C2 General Commercial. It currently is zoned as R1 Single Family Low Density. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS: - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay Municipal Court Activities Report – September 2016.

Service-Safety Director Paul Schmelzer – WORC facility staffing

Original plans to hire part-time staffing in the WORC facility have not come to fruition. Funds budgeted under personnel must be transferred to cover contract security services for the remainder of the year. Legislation to appropriated funds is requested. Ordinance No. 2016-106 was created.

FROM:	WORC #21019000-personal services	\$ 28,700
TO:	WORC #21019000-other	\$ 28,700

City Planning Commission agenda – November 10, 2016; minutes – October 13, 2016

City Engineer Brian Thomas – Brandman Sewer Diversion & CSO Removal, Project No. 35640900

By authorization of Ordinance No. 2016-10, a bid opening was held for this project on October 3, 2016. Bids were received from two (2) potential contractors with bid amounts of \$142,450 and \$189,200.59. The lowest and best bid was received from Vernon Nagel, Inc. of Napoleon, Ohio. The project is included in the 2016 Capital Improvements Plan. Total project estimate is within the budgeted amount. Previously, \$30,000 was appropriated to the project for design and startup. An appropriation for construction, inspection and contingency is needed to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2016-107 was created.

FROM:	Sewer Fund	\$ 170,000.00
TO:	Brandman Sewer Diversion & CSO Removal, Project No. 35641900	\$ 170,000

City Engineer Brian Thomas – W Hardin St Sewer Separation, Project No. 32542700

By authorization of Ordinance No. 2016-10, a bid opening was held for this project on October 3, 2016. Bids were received from twelve (12) potential contractors with bid amounts of \$143,972.25 and \$189,810.00. The lowest and best bid was received from Hohenbrink Excavating of Findlay, Ohio. The project is included in the 2016 Capital Improvements Plan. Total project estimate is within the budgeted amount. Previously, \$20,000 was appropriated to the project for design and startup. An appropriation for construction, inspection and contingency is needed to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2016-107 was created.

FROM:	OPWC	\$ 124,600.00
	Sewer Fund	\$ 37,700.00
	Sewer Fund – Stormwater restricted account	\$ 37,700.00
TO:	W Hardin St Sewer Separation, Project No. 32542700	\$ 200,000.00

Service-Safety Director Paul Schmelzer – Municipal Court Expansion/Municipal Building Renovations Project No. 31949800

The design build project for the municipal building project is well underway. The Court has requested a few changes to the plan and has determined that additional flooring is required in PD. The Court originally budgeted a maximum of \$500,000 for the remodel project. The original appropriation was \$450,000. Additional funds to complete the requested work are needed. Resolution No. 039-2016 was created.

FROM: Municipal Court Improvements \$ 50,000.00
TO: Municipal Court Expansion/Municipal Building Renovations #31949800 \$ 50,000.00

City Auditor Jim Staschiak – year-end items to transfer/appropriate

The following accounts require an appropriation for this budget year.

FROM: HRC Rehab Debt Service Fund #23060100 \$ 15,000.00
TO: CIT – Capital Improvements restricted account \$ 15,000.00

REASON: the debt service for the HRC Rehab payment was initially paid with Capital Improvements money for 2016. The annual pledged amount has been received from Huntington Bank. This is the ninth (9th) payment out of the ten (10) pledged. This appropriation allows for the use of the contribution to pay the debt and the reimbursement of CIT Capital Improvements.

FROM: CR 236 TIF Fund \$ 71,782.93
TO: CR 236 Widening Debt Service #23060300-other \$ 71,782.93

FROM: CR 236 Widening Debt Service #23060300-other \$ 71,782.93
TO: CIT – Capital Improvements restricted account \$ 71,782.93

REASON: the CR 236 debt payments were appropriated and paid initially by Capital Improvements money for 2016. A total of \$71,782.93 has been received in 2016 of TIF revenue to offset a portion of the 2016 debt payment. These appropriations allow the TIF Fund money to be used for the debt and reimburse Capital Improvements.

FROM: County Permissive Fund \$ 128,880.83
TO: CR 236 Widening Debt Service #23060300-other \$ 91,123.33
CR 236 Land Debt Service #23060200-other \$ 37,757.50

FROM: CR 236 Widening Debt Service #23060300-other \$ 91,123.33
CR 236 Land Debt Service #23060200-other \$ 37,757.50
TO: CIT – Capital Improvements restricted account \$ 128,880.83

REASON: the CR 236 debt payments were appropriated and paid initially by Capital Improvements money for 2016. \$128,880.83 of County Permissive Fund money was withdrawn to pay the 2016 debt payments as an allowable use of the money. These appropriations allow the County Permissive money to be used for the debt and reimburse Capital Improvements.

FROM: Special Assessments Sidewalks #28020000 \$ 629.54
TO: General Fund \$ 629.54

REASON: in 2004, the City made the final debt payment on the 2003 Sidewalk Construction Program, however, there were several assessment deferrals granted at that time in addition to several property owners that had chosen not to pay the assessment. Also, the City made the final debt payment on the 2010 Sidewalk Repair and New Construction projects in 2014. About half (1/2) of the assessed property owners chose not to pay this assessment, therefore, the City had to cover the costs of the debt payments with General Fund money and was to be reimbursed when the property owners finally made payment. This amount represents the amount of money that was received in 2016 for some of these properties. This money now needs to be returned to the General Fund. There are still a few outstanding assessments to be collected from these projects.

FROM: Special Assessments Pavements \$ 6.07
TO: General Fund \$ 6.07

REASON: In 2011, the City made the final debt payment on the Rockwell Avenue Payment Special Assessment, however, there were several assessment deferrals granted at that time in addition to several property owners that had chosen not to pay the assessment. The City had to cover the costs of the debt payments with General Fund money as was to be reimbursed when the property owners finally made payment. This amount represents the amount of money currently showing in the Special Assessments Pavements Fund from collection of delinquency penalties.

FROM: Severance Payout Reserve Fund \$ 50,000.00
TO: Severance Payout #22090000-personal services \$ 50,000.00

REASON: there have been several retirements that have already occurred and some that are scheduled to occur this year that were not included in the original budget figures because the City did not have written notification of the retirements at the time of budget development last fall. These funds are needed to cover the expense of the retirement settlements.

Legislation to appropriate funds is requested. Ordinance No. 2016-109 was created.

Mayor Lydia Mihalik – ADAMHS Board levy

Mayor Mihalik is seeking support of the ADAMHS Board levy, which is on the November 2016 Ballot. The General Assembly passed H.B. 648 in 1967 establishing a community mental health board system and identified the local boards as the local managers of that system. That same year, this community passed the first levy for the ADAMHS Board and has been supporting them every five years since.

The levy is a five (5) year, 1.3 mil Replacement Levy, which is necessary to fund the operations of the ADAMHS Board and its contracting agencies. The present levy expires on December 31, 2017. This new levy would allow for the uninterrupted flow of funds. The levy is anticipated to generate \$2.35 million dollars. The vast majority of these funds are spent with local providers, who provide residents of Hancock County, suffering with mental health and/or addiction issues, with education, treatment, support services and housing.

As you are well aware, the current opioid epidemic threatens to destroy the very fabric of our community and has reached into practically every home. The number of admissions into Blanchard Valley Hospital due to patient overdoses continues to rise each year. We have determined that approximately one in seven Hancock County residents were directly impacted by Levy supported services in FY 2016. That is approximately 10,000 residents.

The Board's mission is to assess the needs of the community and then plan, monitor, fund, and evaluate the necessary services. The Board determines the direction of mental health and substance disorder services and contracts for this support through local providers. Those providers are:

- A Renewed Mind - Adult Outpatient Addiction Treatment.
- Century Health - Adult Crisis Intervention, Residential Treatment, Case Management, Mental Health and Substance Use Disorder Counselling
- Family Resource Center - Youth Crisis Intervention, Youth Mental Health and Substance Use Disorder Counselling, school based Services, and Education
- Focus on Friends- Recovery Support, Peer Support, Recovery Housing
- NAMI of Hancock County- Mental Health Support and Education, Family to Family

Resolution No. 038-2016 was created.

Hancock Regional Planning Commission Director Matt Cordonnier – downtown design review board regulations

HRPC in partnership with The Alliance and the Downtown Findlay Economic Development Task Force has been working closely on conducting an upgrade to the existing Downtown Design Review Board regulations. The City of Findlay created the Downtown Design Review Board in 1993. In 2015, efforts began to update the Downtown Design Review Ordinance. The Ordinance is included. Needs to be referred to Planning & Zoning Committee.

COMMITTEE REPORTS:

A **COMMITTEE OF THE WHOLE** meeting was held on Monday, October 24, 2016, for Toledo-Lucas County Port Authority to provide a presentation on energy special improvement district.

The **WATER AND SEWER COMMITTEE** to whom was referred a request from John Murray and Tom Brown to extend the existing twelve inch (12”) water line approximately eight hundred seventy feet (870”) to his west property line at 10472 TR 94.

We recommend to contribute ten dollars (\$10.00) per linear foot for oversizing material cost for both properties:

- 10472 TR 94 Murray
- 10522 TR 94 Brown

Offer to contribute expires twelve (12) months after approval of City Council. Ordinance No. 2016-111 was created.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 038-2016 (ADAMHS levy renewal)

first reading

A RESOLUTION OF THE FINDLAY CITY COUNCIL SUPPORTING ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES (ADAMHS) PROPOSED LEVY TO PROVIDE FUNDING FOR MENTAL HEALTH AND SUBSTANCE DISORDER SERVICES AND FACILITIES VITAL TO THIS COMMUNITY.

RESOLUTION NO. 039-2016 (Muni Court expansion/Muni Bldg renovations)

first reading

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCES

ORDINANCE NO. 2016-101 (Arts Partnership 10% hotel/motel transient tax)

third reading

AN ORDINANCE DESIGNATING TEN PERCENT (10%) OF THE HOTEL/MOTEL TRANSIENT TAX TO BE DISTRIBUTED TO THE ARTS PARTNERSHIP ON A QUARTERLY BASIS DURING CALENDAR YEARS 2017, 2018 AND 2019 AND APPROPRIATING SAID SUMS AS NECESSARY.

ORDINANCE NO. 2016-105 (415/417 Crystal Ave rezone)

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 415/417 CRYSTAL AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R4 DUPLEX/TRI-PLEX HIGH DENSITY" TO "R2 SINGLE FAMILY MEDIUM DENSITY".

ORDINANCE NO. 2016-106 (WORC facility staffing)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-107 (Brandman and W Hardin St Sewer projects)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-108 (salary ordinance - Carolyn)

first reading

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2016-089, ORDINANCE NO. 2016-071, AS AMENDED AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-109 (year-end appropriations)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-110 (Income Tax estimated payments)

first reading

AN ORDINANCE AMENDING SECTIONS 194.07, 194.10, AND 194.13 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2016-111 (Twp Rd 94 waterline extension)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

ORDINANCE NO. 2016-090 AS AMENDED (prohibit marijuana)

third reading

AN ORDINANCE ENACTING SECTION 513.15 OF THE CITY OF FINDLAY CODIFIED ORDINANCES TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA AND PROHIBITING THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA IN ALL ZONING DISTRICTS IN THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

NEW BUSINESS

PETITION FOR ZONING AMENDMENT

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

We, the undersigned owner(s) of the following legally described property, hereby request consideration of a change in zoning district classification as specified below:

ADDRESS 15110 Flag City Drive SUBDIVISION Flag City Center

LOT No.(s) 1

If a rezoning request involves more than one parcel, City Code requires that the petition be signed by the owners of at least fifty per cent (50%) of the frontage of the lots under consideration. If applicable, owners must fill in the following section:

SIGNATURE	SUBDIVISION	LOT NO.	STREET FRONTAGE

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE Agricultural

PRESENT ZONING DISTRICT R1

PROPOSED ZONING DISTRICT C-2

ATTACH:

- a. Vicinity map showing property lines, streets, and existing and proposed zoning.
- b. List of all property owners within, contiguous to, and directly across the street from the proposed rezoning.

NOTE: COMPLIANCE WITH ABOVE REQUIREMENT IS EXTREMELY IMPORTANT. FAILURE TO NOTIFY ANY PROPERTY OWNER FALLING WITHIN THIS CRITERIA WILL POSSIBLY INVALIDATE THE REZONING ORDINANCE PASSED AS A RESULT OF THIS PETITION.

c. A statement of how the proposed rezoning relates to the Findlay Comprehensive Land Use Plan.

d. Application for Planned Unit Development, City Planning Commission, City of Findlay, Ohio, if applying for a PUD.

Name of Contact Person Tyler Edwards Real Estate Rep Menard, Inc.

Mailing Address 5101 Menard Dr Eau Claire WI 54703

Phone No. (Home) _____ (Business) 715-876-2143

10/19/16
Date


Signature of contact Person
Menard, Inc.

OFFICE USE ONLY

\$250.00 Fee Paid _____ \$100.00 Fee Paid PUD approval _____
Applicable Advertising and Filing Fees Paid _____

Date Petition Submitted to City Council _____

Referral to Planning Commission _____ Referral to Planning & Zoning _____

Planning Commission _____ Disposition _____

Planning & Zoning _____ Disposition _____

Public Hearing Date Set By Council _____

Date of Newspaper Notice _____
(Must be mailed at least 30 days prior to Hearing)

Date of Notice to Abutting Owners _____
(Must be mailed at least 20 days prior to Hearing)

Referred for Legislation: _____

Date of Readings by Council:

First _____ Second _____ Third _____

Action by Council: _____ Ordinance No. _____

Findlay OH Neighboring Property Owner List

Gerald Johnson
7401 County RD 236
Findlay, OH 45840

Woody Heimann
7130 Township RD 212
Findlay, OH 45840

Hancock Wood Electric Cooperative
1399 Business Park Dr PO Box 190
North Baltimore, OH 45872

Menard, Inc.
5101 Menard Drive
Eau Claire, WI 54703

DESCRIPTION PROPOSED REZONING:

Situated in the Township of Marion, County of Hancock and State of Ohio:

And being a part of the East One-half of the Northwest One-quarter of Section 10, Township 1 North, Range 11 East, a tract of land bounded and described as follows:

Beginning at a monument found marking the Northeast corner of the Northwest One-quarter of said Section 10;

Thence along the East line of the Northwest One-quarter of said Section 10, $S00^{\circ}51'27''W$ a distance of 903.76 feet to a mag nail set marking the Northeast corner of said 26.72 acre tract of land as described in Official Record Book 2392, Page 1262 of the Hancock County Deed Records;

Thence along the North line of said 26.72 acre tract of land, $N89^{\circ}08'27''W$ a distance of 1331.10 feet to an iron pin set marking the Northwest corner of said 26.72 acre tract of land;

Thence along the West line of the East One-half of the Northwest One-quarter of said Section 10 and the West line of said 26.72 acre tract of land, $S00^{\circ}43'11''W$, a distance of 874.16 feet to an iron pin set marking the **True Point of Beginning** of the tract hereon described;

Thence $S89^{\circ}16'29''E$ a distance of 150.00 feet to an iron pin set;

Thence parallel with the West line of the East One-half of the Northwest One-quarter of said Section 10 and the West line of said 26.72 acre tract of land, $S00^{\circ}43'11''W$ a distance of 274.89 feet to a point on the South line of said 26.72 acre tract of land and an iron pin set;

Thence along the South line of said 26.72 acre tract of land, $N88^{\circ}33'43''W$ a distance of 150.01 feet to the Southwest corner of said 26.72 acre tract of land and an iron pin set;

Thence along the West line of the East One-half of the Northwest One-quarter of said Section 10 and the West line of said 26.72 acre tract of land, $N00^{\circ}43'11''E$ 273.03 feet to the true point of beginning, containing 0.94 acres of land, more or less.



October 21, 2016

VIA 2 DAY MAIL

City of Findlay Clerk of Council
Attn: Denise DeVore
318 Dorney Plaza Room 114
Findlay, OH 45840

Re: Menards Warehouse Expansion.

Dear Ms. DeVore,

Please find enclosed the rezoning application for a Menards project.

1. Project Narrative (1 Copy);
2. Petition Request (1 Copy);
3. Neighboring Property Owner List (1 Copy);
4. Rezoning Legal Description (1 Copy);
5. Application Fee (1 Copy).

Please let me know if you need anything else. Thank you.

Sincerely,
Menard, Inc.

Tyler Edwards
Real Estate Representative
Menard, Inc. 5101 Menard Drive Eau Claire, WI 54703
O: 715.876.2143 C: 715.579.6699 tedwards@menard-inc.com

Enclosures



October 19, 2016

RE: Findlay OH Rezoning/ Site Plan Review

Menard, Inc. is submitting a rezoning request and a site plan review application for a warehouse expansion project at the Findlay OH store. Menards is in the process of adding covered warehouse space to all of our store locations to upgrade all existing stores to the newest prototype specifications. In Findlay the store and warehouse is very landlocked so the decision was made to purchase property from the neighbors to the east. A portion the property we are buying from one of the neighbors is zoned residential and would need to be rezoned to C-2 Commercial to match the stores zoning district.

The warehouse expansion is fairly simple. A new drive through aisle will be added on to the back of the existing building. The new addition will be the same height as the existing building and will be constructed using the same materials. This new warehouse space will allow Menards to move some of the materials that are currently stored outside and put it under a roof.

The other part of this project is the complete enclosure of the overhang between the loading dock and garden center. This area is mostly enclosed today but has large gaps to let traffic in and out. We plan to close those gaps with green steel to match what is already out there and garage doors for access. This will create a climate controlled storage space for material storage.

The rezoning will bring a portion of the expansion property into the same zoning district as the rest of the Menards site and surrounding properties. All of the neighbors surrounding the rezoning parcel are selling property to Menards as part of the project and are agreeable to the rezoning.

If there are any questions regarding the site plan review or rezoning please contact me. Thank you.

Sincerely,
Menard, Inc.

Tyler Edwards

Real Estate Representative

Menard, Inc. 5101 Menard Drive Eau Claire, WI 54703

O: 715.876.2143 C: 715.579.6699 tedwards@menard-inc.com

EXHIBIT "A"



NORTHEAST CORNER
OF NORTHWEST 1/4
SECTION 10, T1N, R11E

P.O.B.

EAST LINE OF NORTHWEST
1/4, SECTION 10
TOWNSHIP ROAD 212
(60') (PUBLIC R/W)

WOODY T. HEIMANN
7130 TOWNSHIP RD. 212
FINDLAY, OH 45840
TAX ID: 350001013470
ZONING: R1
WARRANTY DEED
INSTRUMENT NO. 200900008161

SHOOP JANE, JOHNSON GERALD L. REV.
TRUST, ROBESON JULIE D., DAVIDEK JODI
A., JOHNSON GERALD L. TRUSTEE
7401 COUNTY RD. 236
FINDLAY, OH 45840
TAX ID: 630001025577
ZONING: C2
WARRANTY DEED
INSTRUMENT NO. 200600007652

FIR 1/2"

S00°43'11"W 874.16'

N89°08'27"W 1331.10'

FIR 1/2"

S00°51'27"W
903.76'

S
MAGNAIL

PARCEL 1
WOODY T. HEIMANN
FINDLAY, OH 45840
TAX ID: 230001028845
26.72 ACRE
1,163,910 SQ. FT.
WARRANTY DEED
O.R. BOOK 2392, PAGE 1262

WOODY T. HEIMANN
0 TOWNSHIP RD. 212
FINDLAY, OH 45840
TAX ID: 230001028759
ZONING: R1
WARRANTY DEED
INSTRUMENT NO. 201100000615

WEST LINE OF THE EAST 1/2
OF THE NORTHWEST 1/4,
SECTION 10

FIR 1/2"

RYAN L. RICKLE
7332 TOWNSHIP RD. 212
FINDLAY, OH 45840
TAX ID: 230001004196
ZONING: R1
WARRANTY DEED
INSTRUMENT NO. 201100007076

T.P.O.B

S89°16'29"E
150.00'

**PROPOSED REZONE
PARCEL**
41,094 SQ. FT.
0.94 AC.

S00°43'11"W
274.89'

N00°43'11"E
273.03'

S IRON

S IRON

FIR 1/2"

FCIR 5/8"

S IRON

N88°33'43"W
150.01'

FIR 1/2"

FIR 1/2"

FIR 1/2"

ROY ENGLAND ETAL
7392 TOWNSHIP RD. 212
FINDLAY, OH 45840
TAX ID: 230000085440
ZONING: R1
WARRANTY DEED
VOLUME 507, PAGE 542

HANCOCK-WOOD ELECTRIC
COOPERATIVE, INC.
FINDLAY, OH 45840
TAX ID: 230001028846
87,114 SQ. FT.
GENERAL WARRANTY DEED
O.R. BOOK 2395, PAGE 1452

MENARD INC.
15110 FLAG CITY DR.
FINDLAY, OH 45840
TAX ID: 630001020026
WARRANTY DEED
INSTRUMENT NO. 200200019303

NOTE:

- SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION.

LEGEND

	PROPERTY LINE
	RIGHT OF WAY LINE
	SECTION LINE
	EX. EASEMENT LINE
	SECTION CORNER
	FOUND IRON PIPE
	FOUND IRON ROD
	FOUND CONC. MONUMENT
	SET IRON ROD
	P.O.B.
	T.P.O.B.

SECTION: 10 T01N - R11E	CLIENT: MENARD, INC.	JOB: 1051-16-7725A
COMMUNITY: MARION	PROJECT: PROPOSED REZONING	DATE: 10-25-16
COUNTY: HANCOCK	METRO CONSULTING ASSOCIATES Relationships Reputation Results 800.525.6016 www.metroca.net	REV.: --
STATE: OHIO		REV.: --
 SCALE: 1" = 200'		BOOK/CREW: TM
		DRAWN BY: TR
		CHECK BY: TM
		SHEET: 1 OF 2

EXHIBIT "A"

DESCRIPTION PROPOSED REZONING:

Situated in the Township of Marion, County of Hancock and State of Ohio:

And being a part of the East One-half of the Northwest One-quarter of Section 10, Township 1 North, Range 11 East, a tract of land bounded and described as follows:

Beginning at a monument found marking the Northeast corner of the Northwest One-quarter of said Section 10;

Thence along the East line of the Northwest One-quarter of said Section 10, S00°51'27"W a distance of 903.76 feet to a mag nail set marking the Northeast corner of said 26.72 acre tract of land as described in Official Record Book 2392, Page 1262 of the Hancock County Deed Records;

Thence along the North line of said 26.72 acre tract of land, N89°08'27"W a distance of 1331.10 feet to an iron pin set marking the Northwest corner of said 26.72 acre tract of land;

Thence along the West line of the East One-half of the Northwest One-quarter of said Section 10 and the West line of said 26.72 acre tract of land, S00°43'11"W, a distance of 874.16 feet to an iron pin set marking the **True Point of Beginning** of the tract hereon described;

Thence S89°16'29"E a distance of 150.00 feet to an iron pin set;

Thence parallel with the West line of the East One-half of the Northwest One-quarter of said Section 10 and the West line of said 26.72 acre tract of land, S00°43'11"W a distance of 274.89 feet to a point on the South line of said 26.72 acre tract of land and an iron pin set;

Thence along the South line of said 26.72 acre tract of land, N88°33'43"W a distance of 150.01 feet to the Southwest corner of said 26.72 acre tract of land and an iron pin set;

Thence along the West line of the East One-half of the Northwest One-quarter of said Section 10 and the West line of said 26.72 acre tract of land, N00°43'11"E 273.03 feet to the true point of beginning, containing 0.94 acres of land, more or less.

SECTION: 10	CLIENT:	JOB: 1051-16-7725A
T01N - R11E	MENARD, INC.	DATE: 10-25-16
COMMUNITY: MARION	PROJECT:	REV.: --
COUNTY: HANCOCK	PROPOSED REZONING	REV.: --
STATE: OHIO	 METRO CONSULTING ASSOCIATES Relationships Reputation Results 800.525.6016 www.metroca.net	BOOK/CREW: TM
		DRAWN BY: TR
		CHECK BY: TM
		SHEET: 2 OF 2

*****CURRENT YEAR*****
 MTD YTD

*****LAST YEAR*****
 MTD YTD

RECEIPTS DEPOSITED:

ALCOHOL MONITORING	\$4,653.16	\$37,317.40	\$2,637.00	\$27,916.10
BOND FEES	\$500.00	\$5,400.00	\$900.00	\$8,005.00
CIVIL DEPOSIT TENDERS	\$500.00	\$8,563.74	\$1,720.00	\$12,444.00
COURT COST	\$68,732.49	\$583,301.93	\$64,165.29	\$581,628.27
DUI ENFORCEMENT	\$4,502.35	\$35,575.68	\$4,221.36	\$35,937.56
ELECTRONIC IMAGING	\$5,544.00	\$44,640.16	\$5,312.76	\$44,019.61
FINES & FORFEITURES	166,844.05	\$1,453,500.71	163,715.98	\$1,470,811.82
FUND REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00
INDIGENT DRIVER ALCOHOL	\$545.60	\$6,226.55	\$572.40	\$6,062.39
INMATE MEDICAL EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00
INTEREST	\$11.07	\$92.28	\$6.81	\$75.01
JAIL HOUSING	\$8,788.00	\$54,707.64	\$1,648.58	\$46,928.60
JAIL REIMBURSEMENT	\$311.00	\$3,511.75	\$224.00	\$2,922.20
LEGAL RESEARCH	\$5.50	\$26.50	\$4.50	\$35.50
MEDIATION	\$1,798.00	\$14,173.00	\$1,697.50	\$14,174.42
MISCELLANEOUS	\$35,494.86	\$282,113.35	\$34,188.99	\$292,576.14
MUNI COURT COMPUTERIZATION	\$5,598.98	\$44,738.66	\$5,313.00	\$44,097.61
MUNI COURT IMPROVEMENT	\$17,798.24	\$132,218.10	\$5,242.50	\$43,372.20
RESTITUTION	\$1,085.93	\$10,600.26	\$1,211.55	\$5,106.49
SPECIAL PROJECTS	\$28,889.02	\$226,621.83	\$20,830.26	\$173,243.91
STATE PATROL	\$27,856.05	\$221,289.63	\$31,465.56	\$263,197.03
TRAFFIC/CRIMINAL BONDS	\$4,459.37	\$63,012.10	\$7,990.26	\$29,483.95
	383,917.67	\$3,227,631.27	353,068.30	\$3,102,037.81

DISTRIBUTIONS:

ALCOHOL MONITORING	\$4,653.16	\$36,992.40	\$2,637.00	\$27,916.10
BOND FEES	\$500.00	\$5,400.00	\$900.00	\$8,005.00
CIVIL DEPOSIT TENDERS	\$360.00	\$7,813.74	\$750.00	\$9,623.50
COURT COST	\$68,666.39	\$582,275.96	\$63,890.29	\$580,879.27
DUI ENFORCEMENT	\$4,502.35	\$35,535.00	\$4,221.36	\$35,937.56
ELECTRONIC IMAGING	\$5,544.00	\$44,601.16	\$5,312.76	\$44,019.61
FINES & FORFEITURES	167,308.60	\$1,448,123.18	164,657.59	\$1,476,553.83
FUND REIMBURSEMENT				
INDIGENT DRIVER ALCOHOL	\$545.60	\$6,226.55	\$572.40	\$6,062.39
INMATE MEDICAL EXPENSE				
INTEREST	\$11.07	\$92.28	\$6.81	\$75.01
JAIL HOUSING	\$8,788.00	\$54,707.64	\$1,648.58	\$46,928.60
JAIL REIMBURSEMENT	\$311.00	\$3,511.75	\$224.00	\$2,922.20
LEGAL RESEARCH	\$5.50	\$26.50	\$4.50	\$35.50
MEDIATION	\$1,798.00	\$14,161.00	\$1,697.50	\$14,174.42
MISCELLANEOUS	\$47,022.23	\$396,312.45	\$41,594.76	\$373,751.37
MUNI COURT COMPUTERIZATION	\$5,598.98	\$44,699.66	\$5,313.00	\$44,097.61
MUNI COURT IMPROVEMENT	\$17,805.24	\$132,137.10	\$5,242.50	\$43,372.20
RESTITUTION	\$1,605.93	\$10,848.55	\$1,048.39	\$4,205.91
SPECIAL PROJECTS	\$28,898.02	\$226,446.83	\$20,830.26	\$173,243.91
STATE PATROL	\$27,817.60	\$220,972.18	\$31,465.56	\$263,140.83
	391,741.67	\$3,270,883.93	352,017.26	\$3,154,944.82

DISTRIBUTED TO:

*****CURRENT YEAR*****
 MTD YTD

*****LAST YEAR*****
 MTD YTD

CITY OF FINDLAY	181,016.10	\$1,500,747.79	142,775.17	\$1,349,611.88
HANCOCK COUNTY	\$25,356.45	\$206,938.58	\$23,185.01	\$210,253.80
OTHERS	112,992.82	\$999,181.86	110,817.49	\$981,908.57
STATE OF OHIO	\$81,650.65	\$638,479.21	\$81,360.74	\$682,637.19
	<u>401,016.02</u>	<u>\$3,345,347.44</u>	<u>358,138.41</u>	<u>\$3,224,411.44</u>

Mark C. Miller

ROBERT A. FRY, JUDGE

Mark C. Miller



JONATHAN P. STARN, JUDGE

DISCLAIMER: RECEIPTS COLLECTED ARE NOT TO BE CONFUSED WITH RECEIPTS DEPOSIT

THE SUPREME COURT OF OHIO
Administrative Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **JONATHAN P STARN**

Report for the month of: **September 2016**

	A	B	C	D	E	F	G	H	I	T
	Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL
Pending beginning of period	1	92	5	284	13	336	58	2	174	965
New cases filed	6	149	41	1400	3	136	42	0	103	1880
Cases transferred in, reactivated or redesignated	0	12	0	48	0	2	0	0	0	62
TOTAL (Add lines 1-3)	7	253	46	1732	16	474	100	2	277	2907
Trial/Hearing by judge (include bindover by preliminary hearing, guilty or no contest pleas and defaults)	0	47	6	94	3	96	11	0	0	257
Hearing by Magistrate (include guilty or no contest pleas and defaults)	0	0	0	19	0	0	0	0	56	75
Transfer (Include waivers of preliminary hearing and individual judge assignments)	0	83	31	87	0	10	2	0	0	213
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	0	0	0	0	0	0	0
Other dismissals (Include dismissals at preliminary hearing)	3	2	0	0	0	17	4	0	32	58
Violations Bureau	0	0	0	982	0	0	0	0	0	982
Unavailability of party for trial or sentencing	0	19	0	54	0	0	0	0	0	73
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	1	0	0	1	2
Other terminations	0	17	0	125	0	0	0	1	1	144
TOTAL (Add lines 5-13)	3	168	37	1361	3	124	17	1	90	1804
Pending end of period (Subtract line 14 from line 4)	4	85	9	371	13	350	83	1	187	1103
Cases pending beyond time guideline	0	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	0	0	0	0	0	0	0	0	0	0

FTP
10/4/16

Fax to:
(614) 387-9419
 -or-
Mail to:
 Court Statistical Reporting Section
 Supreme Court of Ohio
 65 South Front Street, 6th Floor
 Columbus, Ohio 43215-3431

 JONATHAN P STARN

 Date

 Preparer's name and telephone number if other than judge (print or type)

 Date

THE SUPREME COURT OF OHIO
Individual Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **JONATHAN P STARN**

Report for the month of : **September 2016**

Date of completion of most recent physical inventory
02/11/2016

	B	C	D	E	F	G	H	T	V	
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge	
Pending beginning of period	1	215	74	110	3	9	1	0	412	0
New cases filed	2	42	13	40	0	6	1	0	102	0
Cases transferred in, reactivated or redesignated	3	8	1	4	0	0	0	0	13	0
TOTAL (Add lines 1-3)	4	265	88	154	3	15	2	0	527	0
Jury trial	5	0	0	0	0	0	0	0	0	0
Court trial	6	0	0	2	0	0	0	0	2	0
Default	7			0	0	0	0	0	0	0
Guilty or no contest plea to original charge	8	32	13	25					70	0
Guilty or no contest plea to reduced charge	9	4	0	1					5	0
Dismissal for lack of speedy trial(criminal) or want of prosecution (civil)	10	0	0	0	0	0	0	0	0	0
Other Dismissals	11	15	0	12	0	2	0	0	29	0
Transfer to another judge or court	12	0	0	0	0	1	0	0	1	0
Referral to private judge	13			0	0	0	0	0	0	0
Unavailability of party for trial or sentencing	14	9	0	1	0	0	0	0	10	0
Bankruptcy stay or interlocutory appeal	15	0	0	0	0	0	0	0	0	0
Other terminations	16	2	1	1	0	0	0	0	4	0
TOTAL (Add lines 5-16)	17	62	14	42	0	3	0	0	121	0
Pending end of period (Subtract line 17 from line 4)	18	203	74	112	3	12	2	0	406	0
Cases pending beyond time guideline	19	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	20	0	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline	21	0	0	0	0	0	0	0	0	0

FTP 10/4/16

Fax to:
(614) 387-9419
-or-
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431

JONATHAN P STARN Date

Preparer's name and telephone number if other than judge (print or type) Date

JONATHAN P STARN Date

THE SUPREME COURT OF OHIO
Individual Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **MARK C MILLER**

Report for the month of: **September 2016**

Date of completion of most recent physical inventory
03/25/2016

	B	C	D	E	F	G	H	T	V	
	Misdemeanors	O.V.I	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge	
Pending beginning of period	1	192	79	115	0	15	2	0	403	0
New cases filed	2	41	18	47	0	4	1	0	111	0
Cases transferred in, reactivated or redesignated	3	2	1	0	0	0	0	0	3	0
TOTAL (Add lines 1-3)	4	235	98	162	0	19	3	0	517	0
Jury trial	5	0	0	0	0	0	0	0	0	0
Court trial	6	0	0	0	0	0	1	0	1	1
Default	7				0	0	0	0	0	0
Guilty or no contest plea to original charge	8	9	11	17					37	25
Guilty or no contest plea to reduced charge	9	5	0	0					5	3
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	10	0	0	0	0	0	0	0	0	0
Other Dismissals	11	12	1	4	0	3	0	0	20	12
Transfer to another judge or court	12	2	1	2	0	0	0	0	5	0
Referral to private judge	13				0	0	0	0	0	0
Unavailability of party for trial or sentencing	14	6	1	0	0	0	0	0	7	3
Bankruptcy stay or interlocutory appeal	15	0	0	0	0	0	0	0	0	0
Other terminations	16	0	1	0	0	0	0	0	1	1
TOTAL (Add lines 5-16)	17	34	15	23	0	3	1	0	76	0
Pending end of period (Subtract line 17 from line 4)	18	201	83	139	0	16	2	0	441	0
Cases pending beyond time guideline	19	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	20	0	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline	21	0	0	0	0	0	0	0	0	0

FTP 10/4/16

Fax to:
(614) 387-9419
-or-
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431

MARK C MILLER _____ Date _____
Preparer's name and telephone number if other than judge (print or type) _____ Date _____
JONATHAN P STARN _____ Date _____



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

Honorable City Council
Findlay, OH 45840

October 21, 2016

RE: WORC Facility Staffing

Dear Council Members:

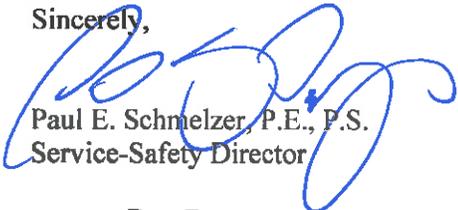
Original plans to hire part-time staffing in the WORC facility have not come to fruition. Funds budgeted under personnel must be transferred to cover contract security services for the remainder of the year.

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

FROM:	WORC 21019000 - personal services	\$28,700
TO:	WORC 21019000 - other	\$28,700

Thank you for your consideration in this matter.

Sincerely,



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

pc: Don Rasmussen
Jim Staschiak

City of Findlay City Planning Commission

Thursday, November 10, 2016 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

ITEMS TABLE AT THE JUNE 9, 2016 MEETING

1. ALLEY/STREET VACATION PETITION #AV-03-2016 filed to vacate an unimproved right-of-way of Connell Avenue running east from Fishlock Drive.

NEW ITEMS

1. PETITION FOR ZONING AMENDMENT #ZA-12-2016 filed to rezone 516 Liberty Street from R-3 Single Family High Density to R-4 Duplex/Triplex.
2. PETITION FOR ZONING AMENDMENT #ZA-13-2016 filed to rezone .94 acres adjacent to the Menard's store from R-1 Single Family Low Density to C-2 General Commercial.
3. APPLICATION FOR PRELIMINARY PLAT #PP-04-2016 filed by George M. Whitson for a Replat of Lot 1 of Interstate West.
4. APPLICATION FOR SITE PLAN REVIEW #SP-20-2016 filed by Philip J Gardner Rev. Trust, 2000 Fostoria Avenue, Findlay for a proposed 48,000 square foot manufacturing facility for Werk-Brau to be located at 2000 Fostoria Avenue.
5. APPLICATION FOR SITE PLAN REVIEW #SP-21-2016, filed by One Energy Enterprises, LLC, 12385 CR 215, Findlay for a two-story, 21,290 square foot office building to be located at the Wind Park at 12385 CR 215.

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, October 13, 2016 - 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: Lydia Mihalik
Paul Schmelzer
Dan DeArment
Jackie Schroeder

STAFF ATTENDING: Judy Scrimshaw, HRPC Staff
Matt Cordonnier, HRPC Director
Brian Thomas, PE, PS, City Engineer
Todd Richard, Zoning Inspector
Matt Pickett, Fire Inspector

GUESTS: Dan Stone, Steve Childers, Tom Shindledecker, John Bauer, Lou Wilin

CALL TO ORDER

ROLL CALL

The following members were present:

Lydia Mihalik
Paul Schmelzer
Dan DeArment
Jackie Schroeder

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 September 8, 2016 meeting. Paul Schmelzer seconded. Motion to accept carried 4-0-0.

ITEMS TABLE AT THE JUNE 9, 2016 MEETING

ALLEY/STREET VACATION PETITION #AV-03-2016 filed to vacate an unimproved right-of-way of Connell Avenue running east from Fishlock Drive.

NEW ITEMS

1. PETITION FOR ZONING AMENDMENT #ZA-11-2016 filed by Steve Childers to rezone 415-417 Crystal Avenue, Findlay from R-2 Single Family Medium Density to R-4 Duplex/Triplex.

HRPC

General Information

The parcel in this request is located on the east side of Crystal Avenue south of Eben Avenue. Di It is currently R -2 Single Family Medium Density. All lots to the north, south and east are also zoned R-2. To the west is zoned I-1 Light Industrial. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Medium Lot.

Parcel History

This is currently the site of a two family home.

Staff Analysis

The applicant is refinancing the property in this request and during the appraisal it was found that the zoning was Single Family. The property had been the site of a mixed use of a single family home and commercial at one time. This was legal non-conforming until the business side went out for over 2 years. According to the Zoning Inspector, there is no change of use permit for a duplex on file. The old zoning was B Residential which could have permitted a two family unit.

The site is two lots plus 15 feet of another lot that make it 115' x 200'. There is a 4 bay garage located in the rear of the lot accessed by the alleyway. There is a great deal of paved driveway along the garage and there is also paved parking just north of the building. A duplex only requires 4 parking spaces, so parking is not an issue for the site.

HRPC Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-11-2016 to rezone 415-417 Crystal Avenue, Findlay from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC recommend **approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-11-2016 to rezone 415-417 Crystal Avenue, Findlay from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

DISCUSSION

None

MOTION

Paul Schmelzer made a motion to recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-11-2016** filed by Steve Childers to rezone 415-417 Crystal Avenue, Findlay from R-2 Single Family Medium Density to R-4 Duplex/Triplex.

2nd: Dan DeArment

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

2. APPLICATION FOR SITE PLAN REVIEW #SP-19-2016 submitted by Hancock County Agricultural Society, 1017 E Sandusky Street, Findlay for a proposed event building and additional parking at the Hancock County Fairgrounds.

HRPC

General Information

This request is located on the south side of E. Sandusky Street and west of Fishlock Avenue. It is zoned P-O Park and Open Space District. To the north is zoned R-1 Single Family Low Density, to the east and south is zoned R-2 Single Family Medium Density and to the west is zoned R-3 Single Family High Density. It is located within the 100 year flood plain. The City Land Use Plan designates the area as PMUD Planned Mixed Use Development.

Parcel History

The project is located on the current Hancock County Fairgrounds site. The land was rezoned to P-O Park and Open Space by City Council in August, 2016.

Staff Analysis

The applicant is proposing to construct a 16,945 square foot event building south of the parking field and west of an existing open building. It will have restrooms, a kitchen, meeting room, storage areas and a large multipurpose room. A covered porch area at the southeast corner will provide some outdoor multipurpose space as well.

The building will sit within the interior of the site, so setbacks will not be an issue. Maximum building height in P-O is 35' and the elevations of the building show a height of 24' at the peak.

Ten paved parking spaces will be added along the front of the building. General parking for building will be handled with the existing parking areas located on the fairgrounds complex.

Todd Richard had indicated that the building may actually already be above BFE (Base Flood Elevation). He will work with the consultant on the Flood Development matters.

Staff Recommendation

HRPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-19-2016** for a proposed event building and additional parking at the Hancock County Fairgrounds, 1017 W. Sandusky Street, Findlay.

ENGINEERING

Access – No changes are being made to the existing access points to the property.

Water & Sanitary Sewer – The applicant is proposing to reroute an existing waterline and sanitary sewer that are in the proposed building area. We do not have an issue with the rerouting but are discussing some minor comments with the consultant that might change their location.

Stormwater Management – Underground detention is being provided for the site and the calculations submitted for review shows that the proposed detention meets City standards.

MS4 Requirements – The applicant will be disturbing less than one (1) acre, so the project will not be required to comply with the City of Findlay’s Erosion and Sediment Control Ordinance.

Sidewalks – There are existing sidewalks on Sandusky Street and Fishlock Avenue.

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

- Consultant work out final utility locations with Engineering

The following permits may be required prior to construction:

- Sanitary Tap Permit
- Storm Tap Permit
- Waterline Tap Permit
- Inspection Fees
- Flood Development Permit

FIRE PREVENTION

The proposed hydrant location is not necessary due to the close proximity of existing hydrants (if the Fire Department Connection is located on the southwest corner of the structure).

-An additional hydrant shall be provided on the north side of the structure if the water line is required to be looped.

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

-A Knox box will be required for this structure.

-Apply for all necessary permits with Wood County Building Department.

STAFF RECOMMENDATION

Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-19-2016 for a proposed event building and additional parking at the Hancock County Fairgrounds, 1017 W. Sandusky Street, Findlay subject to the following conditions:**

- Consultant work out final utility locations with Engineering (ENG)
- The proposed hydrant location is not necessary due to the close proximity of existing hydrants (if the Fire Department Connection is located on the southwest corner of the structure). (FFD)
- An additional hydrant shall be provided on the north side of the structure if the water line is required to be looped. (FFD)
- The final location of the FDC shall be determined by FFD. (FFD)

- A Knox box will be required for this structure. (FFD)
- Apply for all necessary permits with Wood County Building Department. (FFD)

DISCUSSION

Mr. Schmelzer asked Dan Stone if there were any issues on relocation of utilities. Mr. Stone replied no. He stated that the original building was proposed to be larger than this is. With 20 more feet on the west side they can probably push both to the west. That way they will make things a little easier for the connection.

MOTION

Paul Schmelzer made a motion to recommend approval of **APPLICATION FOR SITE PLAN REVIEW #SP-19-2016 for a proposed event building and additional parking at the Hancock County Fairgrounds located at 1027 W. Sandusky Street, Findlay subject to the following condition:**

- Consultant work out final utility locations with Engineering (ENG)
- The proposed hydrant location is not necessary due to the close proximity of existing hydrants (if the Fire Department Connection is located on the southwest corner of the structure). (FFD)
- An additional hydrant shall be provided on the north side of the structure if the water line is required to be looped. (FFD)
- The final location of the FDC shall be determined by FFD. (FFD)
- A Knox box will be required for this structure. (FFD)
- Apply for all necessary permits with Wood County Building Department. (FFD)

2nd: Jackie Schroeder

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

At this time Paul Schmelzer made a motion to lift **ALLEY/STREET VACATION PETITION #AV-03-2016 filed to vacate an unimproved right-of-way of Connell Avenue running east from Fishlock Drive from the table. Mayor Mihalik seconded.**

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

Mr. Schmelzer asked if we had any more information on this item. Judy Scrimshaw reported that she had spoken with the applicant a couple of weeks ago. She had sent him the agenda and he called one day. He stated that he thinks he is getting close with Mr. Chambers. He may end up purchasing the property from him.

Mr. Price stated that he understood if you decided to take it off the agenda. According to Don Rasmussen, the application will still be valid. There was no legislation prepared.

Mr. Schmelzer asked if the applicant has fees incurred. Ms. Scrimshaw stated that only the application fee. She is not sure of the amount. She thinks it is maybe \$100 or less.

Mr. Schmelzer said he would give him one more month. He just doesn't want to set a precedent where we keep items on the table for 6 or 7 months with people who keep saying that they are getting close. He feels there has been adequate time for him to communicate with one property owner.

Mr. Schmelzer made a motion to place **ALLEY/STREET VACATION PETITION #AV-03-2016** filed to vacate an unimproved right-of-way of Connell Avenue running east from Fishlock Drive back on the table. Dan DeArment seconded.

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

Lydia L. Mihalik
Mayor

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

City of Findlay

Lydia Mihalik, Mayor

ENGINEERING DEPARTMENT
318 Dorney Plaza, Room 304 • Findlay, OH 45840
Phone: 419-424-7121 • Fax: 419-424-7120
www.findlayohio.com

October 25, 2016

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

Honorable City Council
Findlay, OH 45840

RE: Brandman Sewer Diversion & CSO Removal, Project No. 35641900

Dear Council Members:

By authorization of Ordinance No. 2016-10, a bid opening was held for the above-referenced project on October 3, 2016. Bids were received from two potential contractors with bid amounts of \$142,450 and \$189,200.59. The lowest and best bid was received from Vernon Nagel, Inc. of Napoleon, Ohio.

The project is included in the 2016 Capital Improvements Plan, and the total project estimate is within the budgeted amount. Previously, an amount of \$30,000 was appropriated to the project for design and startup. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project.

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

FROM:	Sewer Fund	\$170,000
TO:	Brandman Sewer Diversion & CSO Removal, Project No. 35641900	\$170,000

Thank you for your consideration in this matter.

Sincerely,



Brian Thomas
City Engineer

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

City of Findlay

Lydia Mihalik, Mayor

ENGINEERING DEPARTMENT
318 Dorney Plaza, Room 304 • Findlay, OH 45840
Phone: 419-424-7121 • Fax: 419-424-7120
www.findlayohio.com

October 25, 2016

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

Honorable City Council
Findlay, OH 45840

RE: W Hardin St Sewer Separation, Project No. 32542700

Dear Council Members:

By authorization of Ordinance No. 2016-10, a bid opening was held for the above-referenced project on October 3, 2016. Bids were received from twelve potential contractors with bid amounts ranging from \$143,972.25 to \$189,810.00. The lowest and best bid was received from Hohenbrink Excavating of Findlay, Ohio.

The project is included in the 2016 Capital Improvements Plan, and the total project estimate is within the budgeted amount. Previously, an amount of \$20,000 was appropriated to the project for design and startup. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project.

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

FROM:	OPWC	\$124,600	
	Sewer Fund	\$37,700	
	Sewer Fund – Stormwater restricted account	\$37,700	
TO:	W Hardin St Sewer Separation		\$200,000
	Project No. 32542700		

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

Sincerely,



Brian Thomas
City Engineer

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



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

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

October 25, 2016

Honorable City Council
Findlay, OH 45840

RE: Municipal Court Expansion/Municipal Building Renovations
Project No. 31949800

Dear Council Members:

The design-build project for the municipal building project is well underway. The Court has requested a few changes to the plan. We have also determined that additional flooring is required in PD.

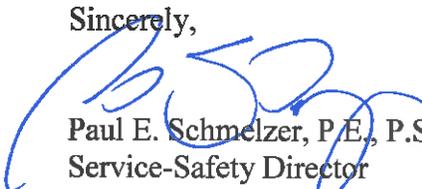
The Court originally budgeted a maximum of \$500,000 for the remodel project. The original appropriation was \$450,000. It is time to transfer the additional funds to complete the requested work.

By copy of this letter, the Law Director is requested to prepare a resolution transferring funds as follows:

FROM:	Municipal Court Improvements #24020000-other	\$50,000
TO:	Muni Court Expansion/Muni Bldg Renovations, #31949800	\$50,000

Thank you for your consideration in his matter.

Sincerely,



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

pc: Don Rasmussen, Law Director
Jim Staschiak, Auditor
Dave Beach, Municipal Court



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

October 24, 2016

The Honorable Council
Findlay, Ohio 45840

SUBJECT: ITEMS TO APPROPRIATE

I respectfully request that the highlighted portion be read into the record.

Dear Council Members:

The following accounts require an appropriation for this budget year. Typically some of these have been included in the transactions that occur for the last council meeting of the year; however, since they have already been identified I would like to complete them now rather than waiting for that meeting. There will still be some transactions that will need to occur for that last meeting, but they cannot be calculated at this time. I have listed below the amount of each request and the corresponding reason for the appropriation or transfer.

An **APPROPRIATION ORDINANCE** is needed for the following:

FROM:	HRC Rehab Debt Service Fund (23060100)	\$15,000.00
TO:	CIT - Capital Improvements restricted account	\$15,000.00

REASON: The debt service for the HRC Rehab payment was initially paid with Capital Improvements money for 2016. We have received our annual pledged amount from Huntington Bank. This is our 9th payment out of the 10 pledged. This appropriation allows for the use of the contribution to pay the debt and the reimbursement of CIT Capital Improvements.

FROM:	CR 236 TIF Fund	\$71,782.93
TO:	CR 236 Widening Debt Service #23060300-other	\$71,782.93

FROM:	CR 236 Widening Debt Service #23060300-other	\$71,782.93
TO:	CIT - Capital Improvements restricted account	\$71,782.93

REASON: The CR 236 Debt payments were appropriated and paid initially by Capital Improvements money for 2016. We have received a total of \$71,782.93 in 2016 of TIF revenue to offset a portion of the 2016 debt payment. These appropriations allow the TIF Fund money to be used to for the debt and reimburse Capital Improvements.

FROM:	County Permissive Fund	\$128,880.83
TO:	CR 236 Widening Debt Service #23060300-other	\$91,123.33
	CR 236 Land Debt Service #23060200-other	\$37,757.50
FROM:	CR 236 Widening Debt Service #23060300-other	\$91,123.33
	CR 236 Land Debt Service #23060200-other	\$37,757.50
TO:	CIT - Capital Improvements restricted account	\$128,880.83

REASON: The CR 236 Debt payments were appropriated and paid initially by Capital Improvements money for 2016. We were able to draw \$128,880.83 of County Permissive Fund money to pay the 2016 debt payments as an allowable use of the money. These appropriations allow the County Permissive money to be used for the debt and reimburse Capital Improvements.

FROM:	Special Assessments Sidewalks (28020000)	\$629.54
TO:	General Fund	\$629.54

REASON: In 2004 the City made the final debt payment on the 2003 Sidewalk Construction Program. However, there was several assessment deferments granted at that time in addition to several property owners that had chosen not to pay the assessment. Also the City made the final debt payment on the 2010 Sidewalk Repair and New Construction projects in 2014. About ½ of the assessed property owners chose not to pay this assessment. The City had to cover the costs of the debt payments with General Fund money and was to be reimbursed when the property owners finally made payment. The \$629.54 represents the amount of money that was received in 2016 for some of these properties. This money should now be returned to the General Fund. There are still a few outstanding assessments to be collected from these projects.

October 24, 2016
Page 3.

FROM:	Special Assessments Pavements	\$6.07
TO:	General Fund	\$6.07

REASON: In 2011 the City made the final debt payment on the Rockwell Avenue Pavement Special Assessment. However, there was several assessment deferments granted at that time in addition to several property owners that had chosen to not pay the assessment. The City had to cover the costs of the debt payments with General Fund money as was to be reimbursed when the property owners finally made payment. The \$6.07 represents the amount of money currently showing in the Special Assessments Pavements Fund from collection of delinquency penalties.

FROM:	Severance Payout Reserve Fund	\$50,000.00
TO:	Severance Payout (22090000-personal services)	\$50,000.00

REASON: There have been several retirements that have already occurred and some that are scheduled to occur this year that were not included in the original budget figures because the City did not have written notification of the retirements at the time of budget development last fall. We need to appropriate this money to cover the expense of the retirement settlements.

By copy of this letter I have asked the Law Director to prepare the necessary legislation.

Respectfully submitted,



Jim Staschiak, II
City Auditor

cc: Lydia Mihalik
Don Rasmussen
Paul Schmelzer

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

October 26, 2016

Honorable City Council
City of Findlay, Ohio

Dear Honorable Council Members:

I am writing this letter, on behalf of the ADAMHS Board, seeking support for its levy, which is on the November 2016 Ballot. The General Assembly passed H.B. 648 in 1967 establishing a community mental health board system and identified the local boards as the local managers of that system. That same year this community passed the first levy for the ADAMHS Board and has been supporting them every five years since.

The levy is a five (5) year, 1.3 mil Replacement Levy, which is necessary to fund the operations of the ADAMHS Board and its contracting agencies. The present levy expires on December 31, 2017. This new levy would allow for the uninterrupted flow of funds. The levy is anticipated to generate \$2.35 million dollars. The vast majority of these funds are spent with local providers, who provide residents of Hancock County, suffering with mental health and/or addiction issues, with education, treatment, support services and housing.

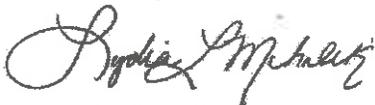
As you are well aware, the current opioid epidemic threatens to destroy the very fabric of our community and has reached into practically every home. The number of admissions into Blanchard Valley Hospital due to patient overdoses continues to rise each year. We have determined that approximately one in seven Hancock County residents were directly impacted by Levy supported services in FY 2016. That is approximately 10,000 residents.

The Board's mission is to assess the needs of the community and then plan, monitor, fund, and evaluate the necessary services. The Board determines the direction of mental health and substance disorder services and contracts for this support through local providers. Those providers are:

- A Renewed Mind - Adult Outpatient Addiction Treatment.
- Century Health - Adult Crisis Intervention, Residential Treatment, Case Management, Mental Health and Substance Use Disorder Counselling
- Family Resource Center - Youth Crisis Intervention, Youth Mental Health and Substance Use Disorder Counselling, school based Services, and Education
- Focus on Friends- Recovery Support, Peer Support, Recovery Housing
- NAMI of Hancock County- Mental Health Support and Education, Family to Family

I respectfully request Council to pass a Resolution of Support for the ADAMHS Board Mental Health Levy. I believe this is essential to the overall health and well-being of our community. Thank you for your consideration of this matter.

Sincerely,



Lydia L. Mihalik
Mayor

Flag City, USA



October 27, 2016

Findlay City Council
318 Dorney Plaza
Findlay, Ohio 45840

Attention: James P. Slough, President

RE: Downtown Design Review Board Regulations

Honorable Members of Council:

Hancock Regional Planning Commission, in partnership with The Alliance and the Downtown Findlay Economic Development Task Force, has been working closely on conducting an update to the existing Downtown Design Review Board regulations. The City of Findlay created the Downtown Design Review Board in 1993. In 2015 efforts began to update the Downtown Design Review Ordinance. Included with the letter is the resulting new ordinance.

I request City Council refer these proposed changes to the appropriate Council Committee for consideration..

Sincerely,

Matt Cordonnier, Director
Hancock Regional Planning Commission

mcordonnier@findlayohio.com
419-424-7094

Design Review Board Responses

Respondent comments in italic

229 N. Main Street

- a. *Will there be a permit fee for a Certificate of Appropriateness?*
- b. *Will existing structures be grandfathered, in the event of damage due to an act of God or fire?*
- c. *Will regular maintenance require a certificate of appropriateness?*
- d. *With technology changing & wearing out, our LED faces will need to be changed. Will that require a certificate review?*
- e. *Will changing an existing static face to a digital face require a certificate review?*

109 E. Sandusky Street

Worried about absentee building owners in downtown Findlay. Full text:

I received and read the new Downtown Design Review Ordinance. As far as I have seen, or heard, all properties within the Design Review District that have been fixed up, have done so in a way as to meet the qualifications for application approval whether applied for or not.

What is being done about properties that are sold/have been sold for investment purposes only? Buyer/s that buy for the sole purpose of turning the building for money, having no intention of setting up a business, making it suitable for renting or renovating the property in a way this ordinance suggests.

Buyers that are financially able to sit on empty buildings for years, asking outrageous prices in the hopes some fool will bite.

These owners have proven over time to have no interest in the cultural improvement or look of the Downtown. I hope this new update will address these existing "investment" owners, and future "investment" owners instead of claiming victory over, or praying on, the owners that have purchased and improved their property/s in exactly the way this ordinance suggests.

622 S. Main Street

"Looks great"

Jody is interested in serving on the board as a business owner if the position should come available

714 S. Main Street

Respondent skipped comment question

334 S. Main Street

"love the idea"

212 E. Sandusky Street

"We feel that is a great idea, but you also need to look at keeping existing properties cleaned up and not looking like eyesores. Like the property just west of us. If we have a well maintained and aesthetically property and any property has weeds, peeling paint, poor signage it will bring down the aesthetics of the well maintained property."

121 B. East Crawford Street

Respondent skipped comment question

208 E. Sandusky Street

Respondent Skipped comment question

203 E. Crawford Street

"How can I get on the Design Review Board? I am an advocate for Downtown Business Development and would like to continue to watch it grow."

f. Buildings owned

- i. 129 E. Crawford/130 E. Sandusky - Kirk Building
- ii. 121 B E. Crawford - leased to The Bourbon Affair
- iii. 121 A E. Crawford - leased to Impact Fitness
- iv. 119 E. Crawford - Commercial and apartments
- v. 113 E. Crawford - Commercial and apartments
- vi. 122 E. Crawford - Findlay Parking Garage
- vii. 320 S. Main St. - Commercial and apartments
- viii. 331 S. Main - sale pending, The Cupboard

g. Comments

- i. "The 45-day approval process for exterior aesthetics could be a deterrent – and possibly a deal breaker – to new businesses, in some cases.
- ii. "It would be helpful to have a list of Acceptable/Unacceptable practices
 1. For businesses to know whether or not this will be a major concern
 2. To make sure that there isn't any impropriety such as a board member delaying a competitor from entering the design review district.
- iii. "We agree with the direction and intention of The Board and are excited about the positive impact they would have on maintaining the charm and appeal of Downtown Findlay – but, we are also apprehensive that the "powers and authority" of The Board are too broad under current definition, and also on the potential negative impact it could have on new businesses under the current timelines allowed to get necessary approvals.

iv. Full text:

Mallett Enterprises is passionate about the revitalization of Downtown Findlay and has purchased several buildings in the Design Review District that would be covered under this Board. We currently own 8 buildings within the District and plan to aggressively pursue potential tenants and other buildings in the hopes of bringing more businesses and people to the downtown area. We believe that we play a crucial role in helping to reduce/eliminate any commercial property vacancies in the Zone and, as such, there are a few concerns we would like to be made known:

The 45-day approval process for exterior aesthetics could be a deterrent – and possibly a deal-breaker – to new business, in some cases. While this is an understandable time frame for major construction projects, it also seems to insinuate that a potential tenant may have to wait 45 days to get approval for something as simple as a signage change – even if there are no plans for anything considered "extravagant" or out of place. For any new real estate transactions, this could be a financial hardship to whomever was responsible for paying rent/lease/mortgage on this building (buyer/seller/tenant) during the review period, as it would be in addition to other closing and construction times and costs. It would be helpful if there were a list of Acceptable/Unacceptable practices that would allow a potential buyer/tenant to know beforehand whether or not this approval process is going to be of major concern – along with an

immediate permit to proceed, pending Board approval, if he/she is confident their exterior signage would more than likely meet The Board's approval.

Another benefit to having the list of Acceptable/Unacceptable practices is to prevent the appearance of impropriety. By definition of The Board, there will be current business owners on The Board. Should a future scenario present itself wherein a sitting Board Member would be a direct competitor of a potential applicant, the applicant would need assurances that there would be no undue delay or negative decision based on the nature of the business – even if that particular Board Member recused himself/herself from voting on that particular application. The list of Acceptable/Unacceptable practices would provide that assurance.

We agree with the direction and intention of The Board and are excited about the positive impact they would have on maintaining the charm and appeal of Downtown Findlay – but, we are also apprehensive that the “powers and authority” of The Board are too broad under current definition, and also on the potential negative impact it could have on new businesses under the current timelines allowed to get necessary approvals.

328 S. Main Street

- 1. 45 days for the Board to respond to an application seems to be too long. 15 days seems more appropriate from a business perspective.*
- 2. The type of plans to be submitted in the application is not specified. Some specifics would be helpful for the business owner.*

237 S. Main Street

In the past, this was enforced (or not) depending upon who you were or knew. I do not like the idea of ANY type of Design Review District because of this. I DO support an Entertainment District and it should be enacted ASAP!

123 E. Crawford Street

Our organization is comfortable with the proposed guideline.

114 W. Lincoln Street

We support the proposed ordinance.

CHAPTER 1373
Design Review Regulations

1373.01 PURPOSE.

The purposes of this chapter are:

- A. To establish procedures whereby certain areas of the City are afforded protection from actions that would be detrimental to the business, residential and cultural resources in the community, and to pursue the following objectives:
 - 1. Maintain and enhance the distinctive aesthetic character of downtown;
 - 2. Encourage development of vacant properties in accordance with the character of the designated districts.
- B. To contribute to the economic and cultural development of Downtown Findlay by:
 - 1. Protecting and enhancing the downtown attraction to prospective residents, businesses and visitors;
 - 2. Strengthening the economy of downtown by stabilizing and improving property values;
- C. Facilitating reinvestment in and revitalization of the central business district.

1373.02 DEFINITIONS.

The following definitions shall apply only to the provisions of the Design Review Regulations of these Codified Ordinances:

- A. "Alter" or "alteration" means any material change in the external features of any property which lies within a Design Review District, including but not limited to removal, construction, new construction, remodeling, exterior painting, or landscaping of real property.
- B. "Applicant" means any owner, owners, person(s), association, partnership or corporation who applies for a Certificate of Appropriateness in order to undertake any change on property subject to this chapter.
- C. "Architectural Feature" means any exterior features that add to the characteristic or design aesthetic of a building or site.
- D. "Change" means any alteration, removal or construction involving any property subject to the provisions of this chapter, including signs.
- E. "Design Review District" means any area within the corporate limits of the City designated by Council to be subject to the provisions of this chapter.
- F. "Design Review Guidelines" means a written set of examples of good and bad design features. The review guidelines are meant to help convey the aesthetic character of the Design Review District. The guidelines, however, are not intended to be a stringent set of regulations.
- G. "Downtown Findlay" is the business, retail and civic center of Findlay, generally bounded by Lima Street to the south, East Street to the east, Center Street to the north, and West Street to the west.
- H. "Member" means any member of the Design Review Board as established under the provisions of this chapter.
- I. "New Construction" means any structures including buildings, signs and monuments; for which the start of construction commenced on or after the effective date of this ordinance.
- J. "Property owner" means the owner or owners of record.

- K. "Real Property" includes lands, tenements and hereditaments.
- L. "Administrator of the Board" shall be a staff member designated by the Design Review Board.

1373.03 DESIGN REVIEW BOARD ESTABLISHED.

A. Composition of the Board

There is hereby established a Design Review Board which shall have the powers and duties as are hereinafter set forth in this chapter. The Board shall consist of seven members and two alternates, who shall be appointed by the Mayor, subject to confirmation from Council. The members of the Board shall be appointed by the Mayor with due regard for the need for balance among the diverse interests including:

1. Any two of the following;
 - a. Architect
 - b. Civil engineer
 - c. Urban planner
2. One of the following:
 - a. Economic Development Professional
 - b. Realtor
3. Current Findlay Resident;
4. Two property owners in the Design Review District;
5. Business Owner in the Design Review District;
6. Two alternates from any of the aforementioned occupations

All members shall be from within the City in order to protect the interests of existing residents and businesses. An alternate may be from any of the aforementioned occupations and shall be considered a member when acting on behalf of a member who is absent or must abstain from a vote. The business owner and property owners must own their business or property within the Design Review District boundaries. If they choose to sell their business or property they may no longer serve on the board. Members shall be appointed to serve three-year terms, except in the initial year when two members shall have a one-year term, two members shall have two-year terms, and three members shall have three-year terms. Members shall serve until their successors have been named and qualified.

B. Attendance

Any member of the Design Review Board that has been absent for two (2) consecutive meetings or more than 1/3 of the total number of regularly scheduled meetings during the previous twelve months, and having been properly advised as to the date, time and place of said meetings may be subject to removal. The Design Review Board will review each case individually to determine if removal is necessary. Upon removal, the Design Review Board will submit a replacement candidate to the Mayor for consideration by City Council.

1373.04 DESIGNATION

The Design Review District shall be confined to properties within the designated area. This will include all property located within the boundaries set forth on the map. Any changes to the Design Review District boundaries must be approved by City Council.

1373.05 DESIGN REVIEW BOARD; POWERS AND DUTIES.

A. Powers

Within the boundaries of any Design Review District established by Council, the Design Review Board shall review any proposed exterior alterations or changes to property as herein defined. The Board's approval of such alteration or change shall be secured before any owner of property may commence work thereon. The extent of the board's reviews and powers are limited to the exterior of the building and site design, the board shall have no oversight of any interior features or systems within a building. The Design Review Board shall also have the power to enforce a minimum set of aesthetic maintenance standards as outlined in 1373.07 of this chapter.

B. Review Guidelines

The Design Review Board will maintain a written set of guidelines that will assist in evaluating proposed alterations. These guidelines will act as a resource to help developers and property owners make alterations that fit into the aesthetic character of the district. The Design Review Board will review and update the guidelines on a regular basis. A majority vote of the membership is required to approve any changes to the guidelines.

In reviewing proposed alterations or changes to property, the Board shall use the following criteria as part of their evaluation. These are covered in greater detail within the Downtown Design Review Board Guidebook:

1. Site Design

- a. Relationship of Building Masses and Spaces - The relationship of a structure within the district to the open space between it and adjoining structures should be compatible
- b. Height - the height of any proposed alteration or construction should be compatible with the style and character of surrounding structures in the district;
- c. Scale - The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in the district;
- d. Landscaping - Landscaping should be compatible with the architectural character and appearance of the district.

2. Building Design

- a. Proportions of windows and doors - The proportions and relationships between doors and windows should be compatible with the architectural style and character of the district;
- b. Materials – Building materials shall be complementary to the character of the district.
- c. Roof Shape - The design of the roof, and cornice should be compatible with the architectural style and character of the district;

- d. New Structures - New structures in the district shall be compatible with the character of the district.
- e. Color –Shall be reviewed for appropriateness.

C. Establishing the Administrator of the Design Review Board

The Design Review Board shall appoint a staff member to act as the board administrator. The Design Review Board Administrator duties include scheduling meetings, preparing meeting packets, issuing permits, maintaining files, and communicating information between the board and applicant. A majority vote of the membership is required to approve the Administrator of the Design Review Board.

D. Establishing Administrative Review

The Design Review Board shall have the authority to give either the Design Review Board Administrator the power of administrative review of small projects. The board will establish a set of criteria to determine what is eligible for administrative approval.

E. Effective Date

Nothing contained herein shall authorize the Design Review Board to require any site design or building design changes which were completed prior to the effective date of this ordinance. However, nothing in this section shall be construed to prohibit the Design Review Board from enforcing aesthetic maintenance items as authorized by 1373.07 Minimum Maintenance Requirement.

1373.05 CERTIFICATE OF APPROPRIATENESS.

A. Meeting Schedule

- 1. The Design Review Board shall meet at minimum once a month. Meetings shall be scheduled in the same week as City Planning Commission to expedite review. The deadline to submit an application for a Certificate of Appropriateness is seven days prior to the meeting. The administrator will have the authority to accept plans after the deadline at his or her discretion.
- 2. Special meetings may be called by the Design Review Board, outside their monthly meeting, to review projects. The purpose of these special meetings is to expedite the review process.

B. Process and Timing

- 1. When the owner of a property or occupant/tenant within a Design Review District intends to construct, reconstruct, or alter any portion of a structure within the District, they shall first apply for and secure a Certificate of Appropriateness from the Design Review Board. The application for a certificate shall be deposited with the Design Review Board Administrator, together with such plans, specifications and drawings needed to convey the scope of the project. The Administrator shall immediately transmit such application to the Design Review Board members.
- 2. Within forty-five days of filing, the Board shall consider the applications, plans and specifications, and determine:
 - a. Whether a Certificate of Appropriateness shall be issued or denied.

- b. If the Design Review Board determines that a Certificate of Appropriateness is not required, it shall cause the administrator to write a letter confirming a Certificate of Appropriateness is not required and return the application, plans and specifications to the applicant.
3. If the Board fails to meet and consider an application within forty-five days of filing, the application shall be deemed approved.
4. In the event that the Design Review Board finds that a significant architectural feature is involved, the Board shall determine whether the proposed construction, reconstruction, alteration is appropriate or whether it has an adverse effect upon the purposes of this chapter or the Design Review District.
5. The Board may require any person applying for a Certificate of Appropriateness to supply additional information with the Board prior to any hearing or determination to properly review the request.
6. If the proposed construction, reconstruction, alteration is determined to have no adverse effect on the Design Review District, and does not violate the spirit and purpose of these regulations, then the Board Administrator shall issue the Certificate of Appropriateness.
7. If the Design Review Board determines that the proposed construction, reconstruction, alteration will have an adverse effect on the Design Review District, or violates the spirit and purposes of these regulations, then the Board shall deny issuance of the Certificate of Appropriateness.
8. In the event that the Design Review Board determines within the forty-five-day review period that a Certificate of Appropriateness shall not be issued, it shall forthwith state in its records reasons for such determination and may include recommendations respecting the proposed construction, reconstruction, alteration of any area, place, building, structure, site, object or work of art. The Administrator of the Board shall forthwith notify the applicant and the Zoning Department of such determination and transmit to him a certified copy of the reasons for denial and recommendations, if any, of the Board.

C. Voting

A majority of the membership of the Board, not including alternates, shall constitute a quorum, and any action or decision of the Board shall have the support of the majority of the quorum present.

D. Appeal Process

Upon the denial of a Certificate of Appropriateness, applicants may:

1. Continue working with the Design Review Board to resolve design issues.
2. Appeal the decision to City Council
 - a. Council may affirm or reverse the Design Review Board decision.
 - b. A simple majority vote by City Council is needed to affirm or reverse a Design Review Board decision.
3. If Council affirms the decision, the denial of the Certificate of Appropriateness will stand.

1373.06 LIMITATIONS ON ISSUANCE OF CERTIFICATES AND PERMITS.

A. Issuance of Certificate

No construction, reconstruction, alteration of any structure or architectural feature thereof in any designated Design Review District shall be undertaken prior to obtaining a Certificate of Appropriateness from the Design Review Board. The Zoning Department shall not issue any additional required permits until a Certificate of Appropriateness has been approved by the Design Review Board. Any projects requiring site plan review may submit to the Design Review Board and Planning Commission simultaneously.

B. Exemptions

1. In instances where building conditions are creating a threat to public health and safety, immediate action to remedy the hazard can occur without a Certificate of Appropriateness.
2. The re-painting of a building using the same color paint does not require a Certificate of Appropriateness.
3. The Design Review District does not apply to any existing single family, duplex or triplex homes located within its boundaries. Additionally the conversion of any single family unit to a duplex or triplex will not be subject to the design review standards. Any newly constructed duplex or triplex completed after the adoption of this ordinance will be subject to the Design Review process. All mixed use residential/commercial structures are subject to this ordinance.

1373.07 MINIMUM MAINTENANCE REQUIREMENT.

A. The Design Review Board has the authority to review properties and require remedies for aesthetic maintenance. This includes:

1. Paint: chipped or faded
2. Awnings: torn, faded, structural failures
3. Windows: cracked, broken, missing.
4. Signs: broken, chipped paint, structural failure
5. Exterior walls and finishes: chipped, cracked, structural failure, or safety concern
6. Landscaping and accessory features: must be maintained and cleared of debris.
7. Vacant lots: must be level at grade, maintained, and cleared of debris.
8. Any other exterior feature not listed above that is in disrepair.

B. The Design Review Board shall execute the following procedures when a property maintenance issue may be present.

1. Complaints shall be filed with the Design Review Board Administrator. The Administrator will gather complaints and information to present at the next scheduled Design Review Board meeting.
2. Upon receipt of a complaint, the Design Review Board shall review and determine if the complaint shall be investigated further. A majority vote of the membership present shall determine if the complaint shall be dismissed

or warrants a hearing with the property owner present. Holding a hearing does not necessarily mean that a violation has occurred.

3. The Design Review Board shall notify the property owner or representative of a potential maintenance violation via certified mail. The property owner will be asked to attend the next Design Review Board meeting to discuss the potential violation. Prior to the conclusion of the meeting, the Design Review Board shall vote to determine if a maintenance violation has occurred and outline steps for remediation. A majority vote of the quorum present is needed to determine if there is a maintenance issue and to outline steps for remediation.
4. If it is determined that a violation exists, the property owner shall have thirty (30) days to fix the violation. The Design Review Board may state a period longer than thirty (30) days when appropriate.
5. If the property owner or representative fails to respond or attend the next Design Review Board meeting to discuss the potential violation, the Design Review Board will proceed without the owners input and prescribe actions for remediation. The board will make reasonable efforts to schedule a meeting with the property owner if they are unable to attend the regularly scheduled monthly meeting.

Failure to remedy the violation as outlined by the Design Review Board within the designated timeframe will result in a violation and will be subject to Penalty Section 1373.99

C. Maintenance Appeal Process

1. To appeal a maintenance violation decision, applicants may seek relief from City Council.
2. Council may affirm or reverse the Design Review Board determination.
3. A simple majority vote by City Council is needed to affirm or reverse a Design Review Board determination.
4. If Council affirms the determination, the maintenance violation will stand.

1373.99 PENALTY.

A. Fines

Whoever constructs, reconstructs, alters, or changes any architectural feature of any structure, work of art, object or area is in violation of this chapter, or shall be deemed in violation. Additionally, anyone failing to implement the prescribed maintenance within the time frame allotted by the board shall be deemed in violation.

Whoever is convicted of or pleads guilty to a violation of any provision in this chapter, upon the first offense, be guilty of a minor misdemeanor. (Up to \$150 per day)

Whoever is convicted of or pleads guilty to a second violation of any provision in this chapter, within twelve (12) months of the first violation, shall be guilty of an unclassified misdemeanor with a maximum penalty of up to \$250 per violation.

Each day of violation shall constitute a separate and distinct violation for as long as one year with respect to alterations.

B. Stop Work Order

1. Whoever constructs, reconstructs, alters, or changes any architectural feature of any structure within the Design Review District without the issuance of a Certificate of Appropriateness shall be issued a stop work order. The stop work order shall:
 - a. Clearly identify the section of law or rules violated.
 - b. Specifically indicate which detail, installation, site preparation, material, appliance, device, addition, alteration to structures, construction documents, assemblages or procedures are necessary to change to comply with the order.
 - c. When issued to stop work, the order shall also clearly indicate the specific work that is required to cease, when the work must cease and the conditions under which the cited work will be permitted to resume. The order to stop work shall be given to the owner of the property involved, to the owner's agent and the person doing the work.
2. Any stop order issued to the property applies to any or all contractors, and material men. Failure to comply with a stop work order is a violation of this chapter and subject to penalties set forth in Chapter 1373.99.
3. Include notice of the procedure for appeal and right to a hearing if requested within thirty days of the mailing of the order. The order shall also indicate that, at the hearing, the owner may be represented by counsel, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against the owner.
4. Specify a reasonable period of time in which to bring the item(s) on the order into compliance.
5. Include the signature of the Secretary of the Design Review Board.
6. The order shall be sent by certified mail, return receipt requested, to the owner and any individual designated as a representative or agent by the owner in such matters.

C. Response to Orders.

The person receiving an order shall exercise their right to appeal within 30 days of the mailing of the order, comply with the order, or otherwise be released from the order by the Secretary of the Design Review Board.

D. Prosecution and Penalties.

When an owner fails to comply with subsection (2) hereof, the owner may be prosecuted and is subject to the penalty provided in Section 1373.99

E. Unlawful Continuance.

Failure to cease work after receipt of an order to stop work is hereby declared a public nuisance. (OBC 109)

Original/Existing Ordinance

Not mailed out.

Provided Internet Links to document.

CHAPTER 1373
Design Review Regulations

1373.01 PURPOSE.

The purposes of this chapter are:

(a) To establish procedures whereby certain areas of the City are afforded protection from actions that would be detrimental to preserving established historical and cultural resources in the community, and to pursue the following objectives:

(1) Maintain and enhance the distinctive character of historic buildings and historic areas in the City;

(2) Safeguard the architectural integrity of the City's listed properties and historic resources within designated districts;

(3) Seek alternatives to demolition or incompatible alterations within designated areas before such acts are performed;

(4) Encourage development of vacant properties in accordance with the character of the designated districts.

(b) To contribute to the economic, cultural and educational development of the City by:

(1) Protecting and enhancing the City's attractions to prospective residents, businesses and visitors;

(2) Providing support and stimulus to business and industry;

(3) Strengthening the economy of the City by stabilizing and improving property values;

(4) Facilitating reinvestment in and revitalization of certain older districts and neighborhoods.

(Ord. 1993-2. Passed 2-2-93.)

1373.02 DEFINITIONS.

The following definitions shall apply only to the provisions of the Design Review Regulations of these Codified Ordinances:

(a) "Alter" or "alteration" means any material change in the external architectural features of any property which lies within a Preservation District, including demolition, removal or construction, but not including the landscaping of real property.

(b) "Applicant" means any owner, owners, person(s), association, partnership or corporation who applies for a certificate of appropriateness in order to undertake any change on property subject to this chapter.

(c) "Change" means any alteration, demolition, removal or construction involving any property subject to the provisions of this chapter, including signs.

(d) "Preservation District" means any area within the corporate limits of the City designated by Council to be subject to the provisions of this chapter.

(e) "Member" means any member of the Design Review Board as established under the provisions of this chapter.

(f) "Review Board" means the Design Review Board established under the provisions of this chapter.

(Ord. 1993-2. Passed 2-2-93.)

1373.03 DESIGN REVIEW BOARD ESTABLISHED.

There is hereby established a Design Review Board which shall have the powers and duties as are hereinafter set forth in this chapter. The Board shall consist of seven members, who shall be

appointed by the Mayor, subject to confirmation from Council. The members of the Board shall be appointed by the Mayor with due regard for the need for balance among the diverse interests including:

- (a) An architect;
- (b) A realtor;
- (c) A councilman or his/her appointed representative;
- (d) An historian;
- (e) A member of the Preservation Guild; and
- (f) Two property owners in the Central Business District.

All members shall be from within the City, in order to encourage historic conservation and preservation of resources, while also protecting the interests of existing residents and businesses. Members shall be appointed to serve three-year terms, except in the initial year when two members shall have one-year terms, two members shall have two-year terms, and three members shall have three-year terms. Members shall serve until their successors have been named and qualified. A majority of the membership of the Board shall constitute a quorum, and any action or decision of the Board shall have the support of such a majority of its members. (Ord. 1993-2. Passed 2-2-93.)

1373.04 DESIGN REVIEW BOARD; POWERS AND DUTIES.

Within the boundaries of any Preservation District established by Council, the Design Review Board shall review any proposed alterations or changes to property as herein defined. The Board's approval of such alteration or change shall be secured before any owner of property may commence work thereon. In reviewing proposed alterations or changes to property, the Board shall use as evaluative criteria the ten federal standards established by the Secretary of the U.S. Department of the Interior as follows:

(a) Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.

(b) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

(c) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

(d) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.

(f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different elements from other buildings or structures.

(g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

(h) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

(i) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural materials, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

(j) Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

(Ord. 1993-2. Passed 2-2-93.)

1373.05 LIMITATIONS ON ISSUANCE OF CERTIFICATES AND PERMITS.

No construction, reconstruction, alteration or demolition of any structure or significant exterior architectural feature thereof in any designated Preservation District shall be undertaken prior to obtaining a certificate of appropriateness from the Design Review Board and a certificate of occupancy from the Zoning Department. No certificate of occupancy shall be issued by the Zoning Department for the construction, reconstruction, alteration or demolition of any area, place, site, building, structure, object or work of art within a designated Preservation District unless the application for such permit is approved by the Design Review Board through the issuance of a certificate of appropriateness in the manner prescribed herein.

(Ord. 1993-2. Passed 2-2-93.)

1373.06 CERTIFICATE OF APPROPRIATENESS.

(a) When the owner of a property within a Preservation District intends to construct, reconstruct, alter or demolish any portion of a structure within the District, he shall first apply for and secure a certificate of appropriateness from the Design Review Board. The application for a certificate shall be deposited with the City's Zoning Officer, together with such plans, specifications and other material as the DRB may from time to time prescribe. The Zoning Officer shall immediately transmit such application to the secretary of the Design Review Board.

(b) Within thirty days of filing, the Board shall consider the applications, plans and specifications, and determine:

- (1) Whether any exterior architectural feature is involved and
- (2) Whether a certificate of appropriateness shall be issued or denied.

If the DRB determines that no architectural feature is involved, it shall cause the secretary to endorse the certificate of appropriateness and return the application, plans and specifications to the applicant. If the Board fails to act on an application within thirty days of filing, the application shall be deemed approved.

(c) In the event that the Design Review Board finds that an architectural feature is involved, the Board shall determine whether the proposed construction, reconstruction, alteration or demolition is appropriate or whether it has an adverse effect upon the purposes of this chapter or the Preservation District. In making such determination, the Board shall refer to the Secretary of the Interior's "Standards for Rehabilitation" as quoted herein. In the case of archeological

properties, the Board shall refer to the Advisory Council on Historic Preservation's "Treatment of Archaeological Properties: A Handbook".

(d) The Board may require any person applying for a certificate of appropriateness or request any person whose interests appear adverse to those of the applicant, to file with the Board prior to any hearing or determination, information concerning the applicant's intentions, or such adverse person's interests or intentions.

(e) If the proposed construction, reconstruction, alteration or demolition is determined to have no adverse effect on the Preservation District, and does not violate the spirit and purpose of these regulations, then the Board secretary shall issue the certificate of appropriateness.

(f) If the Design Review Board determines that the proposed construction, reconstruction, alteration or demolition will have an adverse effect on the Preservation District, and does violate the spirit and purposes of these regulations, then the Board shall deny issuance of the certificate of appropriateness.

(g) In the event that the Design Review Board determines within the thirty-day review period that a certificate of appropriateness shall not be issued, it shall forthwith state in its records reasons for such determination and may include recommendations respecting the proposed construction, reconstruction, alteration or demolition of any area, place, building, structure, site, object or work of art. The secretary of the Board shall forthwith notify the applicant and the Zoning Department of such determination and transmit to him a certified copy of the reasons for denial and recommendations, if any, of the Board.

(h) Upon denying a certificate of appropriateness, the Board shall impose a waiting period of at least thirty days, but not to exceed six months from the date of disapproval, during which time the Board shall negotiate with the owner of the property in order to develop a compromise proposal acceptable to both. The first meeting between the Board and the applicant shall be held within thirty days from the date of disapproval. If a compromise proposal is accepted by both parties, the Board may henceforth issue a certificate of appropriateness.

(i) In the case of a denial of a certificate of appropriateness for demolition:

(1) The Board and the applicant shall undertake meaningful and continuing discussion during the waiting period in order to find a means of preserving the property. The Board and the applicant shall investigate the feasibility of all means of preserving the listed property. If the Board and the applicant do not agree on a means of preserving the structure at the initial meeting, then they must continue to undertake meaningful and continuing discussions for the purpose of finding a method of saving the structure, and such good faith meetings shall be held at least every forty-five days after the initial meeting.

(2) If the applicant fails to meet with the Board in good faith, at the time specified, then the Board denial of the application will stand.

(3) If, after holding such good faith meeting in the waiting period specified by the Board, the Board determines that failure to issue a certificate of appropriateness will create a substantial hardship to the applicant and that such certificate may be issued without substantial detriment to the public welfare and without substantial deviation from the purposes of this chapter, then and in such event, the secretary of the Board shall issue a certificate of appropriateness for such proposed demolition.

(4) If, after holding such good faith meetings in the waiting period specified by the Board, no alternative property use is developed or no offer to save the structure is made by the applicant, the Board or a third party, then the applicant may appeal the decision to Council.

Council may affirm or reverse the Board decision. If Council affirms the decision, the denial of the certificate of appropriateness will stand.

(j) In the case of a denial of a certificate of appropriateness for construction, reconstruction or alteration:

(1) The Board and the applicant shall undertake meaningful and continuing discussion during the waiting period in order to find an alternative to incompatible new construction, reconstruction or alteration within a Preservation District. If the Board and applicant do not agree on an alternative solution at the initial meeting, then they must continue to undertake meaningful discussions for the purpose of seeking a compromise solution, and such good faith meetings shall be held at least every forty-five days after the initial meeting.

(2) If the applicant fails to meet with the Board in good faith in the time specified, then the Board denial of the application will stand.

(3) If, after holding such good faith meetings in the waiting period specified by the Board, the Board determines that failure to issue a certificate of appropriateness will create a substantial hardship to the applicant and that such certificate may be issued without substantial detriment to the public welfare and without substantial deviation from the purposes of this chapter, then and in such event, the secretary of the Board shall issue a certificate of appropriateness, for such proposed construction, reconstruction or alteration.

(4) If, after holding such good faith meetings in the waiting period specified by the Board, no alternative solution to incompatible construction, reconstruction or alteration is reached, then the applicant may appeal the decision to Council. Council may affirm or reverse the Board decision. If Council affirms the decision, the denial of the certificate of appropriateness will stand.

(Ord.1993-2. Passed 2-2-93.)

1373.07 MINIMUM MAINTENANCE REQUIREMENT.

The owner of an historic structure or any structure within Preservation District, if such structure is vacant and uninhabited, shall provide sufficient maintenance and upkeep for such structure to ensure its perpetuation and to prevent its destruction by deterioration.

(Ord.1993-2. Passed 2-2-93.)

1373.99 PENALTY.

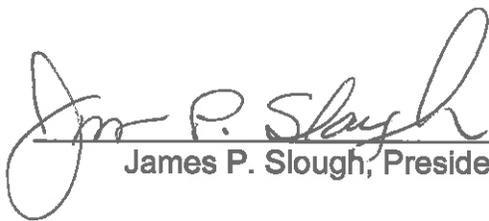
Whoever constructs, reconstructs, alters, changes or demolishes any exterior feature of any structure, work of art, object or area in violation of this chapter, or whoever maintains, changes or installs a sign in violation of this chapter, shall be deemed in violation of the City Zoning Code and such violation shall be punishable under Section [1125.99](#) of the Zoning Code. Each day of violation shall constitute a separate and distinct violation for as long as one year with respect to alterations and for as long as two years with respect to demolitions. These periods correspond to those during which the Board may delay a proposed alteration or demolition.

(Ord.1993-2. Passed 2-2-93.)

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A **COMMITTEE OF THE WHOLE** meeting was held on Monday, October 24, 2016, for Toledo-Lucas County Port Authority to provide a presentation on energy special improvement district.



James P. Slough, President of Council

COMMITTEE OF THE WHOLE

DATED: October 24, 2016

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **WATER AND SEWER COMMITTEE** to whom was referred a request from John Murray to extend the existing twelve inch (12") water line approximately eight hundred seventy feet (870") to his west property line at 10472 TR 94.

C. TOM BROWN

We recommend

Contribute \$10.00 per lin. foot for oversizing material cost
For both properties

10472 TR 94 Murray
10822 TR 94 Brown

offer to contribute Expires 12 months after approval of
City Council.

Aye Nay

[Signature]
Holly Frische, Chairman

LEGISLATION: _____

Aye Nay

[Signature]
R. Ronald Monday

DATED: October 25, 2016

Aye Nay

[Signature]
Tim Watson 1st

COMMITTEE:
WATER & SEWER

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
November 1, 2016**

ORDINANCE NO. 2016-090 AS AMENDED *(prohibit marijuana)*

third reading

AN ORDINANCE ENACTING SECTION 513.15 OF THE CITY OF FINDLAY CODIFIED ORDINANCES TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA AND PROHIBITING THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA IN ALL ZONING DISTRICTS IN THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2016-101 *(Arts Partnership 10% hotel/motel transient tax)*

third reading

AN ORDINANCE DESIGNATING TEN PERCENT (10%) OF THE HOTEL/MOTEL TRANSIENT TAX TO BE DISTRIBUTED TO THE ARTS PARTNERSHIP ON A QUARTERLY BASIS DURING CALENDAR YEARS 2017, 2018 AND 2019 AND APPROPRIATING SAID SUMS AS NECESSARY.

ORDINANCE NO. 2016-105 *(415/417 Crystal Ave rezone)*

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 415/417 CRYSTAL AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R4 DUPLEX/TRI-PLEX HIGH DENSITY" TO "R2 SINGLE FAMILY MEDIUM DENSITY".

ORDINANCE NO. 2016-090, AS AMENDED

AN ORDINANCE ENACTING SECTION 513.15 OF THE CITY OF FINDLAY CODIFIED ORDINANCES TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA AND PROHIBITING THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA IN ALL ZONING DISTRICTS IN THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

WHEREAS, on June 8, 2016, Substitute HB No. 523, was passed by the 131st Ohio General Assembly and thereupon signed by Governor Kasich, June 9, 2016, authorizing the use of marijuana for medical purposes and establishing the medical marijuana control program; and,

WHEREAS, 131 Sub. H.B. 523, among other things, requires that the Ohio Department of Commerce and State Board of Pharmacy administer a Medical Marijuana Control Program; permits a patient, upon the recommendation of a physician, to use medical marijuana to treat a qualifying medical condition; permits state regulatory oversight of the cultivation, processing, retail sale, use and physician recommendation of medical marijuana; authorizes the legislative authority of a municipal corporation or a board of township trustees to adopt regulations to prohibit or limit the number of retail medical marijuana dispensaries; and prohibits a cultivator, processor, retail dispensary, or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground, or public park; and,

WHEREAS, upon enactment of 131 Sub. H.B. 523 requires the creation of a state board that will, in time, determine a regulatory scheme to provide for the just and proper regulation of medical marijuana; and,

WHEREAS, marijuana (cannabis) is listed with the Drug Enforcement Administration as a Schedule I drug having “no currently accepted medical use and a high potential for abuse” as of the date this ordinance was introduced, and,

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipal corporations have the power to adopt legislation deemed necessary and proper to protect the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting areas used for businesses and trades; and,

WHEREAS, the Act included the adoption of Ohio Revised Code Section 3796.29, which authorized the legislature of a municipal corporation to adopt by Ordinance restrictions including the complete prohibition of cultivators, processors or retail dispensaries within said municipal corporation; and,

WHEREAS, this City Council has determined it to be in the best interest of the community health, safety and welfare to prohibit any cultivation, processing or retail dispensing of marijuana, including for medical purposes, in any form within the City of Findlay for a period of two (2) years from the effective date of H.B. 523, September 8, 2016.

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

SECTION 1: Cultivation, processing, or retail dispensing of marijuana for medical purposes is hereby specifically prohibited anywhere within the City of Findlay for a period of two (2) years from the effective date of H.B. 523, September 8, 2016.

SECTION 2: That the operation of medical marijuana cultivators, processors and retail dispensaries, as defined by the Ohio Revised Code, is banned and strictly prohibited in all zoning districts in the City of Findlay or anywhere within the City of Findlay Corporation Limits, as allowed by Ohio Revised Code Section 3796.29 for a period of two (2) years from the effective date of H.B. 523, September 8, 2016.

SECTION 3: That section 513.15 be enacted to read as follows:

513.15 CULTIVATION, PROCESSING, OR DISPENSING OF MEDICAL MARIJUANA

513.15(A) DEFINITIONS.

As used in this chapter:

- (1) "Marijuana" means marihuana as defined in section 3719.01 of the Ohio Revised Code.
- (2) "Medical marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

513.15(B) CULTIVATING, PROCESSING, OR DISPENSING MEDICAL MARIJUANA PROHIBITED.

No person shall cultivate, process, dispense or sell medical marijuana in the City of Findlay.

513.15(C) PENALTY.

Whoever violates any section of this chapter is guilty of a misdemeanor of the first degree. Each day that person continues to violate this chapter shall constitute a separate and complete offense.

SECTION 4: That the City of Findlay Zoning Ordinance be amended to prohibit all medical marijuana cultivators, processors and retail dispensaries in all zoning districts.

SECTION 5: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and for the further reason that the health, safety and welfare of the community dictates that the prohibition of cultivation, processing or retail dispensing of marijuana for medical purposes be legislatively prohibited until proper rules and regulations regulating medical marijuana have been adopted by the state board.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

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

NOVEMBER 1, 2016

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, NOVEMBER 1, 2016 MEETING.

RESOLUTIONS:

- 038-2016 A RESOLUTION OF THE FINDLAY CITY COUNCIL SUPPORTING ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES (ADAMHS) PROPOSED LEVY TO PROVIDE FUNDING FOR MENTAL HEALTH AND SUBSTANCE DISORDER SERVICES AND FACILITIES VITAL TO THIS COMMUNITY.
- 039-2016 A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCES

- 2016-106 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2016-107 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2016-108 AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2016-089, ORDINANCE NO. 2016-071, AS AMENDED AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.
- 2016-109 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2016-110 AN ORDINANCE AMENDING SECTIONS 194.07, 194.10, AND 194.13 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.
- 2016-111 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 038-2016

A RESOLUTION OF THE FINDLAY CITY COUNCIL SUPPORTING ALCOHOL, DRUG ADDITION AND MENTAL HEALTH SERVICES (ADAMHS) PROPOSED LEVY TO PROVIDE FUNDING FOR MENTAL HEALTH AND SUBSTANCE DISORDER SERVICES AND FACILITIES VITAL TO THIS COMMUNITY.

WHEREAS, ADAMHS is in need of a proposed tax levy so that they may continue to provide and maintain mental health services, substance disorder services and facilities which are vital to this community, and;

WHEREAS, this Council wishes to go on record as supporting said levy.

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

SECTION 1: That this Council supports and advocates for the passage of said levy so that ADAMHS may continue to provide and maintain the aforementioned services and facilities.

SECTION 2: 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 _____

RESOLUTION NO. 039-2016

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Auditor is authorized to appropriate the following sums and to transfer said sums to the following accounts and/or projects:

FROM:	Municipal Court Improvements (#24020000-other)	\$ 50,000.00
TO:	Municipal Building Renovations project #31948000	\$ 50,000.00

SECTION 2: This Resolution 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 make said transfer so that this project may proceed expeditiously,

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 _____

ORDINANCE NO. 2016-106

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: WORC #21019000-personnel services	\$ 28,700.00
TO: WORC #21019000-other	\$ 28,700.00

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 funds so that contracted security services for the remainder of this year may be paid as they become due,

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. 2016-107

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	\$ 170,000.00
TO:	Brandman Sewer Diversion & CSO Removal <i>Project #35641900</i>	\$ 170,000.00
FROM:	OPWC	\$ 124,600.00
	Sewer Fund	\$ 37,700.00
	Sewer Fund – Stormwater Restricted Account	\$ 37,700.00
TO:	W Hardin St Sewer Separation <i>Project No. 32542700</i>	\$ 200,000.00

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 funds so that aforementioned projects 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 _____

ORDINANCE NO. 2016-108

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2016-089, ORDINANCE NO. 2016-071, AS AMENDED AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, 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: REPEAL

That Ordinance No. 2016-089, Ordinance No. 2016-071, as amended and all other Ordinances and/or parts of Ordinances in conflict herewith be repealed and Ordinance No. 2016-108 is hereby enacted establishing Job Classifications, Pay Ranges, Salary Schedules and other matters that may affect pay for all non-elected officers and employees of the City of Findlay, Ohio.

SECTION 2: UNCLASSIFIED SERVICE OF CIVIL SERVICE

The unclassified service of the civil service of the City shall include:

- A. All officers elected by the people.
- B. All directors or heads of departments.
- C. All officers and members of boards and commissions whose appointment is subject to concurrence by Council.
- D. One administrative assistant to each elective officer and the various directors or heads of departments, the Deputy Auditor and one secretary and one assistant or clerk for each board or commission appointed by the Mayor.
- E. The City Clerk.
- F. The legal assistants to the Law Director.
- G. Bailiffs, constables, clerks of court and deputy clerks of court, official stenographers, and other employees of courts.
- H. Physicians, nurses, engineers, veterinarians, and surveyors, or other comparable professions which require licensing under the laws of the State of Ohio.
- I. Those employees whose job duties require, as essential qualifications over and above technical competency requirements, a high degree of trust, confidence, reliance, integrity or fidelity and who perform non-ministerial, discretionary duties in the department heads place and stead.

SECTION 3: CLASSIFIED SERVICE OF CIVIL SERVICE

- A. The classified service shall comprise all positions not specifically included in Section 2, above.
- B. In all examinations for positions in the classified service requiring applicants to be state licensed or certified, or requiring peculiar and exceptional qualifications of a scientific, managerial, semiprofessional, or educational

character, prior residence within the City shall not be required for entrance to the examinations, but on appointment, the persons shall be required to comply with the residency provisions provided herein.

SECTION 4: RESIDENCY PROVISION

- A. Pursuant to Ohio Revised Code 9.481(2) (b), the City requires any individual employed by the City of Findlay as a condition of employment, to reside in either Hancock County, or in any county adjacent to Hancock County in the State of Ohio. The only exceptions to this residency requirement are elected officials who are required to live in the City of Findlay, as well as those employees appointed under the provisions of Ohio Revised Code, which require residency in the City.
- B Elected officials and the Service-Safety Director have the authority to grant temporary exceptions to the residency requirement upon request of employees that fall under their appointing authority

SECTION 4.1 PROMOTIONAL POLICY

Effective March 1, 2016, an employee who is promoted to or hired into a job classification that is in the "Administrative," "Professional," "Executive," or "Computer Employee" pay classifications of the ordinance and that is paid using a minimum and maximum biweekly salary range will be assigned a biweekly amount within the allowed range. Once the employee is assigned an amount within the range, all future increases in the biweekly salary amount shall not exceed eight percent (8%) in any calendar year without Council authorization.

SECTION 5: EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, AND COMPUTER JOB CLASSIFICATIONS AND RANGES FOR BIWEEKLY SALARIES

That from and after January 1, 2017 the following job classifications of the various non-elected officers and employees of the City of Findlay, Ohio shall be declared as Executive, Administrative, Professional or Computer positions under provisions of the Fair Labor Standards Act and guidelines provided by the U.S. Department of Labor. These job classifications shall be exempted from the payment of overtime, and shall be paid a bi-weekly salary as provided by law. These job classifications and biweekly pay amounts are to be used by full-time employees only, as defined in Section 12.

<u>JOB CLASSIFICATION</u>	<u>BIWEEKLY PAY</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
Airport Manager.....	\$1,826.40	\$2,970.40
Assistant City Engineer.....	\$2,344.00	\$3,312.80
Assistant Fire Chief.....	\$2,285.60	\$3,442.40
City Clerk.....	\$1,900.00	\$3,076.00
City Engineer.....	\$2,626.40	\$3,787.20
Clerk of Municipal Court.....	\$1,900.00	\$3,442.40
Computer Programmer Analyst	\$1,826.40	\$2,970.40
Computer Services Manager.....	\$2,400.00	\$3,681.60
Deputy City Auditor.....	\$2,303.20	\$4,080.00
Engineer (EIT).....	\$1,826.40	\$2,970.40
Engineer Project Manager.....	\$1,826.40	\$2,970.40
Fire Chief.....	\$2,626.40	\$3,787.20
Flood Plain/Zoning Supervisor.....	\$1,826.40	\$2,970.40
Human Resources Director.....	\$2,303.20	\$4,080.00
Income Tax Administrator.....	\$2,285.60	\$3,442.40
Police Captain.....	\$2,285.60	\$3,442.40
Police Chief.....	\$2,626.40	\$3,787.20
Professional Civil Engineer.....	\$2,142.00	\$3,026.40
Professional Surveyor.....	\$1,859.20	\$2,760.80
Project Coordinator.....	\$1,826.40	\$2,880.80

Public Works Superintendent.....	\$2,285.60	\$3,442.04
Public Works Supervisor.....	\$1,826.40	\$2,970.40
Recreation Administrative Supervisor.....	\$1,826.40	\$2,970.40
Rec., Marketing & Facilities Supt.....	\$2,285.60	\$3,442.40
Service-Safety Director.....	\$2,970.40	\$6,120.00
Sewer Maintenance Supervisor.....	\$1,826.40	\$2,970.40
Traffic Signal Supervisor.....	\$1,826.40	\$2,970.40
Utilities Billing Supervisor.....	\$1,826.40	\$2,970.40
Wastewater Treatment Supervisor.....	\$1,826.40	\$2,970.40
Water Distribution Supervisor.....	\$1,826.40	\$2,970.40
Water Pollution Control Supt.....	\$2,285.60	\$3,442.04
Water Treatment Plant Supt.....	\$2,285.60	\$3,442.04
Water Treatment Supervisor.....	\$1,826.40	\$2,970.40
W.O.R.C. Coordinator.....	\$1,826.40	\$2,880.80

SECTION 6: EXCEPTED PAY RANGES

That from and after January 1, 2017 the following job classifications and salaries are hereby established as an exception to all other pay ranges outlined in this ordinance.

<u>JOB CLASSIFICATION</u>	<u>BIWEEKLY PAY</u>
Assistant Director of Law I.....	\$2,002.60
Assistant Director of Law II.....	\$1,845.29
Assistant Director of Law III.....	\$1,694.92
Assistant Director of Law IV.....	\$1,538.83
Member – Civil Service Commission.....	\$184.03

SECTION 7: OVERTIME ELIGIBLE EMPLOYEE CLASSIFICATIONS PAID WITHIN A RANGE OF HOURLY RATES

That from and after January 1, 2017 the following job classifications of the various non-elected officers and employees of the City of Findlay, Ohio, shall be declared as overtime eligible positions pursuant to Section 15 herein. These job classifications are to be used for part-time and full-time employees as defined in Section 12.

<u>JOB CLASSIFICATION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Computer Help Desk Technician.....	\$11.00	\$18.00
Computer Network Specialist I.....	\$20.64	\$34.77
Computer Network Specialist II.....	\$21.63	\$37.42
Enforcement Officer	\$19.23	\$29.42
Mechanic – Fire Department.....	\$16.00	\$27.54

SECTION 8: HOURLY JOB CLASSIFICATIONS AND PAY RANGES

That from and after January 1, 2017 the following hourly job classifications and pay ranges of the various non-elected officers and employees of the City of Findlay, Ohio, shall be as follows:

Employees hired on or before August 21, 2003 shall be placed in a pay range which begins with a zero (0). Those hired after August 21, 2003 shall be placed in a pay range that begins with a nine (9). Seasonal or temporary employees will be placed in a pay range that begins with an eight (8).

JOB CLASSIFICATIONS

PAY RANGE

These job classifications and pay ranges are to be used for full-time and part-time employees as defined in Section 12. The employees in these classifications shall be paid on an hourly basis as provided by law and shall be eligible for overtime pursuant to Section 15 herein.

Account Clerk I	0130	9130
Account Clerk II	0140	9140
Account Clerk III	0150	9150
Account Clerk IV	0160	9160
Administrative Assistant I	0120	9120
Administrative Assistant II	0130	9130
Administrative Assistant III	0140	9140
Administrative Assistant IV	0150	9150
Administrative Assistant V	0160	9160
Airport Worker I	0130	9130
Airport Worker II	0140	9140
Airport Worker III	0160	9160
Assistant Recreation Supervisor	0160	9160
Assistant Utilities Billing Supervisor	0160	9160
Building & Grounds Maintenance Tech	0160	9160
Building & Ice Maintenance Tech	0130	9130
Building Maintenance Tech	0150	9150
City Forester	0180	9180
Clerk I	0080	9080
Clerk II	0110	9110
Clerk III	0120	9120
Clerk IV	0140	9140
Clerk-Civil Service Commission/Engineering	0150	9150
Code Enforcement Coordinator	0120	9120
Chief Construction Inspector	0190	9190
Construction Inspector I	0160	9160
Construction Inspector II	0170	9170
Construction Inspector III	0180	9180
Custodial/Maintenance Worker	0030	9030
Custodial Worker I	0050	9050
Custodial Worker II	0070	9070
Customer Service/Field Representative	0005	9005
Graduate Engineer	0170	9170
Engineering Technician	0180	9180
Fleet Maintenance Manager	0120	9120
CAD I	0110	9110
CAD II	0130	9130
Engineering Tech I	0150	9150
Engineering Tech II	0170	9170
Facility Coordinator	0030	9030
Firefighter (Part-time Only)	N/A	9080,9090,9100,9110
Groundskeeper	0090	9090
Lab Technician I – No License	0170	N/A
Lab Technician I – Class I License	0171	N/A
Lab Technician I – Class II License	0172	N/A
Lab Technician I – Class III License	0173	N/A
Lab Technician I – Class IV License	0174	N/A
Lab Technician I	N/A	9160
Lab Technician II – No License	0180	N/A
Lab Technician II – Class I License	0181	N/A
Lab Technician II – Class II License	0182	N/A
Lab Technician II – Class III License	0183	N/A

Lab Technician II	N/A	9170
MS4 Coordinator	0170	9170
Operations/Scheduler.....	0160	9160
Public Maintenance Mechanic I	0160	9160
Public Maintenance Mechanic II	0170	9170
Public Maintenance Mechanic III	0180	9180
Public Works Maintenance Worker I.....	0110	9110
Public Works Maintenance Worker II.....	0120	9120
Public Works Maintenance Worker III.....	0130	9130
Public Works Maintenance Worker IV.....	0140	9140
Public Works Maintenance Worker V.....	0150	9150
Public Works Maintenance Worker VI.....	0160	9160
Public Works Cemetery Foreman	0170	9170
Public Works Foreman	0190	9190
Parking Enforcement Officer	0110	9110
Payroll Clerk	0130	9130
Records Administrator I.....	0150	9150
Records Administrator II.....	0170	9170
Recreation Activities Coordinator	0090	9090
Secretary I	0120	9120
Secretary II	0140	9140
Secretary III	0150	9150
Security Officer.....	0031	9031
Sewer Maintenance Worker I.....	0120	9120
Sewer Maintenance Worker II.....	0140	9140
Sewer Maintenance Worker III.....	0160	9160
Sewer Maintenance Worker IV	0180	9180
Sign Maintenance Supervisor	0190	9190
Surveyor Technician I.....	0120	9120
Surveyor Technician II.....	0140	9140
Surveyor I, SIT	0160	9160
Surveyor II, Intern.....	0180	9180
Tax Administrator Agent I.....	0120	9120
Tax Administrator Agent II.....	0130	9130
Traffic Signal Electrician I.....	0160	9160
Traffic Signal Electrician II.....	0180	9180
Traffic Signal Electrician III.....	0190	9190
Traffic Signal Electrician Assistant I.....	0120	9120
Traffic Signal Electrician Assistant II.....	0140	9140
Truck Driver I.....	0110	9110
Truck Driver II.....	0120	9120
Utilities Billing Clerk I.....	0110	9110
Utilities Billing Clerk II.....	0120	9120
Utility Grounds Maintenance Worker I	0110	9110
Utility Grounds Maintenance Worker II	0130	9130
Utility Grounds Maintenance Worker III	0150	9150
Utility Grounds Maintenance Worker IV	0160	9160
Utility Maintenance Mechanic I.....	0140	9140
Utility Maintenance Mechanic II.....	0160	9160
Utility Maintenance Mechanic III.....	0180	9180
Water Meter Maintenance Worker	0130	9130
Water Meter Reader I.....	0120	9120
Water Meter Reader II – No License.....	0140	9140
Water Meter Reader II –Class II License	0142	N/A
Water Meter Reader II –Class III License	0143	N/A
Waterline Maintenance Technician Assistant – Class I License.....	0150	N/A
Waterline Maintenance Technician Assistant – Class II License.....	0151	N/A
Waterline Maintenance Technician Assistant	N/A	9150

Waterline Maintenance Technician – Class I License	0160	N/A
Waterline Maintenance Technician – Class II License	0161	N/A
Waterline Maintenance Technician	N/A	9160
Waterline Maintenance Worker I – No License	0120	N/A
Waterline Maintenance Worker I – Class I License	0125	N/A
Waterline Maintenance Worker I – Class II License	0130	N/A
Waterline Maintenance Worker I	N/A	9120
Waterline Maintenance Worker II – No License	0140	N/A
Waterline Maintenance Worker II – Class I License	0141	N/A
Waterline Maintenance Worker II – Class II License	0142	N/A
Waterline Maintenance Worker II	N/A	9140
Waterline Maintenance Worker III – No License	0160	N/A
Waterline Maintenance Worker III – Class I License	0161	N/A
Waterline Maintenance Worker III – Class II License	0162	N/A
Waterline Maintenance Worker III	N/A	9160
Waterline Maintenance Worker IV	0180	9180
Water Treatment Plant Operator Assistant - No License	0140	N/A
Water Treatment Plant Operator Assistant – Class I License.....	0141	N/A
Water Treatment Plant Operator Assistant – Class II License.....	0142	N/A
Water Treatment Plant Operator Assistant - Class III License	0143	N/A
Water Treatment Plant Operator Assistant	N/A	9140
Water Treatment Plant Operator – No License/OIT.....	0160	9160
Water Treatment Plant Operator - Class I License	0161	9170
Water Treatment Plant Operator – Class II License	0162	9180
Water Treatment Plant Operator – Class III License	0163	9190
Welder	0160	9160
W/W Treatment Plant Operator Assistant - No License.....	0140	N/A
W/W Treatment Plant Operator Assistant – Class I License	0141	N/A
W/W Treatment Plant Operator Assistant – Class II License	0142	N/A
W/W Treatment Plant Operator Assistant - Class III License	0143	N/A
W/W Treatment Plant Operator Assistant	N/A	9140
W/W Treatment Plant Operator – No License/OIT.....	0160	9160
W/W Treatment Plant Operator - Class I License	0161	9170
W/W Treatment Plant Operator – Class II License	0162	9180
W/W Treatment Plant Operator – Class III License	0163	9190
Zoning/Building Inspector.....	0160	9160

TEMPORARY JOB CLASSIFICATIONS

PAY RANGE

These job classifications and pay ranges are to be used for temporary and seasonal employees as defined in Section 12. Overtime eligibility shall be determined pursuant to Section 15 herein and under the applicable provisions of the Fair Labor Standards Act.

Concession Stand Attendant.....	8010
Concession Stand Supervisor.....	8020, 8030
Facility Manager/Diamond/Pool/CUBE	8130
Ice Rink Shift Manager	8120
Park Manager	8130
Skate Guard/Rental.....	8010, 8020, 8030
Skating Instructor	8080, 8090
Skate Pro.....	8100
Clerk/Typist I.....	8080
Clerk/Typist II.....	8090
Engineering Aid I	8070
Engineering Aid II	8090
Temporary Support Staff.....	8010,8020,8030,8040,8050,8060

SECTION 9: LICENSE STIPENDS/SHIFT DIFFERENTIAL/EMERGENCY CONTACT PAY

- A. Effective January 3, 2016 employees who are in the following classifications will be paid an annual license stipend upon providing proof of the license level obtained: Sewer Maintenance Supervisor, Water Treatment Superintendent, Water Pollution Control Superintendent, Water Distribution Supervisor, Water Treatment Supervisor, Wastewater Treatment Supervisor, Waterline Maintenance Worker IV and Sewer Maintenance Worker IV. The following license stipend amounts will be paid on the first payday in July of each year to active employees:

Class I License	\$250.00
Class II License	\$500.00
Class III License	\$750.00
Class IV License	\$1,000.00

- B. Effective January 3, 2016, employees hired after August 21, 2003 and who are in the following classifications will be paid an annual license stipend upon providing proof of the license level obtained: Sewer Maintenance Worker I, II, and III, Waterline Maintenance Worker I, II, and III, Waterline Maintenance Technician Assistant, Waterline Maintenance Technician and Laboratory Technician I and II. The license stipend will be paid on the first payday in July of each year to active employees:

Class I License	\$250.00
Class II License	\$500.00
Class III License	\$750.00
Class IV License	\$1,000.00

- C. Effective May 18, 2008, employees of the Water Distribution Department who are required to carry a cell phone and/or pager designated for emergency contact and who must be available to co-ordinate response to an emergency situation, will receive at least ten dollars (\$10.00) per day for each day that they serve in the capacity as emergency contact.

- D. Effective January 1, 2017, employees with the titles of Water Treatment Plant Operator, Water Treatment Plant Operator Assistant, Wastewater Treatment Plant Operator and Wastewater Treatment Plant Operator Assistant shall be paid an hourly shift differential during the afternoon and overnight shifts.

Eligible employees shall receive seventy-five cents (\$0.75) per hour for each complete hour worked between 4 p.m. and midnight, and they shall receive fifty cents (\$0.50) per hour for each complete hour worked between midnight and 8 a.m. Shift differential shall not be paid for any partial hour worked.

When an eligible operator works between the hours of 4 p.m. and 8 a.m. on the holidays outlined in Section 21, Paragraph D, or when an operator is working overtime during the hours of 4 p.m. through 8 a.m., appropriate shift differential will be paid at the same factoring rate as the base wage. (Ex: Holiday Pay is paid at 1.5 of the base rate. Shift Differential on those days will be paid at 1.5 of the differential rate.)

SECTION 10: PAY RANGES EFFECTIVE JANUARY 1, 2017

A. That the following pay ranges are hereby established for the non-elected officials and employees of the City of Findlay, Ohio, and all of said non-elected officials and employees shall be paid hourly on a bi-weekly basis, as provided by law, except as noted in Sections 5, 6 and 7.

Completed Years of Service	0	1 - 2	3 - 4	5 - 6	7	8 Or more
Pay Range	A	B	C	D	E	F
0005	8.43	9.19	9.55	10.03	10.43	10.95
0010	9.42	10.30	10.78	11.34	11.85	12.44
0020	9.87	10.78	11.34	11.85	12.44	12.96
0021	9.08	9.08	9.08	9.08	9.08	9.08
0022	10.08	10.08	10.08	10.08	10.08	10.08
0030	10.28	11.34	11.85	12.44	12.96	13.63
0031	10.92	11.91	12.38	13.01	13.53	14.20
0032	10.72	10.72	10.72	10.72	10.72	10.72
0040	11.82	12.96	13.58	14.16	14.83	15.50
0050	12.38	13.58	14.16	14.83	15.50	16.17
0060	12.92	14.16	14.83	15.50	16.17	16.94
0070	13.49	14.83	15.50	16.17	16.94	17.66
0080	14.14	15.50	16.17	16.94	17.66	18.43
0090	14.76	16.17	16.94	17.66	18.43	19.35
0100	15.40	16.94	17.66	18.43	19.35	20.17
0110	16.14	17.66	18.43	19.35	20.17	21.12
0120	16.79	18.43	19.35	20.17	21.12	22.07
0125	17.16	18.90	19.73	20.67	21.60	22.59
0130	17.55	19.35	20.17	21.12	22.07	23.13
0140	18.41	20.17	21.12	22.07	23.13	24.19
0141	19.19	21.12	22.07	23.13	24.19	24.19
0142	20.10	22.07	23.13	24.19	24.19	24.19
0143	21.04	23.13	24.19	24.19	24.19	24.19
0150	19.19	21.12	22.07	23.13	24.19	25.34
0151	20.10	22.07	23.13	24.19	25.34	25.34
0160	20.10	22.07	23.13	24.19	25.34	26.57
0161	21.04	23.13	24.19	25.34	26.57	27.08
0162	22.02	24.19	25.34	26.57	27.08	27.59
0163	23.04	25.34	26.57	27.08	27.59	28.16
0170	21.04	23.13	24.19	25.34	26.57	27.85
0171	22.02	24.19	25.34	26.57	27.85	27.85
0172	23.04	25.34	26.57	27.85	27.85	27.85
0173	24.14	26.57	27.85	27.85	27.85	28.39
0174	25.30	27.85	27.85	27.85	27.85	28.39
0175	26.50	27.85	27.85	27.85	27.85	28.39
0180	22.02	24.19	25.34	26.57	27.85	29.10
0181	23.04	25.34	26.57	27.85	29.10	29.10

ORDINANCE NO. 2016 -108

Completed Years of Service	0	1 - 2	3 - 4	5 - 6	7	8 Or more
Pay Range	A	B	C	D	E	F
0182	24.14	26.57	27.85	29.10	29.10	29.10
0183	25.30	27.85	29.10	29.10	29.10	29.10
0190	23.04	25.34	26.57	27.85	29.10	30.50
0191	24.14	26.57	27.85	29.10	30.50	30.50
0192	25.30	27.85	29.10	30.50	30.50	30.50
0193	26.50	29.10	30.50	30.50	30.50	30.50
0200	24.13	26.57	27.85	29.10	30.50	31.95
0220	26.51	29.10	30.50	31.95	33.44	35.07
9005	8.43	8.85	9.12	9.38	9.57	9.77
9010	9.42	9.90	10.21	10.51	10.72	10.93
9020	9.87	10.34	10.67	10.99	11.22	11.43
9030	10.28	10.80	11.11	11.44	11.68	11.93
9031	10.92	11.48	11.82	12.17	12.41	12.66
9040	11.82	12.41	12.78	13.16	13.42	13.69
9050	12.38	12.98	13.36	13.77	14.07	14.36
9060	12.92	13.56	13.98	14.39	14.67	14.95
9070	13.49	14.14	14.57	15.00	15.31	15.62
9080	14.14	14.86	15.29	15.76	16.08	16.40
9090	14.76	15.48	15.95	16.43	16.76	17.11
9100	15.40	16.16	16.64	17.15	17.50	17.85
9110	16.14	16.95	17.47	17.98	18.34	18.71
9120	16.79	17.62	18.16	18.70	19.07	19.47
9130	17.55	18.42	18.97	19.55	19.94	20.33
9140	18.41	19.32	19.91	20.50	20.93	21.35
9150	19.19	20.17	20.77	21.39	21.81	22.25
9160	20.10	21.09	21.74	22.38	22.84	23.31
9170	21.04	22.11	22.76	23.44	23.93	24.40
9180	22.02	23.12	23.83	24.54	25.04	25.53
9190	23.04	24.17	24.92	25.66	26.17	26.70

ALL SEASONAL EMPLOYMENT POSITIONS PAY AT STEP A

8010	8.15
8020	8.25
8030	8.43
8040	9.69
8050	10.14
8060	10.58
8070	11.05
8080	11.59

Completed Years of Service	0	1 - 2	3 - 4	5 - 6	7	8 Or more
Pay Range	A	B	C	D	E	F
8090	12.10					
8100	12.62					
8110	13.23					
8120	13.76					
8130	14.38					

Notwithstanding the provisions above, should any pay rate contained herein fall below the state minimum wage rate for any particular pay periods during the term of this Ordinance, the Auditor shall be and hereby is authorized to adjust said pay rate to conform to the state minimum wage rate.

SECTION 11: STEPS

- A. The pay ranges established in Section 10 above establish six (6) steps, and each step within each pay range states the hourly rate. Advancement from Step A shall be based upon the individual employee's completed years of service with the City of Findlay, Ohio on the following schedule:

<u>Completed Years of Service</u>	<u>Step</u>
0	A (0)
1, 2	B (1, 2)
3, 4	C (3, 4)
5, 6	D (5, 6)
7	E (7)
8 or more	F (8)

- B. Service time credit with the City shall be carried with the employee when transferring between departments, or when changing job classifications, except that no service time credit shall apply to the Police or Fire Departments in the positions of sworn police officer or sworn firefighter for new employees at these departments after February 26, 1984.
- C. Service time credit shall only apply to regular, full-time employees, and shall not apply to temporary, seasonal, or part-time help. Service time credit is used in the calculations of pay rate and longevity eligibility. Service time credit does not apply to vacation accrual.
1. New employees hired after February 26, 1984, may receive service credit for previous employment when such previous employment is determined to be qualified and competent in a similar job position. Such service credit shall be awarded on the following basis:

<u>Years of Experience</u>	<u>Service Credit</u>
5 or More	2 years
2, 3, 4	1 year
1 or less	0

- E. New employees hired after February 26, 1984, by the Police or Fire Departments, into the classification of sworn police officer or sworn firefighter, shall only receive service credit for previous employment with full time, paid departments which are determined to be equal to the Findlay Police and Fire Departments in training and experience.

SECTION 12: DEFINITIONS

- A. For the purpose of interpreting this ordinance, full time employees shall be those employees having completed their regular work schedule of thirty (30) or more hours per week on a twelve (12) months per calendar year basis.
- B. Part-time employees shall be those employees having completed their regular work schedule of less than thirty (30) hours per week on a twelve (12) months per calendar year basis. Furlough days will be used in the calculation of the regular work schedule.
- C. Seasonal or temporary employees shall be those employees who work less than twelve (12) months in a calendar year.

SECTION 13: COMPENSATION FOR ACTING POSITIONS

- A. When it is required to appoint an employee to an acting position on a temporary basis to fulfill a position temporarily unoccupied, then and in such event, the acting employee shall be paid the salary as designated for the position under the City salary ordinance, providing, however, the temporary salary increase shall commence only after thirty business days of continuous service in the acting position.
- B. When the vacancy appears to be permanent, as in death, retirement, or termination, the temporary salary shall commence upon the appointment of the employee to the acting position.

SECTION 14: LONGEVITY

- A. Effective December 24, 2000, all full-time employees who have completed ten (10) or more years of continuous full-time service shall accrue a longevity fund of thirty dollars (\$30) per bi-weekly pay period in addition to their regular rate of pay.
- B. Effective December 24, 2000, all full-time employees who have completed fifteen (15) or more years of continuous full-time service shall accrue a longevity fund of fifty dollars (\$50) per bi-weekly pay period in addition to their regular rate of pay. The longevity accrual in this section shall replace the longevity accrual to be earned upon the completion of ten (10) years of service.
- C. Effective December 24, 2000, all full-time employees who have completed twenty (20) or more years of continuous full-time service shall accrue a longevity fund of seventy dollars (\$70) per bi-weekly pay period in addition to their regular rate of pay. The longevity accrual in this section shall replace the longevity accrual to be earned upon the completion of fifteen (15) years of service.
- D. Effective December 24, 2000, all full-time employees who have completed twenty-five (25) or more years of continuous full-time service shall accrue a longevity fund of ninety dollars (\$90) per bi-weekly pay period in addition to their regular rate of pay. The longevity accrual in this section shall replace the longevity accrual to be earned upon the completion of twenty (20) years of service.
- E. Accrued longevity funds shall be paid in a separate check to be issued annually coincidental with the last pay check in the calendar year.
- F. Longevity accruals under this section shall be included in any calculation of overtime pay rates.
- G. Longevity accruals shall be included in wage rates on a one-time basis, at the time of retirement, or death, to calculate unused holivac, vacation and/or sick leave payments.
- H. The classifications of Assistant Director of Law I through Assistant Director of Law IV, inclusive, shall accrue longevity as set forth in this section.

SECTION 15: OVERTIME PAY EFFECTIVE JANUARY 3, 2016

- A. Each eligible City employee, except temporary or seasonal employees in the Recreation Functions Department, or Swimming Pool Departments, who is scheduled to work more than forty (40) hours per calendar week shall be compensated at the rate of time and one half (1-1/2) his regular hourly rate for any hours worked in excess of forty (40) hours per calendar week.
- B. The calculation of overtime pay shall be calculated including holidays, and vacation leave as part of the straight time determination. Sick leave hours and callback hours as provided in Section 15.1 shall not be considered as part of the straight time determination.
 - 1. An employee who is eligible for overtime may elect to take accrued compensatory time ("Comp Time") off instead of overtime pay for any overtime worked, upon approval of management. The compensatory time shall be granted by the employee's supervisor on a time and one half (1-1/2) basis (i.e. for one hour of overtime, one and one half hours of comp time will be granted.) Employees may accumulate up to and maintain 120 hours of unused comp time and may with approval of the Service-Safety Director, accumulate and maintain a balance in excess of 120 hours of unused comp time.
 - 2. When an employee who has been eligible for overtime receives a promotion and accepts a position that is exempt from the payment of overtime, the employee will be paid for all unused accumulated compensatory time hours at the time of the promotion. The payment will be made using a rate of pay in effect prior to the employee's promotion.

SECTION 15.1: CALL BACK PAY EFFECTIVE JANUARY 3, 2016

- A. An employee who is called back to work from off duty, shall be paid at least three (3) hours' pay at one and one half (1 ½) times the employee's regular rate of pay.
- B. No hours worked or paid under this section shall be counted in the straight time determination pursuant to Section 15 as paid hours worked as part of the employee's regular work week.
- C. There shall be no duplication of overtime pay during the same three (3) hour call-in period.

SECTION 16: SICK LEAVE PAYMENT; UNUSED SICK LEAVE PAYMENT

In addition to the sick leave provided for in O.R.C. Sec. 124.38, the following policy on sick leave payment is established for all employees of the City. As used in this section, "retirement" means disability or service retirement under any state or municipal retirement system in this state.

- A. Any employee incurring a non-duty related sickness or disability shall receive sick leave with full pay, subject to accumulated sick leave.
- B. An employee incurring a duty related sickness or injury shall receive sick leave with full pay for the maximum period as prescribed for total temporary disability in the Ohio Revised Code unless extended by City Council upon recommendation of the -Service – Safety Director. Sick leave used under these conditions, and subject to worker's compensation payments, shall be reinstated to accumulated sick leave, provided that the employee completes the proper application for worker's compensation benefits and refunds to the City all funds received as a result of the application. There shall be no reinstatement for sick leave not subject to workers compensation reimbursement.
- C. Accumulated sick leave shall be computed on a basis of one hour of accumulated sick leave for each one hour missed from the regular scheduled shift as a result of sickness or disability.
- D. Any City employee hired on or before August 21, 2003 and paid directly by warrant by the City Auditor may elect at the time of retirement from active service with the City, or death, and with ten (10) or more years of service with the State or any of its political subdivisions, to be paid in cash one fourth (1/4) the value of the first 960

hours of accrued but unused sick leave credit and, if applicable, to be paid in cash one-half (1/2) the value of all accrued but unused sick leave credit in excess of 960 hours. Payment shall be contingent upon 30 days written notice prior to retirement. . In the event an employee has more than one thousand nine hundred twenty (1,920) hours of unused sick leave, all such sick leave shall be paid at the rate of one-half (1/2) of said leave. The accumulated but unused sick leave payment provided for herein shall be based on the employee's rate of pay at the time of retirement and shall eliminate all sick leave credit accrued but unused by the employee at the time payment is made

Any City employee hired after August 21, 2003 and paid directly by warrant by the City Auditor may elect at the time of retirement from active service with the City, or death, and with ten (10) or more years of service with the State or any of its political subdivisions, to be paid in cash one fourth (1/4) the value of 960 hours of accrued but unused sick leave credit. Payment shall be contingent upon 30 days written notice prior to retirement. The accumulated but unused sick leave payment provided for herein shall be based on the employee's rate of pay at the time of retirement and shall eliminate all sick leave credit accrued but unused by the employee at the time payment is made.

SECTION 17: DONATED LEAVE POLICY

- A. This policy sets forth the process to allow employees to voluntarily provide donated leave to co-workers, or receive donated leave, if there is a critical need due to a serious health condition or injury of an employee. This policy would apply to full-time and part-time permanent employees only.

To Request Donated Leave

In order to determine if an employee is eligible to receive donated leave as a result of their serious illness or injury, the employee must provide sufficient documentation to establish the existence of a serious health condition.

An employee requesting donated leave will complete the "Application to Request Donated Leave" form, or equivalent documentation to establish the serious illness or injury. It is the responsibility of the employee to provide documentation for certification. Leave donation requests will not be processed until all necessary documentation is provided.

An employee may receive donated leave up to the number of hours the employee is scheduled to work each pay period only, if the employee who is to received donated leave:

1. has a serious health condition,
2. has utilized all accrued vacation/holovac and sick hours, and
3. has applied for any paid leave, workers compensation or other benefits program for which the employee is eligible. Donated leave may be used to satisfy the waiting period for these benefits.

B Certification of Eligibility

Upon receiving the "Application to Request Donated Leave", the Service-Safety Director shall review all documents submitted including necessary medical documentation, but excluding any Protected Health Information (PHI), to ensure any such application meets both the standard for sick leave usage and the criteria for donated leave. So long as all the requirements of this section have been met, the Service-Safety Director shall approve any such application for donated leave.

For this section, a "serious health condition" is defined as:

1. an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or
2. a period of incapacity of more than seven (7) days that also involves:
 - a. treatment by a health care provider in connection with such inpatient care, or
 - b. the constant supervision of the health care provider, or
 - c. a condition which is permanent or long-term for which treatment may not be effective.

C. Donation Process

An employee of the City of Findlay may voluntarily donate accrued, unused sick and/or vacation/holovac hours to another employee of the City who has no accrued leave and, who has a critical need for it due to a serious health condition. Employees wishing to donate leave to a fellow employee must complete the "Leave Donation Donor Form" and certify the following information:

1. the name of the employee for whom the leave is intended,
2. that the employee voluntarily elects to donate leave and does so with the understanding the donated leave will not be returned,
3. willingness to donate a minimum of 8 hours, and
4. that they will retain a combined leave balance of sick and vacation/holovac hours of 480 or more.

D Establishing Need and Utilization of Donated Leave

Upon establishing the need and utilization of donated leave, the Auditor's Office will perform the following functions:

1. notify the donating employee of the specific pay period it will be used in and the amount of leave to be used, and
2. inform the requesting employee of the amount of leave that will be used from donations.

E. Administering the Donation Program

The leave donation program shall be administered on pay period by pay period basis under the following guidelines:

1. Employees using donated leave shall be considered in active pay status and shall accrue leave and any other benefits to which they would otherwise be entitled.
2. Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received.
3. Donated leave shall not count toward the probationary period.
4. Donated leave shall never be converted to a cash benefit.
5. Donated leave or the leave accrued by the use of the donation is not eligible for reimbursement when used to satisfy the waiting period for workers compensation benefits.
6. If the leave meets the FMLA criteria, the leave time will also be charged against the employee's yearly entitlement as outlined by FMLA and the employee handbook.

F. The City of Findlay shall respect an employee's right of privacy. However, the City may, with permission of the employee who is in need of leave, inform employees of their co-worker's critical need for leave. In addition, supervisors and all other employees are **prohibited from directly soliciting** leave donations from co-workers to ensure that no employees are coerced to donate leave.

SECTION 18: MEDICAL INSURANCE

A. The City agrees to share in the cost of providing health and prescription drug insurance for full-time employees. Employees hired before November 1, 2013 may choose between a Core Plan and a High Deductible Health Plan (HDHP). Employees hired after November 1, 2013 may only enroll in the High Deductible Health Plan (HDHP).

B. Except as otherwise provided herein, the cost of health and prescription drug insurance coverage shall be shared between the employer and full-time employees, whether the employee selects family, employee plus or single coverage. The employer's share of the monthly premium, regardless of the plan option(s) selected by the employee, shall be shared on the following basis:

Employer's Share 90% of monthly premium
Employee's Share 10% of monthly premium

- C. The City shall make a contribution to the health savings account of an employee who elects coverage under the HDHP. The minimum contribution will be \$720.00 for single plans and \$1,800.00 for employee plus and family plans. These amounts shall be distributed across 24 pay periods. The employee must be in active paid status to receive these contributions.

In order to continue to qualify for the ten percent (10%) premium contribution limit for medical and prescription drug coverage, employees must participate in the employer's wellness program which includes a base screening and attending one open enrollment meeting. If the employee does not participate, the employer's share of the premium contribution for medical and prescription drug coverage shall be eighty percent (80%) and the employee's share of the premium for medical and prescription drug coverage will increase to twenty percent (20%).

Employees hired prior to May 1, 2016 unable to participate in the wellness program, shall have a fifteen percent (15%) premium contribution limit for medical and prescription drug coverage and the City's share of the premium will be eighty-five percent (85%). Employees hired after May 1, 2016 shall be given an opportunity to participate in the wellness program upon hire as part of the onboarding and pre-employment process. Employees hired after May 1, 2016 that choose not to participate in the wellness program upon hire shall have a premium contribution of twenty percent (20%) and the City's share of the premium shall be eighty percent (80%). All employees on the City's health plan shall have an opportunity to participate in the wellness program during the annual wellness program screening event which normally is offered during the third (3rd) quarter of each year,

- D. The City is able to assess a premium surcharge for employees who enroll in the City's health insurance who declare tobacco use by themselves or a covered spouse. The surcharge is to be paid by the employee, however the City will not be required to pay a portion of this surcharge in addition to the employee's share.
- E. The City shall make available to employees an optional dental and/or vision coverage, if selected by the employee. The monthly premium cost shall be shared:

Employer's Share	90% of monthly premium
Employee's Share	10% of monthly premium

- F. The employee's share shall be deducted from the payroll of each participating employee.
- G. An employee must be on the payroll of the City for a period of 30 days, before becoming eligible for the hospitalization and health insurance contributions provisions contained herein.
- H. A Health Insurance Committee will be formed and be comprised of thirteen (13) members consisting of two (2) representatives each from the Police Union and Fire Union, and eight (8) representatives from the non-union departments and one (1) representative of the employer. The Mayor, Auditor and/or other administrator of the employer health care plan will serve as ex officio members of the committee but shall not enjoy or exercise voting rights. In addition, the employer retains the right to invite advisory personnel to participate in all meetings for informational purposes only.
- I. The function of the committee will be to conduct regular meetings aimed at discussing the function, cost and financial condition of the health care plan. Whenever changes to the health care plan are due to an increase in health insurance cost of more than twelve percent (12%), the employer has the right to make plan design changes to lower the overall cost of the plan to twelve percent (12%). The employer will be required to share any proposed changes with the insurance committee and seek input from the committee prior to implementing any changes. Whenever changes to the health care plan are otherwise warranted or necessitated, the committee shall vote on which changes and/or provisions shall be implemented.
- J. A majority vote of the insurance committee shall bind all employees. In the event that the committee cannot reach a majority vote, after further discussion and consideration of said plan changes, only the proposed changes receiving a plurality of votes shall be considered and the plan receiving a majority of those votes shall

bind all employees. In no event shall a plan change adopted by the committee impose a different effect or outcome on any single employee or group of employees.

- K. For the Mayor, Auditor, Director of Law, and the Judges of the Municipal Court, the City shall provide for a hospitalization and health insurance policy for those elected officials upon notification by such elected official that he/she desires such coverage. The policy shall be under the same group plan provided for non-elected City employees and the amount to be paid by the City shall be equal to that paid by the City for non-elected employees.
- L. The City Council may choose to appropriate additional funds for payments of health insurance costs upon the recommendation of the Auditor, if it is deemed necessary to meet the financial obligations related to health insurance costs. The funding would be in addition to the distribution of monthly premiums as outlined in Paragraphs B and C of this section.

SECTION 19: LIFE INSURANCE

- A. All full-time employees shall be covered under a group life insurance policy and shall receive double indemnity coverage under said policy.
- B. The Mayor, Auditor, Treasurer, Director of Law, Council Members, President of Council and the Judges of the Municipal Court, shall be furnished by the City a term life insurance policy in an amount and terms equal to the amount of term life insurance provided to non-elected employees.
- C. Such policy to insure the life of such full-time and elected officials with the aforementioned reserves the right to designate his beneficiary of the insurance on his life.
- D. The Mayor, subject to City Council approval, shall determine the amount of life insurance coverage provided to all full-time employees.

SECTION 20: REGULAR VACATION/HOLIVAC AND ACCRUAL SERVICE YEARS

- A. Holivac is the combination of holidays and vacation hours into a single accrual. The holivac system recognizes eleven (11) holidays per year and the amount of vacation that the individual employee is entitled to receive.
- B. One year of service shall be computed on 26 biweekly pay periods. These weeks do not need to be consecutive. If there is a break in the employee's full-time service with the City, upon re-hire to a full-time position, the employee will be given credit for previous time for which vacation/holivac accrual was eligible. Positions listed in the Excepted Pay Ranges of this Ordinance are not eligible for vacation/holivac accrual credit upon re-hire.
- C. Each full-time employee, after service of one (1) year with the City, shall have earned and will be due annually thereafter a maximum of eighty (80) hours of vacation leave with full pay. Vacation leave shall accrue to the employee at the rate of 0.0385 hours for each paid base hour for those entitled to a maximum of 80 hours per year. Employees subject to holivac shall accrue 0.0808 hours on each paid base hour.
- D. A full-time employee with eight (8) or more years of service with the City shall have earned and is entitled to a maximum of 120 hours of vacation leave with full pay. Vacation leave shall accrue to the employee at the rate of 0.0577 hours on each base hour paid for those entitled to a maximum of 120 hours per year. Employees subject to holivac shall accrue 0.10000 hours on each paid base hour.
- E. A full-time employee with fifteen (15) or more years of service with the City shall have earned and is entitled to a maximum of 160 hours of vacation leave with full pay. Vacation leave shall accrue to the employee at the rate of 0.0769 hours on each paid base hour for those entitled to a maximum of 160 hours per year. Employees subject to holivac shall accrue 0.1192 hours on each paid base hour.

- F. A full-time employee with twenty-two (22) or more years of service with the City shall have earned and is entitled to a maximum 200 hours of vacation leave with full pay. Vacation leave shall accrue to the employee at the rate of 0.0962 hours on each paid base hour for those entitled to a maximum of 200 hours per year. Employees subject to holivac shall accrue 0.1385 hours on each paid base hour.
- G. Vacation/holivac leave is earned while on other paid leave provided by the City but vacation/holivac is not accrued when working overtime hours. Vacation/holivac leave is earned only while on active pay status with the City.
- H. During the first year of service, no vacation shall be granted to an employee, but the employee during the first year of service shall accumulate vacation hours as provided for by ordinance of City Council. During the first year of service, employees subject to holivac shall accrue their holidays at a rate of 0.0423 hours on each paid base hour. After one year of service, an employee may take vacation or holivac up to the number of hours accumulated at the time subject to other limitations as specified by ordinance.
- I. Employees may express their preference as to vacation or holivac period, and the preference will be recognized by the department head, as far as practicable
- J. Employees who have unused vacation or holivac leave to their credit may accumulate up to two (2) years credit with the approval of the department head. Employees shall forfeit their right to take or be paid for any vacation or holivac leave to their credit which is in excess of the accrual for two (2) years. Excess leave shall be eliminated from the employee's leave balance in the pay period in which the vacation anniversary date occurs. The Service-Safety Director may approve exceptions to this provision upon a written request from the employee stating the reasons for such exception. The two (2) year accrual limit shall be based on the accumulation of an employee who would be paid 40 base hours per week.
- K. A person employed with the City on or after March 15, 2011, other than as an elected officer, who was previously employed by the State or any political subdivision of the State earning vacation credits is entitled to have his or her prior service with any of these employers counted as service with the City of Findlay for the purpose of computing the amount of the employee's vacation/holivac leave, and their anniversary date. Said employee may transfer the accrued and unused vacation leave from the State or any political subdivision of the State. The hours to be transferred cannot exceed two years accrual.

SECTION 21: HOLIDAYS

- A. A full or part-time employee, excluding temporary or seasonal employees, whose salary or wage is paid by the City shall not be required to work on days declared in this section to be holidays, unless in the opinion of the employee's responsible administrative superior failure to work on such holidays would impair the public service. Such holidays shall be:
 - 1. The first day of January, known as New Year's Day;
 - 2. The third Monday of January, known as Martin Luther King, Jr. Day;
 - 3. The third Monday in February, known as Washington-Lincoln Day or President's Day;
 - 4. The last Monday in May, known as Decoration or Memorial Day;
 - 5. The Fourth Day of July, known as Independence Day;
 - 6. The first Monday of September; known as Labor Day;
 - 7. November 11, known as Veteran's Day;
 - 8. The fourth Thursday in November, known as Thanksgiving Day;
 - 9. The day after Thanksgiving;
 - 10. December 24, known as Christmas-Eve Day;
 - 11. December 25, known as Christmas Day; and
 - 12. Any other holiday set by a proclamation of the Mayor of the City.
- B. In the event that any of the aforesaid holidays shall fall on Saturday, the Friday immediately preceding shall be observed as the holiday. In the event that any of the aforesaid holidays shall fall on Sunday, the Monday immediately succeeding shall be observed as the holiday.

- C. Any employee, not subject to holivac whose normal scheduled day off falls on one of the aforementioned holidays shall be granted a day off with pay to replace the holiday missed as a result of his normal work schedule during the pay period in which the legal holiday so missed falls.
- D. An employee of the Water Treatment Plant or Water Pollution Control Center who is required to work on New Year's Day, July 4th, Thanksgiving, Christmas Day, Christmas Eve, Memorial Day, or Labor Day, as part of the employees regular forty (40) hour schedule, shall be paid at one and one-half times his regular rate of pay for hours worked on these holidays.
- E. A full-time or part-time employee who works less than forty (40) hours per week shall receive paid Holiday leave on a pro-rata basis at the same rate as the employee's average number of hours worked per day in the balance of the pay period which contains the holiday. Furlough days will be used in the calculation of the pro-ration.

SECTION 22: MILEAGE REIMBURSEMENT

- A. No elected official or employee of the various departments of the City of Findlay, Ohio, using his personal private motor vehicle while on City business or in the performance of his duties as an official or employee of the City, shall, be paid mileage for such use, by the City, on a daily, weekly, monthly, or other period of time-only basis. All claims for reimbursement for mileage shall be upon the basis of actual miles traveled.
- B. That the Auditor of the City is hereby directed and authorized to make payment for reimbursement to City officials and employees for miles traveled using personal or private motor vehicles on City business at the rate set by the Internal Revenue Service at the time of business travel. No claims for reimbursement for mileage shall be allowed unless accompanied by a detailed report showing actual miles traveled on City business.

SECTION 23: DEATH IN FAMILY

- A. In the event of the death in the immediate family of an employee, the employee shall be granted up to 3 work days off (24 hours of duty time off in the case of a Fire Department employee), without loss of pay, vacation, or accumulated sick leave, in order to attend the funeral or matters of the deceased. Should notification of death be received during working hours, the employee shall also receive, with the consent of the department head the balance of the shift off, without the loss of pay, vacation, holivac or accumulated sick leave, in addition to the aforementioned time off provisions.
- B. The immediate family shall be defined as the spouse, child, mother, father, sister, brother, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and stepchild.
- C. In the event of a death of a member of the employee's "extended family", the employee shall be granted up to three (3) days off without loss of pay for the purpose of attending the funeral, which shall be deducted from the employee's sick leave bank. For purposes of this section, "extended family" shall be defined to include employee's aunt, uncle, cousin, and grandparent-in-law.
- D. Additional time off, for a death in the immediate family shall be given with consent of the head of the department and shall be deducted from vacation, holivac or accumulated sick leave.
- E. Time off, for a death other than the immediate family shall be given with the consent of the head of the department and shall be deducted from vacation, holivac or accumulated sick leave.
- F. Further definitions and details related to Death in Family Leave can be obtained in the City's Bereavement Leave Policy.

SECTION 24: TAX DEFERRAL PLAN FOR EMPLOYEE PENSION CONTRIBUTIONS

- A. The Mayor, Auditor, and the Service-Safety Director of the City are hereby authorized to execute all necessary documents with the Internal Revenue Service, the Public Employees Retirement System and the Ohio Police

and Fire Pension Fund to qualify all public employee retirement payments made by the City for its employees as tax-deferred compensation under the Internal Revenue Service regulations.

- B. All employees of the City who are subject to either the Public Employees Retirement System or the Ohio Police and Fire Pension Fund shall not and do not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City to the Public Employees Retirement System or the Ohio Police and Fire Pension Fund.
- C. Employee contributions to the Public Employees Retirement System or the Ohio Police and Fire Pension Fund will be paid by the City in lieu of the contributions being paid directly by the employee.

SECTION 25: UNION CONTRACTS

- A. Provisions in this ordinance which are also covered in collective bargaining agreements shall be superseded by the terms of those agreements.
- B. Contract provisions contained in the agreement between the International Union of Operating Engineers, Local 18-S (IUOE) and the City of Findlay will remain in effect until **Month day, 2016** or the beginning of the first full payroll period after the certification of the election conducted by the State Employment Relations Board resulting in the decertification of the IUOE, whichever is later, excepting, however, the hourly wage set forth herein shall apply retroactively to January 3, 2016.

SECTION 26: EXCLUSION OF FINDLAY MUNICIPAL COURT EMPLOYEES

- C. All employees of the Findlay Municipal Court other than the Clerk while still considered employees of the City shall be subject to classification as determined by the Judges of said Court and shall be subject to the orders of the Judges of said Court.

SECTION 27 MILITARY LEAVE

- A. (1) Permanent City employees who are members of the Ohio Organized Militia, or members of other reserve components of the armed forces of the United States, including the Ohio National Guard, are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services, for periods of up to one month, for each calendar year in which they are performing service in the uniformed services.

(2) As used in this section:
 - (a) "Calendar year" means the year beginning on the first day of January and ending on the last day of December.
 - (b) "Month" means twenty-two (22) eight (8) hour work days or one hundred seventy-six (176) hours, or for a public safety employee, seventeen (17) twenty-four hour days or four hundred eight (408) hours, within one calendar year.
 - (c) "Permanent City employee" means any person holding a position in the employ of the City that requires working a regular schedule of twenty-six (26) consecutive biweekly pay periods or any other regular schedule of comparable consecutive pay periods which is not limited to a specific season or duration. "Permanent City employee" does not include student help; intermittent, seasonal, or external interim employees; or individuals covered by personal service contracts.
 - (d) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio Organized Militia pursuant to Chapter 5923 of the Ohio Revised Code. "Service

in the uniformed services" also includes the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.

- (e) "Uniformed services" means the armed forces, the Ohio Organized Militia when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the Commissioned Corps of the Public Health Service and any other category of persons designated by the President of the United States in time or war or emergency.
 - (f) "Public safety employee" means a permanent City employee who is employed as a Firefighter or Emergency Medical Technician.
- B. Any permanent City employee, who is entitled to the leave provided under division (A) of this section, and who is called or ordered to the uniformed services for longer than a month, for each calendar year in which the employee performed service in the uniformed services because of an executive order issued by the President of the United States, because of an act of Congress, or because of an order to perform duty issued by the Governor pursuant to section 5919.29 of the Ohio Revised Code is entitled, during the period designated in the order or act, to a leave of absence and to be paid during each monthly pay period of that leave of absence, the lesser of the following:
- (1) The difference between the permanent City employee's gross monthly wage or salary as a permanent City employee and the sum of the permanent City employee's gross uniformed pay received in the month; or
 - (2) Five hundred dollars (\$500.00)
- C. No permanent City employee shall receive payments under division (B) of this section if the sum of the permanent City employee's gross uniformed pay received in a pay period exceeds the employee's gross wage or salary as a permanent City employee for that period or if the permanent City employee is receiving pay under division (A) of this section.
- D. Each permanent City employee who is entitled to leave provided under division (A) of this section shall submit to the permanent City employee's appointed authority the published order authorizing the call or order to the uniformed services or a written statement from the appropriate military commander authorizing that service, prior to being credited with that leave.
- E. Any permanent City employee whose employment is governed by a collective bargaining agreement with provision for the performance of service in the uniformed services shall abide by the terms of that collective bargaining agreement with respect to the performance of that service, except that no collective bargaining agreement may afford fewer rights and benefits than are conferred under this section.

SECTION 28: DIRECT DEPOSIT

- A. The City Auditor shall make all wage and benefit payments by direct deposit except when circumstances necessitate that any such direct deposit is not appropriate or prudent.

SECTION 29: PAYMENT OF FORMER DEPARTMENT OF PUBLIC HEALTH EMPLOYEES

- A. Previous employees of the City of Findlay Department of Public Health shall be entitled to all rights and privileges earned while an active employee of the City.

SECTION 30: BOND

- A. All officers and employees of the City, except the City Auditor, City Treasurer, Income Tax Administrator, Utility Billing Supervisor, and Recreation Administrative Supervisor, shall be included in a public employees and public

officers blanket bond or bonds indemnifying the City against loss due to the non-faithful performance of dishonest act or acts of such officer or employee.

- B. All officers and employees shall be bonded under a blanket bond in the amount of not less than one-hundred thousand dollars (\$100,000).
- C. The blanket bond or bonds shall be purchased from a surety company licensed to issue such bonds in the State of Ohio and shall be in the penalty as set forth, and shall cover all elected officers, appointed officers, and all employees, whether full-time, part-time, casual, temporary or otherwise.

SECTION 29: DISCHARGE OF AN EMPLOYEE; PAYMENT

- A. An employee leaving the service of the City for any reason shall be paid in full for all accumulated vacation hours, holivac hours, compensatory time and accrued longevity at the time of the termination.

SECTION 30: EFFECTIVE DATE

- A. 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 reasons that is immediately necessary for preparation and implementation of various changes in specific provisions which will go into effect as of January 1, 2017 or as noted in each Section.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2016-109

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:	HRC Rehab Debt Service Fund #23060100	\$	15,000.00	
TO:	CIT- Capital Improvements restricted account	\$		15,000.00
FROM:	CR 236 TIF Fund	\$	71,782.93	
TO:	CR 236 Widening Debt Service #23060300-other	\$		71,782.93
FROM:	CR 236 Widening Debt Service \$23060300-other	\$	71,782.93	
TO:	CIT – Capital Improvements restricted account	\$		71,782.93
FROM:	County Permissive Fund	\$	128,880.83	
TO:	CRF 236 Widening Debt Service #23060300-other	\$		91,123.33
	CR 236 Land Debt Service #23060200-other	\$		37,757.50
FROM:	CR 236 Widening Debt Service #23060300-other	\$	91,123.33	
	CR 236 Land Debt Service #23060200-other	\$	37,757.50	
TO:	CIT- Capital Improvements restricted account	\$		128,880.83
FROM:	Special Assessments Sidewalks #28020000	\$	629.54	
TO:	General Fund	\$		629.54
FROM:	Special Assessments Pavements	\$	6.07	
TO:	General Fund	\$		6.07
FROM:	Severance Payout Reserve Fund	\$	50,000.00	
TO:	Severance Payout #22090000-personal services	\$		50,000.00

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 funds may be available to pay expenditures as they become due,

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. 2016-110

AN ORDINANCE AMENDING SECTIONS 194.07, 194.10, AND 194.13 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

WHEREAS, Council desires to amend said sections of the Income Tax Ordinance, No. 2015-101.

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 paragraph F of Section 194.07, be amended to include an additional subparagraph, which will be designated subparagraph 2:

- (2) In accordance with Section 194.13(B)(2) of this Chapter, the Tax Administrator shall provide to Council the monthly and cumulative number of Individual and Business taxpayers that have been permitted, pursuant to Subparagraph 1 of this section, to disregard the estimate payment requirements prescribed in this section.

SECTION 2: That paragraph F of Section 194.10, be amended to include a subparagraph, which will be designated subparagraph 1:

- (1) In accordance with Section 194.13(B)(2) of this Chapter, the Tax Administrator shall provide to Council the monthly and cumulative number of Individual and Business taxpayers that have been permitted, pursuant to Section 194.07(F)(1) of this Chapter, to disregard the estimate payment requirements prescribed in Section 194.07.

SECTION 3: That subparagraph 2 of Section 194.13(B) which reads as follows:

- (2) The Tax Administrator shall make a written report to Council each month of all moneys collected hereunder during the preceding month.

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

- (2) The Tax Administrator shall make a written report to Council each month of all moneys collected hereunder during the preceding month for the Employer Withholding, Individual, and Business collection categories. The report shall include the total collections for the preceding month, a year-to-date comparison to the preceding year for the Employer Withholding, Individual, and Business collection categories, the accumulated actual and accumulated estimated past-due taxes for the Employer Withholding, Individual, and Business collection categories, a section that measures the actual year-to-date collections against the projected year-end collections for the year for the Employer Withholding, Individual, and Business collection categories, a section that reports the month-to-date and year-to-date quantities and aggregate amounts of refunds paid for Employer Withholding, Individual, and Businesses categories, a section that reports the month-to-date and year-to-date quantities and aggregate amounts of overpayment transfers for Employer Withholding, Individual, and Businesses categories, and the monthly and cumulative number of Individual and Business taxpayers that have been permitted, pursuant to Section 194.07(F)(1) of this Chapter, to disregard the estimate payment requirements prescribed in Section 194.07. The collections report for the Employer Withholding, Individual, and Business shall include a year-by-year breakdown or allocation that identifies the years to which the collections have been applied to the taxpayers' accounts for at least the preceding four years. The report shall also include the aggregate amount of subsequent-year estimate declarations filed with or reported on taxpayers' previous-year income tax returns, or otherwise required to be reported, by taxpayers that have been permitted, pursuant to Section 194.07(F)(1) of this Chapter, to disregard the estimate payment requirements prescribed in Section 194.07.

SECTION 4: This Ordinance be and the same hereby approved and adopted by this Council, and shall be effective January 1, 2017 at 12:01AM.

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. 2016-111

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:	Water Fund	\$	8,700.00
TO:	TR 94 Waterline Oversizing Project #35766100	\$	8,700.00

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 aforementioned waterline 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 _____