

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

January 3, 2017

COUNCIL CHAMBERS

ROLL CALL of 2016-2017 COUNCILMEMBERS

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Acceptance or changes to the December 20, 2016 public hearing minutes for 15110 Flag City Dr (Menards) rezone (Ordinance No. 2016-113).
- Acceptance or changes to the December 20, 2016 public hearing minutes for 516, 518, 518 ½ Liberty St rezone (Ordinance No. 2016-112).
- Acceptance or changes to the December 20, 2016 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS:

Street vacation request – Lippincott Avenue

Joe VanDenEynde is requesting to vacate Fishlock Avenue between Fishlock Avenue and Williams Street. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

Alley vacation request – Lippincott Avenue

Joe VanDenEynde is requesting to vacate the north-south alley between First Street and Lippincott Avenue to the north bank of Lye Creek and the east-west alley right-of-way between Fishlock Avenue and Williams Street between First Street and Lippincott Avenue. 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:

N.E.A.T. Departmental Activity Report – November 2016.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Red Wine LLC, dba Red Wine, located at 317 South Main Street, Findlay, Ohio, for D1, D3 and D3 liquor permits. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Red Red Wine LLC, dba Red Red Wine, located at 317 South Main Street. A check of the records shows no criminal record on the following

Robin L. Gardner

City Planning Commission agenda – January 12, 2017; minutes – December 8, 2016.

Service-Safety Director Paul Schmelzer – 2017 Capital Improvements Plan

The proposed version of the 2017 Capital Improvements Plan is nearly ready for review. It is anticipated to be ready next week, therefore, the Service-Safety Director is requesting the opportunity to present the proposed 5-year plan at the next Appropriations Committee meeting. As done in the past, copies of the draft plan will be available for pickup on Friday, January 6, 2017. Assuming the Appropriations Committee will meet on Tuesday, January 10, 2017, will allow members time for review prior to the meeting.

City Auditor Jim Staschiak – RLF Administration

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for September 2016 through November 2016. This is now a routine request where Council has approved requesting the appropriation without going to committee each time. Legislation to authorize a draw from the Revolving Loan Fund account and appropriate \$1,283.31 from the RLF to General Expense #21010000-449400 to pay the invoice. Ordinance No. 2017-004 was created.

COMMITTEE REPORTS: - none.

LEGISLATION:
RESOLUTIONS – none.

ORDINANCES

ORDINANCE NO. 2017-001 (*appropriations for current expenses & other expenditures for 2017*) **first reading**
AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2017-002 (*Sewer Fund*) **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2017-003 (*University of Findlay tax-exempt financing*) **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CIYT OF FINDLAY, OHIO TO PROVIDE A CERTIFICATE OF APPROVAL, AS THE HIGHEST APPLICABLE ELECTED REPRESENTATIVES, IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT LEASE OBLIGATIONS TO BE ISSUED PRUSUANT TO A MASTER LEASE-PURCHASE AND SUBLEASE-PURCHASE AGREEMENT BY AND AMONG FIFTH THIRD BANK, THE BLANCHARD VALLEY PORT AUTHORITY AND THE UNIVERSITY OF FINDLAY, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2017-004 (*RLF administration*) **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS

City of Findlay

Lydia Mihalik, Mayor

N.E.A.T. DEPARTMENT
Neighborhood Enhancement and Abatement Team
318 Dorney Plaza, Room 304 • Findlay, OH 45840
Phone: 419-424-7466
www.findlayohio.com

December 7, 2016

City Council
City of Findlay, Ohio

RE: Departmental Activity

This report will serve as a summary of activities for the Neighborhood Enhancement and Abatement Team (NEAT) during the month of November, 2016.

Dilapidated Structures

15 cases year to date
19 cases pending

Weeds

319 cases year to date
90 cases pending

Junk on Premises

220 cases year to date
240 cases pending

Junk/Abandoned Vehicles

279 cases year to date
231 cases pending

Minor Maintenance

3 cases year to date
5 cases pending

Miscellaneous

61 cases year to date
23 cases pending

Overgrowth

33 cases year to date
14 cases pending

Right of Way Issues

3 cases year to date
1 case pending

Sidewalks

10 cases year to date
0 cases pending

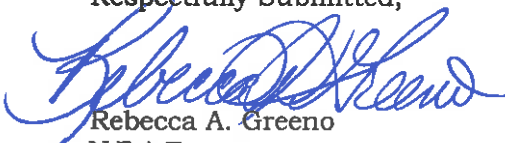
Trash

92 cases year to date
10 cases pending

The Neighborhood Enhancement and Abatement Team received 31 new complaints during the month, of which 2 were invalid. Of the 29 valid issues reported, 22 properties were involved with 6 of the owners being non-residents. NEAT personnel closed 80 cases during the month of November and continue to work diligently on the 633 cases that remained active at the end of the month.

The staff of NEAT works conscientiously with property owners and tenants to achieve compliance. The team appreciates the cooperative spirit of the administration and City Council which aids in the betterment of our community. Please contact NEAT personnel if there are any concerns.

Respectfully Submitted,



Rebecca A. Greeno
N.E.A.T.

City of Findlay

Lydia Mihalik, Mayor

POLICE DEPARTMENT

Gregory R. Horne, Chief of Police

318 Dorney Plaza, Room 207 • Findlay, OH 45840

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

www.findlayohio.com

December 20, 2016

The Honorable Council:

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

Robin L. Gardner

Red Red Wine LLC, DBA Red Red Wine, 317 S. Main Street, Findlay, Ohio 45840.

Sincerely,



Gregory R. Horne
Chief of Police

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

72469860001		TRFL	RED RED WINE LLC DBA RED RED WINE 317 S MAIN ST FINDLAY OH 45840
PERMIT NUMBER		TYPE	
06	01	2015	
ISSUE DATE			
06	29	2016	
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
32	044	A	F16421
TAX DISTRICT			RECEIPT NO.

FROM 12/15/2016 SAFEKEEPING

7246986			RED RED WINE LLC 235 S MAIN ST GROUND FL FINDLAY OHIO 45840
PERMIT NUMBER		TYPE	
06	01	2015	
ISSUE DATE			
06	29	2016	
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
32	044		
TAX DISTRICT			RECEIPT NO.



MAILED 12/15/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN, 01/17/2017

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES A TRFL 7246986-0001

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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

72469860001 PERMIT NBR
RED RED WINE LLC
DBA RED RED WINE
317 S MAIN ST
FINDLAY OH 45840

: MICHAEL J GARDNER ESTATE 07/13/2016 ACTIVE

MAN-MBR

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

City of Findlay City Planning Commission

Thursday, January 12, 2017 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

ITEMS TABLED 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. APPLICATION FOR SITE PLAN REVIEW #SP-01-2017 filed by Menard's Inc., 5101 Menard's Drive, Eau Claire, WI for a proposed 19,540 square foot warehouse to be located at 15110 Flag City Drive, Findlay.
2. APPLICATION FOR CONDITIONAL USE #CU-01 207 filed by Croy's Property Holdings, LLC, 525 N Thomas St., Ottawa, OH for mixed use single family/office at 751 Howard Street, Findlay.

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, December 8, 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 Clinger
Jackie Schroeder
Dan DeArment

STAFF ATTENDING:

Judy Scrimshaw, HRPC Staff
Matt Cordonnier, HRPC Director
Brian Thomas, PE, PS, City Engineer
Erik Adkins, Zoning Inspector
Matt Pickett, Fire Inspector

GUESTS:

CALL TO ORDER

ROLL CALL

The following members were present:

Lydia Mihalik
Paul Schmelzer
Dan DeArment
Jackie Schroeder
Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Dan DeArment made a motion to approve the minutes of the November 10, 2016 meeting. Dan Clinger seconded. Motion to accept carried 5-0-0.

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. APPLICATION FOR SITE PLAN #SP-22-2016 filed by Findlay Elks Lodge, 900 W. Melrose Avenue, Findlay for proposed clubhouse expansion at 900 W. Melrose Avenue, Findlay.

HRPC

General Information

This request is located off the north side of E. Melrose Avenue west of I-75. It is zoned C-2 General Commercial. To the north is zoned M-2 Multiple Family. To the south is RM-1 Multiple Family in Liberty Township and to the west is R-1 One Family in the Township. It is not located within the 100 year flood plain. The City Land Use Plan designates the site as Multi-Family.

Parcel History

The site has historically been a private swimming/tennis club and rental hall business. The Elks Lodge purchased it in October, 2013, relocated their lodge to the site and maintain the swim/tennis club and rental hall business. FCPC reviewed and approved plans for an additional building and parking lot at their meeting on July 14, 2016.

Staff Analysis

This phase of the project will fill in the area between the old banquet hall and the currently under construction clubhouse building which was approved last summer.

As it is infill, the setbacks are not an issue. Parking calculations were based on the recreational standard. The previous plan was determined to need 57 spaces and there were 81 provided on the plan. With the addition of approximately 4600 square feet of new building, another 15 spaces are required. The current number of spaces shown is still adequate to meet requirements. There was discussion of the eventual removal of the old 2 story clubhouse which would open up the possibility of some additional parking area in the future.

The building is designed to fit in with the architectural features of the current phase and no changes are being made in access or traffic flow on the site.

Staff Recommendation

HRPC Staff recommends approval of **APPLICATION FOR SITE PLAN #SP-22-2016 for proposed clubhouse expansion of the Findlay Elks Lodge at 900 W. Melrose Avenue.**

ENGINEERING

Access – Access to the site will not be changed.

Sanitary Sewer – No additional sanitary taps are being requested.

Waterline – No additional water taps are being requested.

Stormwater Management – Detention is being provided by the underground detention system that is being constructed with the first phase of construction.

MS4 Requirements – The MS4 requirements from the first phase of construction will cover this phase also.

Sidewalks – There are no existing sidewalks on West Melrose Avenue.

Recommendations: Approval of the site plan.

FIRE PREVENTION

No Comments

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN #SP-22-2016 for proposed clubhouse expansion of the Findlay Elks Lodge at 900 W. Melrose Avenue.

DISCUSSION

Dan Clinger stated that he thought in our previous review that we had required that the sign be removed and relocated. It has not been moved. Ms. Scrimshaw said that the Township said it had to be removed as well so she is sure that it will be. Mr. Clinger said he would like to see if we could put some kind of timeframe on that. It is fairly hazardous coming out of the drive. You cannot see past the sign.

MOTION

Dan Clinger made a motion to approve APPLICATION FOR SITE PLAN #SP-22-2016 for proposed Elks clubhouse expansion at 900 W. Melrose Avenue, Findlay subject to:

- Removal/relocation of the existing sign within three (3) months

2nd: Dan DeArment

Paul Schmelzer asked what the issue with the parking along the road was at the last approval. Ms. Scrimshaw stated that the Township was okay with leaving parking in the right-of-way. It is supposed to be paved and they stated that it was open for public use as well. It is not paved yet.

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

2. APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 filed by Celtic Materials, LLC, 4426 N Old State Rd, Norwalk, OH for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue, Findlay.

HRPC

General Information

This request is located along the east side of the SR 15/I-75 loop. It is zoned I- 2 General Industrial. All surrounding parcels are also zoned I-2. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Industrial.

Parcel History

None

Staff Analysis

The applicant is proposing to use the site as a temporary asphalt plant operation in conjunction with the ODOT Interstate 75 widening project through the Findlay area.

The I-2 district does not specifically list such an operation in the code, but in section 1143.03 Conditional Uses J. we have a clause for any additional less intensive, non-objectionable uses subject to Planning Commission approval. FCPC will have to first grant approval of this operation as a conditional use. The I-2 is certainly the best district for such a purpose and this particular location is surrounded by a stone quarry and an excavation business now.

Access to the site will be from Lima Avenue at the current location of the drive beside the ODNR office building. There has been a service road here to accommodate access for the parcels along the highway that do not have frontage on to a public street. The plan is for a new public right-of-way with a cul-de-sac.

The company will locate three temporary office trailers on the site, various stock piles for materials, some storage boxes and of course the temporary plant equipment.

A parking area with 61 spaces is shown. They have estimated 30 construction workers' vehicles on site at any given time plus 25 spaces to accommodate the offices. The parking area is indicated as gravel. Normally, paved parking is required. Staff would like to waive that requirement due to the temporary nature of the operation. It may be here for 3 years, but once the roadway work is completed it will cease operation and everything will be moved out. We don't see any value in having a paved parking lot on a vacant site in the future.

The height of the plant will be 45' at the tallest point. That is well below the maximum height permitted in I-2 of 60'.

Staff Recommendation

HRPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue** subject to the following conditions:

- **Granting of the Conditional Use by FCPC**
- **Waiving of the requirement to pave the parking area.**

ENGINEERING

Access – Access to the site will be from a service road that will be installed as part of the I-75 widening project.

Sanitary Sewer – The closest sanitary sewer is the existing 8-inch sanitary sewer located on Lima Avenue. The ground elevation falls from Lima Avenue to the site so it will not be possible to extend a gravity sanitary sewer to the site. Sanitary service for the site will have to include a sanitary pump station with a force main that will connect into the existing sanitary sewer on Lima Avenue.

Waterline – The closest waterline is the existing 8-inch waterline located on Lima Avenue. Water service for the site will have to include a proposed waterline from the site to the existing waterline on Lima Avenue.

Stormwater Management – The proposed development will only be used during the I-75 widening project. Once the project is completed, the proposed offices and asphalt plant will be removed from the site. This means that the runoff from the site after the project will be the same as the runoff from the site prior to the project so no detention will be required.

MS4 Requirements – The amount of erodible material that will be disturbed will be less than one acre so the site is will not be required to comply with the City of Findlay's Erosion and Sediment Control Ordinance.

General Comments – Since the site is located so close to the airport, an FAA permit application should be submitted to ensure that there will not be any issues due to the height of the proposed asphalt plant. The applicant will also be required to obtain any OEPA permits that might be required for the proposed use (air permit, etc.)

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

- Water and sewer be extended to the site so that the proposed development can have public water and sewer services.

The following permits may be required prior to construction:

- Sanitary Tap Permit
- Waterline Tap Permit

FIRE PREVENTION

Provide a minimum 6" waterline extended to the site with hydrant placed near cul-de-sac

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue subject to the following conditions:

- Granting of the Conditional Use by FCPC (HRPC)
- Waiving of the requirement to pave the parking area. (HRPC)
- Water and sewer be extended to the site so that the proposed development can have public water and sewer services (ENG)
- Provide a minimum 6" waterline extended to the site with a hydrant placed near the cul-de-sac. (FIRE)

DISCUSSION

Paul Schmelzer offered some information. He stated that since it is a temporary use they looked at some of the tradeoffs that could be made to make this happen. He reminded them of another project that had come around earlier that was more than likely associated with the I-75 construction as well. It was proposed in a less than ideal location. Mr. Schmelzer stated that he shares the Staff of HRPC and Engineering's opinion that this location is appropriate for such an operation. The Mayor had just made a comment about the paving. Mr. Schmelzer said it is relatively far off the road (Lima Avenue). The service road is going to be put in as part of the project. So paving a parking lot is not as beneficial to us as installing water and sewer. The commission members may wonder why we would want that for this use. We feel it is a much better play for development of the area later and a relatively good tradeoff for not requiring paving for something that is going to be temporary in nature.

Dan Clinger asked if the service drive is going to be paved. Mr. Schmelzer replied that it will. It was something the City had been working on with ODOT as part of the corridor plans. The access to these properties has been impacted by the LA (limited access) right-of-way take. So they talked to ODOT about the construction of that road. At the end of the day, it will be a public road that will look very much like any industrial service road. There will be curb and gutter and industrial pavement section.

Dan DeArment asked if the other access to the site would be closed. Mr. Schmelzer replied yes, this will be the only access. Dan Clinger asked if the site behind this will also access here as well. Mr. Schmelzer replied yes, it will be dedicated right-of-way. He said all properties that will be impacted by the LA right-of-way take will be accessed by the new street.

Paul Schmelzer said his only question for the applicant is whether they feel this is a fair trade. The applicant stated that part of their thought process was that since this is totally temporary, they were looking at holding tanks as far as sanitary and go through Ohio EPA. This has worked very well in other locations. The same with the water. What they did with the fire department in the City of Cleveland was to put in two (2) 10,000-gallon water tanks. The fire department came in and tested those and allowed that. Until they acquired the property and put a permanent facility there, they were fine with the water tanks. Paul Schmelzer commented that he did not like that.

Dan DeArment asked if they would pump and haul from the sewage holding tank. The applicant replied yes, they are holding tanks. Mr. Schmelzer commented that this is going to be a three (3) year operation. At the end of the day, I know what you will have to pay for bulk water. He stated he doesn't know what the current haul rates are for raw sewage. He commented that he wasn't sure what the exact asphalt costs would be to comply with the code to meet the standard. Paul stated that if they added all those up they were probably not that far off with water and sewer going to the site. He said that probably they would potentially end up with fewer headaches. Mr. Schmelzer stated that if the Commission is going to grant the Conditional Use and waive some other requirements of our zoning code, we are doing that with the thought that that property is much better positioned and will go to a higher use in the future. He thinks that is relevant being right next to a very viable interchange. So, the City would like them to consider this. The applicant asked if what he is requesting is the installation of a more permanent water and sewer line. Mr. Schmelzer replied, no question, it would be permanent. He stated that what they can do is work with the Engineering Department on the sewer side to do something with the force main.

He stated that there is not going to be anything back there that will be a real intensive use as far as flow. A six (6) inch waterline and a small diameter maybe four (4) inch force main that gets fed by some pumps maybe could be relatively low in cost for the other properties if they want to be served by it as well as this parcel. He said that was their thought process. This will eliminate all the need for hauling and taking care of port a johns. He stated they will have a lot of people back there every day and at some point they can get that cost recouped by anyone that taps onto it.

The applicant asked if they would be exempt from the tap fee if they do this. Mr. Schmelzer replied no. He said they can make the request to the water and sewer committee but they have historically said no to waiving tap fees.

Dan Clinger said he suspects they will need a Wood County Building Department Permit. He also wanted to add that the site be cleaned and removed within six months of the Highway project completion. He would want that as a condition of approval also. Mr. Schmelzer stated that the permit would be written so it is aligned with the completion of the project. And once they are done, they would be in violation of the permit. So without a condition that is what would happen anyway.

Mr. Clinger asked if there is any concern with surface drainage and whether any material on site would cause any issues at all. Mr. DeArment said he was thinking the same thing. Would there be any sheen on any of the storm water going to the sewers. The applicant stated that the site will actually have its own Stormwater plan developed by an Engineer. The plans will be approved by EPA, of course.

Mr. DeArment asked how they would delineate parking spaces and traffic flow if there is no asphalt. Paul Schmelzer stated that it is pretty common to have large lay down and parking areas for large construction projects. To him it is no different than when McLane was building their distribution center and taking two (2) years to do it. They had a very large parking area for their facilities and their people. It's big enough and they guys park and just make room. He stated that why we are not requiring asphalt in addition to what we are asking for in utilities is that the site is off of what will be a relatively large construction drive from Lima Avenue. When you talk about tracking debris or anything like that, there is a long drive to get back to. Our concern is really going to be at the point where that drive meets Lima Avenue.

Dan Clinger asked about the area where there is a lot of concrete rubble. Will that be broken up and used or hauled away or what. The applicant said that Smith Paving has offered it to them to use for the project or for this site. They can break it up into a 304 and use for a base for the plant and office site.

MOTION

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-24-2016 for a proposed temporary asphalt plant and offices to be located at 1150 Lima Avenue, Findlay subject to the following conditions:**

- **Granting of the Conditional Use by FCPC (HRPC)**
- **Waiving of the requirement to pave the parking area. (HRPC)**
- **Water and sewer be extended to the site so that the proposed development can have public water and sewer services (ENG)**
- **Provide a minimum 6" waterline extended to the site with a hydrant placed near the cul-de-sac. (FIRE)**
- **Apply for any necessary permits with Wood County Building Dept.**

The applicant asked if restoring the site meant it could be left as stone. Mr. Schmelzer replied yes. The applicant said he would leave it up the paving company that owns it if they want it scraped and seeded or left as stone. Mr. Schmelzer replied that he would use the term “nothing more obtrusive than the existing conditions”.

2nd: Paul Schmelzer

Mr. Schmelzer asked if they were going to be working with any of the contractors building the I-75 project. The applicants stated that they look to be the prime contractor.

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

3. APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 filed by M-Two Limited Liability Company, 1199 Imperial Drive, Naples, FL for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay.

HRPC

General Information

This site is located off the east side of Stanford Parkway on Lots 9 & 10 of the Mill Six Subdivision. It is zoned I-1 Light Industrial and all abutting lots on the north, east and west sides are also I-1. To the south is zoned C-2 General Commercial. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as industrial.

Parcel History

The Legacy Marble and Stone business is located here.

Staff Analysis

The applicant is proposing to construct a 40’ x 150’ building for display and storage of stone slabs. It is to be attached to the east side of an existing building by a 10’ x 20’ connection. The building will follow the same north building line as the existing structure.

There is an asphalt area being added to the north side of the building also which will connect with a current asphalt pad.

The applicant has stated that no new jobs or employees will be added with the construction, so no additional parking is proposed. There are nine (9) parking spaces on the east side of the existing building which this is being connected to.

All of the buildings are served by an existing private drive that loops back to Stanford Parkway.

Staff Recommendation

HRPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay.**

ENGINEERING

Access – Access to the site will be from an extension of the existing drive located on the property to the north of the proposed building (Lot 11). Since Lot 11 is shown as having different ownership, a cross share agreement or access easement should be setup so that access will not become a problem in the future if either of the lots are sold.

Sanitary Sewer – No additional sanitary taps are being requested.

Waterline – No additional water taps are being requested.

Stormwater Management – Detention calculations have been provided as required. Engineering has contacted the consultant about some questions on the detention calculations. Depending upon the answers from the consultant, some minor grading changes may have to be made. This item can be worked out between Engineering and the consultant as a condition for approval. The outlet for the proposed detention basin is being connected into the existing catch basin located on Lot 11 to the north. The catch basin is not shown to be in an existing utility easement. A utility easement should be obtained from Lot 11 so that an issue will not arise in the future if either of the lots are sold.

MS4 Requirements – The amount of erodible material that will be disturbed will be less than one acre so the site is will not be required to comply with the City of Findlay's Erosion and Sediment Control Ordinance.

Sidewalks – There are not existing sidewalks on Stanford Parkway or the Private Drive.

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

- Access easement or agreement be put into place between the two properties.
- The consultant answers the detention questions and make any minor grading changes that will be required to the satisfaction of Engineering.
- Utility easement be put into place between the two properties for the outlet from the proposed detention basin.

The following permits may be required prior to construction:

- Storm Tap Permit

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay subject to the following conditions:

- Access easement or agreement be put into place between the two properties. (ENG)
- The consultant answers the detention questions and make any minor grading changes that will be required to the satisfaction of Engineering. (ENG)
- Utility easement be put into place between the two properties for the outlet from the proposed detention basin. (ENG)
- Apply for all necessary permits with Wood County Building Department (FIRE)

DISCUSSION

Dan Clinger stated that there is a proposed detention area that is within the 15' utility easement. Can they have that there? Mr. Schmelzer said it is not something that bothers him when it is a detention area.

Mr. DeArment asked that if the property would be sold later if they may have to put in parking. Mr. Schmelzer said that if they were to have additional employees, they would have to add parking regardless of the owner. Mr. DeArment asked how we can control that. Mr. Schmelzer said it is an age old question of how the code ties anything to required parking. In the industrial area it is tied to number of employees not square footage. At some point you can always have someone lie about number of employees. It becomes a functional issue for their site when it's related to customers and how many people work there. In his opinion, if they have a business that is going to create a functional issue for the right-of-way and/or the public, then we have a responsibility to say regardless of the square footage, this is what we see going on and this is a condition of the plan. In this particular case, the business is on a private looped drive, they indicate to us that they will not have additional employees, which means there are no more spaces required and we have nothing to argue about. If they create a functional issue for themselves and their customers can't park because the employees are taking up the parking that only hurts them. Ms. Scrimshaw said that when she went out there to look at the site, there are about 9 paved parking spots on the east side and a small gravel area at the south end of that. There were 2 cars parked on the gravel and she assumed they were likely employees.

Mr. Clinger assumed that the asphalt on the north side may be for taking delivery. Ms. Scrimshaw replied that she was not sure. They were in here a while ago and put in the pad between the buildings for outdoor display and this lines up with that. Mr. Clinger said he noticed some display on the north. Is there some connection. Ms. Scrimshaw pointed out the various buildings that are all a part of the company. The lots are in different ownership names, but they use several of them. She assumes they lease the land.

Mr. Clinger asked if we know what the new building is for. Ms. Scrimshaw stated that they said it would be for storing the slabs inside. She assumed people can drive around back now and go in or walk around. Matt Cordonnier said he concurred with Paul Schmelzer. Being on a private drive, any hardship they have will only cause them issues and not the City or general public.

MOTION

Paul Schmelzer made the motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-25-2016 for proposed 6,000 square foot storage building at 235 Stanford Parkway, Findlay subject to the following conditions:**

- **Access easement or agreement be put into place between the two properties. (ENG)**
- **Utility easement be put into place between the two properties for the outlet from the proposed detention basin. (ENG)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**

2nd: Dan DeArment

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

Lydia L. Mihalik
Mayor

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



Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310

Findlay, OH 45840

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

www.findlayohio.com

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

December 29, 2016

Honorable City Council
City of Findlay, Ohio

RE: 2017 Capital Improvements Plan

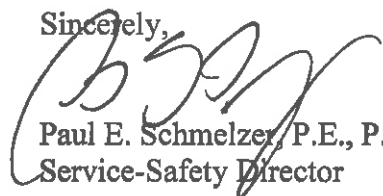
Dear Council Members:

The proposed version of the 2017 Capital Improvements Plan is nearly ready for review. I anticipate that it will be ready later next week. Therefore, I am requesting the opportunity to present the proposed 5-year plan at the next Appropriations Committee meeting.

As we have done in the past, we will have copies of the draft plan ready for pickup on Friday, January 6, 2017. Assuming the Appropriations Committee will meet on Tuesday, January 10, this will give members time for review prior to the meeting.

Please note that this is a proposed schedule and can be changed if necessary.

Sincerely,



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



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

December 30, 2016

The Honorable Council
Findlay, Ohio 45840

RE: Revolving Loan Fund Administration

Dear Council Members:

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for September 2016 through November 2016. I have attached a copy for your reference.

This is now a routine request, and you have approved requesting the appropriation without going to committee each time. I have therefore asked the Director of Law to place legislation on your agenda to authorize a draw from the Revolving Loan Fund account and appropriate \$1,283.31 from the RLF to General Expense #21010000-449400 to pay the invoice.

Respectfully submitted,

Jim Staschiak II
City Auditor

Cc: Don Rasmussen
File



Hancock Regional Planning Commission
318 Dorney Plaza
Suite 304
Findlay, OH 45840 US
(419)424-7094
ckimmet@findlayohio.com

INVOICE

BILL TO
City of Findlay
Revolving Loan Fund

INVOICE # 900
DATE 12/15/2016

DESCRIPTION	QTY	PRICE EACH	AMOUNT
Charges			
September 2016 through November 2016			
Cordonnier			
Professional Services - Hourly Rate	2.25	38.98	87.71
Leary			
Professional Services - Hourly Rate	22.75	30.31	689.55
Mercer			
Professional Services - Hourly Rate	14.75	27.52	405.92
Billable Expenses			
Initial Public Notice - Fire Grounds ER		100.13	100.13

BALANCE DUE

\$1,283.31

RECEIVED
DEC 15 2016
AUDITOR

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
27-Sep-16	Leary, Sherri	FINDLAY RLF			Y	4.00	Enter payments, prepare reports and statements.
28-Sep-16	Leary, Sherri	FINDLAY RLF			Y	2.00	Prepare reports and statements.
26-Sep-16	Mercer, Jacob	FINDLAY RLF			Y	0.25	Checking in with Fireground applicant
23-Sep-16	Leary, Sherri	FINDLAY RLF			Y	1.00	Prepared invoice and comments. Status discussions.
22-Sep-16	Mercer, Jacob	FINDLAY RLF			Y	1.25	Working with Fireground Coffee to arrange their Board Meeting; Later decided to postpone their meeting until after applicant met with Small Business Resource Center (Dan) to discuss his business plan.
13-Sep-16	Mercer, Jacob	FINDLAY RLF			Y	3.75	Working on the Fireground Coffee ER
14-Sep-16	Mercer, Jacob	FINDLAY RLF			Y	3.50	Working on Fireground ER; Talked with Justin Terry to explain the ER process and the began to prepare for a potential Board Meeting
6-Sep-16	Mercer, Jacob	FINDLAY RLF			Y	2.00	Fireground application and ER process.

17.75

RECEIVED
 DEC 15 2016
AUDITOR

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
31-Oct-16	Leary, Sherri	FINDLAY RLF			Y	4.00	Entered loan payments in Quicken loan program. Printed reports. Prepared statements. Updated monthly spreadsheets.
24-Oct-16	Leary, Sherri	FINDLAY RLF			Y	0.50	Incoming phone call requesting information on RLF program.
25-Oct-16	Leary, Sherri	FINDLAY RLF			Y	0.25	Filing
26-Oct-16	Leary, Sherri	FINDLAY RLF			Y	0.50	Phone calls with RLF clients regarding status of payments.
6-Oct-16	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	0.25	Email to with Mike Pepple regarding the use of RLF dollars with a proposed loan
4-Oct-16	Mercer, Jacob	FINDLAY RLF			Y	0.50	Call to Dan Schaeffer to discuss the Fireground Application and his thoughts on their business plan
5-Oct-16	Mercer, Jacob	FINDLAY RLF			Y	0.50	Call from Justin Terry about Fireground Application (pulling loan from First Fed); Call to Don Bledsoe to see what Huntington knows regarding their review process

6.50

RECEIVED
DEC 15 2016
AUDITOR

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
29-Nov-16	Leary, Sherri	FINDLAY RLF			Y	0.50	Phone call regarding RLF program details.
30-Nov-16	Leary, Sherri	FINDLAY RLF			Y	4.00	Entered loan payments in Quicken loan program. Printed reports. Prepared statements. Updated monthly spreadsheets.
14-Nov-16	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.50	Prepared for and participated in meeting with the Findlay Brewing Company regarding a potential application. Followup discussions with Sherri and Jake.
14-Nov-16	Leary, Sherri	FINDLAY RLF			Y	0.75	Discussion with Matt regarding meeting with loan applicant. Briefly met with applicants after Matt and Jake met with them. Staff discussion regarding notebooks to be prepared.
15-Nov-16	Leary, Sherri	FINDLAY RLF			Y	1.00	Researched NCCET origin of funds. Discussions with Matt regarding possible sale of NCCET building.
14-Nov-16	Mercer, Jacob	FINDLAY RLF			Y	1.00	Met with owners of Findlay Brewing Company LLC to discuss the RLF program and collect information on their project.
15-Nov-16	Mercer, Jacob	FINDLAY RLF			Y	2.00	Collected pictures and mailed the 106 Historic Review letter to OHPO
8-Nov-16	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	0.50	Subordination Agreement Cross Way Loan
7-Nov-16	Leary, Sherri	FINDLAY RLF			Y	1.50	Phone calls/coord efforts with Whitman title regarding subordination agreements. Reviewed existing mortgage documents for Cross Way.
8-Nov-16	Leary, Sherri	FINDLAY RLF			Y	1.25	Reviewed subordination agreement from Whitman title for Cross Way refinance. Coord/phone calls with Beth at Whitman title. Notarized subordination agreement.
9-Nov-16	Leary, Sherri	FINDLAY RLF			Y	0.50	Phone call from Beth at Whitman Title. Refinance numbers changed requiring revised subordination agreement. Reviewed revised agreement, notarized and provided to Whitman Title.
1-Nov-16	Leary, Sherri	FINDLAY RLF			Y	0.25	Phone call from Rolling Thunder, followup call regard status of payments.
4-Nov-16	Leary, Sherri	FINDLAY RLF			Y	0.75	Phone call with Angel Hands. Explained RLF process and requirements for potential loan application.

15.50

AUDITOR

DEC 15 2016

RECEIVED

City of Findlay

Office of the Director of Law

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

Donald J. Rasmussen
Director of Law

JANUARY 3, 2017

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JANUARY 3, 2017 MEETING.

ORDINANCES

- 2017-001 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.
- 2017-002 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2017-003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CIYT OF FINDLAY, OHIO TO PROVIDE A CERTIFICATE OF APPROVAL, AS THE HIGHEST APPLICABLE ELECTED REPRESENTATIVES, IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT LEASE OBLIGATIONS TO BE ISSUED PRUSUANT TO A MASTER LEASE-PURCHASE AND SUBLEASE-PURCHASE AGREEMENT BY AND AMONG FIFTH THIRD BANK, THE BLANCHARD VALLEY PORT AUTHORITY AND THE UNIVERSITY OF FINDLAY, AND DECLARING AN EMERGENCY.
- 2017-004 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE 2017-001

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.

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

SECTION 1: That to provide for the current expenses and other expenditures of the City of Findlay, Ohio, during the fiscal year ending December 31, 2017, the following sums be and they are hereby set aside and appropriated as follows:

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

Council	21001000 – personal services	\$	118,939.00
	21001000 – other		37,498.00
Mayor's Office	21002000 – personal services		255,314.00
	21002000 – other		71,512.00
Auditor's Office	21003000 – personal services		529,787.00
	21003000 – other		121,497.00
Treasurer's Office	21004000 – personal services		7,657.00
	21004000 – other		8,625.00
Law Director	21005000 – personal services		464,099.00
	21005000 – other		150,457.00
Municipal Court	21006000 – personal services		1,594,522.00
	21006000 – other		405,540.00
Civil Service Office	21007000 – personal services		87,411.00
	21007000 – other		39,734.00
Planning & Zoning	21008000 – other		147,627.00
Computer Services	21009000 – personal services		218,590.00
	21009000 – other		123,053.00
General Expense	21010000 – other		3,163,400.00
Police Department	21012000 – personal services		6,725,347.00
	21012000 – other		620,795.00
Disaster Services	21013000 – other		51,343.00
Fire Department	21014000 – personal services		7,075,279.00
	21014000 – other		389,159.00
Dispatch Center	21015000 – personal services		920,161.00
	21015000 – other		261,450.00
N.E.A.T.	21016000 – personal services		71,778.00
	21016000 – other		33,024.00
Human Resources	21018000 – personal services		107,002.00
	21018000 – other		58,872.00
W.O.R.C.	21019000 – personal services		70,643.00
	21019000 – other		292,786.00

Service Safety Director	21020000 – personal services	196,860.00
	21020000 – other	58,147.00
Engineering Department	21021000 – personal services	579,791.00
	21021000 – other	162,018.00
Public Building	21022000 – personal services	63,465.00
	21022000 – other	364,561.00
Zoning	21032000 – personal services	175,201.00
	21032000 – other	20,493.00
Parks Maintenance	21034000 – personal services	410,721.00
	21034000 – other	179,507.00
Reservoir Recreation	21035000 – other	5,066.00
Recreation Maintenance	21042000 – other	162,395.00
Recreation Functions	21041000 – personal services	399,351.00
	21041000 – other	382,904.00
Cemetery Department	21046000 – personal services	245,561.00
	21046000 – other	81,295.00

GENERAL FUND TOTAL \$ 27,710,237.00

It is the understanding of this council that as part of this appropriation amount shown in the General Expense line, included are subsidies from the General Fund to SCM&R Fund (\$655,000), Swimming Pool Fund (\$78,000), and Airport Fund (\$194,000) as were discussed as part of the budget review meeting held December 15, 2016.

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

SCM&R Streets	22040000 – personal services	\$ 1,927,663.00
	22040000 – other	695,611.00
Traffic Signals	22043200 – personal services	153,167.00
	22043200 – other	121,759.00
SCM&R Hiways	22045000 – other	167,481.00
Law Enforcement Trust	22060000 – other	589.00
Drug Law Enforc Trust	22065000 – other	36.00
I. D. Alcohol Treatment	22070000 – other	240,000.00
Enforcement/Education	22075000 – other	56,533.00
Court Special Projects	22079000 – personal services	166,960.00
	22079000 – other	235,070.00
Court Computerization	22080000 – other	150,000.00
METRICH Drug Law Enf	22081000 – other	2,109.00
Alcohol Monitoring	22082000 – other	120,000.00
Mediation Services	22083000 – other	95,000.00
Electronic Imaging	22084000 – personal services	48,861.00
	22084000 – other	130,149.00
Legal Research	22085000 – other	20,365.00
Severance Payout Res	22090000 – personal services	110,000.00

CIT Administration	27047000 – personal services	245,572.00
	27047000 – other	19,539,891.00
Police Pension	27078000 – other	235,500.00
Fire Pension	27079000 – other	235,500.00

SPECIAL REVENUE

FUND TOTAL \$ 24,697,816.00

SECTION 4: There hereby be appropriated from the CIT Capital Improvement Restricted Account and/or Debt Service Fund the following:

Crystal/Melrose DS	23035000 – other	\$ 7,200.00
Energy Bonds Ser A DS	23056000 – other	73,668.82
Energy Bonds Ser B DS	23056100 – other	27,972.28
2016 HRC Rehab DS	23060110 – other	123,039.86
2016 CR236 Land DS	23060210 – other	33,326.70
2016 CR236 Widening DS	23060310 – other	149,443.30
2016 5Plex DS	23060410 – other	229,219.38
Howard St Improv DS	23065000 – other	7,483.12

DEBT SERVICE FUND

TOTAL \$ 651,353.46

It is the intent of this Council to treat the appropriation to Energy Bonds Series A, Energy Bonds Series B, 2016 HRC Rehab, 2016 CR236 Land, and 2016 CR236 Widening initially as a transfer and/or advance of funds from the CIT Fund – Capital Improvements Restricted Account until such time during the year 2017 actual funds are received and amounts can be determined for certain from Federal subsidies, pledged donations, CR236 TIF receipts, County Permissive Fees and excess advances can be returned to the CIT Fund – Capital Improvements Restricted Account.

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

Muni Court Improvement	24020000 – other	\$ 250,000.00
------------------------	------------------	---------------

CAPITAL

IMPROVEMENT FUND

TOTAL \$ 250,000.00

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

Airport Operations	25010000 – personal services	\$	354,170.00
	25010000 – other		812,872.00
Sanitary Sewer Maint	25048000 – personal services		838,470.00
	25048000 – other		193,549.00
Stormwater Maintenance	25049500 – personal services		151,757.00
	25049500 – other		112,050.00
Water Treatment	25050000 – personal services		1,125,528.00
	25050000 – other		1,097,759.00
Main Street W/L DS	25050200 – other		6,961.32
Sherman Park W/L DS	25050600 – other		10,000.00
CR 144 W/L DS	25050700 – other		9,242.96
Broad Ave W/L DS	25050800 – other		10,000.00
W Melrose W/L DS	25050900 – other		9,679.50
Center Street W/L DS	25051000 – other		7,925.00
'14 Wtr Ref of 03 DS	25051510 – other		316,000.00
1 st , 2 nd , 3 rd W/L DS	25051700 – other		1,529.88
'11 Wtr Refunding DS	25052400 – other		249,457.50
OWDA WTP Improvemt	25052600 – other		269,864.16
'14 WTP Clearwell Issue	25052800 – other		411,616.00
Water Distribution	25053000 – personal services		1,067,043.00
	25053000 – other		518,296.00
2001 EPA Loan DS	25060200 – other		213,556.18
2000 EPA Loan DS	25060300 – other		2,307,999.00
'14 NC Sewer Ref of 04	25060910 – other		716,816.00
Water Pollution Control	25061000 – personal services		1,303,884.00
	25061000 – other		1,663,374.00
'14 WPC Bar Screen DS	25061200 – other		277,872.00
Utility Billing	25072000 – personal services		644,656.00
	25072000 – other		411,498.00
Supply Reservoir	25073000 – personal services		106,533.00
	25073000 – other		335,420.00
Parking Facilities	25075000 – personal services		88,639.00
	25075000 – other		15,840.00
Swimming Pool	25076000 – other		86,326.00
ENTERPRISE FUND			
TOTAL			\$ 15,746,183.50

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

Int Serv – Central Stores	26063000 – other	\$	28,300.00
Self Insurance	26066000 – other		199,110.00

INTERNAL SERVICE FUND TOTAL		\$	227,410.00
--------------------------------	--	----	------------

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

Cemetery Trusts	27086000 – other	\$	6,700.00
Private Trusts	27087000 – other		2,500.00

TRUST AND AGENCY FUND TOTAL		\$	9,200.00
--------------------------------	--	----	----------

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

Spec Assmt Storm Sewer	28030000 – other	\$	22,403.80
------------------------	------------------	----	-----------

SPECIAL ASSESSMENT FUNDS TOTAL		\$	22,403.80
-----------------------------------	--	----	-----------

TOTAL OPERATING FUNDS		\$	69,314,603.76
--------------------------	--	----	---------------

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

SECTION 11: This ordinance is subject to review and amendments by the City Council if and when it becomes apparent the expenditures for 2017 may exceed the certificate of resources.

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

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

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

President of Council

Mayor

Passed _____

Attest _____
Clerk of Council

Approved _____

ORDINANCE NO. 2017-002

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	Sewer Fund (Stormwater restricted account)	\$ 263,807.00
TO:	Sewer Fund	\$ 263,807.00

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

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. 2017-003

ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO PROVIDE A CERTIFICATE OF APPROVAL, AS THE HIGHEST APPLICABLE ELECTED REPRESENTATIVES, IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT LEASE OBLIGATIONS TO BE ISSUED PURSUANT TO A MASTER LEASE-PURCHASE AND SUBLEASE-PURCHASE AGREEMENT BY AND AMONG FIFTH THIRD BANK, THE BLANCHARD VALLEY PORT AUTHORITY AND THE UNIVERSITY OF FINDLAY AND DECLARING AN EMERGENCY.

WHEREAS, the Blanchard Valley Port Authority, Ohio (the "Port Authority"), by virtue of the laws of the State of Ohio, including Section 4582.21, *et seq.*, of the *Ohio Revised Code* (the "Act"), acting by and through its Board of Directors (the "Board"), is authorized (i) to lease "port authority facilities," as defined in the Act ("Port Authority Facilities"), and to sublease such Port Authority Facilities in furtherance of the public purposes of the Act and (ii) to enact this legislation and execute and deliver the agreements and instruments hereinafter identified; and

WHEREAS, it is expected that the Board of the Port Authority shall determine to authorize the issuance of lease obligations (the "Lease Obligations"), pursuant to Schedule of Payments No. 2 and pursuant to and secured by a previously executed Master Lease-Purchase and Sublease-Purchase Agreement dated as of May 1, 2016 (the "Agreement") among the Port Authority, as lessee, Fifth Third Bank, as lessor (the "Lessor") and the University of Findlay, an Ohio nonprofit corporation, as sublessee (the "Corporation") for the purpose of, together with other available moneys (but not moneys of the City of Findlay, Ohio, the Port Authority or any other political subdivision), for the financing of the construction of a project currently anticipated to be a two story Center for Student Life/College of Business Building, which is planned to include a full kitchen, an open multi use seating area, bookstore, a copy and mail center, an executive dining room, student activities areas, approximately twenty meeting, lecture and classroom areas and office space (the "Project"). The proceeds of the Lease Obligations would be made available to the University for the purpose of financing (a) the Project to be located on the campus of the University on the south side of Davis Street east of Morey Street, with a street address of 301 Davis Street, Findlay, Ohio 45840; and (b) certain issuance costs in connection with the tax-exempt financing. The Project is owned and operated by the University at the above referenced location; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that prior to their issuance, the Lease Obligations must be approved by the highest "applicable elected representative" of the Port Authority (as defined in such Section 147(f) of the Code); and

WHEREAS, the Mayor is the highest "applicable elected representative" of the Port Authority for purposes of Section 147(f) of the Code; and

WHEREAS, after due publication of notice, a public hearing was conducted by the Port Authority on December 19, 2016 with respect to the issuance of the Lease Obligations; and

WHEREAS, in order to facilitate the issuance of the Lease Obligations, this Council desires to authorize the Mayor to execute a certificate providing the requisite approval pursuant to Section 147(f) of the Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council (the "Council") of the City of Findlay, Ohio:

SECTION 1. That, after due authorization of the Lease Obligations by the Port Authority, the Mayor of this Council, as the highest "applicable elected representative" of the Port Authority for purposes of Section 147(f) of the Code, is hereby authorized to provide a "Certificate of Applicable Elected Representatives" in order to facilitate the issuance of the Lease Obligations by the Port Authority. The proceeds of the Lease Obligations shall be used for the purposes set forth in the preambles hereto and such obligations shall not be obligations of the City of Findlay, Ohio. Any comments from the public hearing shall be communicated to this Council for further consideration.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the *Ohio Revised Code*, and the rules of this Council in accordance therewith.

SECTION 3. That this ordinance is hereby declared to be an emergency measure because it is necessary to expeditiously facilitate certain the federal law compliance measure further described herein for the purpose of facilitating the issuance of the Lease Obligations through the Port Authority, which Lease Obligations are necessary for the public peace, health, safety and welfare of the inhabitants of the City of Findlay, Ohio in providing interest cost savings to the Corporation. This ordinance shall take effect upon its adoption by this Council and approval by the Mayor.

[Remainder of this page intentionally left blank]

Passed: _____, 2017

Effective: _____, 2017

Presiding Officer

Attest: _____
Clerk of Council

Approved as to Form:

City Law Director

CERTIFICATE

The undersigned, Clerk of the City Council of the City of Findlay, Ohio does hereby certify that the foregoing is a true and correct copy of an ordinance adopted by such City Council on January _____, 2017.

Clerk of Council

Dated: _____, 2017

[Remainder of this page intentionally left blank]

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Findlay, Ohio, met in _____ session, on the _____ day of January, 2017, in the Council Chambers, with the following members present:

There was presented and read to Council Ordinance No. 2017 - __, entitled:

ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO PROVIDE A CERTIFICATE OF APPROVAL, AS THE HIGHEST APPLICABLE ELECTED REPRESENTATIVES, IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT LEASE OBLIGATIONS TO BE ISSUED PURSUANT TO A LEASE-PURCHASE AND SUBLEASE-PURCHASE AGREEMENT BY AND AMONG FIFTH THIRD BANK, THE BLANCHARD VALLEY PORT AUTHORITY AND THE UNIVERSITY OF FINDLAY AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

_____ then moved that Ordinance No. _____ be adopted. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted January ____, 2017.

CERTIFICATE

The undersigned, Clerk of Council of said city, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said city, held on the ____ day of December, 2017, to the extent pertinent to consideration and adoption of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF APPLICABLE ELECTED REPRESENTATIVE

The undersigned, Lydia Mihalik, Mayor of the City of Findlay, Ohio (the "City") hereby certifies as follows:

1. I am the Mayor of the City, elected directly by the people of the City.
2. The Blanchard Valley Port Authority, (the "Lessee") has undertaken a plan of finance whereby it shall enter into Schedule of Payments No. 2 dated January, 2017 to the previously executed Master Lease-Purchase and Sublease-Purchase Agreement dated as of May 1, 2016 (collectively, the "Lease Agreement") among Fifth Third Bank (the "Lessor"), the Lessee and The University of Findlay (the "Sublessee"). Sublessee has represented in the Lease Agreement that the proceeds of the lease obligations provided for under the Lease Agreement will be used for the financing of the construction of a project currently anticipated to be a two story Center for Student Life/College of Business Building, which is planned to include a full kitchen, an open multi use seating area, bookstore, a copy and mail center, an executive dining room, student activities areas, approximately twenty meeting, lecture and classroom areas and office space (the "Project"). The proceeds of the Lease Obligations would be made available to the University for the purpose of financing (a) the Project to be located on the campus of the University on the south side of Davis Street east of Morey Street, with a street address of 301 Davis Street, Findlay, Ohio 45840; and (b) certain issuance costs in connection with the tax-exempt financing. The Project is owned and operated by the University at the above referenced location.
3. Sublessee has represented in the Lease Agreement that the Project is owned and operated by Sublessee and is part of Sublessee's facilities, the addresses of which facilities are attached hereto as *Exhibit A*.
4. The Sublessee published in a newspaper (*The Courier*) on December 2, 2016, a notice of hearing concerning the financing of the Project (*see Exhibit A* hereto).
5. On January 3, 2017, the City Council of the City of Findlay, Ohio passed an ordinance authorizing the Mayor of the City to execute this Certificate of Applicable Elected Representative in connection with the issuance of the lease obligations to be issued pursuant to the Lease Agreement. On December 19, 2016, at 3:30 p.m., the Lessee conducted a public hearing pursuant to Section 147(f) of the Code and the related Treasury Regulations. The City will not be a party to the Lease Agreement. Neither the undersigned person in her individual or official capacity nor other officers or officials of the City shall assume any direct or indirect financial responsibility for the payment of any amounts under the Lease Agreement or any present or future schedule thereto.

[Remainder of this page intentionally left blank]

Executed this ____ day of _____, 2017.

CITY OF FINDLAY, OHIO

By: _____
Title: Mayor

I hereby certify that the signature above is the true and genuine signature of the Mayor of the City of Findlay, Ohio:

By: _____
Title: Clerk of the City of Findlay, Ohio

EXHIBIT A

[SEE TAB 1.01]



PECK, SHAFFER & WILLIAMS
A DIVISION OF DINSMORE & SHOHL LLP

255 East Fifth Street ^ Suite 1900
Cincinnati, OH 45202
www.dinsmore.com

John C. Merchant
(513) 639-9224 (direct) ^ (513) 977-8141 (fax)
john.merchant@dinsmore.com

December 19, 2016

VIA E-MAIL

City of Findlay
City Law Director Office
318 Dorney Plaza, Room 310
Findlay, Ohio 45840
Attn: Donald Rasmussen, City Law Director

FYI

Re: UNIVERSITY OF FINDLAY
Tax-Exempt Financing

Dear Mr. Rasmussen:

This correspondence is to apprise the City of Findlay, Ohio (the "City") of a request for approval in connection with the issuance of tax-exempt lease obligations in 2017. The Blanchard Valley Port Authority (the "Port Authority") is in the process of issuing tax-exempt lease obligations for the benefit of the University of Findlay. As you recall, the Port Authority previously issued \$10,000,000 in Lease Obligation on May 5, 2016. Attached, as *Exhibit A* hereto, please find information describing the proposed structure and plan of finance for the 2017 transaction.

With the aforesaid correspondence as background, the City has an opportunity to serve an important role with respect to the proposed financing in terms of assisting the Port Authority and the University of Findlay with respect to a federal law compliance matter. In connection with the issuance of tax-exempt obligations for an entity such as the University of Findlay, Section 147(f) of the Internal Revenue Code, as amended (the "Code") and the related Treasury Regulations thereunder require the approval of the highest "applicable elected representative" within a jurisdiction as a prerequisite to the issuance of such tax-exempt obligations. In this case, the Mayor is the highest "applicable elected representative" with respect to the way in which Section 147(f) of the Code relates to tax-exempt obligations issued by the Port Authority. Under Section 147(f) of the Code, it is necessary for a public hearing to be conducted, which public hearing is currently scheduled to be held on Monday, December 19, 2017 at 3:30 p.m. at 1660 Tiffin Avenue, Findlay, Ohio 45840. Once the public hearing is conducted, it would be

Donald Rasmussen, Esq.
December 17, 2016
Page 2

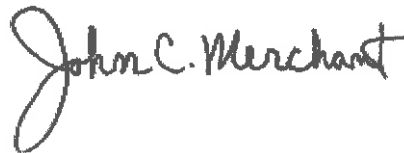
appropriate for the City Council to adopt an ordinance authorizing the Mayor to provide a certificate of approval as the highest "applicable elected representative" of the Port Authority.

Accordingly, it is requested that the City consider adoption of the attached ordinance at its meeting on Tuesday, January 3, 2017. Providing this required approval does not make the City an issuer of the proposed tax-exempt lease obligations, nor does it implicate the City's taxing power or debt limitations, but rather, it facilitates compliance with the public approval requirements of the Code, which serve as a prerequisite to issuing tax-exempt obligations.

Again, we request and would appreciate consideration of the attached ordinance at the City's meeting on Tuesday, January 3, 2017 in order to provide for the issuance of the proposed lease obligations the week of January 9, 2017. Thank you for your consideration and please do not hesitate to call with any questions.

Very truly yours,

DINSMORE & SHOHL, LLP



Per

John C. Merchant

Donald Rasmussen, Esq.

December 17, 2016

Page 3

EXHIBIT A

This correspondence is to apprise you of a potential tax-exempt financing for the benefit of the University of Findlay (the "University"). The University is in the process of negotiating financing terms with Fifth Third Bank (the "Bank"). The proceeds of potential tax-exempt financing will be used for the construction of a project currently anticipated to be a two story Center for Student Life/College of Business Building, which is planned to include a full kitchen, an open multi use seating area, bookstore, a copy and mail center, an executive dining room, student activities areas, approximately twenty meeting, lecture and classroom areas and office space (the "Project"). The proceeds of the tax-exempt financing would be made available to the University for the purpose of financing (a) the Project to be located on the campus of the University on the south side of Davis Street east of Morey Street, with a street address of 301 Davis Street, Findlay, Ohio 45840; and (b) certain issuance costs in connection with the tax-exempt financing. The Project is owned and operated by the University at the above referenced location.

In order for the proposed financing to qualify as "tax-exempt," the University is requesting that the Blanchard Valley Port Authority (the "Authority") participate as the conduit "issuer" of its tax-exempt obligations. The proposed tax-exempt obligations would be revenue obligations payable solely from revenue sources provided by the University, and would not constitute a pledge of assets or revenues of the Authority nor would these obligations involve a full faith and credit pledge of the Authority or any other political subdivision of the State of Ohio. Further, the issuance of these obligations would not involve the implication of debt limitations under state law. However, this transaction would be a "qualified 501(c)(3)" financing, and therefore, the principal amount of the tax-exempt obligations would count against the Authority's \$5,000,000 "bank qualification" for calendar year 2017 (i.e. in general, the Authority's ability to privately negotiate tax-exempt deals with financial institutions for a particular calendar year). The anticipated principal amount of the proposed financing is expected not to exceed \$5,000,000.

With respect to the proposed structure of the financing, it is anticipated that the Authority would issue tax-exempt lease obligations. Under this type of structure, where there is real property, the University has previously entered into an Agreement of Lease with the Bank, transferring a leasehold interest in the applicable real property to the Bank. In addition, the Bank (as lessor), the Authority (as lessee) and the University (as sublessee) would enter into Schedule of Payments No. 2 dated as of January, 2017 to the Master Lease-Purchase and Sublease-Purchase Agreement (the "Lease Purchase Agreement") under which the Bank would lease the

Donald Rasmussen, Esq.

December 17, 2016

Page 4

applicable property, improvements and/or facilities to the Authority and the Authority would sublease the same to the University. Under the Lease Purchase Agreement, the University would make rental payments (i.e. principal and interest payments) to the Authority, which payments would be assigned directly to the Bank. Pursuant to the Lease Purchase Agreement, the Authority generally has its duties and responsibilities assigned to the University, in turn, receiving comprehensive indemnification from the University. The indemnification received by the Authority typically extends not only to coverage for rental payments and other contractual amounts due and payable, but also for other acts and omissions relating to the financed facilities. Other refinancing documents include documents that provide the Bank with a security interest in certain real and/or personal property, such as UCC filings and an Amended Mortgage.

As you know, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), makes it necessary to conduct a public hearing prior to the issuance of tax-exempt obligations. In addition, it will be necessary to obtain the approval of the highest "applicable elected representative" in accordance with Section 147(f) of the Code. Accordingly, we intend to request that the City of Findlay assist with this requirement.

Don Rasmussen

From: Merchant, John <John.Merchant@DINSMORE.COM>
Sent: Saturday, December 17, 2016 12:54 PM
To: 'drasmussen@findlayohio.com'
Cc: 'ddevore@findlayohio.com'
Subject: RE: University of Findlay transaction - 2017
Attachments: Certificate of Applicable Elected Representative - City of Findlay - UNIVERSITY OF FINDLAY - 2017.doc; Correspondence to City of Findlay - UNIVERSITY OF FINDLAY - 2017.pdf; Ordinance for Applicable Elected Representative - UNIVERSITY OF FINDLAY - 2017.doc

Importance: High

Mr. Rasmussen

Attached please find (i) Correspondence explaining *Phase 2* to the financing, (ii) an Ordinance to be considered by the City of Findlay, Ohio at its meeting on January 3, 2017, and (iii) the Certificate of Applicable Elected Representative to be executed by the Mayor after the Ordinance is adopted on January 3, 2017.

Please contact me with any questions or comments.

Thank you.



PECK, SHAFFER & WILLIAMS
A DIVISION OF DINSMORE & SHOHL LLP

John C. Merchant
Partner

Dinsmore & Shohl LLP • Legal Counsel
255 East Fifth Street
Suite 1900
Cincinnati, OH 45202
T (513) 639-9224 • F (513) 977-8141 - C (513) 535-8086
E john.merchant@dinsmore.com • dinsmore.com

IRS Disclosure:

To ensure compliance with certain requirements promulgated by the Internal Revenue Service under 31 CFR Part 10, Section 10.35, we inform you that, unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another party any tax-related matter addressed herein.

NOTICE: This electronic mail transmission from the law firm of Dinsmore & Shohl may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please

delete it from your system without copying it, and notify the sender by reply e-mail, so that our address record can be corrected.

ORDINANCE NO. 2017-004

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:	Revolving Loan Fund	\$ 1,283.31
TO:	General Expense #21010000-449400	\$ 1,283.31

SECTION 2: That the Auditor of the City of Findlay, Ohio is hereby authorized to draw one thousand two hundred eighty-three dollars and thirty-one cents (\$1,283.31) from the Revolving Loan Fund Account held at Fifth Third Bank.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that Hancock Regional Planning Commission may be paid for their expenses/staff time for RLF Administration for September 2016 through November 2016,

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 _____