

FINDLAY CITY COUNCIL MEETING AGENDA

REGULAR SESSION

MARCH 1, 2022

COUNCIL CHAMBERS

ROLL CALL of 2022-2023 Councilmembers

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ACCEPTANCE/CHANGES TO PREVIOUS PUBLIC HEARING MINUTES/CITY COUNCIL MINUTES:

- Acceptance or changes to the February 15, 2022 Public Hearing minutes to rezone 0 South Main Street (parcel no. 620001022082) via Ordinance No. 2022-006.
- Acceptance or changes to the February 15, 2022 Regular Session City Council meeting minutes.

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

PROCLAMATIONS:

Mayor Murny – Developmental Disabilities Awareness month.

WHEREAS: The Hancock County Board of Developmental Disabilities was established in October 1952; and,

WHEREAS: The mission and purpose of Ohio’s county boards of developmental disabilities remain as strong as ever, with county boards continuing to provide vital supports and resources to Ohioans with developmental disabilities and their families; and,

WHEREAS: The more than 600 people with developmental disabilities served by the Hancock County Board of Developmental Disabilities, their families, friends, neighbors, and co-workers encourage everyone to focus on the abilities of all people; and,

WHEREAS: The most effective way to increase this awareness is through everyone’s active participation in community activities and the openness to learn and acknowledge each individual’s contribution; and,

WHEREAS: Policies must be developed, attitudes shaped, and opportunities offered that allow people with developmental disabilities to live as independently and productively as possible in our community; and

WHEREAS: We encourage all citizens to foster and support such opportunities that include full access to education, housing, employment, and recreational activities.

NOW THEREFORE, I Christina M. Murny, Mayor of the City of Findlay, Ohio, do hereby proclaim March 2022 as:

DEVELOPMENTAL DISABILITIES AWARENESS MONTH

in Findlay, and offer full support to efforts that assist people with disabilities to make choices that enable them to live successful lives and realize their potential. I further encourage all citizens to join in this celebration by spreading awareness of the many contributions offered by people with developmental disabilities in our community.

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS: none

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Police Chief Ring – 2022 Continuing Professional Training grant

The City of Findlay Police Department received a check in the amount of twenty-four thousand two hundred two dollars and eighty cents (\$24,202.80) from the Ohio Attorney General Office on February 8, 2021. This check was an award out of the 2022 Continuing Professional Training (CPT) grant that is to be used to pay up to half of the salaries for all officers that are required to take part in twenty-four (24) hours of State mandated training in calendar year 2022. Legislation to appropriate funds is requested. Ordinance No. 2022-016 was created.

FROM:	Ohio Attorney General Grant	\$ 24,202.80
TO:	2022 ORC Required PD Training #31920700	\$ 24,202.80

Board of Zoning Appeals minutes – December 9, 2021.

City Engineer Kalb – first Capital Improvement appropriation of 2022

Legislation authorizing the Service-Safety Director or City Engineer to advertise for bids and enter into contracts for construction, as well as to appropriate and transfer funds as follows is requested. Ordinance No. 2022-017 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 756,500.00
TO:	Police #21012000-other	\$ 318,000.00
TO:	Fire #21014000-other	\$ 90,000.00
TO:	Park Maintenance #21034000-other	\$ 15,000.00
TO:	Cemetery #21046000-other	\$ 15,000.00
TO:	Streets #22040000-other	\$ 106,000.00
TO:	Traffic Lights #22043200-other	\$ 120,000.00
TO:	Airport #25010000-other	\$ 92,500.00

FROM: Sewer Fund	\$ 140,000.00
TO: Sewer Maintenance #25061000-other	\$ 140,000.00
FROM: Water Fund	\$ 305,000.00
TO: Water Treatment Plant #25050000-other	\$ 50,000.00
TO: Water Distribution #25053000-other	\$ 185,000.00
TO: Utility Billing #25072000-other	\$ 40,000.00
TO: Supply Reservoir #25073000-other	\$ 30,000.00
FROM: CIT Fund – Capital Improvement Restricted Account	\$ 1,315,000.00
TO: VHF Radio System #31983000	\$ 35,000.00
TO: Upgrades to Shelter 15 #31913400	\$ 30,000.00
TO: 2022 Street Preventative Maintenance #32820100	\$ 230,000.00
TO: 2022 Annual Street Resurfacing/Curb Repairs #32820500	\$ 800,000.00
TO: Engineering/Zoning File Scanning #31920800	\$ 50,000.00
TO: Muni Bldg Elevator Replacement #31920900	\$ 150,000.00
TO: 2022 City Sidewalk/Ramps #32821000	\$ 20,000.00
FROM: Sewer Fund	\$ 70,000.00
TO: Annual Manhole Adjustment #35621100	\$ 50,000.00
TO: Madison & Monroe Sanitary Phase II #35621200	\$ 20,000.00

Fire Chief Eberle – portable MARCS radios transfer

The Findlay Fire Department recently replaced all of their portable MARCS radios through a combination of Capital Improvement Funds and a Federal grant award. The old radios are no longer of use to the Findlay Fire Department and have little value due to their age. The radios will be obsolete in 2025 due to enhanced security protocols on the MARCS radio system. Typically, the obsolete radios would be listed on the govdeals online auction site, however, in order to sell the obsolete radios to the general public, they will need to be deprogrammed and reset back to the original factory settings which is estimated to cost for thousand sixty dollars \$4,060.00 which greatly exceeds the value of the radios. Williams County Fire Department uses the same radio vendor as Findlay does for programming and service, therefore, the radios could be transferred to them for their use. When the radio vendor programs the Williams County channels into each unit, Findlay’s data will be deleted. By transferring the radios to Williams County, Findlay would be assisting another public safety agency and would avoid the deprogramming fee. After discussions with the Administration and the City Auditor’s Office, the recommendation is to transfer the radios to Williams County. Legislation authorizing the Service-Safety Director to facilitate the transfer of obsolete portable MARCS radios to Williams County is requested. Resolution No. 008-2022 was created.

Service-Safety Director Martin –Riverside Pool operations via Findlay YMCA

The City of Findlay has contracted with the Findlay YMCA for several years now to operate the Riverside Pool each year. The City of Findlay and the Findlay YMCA are interested in operating under a three (3) year agreement versus the current year to year agreement (copy of the draft agreement is attached). Legislation authorizing the Mayor and/or Service-Safety Director to enter into a contract with the Findlay YMCA for the operation of the Riverside Pool for the 2022-2024 seasons is requested. Ordinance No. 2022-018 was created.

COMMITTEE REPORTS:

A COMMITTEE OF THE WHOLE meeting was held on Tuesday, February 15, 2022 to discuss the Community Alternative Sentencing Center (CASC).

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 007-2022 (no PO) requires one (1) reading *first reading*
 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

RESOLUTION NO. 008-2022 (transfer obsolete FFD MARCS portable radios to Williams County) requires one (1) reading *first reading*
 A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO TRANSFER OBSOLETE CITY OF FINDLAY, OHIO FIRE DEPARTMENT PORTABLE MARCS RADIOS TO THE WILLIAMS COUNTY NORTHWEST FIRE & RESCUE DEPARTMENT IN EDON, OHIO.

ORDINANCES:

ORDINANCE NO. 2022-010 (*Part 15 Fire Prevention Code*) **requires three (3) readings** **third reading**
AN ORDINANCE AMENDING PART 15 OF THE FIRE PREVENTION CODE, REPEALING ORDINANCE NO. 2000-011 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-011 (*amendment to salary ordinance*) **requires three (3) readings** **second reading**
AN ORDINANCE AMENDING SECTION 22 OF CODIFIED ORDINANCE NO. 2021-116, KNOWN AS THE SALARY ORDINANCE, OF THE CITY OF FINDLAY, OHIO AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HERewith, OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-014 (*Cypress Ave – Women’s Resource Center vacation*) **requires three (3) readings** **second reading**
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERED TO AS THE CYPRESS AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-015 (*2021 Ordinances/Resolutions changes*) **requires three (3) readings** **first reading**
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-016 (*2022 Continuing Professional Training grant*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-017 (*first Capital Improvement appropriation of 2022*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-018 (*Riverside Pool operations via Findlay YMCA*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE FINDLAY YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2022-2024 SEASONS, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:
OLD BUSINESS
NEW BUSINESS

Proclamation

By Mayor Christina M. Muryn
Findlay, Ohio

WHEREAS: The Hancock County Board of Developmental Disabilities was established by in October, 1952; and

WHEREAS: The mission and purpose of Ohio's county boards of developmental disabilities remain as strong as ever, with county boards continuing to provide vital supports and resources to Ohioans with developmental disabilities and their families; and

WHEREAS: The more than 600 people with developmental disabilities served by the Hancock County Board of Developmental Disabilities, their families, friends, neighbors, and co-workers encourage everyone to focus on the abilities of all people; and

WHEREAS: The most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and

WHEREAS: Policies must be developed, attitudes shaped, and opportunities offered that allow people with developmental disabilities to live as independently and productively as possible in our community; and

WHEREAS: We encourage all citizens to foster and support such opportunities that include full access to education, housing, employment, and recreational activities.

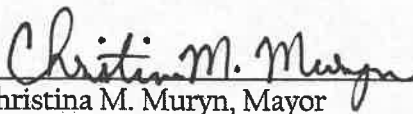
NOW THEREFORE, I, Christina M. Muryn, Mayor of the City of Findlay, Ohio, do hereby proclaim March 2022, as:

DEVELOPMENTAL DISABILITIES AWARENESS MONTH

In Findlay, and offer full support to efforts that assist people with disabilities to make choices that enable them to live successful lives and realize their potential. I further encourage all citizens to join in this celebration by spreading awareness of the many contributions offered by people with developmental disabilities in our community.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Findlay, Ohio, to be affixed this 1st day of March 2022.


Christina M. Muryn, Mayor

City of Findlay

Christina M. Muryn, Mayor

POLICE DEPARTMENT

Robert Ring, Chief of Police
318 Dorney Plaza, Room 116 • Findlay, OH 45840
Phone: 419-424-7194 • Fax: 419-424-7296

February 14, 2022

Rob Martin, BSN, MBA
Service Safety Director
City of Findlay
Findlay, Ohio 45840

Re: Appropriation of Funds

Rob,

The Police Department received a check for \$24,202.80 from the Ohio Attorney General Office on February 8, 2021. This check was an award out of the 2022 Continuing Professional Training (CPT) grant that is to be used to pay up to half of the salaries for all officers that are required to take part in 24 hours of state mandated training in calendar year 2022.

I respectfully request the amount of \$24,202.80 be appropriated to the Police Department as follows:

FROM:	Ohio Attorney General Grant	\$24,202.80
TO:	2022 ORC Required PD Training (31920700)	\$24,202.80

Let me know if you have any questions.

Sincerely,



Chief Robert Ring



Board of Zoning Appeals

December 09, 2021

Members present Chairman, Phil Rooney; Kerry Trombley; Blaine Wells; Sarah Gillespie; and Scott Brecheisen.

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

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-31-2021-62347
Address: 600 Jacobs Avenue
Zone: I-2 Heavy Industrial

Filed by Findlay City Schools, regarding a variance from section 1161.12.7 of the City of Findlay Zoning Ordinance for new sign at 600 Jacobs Avenue. The applicant is proposing a new fixed message monument sign at the school that changes messages every 15 to 30 seconds. This section requires a fixed message for a minimum of (15) fifteen minutes.

The request for a smaller timeframe between messages from every 15-minutes to 15-30 seconds is something the city is against. Allowing for such a small timeframe would set an extreme standard and precedence that would be set. The city would prefer the time limit remain as close to the 15-minute requirement, but wouldn't be opposed to a little relief.

A motion was made to remove this case from the table; and the motion was granted.

An email was received from Findlay City Schools stating they have decided not to install the monument sign at their new preschool location (formally Jacobs Elementary). They requested we remove the electronic message sign variance request from the agenda.

The request for variance at 600 Jacobs Avenue has been withdrawn.

Mr. Rooney informed all that an email was received by Cathy Weygandt regarding all cases on the agenda. He asked if the letter should be read into record since Mrs. Weygandt is attending the meeting.

Mr. Adkins asked Mrs. Weygandt if she wanted him to read the letter into record. She stated she would just speak on each case.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-32-2021-62431
Address: 2040 Tiffin Avenue
Zone: C-2 General Commercial

Filed by Key-Ads, regarding a variance from section 1161.12.17(4)(a) of the City of Findlay Zoning Ordinance for a new multi-purpose billboard sign at 2040 Tiffin Avenue. The applicant is proposing to replace an existing pylon sign and two static billboards, with a multi-purpose sign that is 18-feet from the front property line. This section requires a 25-foot front yard setback.

Currently, at this location, there are two 300-square foot plus static billboards, along with a pylon sign in the front of the building. The applicant is looking to eliminate a lot of air clutter by combining the on-premise signage, with the off-premise signage. The applicant has already received a permit to convert the four billboards into one.

After reviewing the architecture and seeing how uncluttered the area would be, the city would not oppose the board if they were to grant the variance as requested.

Mr. Stephen Keys, owner of 2040 Tiffin Avenue, was sworn in. He stated he was already approved to convert the existing static billboards into a digital. There are currently four billboards, two 12' x 25' on the East and two 12' x 25' on the West. They would be replacing the four with two, reducing the signage by 50%. They want to combine the on-premise Restore sign that is currently there with the new sign. This would reduce the square footage of this sign as well. The request for variance is to be able to move the billboard signs a little closer and moving the on-premise sign further away than it has to be from the road.

Mr. Trombley stated he did not see the answers to the questions on the application.

Mr. Keys stated it is because he is here at the meeting asking for a variance on a unique situation. He stated he is combining two difference uses: The off-premise use, that is already permitted, and an on-premise use that is permitted and he is asking to reduce everything, which is permitted; but those questions were not specific to each one. He was under the understanding he could put together a description of what his job site was in leu of answering those questions.

Mr. Trombley asked about the magnitude of the variance. There is a 25' setback for what he wants to do, Mr. Keys is asking for 18' which is 7'. Why can't he meet the ordinance?

Mr. Keys stated the sign is more visible when you are coming down the road, if it is closer to the road, and it is more marketable. He stated he is trying to decrease the overall signage clutter by combining the on-premise sign and the off-premise sign. It doesn't work to put the sign back behind the building, where it is currently. The on-premise sign is allowed to be 10' from the right-of-way, the billboard is allowed to be 25', so he would be meeting in the middle.

Mr. Trombley asked if there was anything in the way which would prevent him from meeting the requirements?

Mr. Keys stated the current billboard sits behind the building. They feel it would be better to take down the old blacked out sign and matching the aesthetics of the improved building would give a more welcoming feature coming into Findlay.

Mr. Trombley asked if he is proposing to incorporate the Findlay sign?

Mr. Keys stated, "absolutely".

Mr. Wells asked why the base couldn't just be 7' closer to the building, which would fall within the 25'? He understands what he is saying about not wanting to put it where the existing billboards are but why can't he just put it 7' closer to the building. It would still give them enough parking in the parking lot.

Mr. Trombley stated it would be significantly closer than the current billboards are.

Mr. Keys asked the Board members what the concern is that they have?

Mr. Wells stated the 7' is the concern. He understands he would put it right on the curb if he could, anyone would. In keeping the uniformity down that street, which has lots of signs, each situation is unique, but this may set a precedence down the road for others to request the same. It appears there is enough room there to meet the 25' setback and still be significantly closer than where the billboards currently set.

Mr. Keys stated, taking that into consideration, if he were to revamp his current on-premise sign, he could move that one closer to the road (at 10') than what it is currently, and make it bigger. So, rather than move something closer to the road and make it bigger, why not reduce the square footage, do something that is welcoming into the City of Findlay and looks nice?

Mr. Trombley stated that was irrelevant because it is not at the city limits.

Mr. Keys stated it comes down to marketability of the billboard, visibility for the on-premise sign, and to help clean up the property. It would be cleaner and more visibly friendly to the area.

Mr. Trombley stated it's a solid idea, but he is struggling to see what the hardship is preventing him from moving it 7' back?

Mr. Keys stated, marketability for a billboard.

Mr. Lee Weygandt, 204 Greenlawn Avenue, was sworn in. He asked the board to oppose moving these bright, illuminated, flashing billboards any closer to our thoroughfares. That's one of the highest trafficked areas in the city and the drivers along there do not need more distractions of having a blinking, changing sign any closer to that highway than billboards are currently situated. The signs are very visible from both directions on Tiffin Avenue now and he doesn't see any advantage to moving them closer to the highway. He does see a lot of negative impact on the aesthetics of the street. They are just an eyesore. He hopes the board will not change the rules on the size, the height, and the proximity of the signs to make them more visible. He stated the city would look more beautiful if they were moved further away from the roads and not quite so bright.

Mr. Rooney asked if there were any communications on this case?

Mr. Adkins stated there were no additional communications on this case, other than the email from Cathy Weygandt.

Mr. Wells thanked Mr. Weygandt for his opposing view point. He stated as he sits at his office and looks out the window every day, it is extremely high trafficked. He understands that is why Mr. Keys chose this property. There are no traffic lights at any intersections close to that property

and there are accidents there very often. Something that could be deemed a distraction is very concerning. He struggles to see the hardship to meet the 25' setback.

Mr. Rooney stated that his opinion is, trading two signs for one, with the idea of getting rid of as much signage as possible, that seems like a pretty fair trade to give up 7' of frontage. He could put an on-premise sign 10' from the front property line, and a sign is still a sign and could be a distraction. The unique situation is he is combining an on-premise and an off-premise sign in one sign. He does not feel that anyone will perceive the difference of 18' and 25'.

Mr. Wells stated he agrees that it does unclutter the air space right there.

Ms. Gillespie stated that she agrees with Phil. It does look better the way they want to do it.

Mrs. Cathy Weygandt, 204 Greenlawn Avenue, was sworn in. She stated she wrote a letter to the Zoning Appeals Board when she saw all of these variance requests show up in the paper recently. She stated she has spoken to Matt and Mayor Muryn about the billboards in this town; and the recent article in the Toledo Blade about how they are cracking down on billboards and trying to eliminate some of the problems that have come without all the ordinances. She stated Mayor Muryn assure them that these would be addressed more next year. Now, all of the sudden, four different variances showed up in the paper, like everyone is trying to grandfather some eye sores into this town. We need to apply the ordinances that are there. Seven foot is seven foot. She is glad he is combining the billboards that are there. She thought the public would be able to see the pictures on a screen at the meeting. She stated the article in the Toledo Blade also referenced a study that was done for the City of Philadelphia in regards to billboards; and what they had found, a 2019 study that can be found on the internet, beyond aesthetics, there is a correlation between a home's value and its proximity to billboards. She read: Homes within 500' from a billboard are worth \$30,000 less on the average, and each additional billboard can decrease the value of nearly \$1,000. It's not just aesthetics, its safety. They are distracting. She thought there was a limitation of time on how fast they could switch over. What is it currently now, she asked? Is it 15 seconds?

Mr. Adkins stated it is 8 seconds.

Mrs. Weygandt stated this is insanity. She stated Main Street and West Main Cross are some of the busiest intersections and people are getting hit and injured in these areas. She stated if you go to these well planned, beautiful cities, they have continuity, they don't grant variances, they are very strict and business still come there and are still growing. She stated businesses will continue to come here and continue to grow. You don't have to give in to the variances.

Mr. Keys spoke in response to Mrs. Weygandt's comments. He stated the safety on billboards are less of a hazard, per a study, than people think. He stated the study shows there is not an increase in traffic accidents. He stated the intersections closest to his property have billboards closer, that was just granted, not by variance. In regards to the study from Philadelphia, he is curious to know if the homes were sitting in residential districts or commercial districts, which would play a big part in their home values.

Mr. Trombley stated he has to go back to, What's the hardship for this piece of property? He appreciates and thinks it's a good idea to clean up the property and move three signs into one, but the hardship presented is that it is more marketable. That is not a hardship unique to this property.

Mr. Trombley made a motion to deny the requested variance.

Mr. Wells seconded the motion.

Motion to deny the requested variance, 3-2. Requested Variance is Denied.

(Mr. Rooney and Ms. Gillespie opposed to deny the requested variance).

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-33-2021-62435

Address: 1921 Tiffin Avenue

Zone: C-2 General Commercial

Filed by Alpha Management, regarding a variance from section 1161.12.12(A)(3) of the City of Findlay Zoning Ordinance for a new (EMC) electronic message center on an existing pylon sign at 1921 Tiffin Avenue. The applicant is proposing to replace an existing static reader-board with a new EMC of the same size, on a pylon sign that is 22-feet tall. This section limits a signs maximum height of 15-feet in order to have an EMC attached to the sign.

The owner is proposing to convert a static message reader into an EMC, but the sign is considered non-conforming, when the requirements are applied. The sign does meet the required setback and the allowable sign area however, it exceeds the maximum height allowed for a sign with an EMC center. Being that the sign is existing, a whole new sign would need to be constructed in order to meet the requirement. Additionally, the applicant can replace the existing cabinet with a sign with the same footprint, but it would require a fixed message of 15 minutes.

Mr. David Mack, representing Brady Sign Company, 1721 Hancock Street, Sandusky, Ohio, was sworn in. He stated he wanted to bring a correction to everyone's attention. In the application it is listed as removing the 3' x 8' static changeable message sign and put up a 3' x 8' digital message sign; they are actually requesting to put up a 4' x 6' digital message sign. It is still 24 square foot. The current pylon sign has been on the property since this site was originally constructed. Since then the Cities Sign Code has changed, resulting in this request for variance. This is a like – for – like replacement.

Mr. Trombley referenced 1161.12.19 Non-conforming Signs Code and the intent of the ordinance. This would be an upgrade and would not be permitted by code. There is no hardship, other than a financial hardship having to build a new sign.

Mr. Mack stated the hardship is a couple of things. In order to comply with the existing code would require the entire sign to be changed and could mean demolition of the current sign, re-engineering of the sign footing, erection, and it would pose a significant cost for the owner.

Changing from a static reader board to a digital board would allow the owner and the parcel the ability to dynamically advertise to the public and drive more tax revenue out of this specific location.

Mr. Rooney stated that in the seven conditions, he does not see hardship in there anywhere. He stated his problem is these people are just basically upgrading their technology, their sign was conforming when it was built and it seems ridiculous to tell these people they have to tear their sign all the way down to make their technology a little more current with the current market. This is a no harm, no foul.

Mr. Trombley stated the code specifically addresses Electronic Message Boards. If this was something the code did not address, he would agree, but the code specifically addresses this.

Mr. Rooney stated that is the purpose of the variance, is to look at situations that are different from the code. The only reason the sign is too high is because the golden arches stick up out of the top. The actual message board itself would be conforming. It is not too high. The effect of the request is within the code, because the message itself is not too high.

Mr. Wells stated he agrees with Mr. Rooney. He made a motion to approve the requested variance with the stipulation that all necessary permits be obtained within 60 days.

Ms. Gillespie seconded the motion.

Mr. Adkins stated there were no additional communications on this case, other than the email from Cathy Weygandt.

Motion to approve requested variance with the stipulation that all necessary permits be obtained within 60 days, 4-1.

(Mr. Trombley opposed to approve the requested variance).

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-34-2021-62436

Address: 731 Trenton Avenue

Zone: C-2 General Commercial

Filed by Alpha Management, regarding a variance from section 1161.12.12(A)(3) of the City of Findlay Zoning Ordinance for a new (EMC) electronic message center on an existing pylon sign at 731 Trenton Avenue. The applicant is proposing to replace an existing static reader-board with a new EMC of the same size, on a pylon sign that is 30-feet tall. This section limits a sign's maximum height of 15-feet in order to have an EMC attached to the sign.

The owner is proposing to convert a static message reader into an EMC, but the sign is considered non-conforming, when the requirements are applied. The sign does meet the required setback however, it exceeds the maximum height and the allowable sign area allowed for a sign with an EMC center. Being that the sign is existing, a whole new sign would need to be constructed in

order to meet the requirement, which could be costly. Additionally, the applicant could replace the existing cabinet with a sign of the same footprint, if they received approval in case number BZA-35-2021-62347.

Mr. David Mack, is still sworn in. He stated they are asking for a variance for the same reason as the previous location just discussed.

Mrs. Cathy Weygandt, is still sworn in. She stated it seems this one is doubling in height from 15' to 30'. She said its hard to understand without pictures.

Mr. Adkins explains the sign is already at 30' in height. He shows Mrs. Weygandt pictures to help her understand.

Mr. Wells stated he agrees with Mr. Rooney. He made a motion to approve the requested variance with the stipulation that all necessary permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve requested variance with the stipulation that all necessary permits be obtained within 60 days, 4-1.

(Mr. Trombley opposed to approve the requested variance).

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-35-2021-62347
Address: 731 Trenton Avenue
Zone: C-2 General Commercial

Filed by Alpha Management, regarding a variance from section 1161.12.9(C)(2) of the City of Findlay Zoning Ordinance for a new (EMC) electronic message center on an existing pylon sign at 731 Trenton Avenue. The applicant is proposing to replace an existing static reader-board with a new EMC of the same size, on an existing pylon sign that is 377 square feet in size. This section limits a sign to half of the frontage, in this instance 135 square feet in size.

The owner is proposing to convert a static message reader into an EMC, but the sign is considered non-conforming, when the requirements are applied. The sign does meet the required setback however, it exceeds the maximum height and the allowable sign area allowed for a sign with an EMC center. Being that the sign is existing, a whole new sign would need to be constructed in order to meet the requirement, which could be costly. Additionally, the applicant would be able to replace the existing cabinet with a sign of the same footprint if this variance were granted. It would require a fixed message of 15 minutes though.

Mr. Wells asked what the difference is between this and the last variance request?

Mr. Adkins stated this one is for the size.

Ms. Gillespie asked if it is 15 minutes of the exact same thing?

Mr. Adkins explained the last one and this one kind of go hand in hand.

Mr. Rooney stated when this sign was built, it complied with the code. The code changed and now his frontage is not big enough for this size of sign.

Mr. Rooney explained to Mr. Weygandt the last variance was for height and this one is for the size of the sign.

Mr. Weygandt stated they want smaller signs.

Mr. Wells stated he thinks these should go hand in hand.

Mr. Trombley stated the intent of the code is that when you want to update, it meets the current code.

Mr. Wells made a motion to approve the requested variance with the stipulation that all necessary permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve requested variance with the stipulation that all necessary permits be obtained within 60 days, 4-1.

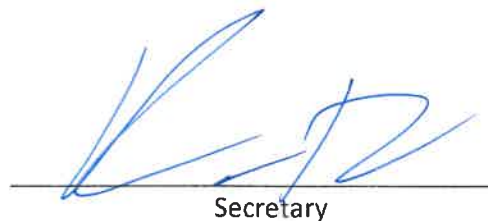
(Mr. Trombley opposed to approve the requested variance).

The November 10, 2021 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary



CHRISTINA M. MURYN, MAYOR

ENGINEERING DEPARTMENT

JEREMY D. KALB, PE
City Engineer

Honorable City Council
Findlay, OH 45840
RE: First Capital Improvement Appropriation of 2022

February 23, 2022

Dear Council Members:

I would like to use the First Capital Improvement allocation of the year to get funds transferred for the departments so they can order equipment. I am focusing on equipment with long lead times. I am also asking for some startup money to be placed into some project so that engineering can get plans completed and projects out to bid.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to authorize the Service Safety Director or City Engineer to advertise for bids and enter into contracts for construction and to appropriate and transfer funds as follows:

FROM: CIT Fund – Capital Improvements Restricted Account	\$756,500
TO: Police #21012000-other	\$318,000
TO: Fire #21014000- other	\$ 90,000
TO: Park Maintenance #21034000-other	\$ 15,000
TO: Cemetery #21046000 – other	\$ 15,000
TO: Streets #22040000-other	\$106,000
TO: Traffic Lights #22043200-other	\$120,000
TO: Airport #25010000-other	\$ 92,500

FROM: Sewer Fund	\$140,000
TO: Sewer Maintenance #250061000 – other	\$140,000

FROM: Water Fund	\$305,000
TO: Water Treatment Plant #25050000- other	\$ 50,000
TO: Water Distribution #25053000- other	\$185,000
TO: Utility Billing #25072000- other	\$ 40,000
TO: Supply Reservoir #25073000-other	\$ 30,000

FROM: CIT Fund – Capital Improvements Restricted Account	\$1,315,000
TO: VHF Radio System (31983000)	\$ 35,000
TO: Upgrades to Shelter 15 (31913400)	\$ 30,000
TO: 2022 Street Preventative Maintenance (32820100)	\$230,000
TO: 2022 Annual Street Resurfacing/ Curb Repairs (32820500)	\$800,000
TO: Engineering/ Zoning File Scanning (31920800)	\$ 50,000
TO: Muni Bldg Elevator Replacement (31920900)	\$150,000
TO: 2022 City Sidewalks/ Ramps (32821000)	\$ 20,000

FROM: Sewer Fund	\$70,000
TO: 2022 Annual Manhole Adjustment (35621100)	\$ 50,000
TO: Madison & Monroe Sanitary Phase II (35621200)	\$ 20,000

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

Sincerely,

Jeremy Kalb
City Engineer

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

FIRST APPROPRIATION REQUEST

Appropriate Funds - Departments

From	CIT Fund - Capital Improvements Restricted Account	\$756,500	
To	POLICE - 21012000 - Other	\$318,000	
	Replace 2014 Ford Interceptor SUV (Patrol)		\$49,250
	Replace 2016 Ford Interceptor SUV (Patrol)		\$49,250
	Replace 2016 Ford Interceptor SUV (Patrol)		\$49,250
	Replace 2016 Ford Interceptor SUV (Patrol)		\$49,250
	Replace 2012 Ford Escape (Training)		\$22,000
	Replace 2012 Ford Escape (Training)		\$22,000
	Replace 2008 Ford F250 (Command Truck)		\$50,000
	New NICE Recorder		\$27,000
To	FIRE - 21014000 - Other	\$90,000	
	Replace 2004 F250 , Unit 30		\$45,000
	Replace 2008 Ford F250, Unit 21		\$45,000
To	PARKS MAINTENANCE -21034000 - Other	\$15,000	
	Mower Replacement		\$15,000
To	CEMETERY - 21046000 - Other	\$15,000	
	Mower Replacement		\$15,000
To	STREETS - 22040000 - Other	\$106,000	
	Replace 2006 Stump Grinder		\$68,000
	Vehicle Lift		\$38,000
To	TRAFFIC LIGHTS - 22043200 - Other	\$120,000	
	Traffic Signal Equipment		\$85,000
	Traffic Utility Truck		\$35,000
To	AIRPORT - 25010000 - Other	\$92,500	
	Replace Ford F250 Including Accessories		\$40,000
	Replace 2013 Gravely Zero-Turn Mower		\$12,500
	Tug & Tow Bar		\$40,000
From	Sewer Fund	\$140,000	
To	SEWER MAINTENANCE - 25061000- other	\$140,000	
	Replace 2012 3/4 Ton Pickup Truck		\$60,000
	Replace 2002 C7/ H047		\$80,000
From	Water Fund	\$305,000	
To	WATER TREATMENT PLANT - 25050000 - other	\$50,000	
	Replace Pickup Truck		\$50,000
To	WATER DISTRIBUTION - 25053000 - other	\$185,000	
	Replace Service Truck		\$110,000
	Replace Small Vactor/ Valve Exerciser		\$75,000
To	UTILITY BILLING - 25072000 - other	\$40,000	
	Replace Service Truck		\$40,000
To	SUPPLY RESERVOIR - 25073000 - other	\$30,000	
	Replace Kubota		\$30,000

Appropriate Funds - Projects

From	CIT Fund - Capital Improvements Restricted Account	\$1,315,000
To	VHF Radio System (31983000)	\$35,000
To	Upgrades to Shelter 15 (31913400)	\$30,000
To	2022 Street Preventative Maintenance (32820100)	\$230,000
To	2022 Annual Street Resurfacing/ Curb Repairs (32820500)	\$800,000
To	Engineering/ Zoning File Scanning (31920800)	\$50,000
To	Muni Bldg Elevator Replacement (31920900)	\$150,000
To	2022 City Sidewalks/ Ramps (32821000)	\$20,000

From	Sewer Fund	\$70,000
To	Annual Manhole Adjustment (35621100)	\$50,000
To	Madison & Monroe Sanitary Phase II (35621200)	\$20,000



CHRISTINA M. MURYN, MAYOR
JOSHUA EBERLE, FIRE CHIEF

720 South Main Street, Findlay OH 45840
P: 419.424.7129 F: 419.424.7849

February 23, 2022

Council Members,

Through a combination of Capital Improvement funds and a federal grant award, the fire department recently replaced all of our portable MARCS radios. The old radios are of no use to us any longer and have little value due to their age. In 2025 these radios will be completely obsolete due to enhanced security protocols on the MARCS radio system.

Typically we list such items on the govdeals online auction site. However, in order to sell these to the general public, the radios would need to be deprogrammed and reset back to the original factory settings. The estimate we received from our radio vendor for this service is \$4060. I believe this cost greatly exceeds the value of the radios.

We have an opportunity to transfer these radios to another fire department in Williams County. They have a need for them, and they also use the same radio vendor for programming and service. When the radio vendor programs the Williams County channels into each unit, the Findlay data is deleted. By transferring these items, we would assist another public safety agency and avoid the deprogramming fee.

Discussing this option with the Administration and Auditor's Office, the recommendation is to request council approval for the Service-Safety Director to facilitate this asset transfer. This request is mainly due to the significant original cost of the items, regardless of current value.

If you have any questions on this request, feel free to contact me. Thank you for your consideration.

Sincerely,

Joshua S. Eberle, Fire Chief

Findlay Fire Department



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

Rob Martin BSN, MBA
Service-Safety Director

February 22, 2022

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

As you know, the City of Findlay has contracted with Findlay YMCA to operate Riverside Pool each year for several years. The City of Findlay and Findlay YMCA are interested in operating under a three year agreement rather than year to year moving forward. A copy of the draft agreement is attached.

By copy of this letter, I am requesting the Director of Law to prepare the necessary legislation authorizing the Mayor or Service-Safety Director to enter into a contract with the Findlay YMCA to for the operation of Riverside Pool for the 2022-2024 seasons.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Rob Martin', written over a faint circular stamp or watermark.

Rob Martin
Service-Safety Director

cc: Don Rasmussen, Director of Law
Jim Staschiak, City Auditor
Matt Stoffel, Public Works Superintendent
Lisa Mansfield, Recreation Department Supervisor

AGREEMENT

THIS AGREEMENT, MADE AND ENTERED INTO by and between the City of Findlay hereafter known as the "City" and the Findlay YMCA, hereafter known as the "YMCA", on this _____ day of _____ 20_____.

The term of the agreement is for three years beginning 2022 and ending 2024. The operation of the agreement will begins mid-May of each year of the agreement and ends on Labor Day of each year of the agreement. The parties may, during the term of this agreement, mutually agree to reopen and negotiate to modify any of the terms of this agreement. Notice of intent to reopen must be provided in writing, signed by both parties and attached to this Agreement.

RECITALS

- a) The City is the sole owner of the facility described below and desires to contract with the YMCA in order that serves and provided on the location during the term of this Agreement.
- b) The YMCA desires to operate the pool facility and provide services, including YMCA City Camp, to the public during the time between mid-May and Labor Day as determined by the YMCA.

SUBJECT AND PURPOSE

The City provides the pool facility, including associated buildings, equipment and contents which are located at Riverside Park in Findlay, Ohio, to the YMCA for use as follows: to operate the pool facility and associated programs as determined by the YMCA, for public, recreational use.

CITY RESPONSIBILITIES

- a) The City shall, at no cost to the YMCA, open and fill the pool with water at the beginning of the season, maintain the water level at a safe and appropriate level throughout the summer months and close the facility at the end of the summer.
- b) The City shall be responsible for the seeing that the surrounding grounds, physical structure of the pool and associated buildings are safe and ready for programming by the start of the summer season and maintained in this condition throughout the summer in keeping with standards acceptable for meeting city and State Health Department standards.
- c) The City shall assume all capital expenditures to be defined as money spent to acquire or upgrade physical assets such as buildings and machines.
- d) The City shall assume utility costs as the owner of the property.
- e) The City shall provide Shelter Houses #15 and #9 for the YMCA's use to operate YMCA City Camp with in Riverside Park at no cost to the YMCA.

- f) The City shall waive all small operating permits charged in the past.
- g) The YMCA will provide a complete report on all operating activity by October 1 of each year of the agreement.
- h) The City will reimburse the YMCA a fee of \$25,000, to be paid to the YMCA by November 1 of each year of the agreement.

OPERATOR RESPONSIBILITIES

- a) The YMCA shall assume all operating costs of the pool, including but not limited to custodial and paper supplies, pool chemicals, concessions, and all costs associated with personnel.
- b) The YMCA shall retain all revenue generated from the operation of the pool and associated programs and concessions.
- c) The YMCA will be responsible for the hiring, training and supervision of staff and provide for criminal background checks of all personnel involved in the daily operations of the pool including, but not limited to lifeguards, swimming instructors, and gate/concession attendants.
- d) The YMCA shall ensure an adult 18 years or older is in charge and present at all times and has been trained as a certified Lifeguard and First Responder in case of emergency.
- e) The YMCA shall be responsible for maintaining the proper levels of chemical treatment for the pool as required by the State Health Department.
- f) The YMCA agrees to comply with all State Health Department regulations to ensure the safety and staff and users.
- g) The YMCA will be responsible for daily rules and guidelines governing behavior of users to prove the safest environment possible.
- h) The YMCA shall be responsible for the setting of all user-fees, program fees and schedules pertaining to the facility's use during the terms of this agreement.
- i) The YMCA shall have sole discretion to seek grants and community contributions as necessary to support operational expenses in order to provide these public recreational services.
- j) The YMCA will secure all summer camp supplies and leave shelter houses clean after use to permit after-hours and weekend use for other functions. Hours of shelter house operation will be specified and communicated to the City Recreation Department.
- k) The YMCA shall be allowed to hold swimming lessons in the mornings prior to the pool opening to the general public.

ALTERATIONS, ADDITIONS, IMPROVEMENTS AND INVENTORY

No portion of any of the facilities shall be demolished or removed by the YMCA without the prior express and written consent of the City. All inventory purchased by the YMCA shall remain the property of the YMCA.

REPAIRS AND MAINTENANCE

- a) The City shall maintain the park facilities and be responsible for all capital expenditures. The City shall provide all non-routine repairs and assist with maintenance of the facilities and the equipment at the facilities covered by the terms of this Agreement. Should the non-routine repair be of a substantial nature (i.e., over \$25,000), the City reserves the right to not make the repair. In this event it may be necessary to close the pool for the normal duration of this agreement and thus force cancellation of the agreement prior to giving thirty (30) days written notice.
- b)
- c) The YMCA shall notify the City promptly of repairs needed to the facilities and the City shall promptly make the repairs or arrange for the repairs to be made.
- d) The YMCA is responsible for proper maintenance, including but not limited to, correct chemical treatment and care/cleaning of the filters. The YMCA is responsible for maintaining pool water quality as required by local and state regulations.
- e) The YMCA will provide the following safety equipment that will be kept for use at the facility:
 - Backboards
 - Operational AED
 - Rescue tubes
 - First aid kits
- f) Routine daily maintenance shall be the responsibility of the YMCA at its sole expense. The YMCA shall be responsible for its own expense for the maintenance of any equipment and supplies that it uses at the premises.
- g) The City shall keep the grounds mowed closely and neatly trimmed. Operator is responsible for placing trash in the dumpster daily and maintaining a clean environment in areas under their control.

UTILITIES

Unless separately metered, all utilities shall remain in the name of the City and considered an operating expense of the City.

INSURANCE

The City and the YMCA each agree to maintain proper insurance for its protection and the protection of the public. The YMCA shall maintain the required liability insurance in force plus name the City as additional insured during the life of this Agreement. The City will maintain its current insurance coverage required as the owner of the property and name the YMCA as an

additional named insured to said policy with regard to the operation/operations being performed. A clause holding the other party harmless shall be inserted.

Mutual waiver of subrogation. In the event the City and/or the YMCA suffer damages caused by another party hereto, or caused by the other parties agents, employees, invitees or assigns, and the damage is covered by the injured parties insurance, in that case to prevent the parties hereto from becoming unwilling opponents under the subrogation clause of the injured parties insurance contracts, the injured party hereby waives all claims against the other party and hereby waives the right of subrogation and hereby releases and holds harmless the other party for any loss or damage covered by the injured parties insurance contract.

TERMINATION OF AGREEMENT AND VACATION OF PREMISES

The YMCA shall on the last day of the season as defined by the Agreement surrender and deliver the premises to the City, including all buildings, additions and improvements on the premises in the same condition as at the initiation of the Agreement, reasonable wear and tear and usage excepted.

Either party shall have the right to terminate this Agreement before its scheduled termination upon the provision of a thirty (30) day written notice to the other party. No cause needs be stated in order to achieve the early termination.

IN WITNESS WHEREOF, and in full recognition and understanding of the promises described in this Agreement; and in consideration of all of the mutual covenants and agreements contained in this Agreement, the parties have executed this Agreement the day and year first above written.

CITY OF FINDLAY

FINDLAY YMCA

Rob Martin
Service-Safety Director

Steve Crone
Chief Executive Officer

ATTEST:

Kathy Launder, City Clerk

Committee Members:

- John Harrington, President of Council
- Brian Bauman, Ward 5
- Randy Greeno, At-Large
- Dennis Hellmann, Ward 2
- Jim Niemeyer, Ward 6
- Josh Palmer, Ward 7
- Grant Russel, A-Large
- Jim Slough, Ward 4
- Beth Warnecke, Ward 3
- Brad Wisener, Ward 1
- Jeff Wobser, At-Large

Staff:

- Christina Muryn, Mayor
- Donald Rasmussen, Law Director
- Rob Martin, Service-Safety Director
- Jeremy Kalb, City Engineer
- Jim Staschiak, City Auditor
- JUDGE HALL-ENBEIL
- CHIEF OF POLICE TRING
- JUDGE BISHOP
- X DAVID BEACH
- X CANDACE GRIFFITH, ASST CHIEF PROBATION OFFICER

Meeting Start Time: 6:04

Guests:

Meeting End Time: 6:42

67 members of the public

Agenda:

Call to Order

Roll Call

~~X Approval of Minutes~~

New Items

Community Alternative Sentencing Center (CASC)

Adjournment

- Intro by Mayor
- PRESENTATION by CANDACE GRIFFITH
- POWER POINT
- CLOSING by Mayor

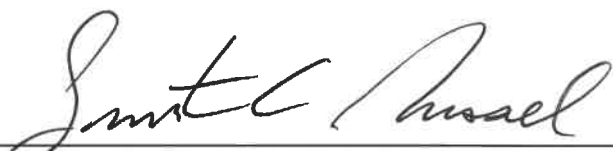

~~John Harrington, President of Council~~

Grant Russel, President Pro Tem

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A **COMMITTEE OF THE WHOLE** meeting was held on Tuesday, February 15, 2022 to discuss the Community Alternative Sentencing Center (CASC).



John Harrington, President of Council
GRANT RUSSEL, PRESIDENT PRO-TEM

COMMITTEE OF THE WHOLE

DATED: February 15, 2022

Community Alternative Sentencing Center

A Jail Alternative

Community Alternative Sentencing Center

- ▶ Established under ORC 307.932
- ▶ Counts as "jail" facility/direct sentencing option for Judge
- ▶ Does not need to follow minimum jail/BAD standards from ODRC
- ▶ Treatment must be offered
- ▶ Work release can count towards mandatory time
- ▶ Max 90 day terms

Target Population

- ▶ OVI/DUS offenders and other scheduled commitments
- ▶ Probation Violators
- ▶ Offenders that failed to comply with treatment, groups, or community service
- ▶ Misdemeanor offenders awaiting placement in a residential facility
- ▶ Offenders serving time for offenses stemming from drug abuse or addiction
- ▶ Long term jail stays at HCJC in need of step-down and reentry services

CASC vs. WORC

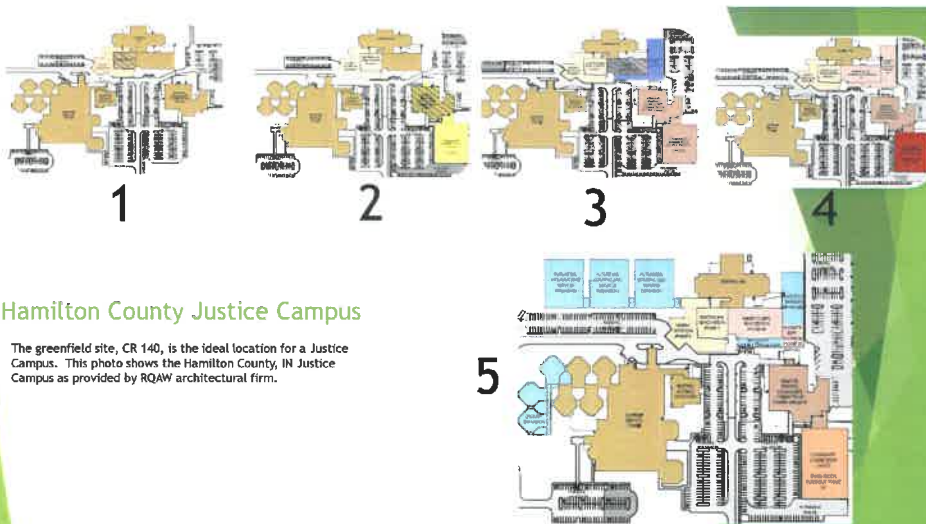
- ▶ Upfront payment required ranging from \$125 to \$175
- ▶ Had to have a job/Could not be locked down to the facility
- ▶ Could not test positive for THC
- ▶ Strict rules/violation resulting in return to HCJC
- ▶ Could not count towards state mandated time

How does this help?

- ▶ Decreases number of misdemeanor bookings into the jail
- ▶ Reduce scheduling issues for court commitments and provide flexibility in sentencing
- ▶ Those incarcerated on warrants and long-term stay for probation violators can be transferred to the CASC reducing number of offenders in the jail
- ▶ Medical Expenses-offenders can leave for approved medical and treatment appointments
- ▶ Offenders will be able to maintain their jobs and/or look for a job from within the facility
- ▶ Probation officers, peer support, and other social services can enter the facility and educate and offer programming to offenders so the offender can engage in services prior to release

Facilities in Ohio

- ▶ Akron-old misdemeanor jail
 - ▶ Batavia-wing of the jail
 - ▶ Marion-old treatment facility/residential
 - ▶ Mansfield-old hospital
-
- ▶ Site visits to Mansfield and Hamilton County, IN



Hamilton County Justice Campus

The greenfield site, CR 140, is the ideal location for a Justice Campus. This photo shows the Hamilton County, IN Justice Campus as provided by RQAW architectural firm.

What's next?

- ▶ Release RFQ
- ▶ FMC funds an initial design plan
 - ▶ Better idea of operation costs/staffing
 - ▶ Land needed
- ▶ Help to locate an ideal location
- ▶ Build community support for this facility/Establish the need
- ▶ Continue identifying outside housing locations for commitments while awaiting the facility

Requested January Numbers

- ▶ 80 total misdemeanor bookings in January
 - ▶ 32 ORD or ORC/ORD split
 - ▶ 48 charged ORC (does not designate whether City case or not)
- ▶ 26 commitments scheduled
 - ▶ All were turned away
 - ▶ 5 FTA
- ▶ Outside Housing



**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
MARCH 1, 2022**

ORDINANCE NO. 2022-010 (*Part 15 Fire Prevention Code*) **requires three (3) readings** ***third reading***
AN ORDINANCE AMENDING PART 15 OF THE FIRE PREVENTION CODE, REPEALING ORDINANCE NO. 2000-011 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-011 (*amendment to salary ordinance*) **requires three (3) readings** ***second reading***
AN ORDINANCE AMENDING SECTION 22 OF CODIFIED ORDINANCE NO. 2021-116, KNOWN AS THE SALARY ORDINANCE, OF THE CITY OF FINDLAY, OHIO AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HERewith, OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-014 (*Cypress Ave – Women’s Resource Center vacation*) **requires three (3) readings** ***second reading***
AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN ALLEY (HEREINAFTER REFERED TO AS THE CYPRESS AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

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

MARCH 1, 2022

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, MARCH 1, 2022 MEETING.

RESOLUTIONS

- 007-2022 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).
- 008-2022 A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO TRANSFER OBSOLETE CITY OF FINDLAY, OHIO FIRE DEPARTMENT PORTABLE MARCS RADIOS TO THE WILLIAMS COUNTY NORTHWEST FIRE & RESCUE DEPARTMENT IN EDON, OHIO.

ORDINANCES

- 2022-015 AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.
- 2022-016 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2022-017 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.
- 2022-018 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE FINDLAY YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2022-2024 SEASONS, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 007-2022

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

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

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

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
ACTIVE NETWORK LLC	236382	21044400-441700	REC PROGRAMS	\$4,800.00	NO PO	INVOICE IS FOR 2020 SOFTWARE EXPENSES

RESOLUTION NO. 008-2022

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO TRANSFER OBSOLETE CITY OF FINDLAY, OHIO FIRE DEPARTMENT PORTABLE MARCS RADIOS TO THE WILLIAMS COUNTY NORTHWEST FIRE & RESCUE DEPARTMENT IN EDON, OHIO.

WHEREAS, the City of Findlay, Ohio Fire Department is desirous of transferring their obsolete portable MARCS radios to the Williams County Northwest Fire & Rescue Department in Edon, Ohio, and;

WHEREAS, data housed on City of Findlay, Ohio Fire Department MARCS radios will be deleted upon transfer and utilization by the Williams County Northwest Fire & Rescue Department in Edon, Ohio, and;

WHEREAS, no funds will be exchanged between City of Findlay, Ohio Fire Department and the Williams County Northwest Fire & Rescue Department for said transfer of said radios.

THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio, the majority of all members thereof concurring:

SECTION 1: That the Service-Safety Director of the City of Findlay, Ohio, be and he is hereby authorized to transfer said obsolete City of Findlay, Ohio Fire Department portable MARCS radios to the Williams County Northwest Fire & Rescue Department in Edon, Ohio.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-015

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

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

SECTION 1: That the ordinances of the City of Findlay, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2022 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Administrative Code

101.03 Rules of Construction. (Amended)

Traffic Code

- 301.183 Low-Speed Micromobility Device. (Added)
- 301.22 Pedestrian. (Amended)
- 301.51 Vehicle. (Amended)
- 303.082 Private Tow-Away Zones. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 335.02 Permitting Operation Without Valid License; One License Permitted. (Amended)
- 335.021 Ohio Driver's License Required for In State Residents. (Amended)
- 335.04 Certain Acts Prohibited. (Amended)
- 335.09 Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
- 371.13 Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Added)
- 371.14 Low-Speed Micromobility Devices. (Added)
- 373.10 Motorized Bicycle Operation. (Amended)
- 373.16 Electric Bicycles. (Amended)

General Offenses Code

- 505.071 Cruelty to Companion Animals. (Amended)
- 509.07 Making False Alarms. (Amended)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 517.01 Gambling Definitions. (Amended)
- 517.02 Gambling. (Amended)
- 517.06 Methods of Conducting a Bingo Game; Prohibitions. (Amended)
- 517.08 Raffles. (Amended)
- 517.09 Charitable Instant Bingo Organizations. (Amended)
- 517.11 Bingo or Game of Chance Records. (Amended)
- 517.13 Bingo Exceptions. (Amended)
- 517.14 Instant Bingo Conduct by a Veteran's or Fraternal Organization. (Amended)
- 517.15 Skill-Based Amusement Machines. (Amended)
- 517.16 Electronic Instant Bingo; Prohibited Conduct. (Added)
- 525.13 Interfering with Civil Rights. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)
- 533.09 Soliciting. (Amended)
- 533.091 Loitering to Engage in Solicitation. (Amended)
- 533.10 Prostitution. (Amended)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 541.051 Aggravated Trespass. (Amended)
- 545.03 Property Exceptions as Felony Offense. (Amended)
- 545.09 Passing Bad Checks. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.06 Unlawful Transactions in Weapons. (Amended)
- 553.04 Railroad Vandalism. (Amended)

SECTION 3: The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance 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.

SECTION 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements;

wherefore this ordinance shall take effect and be in force from and immediately after its passage.

PRESIDENT OF COUNCIL

PASSED _____

MAYOR

ATTEST
CLERK OF COUNCIL

APPROVED

ORDINANCE NO. 2022-016

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:	Ohio Attorney General Grant	\$ 24,202.80
TO:	2022 ORC Required PD Training #31920700	\$ 24,202.80

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 to the City of Findlay Police Department so that awarded grant funds 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. 2022-017

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, 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 Service-Safety Director and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to advertise for bids where necessary pursuant to law and enter into contracts for construction of various projects as set forth in the Capital Improvements Program for year 2022.

SECTION 2: That to pay for the costs of said equipment purchases and project construction, there is hereby appropriated and transferred the following sums:

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 756,500.00
TO: Police #21012000-other	\$ 318,000.00
TO: Fire #21014000-other	\$ 90,000.00
TO: Park Maintenance #21034000-other	\$ 15,000.00
TO: Cemetery #21046000-other	\$ 15,000.00
TO: Streets #22040000-other	\$ 106,000.00
TO: Traffic Lights #22043200-other	\$ 120,000.00
TO: Airport #25010000-other	\$ 92,500.00
FROM: Sewer Fund	\$ 140,000.00
TO: Sewer Maintenance #25061000-other	\$ 140,000.00
FROM: Water Fund	\$ 305,000.00
TO: Water Treatment Plant #25050000-other	\$ 50,000.00
TO: Water Distribution #25053000-other	\$ 185,000.00
TO: Utility Billing #25072000-other	\$ 40,000.00
TO: Supply Reservoir #25073000-other	\$ 30,000.00
FROM: CIT Fund – Capital Improvement Restricted Account	\$ 1,315,000.00
TO: VHF Radio System #31983000	\$ 35,000.00
TO: Upgrades to Shelter 15 #31913400	\$ 30,000.00
TO: 2022 Street Preventative Maintenance #32820100	\$ 230,000.00
TO: 2022 Annual Street Resurfacing/Curb Repairs #32820500	\$ 800,000.00
TO: Engineering/Zoning File Scanning #31920800	\$ 50,000.00
TO: Muni Bldg Elevator Replacement #31920900	\$ 150,000.00
TO: 2022 City Sidewalk/Ramps #32822100	\$ 20,000.00
FROM: Sewer Fund	\$ 70,000.00
TO: 2022 Annual Manhole Adjustment #35621100	\$ 50,000.00
TO: Madison & Monroe Sanitary Phase II #35621200	\$ 20,000.00

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer said funds so that the aforementioned projects may proceed.

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. 2022-018

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE FINDLAY YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2022-2024 SEASONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Administration and Council has determined that financially it is not feasible for the City of Findlay to operate the Riverside Swimming Pool facility and associated YMCA programs for public and recreational use because of the subsidy that is necessary from the General Fund to pay for said services, and;

WHEREAS, Council has received a proposal from the YMCA to operate the Riverside Swimming Pool facility and associated YMCA programs for public and recreational use, and this is the most cost effective way to keep these services operating for the benefit of the citizens of the City of Findlay as well as Hancock County.

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 Mayor and/or Director of Public Service-Safety of the City of Findlay, Ohio, be and they are hereby authorized to enter into an agreement with the Findlay YMCA for the operation of the Riverside Swimming Pool and associated YMCA programs for public and recreational use for the 2022-2024 seasons.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enter into said agreement so that the swimming pool and associated YMCA programs may be up and running for the entire 2022-2024 seasons.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____