

# FINDLAY CITY COUNCIL AGENDA

**REGULAR SESSION**

**November 7, 2017**

**COUNCIL CHAMBERS**

## **ROLL CALL of 2016-2017 COUNCILMEMBERS**

### **ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:**

- Acceptance or changes to the October 17, 2017 Public Hearing minutes for the University of Findlay refinancing of a taxable loan (Ordinance No. 2017-094 AS AMENDED).
- Acceptance or changes to the October 17, 2017 Regular Session City Council meeting minutes.

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

**PROCLAMATIONS:** - none.

**RECOGNITION/RETIREMENT RESOLUTIONS:** - none.

### **PETITIONS:**

#### **Alley vacation request – a portion of E Main Cross St**

Richard Kirk, on behalf Kirk Properties, Inc., is requesting to vacate the north-south 16.5' alley between lot 846 and 847 in the Coffenberry's Addition from East Main Cross Street to the first east-west alley south of East Main Cross Street. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

### **WRITTEN COMMUNICATIONS:**

#### **Bradley Warren, Oxley, Malone, Hollister, Warren & Spaeth, P.L.L. – parking lot owned by the City of Findlay**

The City of Findlay currently owns four (4) lots (149, 150, 151, and 152) that are located immediately east of the main entrance of the Findlay Inn. Findlay Inn has a permanent ten foot (10') easement across Lot 152 which is basically the overhang/entrance of the hotel. He is the Counsel for Findlay Inn/Philip Gardner who are interested in purchasing those four (4) lots. Enclosed is a Subject Plat Map that he has highlighted the lots that his client are interested in purchasing from the City of Findlay. The Inn currently is leasing the lots from the City under a long term lease. That lease will be up in May 2019. Mr. Warren is requesting a COMMITTEE OF THE WHOLE meeting to discuss.

**ORAL COMMUNICATIONS:** - none.

### **REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:**

**Findlay Municipal Court Activities Report** – September 2017.

**N.E.A.T. Departmental Activity Report** – September 2017.

**Treasurer's Reconciliation Report** – September 30, 2017.

**City Planning Commission agenda** – November 9, 2017; **minutes** – October 12, 2017.

#### **City Auditor Jim Staschiak – RLF Administration**

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for July 2017 through September 2017. 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 \$1,682.90 from the RLF to General Expense #21010000-449400 to pay the invoice is requested. Ordinance No. 2017-110 was created.

#### **Director of Public Service/Acting City Engineer Brian Thomas – ODOT FY18 Resurfacing (PID 100183), Project No. 32876300**

The City is eligible for Federal Urban Allocation Funds administered through the Ohio Department of Transportation (ODOT). This project is eligible for this type of funding. For the past few years, these funds have been used for resurfacing, and plan to use the funds for the resurfacing again in 2018. At this time, the project is estimated at eight hundred sixty-eight thousand nine hundred sixty-six dollars (\$868,966.00) with eighty percent (80%) being funded by ODOT and twenty percent (20%) from the City. The City's matching share is included in the 2018 5-year Capital Improvement Plan. Legislation authorizing the Service Director to enter into the project agreement with ODOT is requested. Ordinance No. 2017-111 was created.

**City Income Tax Monthly Collection Report** – October 2017.

**City Auditor Jim Staschiak – bank and credit card fraud policy**

Bank and credit card fraud is a serious issue. The City's Auditor's Office has worked fraud prevention controls into all aspects of banking including managing the risk of credit card fraud using the best recommendations and practices available to date. The State Auditor is spearheading legislation (HB 312) to combat this serious issue. Fortunately, the City of Findlay's current Bank Credit Policy (attached) appears to fully conform to the proposed legislation. In light of the fact that the proposed State legislation will require the local legislative body (Council) to adopt a formal policy within three (3) months of its passage at the State. It is worthwhile to be proactive since its passage is highly likely.

**City Auditor Jim Staschiak – salary ordinance**

Historically, changes as proposed here have been thoroughly vetted through a City Council committee process. As paymaster for the City, the pay ordinance has typically been revised by the Auditor's Office with changes requested by the Mayor and presented to Council for vetting and review. Although the actual process has varied in the last few years, it is an important role for Council to continue to fill. Attached is an initial draft of the pay ordinance that he is requesting go to the Appropriations Committee for review and to allow for any additions/changes that might be requested by various elected officials can be made. Attached is a draft ordinance for the Administration and Council to review and to allow for any requested changes. The final ordinance, including an emergency clause, needs to be passed by the last City Council meeting of this year in order to continue the City's regular course of business.

Changes to the ordinance:

- All exempt positions with a salary range in SECTION 5 had the maximum amount raised by two percent (2%).
- The job title of W.O.R.C. Co-Coordinator was eliminated from SECTION 5.
- SECTION 6 bi-weekly pays were increased by two percent (2%).
- SECTION 7 non-exempt pay range maximums were increased by two percent (2%).
- SECTION 10 hourly pay rates were all increased by two percent (2%) for the 0 ranges and the 9000 pay ranges. In the 8000 ranges, the 8101 reflects the new minimum wage rate for Ohio in 2018 and the 8020 and 8030 were increased to reflect the applicable difference between those ranges and the minimum wage. All other 8000 categories remained the same.
- In SECTION 25, the wording handling pay rates for the de-certification of the OPEG union mid-year was eliminated.
- All effective dates were changed as needed in each section and in the effective date.

Draft Ordinance No. 2017-108 was created. First reading will be during the November 21, 2017 City Council meeting.

**Director of Public Service/Acting City Engineer Brian Thomas – Rotary Fee Release**

The developer has requested the release of water and sewer rotary fees that were collected recently for a water and sewer tap that was made on Township Road 94. Per the rotary fee regulations for water and sewer service, the developer is eligible for reimbursement in the amount of ninety percent (90%) of the rotary fee collected. The fees collected were four thousand eight hundred forty dollars (\$4,840.00) for water rotary and three thousand one hundred dollars (\$3,100.00) fir sanitary rotary. Legislation to transfer funds is requested. Ordinance No. 2017-113 was created.

FROM:	Water Fund – 2007 Rotary Restricted Account	\$ 4,356.00
TO:	Utility Billing (25072000-other)	\$ 4,356.00
FROM:	Sanitary Fund – 2007 Rotary Restricted Account	\$ 2,790.00
TO:	WPC (25061000-other)	\$ 2,790.00

**Safety Director Paul Schmelzer – proposed improvements to public safety software system**

For the past year, City Police and Fire Departments have been evaluating the continued support of Dispatch, Police, and Fire records. The current software provider was purchased by another company. Support has wained and upgrade requirements are costly. Alternatives have been evaluated and have narrowed the price and scope to the point where options with known expenses are available for discussion. He would like to refer this the next Appropriations Committee meeting to discuss the current software, other options available, and the investment. Any Councilmember interested in this topic is welcome to attend or can contact him with questions. This is an important investment in order to continue to use data to drive operations. The Police and Fire Departments are more interested than ever in using tools like this to be more efficient and effective. Total cost of the software, its customization, services involved with implementation and training, and conversion of old data is approximately seven hundred thousand dollars (\$700,000). Hardware upgrades are estimated at twenty-five thousand dollars (\$25,000). There is an opportunity to coordinate the upgrade with the Hancock County Sheriff's Office. Preliminary discussions regarding coordination have gone well. The County is in a similar position regarding the need for upgrades and support. The goal is to have a coordinated project that will support both entities and lower the cost for both. Sheriff Heldman will be invited to attend the Appropriations Committee meeting to discuss the County's position accurately. Needs to be referred to the APPROPRIATIONS COMMITTEE and legislation approved before the end of 2017.

FROM:	General Fund	\$ 725,000.00
TO:	CIT Fund – Capital Improvement Restricted Account <i>Project #31977900 Public Safety Software System</i>	\$ 725,000.00

**Director of Public Service/Acting City Engineer Brian Thomas – Park Street rehabilitation project no. 32875900**

By authorization of Ordinance No. 2017-006, a bid opening was held for this project on November 2, 2017. Bids were received from five (5) potential contractors with bid amounts ranging from one hundred sixty-two thousand four hundred ninety-two dollars to two hundred twenty-nine thousand nine hundred sixty dollars and fifty cents (\$162,492.00-\$229,960.50). alternate bids ranging from fifty-eight thousand eight hundred forty-two dollars to eighty-four thousand seven hundred twenty dollars (\$58,842.00-\$84,720.00) were also received to replace the existing waterline. The lowest and best bid was received from Hohenbrink Excavating, LLC of Findlay, Ohio. This project is included in the 2017 Capital Improvements Plan with an estimated project cost of two hundred fifty thousand dollars (\$250,000.00). This estimate did not include replacing the existing waterline. While the plans were being developed, Engineering discovered that the existing waterline is over one hundred (100) years old and is located in the middle of the pavement, and would be in the best interest of the City to replace the existing waterline now while the road is under construction. If the waterline is replaced at a later date, the new pavement will have to be cut and patched for the work to be completed. If the waterline is replaced and all of the contingency is used, the project cost will be about eight thousand dollars (\$8,000.00) higher than the estimate listed in the Capital Plan, but since the cost for the waterline will come from the water fund, the total amount from the Capital Improvement Restricted Account will be less than the amount listed in the Capital Plan. Previously, twenty thousand dollars (\$20,000.00) was appropriated to the project for design and startup. An appropriation for construction, inspection and contingency is needed at this time to complete the project. Legislation to appropriation funds is requested. Ordinance No. 2017-112 was created.

FROM: CIT Fund – Capital Improvement Restricted Account	\$ 179,000.00
FROM: Water Fund	\$ 59,000.00
TO: Park Street Rehabilitation <i>Project No. 32875900</i>	\$ 238,000.00

**COMMITTEE REPORTS:**

An **AD HOC COMMITTEE** met on October 30, 2017 to discuss Councilmember 2018-2019, Council President 2018-2019, and Treasurer 2018-2021 salaries via Ordinance No. 2017-091.

*We recommend discussion to be continued during the next meeting on November 6, 2017 at 1:30pm.*

**LEGISLATION:  
RESOLUTIONS**

**RESOLUTION NO. 012-2017** *(opposition of State Governor's proposed 2017-2018 budget)* **tabled after 1<sup>st</sup> reading on 4/18/17**  
A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO GOVERNOR'S PROPOSED 2017-2018 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND OTHER PROVISIONS RELATED TO THE MUNICIPAL INCOME TAX WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES, AND DECLARING AN EMERGENCY.

**RESOLUTION NO. 027-2017** *(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).

**ORDINANCES**

**ORDINANCE NO. 2017-021 AS AMENDED** *(bicycle riding in downtown business district)* **tabled after 3<sup>rd</sup> reading on 4/18/17 and during 9/19/17 meeting**  
AN ORDINANCE AMENDING SECTION 373.11(a)(2) AND REPEALING SECTION 373.13 OF CHAPTER 373 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

*During NEW BUSINESS portion of the May 2, 2017 City Council meeting, a motion was made and seconded to accept the proposed amendments (second amendment to the Ordinance), which was approved. A motion was then made to lift it from the table, but no second to that motion was given, so it was not lifted from the table and remains tabled.*

*During OLD BUSINESS portion of the September 19, 2017 City Council meeting, a motion was made and seconded to lift it from the table. All were in favor. Then a motion was made and seconded to adopt it, but after discussion, a motion was made and seconded to retable it. The Ordinance remains tabled.*

**ORDINANCE NO. 2017-073** *(HWE Franchise Agreement) requires three (3) readings* **tabled after 3<sup>rd</sup> reading on 8/15/17**  
AN ORDINANCE GRANTING TO HANCOCK-WOOD ELECTRIC COOPERATIVE, INC. ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF FINDLAY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY AND OTHER SERVICES TO PARTS OF THE CITY OF FINDLAY AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH AND ACROSS SAID CITY OF FINDLAY, STATE OF OHIO, SUBJECT TO AND IN COMPLIANCE WITH THE CERTIFIED TERRITORIES FOR ELECTRIC SUPPLIERS ACT (OHIO REVISED CODE SECTIONS 4933.81 TO 4933.90).

**ORDINANCE NO. 2017-091** (*salary ordinance for City Council members, President of Council, Treasurer*) **tabled after 3<sup>rd</sup> reading on 10/17/17**  
AN ORDINANCE ESTABLISHING THE SALARIES FOR CITY COUNCIL MEMBERS, PRESIDENT OF COUNCIL, AND TREASURER OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

**ORDINANCE NO. 2017-098** (*Deer Landing Waterline Oversizing*) **requires three (3) readings** **third reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-102** (*WPCC replacement Tandem Axle Dump truck*) **requires three (3) readings** **second reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-103** (*FFD replacement engine*) **requires three (3) readings** **second reading**  
AN ORDINANCE APPROPRIATING **AND TRANSFERRING** FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-109** (*ee payroll deductions for HSA*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYROLL DEDUCTIONS FOR THOSE EMPLOYEES WHO HAVE ELECTED TO ENROLL IN THE HEALTH SAVINGS ACCOUNT (HSA) PLAN AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-110** (*RLF Administration*) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-111** (*ODOT FY18 Resurfacing (PID 100183), Project No. 32876300*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FY18 RESURFACING (PID 100183) PROJECT NO. 32876300, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-112** (*Park Street rehabilitation*) **requires three (3) readings** **first reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-113** (*rotary fee release*) **requires three (3) readings** **first reading**  
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

***UNFINISHED BUSINESS:***

**OLD BUSINESS**  
**NEW BUSINESS**

# PETERMAN ASSOCIATES, INC.

- ARCHITECTS - ENGINEERS - INSPECTORS - SURVEYORS -

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

3480 North Main Street, Findlay, Ohio 45840

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

## TRANSMITTAL LETTER

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

PROJECT NO.: 17-0396  
PROJECT Alley Vacation for ACI  
Const. Co., Inc.

DATE: October 26, 2017

TRANSMITTED:	<input checked="" type="checkbox"/> Herein	<input type="checkbox"/> Separate Cover	<input type="checkbox"/> As Requested
VIA:	<input type="checkbox"/> U.S. Mail	<input type="checkbox"/> UPS	<input type="checkbox"/> UPS Ground
	<input type="checkbox"/> Federal Express	<input checked="" type="checkbox"/> Courier	<input type="checkbox"/> Pick Up
PURPOSE:	<input type="checkbox"/> Approval	<input type="checkbox"/> Use	<input type="checkbox"/> Record
	<input type="checkbox"/> Review/Comment	<input checked="" type="checkbox"/> Distribution	<input type="checkbox"/> Return
INCLUDES:	<input checked="" type="checkbox"/> Drawings	<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Change Order
	<input type="checkbox"/> Specifications	<input type="checkbox"/> Shop Drawings	<input type="checkbox"/> Application

Copies	Description
1	Alley Vacation PEtition
1	Application Fee (\$75.00, PAI Check #1246
1	Alley Vacation Exhibit

Remarks The attached is being submitted for Council's consideration.

Thank You.

Copies to: (with enclosures)




By: Todd M. Jenkins, P.E.

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

ALLEY/STREET VACATION PETITION

FEE PAID \_\_\_\_\_

DATE \_\_\_\_\_

ADVERTISING AND FILING FEES PAID

DATE \_\_\_\_\_

HONORABLE MAYOR AND COUNCIL, CITY OF FINDLAY, OHIO:

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

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

The north-south 16.5' alley between Lots 846 and 847 of Coffenberry's Addition from East Main Cross Street to the first east-west alley south of East Main Cross

Being further described as abutting the following described LOTS in the SUBDIVISION of:

Lots 846 and 847 of Coffenberry's Addition

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

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

**OWNER ADDRESS LOT NUMBER**

Kirk Properties, Inc. 329 East Main Cross Street 846

LaRiche Chevrolet-Cadillac Inc. 0 East Main Cross 847

*Camille 10/23/17*

TO: Applicants for Street or alley Vacation

FROM: Council Clerk

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

## **APPLICATION REQUIREMENTS**

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

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

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

## **FEE**

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

## **ASSESSMENTS**

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

## **PLANNING COMMISSION ACTION**

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

## **COMMITTEE ACTION**

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

## **CITY COUNCIL ACTION**

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

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

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

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

Revised 12-05

Name of Contact Person Richard Kirk

Mailing Address 2959 S. US 23, Alvada, Ohio 44802

Phone No. (Home) \_\_\_\_\_ (Business) (419) 595-4224  
10-24-17 \_\_\_\_\_ [Signature]  
(date) (Signature of Contact Person)

-----  
**OFFICE USE ONLY**



PROPOSED ALLEY VACATION



**PETERMAN**  
ASSOCIATES, INC.  
3480 N. Main Street  
Findlay, Ohio 45840  
Tele. (419) 422-6672

PAI PROJECT: 17-0396

OXLEY, MALONE, HOLLISTER, WARREN & SPAETH, P.L.L.

Attorneys at Law  
301 EAST MAIN CROSS STREET  
P.O. BOX 1086  
FINDLAY, OH 45839-1086

Telephone (419) 422-8713  
Fax (419) 422-6495  
E-Mail [oxleylaw@oxleylaw.com](mailto:oxleylaw@oxleylaw.com)

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1919 1997

Of Counsel  
Julie A. Davenport

Michael J. Malone  
Robert B. Hollister  
Bradley S. Warren  
Bret A. Spaeth  
Drew A. Wortman

October 31, 2017

James Slough  
via email [JSSlough102@gmail.com](mailto:JSSlough102@gmail.com)

Re: *Parking Lot owned by City of Findlay*

Dear Jim,

Hope all is well with you.

I am writing to you as Counsel for Findlay Inn/Philip Gardner. The City of Findlay currently owns four (4) lots (149, 150, 151 and 152) that are located immediately east of the main entrance of the Findlay Inn. Findlay Inn has a permanent ten-foot easement across lot number 152, which is basically the overhang/entrance of the hotel.

My client is interested in purchasing those four (4) lots. For reference I am enclosing a "Subject Plat Map". I've highlighted the lots that my client would be interested in purchasing from the City of Findlay.

Currently the Inn is leasing the lots from the City of Findlay under a long term lease. That lease will be up in May, 2019.

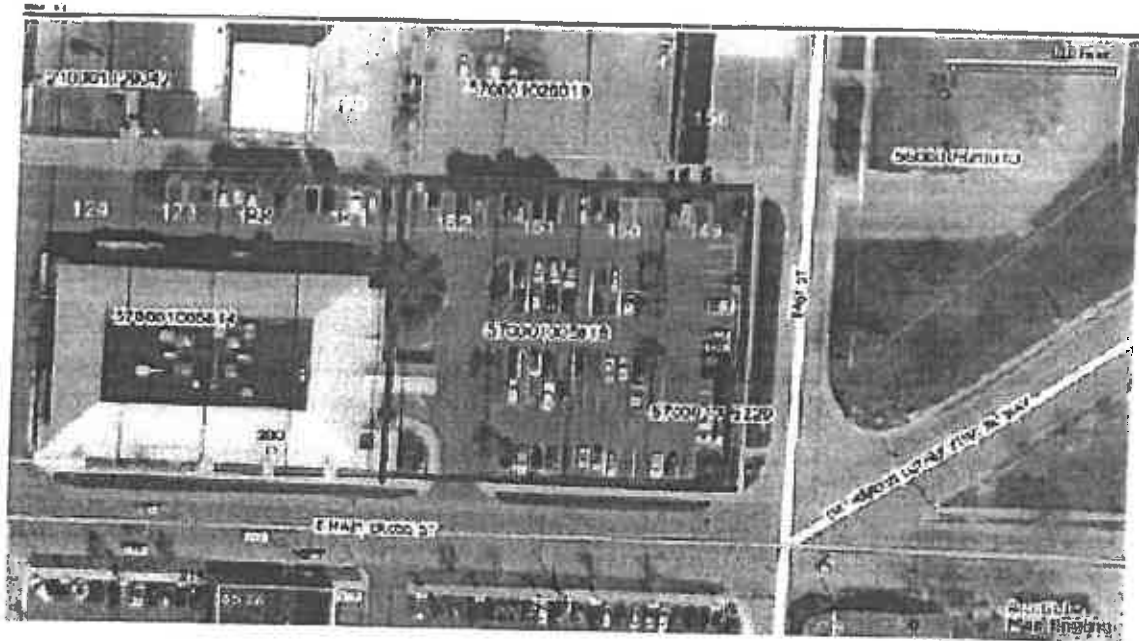
I would be happy to set forth this proposition to Counsel as a whole. Can that be arranged? Please let me know. Thanks.

Sincerely,

  
Bradley S. Warren

BSW:knf  
enclosure

Subject Plat Map



\*\*\*\*\*CURRENT YEAR\*\*\*\*\*  
MTD YTD\*\*\*\*\*LAST YEAR\*\*\*\*\*  
MTD YTD

## RECEIPTS DEPOSITED:

ALCOHOL MONITORING	\$4,179.29	\$35,251.42	\$4,653.16	\$37,317.40
BOND FEES	\$570.00	\$6,220.00	\$500.00	\$5,400.00
CIVIL DEPOSIT TENDERS	\$290.00	\$5,915.00	\$500.00	\$8,563.74
COURT COST	\$68,092.27	\$636,319.72	\$68,732.49	\$583,301.93
DUI ENFORCEMENT	\$4,607.22	\$37,771.76	\$4,502.35	\$35,575.68
ELECTRONIC IMAGING	\$5,411.30	\$47,796.62	\$5,544.00	\$44,640.16
FINES & FORFEITURES	182,979.58	\$1,697,943.83	166,844.05	\$1,453,500.71
FUND REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00
INDIGENT DRIVER ALCOHOL	\$771.80	\$5,877.60	\$545.60	\$6,226.55
INMATE MEDICAL EXPENSE	\$0.00	\$56.00	\$0.00	\$0.00
INTEREST	\$12.79	\$124.57	\$11.07	\$92.28
JAIL HOUSING	\$9,351.25	\$93,862.10	\$8,788.00	\$54,707.64
JAIL REIMBURSEMENT	\$413.00	\$2,977.50	\$311.00	\$3,511.75
LEGAL RESEARCH	\$7.50	\$49.36	\$5.50	\$26.50
MEDIATION	\$1,692.63	\$15,092.31	\$1,798.00	\$14,173.00
MISCELLANEOUS	\$39,465.15	\$317,838.57	\$35,494.86	\$282,113.35
MUNI COURT COMPUTERIZATION	\$5,456.90	\$47,770.29	\$5,598.98	\$44,738.66
MUNI COURT IMPROVEMENT	\$17,282.27	\$152,049.98	\$17,798.24	\$132,218.10
RESTITUTION	\$917.40	\$7,866.98	\$1,085.93	\$10,600.26
SPECIAL PROJECTS	\$28,214.55	\$248,024.28	\$28,889.02	\$226,621.83
STATE PATROL	\$37,294.89	\$282,641.39	\$27,856.05	\$221,289.63
TRAFFIC/CRIMINAL BONDS	\$453.91	\$83,971.43	\$4,459.37	\$63,012.10
	<u>407,463.70</u>	<u>\$3,725,420.71</u>	<u>383,917.67</u>	<u>\$3,227,631.27</u>

## DISTRIBUTIONS:

ALCOHOL MONITORING	\$4,179.29	\$35,191.42	\$4,653.16	\$36,992.40
BOND FEES	\$570.00	\$6,195.00	\$500.00	\$5,400.00
CIVIL DEPOSIT TENDERS	\$290.00	\$3,265.00	\$360.00	\$7,813.74
COURT COST	\$68,084.27	\$635,378.65	\$68,666.39	\$582,275.96
DUI ENFORCEMENT	\$4,603.83	\$37,744.64	\$4,502.35	\$35,535.00
ELECTRONIC IMAGING	\$5,408.30	\$47,766.62	\$5,544.00	\$44,601.16
FINES & FORFEITURES	114,574.62	\$1,624,771.96	167,308.60	\$1,448,123.18
FUND REIMBURSEMENT				
INDIGENT DRIVER ALCOHOL	\$771.80	\$5,877.60	\$545.60	\$6,226.55
INMATE MEDICAL EXPENSE		\$56.00		
INTEREST	\$12.79	\$124.57	\$11.07	\$92.28
JAIL HOUSING	\$9,351.25	\$91,154.10	\$8,788.00	\$54,707.64
JAIL REIMBURSEMENT	\$413.00	\$2,977.50	\$311.00	\$3,511.75
LEGAL RESEARCH	\$7.50	\$49.36	\$5.50	\$26.50
MEDIATION	\$1,691.63	\$15,082.31	\$1,798.00	\$14,161.00
MISCELLANEOUS	\$50,181.23	\$418,906.43	\$47,022.23	\$396,312.45
MUNI COURT COMPUTERIZATION	\$5,456.90	\$47,743.29	\$5,598.98	\$44,699.66
MUNI COURT IMPROVEMENT	\$17,275.27	\$151,959.98	\$17,805.24	\$132,137.10
RESTITUTION	\$957.40	\$7,378.47	\$1,605.93	\$10,848.55
SPECIAL PROJECTS	\$28,198.55	\$247,873.28	\$28,898.02	\$226,446.83
STATE PATROL	\$37,294.89	\$282,476.39	\$27,817.60	\$220,972.18
	<u>349,322.52</u>	<u>\$3,661,972.57</u>	<u>391,741.67</u>	<u>\$3,270,883.93</u>

## DISTRIBUTED TO:

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CITY OF FINDLAY	191,958.75	\$1,691,755.51	181,016.10	\$1,500,747.79
HANCOCK COUNTY	\$27,474.89	\$245,127.55	\$25,356.45	\$206,938.58
OTHERS	\$54,460.09	\$1,093,738.28	112,992.82	\$999,181.86
STATE OF OHIO	\$89,172.49	\$733,199.97	\$81,650.65	\$638,479.21
	<u>363,066.22</u>	<u>\$3,763,821.31</u>	<u>401,016.02</u>	<u>\$3,345,347.44</u>

*Mark C. Miller*  
 \_\_\_\_\_  
 MARK C. MILLER, JUDGE

*Alan D. Hackenberg*  
 \_\_\_\_\_  
 ALAN D. HACKENBERG, JUDGE

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

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

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

Report for the month of: **September 2017**

Date of completion of most recent physical inventory
12/16/2016

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge
Pending beginning of period 1	251	106	143	3	13	0	2	518	0
New cases filed 2	58	20	39	1	1	2	0	121	0
Cases transferred in, reactivated or redesignated 3	8	0	2	0	1	0	0	11	0
<b>TOTAL (Add lines 1-3) 4</b>	<b>317</b>	<b>126</b>	<b>184</b>	<b>4</b>	<b>15</b>	<b>2</b>	<b>2</b>	<b>650</b>	<b>0</b>
Jury trial 5	0	0	0	0	0	0	0	0	0
Court trial 6	2	0	0	0	0	1	0	3	0
Default 7				0	0	0	0	0	0
Guilty or no contest plea to original charge 8	22	12	27					61	0
Guilty or no contest plea to reduced charge 9	5	0	0					5	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil) 10	0	0	0	0	0	0	0	0	0
Other Dismissals 11	28	2	9	0	3	0	0	42	0
Transfer to another judge or court 12	0	0	1	0	1	0	0	2	0
Referral to private judge 13				0	0	0	0	0	0
Unavailability of party for trial or sentencing 14	8	1	1	0	0	0	0	10	0
Bankruptcy stay or interlocutory appeal 15	0	0	0	0	0	0	0	0	0
Other terminations 16	2	0	2	0	0	0	0	4	0
<b>TOTAL (Add lines 5-16) 17</b>	<b>67</b>	<b>15</b>	<b>40</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>127</b>	<b>0</b>
Pending end of period (Subtract line 17 from line 4) 18	250	111	144	4	11	1	2	523	0
Cases pending beyond time guideline 19	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline 20	0	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline 21	0	0	0	0	0	0	0	0	0

Fax to: (614) 387-9419 -or- Mail to: Court Statistical Reporting Section Supreme Court of Ohio 65 South Front Street, 6th Floor Columbus, Ohio 43215-3431
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MARK C MILLER	Date
Preparer's name and telephone number if other than judge (print or type)	Date
MARK C MILLER	Date

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

Court: **FINDLAY MUNICIPAL COURT**

Judge: **ALAN D HACKENBERG**

Date of completion of most recent physical inventory

07/21/2017

Report for the month of : **September 2017**

	B	C	D	E	F	G	H	T	V	
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge	
Pending beginning of period	1	216	110	145	0	9	0	0	480	0
New cases filed	2	47	15	32	0	3	1	0	98	0
Cases transferred in, reactivated or redesignated	3	10	0	3	0	0	0	0	13	0
<b>TOTAL (Add lines 1-3)</b>	4	<b>273</b>	<b>125</b>	<b>180</b>	<b>0</b>	<b>12</b>	<b>1</b>	<b>0</b>	<b>591</b>	<b>0</b>
Jury trial	5	0	0	0	0	0	0	0	0	0
Court trial	6	1	4	1	0	0	0	0	6	0
Default	7				0	0	0	0	0	0
Guilty or no contest plea to original charge	8	19	12	24				55	2	
Guilty or no contest plea to reduced charge	9	8	4	2				14	0	
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	10	0	0	0	0	0	0	0	0	
Other Dismissals	11	23	1	5	0	2	0	31	0	
Transfer to another judge or court	12	0	0	0	0	0	0	0	0	
Referral to private judge	13				0	0	0	0	0	
Unavailability of party for trial or sentencing	14	7	1	4	0	0	0	12	0	
Bankruptcy stay or interlocutory appeal	15	0	0	0	0	0	0	0	0	
Other terminations	16	0	0	1	0	0	0	1	1	
<b>TOTAL (Add lines 5-16)</b>	17	<b>58</b>	<b>22</b>	<b>37</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>119</b>	<b>0</b>	
Pending end of period (Subtract line 17 from line 4)	18	215	103	143	0	10	1	0	472	0
Cases pending beyond time guideline	19	0	0	0	0	0	0	0	0	
Number of months oldest case is beyond time guideline	20	0	0	0	0	0	0	0	0	
Cases submitted awaiting sentencing or judgment beyond time guideline	21	0	0	0	0	0	0	0	0	

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

ALAN D HACKENBERG	Date
Preparer's name and telephone number if other than judge (print or type)	Date
MARK C MILLER	Date

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

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

Report for the month of : **September 2017**

	A	B	C	D	E	F	G	H	I	T
	Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL
Pending beginning of period	6	124	7	384	8	398	42	2	149	1120
New cases filed	11	168	40	1154	0	71	34	1	78	1557
Cases transferred in, reactivated or redesignated	0	23	2	42	0	3	0	0	1	71
<b>TOTAL (Add lines 1-3)</b>	<b>17</b>	<b>315</b>	<b>49</b>	<b>1580</b>	<b>8</b>	<b>472</b>	<b>76</b>	<b>3</b>	<b>228</b>	<b>2748</b>
Trial/Hearing by judge (include bindover by preliminary hearing, guilty or no contest pleas and defaults)	0	29	7	52	1	109	17	0	9	224
Hearing by Magistrate (Include guilty or no contest pleas and defaults)		0	0	26	0	0	0	0	33	59
Transfer (Include waivers of preliminary hearing and individual judge assignments)	9	105	35	71	1	4	3	0	0	228
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	0	0	0	0	0	0	0
Other dismissals (Include dismissals at preliminary hearing)	0	4	0	4	0	28	9	0	24	69
Violations Bureau		0		859						859
Unavailability of party for trial or sentencing	0	28	0	39	0	0	0	0	0	67
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	2	0	0	0	2
Other terminations	0	18	0	173	0	1	0	2	0	194
<b>TOTAL (Add lines 5-13)</b>	<b>9</b>	<b>184</b>	<b>42</b>	<b>1224</b>	<b>2</b>	<b>144</b>	<b>29</b>	<b>2</b>	<b>66</b>	<b>1702</b>
Pending end of period (Subtract line 14 from line 4)	8	131	7	356	6	328	47	1	162	1046
Cases pending beyond time guideline	0	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	0	0	0	0	0	0	0	0	0	0

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

MARK C MILLER

Date

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

Date



# 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](http://www.findlayohio.com)

October 12, 2017

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 September, 2017

### **Dilapidated Structures**

19 cases year to date  
21 cases pending

### **Weeds**

335 cases year to date  
129 cases pending

### **Junk on Premises**

324 cases year to date  
298 cases pending

### **Junk/Abandoned Vehicles**

297 cases year to date  
341 cases pending

### **Minor Maintenance**

8 cases year to date  
7 cases pending

### **Miscellaneous**

52 cases year to date  
18 cases pending

### **Overgrowth**

33 cases year to date  
13 cases pending

### **Right of Way Issues**

1 case year to date  
0 cases pending

### **Sidewalks**

0 cases year to date  
0 cases pending

### **Trash**

142 cases year to date  
31 cases pending

The Neighborhood Enhancement and Abatement Team received 77 new complaints during the month, of which 9 were invalid. Of the 68 valid issues reported, 43 properties were involved with 8 of the owners being non-residents. NEAT personnel closed 133 cases during the month of September and continue to work diligently on the cases that remained active at the end of the month. NEAT personnel are developing a new format for the monthly report which should be available to Council soon.

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.



## TREASURER'S OFFICE

318 Dorney Plaza, Room 313  
Findlay, OH 45840-3346  
Telephone: 419-424-7107 • Fax: 419-424-7866  
www.findlayohio.com

SUSAN JO HITE  
CITY TREASURER

### Treasurer's Reconciliation for September 30, 2017

#### TREASURER

Fifth Third Initial Balance	4,523,759.55
- Withdrawals ()	(4,181,464.82)
+ Deposits	3,980,001.93
Ending Balance	4,322,296.66

- Outstanding checks ()	(614,572.89)
Deposit in Transit	85.00
Bank Error	0.01

Treasurer's Checking Bal	3,707,808.78
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Investment Principal	55,035,249.07
Accrued Bond Interest	1,935.99

Treasurer's Total Cash and Investments	58,744,993.84
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#### AUDITOR

Auditor's Checking Bal	3,707,808.78
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Auditor's Total Cash and Investments	58,744,993.84
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Respectfully submitted,

  
Susan Jo Hite  
Treasurer

**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1<sup>st</sup> floor of Municipal Building  
Thursday, November 9, 2017 - 9:00 AM

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SWEARING IN**

**APPROVAL OF MINUTES**

**NEW ITEMS**

1. **PETITION FOR ZONING AMENDMENT #ZA-06-2017** filed to rezone 826 Washington Street, Findlay from R-2 Single Family Medium Density to M-2 Multi-Family High Density.
2. **ALLEY/STREET VACATION PETITION #AV-07-2017** filed to vacate a north/south alley between Lots 846 & 847 in the Coffenberry's Addition from E. Main Cross Street to the first east/west alley south of E. Main Cross Street.
3. **APPLICATION FOR SITE PLAN REVIEW # SP-19-2017** filed by Lindox, Ltd./LaRiche Chevrolet-Cadillas, Inc. c/o ACI Construction Co. Inc., 2959 S US 23, Alvada, OH for a proposed parking lot at 329-337 E. Main Cross St., Findlay.
4. **APPLICATION FOR SITE PLAN REVIEW #SP-20-2017** filed by Cooper Tire & Rubber Co., 701 Lima Avenue, Findlay for an approximately 924 square foot addition to the Engineering Services Building
5. **APPLICATION FOR SITE PLAN REVIEW #SP-21-2017** filed by Sunnydale, LLC, 655 Fox Run Rd., Findlay for a proposed 223,123 square foot industrial building for AutoLiv to be located at the corner of Bright Road and E. Bigelow Avenue.

**ADMINISTRATIVE APPROVALS**

**APPLICATION FOR SITE PLAN REVIEW #SP-22-2017** filed by Sink's Florists, Inc. for an approximately 1500 square foot greenhouse building at 3480 N. Main Street, Findlay.

**ADJOURNMENT**

# City of Findlay City Planning Commission

Thursday, October 12, 2017 - 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:**

Brian Thomas  
Jackie Schroeder  
Dan Clinger  
Dan DeArment

### **STAFF ATTENDING:**

Judy Scrimshaw, HRPC Staff  
Matt Cordonnier, HRPC Director  
Jeremy Kalb, Engineering Project Manager  
Todd Richard, Zoning Inspector  
Don Rassmussen, Law Director  
Matt Pickett, Fire Inspector

### **GUESTS:**

Lou Wilin, Dan Stone, Tom Shindledecker, Tom Hagerty,  
Pat Sadowski, Phil Lawson, Tony Scanlon, Allan Wiley,  
Jeff Dean, Thom Bissell, Alec Ochs, Jodi Mathias, Doug  
Jenkins

### **CALL TO ORDER**

### **ROLL CALL**

The following members were present:

Brian Thomas  
Jackie Schroeder  
Dan Clinger  
Dan DeArment

### **SWEARING IN**

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

### **APPROVAL OF MINUTES**

Dan Clinger noted a couple of errors in names in the minutes. Mr. Clinger made a motion to approve the minutes of the September 14, 2017 meeting with those corrections. Dan DeArment seconded. Motion to accept carried 4-0-0.

## NEW ITEMS

### **1. APPLICATION FOR PRELIMINARY PLAT #PP-03-2017 for Deer Landing 1<sup>st</sup> Addition located off the east side of TR 227 in Marion Township.**

#### HRPC

##### **General Information**

This request is located off the east side of TR 227 in Section 29 of Marion Township. It is zoned R-1 Single Family Residential. Parcels to the north, east and west are also zoned R-1. To the south is zoned A-1 Agriculture in the Township. It is not within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Medium Lot.

##### **Parcel History**

This area was initially laid out in a preliminary plat as a 187 lot subdivision on 90 acres of land back in 2004. The first portion was final platted with 39 lots, the detention pond and three (3) streets (Deer Landing Drive, Arrow Head Drive, and Cherokee Drive) in 2005.

Another Preliminary Plat was reviewed by FCPC in January 2012. That version was tabled by the applicant due to not having been able to test water flow with the lots added to the plan. There was no other activity on the plan until now.

##### **Staff Analysis**

The applicant is proposing 27 residential lots and one lot for a new detention pond.

Deer Landing and Arrowhead Drives will be extended east and Elk Drive will make a north/south connection between them. Deer Landing Drive will extend east of Elk Drive and stub into the remainder land in the parcel.

All lots are over the 11,000 square foot minimum size that Marion Township requires. Lots 44 and 45 are under the frontage requirement of the Township which is 75'. The applicant may need a variance from the Township on those. We know they are already scheduled to meet with their zoning commission.

##### **Staff Recommendation**

HRPC Staff recommends **approval of APPLICATION FOR PRELIMINARY PLAT #PP-03-2017 for Deer Landing 1<sup>st</sup> Addition.**

#### ENGINEERING

No comments

#### FIRE PREVENTION

Provide the looped water line prior to the construction of additional structures.

#### STAFF RECOMMENDATION.

Staff recommends **approval of APPLICATION FOR PRELIMINARY PLAT #PP-03-2017 for Deer Landing 1<sup>st</sup> Addition subject to the following conditions:**

- **Provide the looped water line prior to the construction of additional structures (FIRE)**

## **DISCUSSION**

Dan Clinger stated that with these new lots there would now be 63 lots in total in the subdivision. The original preliminary plat had about 187 lots. Mr. Clinger asked if the entire plat would continue to the east. Dan Stone said yes it could. He outlined the remaining parcel and stated that there will be another roadway system continuing on and another pond. The developer's intent is to maintain it all as single family housing.

Mr. Clinger asked if they intend to feed the entire development through Deer Landing Road. Mr. Stone replied that there will be stubs to the north and south as required by Subdivision Regulations. Mr. Stone said that right now there are only the two ways into the development (Arrowhead and Deer Landing). Dan Clinger said that the stubs do not connect into any other streets right now. He stated that all 187 lots could be accessed by one street. He asked if there is any potential to connect anywhere to the east. Mr. Stone replied that the property does not go that far east. There are other property owners with large parcels between this land and CR 180. He stated that this project was started before they took it over. This was the parcel as it existed when it was first started. Mr. Stone stated that they are continuing with the intent of the original developer's plan.

Mr. Clinger said his biggest concern is feeding all of those homes into Deer Landing Drive. There is only one ingress and egress for the entire subdivision. Mr. Stone asked what he thought they could do about this. Dan Clinger said he wondered if something could go out to the north. Dan Stone replied that there is a drainage issue out here so the more ponds that go in the better it will be. Mr. Stone said the Township is fine with it. Jackie Schroeder asked if the original preliminary contained this new pond. She said the original pond is set up for an 18" storm sewer heading to the east and it will not tie in to anything else. The water from the new section will go into the new pond.

Mr. Stone looked at the drawing for the sewer she spoke of and said all the new development will be routed to the new pond. Ms. Schroeder said that makes her question whether there were other ponds in the original plan. Mr. Stone said there were others planned. He said their intent is to take the water into the new pond, meter it out slowly so they don't over inundate the existing facility. At this point, the new pond flows into the existing one. Mr. Clinger asked if the next one would also. Mr. Stone answered most likely it will unless they come up with a better viable outlet. He stated that they are surrounded by private property owners so the only outlets around are probably small field tiles.

## **MOTION**

Dan Clinger made a motion **to approve APPLICATION FOR PRELIMINARY PLAT #PP-03-2017 for Deer Landing 1<sup>st</sup> Addition.**

**2<sup>nd</sup>:** Dan DeArment

Tom Hagerty, 13385 Deer Landing Drive, stated that there is a catch basin in the corner of the existing section. There is a 6" tile going out to the road and a 4" coming in from the east and another coming in from the south. He stated that the grade is not right on the 6" tile. He said there is only 1" that goes out. 5" is not used and that leaves a lot of water back in that corner.

Dan Clinger asked to clarify if he was saying that the water lays 5" deep in the 6" tile. Mr. Hagerty said yes it only goes down 1". Mr. Hagerty came up front to point out the location on the map.

Mr. Hagerty said they did not put the grade down far enough to get the water to go out into the street. He feels they need to put in a new tile to get the drainage correct.

Dan Stone replied that he was in the office with Roger Best a couple days ago and they were discussing this development. One of the first things Mr. Best talked about was rear yard catch basins. Mr. Stone said they would be out there surveying and they will take a look at it. He said that if they need to put in another means to get that area picked up, they can do that. Mr. Stone said a 6" sounds a little peculiar to him. He stated that normally a 12" would be installed. He said he cannot be sure if it was an after the fact or an old field tile or what. But, he said they can look at it and see if there is a way to remedy the situation. They don't want to trap water as the new homes get built up along that property line, so they intend to have plenty of rear yard drainage.

Jeff Dean, 10525 TR 227, lives just north of the development and asked where the pond is going to go. Mr. Stone stated that as of right now they intend to bring it back into the existing pond. Mr. Dean said he was wondering where it will physically be located on the property. Mr. Stone pointed out the lot and said it will pretty much be that entire space. It will be an irregular shape and it looks like you will now have a pond view from your home!

Dan Clinger asked Mr. Cordonnier if the motion should have a condition that the drainage be looked at. Brian Thomas stated that this is just an approval of a preliminary plat. It approves the concept and when they submit a final plat, they will have to have construction drawings, which are reviewed by Engineering. Mr. Thomas said that it will definitely be noted and looked at when the next step comes through.

Mr. Hagerty asked when they will be looking at that catch basin. Mr. Stone replied that assuming that the preliminary plat goes through, they will be starting the construction plans. The developer plans to start the waterline installation up to the development and the intent is to do the underground. Mr. Stone said they should start looking at in within the next couple of weeks and actual construction should start in the spring.

Judy Scrimshaw reminded Mr. Hagerty that this will be coming before this Commission again for the final plat and he will be notified again of that meeting and can of course come in to hear what is happening and ask more questions at that time.

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

## **2. APPLICATION FOR FINAL PLAT #FP-05-2017 for Riley's Subdivision, a commercial subdivision located on the north side of Tiffin Avenue east of Patriot Drive.**

### **HRPC**

#### **General Information**

This request is located on the north side of Tiffin Avenue east of Patriot Drive. The lot is zoned B-2 General Commercial. Parcels to the north, east and west are also zoned B-2. It is not located within the 100-year flood plain. The City Land Use Plan designates the site as General Commercial

#### **Parcel History**

Site of Tractor Supply store.

#### **Staff Analysis**

The applicant proposes to create an outlot on the southeastern part of the parcel.

All access will be from the exiting driveway area and there is an easement shown there and across the north boundary of the proposed new lot. There is currently a connection on the north side of the proposed parcel to go through to the Family Farm and Home store on the east. The east/west easement area will provide for the continuation of that shared access.

There is no right-of-way dedication on this plat.

**Staff Recommendation**

HRPC Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-05-2017 for Riley’s Subdivision.**

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No Comment

**STAFF RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-05-2017 for Riley’s Subdivision.**

**DISCUSSION**

Dan Clinger asked if there are any covenants on the new lot as to where the building may set and where the parking might go. Mr. Stone replied that the zoning code will dictate those things when something is going to be constructed.

**MOTION**

Dan DeArment made a motion **to approve APPLICATION FOR FINAL PLAT #FP-05-2017 for Riley’s Subdivision.**

**2<sup>nd</sup>:** Brian Thomas

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

**3. APPLICATION FOR CONDITIONAL USE #CU-03-2017 for a walk up, take out window and an additional doorway for a new restaurant locating at 119 E. Crawford Street. The window will be accessed from the alley on the west side of the building.**

**General Information**

This request is located on the west side of the building at 119 E. Crawford. It is zoned C- 3 Downtown. All surrounding properties are also zoned C-3. It is within the 100-year flood plain. The City Land Use Plan designates the site as Downtown.

**Parcel History**

The most recent use of this building was a legal office.

**Staff Analysis**



The applicant is proposing to convert this space into a Mexican restaurant. They would like to add a door on the west side that opens into the alley as well as a pick up window.

This is the first north/south alley east of Main Street and it is designated as one way for traffic travelling south to north. Because of the direction of the traffic, the proposed door should swing from the north edge of the doorway. This will allow someone opening it from inside to be able to check if there is a vehicle coming before fully opening the door. The plan states that the door is for egress. The applicant has not clarified the purpose of the door. There is another door for delivery at the back of the building.

Staff can see possible safety issues with a walk up window. Because the alley is still a conduit for vehicular traffic there is the potential for conflict. There is no delineation of any area that is strictly for pedestrians that separates them from vehicles. Staff is also concerned that the walk-up window will be utilized by customers as a drive-up window.

Staff could see the logic in a pick-up window in an alleyway that is vacated and strictly used and designed for pedestrian traffic, but we see too many potential safety issues in this instance.

### **Staff Recommendation**

**HRPC Staff recommends denial of the pick-up window.**

**We recommend approval of the doorway subject to:**

- **Reversal of the direction of the swing of the door (HRPC)**
- **Door is for emergency exit only (HRPC)**

### **ENGINEERING**

With the location of the walk up window, this could potentially have a number of customers that would block access through the alley. This could be a safety issue for the walking pedestrian as well as vehicular traffic.

Even though the window is designed to be a walk-up window, customers could potentially park in the alley, walk up to the window to order/pickup their meal. If a couple of customers pick up their order in this manner, this will cause a backup in the alleys and/or roadway.

**Recommendation:** To not approve the conditional use.

### **FIRE PREVENTION**

Apply for all necessary permits with Wood County Building Department.

### **STAFF RECOMMENDATION**

**Staff recommends denial of the pick-up window.**

**Staff recommends approval of the doorway subject to:**

- **Reversal of the direction of the swing of the door (HRPC)**
- **Door is for emergency exit only (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**

### **DISCUSSION**

Mr. Cordonnier noted that there is a letter from some of the property owners that front on Main Street and have rear access to this alley that was placed at each Commission members seat prior to the meeting. They shared many of the same concerns as in our report.

Pat Sadowski, the attorney that crafted the letter, approached the Commission. He stated that he thought the letter was pretty straight forward and was here in case anyone had any questions.

Todd Richard noted that regardless of the Commission's decision, the applicant has to file for a Change of Use Permit with the zoning department.

Dan Clinger stated that he is not in favor of adding the new door here unless it is a Wood County Building Department requirement. He is not in favor of the window.

### **MOTION**

Dan Clinger made the motion to **approve the door if required by Wood County with the reversal of the direction and that is in an emergency exit only. He moves to deny the walk up window.**

**2<sup>nd</sup>:** Dan DeArment

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

### **4. APPLICATION FOR SITE PLAN REVIEW #SP-16-2017 filed by Affordable Mike's LLC, 3640 Marathon Way, Findlay for two proposed storage unit buildings to be added to the site at 3640 Marathon Way.**

### **HRPC**

#### **General Information**

This site is located on the west side of Marathon Way in the Northend Commercial Park 1<sup>st</sup> Addition. The lot in this request is zoned I-1 Light Industrial. Land to the east and south is also zoned I-1. To the west and north is zoned C-2 General Commercial. The site is not within the 100-year flood plain. The City Land Use Plan designates the area as Regional Commercial.

#### **Parcel History**

In August, 2013 a plat was approved to combine Lots 17 & 18 and a site plan was also approved on that date for additional storage units.

#### **Staff Analysis**

The applicant is proposing to construct two (2) additional storage units on this site. The first will be directly south of the existing units and the second will be along the west property line.

Setbacks in the I-1 district are 50' front, and 30' side and rear. Buildings are also required to be spaced 25' apart. The building shown as Phase 3 (directly south of the existing units) meets all the required setbacks. The building labeled as Phase 4 is 25' away from the existing units, but is only 15' from the rear property line. A variance on the setback from BZA will be required.

The units will be the same construction as those already on site.

#### **Staff Recommendation**

HRPC Staff recommends **approval of SITE PLAN APPLICATION #SP-16-2017 for two proposed storage unit buildings to be added to the site at 3640 Marathon Way subject to the following condition:**

- **BZA Approval of a variance on the rear yard setback for Phase 4**

### **ENGINEERING**

*Access* – Access to the site will be from an existing drive off Marathon Way, there is no change in access to the site.

*Storm water Management* – Detention for the site will be provided by the existing regional detention facility next to the site. The existing detention facility has been modified since its initial design to handle the improvements from the Cube baseball diamonds as well as the subdivision. The detention calculations for the existing regional facility have been submitted.

*Waterline-* There are no proposed waterlines shown on the plans.

*Storm Sewer-* The plans show the addition of two 55 LF runs of storm sewer as well as two catch basins. The proposed storm will be tie into the existing lines that are plugged towards the south of the property.

*Sanitary Sewer-* There are no proposed sanitary sewer shown on the plans.

*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* –

- The new portion of sidewalk will need to have the forms inspected before concrete is placed.

*Recommendation:* Approval of the Site Plan:

The following permits may be required prior to construction:

- Storm Sewer Tap- 2 total
- Sidewalk Permit.

### **FIRE PREVENTION**

Apply for all necessary permits with Wood County Building Department.

### **STAFF RECOMMENDATION**

Staff recommends **approval of SITE PLAN APPLICATION #SP-16-2017 for two proposed storage unit buildings to be added to the site at 3640 Marathon Way subject to the following condition:**

- **BZA Approval of a variance on the rear yard setback for Phase 4 (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**

### **DISCUSSION**

Dan Stone stated that what he would like to obtain today from the Commission is approval of Phase 3 for the unit toward the south end of the lot and a conditional approval of the building to the west. The reason he has it situated as such is that it will be a different type of storage for larger

units. There may be doors on the north end and the east side. There will not be any access to the west side where it is close to the property line.

Dan Clinger noted that there are some stone storage areas on the plan. Ms. Scrimshaw commented that the Industrial areas are the only places we still allow non-paved surfaces. She said the area is currently mostly stone on this side of the lot. Mr. Stone said that was approved originally as gravel storage.

Mr. Clinger asked if this fills the site or if there is room for more development. Dan Stone replied that there is still some land to the south that could possibly accommodate two more units in the future. Mr. Clinger stated that if they expanded the unit on the west, that access from the west side would be an issue again. Mr. Stone said they have no intention of using that side. The developer was when he placed it here that that could not be accessible. There is a different property owner to the west and the applicant has no interest at this time in purchasing more land. Mr. Stone also stated that if they ever decided to extend that unit, they would have to come before FCPC again for approval and the BZA for the setback. Ms. Scrimshaw noted that the Industrial district is the only one that allows for the continuation of a building line that is established. So, if BZA gives them the variance they would not have to go before them to extend the building as long as it never got any closer to the property line.

#### **MOTION**

Dan Clinger made a motion **to approve SITE PLAN REVIEW #SP-16-2017 for two proposed storage unit buildings to be added to the site at 3640 Marathon Way subject to the following condition:**

- **BZA Approval of a variance on the rear yard setback for Phase 4 (HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**

**2<sup>nd</sup>:** Dan DeArment

Dan Stone asked if he can pull a permit for Phase 3 with this approval. They want to be able to start that one without waiting on BZA approval for Phase 4. Dan Clinger said he would restate the motion.

Dan Clinger made a motion **to approve SITE PLAN REVIEW #SP-16-2017 for Phase 3 storage unit as submitted and Phase 4 with the condition that they get BZA Approval for a variance on the rear yard setback.**

- **Apply for all necessary permits with Wood County Building Department (FIRE)**

**2<sup>nd</sup>:** Dan DeArment

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

**5. APPLICATION FOR SITE PLAN REVIEW #SP-17-2017 filed by Isaac Property Company Ltd. Partnership/Chick-fil-A, 5200 Buffington Road, Atlanta, GA for a proposed Chick-fil-A restaurant to be located at 1931 Tiffin Avenue.**

## **HRPC**

### **General Information**

This project is located on the south side of Tiffin Avenue between the McDonald's restaurant and Panera Bread. It is zoned C-2 General Commercial. All surrounding parcels are also zoned C-2. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

### **Parcel History**

This is a vacant lot.

### **Staff Analysis**

The applicant is proposing to construct a 5,079 square foot quick serve restaurant with a double drive-thru, indoor dining and a small outdoor seating area.

Setbacks for the C-2 District are 30' front, 15' sides and 30' rear. The building meets and exceeds all of the setback requirements. The setback for parking is 10' from the right-of-way line. The drive lane at the north end of the lot is set back 10'. Parking must be set back 5' from side lot lines and 10' from the rear line. These setbacks are met as well.

There are various easements recorded between the parcels in this retail area. All are owned in some form by Isaac Properties under various company names. The Eastowne Plaza, McDonald's, Panera Bread and former Home Depot site are all built on land owned by the Isaacs as is this proposed site.

Access to the site from Tiffin Avenue is through two (2) existing curb cuts, one on the east side of the parcel and one on the west side. These are shared access drives which serve all of the businesses in this complex. Traffic entering from the east side will travel south to the rear of the lot and may enter from the first drive aisle. This aisle is to be one way north per the plans. The next drive aisle to the west is indicated to be one way exiting the site to the south. Traffic may also enter on the west side of the lot from Tiffin Avenue and head south to enter at an access that will be just south of the building location. If entering here, vehicles must turn right, travel south through the parking aisle and then turn left (east) to come back onto the site heading north either to park or head to the drive thru lanes.

An ordering station is located on the east side of the building just north of the north edge of the structure. It is a double drive-thru and the plans show 12 cars in the two (2) aisles from the ordering point to the beginning of the double lanes. Pick-up point is in the southwest corner of the building. Traffic must turn right after pick-up and exit on the west side of the site. The drive-thru component of the restaurant is a conditional use and must have Planning Commission approval.

The general parking standard for C-2 General Commercial is one space per 375 square feet. The 5079 square foot restaurant is only required to have 14 parking spaces. The plans show 28 total on the lot. Because there are agreements in place for shared access and parking, the parking around this parcel will also be available for patrons' use.

The photometric plan submitted shows readings exceeding 1 at the property line at a few points on the north, east and west sides of the lot. We had a similar situation for Panda Express and a medical facility recently. In both instances, we determined that due to the nature of the surroundings and no proximately to any residential development that this was not a concern. The total height of pole fixtures on the site is shown as 25' which is the maximum height permitted.

The elevation drawings show the height of the structure as approximately 22'. This is well below the 60' maximum permitted height in C-2. The building design is modern and all exterior finishes meet the architectural standards of our code. There is signage on all four sides of the building. Wall signage is not regulated.

There are three (3) dumpsters located in the southeast corner of the lot. They are aligned with the same angle as the parking spaces. Because they are basically fit into parking spaces one is at 5' from the property line and the others are 7' to 8' from the line. These will need to be shifted west to meet the proper setbacks or request a variance.

A sign detail package proposes a 30' pylon sign located at the northeast corner of the lot. It will have an approximately 52 square foot logo sign at the top and an 18 square foot backlit changeable message board at 10' from ground level. Staff opinion is that this site should use a low profile sign only. Last month we approved the Panda Express restaurant and only a low profile sign was permitted. In Section 1161.12.9 Pylon Signs, the example states that only one such sign is permitted in the instance of Planned Shopping Centers. We would qualify this area as such a use due to shared access and parking with other "lots" which are technically under common ownership. Wall signage is not regulated and the building has identification signage on every side. The applicant has applied to BZA to obtain a pylon sign.

The landscaping plans show more than adequate plantings along Tiffin Avenue and down both sides of the lot. The parking bump outs are landscaped per requirements also.

### **Staff Recommendation**

HRPC Staff recommends **approval of SITE PLAN APPLICATION #SP-17-2017 for a proposed Chick-fil-A restaurant to be located at 1931 Tiffin Avenue subject to the following conditions:**

- **That CPC grants conditional use for the Drive-thru**
- **Dumpsters are set back to be no closer than 10' to the east property or a variance is granted**

### **ENGINEERING**

**Access** – Access to the site will be from the Eastowne Plaza. There are two entrance and exists shown on the plans, with the south and west side each having one, respectively.

**Sanitary Sewer** – The plans propose a new 6-inch lateral will be connected to an existing MH that is located to the south of the property. The sewer lateral will be running on the west side of the building with cleanouts provided at each bend. The plans also show a grease trap installed on the north side of the building. Inspection and approval for the grease trap will be through the Hancock County Health District.

**Waterline** – The plans propose the installation of a new 6-inch water main running on the east side of the proposed building. The 6-inch line is shown to be tapped into the existing 8-inch at the south end of the property. Any taps required for the proposed building as well as the closing of any valves will need to be scheduled through the City of Findlay Water Distribution Department. The proposed service lines are shown coming off the new 6-inch fire waterline with a separate tap.

Per the City of Findlay specs, the domestic and irrigation cannot come off the fire lines. The domestic lines will need to have their own tap off a public line. In the plans the 6-inch waterline is called out to be C900. Per the City of Findlay specs the 6-inch line will need to be C909.

**Storm water Management** – Detention calculations have been provided as required. Detention will be provided by the proposed underground storm chambers that are located on the south end of the parking lot. With the amount of area being disturbed by construction, the City of Findlay Water Quality Design Criteria still applies.

**MS4 Requirements** – Since the site is located within the City of Findlay corp. limits, the site must comply with the City of Findlay’s MS4 requirements.

**General Comments** –

- We would like to avoid open cutting Tiffin Ave. if possible. That section was repaved in 2015. Would like to find an alternate location for the gas line tie in.
- In the plan set provided, the City of Findlay General Notes and Standard Drawings are not within the plans. The General Notes and Standard Drawings will need to be added to the plan sets.
- One of the gutter pan grades at the north end of the underground chambers is lower than the proposed catch basin. This look like to be a misprint on the plans.

**Recommendations:** Conditional Approval of the site plan.

- 6-inch Waterline needs to be C909
- The domestic and irrigation lines cannot be tapped off the fire waterline. The domestic lines will have to be tapped off a public line with its own tap.

The following permits may be required prior to construction:

- Sanitary Sewer Tap- 1 total
- Storm Sewer Tap- 1 total
- Water Tap- 3 total
- Sidewalk Permit-1 total

**FIRE PREVENTION**

Install the 6” fire line on the west side of the restaurant and provide a hydrant at the west drive entrance. Install the fire department connection (FDC) on the west side facing north.

Apply for all necessary permits with Wood County Building Department.

**STAFF RECOMMENDATION**

Staff recommends **approval of SITE PLAN APPLICATION #SP-17-2017 for a proposed Chick-fil-A restaurant to be located at 1931 Tiffin Avenue subject to the following conditions:**

- **That CPC grants conditional use for the Drive-thru (HRPC)**

- **6 inch waterline to be changed to C909 (ENG)**
- **The domestic lines are tapped off a public line with its own tap. (ENG)**
- **Install the 6” fire line on the west side of the restaurant and provide a hydrant at the west drive entrance. Install the fire department connection (FDC) on the west side facing north. (FIRE)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**

## **DISCUSSION**

Judy Scrimshaw noted that the applicant had sent in a new drawing correctly the setbacks for the dumpsters. She had placed a revised site plan at the Commission members seats before the meeting.

Jeremy Kalb noted that he forgot to state that the irrigation line would have to be metered separately. If it comes off the domestic line the applicant would be charged for sewer fees as well. He suggests it come off the public line to the south.

Matt Pickett stated that his initial comment was to install 6” fire line on the west side of the building. After meeting with Allan Wiley and visiting the site he says that will not work so, he will flip that back to the east side.

Dan Clinger asked where the gas tap in is located that they spoke about. Jeremy Kalb stated that it is on the north side and gas lines are almost to the middle of Tiffin Avenue. Due to the road having been paved in 2015, he would like to see that routed out of there if possible. Mr. Kalb said he has contacted Columbia Gas but has not heard back on where other lines are located yet. They will work with the consultant on this and try to find an alternate route for that.

Brian Thomas asked about a “cash station” location called out on the plan, but couldn’t find the location on the drawing. He asked Mr. Wiley to explain what and where that is. Mr. Wiley explained that it would be up on the sidewalk in the northwest corner of the building. He stated that it is often used during the lunch rush hour. They bring out a portable cash station. So instead of paying at the pickup window, you may pay ahead of the pickup and it helps traffic move a little faster.

Mr. Thomas then asked if they have any concerns with traffic patterns as vehicles come in and have a couple of points where they will cross traffic enroute around the site. Mr. Wiley said that they have signage for many of those points in their plan. He stated that 65 to 70% of the Chick-fil-A business is drive through and their layouts are extremely important to them. Corporate is happy with the layout. They believe it will work. He said if there are issues with that, he has seen in other locations that they put a staff member out there to direct traffic as needed. He said he has also seen orange cones used on a site to guide traffic during high peak times. Mr. Thomas said he just wanted to mention it. Everything is off the public road and if it backs up it only affects you and not the City.

Dan Clinger stated that with such a high percentage of drive through business he also has concern with the area where the handicapped parking is shown. He is afraid that people may not be able to access or back out there. Mr. Wiley explained that the drive through traffic will only be backed up on the one side. There will not be two lanes waiting all the way through the site. Only one lane is for the drive through until you get into the double lane setup. Mr. Clinger stated that it just



seems very congested in that area. Mr. Wiley agreed that it is a small lot.

Mr. Clinger stated that he also has a bit of a personal issue with putting the rear of a building on Tiffin Avenue. Mr. Wiley said it is a very small lot and there were a lot of layout challenges. Mr. Clinger also stated that there is curb and sidewalk along the west side but the east side does not. He said he would like to see the curb extended on the east side so the access drive is well defined all the way down. Mr. Wiley said they can do that.

Mr. Clinger commented that they did exceed the required parking on the site, but wondered if they had looked at any alternatives for the layout so the traffic pattern might work better. Perhaps even reducing the parking that is actually on site. Allan Wiley stated that they looked at several reiterations before they decided on one. This is the one the company decided to move forward with.

### **MOTION**

Dan Clinger made a motion to approve **SITE PLAN APPLICATION #SP-17-2017 filed by Isaac Property Company Ltd. Partnership/Chick-fil-A for a proposed Chick-fil-A restaurant to be located at 1931 Tiffin Avenue subject to the following conditions:**

- **6 inch waterline to be changed to C909 (ENG)**
- **The domestic lines are tapped off a public line with its own tap. (ENG)**
- **Install the 6” fire line on the west side of the restaurant and provide a hydrant at the west drive entrance. Install the fire department connection (FDC) on the west side facing north. (FIRE)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**
- **The curb along the east side is extended the full length of the property (FCPC)**
- **Low profile sign recommended to BZA (FCPC)**

**2<sup>nd</sup>:** Jackie Schroeder

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

**6. APPLICATION FOR SITE PLAN REVIEW #SP-18-2017 filed by 200 West, LLC, 9679 Smokies Way, Findlay for a proposed 9 unit townhouse development to be located at 200 S. West Street, Findlay.**

### **HRPC**

#### **General Information**

This project is located on the southwest corner of E. Front Street and S. West Street. It is zoned C-3 Downtown. Lots to the north, south and west are zoned C-2 General Commercial. To the east is zoned C-3 Downtown Commercial. It is located within the 100-year flood plain. The City Land Use Plan designates the site as Small Lot Residential.

#### **Parcel History**

The parcels were reviewed for the change to C-3 Downtown Commercial at the July 2017 FCPC meeting. The zoning has officially been changed. The land is currently occupied by a vacant church and two residential structures.

## **Staff Analysis**

The applicants propose to demolish all the existing buildings and construct a 9 unit, 3 story townhouse building. First floor will have an entry way, garage and laundry rooms, the second will have the living space and the third floor will contain two bedrooms and two baths.

There are no setbacks in the C-3 Downtown district.

Access to the site will be on a proposed driveway off of W. Front Street located to the west of the proposed building. The drive will go through the site and be accessible from east/west alley on the south side of the lot also. The drive area will contain permeable pavers. There are seven (7) parallel parking spaces provided along the west property line. On one hand, the C-3 Downtown district does not require that parking be provided. Multi-family housing requires 2.5 spaces per unit. The plan provides nine (9) spaces in the garages, an additional nine (9) outside the garages and seven (7) along the west property line for a total of 25 spaces. If using the multi-family parking standard, 23 spaces are required. It's great that they have planned for and will provide adequate off street parking.

The applicant has stated that there will not be any pole lighting on the site. All lighting will be on the building as in normal residential cases. They have also stated that no dumpsters will be used. Tenants will be provided wheeled bins as in residential areas to put out on the street on trash days. No accessory signs are requested either.

The street side elevations show a variety of exterior treatments for each unit. There are a couple areas that are slightly recessed to break up the straight line of the facade. Roofs over the individual doorways are varied creating more interest. The long roof line is broken up with two gables. The rear (west) side of the building while flat in nature, does have windows, doors and a balcony level to help break up the vertical planes. The east and west ends are fairly "boring" but do have projections of the balconies that show and the gables on the front can be seen as well. There are changes in some of the finishes as well. In all it is a very aesthetically pleasing building that will certainly change the landscape of that portion of the neighborhood.

## **Staff Recommendation**

HRPC Staff recommends **approval of SITE PLAN APPLICATION #SP-18-2017 for a proposed 9 unit townhouse development to be located at 200 S. West Street, Findlay.**

## **ENGINEERING**

**Access** – Access to the site will be from a new drive approach off Front St. and another one off the first alley south of Front St.

**Stormwater Management** – On page 3 of 6, note 3 states "There is no stormwater detention requirement in C-3 Downtown Business zoning classification". Detention requirements are not dependent on the zoning classification. Since the amount of impervious area is being increased, the owner will need to provide detention for the increase in runoff from the site.

**Waterline**- The plans propose a 2-inch service line to be tapped onto the 8-inch waterline that is on the east side of the property. The City of Findlay does not allow 90-degree bends this will need to be changed accordingly. The tap and meter location will need to be coordinated with the City of Findlay Water Department.

**Sanitary Sewer-** The plans propose a new 6-inch lateral connecting to an existing sanitary manhole on S. West St. and is shown to be installed within the City ROW. This lateral will need to be relocated outside of the City ROW.

**MS4 Requirements** – The disturbed area should be less than one (1) acre so the site will not need to comply with the City of Findlay’s MS4 requirements. If the actual disturbed area will be larger than one (1) acre, the site will need to comply with the City of Findlay’s MS4 requirements.

**General Comments** –

- The drive is listed as being permeable pavers with an alternate being a concrete drive. If the concrete option is used, either the drainage or the grading will need to be modified or the storm water will just run down the drive and onto Front Street.

**Recommendations:** Conditional Approval of the site plan with the conditions of:

- Reroute the lateral out of the City ROW.
- Provide Detention of the site.
- Remove the 90-degree bend in the waterline.

The following permits may be required prior to construction:

- Water Tap- 1 total
- Sanitary Sewer Tap- 1 total
- Storm Sewer Tap- 1 total
- Sidewalk Permit- 1 total
- Driveway/ Curb cut permit- 2 total

**FIRE PREVENTION**

Apply for all necessary permits with Wood County Building Department.

**STAFF RECOMMENDATION**

Staff recommends **approval of SITE PLAN APPLICATION #SP-18-2017 for a proposed 9-unit townhouse development to be located at 200 S. West Street, Findlay subject to the following conditions:**

- **Reroute the lateral out of the City ROW (ENG)**
- **Provide Detention of the site. (ENG)**
- **Remove the 90-degree bend in the waterline. (ENG)**
- **If concrete is used instead of pavers, drainage calculations must be approved (ENG)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**

**DISCUSSION**

Tony Scanlon stated that they have decided to go with permeable pavers.

Jackie Schroeder asked if there will be front porches or stoops at the front doors. Mr. Scanlon said there will be a porch with a sidewalk out to the public walk.

Mr. Clinger asked where the water will be going for the pavers. Mr. Scanlon replied that it will be going to a detention system. Their engineer is working on those plans now to submit to Engineering. The storage will be under the driveway area. Mr. Clinger asked where the tenants will put their trash bins. Mr. Scanlon stated that he envisioned them being inside the garages. He said their drive should be side enough that they can put them outside the garage doors and the truck can pull in and pick up.

Mr. Clinger stated that even though there is no pole site lighting, he still thinks that photometrics should be submitted for the building lighting. He asked if the plans were a kind of generic set. There are no lists of materials, etc. with them. Phil Lawson stated that the units will be built by Vorst Builders. They will be high end apartments. Mr. Clinger said he noticed on the plans that some units don't really have cross ventilation. He said that is why he wondered if the plans may not be complete. Mr. Lawson said the plans are pretty complete. Their architect is working to get the plans ready for Wood County. Tony Scanlon commented that several of the units have brick fronts. A couple have stone. There will be a stone wainscot at the north and south ends. Mr. Clinger stated that the back looked like vinyl siding. Mr. Scanlon said the backs will probably be vinyl siding but the units that aren't masonry on the front will either be a smart side or hard surface siding. Mr. Cordonnier stated that he's glad to hear that they are using a hard siding on the fronts. He said he thinks this will be a great addition to downtown. His only other comment was whether there was any consideration to add a third peak on the front to add symmetry. Mr. Scanlon said he doesn't know if there was. Typically, being a surveyor himself, he thinks everything has to be symmetrical but he said he is trying to appreciate the various finishes, etc. that an architect sees.

### **MOTION**

Brian Thomas made a motion to approve **SITE PLAN APPLICATION SITE PLAN APPLICATION #SP-18-2017 for a proposed 9-unit townhouse development to be located at 200 S. West Street, Findlay subject to the following conditions:**

- **Reroute the lateral out of the City ROW (ENG)**
- **Provide Detention of the site. (ENG)**
- **Remove the 90-degree bend in the waterline. (ENG)**
- **If concrete is used instead of pavers, drainage calculations must be approved (ENG)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**
- **Submit a photometric plan (FCPC)**

**2<sup>nd</sup>:** Jackie Schroeder

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

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Lydia L. Mihalik  
Mayor

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



# AUDITOR'S OFFICE

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**JIM STASCHIAK II**  
CITY AUDITOR

October 30, 2017

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 July 2017 through September 2017. 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 \$1,682.90 from the RLF to General Expense #21010000-449400 to pay the invoice.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jim Staschiak II", with a long horizontal flourish extending to the right.

Jim Staschiak II  
City Auditor

Cc: Don Rasmussen  
File



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 sleary@findlayohio.com

RECEIVED  
 OCT 25 2017  
 AUDITOR

# INVOICE

**BILL TO**  
 City of Findlay  
 Revolving Loan Fund

**INVOICE # 1028**  
**DATE 10/25/2017**

DESCRIPTION	QTY	PRICE EACH	AMOUNT
<b>Charges</b>			
July 2017 through September 2017			
<b>Cordonnier</b>	6	38.98	233.88
Professional Services - Hourly Rate			
<b>Leary</b>	38.50	30.31	1,166.94
Professional Services - Hourly Rate			
<b>Mercer</b>	10.25	27.52	282.08
Professional Services - Hourly Rate			

**BALANCE DUE \$1,682.90**

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
10-Jul-17	Leary, Sherri	FINDLAY RLF			Y	0.25	Telephone call, provided information on RLF program.
12-Jul-17	Cordonnier, Matthew	FINDLAY RLF			Y	0.50	Discussion with Sherri regarding Cedar Valley request and plan of action.
12-Jul-17	Leary, Sherri	FINDLAY RLF			Y	2.00	Meeting with J. Shaheen (Cedar Valley) to discuss potential sale of rental property used for collateral. Discussion with Matt. Researched the mortgage documents to determine how collateral was noted/recorded.
17-Jul-17	Leary, Sherri	FINDLAY RLF			Y	4.25	Entered loan payments in Quicken program. Printed reports and filed. Prepared statements. Updated monthly spreadsheets. Sent emails regarding late payments.
18-Jul-17	Cordonnier, Matthew	FINDLAY RLF			Y	0.25	Coord with Sherri and Jake regarding status of Diversified.
18-Jul-17	Leary, Sherri	FINDLAY RLF			Y	0.25	Coord with Matt and Jake regarding status of Diversified.
18-Jul-17	Mercer, Jacob	FINDLAY RLF			Y	3.25	Reviewed Diversified Machinery's binder, wrote them an email to determine how to move forward, called Jon Pinski to discuss its status. Coord with Matt and Sherri regarding status.
24-Jul-17	Cordonnier, Matthew	FINDLAY RLF			Y	0.25	Coordination with Jake and Sherri re: Cedar Valley.
24-Jul-17	Leary, Sherri	FINDLAY RLF			Y	1.25	Phone call with Christie R. to discuss options for partial release of mortgage for Cedar Valley. Coordination with Matt and Jake. Phone call with Mr. Shaheen to update him on the progress.
24-Jul-17	Mercer, Jacob	FINDLAY RLF			Y	0.25	Coordination with Matt and Sherri re: Cedar Valley.
31-Jul-17	Cordonnier, Matthew	FINDLAY RLF			Y	1.50	Meeting with local banker to discuss potential RLF client and gap requirements.  Phone call with the State to discuss gap requirements and potential RLF client requesting working capital loan.
31-Jul-17	Leary, Sherri	FINDLAY RLF			Y	2.50	Followup discussions with Sherri. Meeting with local banker to discuss potential RLF client and gap requirements.  Phone call with the State to discuss gap requirements and potential RLF client requesting working capital loan.  Followup discussions with Matt.  Researched ODOD DSA Consolidated Plan for requirements.

16.50

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
1-Aug-17	Cordonnier, Matthew	FINDLAY RLF			Y	0.25	coord on upcoming meeting
1-Aug-17	Leary, Sherri	FINDLAY RLF			Y	0.25	coord on upcoming meeting
1-Aug-17	Mercer, Jacob	FINDLAY RLF			Y	0.25	coord on upcoming meeting
4-Aug-17	Leary, Sherri	FINDLAY RLF			Y	0.25	Located, copied and provided information from original loan documents to Jacob for inclusion in board packet.
4-Aug-17	Mercer, Jacob	FINDLAY RLF			Y	3.25	Prepared board packet for RLF meeting and sent to Board Members.
9-Aug-17	Mercer, Jacob	FINDLAY RLF			Y	1.50	Multiple telephone calls and emails regarding upcoming meeting.
15-Aug-17	Leary, Sherri	FINDLAY RLF			Y	2.25	Prep for RLF meeting. Completed simple title search on Cedar Valley property. Discussions with Jake Mercer.
15-Aug-17	Mercer, Jacob	FINDLAY RLF			Y	0.75	Prep for RLF meeting. Discussions with Sherri.
16-Aug-17	Cordonnier, Matthew	FINDLAY RLF			Y	1.50	RLF Board Meeting/Follow up with Jihad
16-Aug-17	Leary, Sherri	FINDLAY RLF			Y	2.25	Prepared for and attend RLF board meeting to discuss Cedar Valley request for Partial Release of Mortgage. Telephone calls and followup emails to request additional information for Board review.
16-Aug-17	Mercer, Jacob	FINDLAY RLF			Y	1.00	RLF Board Meeting
18-Aug-17	Cordonnier, Matthew	FINDLAY RLF			Y	1.25	Meeting with Cedar Valley and Sherri to go over information requested by the Board.
18-Aug-17	Leary, Sherri	FINDLAY RLF			Y	1.25	Meeting with Cedar Valley and Matt to go over information requested by the Board.
23-Aug-17	Leary, Sherri	FINDLAY RLF			Y	3.75	Entered loan payments in Quicken program. Printed reports and filed. Prepared statements. Updated monthly spreadsheets. Sent emails regarding late payments.
28-Aug-17	Leary, Sherri	FINDLAY RLF			Y	3.25	Prepared Semi-Annual reports and provided to Auditor's office for review and comment. Filing.

23.00



Date	Employee	Project	Activity	Task	Billable	Hours	Comment
1-Sep-17	Cordonnier, Matthew	FINDLAY RLF			Y	0.50	Discussions with Sherri regarding change to Cedar Valley request for release of mortgage.
1-Sep-17	Leary, Sherri	FINDLAY RLF			Y	3.25	Discussions with Matt regarding change to Cedar Valley request for release of mortgage. Prepared email to RLF board detailing nature of change and new request. Various emails back and forth with Board members answering specific questions regarding Cedar Valley's request.
6-Sep-17	Leary, Sherri	FINDLAY RLF			Y	1.25	Finalized Semi-Annual Reports and submitted to the State.
7-Sep-17	Leary, Sherri	FINDLAY RLF			Y	5.25	Prepared individual RLF account statements and letters of explanation through June 30, 2017 and provided to each RLF customer.
8-Sep-17	Leary, Sherri	FINDLAY RLF			Y	0.75	Met with Jihad and discussed financial information provided for Pinski review. Scanned and emailed information to Pinski.
21-Sep-17	Leary, Sherri	FINDLAY RLF			Y	3.75	Entered loan payments in Quicken program. Printed reports and filed. Prepared statements. Updated monthly spreadsheets. Sent emails regarding late payments.
25-Sep-17	Leary, Sherri	FINDLAY RLF			Y	0.50	Followup emails to Pinski regarding status of Cedar Valley review. Subsequent emails to Jihad regarding status.

15.25

# City of Findlay

Lydia Mihalik, Mayor

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

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

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

November 2, 2017

Honorable City Council  
Findlay, Ohio 45840

Re: ODOT FY18 Resurfacing (PID100183), Project No. 32876300

Dear Council Members:


The City is eligible for Federal Urban Allocation Funds administered through the Ohio Department of Transportation (ODOT). The above-referenced project is eligible for this type of funding. For the past few years, these funds have been used for resurfacing, and we plan to use the funds for resurfacing again in 2018.

At this time, the project is estimated at \$868,966 with 80% being funded by ODOT and 20% from the City. The City's matching share is included in 2018 of the 5-year Capital Improvements Plan.

By copy of this letter, the Law Director is requested to prepare the necessary legislation that authorizes the Service Director to enter into the project agreement with ODOT.

Thank you for your consideration in this matter.

Sincerely,



Brian Thomas  
City Engineer

pc: Don Rasmussen, Law Director

# City of Findlay

## Income Tax Department

Post Office Box 862 Findlay, Ohio 45839-0862  
 318 Dorney Plaza, Municipal Building Room 115  
 Telephone: 419-424-7133 • Fax: 419-424-7410  
 findlaytaxforms.com

Lydia L. Mihalik  
 Mayor

Andrew Thomas  
 Tax Administrator

### Monthly Collection Report to Findlay Council

October 2017

Total collections for October 2017: \$2,702,189.80

	<u>2017</u> <u>Year-to-date</u>	<u>2016</u> <u>Year-to-date</u>	<u>Variance</u>
Withholders	15,251,688.75	15,031,514.88	220,173.87
Individuals	2,119,502.35	2,106,085.72	13,416.63
Businesses	<u>2,860,809.18</u>	<u>5,092,410.08</u>	<u>-2,231,600.90</u>
<b>Totals</b>	<b>20,232,000.28</b>	<b>22,230,010.68</b>	<b>-1,998,010.40</b> <b>-8.99%</b>

#### Actual & Estimated Past-due Taxes

Withholders	630,927.11
Individuals	2,550,445.62
Businesses	<u>137,101.86</u>
<b>Total</b>	<b>3,318,474.59</b>

#### Actual and Projected Revenue


	<u>2017</u> <u>Actual</u> <u>Year-to-date</u>	<u>Percentage</u> <u>of Projection</u> <u>Collected</u>	<u>Amount</u> <u>to Meet</u> <u>Projection</u>	<u>Percentage</u> <u>to Meet</u> <u>Projection</u>	<u>2017</u> <u>Projected</u> <u>Year End</u>
Withholders	15,251,688.75	81.76%	3,401,711.25	18.24%	18,653,400.00
Individuals	2,119,502.35	86.22%	338,697.65	13.78%	2,458,200.00
Businesses	<u>2,860,809.18</u>	102.60%	<u>-72,409.18</u>	-2.60%	<u>2,788,400.00</u>
<b>Totals</b>	<b>20,232,000.28</b>	<b>84.65%</b>	<b>3,667,999.72</b>	<b>15.35%</b>	<b>23,900,000.00</b>

**Refunds Paid**

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	3	46	1,216.58	12,655.96
Individuals	9	931	1,549.02	282,221.52
Businesses	<u>9</u>	<u>80</u>	<u>1,662.02</u>	<u>19,972.43</u>
<b>Totals</b>	<b>21</b>	<b>1,057</b>	<b>4,427.62</b>	<b>314,849.91</b>

**Transfers of Overpayments**

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	1	5	12.50	126.40
Individuals	83	1,014	30,863.50	194,409.59
Businesses	<u>82</u>	<u>572</u>	<u>46,422.90</u>	<u>289,214.23</u>
<b>Totals</b>	<b>166</b>	<b>1,591</b>	<b>77,298.90</b>	<b>483,750.22</b>

  
\_\_\_\_\_  
Andrew Thomas, Administrator

10-31-17

\_\_\_\_\_  
Date

# Findlay Income Tax Department

## Monthly Collections Report

Tuesday, October 31, 2017

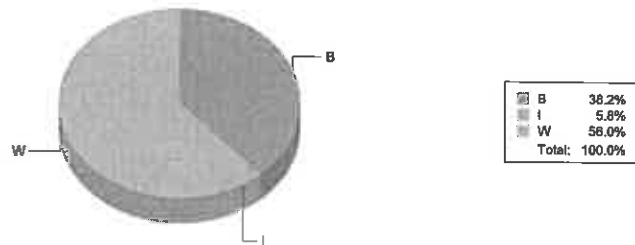
4:22:35PM

For Period October 1, 2017 through October 31, 2017

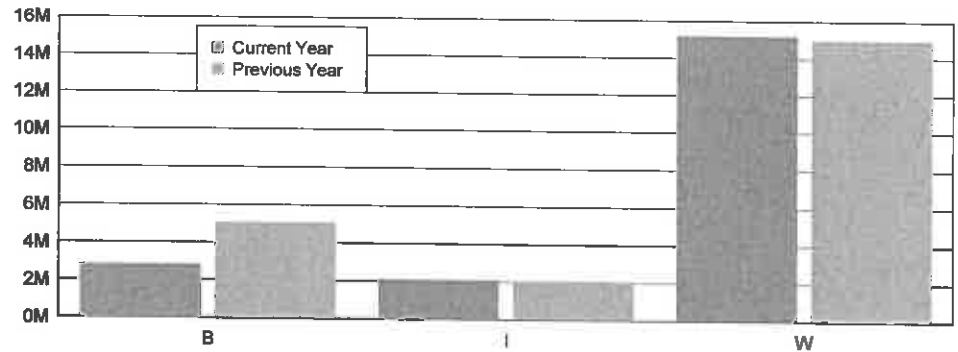
### City of Findlay

Account Type	Monthly Total	2017 Year to Date	2016 Year to Date	Increase (Decrease)	% Change	2017 Month to Date	Previous Year(s) Month to Date
W	1,512,186.88	15,251,688.75	15,031,514.88	220,173.87	1.46	1,508,397.58	3,789.30
I	156,566.56	2,119,502.35	2,106,085.72	13,416.63	0.64	31,355.53	125,211.03
B	1,033,436.36	2,860,809.18	5,092,410.08	-2,231,600.90	-43.82	30,165.69	1,003,270.67
<b>Totals:</b>	<b>2,702,189.80</b>	<b>20,232,000.28</b>	<b>22,230,010.68</b>	<b>-1,998,010.40</b>	<b>-8.99</b>	<b>1,569,918.80</b>	<b>1,132,271.00</b>

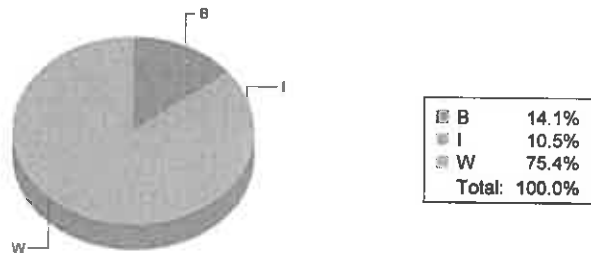
Monthly Collections by Account Type



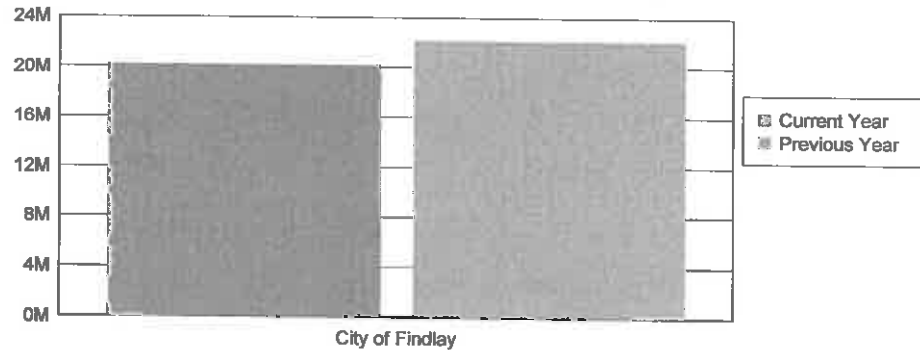
Collections Year to Date



YTD Collections by Account Type



Year to Date Total Collections



2017	January	February	March	April	May	June	July	August	September	October	November	December	Year-to-Date
<b>Withholding</b>													
2017 Total	54,526.73	1,173,585.55	1,359,518.74	2,017,293.58	1,858,290.10	1,222,374.59	1,686,870.31	1,185,873.86	1,349,297.31	1,508,397.58			13,416,028.35
2016 Total	1,644,281.74	145,800.68	9,076.29	6,805.09	4,385.56	296.23	1.13	11,585.08	(900.07)	3,073.67			1,824,205.38
2015 Total	572.67	240.98	293.24	-	985.41	(80.00)	-	833.92	48.66	214.95			3,139.83
2014 Total	55.58	1,202.20	-	12.47	109.85	118.22	118.04	946.28	-	-			2,562.62
2013 Total	44.07	1,718.90	184.89	102.50	378.74	-	-	760.31	-	247.10			3,436.51
2012 Total	-	150.00	294.83	150.00	59.99	(8,423.71)	150.00	1,005.16	1,743.82	203.58			(4,686.53)
2012 at 1 percent	-	120.00	235.70	120.00	47.99	(6,738.97)	120.00	804.13	1,395.06	162.86			(3,733.22)
2012 at .25 percent	-	30.00	58.93	30.00	12.00	(1,684.74)	30.00	201.03	348.76	40.72			(933.31)
2011 Total	-	-	289.25	112.50	0.01	(5,571.05)	-	(6,164.25)	8,491.71	-			(2,841.83)
2011 at 1 percent	-	-	231.40	90.00	0.01	(4,456.84)	-	(4,931.40)	6,793.37	-			(2,273.46)
2011 at .25 percent	-	-	57.85	22.50	0.00	(1,114.21)	-	(1,232.85)	1,698.34	-			(568.37)
2010 Total	-	-	-	-	-	14,144.78	-	(169.17)	(8,662.68)	-			5,312.91
2010 at 1 percent	-	-	-	-	-	11,315.81	-	(135.34)	(6,930.14)	-			4,250.33
2010 at .25 percent	-	-	-	-	-	2,828.95	-	(33.83)	(1,732.54)	-			1,062.58
2009 & Prior at 1 percent	371.41	-	150.00	-	1,927.78	558.32	75.00	1,254.00	125.00	50.00			4,511.51
2012 & Prior at 1 percent	371.41	120.00	617.10	210.00	1,975.78	678.32	195.00	(3,008.61)	1,383.28	212.86			2,755.15
Prev Yr MTD Check	1,645,325.47	148,912.76	10,268.30	7,182.56	7,857.34	1,082.77	344.17	10,051.29	846.44	3,789.30			1,835,660.40
Total Category Check	1,699,852.20	1,322,488.31	1,369,807.04	2,024,476.14	1,866,147.44	1,223,437.36	1,687,214.48	1,195,925.15	1,350,143.75	1,512,186.88			15,251,688.75
All Years at 1% Check	1,699,852.20	1,322,488.31	1,369,890.26	2,024,423.64	1,866,135.44	1,223,407.36	1,687,184.48	1,196,990.80	1,348,829.18	1,512,146.16			15,252,127.84
<b>Individual</b>													
2017 Total	784.00	10,748.14	52,587.65	212,125.77	13,568.44	139,747.65	21,827.29	14,770.86	144,555.08	31,355.53			642,070.41
2016 Total	85,674.43	51,290.60	162,139.28	636,355.96	27,229.02	23,058.71	18,189.16	21,288.39	12,144.49	59,000.91			1,096,370.95
2015 Total	12,400.05	8,434.28	8,984.85	12,085.44	8,005.49	10,512.57	8,401.26	9,496.14	7,745.14	20,075.28			106,140.50
2014 Total	11,150.89	13,427.68	9,426.56	9,194.33	6,313.12	4,299.25	6,761.57	12,153.32	3,756.68	14,262.49			90,745.89
2013 Total	5,819.14	10,272.89	8,738.07	7,371.83	7,927.68	3,192.99	4,391.48	5,186.03	3,942.96	7,845.48			64,688.55
2012 Total	4,444.00	6,756.09	3,822.13	7,754.03	3,467.15	2,693.14	4,340.84	6,774.14	2,767.45	14,332.61			57,151.58
2012 at 1 percent	3,555.20	5,404.87	3,057.70	6,203.22	2,773.72	2,154.51	3,472.67	5,419.31	2,213.96	11,466.09			45,721.26
2012 at .25 percent	888.80	1,351.22	764.43	1,550.81	693.43	538.63	868.17	1,354.83	553.49	2,866.52			11,430.32
2011 Total	5,130.97	2,505.72	3,719.43	3,366.45	3,923.46	1,650.55	4,008.23	3,033.98	2,154.15	6,955.89			36,448.83
2011 at 1 percent	4,104.78	2,004.58	2,975.54	2,693.16	3,138.77	1,320.44	3,206.58	2,427.18	1,723.32	5,564.71			29,159.06
2011 at .25 percent	1,026.19	501.14	743.89	673.29	784.69	330.11	801.65	606.80	430.83	1,391.18			7,289.77
2010 Total	581.61	1,078.77	208.58	224.14	4,268.89	557.29	1,423.75	(19.37)	1,259.94	1,483.17			11,084.57
2010 at 1 percent	465.29	883.02	166.86	179.31	3,413.35	445.83	1,139.00	(15.50)	1,007.95	1,186.54			8,851.66
2010 at .25 percent	116.32	215.75	41.72	44.83	853.34	111.46	284.75	(3.87)	251.99	296.63			2,212.91
2009 & Prior at 1 percent	2,336.28	719.01	494.51	540.78	3,850.46	347.75	1,666.37	365.85	3,244.86	1,255.20			14,821.07
2012 & Prior at 1 percent	10,461.54	8,991.47	6,694.62	9,616.48	13,176.30	4,268.53	9,484.63	8,196.85	8,190.09	19,472.54			98,553.05
Prev Yr MTD Check	127,537.37	94,485.04	197,533.41	676,892.96	64,983.07	46,312.25	49,182.66	58,278.48	37,015.67	125,211.03			1,477,431.94
Total Category Check	128,321.37	105,233.18	250,121.06	889,018.73	78,551.51	186,059.90	71,009.95	73,049.34	181,570.75	156,566.56			2,119,502.35
All Years at 1% Check	126,290.05	103,165.06	248,571.03	886,749.81	76,220.05	185,079.70	69,055.39	71,091.59	180,334.44	152,012.23			2,098,569.35

2017	January	February	March	April	May	June	July	August	September	October	November	December	Year-to-Date
<b>Business</b>													
2017 Total	2,977.67	27,817.00	57,751.56	170,392.65	16,798.53	118,179.95	7,614.75	13,338.12	147,858.92	30,165.69			
2016 Total	18,572.65	102,395.97	162,436.61	345,329.30	102,772.49	73,461.53	96,802.01	7,454.25	26,791.54	999,114.61			592,894.84
2015 Total	221,569.37	3,411.27	5,320.16	3,373.74	613.00	43,417.00	596.20	39,814.52	251.00	671.60			1,935,130.96
2014 Total	(390.80)	17.66		4.00	86.00	39.00							319,037.86
2013 Total	1,030.00	27.53	1,644.68	-	(950.93)					81.00			(163.14)
										11.00			1,762.28
2012 Total	75.00	75.00	3,594.52	484.00	217.25	75.00	75.00	75.00	75.00	-			4,745.77
2012 at 1 percent	60.00	60.00	2,875.62	387.20	173.80	60.00	60.00	60.00	60.00				3,796.62
2012 at .25 percent	15.00	15.00	718.90	96.80	43.45	15.00	15.00	15.00	15.00				949.15
2011 Total			153.24		48.00				75.50	76.00			352.74
2011 at 1 percent			122.59		38.40				60.40	60.80			282.19
2011 at .25 percent			30.65		9.60				15.10	15.20			70.55
2010 Total	(1,250.00)												(1,250.00)
2010 at 1 percent	(1,000.00)												(1,000.00)
2010 at .25 percent	(250.00)												(250.00)
2009 & Prior at 1 percent	452.00			262.50	314.52	150.00	315.14	3,279.25	208.00	3,316.46			8,297.87
2012 & Prior at 1 percent	(488.00)	60.00	2,998.21	649.70	526.72	210.00	375.14	3,338.25	328.40	3,377.25			11,378.88
Prev Yr MTD Check	240,058.22	105,927.43	173,149.21	349,453.54	103,100.33	117,142.53	97,788.35	50,823.02	27,401.04	1,003,270.67			2,267,914.34
Total Category Check	243,035.89	133,744.43	230,900.77	519,846.19	119,898.88	235,322.48	105,403.10	63,981.14	175,259.96	1,033,436.36			2,860,809.18
All Years at 1% Check	243,270.89	133,729.43	230,151.22	519,749.39	119,845.81	235,307.48	105,388.10	63,946.14	175,229.86	1,033,421.16			2,860,039.48
<b>Totals</b>													
2017 Total	58,288.40	1,212,150.69	1,469,857.95	2,399,812.00	1,888,657.07	1,480,302.19	1,716,312.35	1,213,982.84	1,641,711.31	1,569,918.80			14,650,993.60
2016 Total	1,748,528.82	299,287.25	333,652.18	988,490.35	134,387.07	96,816.47	114,992.30	40,327.70	38,035.96	1,061,189.19			4,855,707.29
2015 Total	234,542.09	12,086.53	14,598.25	15,459.18	9,613.90	53,869.57	8,997.46	50,144.58	8,044.80	20,961.83			428,318.19
2014 Total	10,815.67	14,647.54	9,426.56	9,210.80	6,508.97	4,456.47	6,879.61	13,099.58	3,756.68	14,343.49			93,145.37
2013 Total	6,893.21	12,019.32	10,567.64	7,474.33	7,355.49	3,192.99	4,391.48	5,946.34	3,942.98	8,103.58			69,887.34
2012 Total	4,519.00	6,981.09	7,711.28	8,388.03	3,744.39	(5,655.57)	4,565.84	7,854.30	4,586.27	14,536.19			57,230.82
2012 at 1 percent	3,615.20	5,584.87	6,169.02	6,710.42	2,995.51	(4,524.46)	3,652.67	6,283.44	3,669.02	11,628.95			45,784.66
2012 at .25 percent	903.80	1,396.22	1,542.26	1,677.61	748.88	(1,131.11)	913.17	1,570.86	917.25	2,907.24			11,446.16
2011 Total	5,130.97	2,505.72	4,161.92	3,478.95	3,971.47	(3,820.50)	4,008.23	(3,130.27)	10,721.36	7,031.89			33,959.74
2011 at 1 percent	4,104.78	2,004.58	3,329.54	2,783.16	3,177.18	(3,136.40)	3,206.58	(2,504.22)	8,577.09	5,625.51			27,167.79
2011 at .25 percent	1,026.19	501.14	832.38	695.79	794.29	(784.10)	801.65	(626.05)	2,144.27	1,406.38			6,791.95
2010 Total	(668.39)	1,078.77	208.58	224.14	4,266.69	14,702.05	1,423.75	(188.54)	(7,402.74)	1,483.17			15,127.48
2010 at 1 percent	(534.71)	863.02	166.86	179.31	3,413.35	11,781.64	1,139.00	(150.83)	(5,922.19)	1,186.54			12,101.98
2010 at .25 percent	(133.68)	215.75	41.72	44.83	853.34	2,940.41	284.75	(37.71)	(1,480.55)	296.63			3,025.50
2009 & Prior at 1 percent	3,159.69	719.01	644.51	803.28	6,092.76	1,056.07	2,056.51	4,899.10	3,577.86	4,621.66			27,630.45
2012 & Prior at 1 percent	10,344.95	9,171.47	10,309.93	10,476.18	15,678.80	5,156.85	10,054.77	8,527.49	9,901.77	23,062.66			112,684.88
Prev Yr MTD Check	2,012,921.06	349,325.23	380,970.92	1,033,529.06	175,940.74	164,517.55	147,315.18	118,952.79	65,263.15	1,132,271.00			133,948.49
Total All Categories Check	2,071,209.46	1,561,475.92	1,850,828.87	3,433,341.06	2,064,597.81	1,644,819.74	1,863,627.53	1,332,935.63	1,706,974.46	2,702,189.80			20,232,000.28
All Years at 1% Check	2,069,413.14	1,559,362.80	1,848,412.51	3,430,922.84	2,062,201.30	1,643,794.54	1,861,627.97	1,332,028.53	1,705,393.48	2,697,579.55			20,210,736.67

# City of Findlay Income Tax Department

Post Office Box 862 Findlay, Ohio 45839-0862  
Telephone: 419-424-7133 • Fax: 419-424-7410  
findlaytaxforms.com

Lydia L. Mihalik  
Mayor

## Monthly Collection Report to City Council

For the Month of October 2017

Resolution 36-2009 and Chapter 194 Section 7(F)(1) Addendum

	<u>Individuals</u>	<u>Businesses</u>
A. Month-to-date quantity:	<u>0</u>	<u>0</u>
B. Cumulative quantity:	<u>2</u>	<u>82</u>
C. Cumulative quantity with no filing obligations:	<u>          </u>	<u>10</u>
D. Cumulative quantity with no tax liabilities:	<u>          </u>	<u>14</u>
E. Cumulative quantity remaining (B – C – D):	<u>2</u>	<u>58</u>

For the remaining 2 individual and 58 business taxpayers (E), the aggregate reported estimate declarations, primarily for tax year 2017, amount to \$1,069,990

Pursuant to Resolution Number 36-2009 and/or Section 7(F)(1) of Chapter 194 of the Codified Ordinances, the Tax Department has informed the cumulative quantities of individual and business taxpayers that the Tax Department would not be enforcing the estimate payment provisions delineated in Section 7 of Ordinance Number 1976-106, as amended or in Section 7 of Chapter 194 of the Codified Ordinances. The Tax Department has informed these individual and business taxpayers that the annual income taxes on net profits attributable to the City should be paid when the annual income tax returns are filed by the original or by the legitimately-extended due date, when each amount of annual tax liability can be certified as due by each taxpayer, or be paid by prearranged installment due dates of February 15, May 15, July 15, and October 15 after the tax year.

  
Andrew Thomas, Tax Administrator

10-31-17  
Date





## AUDITOR'S OFFICE

318 Dorney Plaza, Room 313  
Findlay, OH 45840-3346  
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[www.findlayohio.com](http://www.findlayohio.com)

**JIM STASCHIAK II**  
CITY AUDITOR

***It is respectfully requested this letter be read into the Council meeting record***

Wednesday, November 01, 2017

Honorable Members of City Council,

We all are aware bank and credit card fraud is a serious issue today. The City Auditor's office has worked fraud prevention controls into all aspects of banking including managing the risk of credit card fraud using the best recommendations and practices available to date.

The State Auditor is spearheading legislation (HB 312) to combat this serious issue. Fortunately, the City of Findlay's current Bank Credit Card Policy (in place today) appears to fully conform to the proposed legislation.

I have attached a copy of the City's current policy for your information in light of the fact that the proposed State legislation will require the local 'legislative body' (Council) to adopt a formal policy within three months of its passage at the State. I think it is worthwhile to be proactive since its passage is highly likely.

Respectfully,

Jim Staschiak II - City Auditor

# **BANK CREDIT CARD POLICY**

The purpose of this policy is to establish criteria for the proper use of bank credit cards when conducting City business. Bank credit cards issued under this policy may only be used by the name of the cardholder to conduct City business.

## **General Information**

Authorized employees will have a card on file with a unique card number, the City of Findlay, and employee's name embossed on it. Only the named employee shall use the card; no other person is authorized to use the card.

Each bank credit card will have a sign in/sign out card. When the employee is issued temporary custody of the card, the cardholder will sign out the card, and upon returning, the cardholder will then sign the card back in. A credit card can only be signed out after a purchase order has been approved.

The act of having a bank credit card issued in the employee's name does not indicate pre-approval of any expenditures/expenses.

Use of a bank credit card is restricted to purchases that CANNOT be procured through normal procedures. All goods and services purchased by the City should be acquired through credit extended by the City's vendors to the City whenever possible and paid by approved invoice within the agreed upon credit terms of the vendor. Also, in order to use the credit card for these types of purchases (other than for airlines or places of lodging) a W-9 must be obtained from vendors and *vendors must be pre-approved by the Auditor's Office.*

The use of the bank credit card does not justify the payment of any sales tax for which the City is exempt. As in all other purchases, the merchant shall be given a copy of the state sales tax exemption letter issued to the City and accordingly, state sales tax should not be charged. This is also applicable to all telephone and internet orders.

The bank credit card remains the property of the issuing bank. Users of the credit card are accountable for the activity on the card. The issuing bank or the City may suspend or cancel user privileges at any time for any reason. Generally the cards are to remain in possession of the Auditor's Office; however, if the user is in temporary possession of the card, the user will surrender the credit card upon request to the Auditor's Office or to any authorized agent of the issuer.

## **Accounting for Credit Cards**

The City of Findlay shall have one bank credit card account that is administered by the Auditor's Office. Within that one account, cards are ordered specifically with the City of Findlay and the employee's name and each has their own individual credit limit. Cards must be signed out (but only with an approved purchase order) and signed back in by each employee. When signing out a card, the employee will be asked if a purchase order has been approved and for what purpose the card is being signed out.

Cards are issued in an RFID (radio-frequency identification) blocking sleeve. Cards should remain in these sleeves when not in use and should be returned with the sleeve.

The Auditor's Office will retain custody of all the credit cards in the safe when not in use. They will also maintain a list of all city issued chip-enabled credit cards, the names of those employees, the expiration dates, and the pin numbers. The Auditor's Office also keeps the original signed cardholder agreements.

Department Supervisors may make a request to the City Auditor (or his designee) for a credit card be issued to a specific employee for a specific use. Cards typically take about 7-10 business days from the order date to be received. If a card has to be ordered and overnighted due to the lack of planning by the department/employee, the expedited fee from the bank will be charged to the department.

A bank credit card may be issued to an individual who meets the following conditions:

1. He or she is a permanent employee with the City of Findlay,
2. Said employee agrees to be held liable to the credit card company for all charges while conducting official City business, and
3. Said employee has signed a bank credit card cardholder agreement

The Auditor's Office review is to provide for control of the number of cards that are issued to and maintained by the City. Cards usually have an expiration date of 4 years from the issue date. Per the bank's policy, cards that have had no activity within 1 year of the expiration date will not be automatically renewed. Those expired cards will be destroyed and not replaced.

### **Credit Limits**

The credit limit on each individual card shall be \$1,000. When there is a need to have a temporary higher credit limit (i.e. to cover the cost of a flight, hotel, and rental car in a single trip that might exceed the default limit), the employee and employee's supervisor must communicate this to the City Auditor (or his designee) so that a temporary adjustment to the credit limit can be processed.

### **Cardholder Responsibilities and Accountability**

It is the responsibility of each individual cardholder to:

1. Safeguard the bank credit card and credit card account number and PIN at all times; lost or stolen cards must be reported immediately to the credit card company and to the Auditor's Office;
2. Carry an additional picture ID to use the card if requested by a vendor; all cards are marked on the back with "Request ID" in the signature block;
3. When signed out, keep card in a secure location at all times and keep it in the RFID blocking sleeve issued with the card;
4. Not allow anyone to use the credit card and/or credit card account who is not the authorized employee listed on the card; the employee whose name appears on the card is the only individual who may use the card;
5. Obtain and retain original itemized receipts for goods and services purchased. All forms of canceled checks and copies of credit card receipts do NOT substitute for original receipts; cardholders must obtain an itemized receipt from the vendor and submit the receipt (and any additional documentation) along with the Credit Card Use Transaction Log;

6. Sign all receipts and/or packing slips and the customer's copy of the charges and attach to a Credit Card Use Transaction Log and remit to the Auditor's Office within 3 business days of the purchase;
7. Surrender of the credit card upon completion of the travel or purchase to the Auditor's Office;
8. Understand that the City Auditor (or his designee) shall, at his discretion, cancel any credit card and revoke future credit card privileges when the credit card or receipts are not returned timely to the Auditor's Office or upon request.

### **Approved uses of Bank Credit Cards**

A purchase made with a credit card may be made in-store, by telephone, fax, or internet. The bank credit cards are not expense accounts; a purchase order is required *prior to use of the card*. The purchase order must include the name and address of the vendor accepting the credit card.

Upon approval, bank credit cards may be used for the following:

1. Fuel,
2. Online training sessions (when accounts payable billing is not accepted),
3. Travel expenses such as deposits to hold rooms, lodging, airline tickets, and fuel for a city vehicle while away on travel,
4. Rental cars,
5. Or other purchases deemed appropriate for purchase with the use of the bank credit card by the City Auditor

### **Unauthorized and/or Inappropriate Card Use**

Bank credit cards must never be used to purchase items for personal use or for non-City purposes, even if the employee intends to reimburse the City of Findlay.

Unauthorized and/or inappropriate card use includes, but is not limited to:

1. Items for personal use,
2. Items for non-City use,
3. Cash or cash advances,
4. Food and beverages (alcoholic or non-alcoholic),
5. Weapons of any kind or explosives (except authorized Police Department purchases),
6. Entertainment (including hotel pay per view movie charges) or recreation,
7. Fuel for personal vehicles,
8. Shuttles or taxis,
9. Under no circumstances may any personal expenses, including meals at seminars/conferences/training be charged on the credit card,
10. No photo copies are to be made of the card and stored in the department files (this is a violation of MasterCard rules and could harm the City in the case of fraudulent claims),
11. Purchasing from a non-approved vendor without a purchase order,
12. To circumvent purchasing policies; the bank credit cards are not expense accounts.

The above list is provided as a guide only. In situations where there is doubt about the appropriate use of the bank credit card, contact the Auditor's Office prior to creating a requisition.

### **Misuse of the Bank Credit Card**

1. A cardholder who makes an unauthorized purchase with the card or uses the card in an inappropriate manner will be subject to revocation of the credit card and disciplinary action including restitution to the City of Findlay for unauthorized purchases, possible card cancellation, possible termination of employment and criminal prosecution; human error and extraordinary circumstances may be taken into consideration when investigating any violation of this agreement.
2. The City Auditor has the authority to investigate and determine whether a violation of the credit card policy has occurred.
3. If any item purchased with a credit card is not acceptable, arrangements must be made for a return for a credit or an exchange. A cash refund or check is prohibited.
4. Failure to submit packing slips, receipts or other documentation on a Credit Card Use Transaction Log within 3 business days of the purchase.
5. Sharing the credit card or card account number with unauthorized users or making a photocopy of the card to retain by the department or cardholder (this is a direct violation of the use agreement with MasterCard and could result in the City being liable for any fraudulent charges).
6. If, for any reason, disallowed charges are not repaid before the credit card bill is due and payable, the City of Findlay shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the employee up to an amount of the disallowed charges and interest at the same rate as charged by the credit card company. Any employee who has been issued a credit card by the City shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the City Auditor.

### **Making a Telephone or Internet Order**

Each and every bank credit card purchase must be supported by documentation; print all screens in the order process to ensure there is some sort of documentation of the purchase price that will show on the credit card statement.

When the order arrives, and packing slips should be retained and submitted with the Credit Card Use Transaction Log.

Internet orders should only be placed with reputable merchants who provide a secure ordering site. Users should ensure that the site utilizes industry recognized encryption transmission tools. Some examples include: a secure site will show a padlock icon or will have an internet URL address that begins with “https”.

When making purchases via the internet, the card number is NOT to be stored on the vendor’s system. Please make sure to uncheck this option if present.

The cardholder shall ensure that the purchase is sales tax exempt before finalizing the order.

### **Card Cancellation**

A bank credit card may be canceled by the issuer or the Auditor's Office for any of the following reasons:

1. the card is lost or stolen;
2. the card information has been hacked and used fraudulently;
3. the employee retires, resigns, or is otherwise terminated from City employment;
4. the cardholder requests cancellation for any reason;
5. the cardholder misused or abused card privileges;
6. the cardholder fails to comply with all of the terms of the policy

### **Credit Card Use Transaction Log (non-travel purchases)**

The cardholder is required to record the details of each purchase. The Credit Card Use Transaction Log will include the following:

1. Cardholder's Name and employee number
2. Date of Transaction
3. Merchant Name
4. Complete item description (Be specific. A description of "misc parts" is not acceptable.)
5. Acknowledge that sales tax has not been charged
6. Total amount of the charge for the transaction
7. The purchase order number
8. If an item is being returned, attach the credit slip to the Credit Card Use Transaction Log
9. The employee (cardholder) signature and date signed on the form
10. The department supervisor signature and date signed on the form

### **Travel Expense Statement and Request for Reimbursement**

If credit cards are used for travel, employees must submit a fully itemized travel expense report with the signed original itemized receipt(s) attached. Any charges against the credit card not properly documented on the travel expense report shall be paid by the employee.

### **Lost or Stolen Card**

In the case of a lost or stolen card, the cardholder shall immediately notify the Auditor's Office at 419-424-7102 and Fifth Third Bank. The police department should also be notified depending upon the situation, i.e. robbery, burglary, etc. The following telephone number may be used to notify the Bank:

**24 HOURS, 7 DAYS A WEEK: 1-800-375-1747**

Failure to immediately report a lost or stolen card could result in the employee being responsible for fraudulent use of the card.

The following information should be provided to the Auditor's Office: cardholder's name, last 4 of the card number, the date reported to police (if applicable), the date reported to the Bank, and the last known purchase(s) before the card was discovered lost or stolen. The missing card will be canceled and a new card will be ordered by the Auditor's Office.

## **Auditor's Office Responsibilities for Bank Credit Card**

The City Auditor (or his designee) is responsible for:

1. Implementation of this policy
2. Timely reconciliation of credit card accounts
3. Appropriate record keeping of issued cards
4. A comprehensive annual notification to each department with a list of those employees in the department that have a credit card in their name and the expiration date of the card
5. Handling these administrative duties:
  - a. Knowing the credit card limitations
  - b. Developing and implementing internal procedures that govern City use credit cards
  - c. Answering questions about use of cards
  - d. Monitoring card usage to ensure that City policies, and internal policies and procedures are being followed
  - e. Assigning credit card privileges to authorized users
6. Payment of bills
  - a. The responsibility of processing a voucher for payment of the credit card charges will reside with the Auditor's Office.
  - b. If any finance or late charges are assessed due to the Auditor's Office not receiving adequate documentation sufficient to pay the bill timely, they will be charged to the department.

# CITY OF FINDLAY

## BANK CREDIT CARD CARDHOLDER AGREEMENT

1. I hereby acknowledge receipt of a City of Findlay MasterCard credit card.
2. I also acknowledge receipt of the City of Findlay's Bank Credit Card policy and confirm that I have read, understand, and will comply with the terms outlined therein.
3. The bank credit card is provided to employees based on their need to purchase business-related items that are not otherwise available through a vendor on a purchase order and invoice basis.
4. The bank credit card may be revoked at any time.
5. The bank credit card is not an entitlement or expense account, nor reflective of title or position.
6. All charges are billed directly to and paid directly by the City of Findlay through the bank credit card statement. Any personal charges on the bank card could be considered a misappropriation of City funds since the cardholder cannot pay the bank directly.
7. Cardholders are expected to comply with internal control procedures in order to protect City assets. This includes keeping receipts, completing the appropriate expense report or transaction log upon completion of use of the card, and following proper card security measures. The City and/or the State Auditor's Office will audit the use of this card and report any discrepancies.
8. Prior to receipt submission to the Auditor's Office, the cardholder and department supervisor will sign the applicable Credit Card Use Transaction Log or Travel Expense Report with the receipts attached. The cardholders is responsible to provide itemized receipts for all bank credit card transactions.
9. A lost or stolen card should be reported immediately by telephone to the Auditor's Office (419-424-7102) and the Bank **24 HOURS, 7 DAYS A WEEK: 1-800-375-1747.**
10. A cardholder must surrender custody of the bank credit card upon return from travel or completion of the sales transaction. At that point, no further use of the account is authorized.

***The bank credit card is for business-related purchases only; personal charges are not to be made to the bank credit card. In accepting this card I understand that I am the only person allowed to use the card and I am responsible for all charges made against the card. Improper use of the card can be considered misappropriation of City funds which may result in disciplinary action. In addition, should I fail to use this card properly and make repayment when required, I understand the City may deduct from my wages that amount equal to the total of the discrepancy. Improper use of the card may also result in revocation of credit card privileges. I also understand that the City of Findlay my elect to collect such amount, including legal fees, even if I am no longer employed by the City of Findlay.***

Printed Name on Card	Last 4 Digits of Card

Signature of Cardholder	Employee #	Date





## Press Releases · Ohio Auditor of State

### **Survey: Some Ohio Governments Lack Credit Card Policy; Tax Dollars Put at Risk**

#### **• Some Entities Have Limits in Excess of \$1 Million • New Legislation Would Require All Entities to Establish Guidelines**

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Wednesday, July 26, 2017

*Columbus* – Some local governments in Ohio may be putting taxpayer money at risk because they have not instituted basic policies to prevent dishonest employees from abusing government credit cards, according to a survey released today by Auditor of State Dave Yost.

Many local governments have no formal credit-card policy detailing oversight of credit card use. Almost half of those responding to the survey said they do not have a list of allowable credit-card expenses to guide government employees who use the cards, increasing the chances of misspending.

Some local governments also have huge credit limits that create the potential to saddle taxpayers with enormous debt, including 32 local governments with limits of \$100,000 or more, with four reporting limits of \$1 million or more.

Some entities have failed to segregate credit card duties, allowing one person not only to make credit card purchases, but to also reconcile credit-card accounts, leaving the door open to theft. Since 2011, at least \$1.2 million has been stolen or misspent at Ohio governments through credit card abuse.

A special report, *Credit Card Dangers: Local Governments At Risk Of Theft*, also revealed that some entities use debit cards for transactions, a high-risk way of spending funds because it is a direct link to government funds without many safeguards.

“While many local governments avoid debit cards altogether and have strict controls on credit-card use,” Auditor Yost said, “some are flirting with danger by using debit cards. Many more put their tax dollars at risk by failing to establish policies to ensure that credit cards are used for legitimate government purposes and not for the personal enrichment of government employees, who have misused them to buy big-screen televisions, cars and visits to strip clubs.”

While the majority of the 1,646 local governments responding to the survey reported modest credit limits ranging up to \$10,000, some reported limits ranging from \$100,000 to more than \$5 million. The use of high credit limits deserves more scrutiny and at the very least demands stringent oversight and internal controls.

“The results of the survey should concern Ohioans because we don’t have enough controls on this plastic, and we collectively are on the hook for the debt,” Yost said.

Respondents to the survey, conducted April 20-28, reported that many entities make the cards available to a large number of people, with some entities saying 20 people or more have access to the cards. The greater the number of people with access to the credit cards, the greater the risk of fraud or improper expenditures.

“The residents of our many communities should ask their local officials how much money can be charged to their credit cards and whether they have a credit card policy in place,” Yost said. “With the exception of a select few entities, the Ohio Revised Code offers little direction to the majority of local governments about how to use credit cards to safeguard taxpayers’ substantial investment in their villages, school districts, cities and other government entities.”

House Bill 312, introduced today by State Rep. Kirk Schuring (Canton) and Rep. Dave Greenspan (Westlake), would require local governments to establish credit card policies to protect tax dollars. The bill would:

- Require all government entities to enact a credit card policy detailing allowable uses, number of cards, who can use them, credit limits and reissue periods.
- Require for some governmental entities, that accounts and policies be reviewed regularly by an appointed compliance officer other than the treasurer of the government entity.
- Ban the use of debit cards, except for certain law-enforcement purposes.
- Authorize the Auditor of State to create rules for the disclosure and audit of credit-card rewards accrued by local governments.

“This legislation encourages and promotes additional transparency and oversight for spending Ohioans’ tax dollars, while affirming a responsive and responsible form of governing,” Rep. Greenspan said.

Said Rep. Schuring: “I’m honored to be a part of Auditor Yost’s efforts to put safeguards around the use of credit cards by local governments, and I want to commend him for the time he has taken to develop the framework for this legislation. Without the checks and balances that are incorporated in this bill, there is potential exposure for local governments to negligently use or abuse credit cards in a way that will ultimately cost taxpayer dollars.”

Auditor Yost said the survey was invaluable in helping to better understand the magnitude of the issues surrounding credit card usage. “We are grateful to those local

officials who participated, because through their help, the legislature will be able to stitch a hole in the fabric of our financial safety net.”

The survey was sent to representatives of 5,494 entities, including cities, counties, libraries, park districts, townships, villages, school districts and entities related to those types of government. Some 1,646 entities responded to the survey, although not all questions were answered by all respondents.

In addition to the warnings issued in this report, Auditor Yost issued a bulletin last year on proper controls on credit cards.

An interactive map of credit and debit card misuse is available here.

A recording of the July 26 press conference is available here.

###

*The Auditor of State's office, one of five independently elected statewide offices in Ohio, is responsible for auditing more than 5,900 state and local government agencies. Under the direction of Auditor Dave Yost, the office also provides financial services to local governments, investigates and prevents fraud in public agencies and promotes transparency in government.*

**Contact:**

Beth Gianforcaro

Press Secretary

614-644-1111



# AUDITOR'S OFFICE

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Findlay, OH 45840-3346  
Telephone: 419-424-7101 • Fax: 419-424-7866  
www.findlayohio.com

**JIM STASCHIAK II**  
CITY AUDITOR

It is respectfully requested the highlighted portions of this letter are read into the Council meeting record

Wednesday, November 01, 2017

Honorable Members of City Council,

Historically, changes as proposed here have been thoroughly vetted through a City Council committee process. As paymaster for the City, the pay ordinance has typically been revised by the Auditor's office with changes requested by the Mayor and presented to Council for vetting and review. Although the actual process has varied in the last few years, I believe it is an important role for council to continue to fill.

Attached is an initial draft of the pay ordinance which I would respectfully request go to the appropriations committee for a proper review and any requested additions/changes that might be requested by various elected officials.

As always I will look forward to answering any questions Council might have at the meeting. The administration and Council are receiving this draft at the same time and may request additional changes. It is important a completed ordinance is passed by your last meeting in December with the emergency clause so we can continue the regular course of business.

Details of the changes made to the existing Ordinance follow:

- All exempt positions with a salary range in Section 5 had the maximum amount raised by 2 percent.
- The job title of WORC Co-Coordinator was eliminated from Section 5.
- Section 6 biweekly pays were increased by 2 percent.
- Section 7 non-exempt pay range maximums were increased by 2 percent.
- Section 10 hourly pay rates were all increased by 2 percent for the 0 ranges and the 9000 pay ranges. In the 8000 ranges, the 8010 reflects the new minimum wage rate for Ohio in 2018 and the 8020 and 8030 were increased to reflect the applicable difference between those ranges and the minimum wage. All other 8000 categories remained the same.
- In section 25, the wording handling pay rates for the de-certification of the OPEG union mid-year was eliminated.
- All effective dates were changed as needed in each section and in the effective date.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jim Staschiak II", is written over a light blue horizontal line.

Jim Staschiak II - City Auditor

**ORDINANCE NO. 2017-108**

**AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS, PAY RANGES, SALARY SCHEDULES AND OTHER MATTERS THAT MAY AFFECT PAY, FOR ALL NON-ELECTED OFFICERS AND EMPLOYEES OF THE CITY OF FINDLAY, OHIO, AND REPEALING ORDINANCE NO. 2016-108, ORDINANCE NO. 2017-038, AND ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.**

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

**SECTION 1: REPEAL**

That Ordinance No. 2016-108, Ordinance No. 2017-038 and all other Ordinances and/or parts of Ordinances in conflict herewith be repealed and Ordinance No. 2017-108 is hereby enacted establishing Job Classifications, Pay Ranges, Salary Schedules and other matters that may affect pay for all non-elected officers and employees of the City of Findlay, Ohio.

**SECTION 2: UNCLASSIFIED SERVICE OF CIVIL SERVICE**

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

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

**SECTION 3: CLASSIFIED SERVICE OF CIVIL SERVICE**

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

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

**SECTION 4: RESIDENCY PROVISION**

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

**SECTION 4.1 PROMOTIONAL POLICY**

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

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

That from and after ~~January 1, 2016~~ the following job classifications of the various non-elected officers and employees of the City of Findlay, Ohio shall be declared as Executive, Administrative, Professional or Computer positions under provisions of the Fair Labor Standards Act and guidelines provided by the U.S. Department of Labor. These job classifications shall be exempted from the payment of overtime, and shall be paid a bi-weekly salary as provided by law. These job classifications and biweekly pay amounts are to be used by full-time employees only, as defined in Section 12.

<u>JOB CLASSIFICATION</u>	<u>BIWEEKLY PAY</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
Airport Manager.....	\$1,826.40	\$3,029.60
Assistant City Engineer.....	\$2,344.00	\$3,379.20
Assistant Fire Chief.....	\$2,285.60	\$3,511.20
City Clerk.....	\$1,900.00	\$3,137.60
City Engineer.....	\$2,626.40	\$3,765.20
Clerk of Municipal Court.....	\$1,900.00	\$3,511.20
Computer Programmer Analyst	\$1,826.40	\$3,029.60
Computer Services Manager.....	\$2,400.00	\$3,755.20
Deputy City Auditor.....	\$2,303.20	\$4,161.60
Director of Public Safety.....	\$2,626.40	\$4,161.60
Director of Public Service.....	\$2,303.20	\$3,923.20
Engineer (EIT).....	\$1,826.40	\$3,029.60
Engineer Project Manager.....	\$1,826.40	\$3,029.60
Fire Chief.....	\$2,626.40	\$3,863.20
Flood Plain/Zoning Supervisor.....	\$1,826.40	\$3,029.60
Human Resources Director.....	\$2,303.20	\$4,161.60
Income Tax Administrator.....	\$2,285.60	\$3,511.20
Police Captain.....	\$2,285.60	\$3,511.20
Police Chief.....	\$2,626.40	\$3,863.20
Professional Civil Engineer.....	\$2,142.00	\$3,050.40
Professional Surveyor.....	\$1,859.20	\$2,816.00
Project Coordinator.....	\$1,826.40	\$2,938.40

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Public Works Superintendent.....	\$2,285.60	\$3,511.20
Public Works Supervisor.....	\$1,826.40	\$3,029.60
Recreation Administrative Supervisor.....	\$1,826.40	\$3,029.60
Rec., Marketing & Facilities Supt.....	\$2,285.60	\$3,511.20
Service-Safety Director.....	\$2,970.40	\$8,242.40
Sewer Maintenance Supervisor.....	\$1,826.40	\$3,029.60
Traffic Signal Supervisor.....	\$1,826.40	\$3,029.60
Utilities Billing Supervisor.....	\$1,826.40	\$3,029.60
Wastewater Treatment Supervisor.....	\$1,826.40	\$3,029.60
Water Distribution Supervisor.....	\$1,826.40	\$3,029.60
Water Pollution Control Supt.....	\$2,285.60	\$3,511.20
Water Treatment Plant Supt.....	\$2,285.60	\$3,511.20
Water Treatment Supervisor.....	\$1,826.40	\$3,029.60

*Exempted - was a estimator*

**SECTION 6: EXCEPTED PAY RANGES**

That from and after January 14, 2018 the following job classifications and salaries are hereby established as an exception to all other pay ranges outlined in this ordinance.

<u>JOB CLASSIFICATION</u>	<u>BIWEEKLY PAY</u>
Assistant Director of Law I.....	\$2,042.65
Assistant Director of Law II.....	\$1,882.19
Assistant Director of Law III.....	\$1,728.82
Assistant Director of Law IV.....	\$1,569.61
Member – Civil Service Commission.....	\$187.71

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

That from and after January 14, 2018 the following job classifications of the various non-elected officers and employees of the City of Findlay, Ohio, shall be declared as overtime eligible positions pursuant to Section 15 herein. These job classifications are to be used for part-time and full-time employees as defined in Section 12.

<u>JOB CLASSIFICATION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Computer Help Desk Technician.....	\$11.00	\$18.36
Computer Network Specialist I.....	\$20.64	\$34.79
Computer Network Specialist II.....	\$21.63	\$38.17
Enforcement Officer.....	\$19.23	\$30.01
Mechanic – Fire Department.....	\$16.00	\$28.09

**SECTION 8: HOURLY JOB CLASSIFICATIONS AND PAY RANGES**

That from and after January 14, 2018 the following hourly job classifications and pay ranges of the various non-elected officers and employees of the City of Findlay, Ohio, shall be as follows:

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

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

Account Clerk I .....	0130	9130
Account Clerk II .....	0140	9140
Account Clerk III .....	0150	9150
Account Clerk IV .....	0160	9160
Administrative Assistant I .....	0120	9120
Administrative Assistant II .....	0130	9130
Administrative Assistant III .....	0140	9140
Administrative Assistant IV .....	0150	9150
Administrative Assistant V .....	0160	9160
Airport Worker I .....	0130	9130
Airport Worker II .....	0140	9140
Airport Worker III .....	0160	9160
Assistant Recreation Supervisor .....	0160	9160
Assistant Utilities Billing Supervisor .....	0160	9160
Building & Grounds Maintenance Tech .....	0160	9160
Building & Ice Maintenance Tech .....	0130	9130
Building Maintenance Tech .....	0150	9150
City Forester .....	0180	9180
Clerk I .....	0080	9080
Clerk II .....	0110	9110
Clerk III .....	0120	9120
Clerk IV .....	0140	9140
Clerk-Civil Service Commission/Engineering .....	0150	9150
Code Enforcement Coordinator .....	0120	9120
Chief Construction Inspector .....	0190	9190
Construction Inspector I .....	0160	9160
Construction Inspector II .....	0170	9170
Construction Inspector III .....	0180	9180
Custodial/Maintenance Worker .....	0030	9030
Custodial Worker I .....	0050	9050
Custodial Worker II .....	0070	9070
Customer Service/Field Representative .....	0005	9005
Graduate Engineer .....	0170	9170
Engineering Technician .....	0180	9180
Fleet Maintenance Manager .....	0120	9120
CAD I .....	0110	9110
CAD II .....	0130	9130
Engineering Tech I .....	0150	9150
Engineering Tech II .....	0170	9170
Facility Coordinator .....	0030	9030
Firefighter (Part-time Only) .....	N/A	9080,9090,9100,9110
Groundskeeper .....	0090	9090
Lab Technician I – No License .....	0170	N/A
Lab Technician I – Class I License .....	0171	N/A
Lab Technician I – Class II License .....	0172	N/A
Lab Technician I – Class III License .....	0173	N/A
Lab Technician I – Class IV License .....	0174	N/A
Lab Technician I .....	N/A	9160
Lab Technician II – No License .....	0180	N/A
Lab Technician II – Class I License .....	0181	N/A
Lab Technician II – Class II License .....	0182	N/A
Lab Technician II – Class III License .....	0183	N/A
Lab Technician II .....	N/A	9170
MS4 Coordinator .....	0170	9170
Operations/Scheduler .....	0160	9160
Public Maintenance Mechanic I .....	0160	9160
Public Maintenance Mechanic II .....	0170	9170
Public Maintenance Mechanic III .....	0180	9180



Public Works Maintenance Worker I .....	0110	9110
Public Works Maintenance Worker II .....	0120	9120
Public Works Maintenance Worker III .....	0130	9130
Public Works Maintenance Worker IV .....	0140	9140
Public Works Maintenance Worker V .....	0150	9150
Public Works Maintenance Worker VI .....	0160	9160
Public Works Cemetery Foreman.....	0170	9170
Public Works Foreman .....	0190	9190
Parking Enforcement Officer .....	0110	9110
Payroll Clerk .....	0130	9130
Records Administrator I .....	0150	9150
Records Administrator II .....	0170	9170
Recreation Activities Coordinator .....	0090	9090
Secretary I .....	0120	9120
Secretary II .....	0140	9140
Secretary III .....	0150	9150
Security Officer .....	0031	9031
Sewer Maintenance Worker I .....	0120	9120
Sewer Maintenance Worker II .....	0140	9140
Sewer Maintenance Worker III .....	0160	9160
Sewer Maintenance Worker IV .....	0180	9180
Sign Maintenance Supervisor.....	0190	9190
Surveyor Technician I .....	0120	9120
Surveyor Technician II .....	0140	9140
Surveyor I, SIT .....	0160	9160
Surveyor II, Intern .....	0180	9180
Tax Administrator Agent I .....	0120	9120
Tax Administrator Agent II .....	0130	9130
Traffic Signal Electrician I .....	0160	9160
Traffic Signal Electrician II .....	0180	9180
Traffic Signal Electrician III .....	0190	9190
Traffic Signal Electrician Assistant I .....	0120	9120
Traffic Signal Electrician Assistant II .....	0140	9140
Truck Driver I .....	0110	9110
Truck Driver II .....	0120	9120
Utilities Billing Clerk I .....	0110	9110
Utilities Billing Clerk II .....	0120	9120
Utility Grounds Maintenance Worker I.....	0110	9110
Utility Grounds Maintenance Worker II.....	0130	9130
Utility Grounds Maintenance Worker III.....	0150	9150
Utility Grounds Maintenance Worker IV .....	0160	9160
Utility Maintenance Mechanic I .....	0140	9140
Utility Maintenance Mechanic II .....	0160	9160
Utility Maintenance Mechanic III .....	0180	9180
Water Meter Maintenance Worker.....	0130	9130
Water Meter Reader I .....	0120	9120
Water Meter Reader II – No License .....	0140	9140
Water Meter Reader II –Class II License.....	0142	N/A
Water Meter Reader II –Class III License.....	0143	N/A
Waterline Maintenance Technician Assistant – Class I License .....	0150	N/A
Waterline Maintenance Technician Assistant – Class II License .....	0151	N/A
Waterline Maintenance Technician Assistant.....	N/A	9150
Waterline Maintenance Technician – Class I License .....	0160	N/A
Waterline Maintenance Technician – Class II License .....	0161	N/A
Waterline Maintenance Technician .....	N/A	9160
Waterline Maintenance Worker I – No License .....	0120	N/A
Waterline Maintenance Worker I – Class I License.....	0125	N/A
Waterline Maintenance Worker I – Class II License.....	0130	N/A

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

TEMPORARY JOB CLASSIFICATIONS

PAY RANGE

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

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

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

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

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

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

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

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

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

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

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

**SECTION 10: PAY RANGES EFFECTIVE JANUARY 14, 2018**

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

Completed Years of Service	0	1 - 2	3 - 4	5 - 6	7	8 Or more
Pay Range	A	B	C	D	E	F
0005	8.60	9.37	9.74	10.23	10.64	11.17
0010	9.61	10.51	11.00	11.57	12.09	12.69
0020	10.07	11.00	11.57	12.09	12.69	13.22
0021	9.26	9.26	9.26	9.26	9.26	9.26
0022	10.28	10.28	10.28	10.28	10.28	10.28
0030	10.49	11.57	12.09	12.69	13.22	13.90
0031	11.14	12.15	12.63	13.27	13.80	14.48
0032	10.93	10.93	10.93	10.93	10.93	10.93
0040	12.06	13.22	13.85	14.44	15.13	15.81
0050	12.63	13.85	14.44	15.13	15.81	16.49
0060	13.18	14.44	15.13	15.81	16.49	17.28
0070	13.76	15.13	15.81	16.49	17.28	18.01
0080	14.42	15.81	16.49	17.28	18.01	18.80
0090	15.06	16.49	17.28	18.01	18.80	19.74
0100	15.71	17.28	18.01	18.80	19.74	20.57
0110	16.46	18.01	18.80	19.74	20.57	21.54
0120	17.13	18.80	19.74	20.57	21.54	22.51
0125	17.50	19.28	20.12	21.08	22.03	23.04
0130	17.90	19.74	20.57	21.54	22.51	23.59
0140	18.78	20.57	21.54	22.51	23.59	24.67
0141	19.57	21.54	22.51	23.59	24.67	24.67
0142	20.50	22.51	23.59	24.67	24.67	24.67
0143	21.46	23.59	24.67	24.67	24.67	24.67
0150	19.57	21.54	22.51	23.59	24.67	25.85
0151	20.50	22.51	23.59	24.67	25.85	25.85
0160	20.50	22.51	23.59	24.67	25.85	27.10
0161	21.46	23.59	24.67	25.85	27.10	27.62
0162	22.46	24.67	25.85	27.10	27.62	28.14
0163	23.50	25.85	27.10	27.62	28.14	28.72
0170	21.46	23.59	24.67	25.85	27.10	28.41
0171	22.46	24.67	25.85	27.10	28.41	28.41
0172	23.50	25.85	27.10	28.41	28.41	28.41
0173	24.62	27.10	28.41	28.41	28.41	28.96
0174	25.81	28.41	28.41	28.41	28.41	28.96
0175	27.03	28.41	28.41	28.41	28.41	28.96
0180	22.46	24.67	25.85	27.10	28.41	29.68
0181	23.50	25.85	27.10	28.41	29.68	29.68

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Completed Years of Service	0	1 - 2	3 - 4	5 - 6	7	8 Or more
Pay Range	A	B	C	D	E	F
0182	24.62	27.10	28.41	29.68	29.68	29.68
0183	25.81	28.41	29.68	29.68	29.68	29.68
0190	23.50	25.85	27.10	28.41	29.68	31.11
0191	24.62	27.10	28.41	29.68	31.11	31.11
0192	25.81	28.41	29.68	31.11	31.11	31.11
0193	27.03	29.68	31.11	31.11	31.11	31.11
0200	24.61	27.10	28.41	29.68	31.11	32.59
0220	27.04	29.68	31.11	32.59	34.11	35.77
9005	8.60	9.03	9.30	9.57	9.76	9.97
9010	9.61	10.10	10.41	10.72	10.93	11.15
9020	10.07	10.55	10.88	11.21	11.44	11.66
9030	10.49	11.02	11.33	11.67	11.91	12.17
9031	11.14	11.71	12.06	12.41	12.66	12.91
9040	12.06	12.66	13.04	13.42	13.69	13.96
9050	12.63	13.24	13.63	14.05	14.35	14.65
9060	13.18	13.83	14.26	14.68	14.96	15.25
9070	13.76	14.42	14.86	15.30	15.62	15.93
9080	14.42	15.16	15.60	16.08	16.40	16.73
9090	15.06	15.79	16.27	16.76	17.10	17.45
9100	15.71	16.48	16.97	17.49	17.85	18.21
9110	16.46	17.29	17.82	18.34	18.71	19.08
9120	17.13	17.97	18.52	19.07	19.45	19.86
9130	17.90	18.79	19.35	19.94	20.34	20.74
9140	18.78	19.71	20.31	20.91	21.35	21.78
9150	19.57	20.57	21.19	21.82	22.25	22.70
9160	20.50	21.51	22.17	22.83	23.30	23.78
9170	21.46	22.55	23.22	23.91	24.41	24.89
9180	22.46	23.58	24.31	25.03	25.54	26.04
9190	23.50	24.65	25.42	26.17	26.69	27.23

ALL SEASONAL EMPLOYMENT POSITIONS PAY AT STEP A

8010	8.30
8020	8.60
8030	8.90
8040	9.69
8050	10.14
8060	10.58
8070	11.05
8080	11.59

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

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

**SECTION 11: STEPS**

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

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

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

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

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

**SECTION 12: DEFINITIONS**

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

**SECTION 13: COMPENSATION FOR ACTING POSITIONS**

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

**SECTION 14: LONGEVITY**

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

**SECTION 16: OVERTIME PAY EFFECTIVE JANUARY 3, 2016**

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

**SECTION 15.1: CALL BACK PAY EFFECTIVE JANUARY 3, 2016**

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

**SECTION 16: SICK LEAVE PAYMENT: UNUSED SICK LEAVE PAYMENT**

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

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



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

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

## SECTION 17: DONATED LEAVE POLICY

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

### To Request Donated Leave

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

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

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

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

### B Certification of Eligibility

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

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

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

**C. Donation Process**

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

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

**D Establishing Need and Utilization of Donated Leave**

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

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

**E. Administering the Donation Program**

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

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

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

**SECTION 18: MEDICAL INSURANCE**

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

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

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

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

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

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

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

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

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

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

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

**SECTION 19: LIFE INSURANCE**

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

**SECTION 20: REGULAR VACATION/HOLIVAC AND ACCRUAL SERVICE YEARS**

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

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

SECTION 21: HOLIDAYS

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

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

#### SECTION 22: MILEAGE REIMBURSEMENT

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

#### SECTION 23: DEATH IN FAMILY

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

#### SECTION 24: TAX DEFERRAL PLAN FOR EMPLOYEE PENSION CONTRIBUTIONS

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

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

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

**SECTION 25: UNION CONTRACTS**

- A. Provisions in this ordinance which are also covered in collective bargaining agreements shall be superseded by the terms of those agreements.

**SECTION 26: EXCLUSION OF FINDLAY MUNICIPAL COURT EMPLOYEES**

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

**SECTION 27 MILITARY LEAVE**

- A. (1) Permanent City employees who are members of the Ohio Organized Militia, or members of other reserve components of the armed forces of the United States, including the Ohio National Guard, are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services, for periods of up to one month, for each calendar year in which they are performing service in the uniformed services.  
  
(2) As used in this section:
  - (a) "Calendar year" means the year beginning on the first day of January and ending on the last day of December.
  - (b) "Month" means twenty-two (22) eight (8) hour work days or one hundred seventy-six (176) hours, or for a public safety employee, seventeen (17) twenty-four hour days or four hundred eight (408) hours, within one calendar year.
  - (c) "Permanent City employee" means any person holding a position in the employ of the City that requires working a regular schedule of twenty-six (26) consecutive biweekly pay periods or any other regular schedule of comparable consecutive pay periods which is not limited to a specific season or duration. "Permanent City employee" does not include student help; intermittent, seasonal, or external interim employees; or individuals covered by personal service contracts.
  - (d) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio Organized Militia pursuant to Chapter 5923 of the Ohio Revised Code. "Service in the uniformed services" also includes the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.
  - (e) "Uniformed services" means the armed forces, the Ohio Organized Militia when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the Commissioned Corps of the Public Health

Service and any other category of persons designated by the President of the United States in time of war or emergency.

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

#### SECTION 28. DIRECT DEPOSIT

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

#### SECTION 29: PAYMENT OF FORMER DEPARTMENT OF PUBLIC HEALTH EMPLOYEES

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

#### SECTION 30: BOND

- A. All officers and employees of the City, except the City Auditor, City Treasurer, Income Tax Administrator, Utility Billing Supervisor, and Recreation Administrative Supervisor, shall be included in a public employees and public officers blanket bond or bonds indemnifying the City against loss due to the non-faithful performance of dishonest act or acts of such officer or employee.
- B. All officers and employees shall be bonded under a blanket bond in the amount of not less than one-hundred thousand dollars (\$100,000).



- C. The blanket bond or bonds shall be purchased from a surety company licensed to issue such bonds in the State of Ohio and shall be in the penalty as set forth, and shall cover all elected officers, appointed officers, and all employees, whether full-time, part-time, casual, temporary or otherwise.

**SECTION 29: DISCHARGE OF AN EMPLOYEE: PAYMENT**

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

**SECTION 30: EFFECTIVE DATE**

- A. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reasons that is immediately necessary for preparation and implementation of various changes in specific provisions which will go into effect as of January 14, 2018 or as noted in each Section.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED \_\_\_\_\_

# City of Findlay

Lydia Mihalik, Mayor

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

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

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

November 2, 2017

Honorable City Council  
Findlay, Ohio 45840

Re: Rotary Fee Release

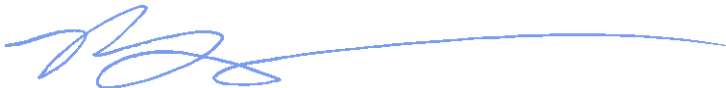
The developer has requested the release of water and sewer rotary fees that were collected recently for a water and sewer tap that was made on Township Road 94. Per the rotary fee regulations for water and sewer service, the developer is eligible for reimbursement in the amount of 90% of the rotary fee collected. The fees collected were \$4,840 for water rotary and \$3,100 for sanitary rotary.

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

FROM:	Water Fund – 2007 Rotary Restricted Account	\$4,356	
TO:	Utility Billing (25072000 - other)		\$4,356
FROM:	Sanitary Fund – 2007 Rotary Restricted Account	\$2,790	
TO:	WPC (25061000 - other)		\$2,790

If you would like any further details on this matter, please feel free to contact me.

Sincerely,



Brian A. Thomas, PE, PS  
Director of Public Service/Acting City Engineer

pc: Don Rasmussen  
Jim Staschiak



# 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

Honorable City Council

November 3, 2017

Findlay, OH 45840

RE: Proposed Improvements to Public Safety Software System

Dear Council Members:

For the past year, City Police and Fire departments have been evaluating the continued support of our Dispatch, and Police and Fire records. Our current software provider was purchased by another company. Support has wained and upgrade requirements are costly. We have evaluated alternatives and we believe we have narrowed the price and scope to the point where we can discuss our options with known expenses.

I would appreciate some time at the next appropriations meeting for a discussion about our current software, the other options we have available, and the investment. Any other Council members interested in this topic are more than welcome to attend or contact me with questions.

This is an important investment as we look to continue to use data to drive our operations. Our PD and FD are more interested than ever in using tools like this to help us be more efficient and effective.

The total cost of the software, it's customization, the services involved with implementation and training, and the conversion of our old data is approximately \$700,000. The hardware upgrades are estimated at \$25,000.

There is an opportunity to coordinate the upgrade with the Hancock County Sheriff. Our preliminary discussions regarding coordination have gone well. The County is in a similar position regarding the need for upgrade and support. Our hope is that a coordinated project will support both entities and lower the cost for both. I will be in a position to discuss this further at the meeting and I will invite the Sheriff to attend as well so he can discuss the County position accurately.

At the meeting, I will propose that legislation be drafted and approved before the end of 2017:

FROM:	General Fund	\$725,000
TO:	CIT Fund – Capital Improvement Restricted Account	\$725,000
	Project #31977900 Public Safety Software System	

Please feel free to contact me with any questions.

Sincerely,

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

pc:  
Don Rasmussen  
Jim Staschiak

# City of Findlay

Lydia Mihalik, Mayor

## ENGINEERING DEPARTMENT

318 Dorney Plaza, Room 304 • Findlay, OH 45840

Phone: 419-424-7121 • Fax: 419-424-7120

www.findlayohio.com

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

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

Honorable City Council  
Findlay, OH 45840

November 3, 2017

RE: Park Street Rehabilitation, Project No. 32875900

Dear Council Members:

By authorization of Ordinance No. 2017-006, a bid opening was held for the above-referenced project on November 2, 2017. Bids were received from five (5) potential contractors with bid amounts ranging from \$162,492.00 to \$229,960.50. Alternate bids ranging from \$58,842.00 to \$84,720.00 were also received to replace the existing waterline. The lowest and best bid was received from Hohenbrink Excavating, LLC of Findlay, OH.

This project is included in the 2017 Capital Improvements Plan with an estimated project cost of \$250,000. This estimate did not include replacing the existing waterline. While the plans were being developed, engineering discovered that the existing waterline is over 100 years old and is located in the middle of the pavement. It is engineering's opinion that it would be in the best interest of the City to replace the existing waterline now while the road is under construction. If the waterline is replaced at a later date, the new pavement will have to be cut and patched for the work to be completed.

If the waterline is replaced and all of the contingency is used, the project cost will be about \$8,000 higher than the estimate listed in the Capital Plan but since the cost for the waterline will come from the water fund, the total amount from the capital improvement restricted account will be less than the amount listed in the capital plan.

Previously, an amount of \$20,000 was appropriated to the project for design and startup. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project.

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

FROM:	CIT Fund- Capital Improvement Restricted Account	\$179,000
	Water Fund	\$59,000
TO:	Park Street Rehabilitation, Project No. 32875900	\$238,000

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

Sincerely,



Brian Thomas  
Service Director/Acting City Engineer

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



**COMMITTEE REPORT**

**THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO**

An **AD HOC COMMITTEE** met on October 30, 2017 to discuss Councilmember 2018-2019, Council President 2018-2019, and Treasurer 2018-2021 salaries via Ordinance No. 2017-091.

*We recommend:*

*Discussion to be continued  
Next Meeting Nov. 6<sup>th</sup> 1:30 p.*

Aye  Nay

*Dennis Hellmann Proposed*  
Dennis Hellmann, Chair

LEGISLATION: \_\_\_\_\_

Aye  Nay

*Tom Klein 2nd*  
Tom Klein

DATE: October 30, 2017

Aye  Nay

*Tom Shindledecker second*  
Tom Shindledecker

COMMITTEE: AD HOC

**FINDLAY CITY COUNCIL  
CARRY-OVER LEGISLATION  
November 7, 2017**

**RESOLUTION NO. 012-2017** (*opposition of State Governor's proposed 2017-2018 budget*) **tabled after 1<sup>st</sup> reading on 4/18/17**  
A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO GOVERNOR'S PROPOSED 2017-2018 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND OTHER PROVISIONS RELATED TO THE MUNICIPAL INCOME TAX WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-021 AS AMENDED** (*bicycle riding in downtown business district*) **tabled after 3<sup>rd</sup> reading on 4/18/17  
and during 9/19/17 meeting**  
AN ORDINANCE AMENDING SECTION 373.11(a)(2) AND REPEALING SECTION 373.13 OF CHAPTER 373 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

*During NEW BUSINESS portion of the May 2, 2017 City Council meeting, a motion was made and seconded to accept the proposed amendments (second amendment to the Ordinance), which was approved. A motion was then made to lift it from the table, but no second to that motion was given, so it was not lifted from the table and remains tabled.*

*During OLD BUSINESS portion of the September 19, 2017 City Council meeting, a motion was made and seconded to lift it from the table. All were in favor. Then a motion was made and seconded to adopt it, but after discussion, a motion was made and seconded to retable it. The Ordinance remains tabled.*

**ORDINANCE NO. 2017-073** (*HWE Franchise Agreement*) **requires three (3) readings** **tabled after 3<sup>rd</sup> reading on 8/15/17**  
AN ORDINANCE GRANTING TO HANCOCK-WOOD ELECTRIC COOPERATIVE, INC. ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF FINDLAY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY AND OTHER SERVICES TO PARTS OF THE CITY OF FINDLAY AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH AND ACROSS SAID CITY OF FINDLAY, STATE OF OHIO, SUBJECT TO AND IN COMPLIANCE WITH THE CERTIFIED TERRITORIES FOR ELECTRIC SUPPLIERS ACT (OHIO REVISED CODE SECTIONS 4933.81 TO 4933.90).

**ORDINANCE NO. 2017-091** (*salary ordinance for City Council members, President of Council, Treasurer*) **tabled after 3<sup>rd</sup> reading on 10/17/17**  
AN ORDINANCE ESTABLISHING THE SALARIES FOR CITY COUNCIL MEMBERS, PRESIDENT OF COUNCIL, AND TREASURER OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER ORDINANCES AND/OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

**ORDINANCE NO. 2017-098** (*Deer Landing Waterline Oversizing*) **requires three (3) readings** **third reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-102** (*WPCC replacement Tandem Axle Dump truck*) **requires three (3) readings** **second reading**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2017-103** (*FFD replacement engine*) **requires three (3) readings** **second reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

# City of Findlay

## Office of the Director of Law

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

**Donald J. Rasmussen**  
Director of Law

NOVEMBER 7, 2017

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, NOVEMBER 7, 2017 MEETING.

### **RESOLUTIONS**

027-2017 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).

### **ORDINANCES**

- 2017-109 AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYROLL DEDUCTIONS FOR THOSE EMPLOYEES WHO HAVE ELECTED TO ENROLL IN THE HEALTH SAVINGS ACCOUNT (HSA) PLAN AND DECLARING AN EMERGENCY.
- 2017-110 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.
- 2017-111 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FY18 RESURFACING (PID 100183) PROJECT NO. 32876300, AND DECLARING AN EMERGENCY.
- 2017-112 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.
- 2017-113 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.



**RESOLUTION NO. 027-2017**

**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
HANCOCK PUBLIC HEALTH	176010	21020000-441100	SERVICE DIRECTOR	5,736.00	MOSQUITO SPRAYING	NO PO CREATED

**ORDINANCE NO. 2017-109**

**AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYROLL DEDUCTIONS FOR THOSE EMPLOYEES WHO HAVE ELECTED TO ENROLL IN THE HEALTH SAVINGS ACCOUNT (HSA) PLAN AND DECLARING AN EMERGENCY.**

Whereas, Ordinance 2015-084 authorized a pre-tax Health Savings Account (HSA) plan, for qualified medical expenses paid by all eligible employees with the City of Findlay, Ohio under the private letter ruling of the City's agent for said Health Savings Account (HSA) plan, and;

Whereas, Ordinance 2015-084 ordained that the health insurance premiums and any employer contributions associated with said pre-tax Health Savings Account (HSA) plan shall be granted pre-tax consideration, and;

Whereas, the amount of employer contributions to the Health Savings Account (HSA) for calendar year 2018 are below.

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

SECTION 1: That the Auditor of the City of Findlay, Ohio, be and he is hereby authorized to make payroll deductions from those City employees who have elected to enroll in the Health Savings Account (HSA).

SECTION 2: That the Auditor be and he is hereby authorized to pay to each employee enrolled in said Health Savings Account (HSA) plan, the sum of seven hundred twenty dollars and no cents (\$720.00), if enrolled individually; or, the sum of one thousand eight hundred dollars and no cents (\$1,800.00), if enrolled as a family, or as an employee plus spouse, or as an employee plus children. Said employer contributions shall be distributed directly, pre-tax, to the employee's Health Savings Account (HSA) in twenty-four (24) distributions to coincide with the scheduled deduction of health insurance premiums from January 1, 2018 through December 31, 2018 so long as said employee is employed by the City of Findlay. If at any time during the year an employee enrolled in the Health Savings Account (HSA) separates from employment with the City of Findlay, such employer contributions shall cease immediately and said employee shall be entitled to only such employer contributions as have been accrued through employee's last payroll period with the City of Findlay.

WHEREFORE, this Ordinance 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. 2017-110**

**AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.**

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

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

FROM:	Revolving Loan Fund	\$ 1,682.90
TO:	General Expense #21010000-449400	\$ 1,682.90

SECTION 2: That the Auditor of the City of Findlay, Ohio is hereby authorized to draw one thousand six hundred eight-two dollars and ninety cents (\$1,682.90) 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 and transfer funds so that Hancock Regional Planning Commission may be paid for their expenses/staff time for RLF Administration for July 2017 through September 2017,

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. 2017-111**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FY18 RESURFACING (PID 100183) PROJECT NO. 32876300, AND DECLARING AN EMERGENCY.**

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

SECTION 1: That the Director of Public Service of the City of Findlay, Ohio be and he is hereby authorized to enter into a project agreement for FY18 Resurfacing (PID 100183) Project No. 32876300.

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 Federal Urban Allocation Funds may be utilized for resurfacing.

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 \_\_\_\_\_

**ORDINANCE NO. 2017-112**

**AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.**

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

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

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 179,000.00
FROM:	Water Fund	\$ 59,000.00
TO:	Park Street Rehabilitation <i>Project No. 32875900</i>	\$ 238,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer funds so that existing waterline on Park Street may be replaced,

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. 2017-113

## AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	Water Fund – 2007 Rotary Restricted Account	\$ 4,356.00
TO:	Utility Billing (25072000-other)	\$ 4,356.00

FROM:	Sanitary Fund – 2007 Rotary Restricted Account	\$ 2,790.00
TO:	WPC (25061000-other)	\$ 2,790.00

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 reimbursement due to the developer may be paid,

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 \_\_\_\_\_