

**FINDLAY CITY COUNCIL MEETING AGENDA
NOVEMBER 1, 2022**

REGULAR SESSION

COUNCIL CHAMBERS

ROLL CALL of 2022-2023 Councilmembers
PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ACCEPTANCE/CHANGES TO PREVIOUS PUBLIC HEARING MINUTES/CITY COUNCIL MINUTES:
Acceptance or changes to the October 18, 2022 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Alley vacation request – Bolton St

James Bowser, owner of Performance R&D is requesting a vacation of Bolton Street from Burnett Street south to the dead end. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS:

Cathy Weygandt – rezoning for proposed McDonald’s site

Larry and Scott Ball, owner/operators of McDonald’s Findlay – proposed site for McDonald’s

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals minutes – March 10, 2022, September 8, 2022

City Engineer Kalb – AIP-33 North Apron Rehab Construction, Project No. 35224000

The City of Findlay has received ODOT Aviation Grant funds to cover a portion of the North Apron Rehab Project. These funds will cover five percent (5%) of the project cost which is the City’s match of the entire AIP-33 North Apron Rehab Construction Project. Legislation to appropriate ODOT Aviation Grant funds for use of the rehabilitation of the North Apron is requested. Ordinance No. 2022-122 was created.

FROM:	ODOT Aviation Grant (M23-10)	\$ 99,848.00
TO:	AIP-33 North Apron Rehab Construction, <i>Project No. 35224000</i>	\$ 99,848.00

City Engineer Kalb – ODOT FY23 Resurfacing (Bright Road, Phase III), Project No. 3282200

The City of Findlay Engineer Department is finishing up the plans for ODOT FY23 resurfacing of Bright Road from Fostoria Avenue to Production Drive. Construction for this project will not be until the 2023 construction season, but that the City of Findlay Engineering Department would like to bid the project as soon as the plans are completed. Legislation authorizing the Service-Safety Director and/or City Engineer to advertise for bids, enter into contracts for construction, and appropriate and transfer funds is requested. Ordinance No. 2022-123 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 1,000.00
TO:	ODOT FY23 Resurfacing (Bright Road Phase III), <i>Project No. 32822000</i>	\$ 1,000.00

President Pro-Tempore Russel – Ad-Hoc Committee on Council Rules of Procedure

President Pro-Tempore Russel is appointing and Ad-Hoc Committee to recommend changes to Council’s current rules of Procedures. The following members are appointed to serve on this committee: Grant Russel, Chairman, Brian Bauman, Josh Palmer, Jeff Wobser. Recommendations will be presented to the full Council at or before the January 3, 2023 Regular Session of City Council for approval.

Service-Safety Director Martin – Additional request for Fire Department vehicle accessories

The City of Findlay Fire Department recently took possession of two (2) pickup trucks that were purchased with Capital Improvements Funds. Due to base price increases, the amount that was originally requested for the vehicles was sufficient to purchase the vehicles but not enough to include some necessary accessories. This request for accessories was presented to the APPROPRIATIONS COMMITTEE on October 17, 2022 with a recommendation for approval by Council. Legislation to appropriate and transfer funds for said accessories is requested. Ordinance No. 2022-124 was created.

FROM:	General Fund	\$ 26,620.03
TO:	Fire Department #21014000-other	\$ 26,620.03

Service-Safety Director Martin – President’s Discretionary grant for free skate day

The City of Findlay Recreation Department received the President’s Discretionary grant from the Findlay-Hancock County Community Foundation for a free Saturday afternoon and evening of ice skating at the CUBE for Hancock County residents. The date for the free skate day is yet to be determined. Thank you to Findlay-Hancock County Community Foundation for their commitment to physical activity and supporting the goal to help keep everyone active and healthy.

Mayor Muryn – revised hours for DORA

Council enacted to establish a Designated Outdoor Refreshment Area (DORA) in downtown Findlay in March 2021 that has gone well and have had little to no issues with its use. Businesses that participate in the DORA would like to see varied hours on certain holidays to accommodate increased foot traffic, as well as the continued use of DORA cups for patron overflow, especially while waiting for a table.

Requested dates/times to be modified from the current 11:00am-11:00pm:

- St. Patrick’s Day 7:00am-12:00am
- New Year’s Eve 11:00am-12:00am
- New Year’s Day 12:00am-11:00pm

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the consideration of additional restricted funds/accounts.

We recommend that the creation of two (2) new restricted accounts to designate the use of funds for replacement of existing buildings, system and equipment. Language to be forthcoming. We also recommend that fifty percent (50%) , up to two hundred thousand dollars (\$200,000.00) of unused Water and Sewer Fund accounts be used as one time appropriation to the above accounts.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss a Demolition Program update.

We recommend the approval of the use of four hundred thousand dollars (\$400,000.00) of ARPA funds for the City of Findlay Building Demolition Program. Program details to be forth coming from the Administration. Ordinance No. 2022-121 was created.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss Fire Department emergency response equipment for newly purchased trucks.

We recommend to approve the additional twenty-six thousand six hundred twenty dollar and three cents (\$26,620.03) for pick-up truck equipment (see attached cost break down). Ordinance No. 2022-124 was created.

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 18, 2022 to continue discussions from the August 22, 2022 committee meeting on carriage/service walks.

We recommend further discussion on carriage walks. The committee will meet on October 24, 2022 to recommend a policy to address carriage walks.

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 24, 2022 to continue discussions from the October 18, 2022 and August 22, 2022 committee meeting on carriage/service walks.

We recommend the City remove carriage walks when curbs are replaced. Property owners can replace carriage walks at their own cost.

LEGISLATION:

RESOLUTIONS: none

ORDINANCES:

ORDINANCE NO. 2022-104 (Parker Training Room/restroom remodel) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-105 (pre-budget appropriations) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-106 (STRICT Center; water service extension invoices from Bricker & Eckler LLP) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-108 (ARPA Funds) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-109, AS AMENDED requires three (3) readings **third reading**
(6-month moratorium for new small box retail stores and skill-based amusement businesses)

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A SIX (6) MONTH MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMALL BOX DISCOUNT STORES(S) IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER INCORPORATING THE PROPOSED ADDITIONS INTO THE CURRENT ZONING CODE AS OUTLINED BELOW BEFORE ENACTING THEM AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-110 requires three (3) readings **third reading**
(amendments to Findlay Zoning Code (dollar/thrift stores, skill-based gaming)

AN ORDINANCE REPEALING SECTIONS 1135.03, 1137.071, 1143.03, AND 1174 OF THE CURRENT ZONING CODE AND IN ITS PLACE, ENACTING THE SAME AMENDED SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-111 *(ee payroll deductions for HSA)* requires three (3) readings **second 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. 2022-112 *(amendment to the salary ordinance 2022-081 AS AMENDED)* requires three (3) readings **second reading**

AN ORDINANCE AMENDING TWO SECTIONS OF CODIFIED ORDINANCE NO. 2022-081, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HERewith, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-113 *(Clerk of Municipal Court pay increase)* requires three (3) readings **second reading**

AN ORDINANCE APPROVING THE REQUEST OF THE ADMINISTRATIVE JUDGE OF THE MUNICIPAL COURT OF THE CITY OF FINDLAY, OHIO TO GRANT AN ADDITIONAL FIFTEEN PERCENT (15%) SALARY INCREASE FOR THE CLERK OF MUNICIPAL COURT POSITION, WHICH WOULD EXCEED THE ALLOTTED EIGHT PERCENT (8%) OF CURRENT CODIFIED ORDINANCE NO. 2022-081 AS AMENDED OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE SALARY ORDINANCE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-114 *(Traffic/Fabrication shop Phase I)* requires three (3) readings **second reading**

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT(S) WITH TUTTLE CONSTRUCTION, INC. FOR THE DESIGN SERVICES PHASE OF THE CITY OF FINDLAY, OHIO PUBLIC WORKS DEPARTMENT BUILDING (AKA TRAFFIC/FABRICATION SHOP) PROJECT NO. 31912500 LOCATED ON CORY STREET, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-118 *(119 W McPherson Ave vacation)* requires three (3) readings **second reading**

AN ORDINANCE VACATING A PORTION OF ALLEY BETWEEN WEST MCPHERSON AVENUE AND LAKE CASCADES PARKWAY, FORMERLY VANCE AVENUE, EAST OF DOUGLAS PARKWAY ABUTTING THE SHERMAN ADDITION BLOCK G AND INLOTS NUMBER 16815 THROUGH 16822 (HEREINAFTER REFERED TO AS THE 119 WEST MCPHERSON AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-120 *(STRICT CENTER GMP3)* requires three (3) readings **second reading**

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 3 (GMP3) WITH CLOUSE CONSTRUCTION CORPORATION FOR SITE UTILITY/CONCRETE AND FINAL BUILDOUT, INCLUDING FINISHES AND MEP PHASES OF THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-121 *(ARPA funds – demolition project)* requires three (3) readings **first reading**

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

ORDINANCE NO. 2022-122 *(AIP-33, North Apron Rehab Construction)* requires three (3) readings **first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-123 *(ODOT FY23 Resurfacing – Bright Rd Phase III)* requires three (3) readings **first reading**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE RESURFACING OF BRIGHT ROAD FROM FOSTORIA AVENUE TO PRODUCTION DRIVE, PROJECT NO. 32822000, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-124 *(FFD pickup trucks – additional accessories)* requires three (3) readings **first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS

ALLEY/STREET VACATION PETITION

FEE PAID 75.00

DATE 10-13-22

ADVERTISING AND FILING FEES PAID DATE 10-13-22

HONORABLE MAYOR AND COUNCIL, CITY OF FINDLAY, OHIO:

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

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

Bolton St, beginning south of Burnett St. ending at bike path

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

A \$75.00 fee is submitted to pay for the cost of vacating the above-described street (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
Performance R&D LLC	530 Burnett St.	ParId 560000189560
Performance R&D LLC	0 Bolton St	ParId 560000189570
Performance R&D LLC	0 Bolton St	ParId 610000339510
Performance R&D LLC	750 Bolton St.	ParId 5600001007067
Performance R&D LLC	0 Howard St.	ParId 6100001007065

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.

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 Jamery N. Bowser / Owner Performance R&D
Mailing Address 311 Clinton St
Phone No. (Home) _____ (Business) 419 427 1111
10-13-22 _____
(date) (Signature of Contact Person)

OFFICE USE ONLY

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 an 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

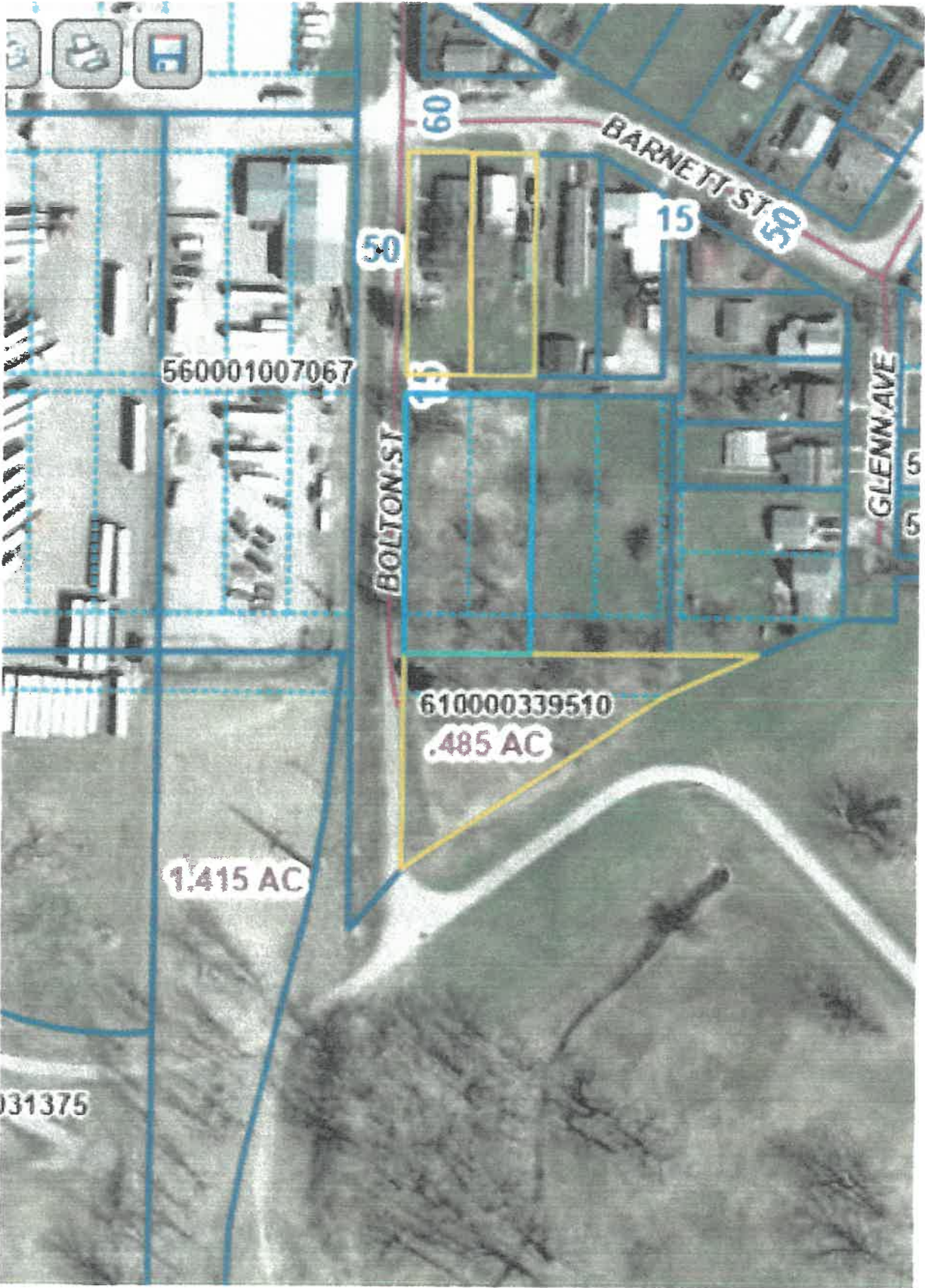
Planning Commission action on vacation petitions will be in the form of a recommendation to City Council. Council may then either concur with the Commission's recommendation or override it. Concurring action may be accomplished with a simple majority vote, while overriding action requires a two-thirds (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



Oct. 15, 2022

Dear City Council,

It concerns me greatly that once the plan to rezone 119 W McPherson from R-2 to C-1, and to vacate the alley from W McPherson to Lake Cascades, it will allow the continued progression of commercial extension westward in what is now a residential area.

The already stated concerns in the staff report of increased traffic, historical district proximity, and pedestrian safety are *huge* concerns, but no one has mentioned the 2021 Hancock Health Assessment, by the Be Healthy Now Hancock County Coalition. The forward alone sums up the report's intent:

"A community's quality of life is measured in many ways. Every measure includes its health status, and having a healthier population leads to a better quality of life for all. Using this assessment as just one tool, any citizen, and every organization can play a role in making Hancock County an even better place to live, work, and play."

Many entities of Hancock County worked to compile this report, as a tool to help in every decision process in our city and county. Why do we survey our citizens, spend money to compile analysis and come up with recommendations, if these tools are not utilized? We must use this health assessment as we move forward.

A very alarming statistic in the assessment stated that "More than two-thirds (70%) of Hancock County adults were overweight or obese based on Body Mass Index (BMI)."

The report then indicates the high numbers of citizens with related cardiovascular disease risk factors: "Diagnosed with high blood cholesterol 38%, Diagnosed with high blood pressure 35% , Diagnosed with diabetes 13% ,Survived a heart attack 5% ,Survived a stroke 2%."

The health trends definitely have not trended in a positive manner since the last assessment was completed in 2018. The number of uninsured individuals increased as well.

Finally, the report cited this CDC information: "Obesity is a complex disease with many contributing factors. **Neighborhood design, access to healthy, affordable foods and beverages,** and access to safe and convenient places for physical activity can all impact obesity. (Source: CDC, Overweight & Obesity, Obesity and COVID-19, updated February 17, 2022)" It correlated the increased risk factors with COVID-19 from obesity as well.

It was most alarming and disappointing as well that our Findlay City Planning Committee and the support staff of much credentialed backgrounds in city planning, were so dismissed by 3 members of council at the follow up zoning meeting on Oct. 13, 2022. They simply did not follow the report of recommendations, or the written and spoken outcry of over 300 citizens in Findlay. Who do they represent? It should be mandatory that members of this team attend the FCPC's meetings, as it seemed some of the zoning members were clueless to what had transpired.

Lastly, one more consideration, isn't even one home taken away from a housing designation important when we have such a severe affordable housing situation in Findlay?

The City Planning Commission, along with the support staff, has worked diligently in making Findlay "an even better place to live, work, and play" and I thank them. You have the tools to deny these requests in changes of zoning and vacating. It clearly states "conditional use" in the code for C1 establishments concerning drive-thrus. You have the ability to help move Findlay forward, towards the goals of a healthier, planned community.

Thank you for your consideration in this aspect of city planning.

And shame on those 3 members who couldn't work for the citizens!

Cathy M. Weygandt

204 Greenlawn Ave
Findlay OH 45840

<https://www.bvhealthsystem.org/media/file/2021%20Hancock%20County%20CHA%206-22-22.pdf>

Denise Devore

From: Cathy <wall@woh.rr.com>
Sent: Saturday, October 15, 2022 8:17 AM
To: City Council - All
Cc: Matt Cordonnier; Christina Muryn
Subject: [EXTERNAL]Rezoning et all
Attachments: City council mcdonalds oct 15 2022.docx

Security Checkpoint: External Email! Do not click on links or open attachments unless you trust the source and know the content is safe.

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Cathy M. Weygandt

204 Greenlawn Ave
Findlay OH 45840

<https://www.bvhealthsystem.org/media/file/2021%20Hancock%20County%20CHA%206-22-22.pdf>

To: City Council Members

John Harrington, Holly Frische, Dennis Hellman, Beth Warnecke, Jim Slough, Brian Bauman, Jim Niemeyer, Joshua Palmer, Grant Russell, Jeff Wobser, and Randy Greeno

From: Larry and Scott Ball, Owner/ Operators McDonald's Findlay

RE: Proposed Site for McDonald's

Honorable Council Members:

Our family has operated the McDonald's Restaurants in Findlay for over 50 years and have been recognized by McDonald's by on-going and frequent evaluations as Outstanding Operators. As you are aware many comments concerning this site were presented at the recent Planning Committee meeting. The meeting was to consider the rezoning of the 38 ft wide parcel that would provide for landscaping and parking. The site plan was shared to provide transparency and is preliminary, so we could engage in a conversation, to review and obtain feedback. I would like to share our perspective.

At the time this site was brought to our attention we engaged with McDonald's and the Land Management team to assess the site. Traffic and safety were key priorities for us and the neighborhood. Traffic flow is critical to our business and our customers as it is for anyone who lives and works in the area and uses these roads. We have spent hours observing the intersection at all day parts and our conclusion is that the intersection functions very well. As pedestrian traffic was raised as a concern, we spent time observing at key "student" and neighborhood walk times, early morning and afternoon for school children and afternoons and evenings for families and others. As there is not a definitive study on Pedestrian traffic, we can only share our observations. The maximum number of "students" in the morning was 5, 3 walkers and 2 on bicycles and in the afternoon 3 walkers. The number of other pedestrians at any time was 5. Again, this was viewed over a weeks' time in October.

Another concern was traffic flow, we observed a good flow through the intersection at all times. We were not able to observe a game at Donnell Stadium or a soccer Tournament at Emory Adams Park. Both of these types of events generate an increased flow in the area. As do the Halloween parade and Homecoming parade. Many of these types of events the city provides assistance to handle the increased flow. As a McDonald's, we would expect some of the attendees to make a visit to our location, which would take them off the street for a limited time.

Other issues raised were very subjective in nature and implied we would not be a good neighbor. We feel we have been a very good neighbor for over 50 years. Many citizens of Findlay had their first job at McDonald's. We believe we provide a Great First job, teaching life skills, such as time planning and scheduling, budgeting when you receive your paycheck, learning to deal with the public and working on a team. These employees go on to take positions in a variety of occupations. We support our employees by offering tuition reimbursement to any employee who meets the requirements, through our Archways to Opportunity program. This includes our crew and managers. Note we have the highest number of employees and the highest amount awarded to employees in this program, in the State of Ohio, since its inception. In 2022 year to date we have awarded \$36,584.64.

Our support of the Ronald McDonald House, a Home away for Home for those families who have a child or loved one in the hospital. These rooms are provided at NO charge to the family. A place

to stay close to the hospital, meals and area for siblings to play are available, at no charge. In 2022 families in Hancock County have spent over 430 nights at the Ronald McDonald House.

Our restaurant has been an annual supporter of the Clothe A Child program, supplying breakfast for the kids at no charge. We sponsor the 100.5 WKXA live Independence Day Celebration. We also hold the annual Stuff the Bus each July to provide school supplies to Chopin Hall for distribution to the parents of local school children.

When this site was announced in the paper and radio news, we had responses from those that work in the area, notably the medical facilities in the South end of Findlay, who were supportive of a close place to get a meal. From others, who are at Blanchard Valley Hospital who would have enjoyed a stop at McDonald's on their way to and from the hospital, many sited early morning or late evening when the convenience would have been welcomed.

As you weigh the comments, questions and concerns we wanted you to know that we feel strongly about being a good neighbor and providing service to our community. We care about safety and traffic flow and will be good stewards of the responsibility to operate this site. We look forward to addressing all the questions regarding the preliminary site plan.

Thank you,

Larry and Scott Ball

Owner/Operators McDonald's Findlay

L.Ball@alphamgmt.net

SJ.Ball@alphamgmt.net

Denise Devore

From: Lawrence Ball <l.ball@alphamgmt.net>
Sent: Tuesday, October 18, 2022 1:36 PM
To: City Council - All
Subject: [EXTERNAL]Proposed Site for McDonald's
Attachments: To Findlay City Council Members.docx

Security Checkpoint: External Email! Do not click on links or open attachments unless you trust the source and know the content is safe.

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Larry Ball | Owner/Operator | Columbus Field Office
PO Box 26 | North Baltimore, OH 45872
☎ Office 419.354.3400 | 📱 Mobile 419.348.2163
📠 Fax 419.354.3403 | ✉ Email L.Ball@alphamgmt.net.

Board of Zoning Appeals

March 10, 2022

Members present Chairman, Phil Rooney; Sarah Gillespie; and Alex Treece.

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

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-01-2022-62506

Address: 1501 N. Main Street

Zone: C-2 General Commercial

Filed by Rite Aid, regarding a variance from section 1161.12.12(A)(3) of the City of Findlay Zoning Ordinance for a new (EMC) electronic message center on an existing pylon sign at 1501 N. Main Street. The applicant is proposing to replace an existing static reader-board with a new EMC of the same size, on a pylon sign that is 29-feet tall. This section limits a signs maximum height of 15-feet in order to have an EMC attached to the sign.

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

This case was held over from February 10, 2022 meeting due to Board Members voted 2-2.

This case was removed from the table.

An email was sent to Mr. Adkins on Monday, March 07, 2022 from Barb Fisk stating they would like to cancel their request for variance.

This case is 'WITHDRAWN' for a request for variance.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-02-2022-62531

Address: 719 East Street

Zone: R-2 – Medium Lot Residential

Filed by Christy Hicks, regarding a variance from section 1122 of the City of Findlay Zoning Ordinance for a new single-family dwelling at 719 East Street. The applicant is proposing to construct a new single-family dwelling utilizing the building standards for an R-3 parcel, which requires; a side yard setback of 3-feet, a rear yard setback of 15-percent of lot depth, and an

allowable lot coverage of 50-percent. This parcel is currently zoned R-2, which requires; a side yard setback of 5-feet, a rear yard setback of 30-feet, and an allowable lot coverage of 33-percent.

The owner has chosen to seek a variance for the R-3– Small Lot Residential standards, rather than getting the zoning changed from R-2 – Medium Lot Residential to R-3 – Small Lot Residential, due to the amount of time it takes to get through the process. This lot should have been changed to R-3 – Small Lot Residential during the map update, but due to it being in the sheriff's auction, there was not an owner to accept or deny the request of the change.

Since the lot fits an R-3 – Small Lot Residential zoning classification, the city would not oppose the proposal, but would have rather seen it go through the zoning change, that way a precedence is not set.

Mr. Rooney stated they he was looking at the proposed drawing and it looks like the rear setback is the only problem?

Mr. Adkins stated the coverage was an issue.

Mr. Rooney stated the coverage says it's 26-percent.

Mr. Scott Brecheisen, 1700 Fostoria Avenue, Findlay, contractor representing the owner, Christy Hicks, was sworn in.

Mr. Rooney asked what the lot coverage is? It looks like just the back-yard is the problem.

Mr. Adkins stated the lot size is 2500 square feet. He asked Mr. Brecheisen what the building footprint is?

Mr. Brecheisen stated it is 25-feet x 30-feet which equals 750.

Mr. Adkins stated he thinks the idea was in case she wanted to put a shed up, she wouldn't be able to, because it's really pushing it. She would be allowed a 900 square feet accessory structure but would be over it.

Mr. Brecheisen stated he did not believe there is room for an accessory structure on the lot after the building is built. He stated that under the one balcony, there is actually a shed underneath it.

Mr. Adkins stated that Tony Scanlon had given him a copy that was bigger than Mr. Rooney has.

Mr. Brecheisen stated that under the balcony, there will be fence panels that will create a shed.

Mr. Rooney stated he doesn't think they can state they can use a different zoning area. He thinks they should only consider the rear yard setback for a variance. It is a very small lot and has lots of reasons it needs that.

Mr. Brecheisen stated it should have been zoned an R3 and if there had been an owner at the time of the map update, he wouldn't even be here, it would have been changed to the correct zoning. Secondly, he has no problem going through the zoning change process, it is more about getting the variance so he can start on the project sooner, rather than waiting on the whole process to get it rezoned.

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

Mr. Rooney made a motion to approve a variance for the rear yard setback to be 7 ½ feet, because it is a unique lot being 50-feet x 50-feet; and it will make the lot look better than it does now.

Ms. Gillespie seconded the motion.

Motion to approve a variance for the rear yard setback to be 7 ½ feet, 3-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-03-2022-62532

Address: 11915 TR 145

Zone: C-2 General Commercial Changing to M-2 – Multi-Family, High Density

Filed by Provision Living, regarding a variance from section 1126.06(A) of the City of Findlay Zoning Ordinance for a future multi-family development at 11915 TR 145. The applicant is proposing to construct a multi-family facility which will have a total of 104 units on a 336,000-square feet lot. This section limits a total of 96 units on a 336,000-square feet lot.

Case Number: BZA-04-2022-62533

Address: 11915 TR 145

Zone: C-2 General Commercial Changing to M-2 – Multi-Family, High Density

Filed by Provision Living, regarding a variance from section 1126.06(C) of the City of Findlay Zoning Ordinance for a future multi-family development at 11915 TR 145. The applicant is proposing to construct a multi-family facility which is proposing to have an impervious surface lot coverage of 44.7-percent. This section allows for a maximum of 40-percent impervious surface lot coverage.

The request of 8 additional units in case BZA-03, is a minimal request with in regards of the structures being built on site. Most of the units will be located within the proposed multi-unit facility, and the other units being developed in villas throughout the additional community. The city does not oppose this minimal request.

In addition, the owner is requesting in case BZA-04, the allowable impervious area to be a total of 44.7-percent coverage. Though it exceeds 40-percent, it still does not exceed 50-percent. We have had a case or two over the previous 4 years with a similar proposal, and since the surface area remains under 45-percent, the city sat down the developer and eliminated a lot more impervious area, and would be supportive of this request.

Mr. Rooney asked if this has gone to City Planning?

Mr. Adkins stated it will in the future, but has not gone yet.

Mr. David Baylis (Provision Living), #2, Greenbrier, St. Louis, Missouri, was sworn in. He stated the core reason for these two requests comes down to need in the community and the available land with the pipeline going through it, which has created some complexities. Being experienced owners and operators in assisted living and independent living, he feels this is the right unit mix and the right use.

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

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

Mr. Rooney stated with the pipeline right of way running through it, that makes it a unique circumstance and situation. The request is pretty small compared to the whole project.

Mr. Adkins stated we do have some precedence set; when Covington Greens came in three years ago; and Horizon apartments came in two years ago.

Case #: BZA-03-2022-62532:

Ms. Gillespie made a motion to approve the requested variance for the additional 8 units subject to obtaining the required permits within 30 days after the approval of City Planning Commission.

Mr. Treece seconded the motion.

Motion to approve the requested variance for the additional 8 units subject to obtaining the required permits within 30 days after the approval of City Planning Commission., 3-0.

Case #: BZA-04-2022-62533:

Mr. Treece made a motion to approve the requested variance to increase the impervious coverage from 40 percent to 44.7 percent coverage, subject to obtaining the required permits within 30 days after the approval of City Planning Commission.

Ms. Gillespie seconded the motion.


Motion to approve the requested variance to increase the impervious coverage from 40 percent to 44.7 percent coverage, subject to obtaining the required permits within 30 days after the approval of City Planning Commission, 3-0.

The February 10, 2022 meeting minutes were tabled.

The meeting was adjourned.



Chairman



Secretary

Board of Zoning Appeals

September 08, 2022

Members present: Chairman, Phil Rooney; Kerry Trombley; Blaine Wells, Scott Brecheisen and Brody Yingling.

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

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-11-2022-63134

Address: 1223 Hummingbird Way

Zone: R-2 Medium Lot Residential

Filed by Dana Babcock, regarding a variance from section 1122.05(C) of the City of Findlay Zoning Ordinance for a new roofed porch at 1223 Hummingbird Way. The applicant is proposing to build a 12x20 roofed patio addition to the rear of the dwelling that will be 20-feet from the rear property line. This section requires the addition be a minimum of 30-feet from the rear property line.

Due to the fact that the neighboring property to the east, had a permit for a deck but not a roofed patio, and was closed out improperly by the City of Findlay Zoning Department. There is a precedent set in this immediate area.

The neighbor's addition was originally permitted as a deck and their contractor knowingly or not, built a roof on it, which created an encroachment into the setback. Unlike the contractor for the neighbor, CT Construction did their due diligence, and now the home owner asking for relief to match the harmony of the neighbors' backyard.

The city is not opposed to this request.

Mr. Dana & Mrs. Sharon Babcock were present, but did not wish to speak unless the Board Members have any questions for them.

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

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

Mr. Trombley asked who owns the property in the rear between this property and the neighbor's house?

Mr. Adkins stated it is a utility easement back there. It is believed to be a drainage swale.

Mr. Wells made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 5-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-12-2022-63159
Address: 1215 Hummingbird Way
Zone: CD Condominium

Filed by Ann Wight, regarding a variance from section 1127.05(C) of the City of Findlay Zoning Ordinance for a constructed roofed patio addition at 1215 Hummingbird Way. The prior owner built a 12x20 roofed patio addition to the rear of the dwelling that was 20-feet from the rear property line. This section requires the addition be a minimum of 30-feet from the rear property line.

This address was discovered to have had an addition built onto the rear of the property, by a prior owner, when the owners of 1225 Hummingbird Way applied for their variance request. Just like the neighbor to the east of 1225 Hummingbird Way, this addition was built by the same contractor, but in this case without a permit. The new home owner has been understanding in the fault of the prior owner, and just wants to be in compliance to the city.

If case BZA-11-2022-63134 gets approved, the city does not oppose this case receiving approval as well.

Mr. Yingling recused himself from this case.

Ms. Ann Wight was present, but did not wish to speak unless the Board Members have any questions for her.

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

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

Mr. Trombley made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 4-0; (Mr. Yingling recused himself from this case).

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-13-2022-63163
Address: 1200 Glen Meadow Drive
Zone: R-1 Large Lot Residential

Filed by Jordan Kolhoff, regarding a variance from section 1161.03(B)(1) of the City of Findlay Zoning Ordinance for a proposed 6-foot high privacy fence at 1200 Glen Meadow Drive. The applicant is proposing to build a 6-foot high privacy fence that will be built at the Heather Drive right-of-way. This section allows for a 4-foot high fence, that must be 50-percent open for the average setback of 32.5-feet from the Heather Drive right-of-way.

Mr. Joe Warner was present, but did not wish to speak unless the Board Members have any questions for him.

Mr. Wells asked if it was 8' along Drake Avenue and across the rear?

Mr. Adkins stated he could have 8' along the rear property line because it butts up against a major thoroughfare; it's the side along Drake Avenue that is the issue. Mr. Adkins stated we did attempt to vacate that section of Drake Avenue, and he had all three (3) abutting owners sign a petition, but HRPC thought it was better to go the route of a variance.

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

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

Mr. Brecheisen made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Yingling seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 5-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-15-2022-63201

Address: 738 E. Lincoln Street

Zone: R-3 Small Lot Residential

Filed by Robin McCrary, regarding a variance from section 1161.01(D)(2) of the City of Findlay Zoning Ordinance for an addition to accessory structure at 738 E. Lincoln Street. The applicant is proposing to build a 24x24 addition to the existing accessory structure that will be 3-feet from the rear property line. This section requires a 5-foot setback from the rear property line.

This lot is a triangle shaped lot, which abuts the rear yards of lots on South Street. Due to that, the zoning department treated the diagonal property line as a rear property line instead of side property line. That being said, if the line was treated as a side property line, the request would not have been needed, being it was proposed at 3-feet, the setback required for a side yard.

The city does not oppose the request.

Ms. Robin McCrary, owner of 738 E. Lincoln Street, was sworn in. She stated it is not the whole back of the building, it is just the corner, so she had the neighbor write a letter in favor of her request.

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

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

Mr. Trombley made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 5-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-16-2022-63205

Address: 121 Fairlawn Place

Zone: R-1 Large Lot Residential

Filed by Jason Greer, regarding a variance from section 1122.05(E) of the City of Findlay Zoning Ordinance for a constructed roofed entryway at 121 Fairlawn Place. The applicant has constructed a new 6x8 roofed entryway that is 28-feet from the front property line. This section requires an average front yard setback of 38-feet from the front property line.

This property sits within an old neighborhood area, across from Jefferson Elementary School. This is another case of contractors' negligence in which the contractor did not call the city zoning department to determine if a permit was needed or not. There are multiple houses in the surrounding vicinity that sit just as close to the city right-of-way as this one.

Prior to the zoning code change that happened during the map update in December 2020, the owner would only be seeking a 2-foot variance. However, due to the change, the owner is now seeking a 10-foot variance from the code due to the averaging of the neighboring properties front yard setbacks.

After reviewing the immediate area, the city will be supportive of any decision the Board makes in regards to this request.

Mr. Trombley asked for confirmation that the average setback of the neighboring properties would require a 10' variance?

Mr. Adkins stated that was correct. Prior to the addition, he had a 34' original front entryway.

Mr. Trombley asked what this one is now? How close?

Mr. Adkins stated it is 28'.

Mr. Trombley states, so it moved 6' closer.

Mr. Adkins stated, yes.

Mr. Trombley asked if it is extending 8' further than the neighboring properties?

Mr. Adkins stated, 10' total.

Mr. Jason & Mrs. Melissa Greer, owners of 121 Fairlawn Place, were sworn in.

Mr. Trombley asked if the addition they did was the steps and the brick work or just the covered portion of it?

Mrs. Greer responded, just the covered portion.

Mr. Trombley asked if previously it was completely uncovered?

The Greer's responded, yes.

Mr. Greer stated they went around and got some signatures from their neighbors.

Mrs. Greer stated they had them sign stating they were in favor of the variance.

Mr. Trombley asked if they were next door?

Mrs. Greer stated they are on either side and one house over and on the corner.

Mr. Yingling asked, if in the one picture, it looks like their porch extends from the roof line, is that the case?

Mrs. Greer stated, yes, it does extend out further.

Mr. Greer stated it's just the porch, they do not have a roof on the porch.

Mr. Yingling asked if that was the neighbor right next door? Did they speak to them about this?

Mrs. Greer stated, no, it is the neighbor two doors over; and they signed the paper.

Conversation took place between Mr. Yingling and the Greer's in regards to the neighbor's front porch.

Mr. Rooney asked if this would be open, no walls around it?

The Greer's answered, it would be open. Mrs. Greer stated it would have a top with pillars. Mr. Greer stated they would be getting railings for up the stairs.

Mrs. Greer stated there is a picture of what it will look like when it's done, proposed image.

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

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

Mr. Trombley stated in that area, the roof over the walk way is pretty common, it's no enclosed, and it's a nice addition. He made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 5-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-17-2022-63206

Address: 3200 N. Main Street

Zone: C-2 General Commercial

Filed by Daniel Stone, regarding a variance from section 1161.12.8(C) of the City of Findlay Zoning Ordinance for a new low-profile sign at 3200 N. Main Street. The applicant is proposing to replace an existing sign with a new low-profile sign in the same location which is 2.8-feet from the front property line. This section requires the sign is 10-feet from all property lines.

Due to the owner bringing the pylon sign height down to a low-profile sign, and after reviewing the ODOT documents that were supplied, the city is not opposed to the request.

Mr. Daniel Stone, of Vanhorn Hoover, was sworn in.

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

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

Mr. Wells made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Trombley seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 5-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-18-2022-63211

Address: 524 N. Cory Street

Zone: R-3 Small Lot Residential

Filed by Daniel Stone on behalf Habitat for Humanity, regarding a variance from section 1123.06(B) of the City of Findlay Zoning Ordinance for a lot split at 524 N. Cory Street. The applicant is proposing to split the parcel in which the rear lot will not have any frontage along a public street. This section requires a minimum of 35-feet of frontage along a public street.

This parcel once had a duplex on it prior to the city deeming it a dilapidated structure and demoing it. Now, under new ownership of Habitat for Humanity, they are seeking to split the lot and build two separate dwellings on each new parcel that will be created.

There is only one other property to the city's knowledge that does not have any required frontage, and has frontage from an alleyway. That location is 908 Adam Street Rear, which is an apartment complex.

Though we are in need of housing throughout the city, and Habitat for Humanity has been doing great things for our community, the city is opposed to the approval of the request. Approval could lead to a precedent being set within the city for more lot splits and houses not having any public street frontage.

Mr. Trombley asked if the two alleys are both public?

Mr. Adkins stated it is a public entryway into the park parking area.

Mr. Daniel Stone, of Vanhorn Hoover, representing Habitat for Humanity, still sworn in. He stated this is a unique lot, it is a Habitat lot. They typically build on 50 x 100' lots, this one is 50 x 175. They do have the ability to get two units on here and make them two individual lots, but with the rear being an access off of a plated alley, it's not a typical 16' alley where you have residential homes on the West side. This is an open park, parking lot and it is used as a roadway with the pavement itself being 22' wide, and there is a gravel berm on the West side which is about 2', so in actuality you have about 24' of maneuverability, which is a typical width of a roadway. It's wide enough where you can have two vehicles pass one another without having any issues. The buildings could be set back far enough to have parking outside of the alley right of way, just it would be if it were a public road. Habitat will still build one home if this does not go through, but it would be nice to be able to build two. Lots are hard to find right now.

This would be somewhat consistent with the area, smaller homes and tighter lots. This is a unique situation but the alley is already being used as a two-way roadway. The width is there, there are no residents behind it, and there are no conflicting traffic patterns of people backing out. The whole West side has the wooden telephone posts that are driven into the ground three or four feet off of the ground so they can't back into the parking lot. It would be as it would if it were actually a roadway.

Mr. Trombley asked, when you do the lot split, it will meet all setback requirements?

Mr. Stone answered, correct.

Mr. Brecheisen asked if the sewer line is going to go to Cory Street?

Mr. Stone stated they would have to set up easements and there would be two separate services, two separate ownerships, etc. There would be two separate addresses off of Cory Street.

Mr. Adkins stated this is a weird dynamic because North West Street stops and goes into this alley way.

Mr. Stone stated he did not see any vacation to make North West Street turn into an alley. Even Google Maps calls it out as North West Street, it doesn't call it out as an alley.

Mr. Trombley stated, talking about parking, there is 20' between the alley and the house?

Mr. Stone stated 20' is the depth required for you to pull into a parking space. There will be a garage and a little bit wider driveway for one parking in front and one in the garage, so it does meet the code in that aspect.

Mr. Wells commented he agrees there is tons of room on that alleyway.

Mr. Stone stated they could try to work with administration and continue the roadway up and call it North West Street rather than an alley. Then they could name the address, example, 524 North West Street, or whatever, instead of a rear address.

Mr. Rooney stated it is like that on Cherry Street, down by the tracks.

Mr. Stone stated it is considered a public way whether it is an alley or a roadway. It is publicly owned and maintained, especially with it being so close to the park.

Mr. Trombley asked if the 16 ½' alley is the actual right of way?

Mr. Stone stated, yes.

Mr. Trombley asked if the pavement extends into the park?

Mr. Stone stated that is correct.

Conversation took place regarding considering making these condos and how that does not work well with Habitat structure.

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

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

Mr. Wells made a motion to approve the requested variance, contingent on required permits be obtained within 60 days.

Mr. Yingling seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days, 5-0.


The March 10, 2022 meeting minutes were tabled.

The August 11, 2022 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary



CHRISTINA M. MURYN, MAYOR

**ENGINEERING
DEPARTMENT**

JEREMY D. KALB, PE
City Engineer

Honorable City Council
Findlay, OH 45840

October 24, 2022

RE: AIP-33 North Apron Rehab Construction, Project No. 35224000
ODOT Aviation FY23 Grant

Dear Council Members:

The City of Findlay has been notified that we have received ODOT Aviation Grant funds to cover a portion of the North Apron Rehab Project. The ODOT Aviation funds will cover 5% of the project cost, having these funds appropriated to the project will make the City's match only 5% for the whole AIP-33 project.

At this time I am requesting the ODOT Aviation Grant funds to be appropriated to the project for use of the rehabilitation of the North Apron.

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

FROM: ODOT Aviation Grant (M23-10)	\$ 99,848
TO: AIP-33 North Apron Rehab Construction, Project Number 35224000	\$ 99,848

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

Sincerely,

Jeremy Kalb, PE
City Engineer

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



CHRISTINA M. MURYN, MAYOR

**ENGINEERING
DEPARTMENT**

Jeremy D. Kalb, PE
City Engineer

Honorable City Council
Findlay, OH 45840

October 24, 2022

RE: ODOT FY23 Resurfacing (Bright Road Phase III),
Project No. 32822000

Dear Council Members,

Engineering is finishing up the plans for ODOT FY23 Resurfacing. This project will be the resurfacing of Bright Road from Fostoria Avenue to Production Drive. Construction for this project will not be until the 2023 construction season but engineering would like to bid the project as soon as the plans are completed.

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

FROM: CIT Fund – Capital Improvements Restricted Account	\$1,000
TO: ODOT FY23 Resurfacing (Bright Road Phase III) Project No. 32822000	\$ 1,000

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

Sincerely,

Jeremy Kalb
City Engineer

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



Grant C. Russel
Findlay City Council, at-large
1200 S. Main St.
Findlay OH, 45840
grussel@FindlayOhio.com
419-422-6875

October 25, 2022

John Harrington, President
Findlay City Council
Municipal Building, Rm 114
Findlay OH, 45840

Re. ad-hoc Committee on Council Rules of Procedure

Dear John,

I am appointing an ad-hoc committee to recommend changes to Council's current Rules of Procedures.

The following members are appointed to serve on this committee:

- Grant Russel, chairman
- Brian Bauman
- Josh Palmer
- Jeff Wobser

Recommendations will be presented to the full council at or before the January 3, 2023 regular Session of Council for approval.

Sincerely,

Grant C. Russel

Grant C. Russel
President Pro-tempore
Findlay City Council



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

**Rob Martin, BSN, MBA
Service-Safety Director**

Tuesday, October 25, 2022

Honorable City Council
Findlay, Ohio 45840

RE: Additional Request for Fire Department Vehicle Accessories

Dear Council Members,

Recently the fire department took possession of two pickup trucks that were purchased with capital improvement funds. Due to base price increases the amount that was originally requested for the vehicles was sufficient to purchase the vehicles but not enough to include some necessary accessories. This request was recently presented to the Appropriation Committee with a recommendation for approval by Council. I am requesting that you consider an additional allocation for accessories necessary to place these vehicles in service.

By copy of this letter, the Law Director is requested to prepare the necessary legislation that will authorize the transfer of \$26,620.03 from the general fund to the Fire Department fund.

FROM: \$26,620.03 from the General Fund

TO: \$26,620.03 to the Fire Department #21014000-other

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rob Martin', is written over the word 'Sincerely,'.

Rob Martin
Service Safety Director

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



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

Rob Martin BSN, MBA
Service-Safety Director

October 26, 2022

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The Recreation Department received the President's Discretionary grant from the Findlay-Hancock County Community Foundation for a free Saturday afternoon and evening of ice skating at the Cube for Hancock County residents. The date for the free skate day is yet to be determined.

We would like to thank the Findlay-Hancock County Community Foundation for their commitment to physical activity and supporting our goal to help everyone to Keep Active and Keep Healthy!

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rob Martin', written over a faint blue line.

Rob Martin
Service-Safety Director

cc: Lisa Mansfield, Recreation Department



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

Rob Martin, BSN, MBA
Service-Safety Director

October 24, 2022

RE: DORA Hours

Dear Honorable Council,

In March 2021, you acted to establish a Designated Outdoor Refreshment Area (DORA) in downtown Findlay. This has gone quite well, and we have had little to no issues with its use. I have heard from businesses that participate in the DORA that they would like to see varied hours on certain holidays to accommodate increased foot traffic and the continued use of DORA cups for patron overflow, especially while waiting for a table.

The specific dates/times that are requested to be modified from the current 11am-11pm hours are:

- St. Patrick's Day 7:00am-12:00am
- New Year's Eve 11:00am-12:00am
- New Year's Day 12:00am-11:00pm

I appreciate your consideration of these changes.

Sincerely,

A handwritten signature in black ink that reads 'Christina M. Muryn' in a cursive script.

Christina M. Muryn
Mayor

Committee Members:

- Jeff Wobser, at large – Committee Chair
- Randy Greeno, at-Large
- Jim Niemeyer, Ward 6
- Josh Palmer, Ward 7
- Beth Warnecke, Ward 3

Staff:

- James Staschiak, City Auditor
- Christina Muryn, Mayor
- Rob Martin, Service-Safety Director
- Donald Rasmussen, Law Director
-

Meeting Start Time: 5:00 PM

Meeting End Time: 6:11 PM

Guests: Jason

Grant Russell

Holly Frische

Jeremy Kelb

Agenda:

Call to Order

Roll Call

Approval of Minutes

New Items

1. Consideration of additional restricted funds/account
2. Demolition Program update
3. Fire Dept emergency response equipment for newly purchased trucks

Adjournment



Jeff Wobser, Appropriations Committee Chair

COMMITTEE REPORT

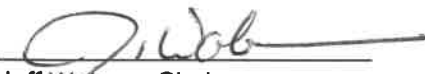
THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the consideration of additional restricted funds/accounts.

We recommend The creation of two new restricted accounts. The will designate the use of funds for replacement of ~~the~~ existing buildings, systems, ^{and} equipment. Language to be forthcoming.

We also recommend that 50%, up to \$200,000.00, of the unused water and sewer fund accounts be used as one time appropriation to the above accounts.

Aye Nay


Jeff Wobser, Chairman


Aye Nay


Randy Greeno

Aye Nay


Jim Niemeyer (second)

Aye Nay


Josh Palmer (motion)

Aye Nay


Beth Warnecke

APPROPRIATIONS COMMITTEE

DATE: October 17, 2022


LEGISLATION _____

COMMITTEE REPORT

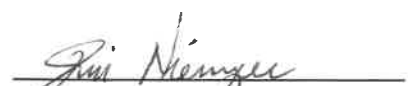
THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

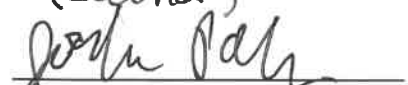
The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss a Demolition Program update.


We recommend Approval of The use of \$400,000.00 of ARPA funds for The City of Findlay Building Demolition Program. Program details to be forth coming from The administration.

Aye Nay 
Jeff Wobser, Chairman

Aye Nay 
Randy Greeno

Aye Nay 
Jim Niemeyer
(Second)

Aye Nay 
Josh Palmer

Aye Nay 
Beth Warnecke
(MOTION)

APPROPRIATIONS COMMITTEE

DATE: October 17, 2022

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss Fire Department emergency response equipment for newly purchased trucks.

We recommend To approve The additional
\$26,620.03 for pick-up truck equipment.
(see attached cost break-down)

Aye Nay



Jeff Wobser, Chairman

Aye Nay


(Second)


Randy Greeno

Aye Nay



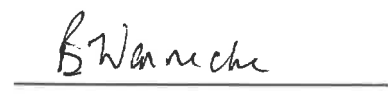
Jim Niemeyer

Aye Nay



Josh Palmer

Aye Nay


(MOTION)

Beth Warnecke

APPROPRIATIONS COMMITTEE

DATE: October 17, 2022

LEGISLATION yes

Committee Members:

- James Niemeyer, Ward 6 – committee Chair
- Holly Frische, Ward 1
- Josh Palmer Ward 7 ^{Comm} Chair
-
-

Staff:

- Don Rasmussen
- Jeremy Kolb
- Rob Martin
-
-

Meeting Start Time: 5:05Meeting End Time: 6:25Guests: Mark ThomasBeth GreenConnie ClearyRose ThomasGrant RusselBeth WarnekeRandy Greeno**Agenda:****Call to Order****Roll Call****New Items**

1. carriage/service walks

Adjournment

Joshua Palmer, Streets, Sidewalks & Parking Committee Chair

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 18, 2022 to continue discussions from the August 22, 2022 committee meeting on carriage/service walks.

Furthered discussion on
'carriage' walks,

We recommend

Committee will meet
on 10/24 to recommend
a policy to address
'carriage' walks,

Next meeting 5 pm on 10/24

Aye Nay


Joshua Palmer, Chairman

**STREETS, SIDEWALKS & PARKING
COMMITTEE**

Aye Nay

Holly Frische

LEGISLATION: _____

Aye Nay

James Niemeyer

DATED: October 18, 2022

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

October 12, 2022

STREETS, SIDEWALKS & PARKING Committee
Findlay, Ohio 45840

re: legal opinion regarding carriage walks
Opinion 2022-003
Issued: 10/12/2022

It is my opinion that carriage walks are covered by Title II of the Americans with Disabilities Act, so the City of Findlay is required to have a plan to update them in accordance with ADA Regulations. If the City of Findlay utilizes federal funding to assist in updating its public right-of-way, Section 504 of the Rehabilitation Act also applies. Under these statutes, any newly installed carriage walks would be an alteration required to be built in compliance with the 2010 ADA Standards for accessible design and existing carriage walks would need to be updated over time.

The City of Findlay is a public entity required to comply with the Americans with Disabilities Act (ADA).

As a local government, the City of Findlay is required to comply with the Americans with Disabilities Act. State and local governments are "public entities" required to come into compliance with the Americans with Disabilities Act. 28 CFR 35.

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

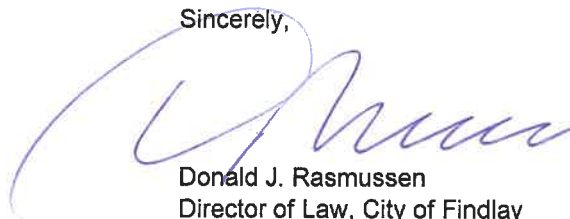
While in this particular situation, the sidewalks are referred to as "carriage walks" the ADA refers to sidewalks as "facilities" or "accessible paths" "carriage walks" fit under the same standards applied to sidewalks.

If the carriage walks are used to access the street either for a street crossing or to access street parking, the City would be required to install a curb ramp in addition to updating them in accordance with the ADA standards referenced above. Thus, if the carriage walks are used by pedestrians as a path to cross the street, they must include a curb ramp.

If carriage walks are used to access the street to access a program, service, or activity, such as on-street parking, they would also be required to have a curb ramp as part of an accessible plan to that activity.

In conclusion, if the carriage walks are used as pedestrian pathways to get to the street for parking, another activity, or a pedestrian street crossing, they need to have curb ramps.

Sincerely,



Donald J. Rasmussen
Director of Law, City of Findlay

Committee Members:

- James Niemeyer, Ward 6 - ~~committee chair~~
- Holly Frische, Ward 1
- Josh Palmer Ward 7 committee chair
-
-

Staff:

- Rob Feighner
- Rob Martin
- Jeremy Kalb
- Dave Honse

Meeting Start Time: 5:00

Meeting End Time: 6:15

Guests: Beth Warnecke
Randy Greeno
Reginald Routson

Agenda:

Call to Order

Roll Call

New Items

1. carriage/service walks

Adjournment



Joshua Palmer, Streets, Sidewalks & Parking Committee Chair

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 24, 2022 to continue discussions from the October 18, 2022 and August 22, 2022 committee meeting on carriage/service walks.

We recommend

city to remove carriage walks when curbs are replaced. Property owners can replace carriage walks at own cost.

Aye Nay Joshua Palmer
Joshua Palmer, Chairman

Aye Nay Holly Frische
Holly Frische

Aye Nay James Niemeyer
James Niemeyer

STREETS, SIDEWALKS & PARKING COMMITTEE

LEGISLATION: _____

DATED: October 24, 2022

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

ORDINANCE NO. 2022-104 (*Parker Training Room/restroom remodel*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-105 (*pre-budget appropriations*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-106 (*STRICT Center; water service extension invoices from Bricker & Eckler LLP*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-108 (*ARPA Funds*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-109, AS AMENDED **requires three (3) readings** **third reading**
(*6-month moratorium for new small box discount stores*)
AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A SIX (6) MONTH MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMALL BOX DISCOUNT STORE(S) IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER INCORPORATING THE PROPOSED ADDITIONS INTO THE CURRENT ZONING CODE AS OUTLINED BELOW BEFORE ENACTING THEM AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-110 **requires three (3) readings** **third reading**
(*amendments to Findlay Zoning Code (dollar/thrift stores, skill-based gaming)*)
AN ORDINANCE REPEALING SECTIONS 1135.03, 1137.071, 1143.03, AND 1174 OF THE CURRENT ZONING CODE AND IN ITS PLACE, ENACTING THE SAME AMENDED SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-111 (*ee payroll deductions for HSA*) **requires three (3) readings** **second 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. 2022-112 (*amendment to the salary ordinance 2022-081 AS AMENDED*) **requires three (3) readings** **second reading**
AN ORDINANCE AMENDING TWO SECTIONS OF CODIFIED ORDINANCE NO. 2022-081, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HERewith, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-113 (*Clerk of Municipal Court pay increase*) **requires three (3) readings** **second reading**
AN ORDINANCE APPROVING THE REQUEST OF THE ADMINISTRATIVE JUDGE OF THE MUNICIPAL COURT OF THE CITY OF FINDLAY, OHIO TO GRANT AN ADDITIONAL FIFTEEN PERCENT (15%) SALARY INCREASE FOR THE CLERK OF MUNICIPAL COURT POSITION, WHICH WOULD EXCEED THE ALLOTTED EIGHT PERCENT (8%) OF CURRENT CODIFIED ORDINANCE NO. 2022-081 AS AMENDED OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE SALARY ORDINANCE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-114 (*Traffic/Fabrication shop Phase I*) **requires three (3) readings** **second reading**
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT(S) WITH TUTTLE CONSTRUCTION, INC. FOR THE DESIGN SERVICES PHASE OF THE CITY OF FINDLAY, OHIO PUBLIC WORKS DEPARTMENT BUILDING (AKA TRAFFIC/FABRICATION SHOP) PROJECT NO. 31912500 LOCATED ON CORY STREET, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-118 (*119 W McPherson Ave vacation*) **requires three (3) readings** **second reading**
AN ORDINANCE VACATING A PORTION OF ALLEY BETWEEN WEST MCPHERSON AVENUE AND LAKE CASCADES PARKWAY, FORMERLY VANCE AVENUE, EAST OF DOUGLAS PARKWAY ABUTTING THE SHERMAN ADDITION BLOCK G AND INLOTS NUMBER 16815 THROUGH 16822 (HEREINAFTER REFERED TO AS THE 119 WEST MCPHERSON AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2022-120 (*STRICT CENTER GMP3*) **requires three (3) readings** **second reading**
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 3 (GMP3) WITH CLOUSE CONSTRUCTION CORPORATION FOR SITE UTILITY/CONCRETE AND FINAL BUILDOUT, INCLUDING FINISHES AND MEP PHASES OF THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-104

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 Improvements Restricted Account \$ 31,000.00
TO: Parker Training Room/Restroom Remodel, *Project No. 31912000* \$ 31,000.00

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 said funds so that the schematic design and construction documents for the aforementioned project may be developed,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-105

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:	Severance Payout Fund	\$ 250,000.00
TO:	Severance Payout #22090000-personal services	\$ 250,000.00
FROM:	General Fund	\$ 26.00
TO:	Mayor's Office #21002000-personal services	\$ 26.00
FROM:	General Fund	\$ 7,400.00
TO:	Computer Services #21009000-personal services	\$ 7,400.00
FROM:	General Fund	\$ 10,000.00
TO:	Service Director #21020000-personal services	\$ 10,000.00

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 said funds so that severance payouts for retirements may be paid, that a payout of comp time may be paid, that an unemployment claim may be paid, and so that a change in medical insurance coverage status may be made.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-106

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	General Fund	\$ 41,351.00
TO:	Law Director #21005000-other	\$ 41,351.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that invoices received from Bricker & Eckler LLP 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 _____

ORDINANCE NO. 2022-108

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:	ARPA Fund	\$ 300,000.00
TO:	CO2 Tank, <i>Project No. 35790800</i>	\$ 300,000.00
FROM:	ARPA Fund	\$ 300,000.00
TO:	Water Treatment Generator, <i>Project No. 35725300</i>	\$ 300,000.00
FROM:	ARPA Fund	\$ 25,000.00
TO:	Technology Improvements, <i>Project No. 31925400</i>	\$ 25,000.00
FROM:	ARPA Fund	\$ 250,000.00
TO:	Income Tax Software, <i>Project No. 31925500</i>	\$ 250,000.00
FROM:	ARPA Fund	\$ 100,000.00
TO:	Tree Plantings, <i>Project No. 31925600</i>	\$ 100,000.00
FROM:	ARPA Fund	\$ 100,000.00
TO:	Schools SafeDefend, <i>Project No. 31925900</i>	\$ 100,000.00

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 said funds so that awarded American Rescue Plan Act Funds may be utilized,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-109, AS AMENDED

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A SIX (6) MONTH MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMALL BOX DISCOUNT STORE(S) IN ORDER FOR THE CITY OF FINDLAY, OHIO TO CONSIDER INCORPORATING THE PROPOSED ADDITIONS INTO THE CURRENT ZONING CODE AS OUTLINED BELOW BEFORE ENACTING THEM AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, The City of Findlay Zoning Department in cooperation with the Hancock Regional Planning Commission, City Planning Commission, and the Planning and Zoning Committee of Council are desirous of implementing a six (6) month moratorium on the establishment of any new small box discount store(s) before potentially amending them in the Zoning Code Ordinance and enacting it as part of the Codified Ordinances of the City of Findlay, Ohio; and,

WHEREAS, this Council does deem it prudent and necessary to authorize said six (6) month moratorium as earlier defined.

SECTION 1: That six (6) month moratorium on the establishment of any new small box discount store(s) be defined as follows:

DEFINITIONS.

- Small Box Discount Store – A retail sales use with a floor area less than fifteen thousand (15,000) square feet that offer for sale a combination and variety of convenience shopping goods and consumer shopping goods: and continuously offer a majority of the items in their inventory for sale at a price less than ten dollars (\$10.00). Small box discount stores do not include retail stores that: contain a prescription pharmacy; sell gasoline or diesel fuel; primarily sell specialty items or a specific type of product.

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

SECTION 2: That the aforementioned definitions of a moratorium be and the same are hereby established for six (6) months and will be reviewed and determined before potentially enacting as part of the City of Findlay Zoning Code as part of the Codified Ordinances of the City of Findlay, Ohio.

SECTION 3: This Ordinance be and the same is hereby approved and adopted by this Council and shall be effective immediately upon its passage.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-110

AN ORDINANCE REPEALING SECTIONS 1135.03, 1137.071, 1143.03, AND 1174 OF THE CURRENT ZONING CODE AND IN ITS PLACE, ENACTING THE SAME AMENDED SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

WHEREAS, The City of Findlay Zoning Department in cooperation with the Hancock Regional Planning Commission, City Planning Commission, and the Planning and Zoning Committee of Council are desirous of amending and replacing Sections 1135.03, 1137.071, 1143.03 and 1174 of the current City of Findlay Zoning Code Ordinance; and,

WHEREAS, this Council does deem it prudent and necessary to update the zoning code for the City of Findlay, Ohio.

SECTION 1: That Chapter 1135.03 of the Codified Ordinances of the City of Findlay, Ohio that currently reads as follows:

1135.03 CONDITIONAL USE.

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

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

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

1135.03 CONDITIONAL USE.

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

- A. SPORTS & RECREATIONAL FACILITIES
- B. BARS, NIGHT CLUBS, TAVERNS
- C. FUNERAL SERVICES
- D. OUTDOOR SALE OF BUILDING MATERIALS
- E. DRIVE-THRU BEVERAGE STORES
- F. CONTRACTOR EQUIPMENT, RENTAL, & SUPPLIES
- G. CAR WASHES
- H. DRIVE THRU LANES/WINDOWS
- I. PARKING GARAGES

- J. OFF PREMISE SIGNS
- K. RV SALES
- L. MAJOR AUTO REPAIR
- M. BORROW PITS
- N. MIXED USE COMMERCIAL/RESIDENTIAL
- O. SMALL BOX RETAIL

SECTION 2: That Chapter 1137.071 of the Codified Ordinances of the City of Findlay, Ohio that currently reads as follows:

1135.07 OUTDOOR DISPLAY OF MERCHANDISE AND OUTDOOR STORAGE.
See Chapter 1161.10 Outdoor Storage Standards/ Chapter 1161.10.3 Outdoor Display.

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

1135.07 OUTDOOR DISPLAY OF MERCHANDISE AND OUTDOOR STORAGE.
See Chapter 1161.10 Outdoor Storage Standards/ Chapter 1161.10.3 Outdoor Display.

1135.071 SMALL BOX RETAIL

A small box discount store/dollar store shall be located in a minimum one-mile radius from any other small box discount store/dollar store as measured by the shortest airline distance between the nearest points on the plots where a small box discount store/dollar store is located or proposed to be located. Furthermore, the number of such businesses shall not exceed one per every 10,000, or portion thereof, of the population of the City.

SECTION 3: That Chapter 1143.03 of the Codified Ordinances of the City of Findlay, Ohio that currently reads as follows:

1141.03 CONDITIONAL USES.

- A. SALES AREAS OR SHOWROOMS FOR PRODUCTS MANUFACTURED ON-SITE. Sales area not to exceed forty-percent (40%) of the primary structure.
- B. ADULT ENTERTAINMENT ESTABLISHMENTS/ADULT ENTERTAINMENT USES. (See CHAPTER 1164 ADULT ENTERTAINMENT ESTABLISHMENTS/ ADULT).
- C. OUTDOOR DRIVE-IN MOVIE THEATERS.
- D. ANY ADDITIONAL LESS INTENSIVE, NON-OBJECTIONABLE USES WHICH ARE SUBJECT TO PLANNING COMMISSION REVIEW.
- E. BORROW PITS.

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

1141.03 CONDITIONAL USES.

- A. SALES AREAS OR SHOWROOMS FOR PRODUCTS MANUFACTURED ON-SITE. Sales area not to exceed forty-percent (40%) of the primary structure.
- B. ADULT ENTERTAINMENT ESTABLISHMENTS/ADULT ENTERTAINMENT USES. (See CHAPTER 1164 ADULT ENTERTAINMENT ESTABLISHMENTS/ ADULT).
- C. OUTDOOR DRIVE-IN MOVIE THEATERS.
- D. ANY ADDITIONAL LESS INTENSIVE, NON-OBJECTIONABLE USES WHICH ARE SUBJECT TO PLANNING COMMISSION REVIEW.

E. BORROW PITS.

F. GAMES OF SKILL, SKILL BASED AMUSEMENT MACHINES.

Any business that operates, utilizes, or hosts skill based amusement machines. The number of such businesses shall not exceed one per every 10,000 or portion thereof, of the population of the City. Shall not be located within 500 feet of residential zoned property as measured at the closest property lines.

SECTION 4: That Chapter 1174 of the Codified Ordinances of the City of Findlay, Ohio that currently reads as follows:

CHAPTER 1174
Definitions

For the purpose of this Ordinance certain terms and words are hereby defined:

ACCESS MANAGEMENT REGULATIONS . . . SIGN, WALL BUILDING

SITE: Parcel or group of parcels combined together for the purpose of containing a business or businesses, such as a strip commercial center, or entity or multiple entities such as a consortium of doctors' offices, but sharing common elements such as parking, vehicular access and or circulation ways, roofing, HVAC systems, addresses, loading bays, etc. Site may or may not have been reviewed and approved by the city planning commission but operates as a common land mass wherein there is a relationship involving one or more of the aforementioned elements.

SLAUGHTERHOUSE: A facility for the slaughtering and processing of animals and the refining of their byproducts.

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

CHAPTER 1174
Definitions

For the purpose of this Ordinance certain terms and words are hereby defined:

ACCESS MANAGEMENT REGULATIONS . . . SIGN, WALL BUILDING

SITE: Parcel or group of parcels combined together for the purpose of containing a business or businesses, such as a strip commercial center, or entity or multiple entities such as a consortium of doctors' offices, but sharing common elements such as parking, vehicular access and or circulation ways, roofing, HVAC systems, addresses, loading bays, etc. Site may or may not have been reviewed and approved by the city planning commission but operates as a common land mass wherein there is a relationship involving one or more of the aforementioned elements.

SKILL BASED AMUSEMENT MACHINES – as defined by the O.R.C. Section 2915.01(UU)(1).

SLAUGHTERHOUSE: A facility for the slaughtering and processing of animals and the refining of their byproducts.

SMALL BOX RETAIL – A retail sales use with a floor area less than fifteen thousand (15,000) square feet that offer for sale a combination and variety of convenience shopping goods and consumer shopping goods: and continuously offer a majority of the items in their inventory for sale at a price less than ten dollars (\$10.00).

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

SECTION 5: That the current Sections 1135.03, 1137.071, 1143.03, and 1174 of the Codified Ordinances of the City of Findlay, Ohio, be and the same are hereby repealed, and in its place new Sections 1135.03, 1137.071, 1143.03, and 1174 of the Codified Ordinances are hereby adopted.

SECTION 6: This Ordinance be and the same is hereby approved and adopted by this Council and shall be effective immediately upon its passage.

WHEREFORE: This Ordinance 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 _____

ORDINANCE NO. 2022-111

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 2021-117 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 2021-117 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 2023 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). Said payroll deductions shall only be made to City employees who have an active Health Savings Account (HSA) and have given proof of that account to the City Auditor's Office.

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, 2023 through December 31, 2023 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. Said payments shall only be made to City employees who have an active (HSA) and have given proof of that account to the City Auditor's Office.

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. 2022-112

AN ORDINANCE AMENDING THREE (3) SECTIONS OF CODIFIED ORDINANCE NO. 2022-081, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO AND REPEALING ALL OTHER 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 and concurring:

SECTION 1: That a portion of Section 9 of Codified Ordinance No. 2022-81, As Amended, of the City of Findlay includes the title of "Public Works Groundskeeper." That title shall be changed to "Groundskeeper."

SECTION 2: That a pay range of 9130 be added to Section 11, Paragraph A of Codified Ordinance No 2022-081, As Amended. The range of 9130 shall be as follows:

Completed Years of Service	0	1-2	3-4	5-6	7	8
Step	A	B	C	D	E	F
9130	20.89	21.94	22.60	23.29	23.76	24.21

SECTION 3: That Section 6 of Codified Ordinance No. 2022-081, As Amended, contains the biweekly pay rates of the title of "Recreation Manager". Those ranges shall be changed to the following:

Recreation Manager	\$ 2,332.00	\$ 3,710.40	\$ 2,333.60	\$ 3,712.80
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SECTION 4: 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 further reasons that are immediately necessary for preparation and implementation of various changes in specific provisions which will go into effect as of January 8, 2023.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-113

AN ORDINANCE APPROVING THE REQUEST OF THE ADMINISTRATIVE JUDGE OF THE MUNICIPAL COURT OF THE CITY OF FINDLAY, OHIO TO GRANT AN ADDITIONAL FIFTEEN PERCENT (15%) SALARY INCREASE FOR THE CLERK OF MUNICIPAL COURT POSITION, WHICH WOULD EXCEED THE ALLOTTED EIGHT PERCENT (8%) OF CURRENT CODIFIED ORDINANCE NO. 2022-081 AS AMENDED OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE SALARY ORDINANCE, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Administrative Judge of the Findlay Municipal Court is desirous to grant a fifteen percent (15%) salary increase for the 2023 wage year to the Clerk of Municipal Court position which would increase the salary range to be more than the allotted eight percent (8%) per Section 5 of the Salary Ordinance No. 2022-081 AS AMENDED. This increase remains within the salary ranges already approved by Council in Ordinance No. 2022-081 AS AMENDED.

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 approve the request of said Administrative Judge of the Municipal Court of the City of Findlay, Ohio to grant said increase which is more than the allotted eight percent (8%) per Section 5 of Salary Ordinance No. 2022-081 AS AMENDED, so that the agreed annual salary range may be paid in calendar year 2023.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-114

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT(S) WITH TUTTLE CONSTRUCTION, INC. FOR THE DESIGN SERVICES PHASE OF THE CITY OF FINDLAY, OHIO PUBLIC WORKS DEPARTMENT BUILDING (AKA TRAFFIC/FABRICATION SHOP) PROJECT NO. 31912500 LOCATED ON CORY STREET, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, through a Statement of Qualifications (SOQ's) process for the design/build of the City of Findlay, Ohio's Public Works Department building (aka Traffic/Fabrication Shop) project, and following a Request for Proposal (RFP) and interview process, Tuttle Construction, Inc. was selected to provide the City of Findlay Engineering Department with a detailed cost estimate for the construction, followed by a Guaranteed Maximum Price (GMP), for the first phase of the aforementioned Traffic/Fabrication Shop project, and;

WHEREAS, the City of Findlay, Ohio is desirous to enter into a contract(s) with Tuttle Construction, Inc. to provide said detailed cost estimates for the construction of said Traffic/Fabrication Shop (first phase).

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 as follows:

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 57,750.00
TO:	Traffic/Fabrication Shop, <i>Project No. 31912500</i>	\$ 57,750.00

SECTION 2: That the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to enter into contract(s) with Tuttle Construction, Inc. for the design services phase of the aforementioned Traffic/Fabrication Shop, Project No. 31912500.

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 enter into said contract(s) with Tuttle Construction, Inc. for design services of the Traffic/Fabrication Shop to be utilized by the City of Findlay Public Works Department.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-118

AN ORDINANCE VACATING A PORTION OF ALLEY BETWEEN WEST MCPHERSON AVENUE AND LAKE CASCADES PARKWAY, FORMERLY VANCE AVENUE, EAST OF DOUGLAS PARKWAY ABUTTING THE SHERMAN ADDITION BLOCK G AND INLOTS NUMBER 16815 THROUGH 16822 (HEREINAFTER REFERED TO AS THE 119 WEST MCPHERSON AVENUE VACATION) IN THE CITY OF FINDLAY, OHIO.

WHEREAS, a petition has been presented to Council requesting that a portion of the north-south alley from West McPherson Avenue to Lake Cascades Parkway be vacated as set forth herein, and;

WHEREAS, Council upon approval and recommendation of such vacation by the Planning Commission of the City of Findlay, Ohio, is satisfied that it will not be detrimental to the general interest and ought to be made.

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

SECTION 1: That the following described alley be and the same is hereby vacated:

Situated in the City of Findlay, County of Hancock and State of Ohio:

A portion of the north-south alley from West McPherson Avenue to Lake Cascades Parkway bounded by Lot 16818 Pt and 16819-16822 east thirty-eight and one half feet (38½ ft) in the Lincoln Park Addition and Lots 16808-16811 in the Lincoln Park Addition.

SECTION 2: That the aforesaid vacation is hereby made subject to the preservation of the public utilities right-of-way, in accordance with the provisions of Ohio Revised Code Section 723.041 including an easement is reserved for all sanitary and/or storm sewer lines in said vacated right-of-way.

SECTION 3: That 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. 2022-120

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A GUARANTEED MAXIMUM PRICE PHASE AMENDMENT NO. 3 (GMP3) WITH CLOUSE CONSTRUCTION CORPORATION FOR SITE UTILITY/CONCRETE AND FINAL BUILDOUT, INCLUDING FINISHES AND MEP PHASES OF THE STRICT CENTER PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Findlay, Ohio is desirous to enter into a Guaranteed Maximum Price Phase Amendment No. 3 (hereinafter referred to as "GMP3") for the site utility/concrete and final buildout, including finishes and MEP phases of the STRICT Center project, and;

WHEREAS, Guaranteed Maximum Price Phase Amendment No. 3 (GMP3) includes interior/building foundation concrete, masonry, mezzanine and overhead doors.

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 Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to enter into the aforementioned amendment with Clouse Construction Corporation for the GMP3 phase of the STRICT Center project.

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 authorize the entering into a contract or contracts with Clouse Construction Corporation, that the GMP3 phase of the aforementioned project may be completed.

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 _____

City of Findlay

Office of the Director of Law

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

Donald J. Rasmussen
Director of Law

NOVEMBER 1, 2022

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

ORDINANCES

- 2022-121 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.
- 2022-122 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2022-123 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE RESURFACING OF BRIGHT ROAD FROM FOSTORIA AVENUE TO PRODUCTION DRIVE, PROJECT NO. 32822000, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2022-124 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2022-121

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:	ARPA Fund	\$ 400,000.00
TO:	Demolition Program, <i>Project No. 31925800</i>	\$ 400,000.00

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 said funds so that awarded American Rescue Plan Act Funds may be utilized,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-122

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:	ODOT Aviation Grant (M23-10)	\$ 99,848.00
TO:	AIP-33 North Apron Rehab Construction, <i>Project No. 35224000</i>	\$ 99,848.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that the North Apron may be rehabilitated,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-123

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE RESURFACING OF BRIGHT ROAD FROM FOSTORIA AVENUE TO PRODUCTION DRIVE, PROJECT NO. 32822000, APPROPRIATING AND TRANSFERRING FUNDS THERETO, 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 as follows:

FROM: CIT Fund – Capital Improvements Restricted Account \$ 1,000.00
TO: ODOT FY23 Resurfacing (Bright Rd Phase III), *Project No. 32822000* \$ 1,000.00

SECTION 2: That the Service-Safety Director and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to advertise for bids and enter into contracts for the resurfacing of Bright Road from Fostoria Avenue to Production Drive, project no. 32822000.

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 advertise for bids and enter into said contracts so that the resurfacing of the aforementioned road may begin.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2022-124

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:	General Fund	\$ 26,620.03
TO:	Fire Department #21014000-other	\$ 26,620.03

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 accessories for the recently purchased pickup trucks for the Findlay Fire Department may be purchased.

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 _____