

FINDLAY CITY COUNCIL MEETING AGENDA

REGULAR SESSION

JUNE 6, 2023

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 May 16, 2023 Regular Session City Council meeting minutes.

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

PROCLAMATION: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Zoning amendment request –609 West Foulke Avenue

Damon Kelly, would like to change the zoning of 609 West Foulke Avenue to R3 Small Lot Residential. It is currently zoned C-1 Local Commercial. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS:

Deborah Peterson – June Pride Month

As a follow up to Ms. Deborah Peterson’s ORAL COMMUNICATIONS given during the May 16, 2023 City Council meeting, she has submitted two (2) letters including a list of the civil liberties and freedoms given in the Constitution for each United State’s citizen including the freedom of Conscience that is embedded in our First Amendment rights. She is opposed to the homosexual Pride month observance, and believes it violates her (our) freedom of conscience.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Treasurer’s Reconciliation Report – April 30, 2023.

Service-Safety Director Martin – insurance payment for repairs of a fire engine from an accident

The City of Findlay received payment for the repair of a fire engine from an accident from the other insured’s insurance company in the amount of six thousand eight hundred twelve dollars and seventy-four cents (\$6,812.74) that has been deposited in the General Fund. Legislation to appropriate funds is requested. Ordinance No. 2023-057 was created.

FROM:	General Fund (insurance proceeds)	\$ 6,812.74
TO:	Fire Department #21014000-other	\$ 6,812.74

Mayor Muryn - infrastructure investment

Mayor Muryn has frequently mentioned over the last few years that it is her goal to look for areas for strategic investment while prioritizing the City’s existing assets and infrastructure. An appropriation of funds for strategic investment in infrastructure in support of economic development is requested. Ordinance No. 2023-058 was created.

FROM:	Sewer-Stormwater Restricted Account	\$ 500,000.00
TO:	Project Hat Trick #35631500	\$500,000.00
FROM:	General Fund	\$ 700,000.00
TO:	Project Hat Trick #35631500	\$ 700,000.00
FROM:	Sewer Fund	\$ 900,000.00
TO:	Project Hat Trick #35631500	\$ 900,000.00
FROM:	Water Fund	\$ 900,000.00
TO:	Project Hat Trick #35631500	\$ 900,000.00

City Engineer Kalb – third Capital Improvement appropriation of 2023

The third Capital Improvement allocation of the year is to transfer funds into Capital Projects so that projects may continue that have been bid out for construction with funds readily available for City crews to start various projects that were scheduled to be completed this year. Legislation authorizing the Service-Safety Director or City Engineer to advertise for bids and enter into contracts, as well as appropriate and transfer funds is requested. Ordinance No. 2023-059 was created.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 1,255,000.00
TO:	2023 Annual Street Resurfacing/Curb Repairs #32830400	\$ 460,000.00
TO:	2023 Street Preventative Maintenance #32830300	\$ 280,000.00
TO:	2023 City Sidewalk/Ramps #32831000	\$ 25,000.00
TO:	Airport Fuel Farm Repairs #35231700	\$ 100,000.00

TO:	Airport Snow Removal Equipment Building #35232300	\$ 250,000.00
TO:	Replace Backup Server & Network Equipment #31932400	\$ 45,000.00
TO:	Remote Offices Door Locks #31932200	\$ 75,000.00
TO:	Dark Dispatch Upgrades #31932100	\$ 20,000.00

**City Engineer Kalb – Community Development Block Grant application for Cross Ave/Hemphill Blvd waterline upgrade**

The City of Findlay Engineering Department is working with the City’s Water Distribution Department to submit an application to the Community Development Block Grant (CDBG) program to fund the replacement of the existing waterline on Cross Avenue and Hemphill Boulevard. Currently, there is a six inch (6”) mainline that runs from Blanchard Street to Berry Lane that has experienced multiple breaks in the past couple of years. Along with the multiple breaks, the water services taps that come off this six inch (6”) are the only remaining lead services in Findlay needing to be removed in order to be compliant with the Environmental Protection Agency (EPA) regulations. Over the past couple of years, the City of Findlay has made great strides to remove any known or suspected lead services off of the water distribution system, and this line is the final section that is needing replaced. Legislation authorizing City representatives to execute the necessary grant application(s) and/or agreement(s) to receive the grant funding is requested. Ordinance No. 2023-060 was created.

**Mayor Muryn – Phase 2 Benching Project**

Ordinance No. 2023-043 (property transfers for the Phase 2 Benching Project) was tabled after the third reading during the May 16, 2023 City Council meeting. Mayor Muryn is requesting it remain tabled while she works with the Maumee Watershed Conservancy District and the Hancock County Commissioners to prepare a Memorandum of Understanding (MOU) similar to what was executed in 2018 for the Phase 1 Benching Project that will be specific to the Phase 2 Benching Project. The MOU will be provided to City Council in the coming weeks in order to continue to move forward with flood mitigation and the property transfer requested. Ordinance No. 2023-043 was tabled after the third reading during the May 16, 2023 City Council meeting.

**City Income Tax Monthly Collection Report – May 2023.**

**City Auditor Staschiak – Ordinance No. 2023-043 (Phase 2 Benching Project)**

On May 12, 2023, Mayor Muryn submitted a letter to City Council in support of Ordinance No. 2023-043 stating that based on upon her review of the information “discussions with Steve Wilson and various consultants” she was “confident there is extremely limited, if not no risk, to the City of Findlay related to environmental issues . . .” however, the information provided and made available to him and Council, per her email dated 5/16/23, appears to contradict that that statement and there is potentially significant risk to the City in taking ownership of these properties at this time. The Phase 1 reports by American Structurepoint Inc. dated May 2011 states:

- There is a CERCLIS (aka superfund) record identified in the area of 100 Jefferson Street
- A significant portion of the area to be benched was “created with fill materials when the river was relocated to the south”. Undocumented emplacement of fill is considered “a recognized environmental condition”
- “The presence of potentially contaminated subsurface fill material, related to the relocation of the Blanchard River, is considered a recognized environmental condition”
- “Additional Investigation Recommended” for at least one of the parcels listed for transfer to the City of Findlay There is “potential for subsurface contamination from adjacent commercial facilities”
- There is “potential for subsurface contamination from adjacent commercial facilities”
- Parcels already accepted by the City and recorded by the county Auditor listing the owner as City of Findlay as of 10/6/21 are subject some of these findings. City Auditor Staschiak has been unable to locate any associated City Ordinance.

City Auditor Staschiak regularly shares with City Council that the City has no insurance coverage for environmental liability, however, the City has a Self-Insurance Fund that was set up for environmental issues. Recently, Council and the Administration decided not to add additional monies to this fund that is expected to end the year with a balance of less than \$1,000,000.00. The unknowns in this instance put a portion, if not an excess of these monies at risk.

Due to this potential significant financial liability to the City, and since the reports provided are more than a decade old, as the City Auditor/Fiscal Officer of the City of Findlay, he is recommending that the City not take deed to these remaining properties in the benching area until significantly more due diligence is complete, including: a Phase II environment assessments throughout the benching area, and the CERCLIS (aka superfund) records are obtained and fully understood by Council. Alternatively, the benching could be completed under County ownership and a clean area handed to the City of Findlay, however, since some property was already transferred to the City in the benching area (without such a review), it would not alleviate the potential environmental liability on the property the City already owns.

**City Planning Commission agenda June 15, 2023 – minutes - May 11, 2023.**

**COMMITTEE REPORTS:**

The **WATER AND SEWER COMMITTEE** met on May 31, 2023 to review of the progress on the internal control evaluation for the City Utility Billing Department.

*We recommend that the Utility Billing Department continue to implement improvements for the internal control evaluation.*

**LEGISLATION:**

**RESOLUTIONS:** none

**ORDINANCES:**

**ORDINANCE NO. 2023-043** (Phase 2 benching project) **requires three (3) readings** **tabled after third reading on 5/16/23**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ACCEPT PERMANENT OWNERSHIP OF PROPERTIES IN ORDER FOR THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, TO TRANSFER THE PARCELS LISTED ON THE ATTACHED EXHIBIT TO THE CITY OF FINDLAY, OHIO AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-046** (315 N Blanchard St rezone) **requires three (3) readings** **third reading**

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 315 NORTH BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-1 LOCAL COMMERCIAL".

**ORDINANCE NO. 2023-047** (continue Workers Compensation programs) **requires three (3) readings** **third reading**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENROLL THE CITY OF FINDLAY IN THE BUREAU OF WORKERS' COMPENSATION (BWC) GROUP RETROSPECTIVE RATING PLAN, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-048** (replacement Parking Enforcement vehicle) **requires three (3) readings** **third 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) FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR THE CITY OF FINDLAY PARKING ENFORCEMENT DEPARTMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-050** (CR 212/CR 236 road widening) **requires three (3) readings** **third 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 HOHENBRINK EXCAVATING, INC. FOR THE COUNTY ROAD 212/COUNTY ROAD 236 ROAD WIDENING PROJECT NO. 32864600, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-056** (WPC Clarifier Rehab & Oxidation Ditch Repairs) **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) FOR REPAIRS ON OXIDATION DITCHES AT THE CITY OF FINDLAY WATER POLLUTION CONTROL CENTER, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-057** (insurance funds from structure fire at 824 South Main Street) **requires three (3) readings** **first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-058** (infrastructure investment) **requires three (3) readings** **first reading**

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR STRATEGIC INVESTMENT INFRASTRUCTURE IN SUPPORT OF ECONOMIC DEVELOPMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO.

**ORDINANCE NO. 2023-059** (3<sup>rd</sup> Capital Improvement appropriation of 2023) **requires three (3) readings** **first reading**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-060** **requires three (3) readings** **first reading**

(Community Development Block Grant application for Cross Ave/Hemphill Blvd waterline upgrade)

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (HEREINAFTER REFERRED TO AS CDBG) TO FUND THE REPLACEMENT OF THE EXISTING WATERLINE ON CROSS AVENUE AND HEMPHILL BOULEVARD, AND DECLARING AN EMERGENCY.

**UNFINISHED BUSINESS:**

**OLD BUSINESS**

**NEW BUSINESS**

**PETITION FOR ZONING AMENDMENT**

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

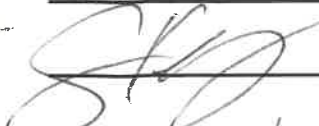
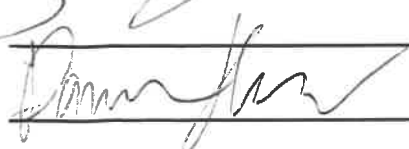
We, the undersigned owner(s) of the following legally described property, hereby request consideration of a change in zoning district classification as specified below:

**ADDRESS** 609 W. Foulke Ave **SUBDIVISION** \_\_\_\_\_

**LOT No.(s)** \_\_\_\_\_

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

**SIGNATURE                      SUBDIVISION                      LOT NO.                      STREET FRONTAGE**

SIGNATURE	SUBDIVISION	LOT NO.	STREET FRONTAGE
			
			

**IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION**

**EXISTING USE** Single Family

**PRESENT ZONING DISTRICT** R-3

**PROPOSED ZONING DISTRICT** C-1

**ATTACH:**

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

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

- c. A written statement of the reason for the request and justification for the change.
- d. If the area to be re-zoned is a portion of a parcel, a survey must be done for the portion to be changed and it must be recorded as a new parcel at the County Recorder's office

Name of Owner Damon Kelly  
Name of Contact Person if other than owner Shane Kelly  
(A letter granting person to act on Owner's behalf must accompany application if not signed by Owner)  
Mailing Address 609 W. Fowlke Ave Findlay Ohio  
Phone No. (Home) 567-30-0744 (Business) 45840  
Email: SKC0526@aol.com  
5/16/23 \_\_\_\_\_  
Date Signature of contact Person  
5/16/23 \_\_\_\_\_

**OFFICE USE ONLY**

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

Date Petition Submitted to City Council \_\_\_\_\_

Referral to Planning Commission \_\_\_\_\_ Referral to Planning & Zoning \_\_\_\_\_

Planning Commission \_\_\_\_\_ Disposition \_\_\_\_\_

Planning & Zoning \_\_\_\_\_ Disposition \_\_\_\_\_

Public Hearing Date Set By Council \_\_\_\_\_ Date  
of Newspaper Notice \_\_\_\_\_

(Must be mailed at least 30 days prior to Hearing)

Date of Notice to Abutting Owners \_\_\_\_\_

(Must be mailed at least 20 days prior to Hearing)

Referred for Legislation: \_\_\_\_\_

Date of Readings by Council:

First \_\_\_\_\_ Second \_\_\_\_\_ Third \_\_\_\_\_

Action by Council: \_\_\_\_\_ Ordinance No. \_\_\_\_\_

PLAT OF MORTGAGE LOCATION SURVEY

TO: Mid American Title

ORDER NO. 10478

DATE: 12/10/09

DESCRIPTION INFORMATION

LENDER: FIFTH THIRD MTG. CO.

LOT(S) NO.: 8126 & 8127

BUYER: AARON K. NIESE

ALLOTMENT: SWING ADD.

OWNER: DANIEL & ANNETTE McKINNISS

CITY/VILLAGE: FINDLAY

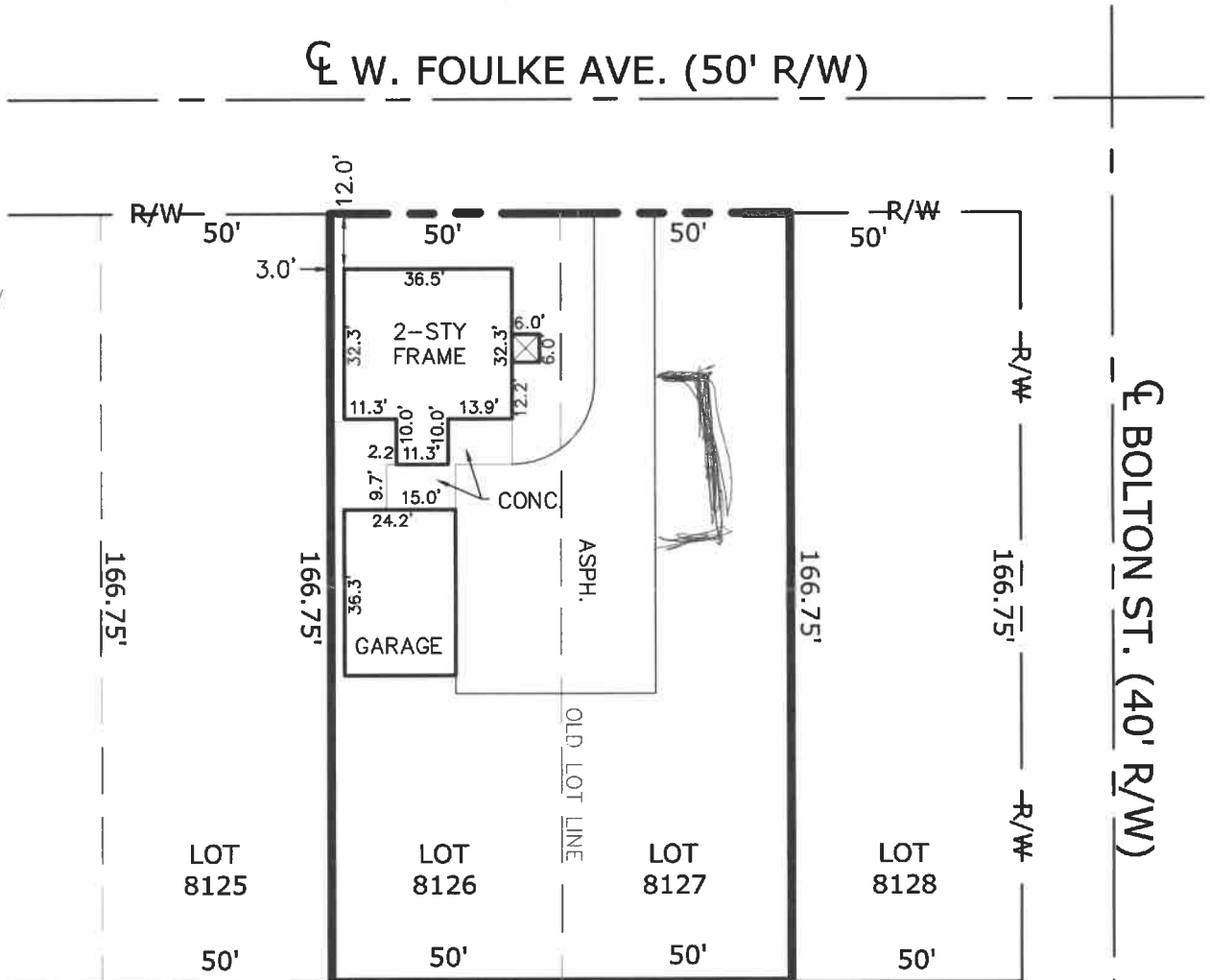
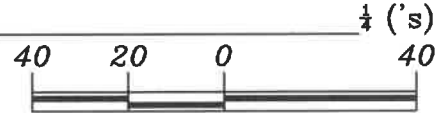
ADDRESS: 609 W. FOULKE AVE.

COUNTY: HANCOCK

SCALE: 1"=40'

TOWNSHIP: RANGE:

SECTION: 1/4 (S)



Drawing reflects site as of 12/10/09. No new survey has been performed as of 5/2/23.



I HEREBY CERTIFY THAT A MORTGAGE LOCATION SURVEY OF THE ABOVE PREMISES HAS BEEN MADE IN ACCORDANCE WITH CHAPTER 4733-38, (MINIMUM STANDARD FOR MORTGAGE LOCATION SURVEYS IN THE STATE OF OHIO) OHIO ADMINISTRATIVE CODE AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE.

Daniel R. Stone, P.E., P.S., Reg. Surveyor No. 8159  
VAN HORN, HOOVER & ASSOCIATES, INC. - FINDLAY, OHIO

SUBJECT PROPERTY IS NOT LOCATED IN  
THE SPECIAL FLOOD HAZARD AREA SHOWN  
ON FEDERAL INSURANCE AGENCY, FLOOD  
HAZARD BOUNDARY MAP NO. 3902440006D

To be read:

May 30, 2023

RECEIVED  
MAY 31 2023  
MAYOR'S OFFICE

To: Findlay City Council/Mayor Muryn

Civil liberties are freedoms guaranteed by the US Constitution (primarily from the First Amendment). They are natural rights which are inherent to each person. While they are commonly referred to as "rights", civil liberties actually operate as restraints on how the government can treat it's citizens. (law.Cornell.edu /Wex/

There are 5 Civil Liberties. speech, religion, press, assembly, and the right to petition the government. These are personal freedoms protected from government intrusion. Civil liberties are protection against government actions.

Dictionary (Oxford languages) "Freedom of conscience" is the right to follow one's own beliefs in matters of religion and morality. It means the right to arrive at one's private beliefs without being coerced into an artificial unity by those who wield power over us.

(Hhs.gov ) (Referring to civil rights and freedom of conscience in religious liberty based upon the First Amendment right of freedom of religion/worship) If I am coerced to violate my conscience or religious beliefs..."violation of conscience is a very serious abuse of authority, in which official power is used to dictate what someone else's inward beliefs must be and/or to force someone to mouth beliefs he or she does not share."

Freedom of conscience is imperative and larger than the freedom of religion or belief. It covers all ethics and values a human being cherishes, whether of religious nature or not. There are no admissible limitations to this freedom, as long as personal convictions are not imposed on others, and do not harm them.

The Westminster Confession of Faith defines Christian liberty of conscience as freedom "from the doctrines and commandments of men, which are, in anything, contrary to His Word (God's Word) or besides it in matters of faith or worship." Scripture alone has the highest authority.

Dub Peterson  
513 Cherry St



May 31, 2023

In the matter of civil liberties and freedom of conscience:

Read

[ It is unconstitutional for any governmental authority by it's decisions to violate a person's freedom of conscience. By forcing us to observe June Pride Month you are violating our freedom of conscience which is against the Constitution.] This means when I drive downtown and have to drive over the homosexual rainbow it harms my conscience by seeing God's holy rainbow, a sign of His covenant with his people, desecrated in this way. To me, this represents pride and rebellion at the highest level. But this is what they are celebrating, and it is coercive. The Spectrum banners lining the street, are a coercive in your face attempt to get everyone to agree with the homosexual lifestyle. I will not, because it is sin. And sin, in anyone's life needs to be repented of, forgiven and forsaken, not celebrated. This is a violation of any true Believer's conscience and anyone who has no particular religion, but does not agree with homosexuality. The city officials need to take note how this violates a person's freedom of conscience. This Nation was founded upon basic Christian principles, not homosexuality. And the National Day of Prayer, e.g. was a federal decision. June Pride Month was based on a Senate resolution only.

Spectrum has no Constitutional right to "own" the Courthouse corner for a month, or the public square, nor to take over a Park for an entire day and have activities that may be sexually explicit and morally harmful. (remember-do no harm) This has been up to the city officials. I am urging the Council and Mayor to not violate our Constitutional rights and civil liberties we have as citizens of Findlay. You, and the whole Nation seems to have forgotten that we, the average citizen, the majority of the population, have Constitutional rights. And discrimination now seems to be against us. I urge this Council and Mayor to not wield power that subverts our innate convictions and firmly held beliefs against homosexuality in accordance with our First Amendment rights and freedom of conscience, by not continuing the June Pride Month celebration. People can live the way they want to, but not coerce others to agree, especially by a group effort. This observance does just that. Preaching the Gospel, our civil right still, is not coercive but invitational. There's a big difference.

Most importantly, for you all to know, June Pride month is not protected by the US Constitution. I will be glad to argue that point if necessary. I urge the people of Findlay to stand up against this tyranny and speak out. Do NOT get used to it, I pray. Ban this observance for the good of this city and the good of the Nations. IT will only get worse if you don't and surely you see how demonic powers with every sexually explicit perversion are trying to take over America even now. (I find it absolutely repugnant that children are being used as pawns for the homosexuals as shown in the Courier. And they didn't wait until June 1, did they?) Remember, it is unlawful for any governmental authority to override a person's Constitutional rights and freedoms. You cannot continue to violate our Freedom of conscience by forcing all citizens of Findlay to honor homosexuality.

Respectfully,

Deb Peterson 513 Cherry St





# TREASURER'S OFFICE

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

## Treasurer's Reconciliation for April 30, 2023

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### TREASURER

Fifth Third Initial Balance	2,995,721.04
- Withdrawals ()	(10,590,981.07)
+ Deposits	11,918,845.23
	<hr/>
	4,323,585.20
(-Outstanding Checks)	(469,817.92)
Deposit in Transit	198.50
Treasurer's Checking Bal	<hr/>
	3,853,965.78
Investment Principal	93,169,673.48
Accrued Interest	69.06
Treasurer's Total Cash and Investments	97,023,708.32

### AUDITOR

Auditor's Checking Bal	3,853,965.78
Auditor's Total Cash and Investments	97,023,708.32

Respectfully submitted,

  
Susan Jo Hite  
Treasurer



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

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

May 19, 2023

Honorable City Council  
City of Findlay, Ohio

Dear Council Members:

The City has received payment for the repair of a fire engine from an accident from the other insured's insurance company in the amount of \$6,812.74. It has been deposited in the General Fund.

An appropriation is respectfully requested as follows for the repair of the vehicle:

FROM:	General Fund (insurance proceeds)	\$6,812.74
TO:	Fire Department 21014000-other	\$6,812.74

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rob Martin', written over a blue circular stamp or seal.

Rob Martin  
Service-Safety Director

cc: Donald J. Rasmussen, Director of Law  
Jim Staschiak II, City Auditor  
Chief Josh Eberle, Fire Department



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

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

May 30, 2023

RE: Infrastructure Investment

Dear Honorable Council,

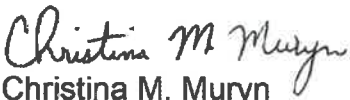
Over the last few years, I have frequently mentioned that it is always my goal to look for areas for strategic investment while prioritizing our existing assets and infrastructure. Included in your packet today is a request for appropriations of \$3,000,000. These funds will be for strategic investment in infrastructure in support of economic development.

The request is as follows:

FROM: Sewer- Stormwater Restricted Account	\$500,000	
TO: Project Hat Trick (#35631500)		\$500,000
FROM: General Fund	\$700,000	
TO: Project Hat Trick (#35631500)		\$700,000
FROM: Sewer Fund	\$900,000	
TO: Project Hat Trick (#35631500)		\$900,000
FROM: Water Fund	\$900,000	
TO: Project Hat Trick (#35631500)		\$900,000

I appreciate your support of these funds as the City continues to look for opportunities to support economic development within our community and know these dollars will pay dividends in the near future and for decades to come.

Sincerely,

  
Christina M. Muryn  
Mayor



CHRISTINA M. MURYN, MAYOR

**ENGINEERING DEPARTMENT**

JEREMY D. KALB, PE  
City Engineer

Honorable City Council  
Findlay, OH 45840

May 31, 2023

RE: Third Capital Improvement Appropriation of 2023

Dear Council Members:

I would like to use the Third Capital Improvement allocation of the year to transfer funds into Capital Projects, so that we can continue with projects that have been bid out for construction and to have funds readily available for our City Crews to start various projects that were scheduled to be completed this year.

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

<b>FROM: CIT Fund – Capital Improvements Restricted Account</b>	<b>\$1,255,000</b>
TO: 2023 Annual Street Resurfacing/ Curb Repairs (32830400)	\$ 460,000
TO: 2023 Street Preventative Maintenance (32830300)	\$ 280,000
TO: 2023 City Sidewalk/ Ramps (32831000)	\$ 25,000
TO: Airport Fuel Farm Repairs (35231700)	\$ 100,000
TO: Airport Snow Removal Equipment Building (35232300)	\$ 250,000
TO: Replace Backup Server & Network Equipment (31932400)	\$ 45,000
TO: Remote Offices Door Locks (31932200)	\$ 75,000
TO: Dark Dispatch Upgrades (31932100)	\$ 20,000

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

Jeremy Kalb, P.E.  
City Engineer

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

*Appropriate Funds - Projects*

From	CIT Fund - Capital Improvements Restricted Account	\$	1,255,000
To	2023 Annual Street Resurfacing/ Curb Repairs (32830400)	\$	460,000
To	2023 Street Preventative Maintenance (32830300)	\$	280,000
To	2023 City Sidewalk/ Ramps (32831000)	\$	25,000
To	Airport Fuel Farm Repairs (35231700)	\$	100,000
To	Airport Snow Removal Equipment Building (35232300)	\$	250,000
To	Replace Backup Server & Network Equipment (31932400)	\$	45,000
To	Remote Offices Door Locks (31932200)	\$	75,000
To	Dark Dispatch Upgrades (31932100)	\$	20,000



CHRISTINA M. MURYN, MAYOR

**ENGINEERING  
DEPARTMENT**

JEREMY D. KALB, PE  
CITY ENGINEER

Honorable City Council  
Findlay, OH 45840

June 1, 2023

RE: Community Development Block Grant Application  
Cross Ave. / Hemphill Blvd. Waterline Upgrade

Dear Council Members,

Engineering is working with Water Distribution to submit an application to the Community Development Block Grant (CDBG), to fund the replacement of the existing waterline on Cross Avenue and Hemphill Boulevard. Currently there is a 6-inch mainline that runs from Blanchard Street to Berry Lane that has experienced multiple breaks in the past couple of years. Along with the multiple breaks, the water service taps that come off this 6-inch are the only remaining lead services in Findlay needing to be removed so that we can be complaint with EPA regulations. Over the past couple of years the City of Findlay has made great strides to remove any known or suspected lead services off of the water distribution system and this line is the final section that is needing replaced.

By copy of this letter, the Law Director is requested to prepare the necessary legislation that will authorize City Representatives to execute the necessary grant application(s) and/or agreement(s) to receive the grant funding.

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

Sincerely,

Jeremy Kalb, P.E.  
City Engineer

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



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

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

June 1, 2023

Dear Honorable Findlay City Council:

In regard to the property transfers for the Phase 2 Benching project, I request that you continue to leave this item tabled, as I work with the Maumee Watershed Conservancy District and Hancock County Commissioners to prepare a memorandum of understanding similar to that executed in 2018 for the Phase 1 Benching project that will be specific to the Phase 2 Benching project.

We will bring the MOU before you in the coming weeks so that we may continue to move forward with flood mitigation and the property transfer requested.

In the meantime, if there are any other questions or concerns regarding the transfer or ongoing flood mitigation efforts, please do not hesitate to reach out.

Sincerely,

A handwritten signature in blue ink that reads 'Christina M. Muryn'.

Christina M. Muryn  
Mayor





## Monthly Collection Report to Findlay Council

May 2023

Total collections for May 2023: \$2,038,417.90

	<b>2023</b>	<b>2022</b>	
	<u>Year-to-date</u>	<u>Year-to-date</u>	<u>Variance</u>
Withholders	10,214,933.82	10,302,957.58	-88,023.76
Individuals	2,130,957.25	1,996,106.46	134,850.79
Businesses	<u>4,318,240.59</u>	<u>4,169,895.75</u>	<u>148,344.84</u>
<b>Totals</b>	16,664,131.66	16,468,959.79	195,171.87
			1.19%

### Actual & Estimated Past-due Taxes

Withholders	559,831.88
Individuals	3,536,730.67
Businesses	<u>318,020.28</u>
<b>Total</b>	4,414,582.83

### Actual and Projected Revenue

	<b>2023</b>	<b>Percentage</b>	<b>Amount</b>	<b>Percentage</b>	<b>2023</b>
	<u>Actual</u>	<b>of Projection</b>	<b>to Meet</b>	<b>to Meet</b>	<b>Projected</b>
	<u>Year-to-date</u>	<u>Collected</u>	<u>Projection</u>	<u>Projection</u>	<u>Year End</u>
Withholders	10,214,933.82	47.91%	11,106,066.18	52.09%	21,321,000.00
Individuals	2,130,957.25	73.48%	769,042.75	26.52%	2,900,000.00
Businesses	<u>4,318,240.59</u>	110.72%	<u>-418,240.59</u>	-10.72%	<u>3,900,000.00</u>
<b>Totals</b>	16,664,131.66	59.26%	11,456,868.34	40.74%	28,121,000.00

**Refunds Paid**

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	8	51	3,248.24	14,038.44
Individuals	196	877	137,835.75	486,867.14
Businesses	<u>6</u>	<u>38</u>	<u>1,297.76</u>	<u>52,077.73</u>
<b>Totals</b>	210	966	142,381.75	552,983.31

**Transfers of Overpayments**

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	3	54	372.06	19,971.68
Individuals	199	517	40,495.08	122,479.25
Businesses	<u>55</u>	<u>191</u>	<u>15,810.22</u>	<u>177,012.38</u>
<b>Totals</b>	257	762	56,677.36	319,463.31

  
Income Tax Administrator

  
Date

**Findlay Income Tax Department**

**Monthly Collections Report**

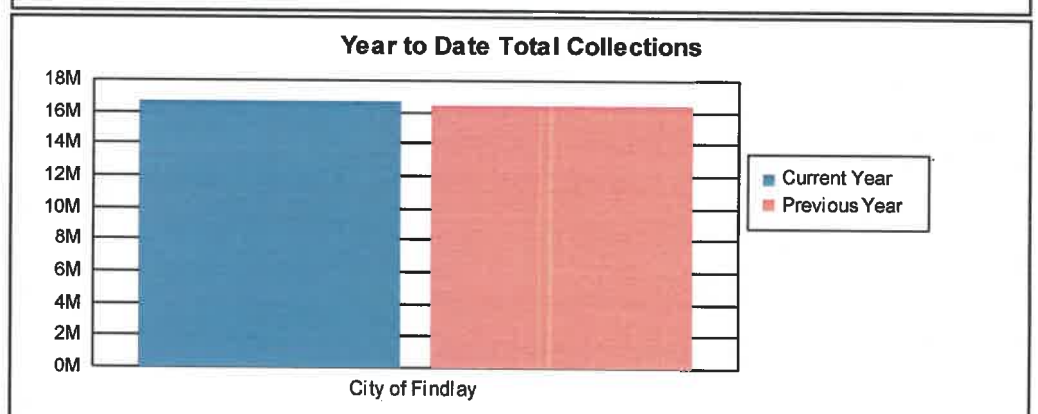
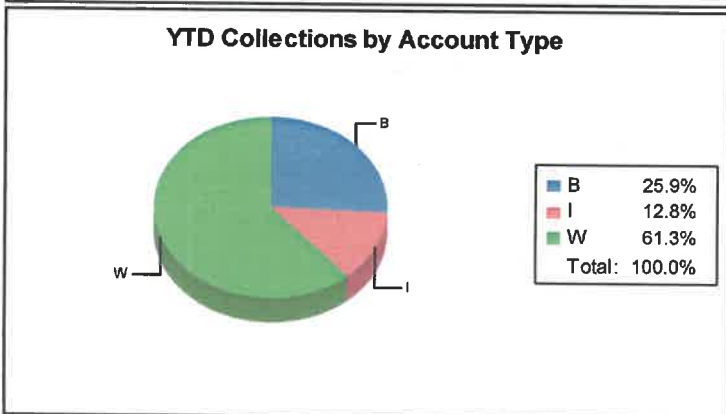
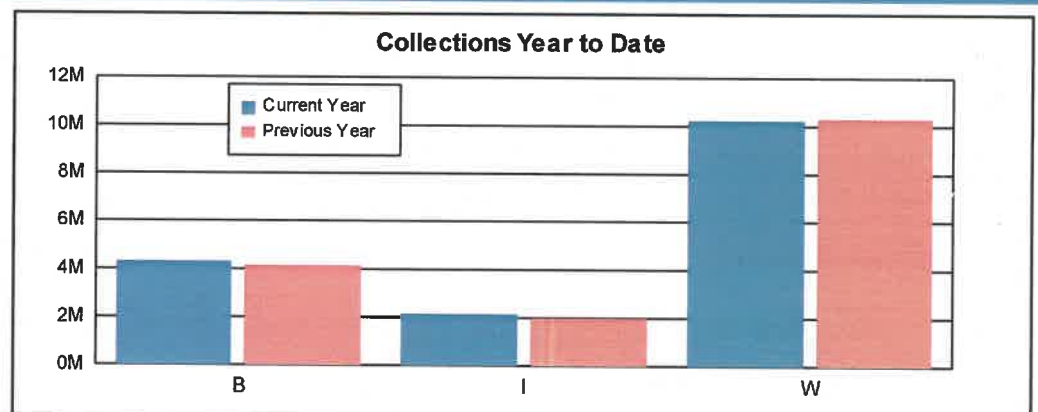
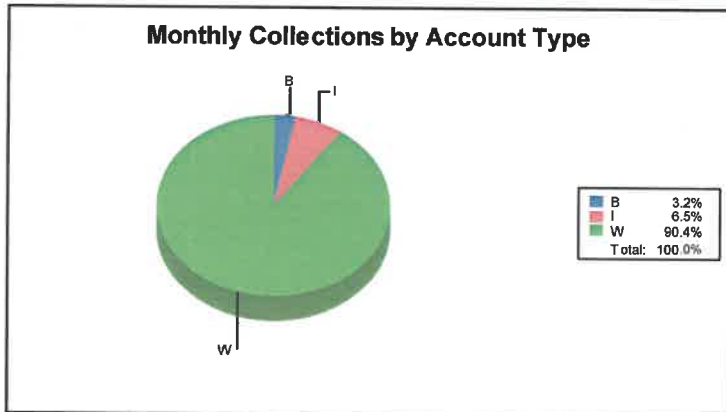
**Thursday, June 1, 2023**

**10:05:51AM**

**For Period May 1, 2023 through May 31, 2023**

**City of Findlay**

Account Type	Monthly Total	2023 Year to Date	2022 Year to Date	Increase (Decrease)	% Change	2023 Month to Date	Previous Year(s) Month to Date
<b>W</b>	<b>1,841,947.71</b>	<b>10,214,933.82</b>	<b>10,302,957.58</b>	<b>-88,023.76</b>	<b>-0.85</b>	<b>1,836,386.40</b>	<b>5,561.31</b>
<b>I</b>	<b>131,849.79</b>	<b>2,130,957.25</b>	<b>1,996,106.46</b>	<b>134,850.79</b>	<b>6.76</b>	<b>17,373.03</b>	<b>114,476.76</b>
<b>B</b>	<b>64,620.40</b>	<b>4,318,240.59</b>	<b>4,169,895.75</b>	<b>148,344.84</b>	<b>3.56</b>	<b>30,246.66</b>	<b>34,373.74</b>
<b>Totals:</b>	<b>2,038,417.90</b>	<b>16,664,131.66</b>	<b>16,468,959.79</b>	<b>195,171.87</b>	<b>1.19</b>	<b>1,884,006.09</b>	<b>154,411.81</b>









# AUDITOR'S OFFICE

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

## JIM STASCHIAK II - CITY AUDITOR

Thursday, June 01, 2023

The Honorable Council  
Findlay, Ohio

Dear Council Members,

On May 12, 2023 Mayor Muryn submitted a letter to City Council in support of Ordinance 2023-043 stating that based upon her review of the information, "discussions with Steve Wilson and various consultants" she was "confident there is extremely limited, if not no risk, to the City of Findlay related to environmental issues..." **However, the information provided and made available to me and Council, per her email dated 5/16/23, appears to contradict that statement and there is potentially significant risk to the City in taking ownership of these properties at this time.**

The Phase I reports by American Structurepoint Inc. dated May 2011 clearly state:

- There is a CERCLIS (a.k.a. superfund) record identified in the area of 100 Jefferson St
- A significant portion of the area to be benched was "created with fill materials when the river was relocated to the south." Undocumented emplacement of fill is considered "a recognized environmental condition"
- "The presence of potentially contaminated subsurface fill material, related to the relocation of the Blanchard River, is considered a recognized environmental condition"
- "Additional Investigation Recommended" for at least one of the parcels listed for transfer to the City
- There is "potential for subsurface contamination from adjacent commercial facilities"
- Parcels already accepted by the City and recorded by the County Auditor listing the owner as City of Findlay as of 10/6/21 are subject some of these findings. I have been unable to locate any associated City Ordinance

I regularly share with City Council that the City has no insurance coverage for environmental liability; however, you have a Self-Insurance Fund that was set up for environmental issues. Recently Council and the Administration, decided not to add additional monies to this fund. Currently it is expected to end the year with a balance of less than \$1MM. Certainly, the unknowns in this instance put a portion if not an excess of these monies at risk.

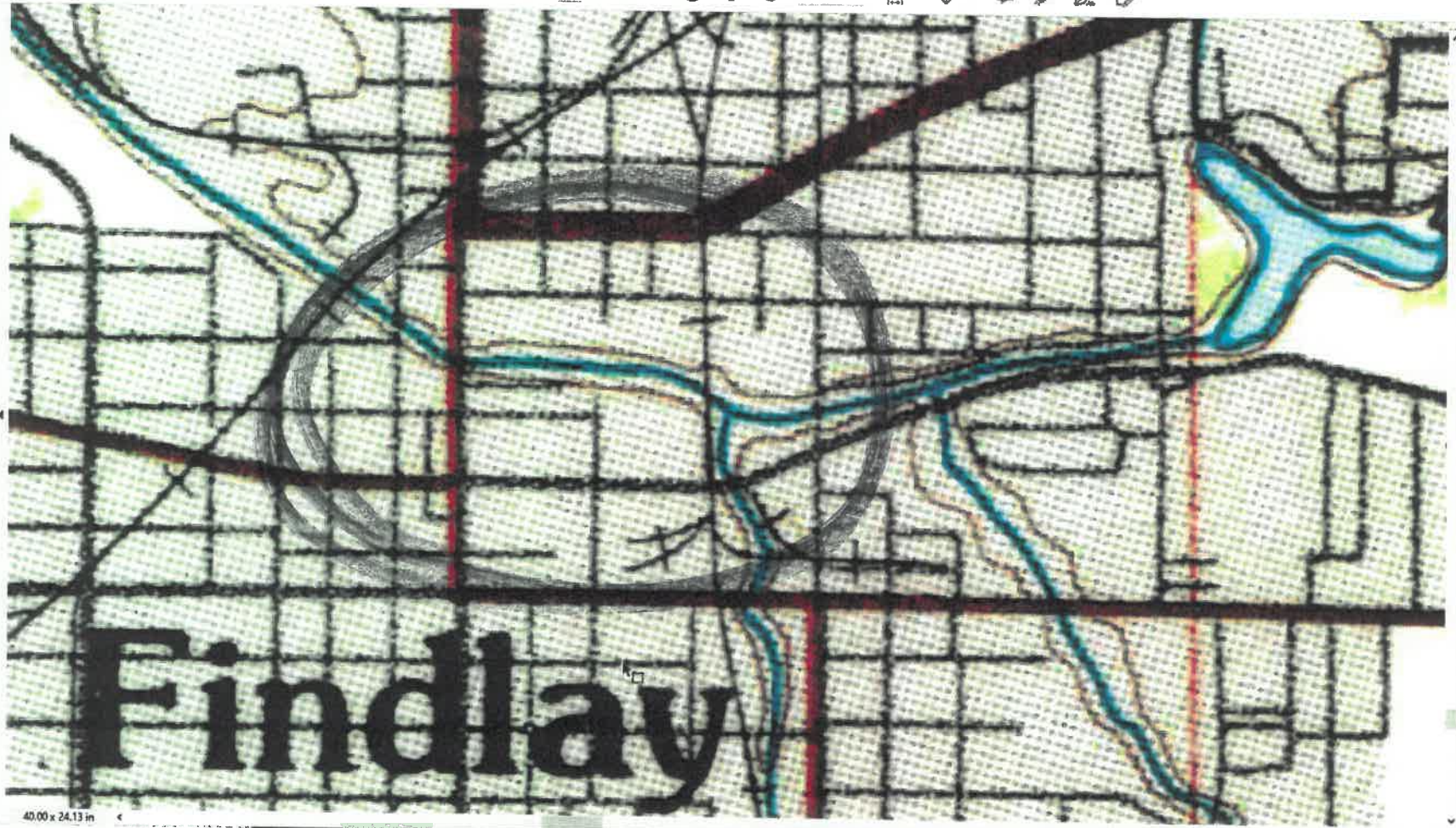
**Due to this potential significant financial liability to the City and since the reports provided are more than a decade old, as your City Auditor/Fiscal Officer it is my recommendation that the City not take deed to these remaining properties in the benching area until significantly more due diligence is complete, including: a Phase II environment assessments throughout the benching area, and the CERCLIS (aka superfund) records are obtained and fully understood by Council. Alternatively, the benching could be completed under County ownership and a clean area handed to the City of Findlay; however, since some property was already transferred to the City in the benching area (apparently without such a review), it follows this would not alleviate the potential environmental liability on the property we already own.**

With Respect,

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

Jim Staschiak II – City Auditor

Attachments

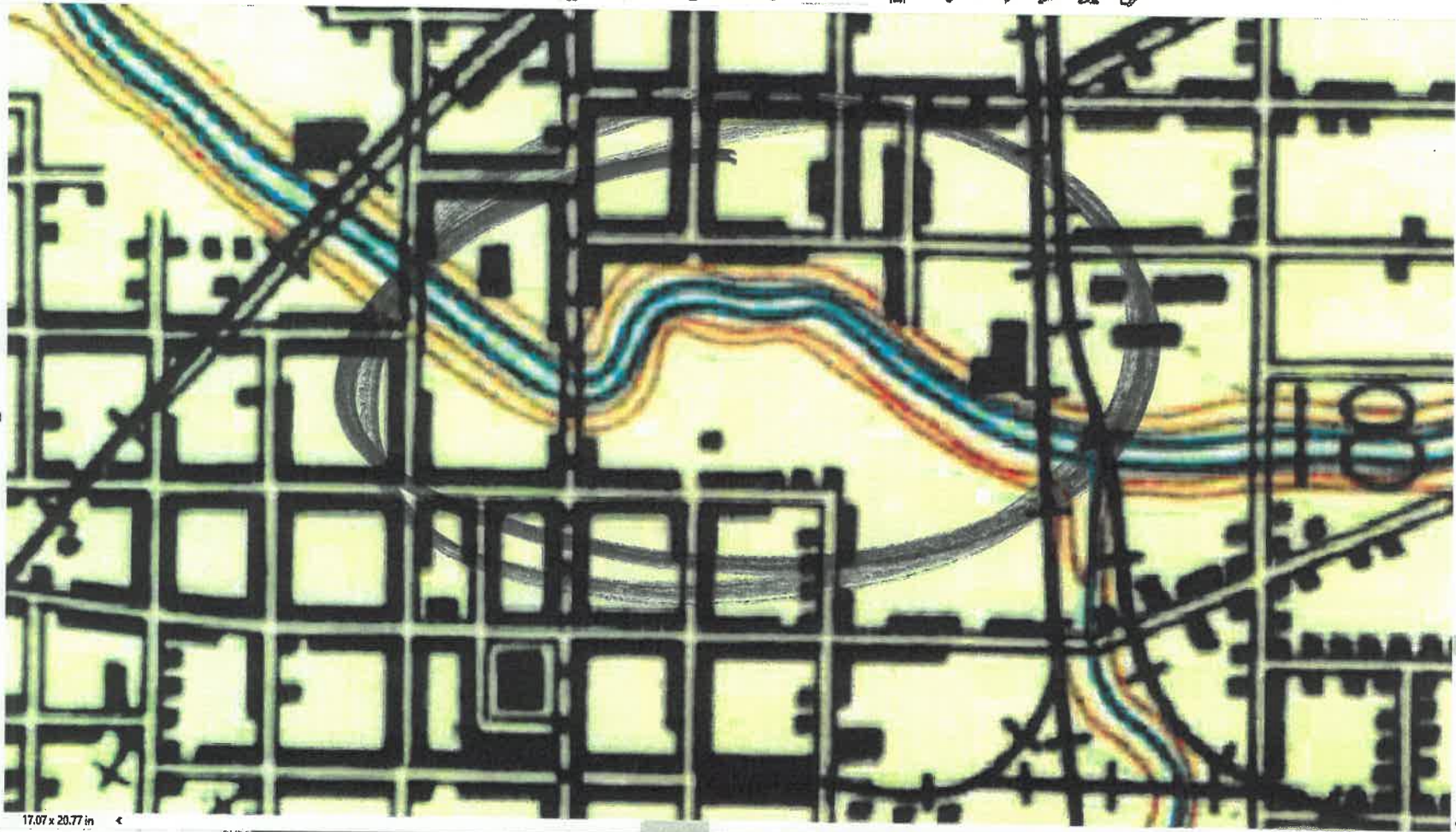


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**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1<sup>st</sup> floor of Municipal Building  
June 15<sup>th</sup>, 2023 – 9:00 AM

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SWEARING IN**

**APPROVAL OF MINUTES**

**NEW ITEMS**

1. **APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R-3 Small Lot Residential.**
2. **APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Tiffin Avenue.**
3. **APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a two new tenant spaces at 1107 W. Trenton Avenue.**
4. **APPLICATION FOR SITE PLAN REVIEW #SP-14-2023 filed by Croy Landscaping LLC for a new office building on parcel #570001022369 on Fostoria Avenue.**
5. **APPLICATION FOR SITE PLAN REVIEW #SP-15-2023 filed by Take 5 Oil Properties LLC for a Take 5 Oil Service at 601 W. Trenton Avenue.**
6. **APPLICATION FOR CONDITIONAL USE #CU-10-2023 filed by Tabbatha Castret, to establish an Air BnB at 2004 S. Main Street.**
7. **APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 609 W. Foulke from R-3 Small Lot Residential to C-1 Local Commercial.**
8. **APPLICATION FOR ZONING AMENDMENT #ZA-05-2023; filed by Andek LLC to rezone parcel #600000302210 on W. McPherson Avenue from O-1 Office/Institution to M-2 Multi-Family, High Density.**

9. **APPLICATION FOR SITE PLAN REVIEW #SP-16-2023** filed by Andek LLC to construct a 3 story 18-unit apartment building at parcel #600000302210 on W. McPherson Avenue.

**TABLED ITEMS**

1. **APPLICATION FOR ZONING AMENDMENT #ZA-02-2023**; a request to repeal the existing City of Findlay Zoning Code and replace it with an updated version.

**ADMINISTRATIVE APPROVALS**

**ADJOURNMENT**

**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1st floor of Municipal Building  
Thursday May 11, 2023 – 9:00 a.m.

**Minutes**

**MEMBERS PRESENT:**

Mayor Muryn  
Rob Martin  
Dan DeArment  
Jackie Schroeder

**STAFF ATTENDING:**

Matt Cordonnier, HRPC Director  
Jacob Mercer, HRPC Staff  
Jeremy Kalb, City Engineer  
Kevin Shenise, Fire Prevention  
Erik Adkins, Zoning Administrator & Flood Administrator

**GUESTS:**

Kyle and Sarah Smith, Pat Sadowski, Penny Hohman, Robin Lynch, Jara Barreto, Lee May, Grant Russel,

**CALL TO ORDER**

**ROLL CALL**

The following members were present:

Mayor Muryn  
Rob Martin  
Dan DeArment  
Jackie Schroeder

**SWEARING IN**

All those planning to give testimony were sworn in by Jacob Mercer.

**APPROVAL OF MINUTES**

Rob Martin motioned to approve the minutes for the April 13, 2023 meeting. Dan DeArment seconded. Motion approved 4-0-0.

**1. APPLICATION FOR CONDITIONAL USE #CU-06-2023 filed by Kyle Smith, to establish a home business at 506 Monroe Avenue for a mobile car detailing business.**

**CPC STAFF**

**General Information**

This request is located on the north side of Monroe Avenue between Bolton Street and Morey Avenue. It is zoned R-3 Small Lot Residential. The neighborhood is mostly zoned R-3 Small Lot Residential, but there is a MH - mobile home park to the southeast near the intersection with Morey Avenue. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Small Lot Residential.

**Parcel History**

The site is a single family home, which the Smith's have lived at since 2019.

**Staff Analysis**

The applicant, Kyle Smith, has applied to use his home address as his business address. The business is a mobile car detailing business, which typically goes to the client's location to do the work. His work involves washing, vacuuming, and detailing the cars. Sometimes, Mr. Smith does use his own driveway to perform his work.

Staff would add that Conditional Use permits are revocable if there are any issues with this use in the future.

**Staff Recommendation**

CPC Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-06-2023 filed by Kyle Smith, to establish a home business at 506 Monroe Avenue for a mobile car detailing business.**

**ENGINEERING**

- No Comment

**FIRE PREVENTION**

- No Comment

**RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-06-2023 filed by Kyle Smith, to establish a home business at 506 Monroe Avenue for a mobile car detailing business.**

**DISCUSSION**

Kyle and Sarah Smith were present on behalf of his application along with attorney Pat Sadowski. Mr. Smith said he started the business on January 18, 2022. Most of the time he goes to his customers to do the car detailing. Sometimes he does have to bring their cars to his home. That is mostly because he cannot get his trailer on their property or they do not have any other means for him to go to them. It is never more than one car at a time.

Mayor Muryn mentioned concerns from the neighbors about the waste. She asked how he is in compliance with the products he uses. Mr. Smith said all the products are biodegradable. It is no different from any person washing their own car in their driveway. The wheel cleaner is the most impactful but he makes sure to spray it down after use.

Matt Cordonnier asked what volume of business Mr. Smith does in a week. Mr. Smith said he does many vehicles but only probably 2-3 a week at his house. Mr. Cordonnier asked if he ever has more than one car at a time. Mr. Smith said he has never had more than one, and the only times there are multiple vehicles in his driveway is when he is hosting family events or has friends over to his home. Rob Martin asked how long it takes him to complete a car. Mr. Smith said it depends but somewhere between 4-6 hours. Mr. Martin asked what his hours of operation are. Mr. Smith said he operates 9:30am-5pm, and that he does that to not disturb his neighbors.

Penny Hohman and Robin Lynch, neighbors on Monroe Street, submitted a letter with concerns and opposition against the conditional use. They are worried that the operation of the business at the home will increase parking and traffic along the street. This would affect the residential nature of the neighborhood as well. They were concerned that there are not water catches for collecting wastewater on the site. Ms. Hohman said she was not opposed to the business, just the operation of the business at the home.

Mr. Martin asked if there were any incidents reported since the start of operation in 2022. Ms. Hohman said that she had pictures that show his cars parked in the yard and that she's seen the water run into his front yard.

Mr. Cordonnier offered some clarification. The request today is for a conditional use to operate a home business. This would not rezone the property to commercial. The home business definition makes it so that the character of the property remain residential, and he would not be able to put up a business sign or anything to change the character.

Mayor Muryn asked the applicant if they have insurance. Pat Sadowski, representing the applicant spoke to the Commission. He said first, that the business has no additional employees outside Kyle and Sarah Smith. Kyle does the detailing, while Sarah helps him with his bookkeeping. Second, he pushed back against the concerns regarding the Clean Water Act that Ms. Hohman brought up due to the scope of the business operations and chemicals used. They are all products that can be bought at an Auto Zone. The Smith's have young children, so they understand the concern about chemicals in their lawn. Mr. Sadowski highlighted a storm sewer at the base of the driveway, and that the water flows in that direction.

Mr. DeArment said the only concern he had was regarding the runoff. He asked as a commercial business, does it raise to the level of concern with the EPA. Mr. Sadowski said that he would look into it. Mayor Muryn said she thought receiving a comment from the EPA would be appropriate.

Ms. Hohman contended that when you wash the engine and other areas under the car, the water picks up oils, which is required to go into a water trap rather than the sewer system. Mr. Kalb said if it were a commercial or industrial property, there would be water/oil separator requirements. If there is a resident who washes their car obsessively, he did not think they would be able to require them to connect that system. It would be beneficial to have some legal guidance since it is a residential property.

Mr. Martin appreciated the comments, but he thought the infrequency of the use on the site, would probably not raise to a level of concern. Mr. Cordonnier said other cities have these types of businesses everywhere and do not have any issues. He did think that calling the EPA in Bowling Green would be beneficial to get clarification.

Mayor Muryn added that she wanted to add a condition that they do get a legal opinion from an appropriate agency regarding the operation of the business. She reminded the applicant that conditional uses are revocable, so if there become issues, the city can revoke the permit.

Erik Adkins added to the record that while the business has been in operation for over a year, it only came into their attention because a fence was going to be installed at the site. There have been no complaints made to the City prior about this business being operated.

**MOTION**

Mayor Muryn made motion to **approval of APPLICATION FOR CONDITIONAL USE #CU-06-2023 filed by Kyle Smith, to establish a home business at 506 Monroe Avenue for a mobile car detailing business with the following conditions:**

- **Receive legal opinion/clearance from EPA**
- **One car at a time**
- **9:30 am – 5pm operating hours; weekdays only**
- **No client on-street parking**

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

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

**4. APPLICATION FOR SITE PLAN REVIEW #SP-11-2023 filed by Olio Development for a new Raising Cane’s drive-thru restaurant on what is currently Lot 5 of the Findlay Village Mall.**

**CPC STAFF**

**General Information**

This request is located in the Findlay Village Mall Subdivision on Tiffin Avenue next to the intersection with Cory Drive. It is zoned C-2 General Commercial. To the south, east, and west is also zoned C-2. To the north, it is zoned R4 Duplex/Triplex. It is not located within the

100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

### **Parcel History**

The site is currently parking for RP Home & Harvest of Findlay.

### **Staff Analysis**

Olio Development is proposing a 2,791 sf Raising Cane's Drive-thru restaurant on this proposed parcel. The site would remove part of a landscaping island that current stretches onto the southwest corner of the site. The restaurant would feature a double drive-thru lane that would wrap around from the north side along the west side of the building. There are 35 proposed parking spaces for the restaurant.

As with the GetGo development, this site also had an issue meeting the 10-foot setback along Tiffin Avenue. They proposed to utilize the existing parking spots that are along Tiffin Avenue. Staff believes that the site could shift north to accommodate the setback.

Landscaping was an area that had some missing items as well. For perimeter parking landscaping, they provided zero shrubs along Tiffin Avenue due to the parking setback. On the north side, they were unable to accommodate two trees as they were trying to avoid a utility line on the north side. Again, staff would like to see the lot shift to accommodate the setback, which would allow them to install the shrubs as required.

Staff has concerns about the amount of traffic that will be generated as a result of this restaurant. We would recommend the operators work with the Findlay Police Department to have a plan in place for the Grand Opening and next few weeks, to alleviate some of the congestion that could potentially arise.

### **Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-11-2023 filed by Olio Development for a new Raising Cane's drive-thru restaurant on what is currently Lot 5 of the Findlay Village Mall subject to the following condition:**

- **Shift the parking lot to be 10 feet from the front property line**
- **Add the 37 shrubs and 2 trees to meet the perimeter parking standard**
- **Work with Findlay Police Department to have a traffic plan for the grand opening**

### **ENGINEERING**

#### *Access –*

The site will be accessed by a couple of different points, one off the existing drive off Tiffin Avenue, GetGo connection and the parking lot of the mall. The site has quite a bit of vehicle stacking but there is still a concern that the drive thru lane will stack into the drive lanes.

For the north entrance, we would potentially like to see that as an exit only, due to the proximity of the drive-thru stacking.

#### *Water Service –*

The plans are proposing two separate water taps for the site, one will be a 2-inch domestic and the second line will be a 6-inch fire line. With all of the landscaping that is on site will an irrigation line be needed? If an irrigation line is needed that will be a separate tap as well and will need backflow prevention per the City's Water Regulations.

***Sanitary Service –***

The proposed site will be tapping the sanitary line that is located on the north side of Tiffin Avenue and we be used as the main service for the site.

***Stormwater Management –***

The site will be incorporating more pervious areas throughout the site.

***MS4 Requirements –***

The disturbed area is more than 1 acre so the applicant does need to comply with the City of Findlay's Erosion & Sediment Control Ordinance. As part of the plans the applicant has submitted an Erosion and Sediment Control Plan.

***Recommendations:***

Approval of the Site

- Ensure that the site landscaping, curbing, etc. coincides with the site to the east.

The following permits may be required prior to construction:

Sidewalk Permit x1

Water Service x2 (Maybe 3)

2" Domestic

6" Fire

Irrigation Tap?

Sanitary Tap x1

**FIRE PREVENTION**

- Overall concerns with traffic patterns with regards to emergency vehicles access to the site and streets around it.

**RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-11-2023 filed by Olio Development for a new Raising Cane's drive-thru restaurant on what is currently Lot 5 of the Findlay Village Mall subject to the following condition:**

- **Shift the parking lot to be 10 feet from the front property line**
- **Add the 37 shrubs and 2 trees to meet the perimeter parking standard**
- **Work with Findlay Police Department to have a traffic plan for the grand opening**
- **Ensure that the site landscaping, curbing, etc. coincides with the site to the east.**

**DISCUSSION**



Rob Martin asked Jeremy Kalb if he remembered how many cars could be stacked on site. Mr. Kalb said about 30 but their menu should allow for customers to cycle through the drive-thru fairly quickly.

Jara Barreto was present on behalf of Olio Development. She noted that the operations monitor the cars enter the lot. Once a car is on site, the chicken goes into the fryer. The menu is limited so they know that they will be ordering chicken. It only takes two and a half minutes to go from the order board to getting your food. She said that they would work with the Findlay Police Department on the Opening Day plan to avoid any issues with their site neighbors. Mr. Martin said the Findlay Police Department will work to create the traffic control plan, but they do not have the staff to commit to implementing it. Ms. Barreto said that in the past they pay off-duty police to be on site for the plan. Mayor Muryn noted the City did the same when the Chick-fil-A opened, so it should not be an issue.

Jackie Schroeder asked how they planned to meet the 10-foot front yard setback. Ms. Barreto said it has been difficult to accommodate that on the plan. They do not want to narrow the drive aisle on that side of the site because they are following the traffic pattern of the mall site as a whole. She thought they might need to remove the parking if they have to meet the setback. She said that the corporate model for this size restaurant is 29 spaces, and if they lose those, they will have to re-evaluate how to make things work. She added staff recommended that they look to accommodate the front yard setback to allow them additional room for the landscaping missing, however they were hoping to get a variance to keep with what was there.

Mayor Muryn asked Jeremy Kalb if they could keep the existing layout if they could plant some smaller trees in the City right-of-way instead. Mr. Kalb said it was a possibility, and the only utility in that stretch is a waterline. He added that potentially they lose a spot or two to add a landscape island in the front area. Mr. Martin understood why the condition was included, so he was hoping we could find a good balance. Mr. Cordonnier said that he was concerned about having trees in the right-of-way due to the wires overhead. He thought that this would be a good step to get the front yard setback re-established as the full mall site looks to redevelop. Ms. Schroeder added that she wanted to have some grass area between the parking curb and the sidewalk, to avoid cars overhanging the sidewalk. Ms. Barreto said that they could do that. She added that most of the time they use 20 feet for their parking stalls, however the current parking along the front yard is 18 feet. If they push the parking back to meet the setback, the site would not align with the drive aisle on the mall parcel. Ms. Schroeder asked if they could angle the parking. Ms. Barreto said they could not because it is a two-way drive.

Dan DeArment asked why they show two lanes for the drive-thru. Ms. Barreto said that while most of the time they will cross over to pick up food from the window, during high traffic times of day; they can accommodate an employee walking food out to the wider lane, so that traffic can continue to cycle through the drive-thru quickly.

Mr. DeArment asked if Mr. Kalb had any suggestions for how to address concerns. Mr. Kalb said in his ideal scenario, there would be an extended drive aisle on the mall site to funnel the traffic through the mall site, to keep stacking from going back onto Tiffin Avenue. He did not like this solution however, because it would be putting the responsibility on the mall to accommodate problems from the Raising Cane's site. He asked if they could remove some of the landscape area to shift the full site back to buy themselves a few feet in the front. Mr. Cordonnier said that reducing that would be preferable. Ms. Barreto asked would they need a variance on the back if they did encroach. Mr. Cordonnier said yes, but they would prefer that request over the 10 feet in the front yard.

At this point, Mayor Muryn asked to shift discussion to the GetGo Site Plan.

**2. APPLICATION FOR SITE PLAN REVIEW #SP-10-2023 filed by Get Go Operating LLC/Giant Eagle Inc for a new GetGo gas station on what is currently Lot 5 of the Findlay Village Mall.**

**CPC STAFF**

**General Information**

This request is located in the Findlay Village Mall Subdivision on Tiffin Avenue next to the intersection with Cory Drive. It is zoned C-2 General Commercial. To the south, east, and west is also zoned C-2. To the north, it is zoned R4 Duplex/Triplex. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

**Parcel History**

The site is currently parking for RP Home & Harvest of Findlay.

**Staff Analysis**

Get Go Operating LLC is proposing a 6,369 sf Get Go convenience store and gas station on this site. This would include 44 parking spots for the convenience store, which meets the standards. There would also be a drive-thru component to the convenience store on the north side of the site. The drive-thru will be able to accommodate the required eight car stacking on site. Along the drive-thru, there is an uncurbed diagonal striped area. While it says "Do Not Enter", the applicant indicated it would essentially function as an escape lane. On the south side of the site is the 12-pump gas station. On the west side of the site, there is a detention area.

The dumpster is located in the northwest corner of the site and has been proposed to be screened by a privacy chain link fence with vinyl slats. Staff would recommend the enclosure be vinyl only and not chain link.

The site has two proposed new curb cuts. One is a full entrance onto Croy Drive, while the other is a right-in/right-out onto Tiffin Avenue. Staff would like to see the right-in/right-out changed into a fully dedicated drive-in lane to discourage people from being able to turn left out of the site.

One of staffs concerns about the layout is that they do not meet the front yard setback along Tiffin Avenue. The applicant indicated that they would need to encroach on the 10-foot setback to allow there to be enough pavement for the gas trucks to have enough turn radius around the underground storage tanks. Staff would like to see the site shifted to accommodate the setback.

In terms of landscaping, staff discussed with the applicant that the foundation plantings were not necessarily required along the building, but could be clustered around the perimeter. They have included landscaping along the east, north, and west sides of the lot. Staff would like to see a reduction in the size of the landscaping area on the north side, between the drive-thru and R+P. This would allow them to shift the site to the north to accommodate the setback and allow for landscaping to be installed along Tiffin Avenue.

### **Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-10-2023 filed by Get Go Operating LLC/Giant Eagle Inc for a new GetGo gas station on what is currently Lot 5 of the Findlay Village Mall subject to the following conditions:**

- **Shift the parking lot to be 10 feet from the front property line**
- **Work with the City on the right-in/right out onto Tiffin Avenue**
- **Upgrade the dumpster enclosure fencing to vinyl**

### **ENGINEERING**

#### *Access –*

The site is proposing two new curb cuts to access the site, one off Tiffin and one off Croy. The drive off of Croy will be a full access driveway and the Tiffin Avenue driveway is proposed to be a right in/right out.

If the driveway off Tiffin Avenue is needed/ desired, I agree that it will need to be a right in/ right out style driveway. A couple of items with the Tiffin Avenue driveway:

- Can the radii be changed for the entrance and exit lanes so that no left turning vehicles have the chance to make the turn? The way it is laid out now vehicles will still be able to make a left turn out of the site and left turn into the site.
- Within the island there is an Overhead Utility line that has a guy wire running where the entrance lane is located. Is the guy wire being relocated or will the driveway need to be shifted to the east to accommodate for the guy wire.

#### *Water Service –*

The site is proposing a new 2-inch Domestic line to come off the 12-inch line that is located on the northside of Tiffin Avenue. If an irrigation line is needed that will be a separate tap as well and will need backflow prevention per the City's Water Regulations.

#### *Sanitary Service –*

The site is proposing to tap the sanitary sewer on Croy Drive to extend the service to the building.

#### *Stormwater Management –*

The site will be incorporating more pervious areas throughout the site as well as a detention pond located on the west side of the site. The detention shape and outline of the detention pond does not line up very well with the Cane's site, since both sites are right next to each other the detention pond and landscaping areas should match up.

***MS4 Requirements –***

The disturbed area is more than 1 acre so the applicant does need to comply with the City of Findlay's Erosion & Sediment Control Ordinance. As part of the plans the applicant has submitted an Erosion and Sediment Control Plan.

***Recommendations:***

Approval of the Site-

- Site to continue to work with the City on the Right In/ Right Out driveway
- Ensure that the site landscaping, curbing, detention pond, etc. coincides with the site to the west.

The following permits may be required prior to construction:

- Sidewalk Permit x1
- Drive Permit x2
- Water Service x1
  - 2-inch Domestic
- Sanitary Tap x1

**FIRE PREVENTION**

- Overall concerns with traffic patterns with regards to emergency vehicles access to the site and streets around it.

**RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-10-2023 filed by Get Go Operating LLC/Giant Eagle Inc for a new GetGo gas station on what is currently Lot 5 of the Findlay Village Mall subject to the following conditions:**

- **Shift the parking lot to be 10 feet from the front property line**
- **Work with the City on the right-in/right out onto Tiffin Avenue**
- **Upgrade the dumpster enclosure fencing to vinyl only**
- **Ensure that the site landscaping, curbing, detention pond, etc. coincides with the site to the west.**

**DISCUSSION**

Lee May represented Get Go as the Site Development Manager. He started by stating that they do not like to ask for variances as part of their site plan process. The property line that they submitted was determined by the property owner, and was influenced by the existing business R+P. The first issue is dealing with the underground storage tanks for the gas station. They wanted to keep the drive aisle two direction, which affected their layout. The building is their corporate prototype. The idea is this site is more of a convenience store that sells gas. They have an indoor food court area and fresh food options. They only have 15-20 feet for the drive-thru along the north side of

the building. To ensure the turn radius, he already had to squeeze that to get back to the building. If the 10-foot setback would be required, they would probably have to eliminate the drive-thru. The utility pole has caused issues with the site. He thought the best path forward was to work with staff to get the entrance right, and then they will work to move the poles to an appropriate location. In terms of the drive-thru, this is a new feature for these stores. The counts would only be about 18-20 vehicles an hour versus a fast-food restaurant would be 100 vehicles. In terms of the dumpster enclosure, he asked if they could be vinyl or masonry to match the building. Matt Cordonnier answered that they would appreciate masonry that matches the building and we could accommodate that in the condition.

Mr. Cordonnier asked what the odd shape was by the dumpster enclosure. Mr. May said that it was an island feature that would allow the traffic pattern to match the drive aisles of the R+P site. Mr. Cordonnier added that things like this just solidifies the need for the striping pattern of the R+P, so that we know how things are harmonious with the existing parking layouts.

Mr. Martin asked if the landscape buffer was on the R+P site. Mr. May confirmed that it was and they were working to get approval. Mr. DeArment asked if they had approached R+P about purchasing the additional 10 feet to accommodate the front yard setback. Mr. May confirmed that they had but they were turned down. Mr. Adkins asked what the minimum setback would be for the front yard setback. Mr. May said they were willing to try to come up with a compromise but for the maneuverability, it will make it hard to meet completely.

Mr. DeArment asked about the back of the building is encroaching on the rear yard setback. Mr. May said it technically was encroaching. Mr. Cordonnier confirmed it would need a variance as well.

For the canopy area, stacking and drive aisles are not an exact science, and they could potentially work out a few feet. He just wants to maintain the widths for proper circulation on site.

### **MOTION**

Mayor Murnyn made a motion **to approve APPLICATION FOR SITE PLAN REVIEW #SP-10-2023 filed by Get Go Operating LLC/Giant Eagle Inc for a new GetGo gas station on what is currently Lot 5 of the Findlay Village Mall subject to the following conditions:**

- **Work with City/HRPC on maximizing the front yard setback**
- **Work with the city/electrical company on location of the power poles along Tiffin Avenue**
- **Receive a parking plan for R+P lot to align with the site**
- **Update the dumpster enclosure to vinyl or masonry**
- **Site landscaping curb and detention align with site to the west**

**2<sup>nd</sup>: Rob Martin**

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

**MOTION**

Mayor Muryn made a motion to approve APPLICATION FOR SITE PLAN REVIEW #SP-11-2023 filed by Olio Development for a new Raising Cane’s drive-thru restaurant on what is currently Lot 5 of the Findlay Village Mall subject to the following condition:

- Work with City/HRPC on maximizing the front yard setback
- Work with HRPC on maximizing the landscaping
- Work with the Findlay Police Department for an Opening Day plan
- Receive a parking plan for R+P lot to align with the site
- Pending approval of receiving appropriate variances

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

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

Jara Barreto from Olio asked about the landscaping condition. Originally it stated they were required to install 37 shrubs and 2 trees, and wondered if that was still required. Matt Cordonnier said that HRPC would work with them on maximizing the landscaping.

Dan DeArment asked about the traffic flow with the mall site as a whole. Matt Cordonnier said that he would approach them to help coordinate a traffic pattern for the site as a whole. Mr. DeArment was concerned they would not remove the existing island that funnels traffic east/west rather than allow it to go north/south at the entrance onto Tiffin Avenue. Jeremy Kalb said that they will work with the mall site and it should not be an issue.

**MOTION**

Dan DeArment made a motion to approve APPLICATION FOR CONDITIONAL USE #CU-07-2023 filed by Get Go Operating LLC/Giant Eagle Inc for a drive-thru at a GetGo convenience store on what is currently Lot 5 of the Findlay Village Mall.

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

Matt Cordonnier added that he personally does not think drive-thru’s should be a conditional use in the C-2 district, and that they should be a permitted use. In the future, he’d like fix that in the code.

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

**MOTION**

Mayor Muryn made a motion to approve APPLICATION FOR CONDITIONAL USE #CU-08-2023 filed by Olio Development for a new Raising Cane’s drive-thru restaurant on what is currently Lot 5 of the Findlay Village Mall.

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

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

**3. APPLICATION FOR FINAL PLAT #FP-01-2023 filed by Rocky Three Investments LLC, for a replat of Lot 5 of the Findlay Village Mall Subdivision for 2 outlots.**

**CPC STAFF**

**General Information**

This request is located in the Findlay Village Mall Subdivision on Tiffin Avenue next to the intersection with Cory Drive. It is zoned C-2 General Commercial. To the south, east, and west is also zoned C-2. To the north, it is zoned R4 Duplex/Triplex. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

**Parcel History**

The site is currently a parking lot for RP Home & Harvest of Findlay.

**Staff Analysis**

Rocky Three Investments are proposing to replat Lot 5 of the Findlay Village Mall subdivision. The Findlay Village Mall subdivision was replatted in 2021 into five lots. This replat would create two outlots in Lot 5, adjacent to Tiffin Avenue. Lease Parcel 1 would be located on the east side abutting Cory Drive and be 1.511 acres in size. Lease Parcel 2 would be directly west of Lease Parcel 1, and measure 1.009 acres in size.

The applicant will need to provide a copy of their reciprocal easement agreement to maintain access between the lots using the existing traffic pattern on the site.

**Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-01-2023 filed by GetGo Operating LLC/Gaint Eagle Inc, and Olio Development Group, for a replat of Lot 5 of the Findlay Village Mall Subdivision for 2 outlots subject to the following condition:**

- **Provide a copy of the reciprocal easement agreement (HRPC)**

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No Comment

**RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-01-2023 filed by GetGo Operating LLC/Gaint Eagle Inc, and Olio Development Group, for a replat of Lot 5 of the Findlay Village Mall Subdivision for 2 outlots subject to the following condition:**

- **Provide a copy of the reciprocal easement agreement (HRPC)**

## **DISCUSSION**

Lee May from Giant Eagle spoke again. He said there is a reciprocal agreement between the lots and he did attach it. Jacob Mercer said he did have that in the packet, but that he wanted to see it amended to include the new lots.

## **MOTION**

Mayor Muryn made a motion **to approve the APPLICATION FOR FINAL PLAT #FP-01-2023 filed by GetGo Operating LLC/Gaint Eagle Inc, and Olio Development Group, for a replat of Lot 5 of the Findlay Village Mall Subdivision for 2 outlots subject to the following conditions:**

- **Provide a copy of the reciprocal easement agreement with surrounding properties (HRPC)**
- **Receive a parking plan for R+P lot to align with the site**

**2nd: Jackie Schroeder**

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

### **4. APPLICATION FOR ZONING AMENDMENT #ZA-02-2023; a request to repeal the existing City of Findlay Zoning Code and replace it with an updated version.**

## **DISCUSSION**

Mayor Muryn started by saying that the proposed changes are on the City of Findlay website and that she hoped the CPC members had done their homework reading the full changes. She noted that there was originally some changes around farm animal regulations but due to the volume of feedback, it was removed from this packet of changes.

Matt Cordonnier said that he was going to open it up to questions from CPC members. He noted that the last time they repealed and replaced the zoning code was 2017. Things change over time, so it was time to do a full-scale change. Grant Russel, City Council member and chair of the Planning & Zoning Committee, just noted that the full document was re-typed to allow better usability for staff. The old version was difficult to change because of the formatting.

Dan DeArment said he had numerous comments and did not know if it was good to go through each one. Mayor Muryn said that it might be good to meet with Matt Cordonnier in the next month to go over individual concerns. The plan is for the June meeting, that the CPC would work through the document and make it prepared for the submission to the Planning & Zoning Committee.

Dan DeArment said that he wanted to see some additional language on abandoned homes. He noted a home next to Speedway on S. Main Street that has not been used for over 8 years. Mayor Muryn said there is a process for abandoned homes, but right now, we do not have a method to address homes that are not being lived in. As long as it is maintained, there is not a mechanism to address them. Matt Cordonnier added that is not something he has seen in codes but that he would



need to do more research on it. Erik Adkins added that the dilapidated structure section is in the General Offense code, so it would not be located in the Zoning Code.

Jackie Schroeder said she had a few minor edits. For accessory uses in residential areas, accessory structures used for storage must have a paved access from the property line to the structure. She asked what is considered a vehicle. She wanted to know if a riding lawn mower or golf cart would be considered. Erik Adkins said it was limited to street registered vehicles and not a lawn mower, four wheeler, etc. Ms. Schroeder asked if this should be expanded so it was not abused in the future. Matt Cordonnier brought up that he presented it to the rental association, and they were concerned that the paving requirement was too costly for many of them. Mr. Adkins said that if they were expanding, they are not forced to pave the entirety, just in front of the new section.

Dan DeArment asked about the architectural standards. He wanted to say he wished we would have applied that more regarding the case about the medical office on Fox Run Road.

Matt Cordonnier moved onto the Agriculture District. It has a minimum of 5 acres and that there were not areas within the city that meet this standard. He gave the example that a company is interested in building manufacturing on farmland outside the city, but are not contiguous. They could annex a farm into the city and give them agriculture zoning to continue farming. This would make the proposed manufacturing parcel contiguous and able to also be annexed.

He noted that he cleaned up the C-1 Local Commercial District to remove some of the more intense uses. He added Electric Charging stations into the code as they have become more prevalent. This would be a conditional use in Commercial, Industrial, and Office. Ms. Schroeder asked if this would apply to a single residential charging station. Mr. Cordonnier said it was only for public charging stations and that residents can add those without issue.

Mr. Cordonnier added that he has created an I-3 District that is designed for alternative energy, specifically wind turbines. He has sat in on meetings with prospective companies that like the idea of having wind turbines connected to their facility. Currently, all the wind turbines are in Allen Township. If they were to annex, we did not want companies to lose the ability to have them. Things that are important to review include distance from the airport, size of the property, abutting properties, etc. He selected the zoning district because it gives the CPC every ability to say no if it is not appropriate. Applicants are not entitled to a zoning change. If we do rezone to I-3, the companies have the right to install the alternative energy facilities without issue. Additionally, the language does not allow a "wind farm" and restricts the energy consumption to be accessory to a main structure. Lastly, no existing parcels are zoned I-3, and would have to go through the rezoning process to get that zoning.

Matt Cordonnier moved on to say he is removing the Planned Residential Development and Planned Mixed Use Development districts. These were introduced to replace a traditional Planned Unit Development, but nobody has attempted to use it since introduced. He is going back to the traditional PUD, which would allow some flexibility to create something unique with different densities and uses that are not provided for in the zoning code. Mayor Muryn asked what the minimum size would be for a PUD. Matt Cordonnier said 5 acres but CPC could waive that. He noted an example of an Arby's in Fishers, Indiana on less than an acre. Essentially, they were using

the PUD to get out of getting variances for their site. Mr. DeArment asked if they could use this for the Get Go Site. Mr. Cordonnier said that he would not recommend that because they are not doing something unique to the property that would be outside what would normally occur in the C-2 district. On the other hand, if the full mall site asked to be a PUD, that would be appropriate. Ms. Schroeder asked if there were any PUD examples in the City. Matt Cordonnier said Birchaven was, since it was a mix of apartments and offices.

Lastly, Matt Cordonnier brought up that pylon signs would no longer to be permitted, which is what the CPC has essentially done over the last few years. There will be a statement that says after 10 years if they have to do significant alterations to the cabinet of a pylon, it needs to be brought into compliance with the new code. Ms. Schroeder asked if pylon signs would still be allowed near the highway, which Matt Cordonnier said they would. Billboards are going to increase the spacing between them, which will restrict the areas new billboards can go in the City. Mr. Martin asked if CPC could approve one if there is an appropriate location but not outside the new radius. Mr. Cordonnier said that would be approved through the BZA. Mr. Cordonnier added that electronic message centers language would be updated to only allow 25% of the sign to be electronic and clear up any confusion on that.

#### **MOTION**

Mayor Muryn made a motion **to table the APPLICATION FOR ZONING AMENDMENT #ZA-02-2023; a request to repeal the existing City of Findlay Zoning Code and replace it with an updated version.**

**2nd: Rob Martin**

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

There being no further business, Mayor Muryn adjourned the meeting.



**Committee Members:**

- Randy Greeno, at-large – Committee Chair
- Joshua Palmer, Ward 7
- Grant Russel, at-large

**Staff:**

- Tammy Kirkpatrick, Billing Supervisor
- Jason Phillips, Water Treatment & Distribution Superintendent
- Dave Beach, WPCC Superintendent
- Jeremy Kalb, City Engineer

Meeting Start Time: 4:30

Meeting End Time: 4:51

Guests: Bob Martin, Don Rasmussen  
Jim Staschrak

**Agenda:**

Call to Order

Roll Call

New Items

review of the progress on the internal control evaluation for the City Utility Billing Department

Adjournment

Randy Greeno  
Randy Greeno, Water & Sewer Committee Chair

**COMMITTEE REPORT**

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

The **WATER AND SEWER COMMITTEE** met on May 31, 2023 to review of the progress on the internal control evaluation for the City Utility Billing Department.

*We recommend that the Utility billing department continue to implement improvements for the internal control evaluation.*

Aye  Nay

*Randy Greeno* *Motion*  
Randy Greeno, Chairman

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

Aye  Nay

*Josh Palmer* *2nd*  
Josh Palmer

DATED: May 31, 2023

Aye  Nay

*Grant Russel*  
Grant Russel

COMMITTEE:  
WATER & SEWER

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
BILLING			
<b>REC. 1:</b>  <b>ACTION 1:</b>	<b><i>Install an Advanced Metering Infrastructure (AMI) system to import meter reads into Utility Billing System</i></b>  City is currently in the process of installing an AMI system	In Progress	Document last updated 5/31/23 Next Site visit scheduled 7/13/23
<b>REC 2:</b>  <b>ACTION 2:</b>	<b><i>We recommend that the City review meter readings prior to sending to their third-party vendor or processing billing to identify any potential errors in meter readings, large billings that were caused by leaks, misread readings and documentation of this review and should be maintained by the UBD</i></b>  Create a documentation process to support existing process and validate information sent to smart Bill with two layers of verification.	In Progress	Water Superintendent and Deputy Auditor finalizing workflow to be implemented in June, 2023
<b>REC 3:</b>  <b>ACTION 3:</b>	<b><i>We recommend that there be some level of segregation of duties between the billing and collections over services provided by the Utility Department</i></b>  No action necessary - covered in Recommendation #2	In Progress	
<b>REC 4:</b>  <b>ACTION 4:</b>	<b><i>We recommend the City establish a set of shut-off procedures on aging delinquent accounts</i></b>  The City has established utility shut-off policies and procedures.	Complete	
<b>REC 5:</b>  <b>ACTION 5:</b>	<b><i>To ensure all accounts are collected in full, we recommend that City exercise their right to certify delinquent amounts with the County Auditor's office at least annually.</i></b>  The City certifies delinquent accounts with the County Auditor's office at least annually	Complete	

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Collections and Balancing</b>			
<b>REC 1:</b>  <b>ACTION 1:</b>	<p><b><i>We recommend the City develop/purchase an updated Point of Sale system (POS)</i></b></p> <p>The City does have a POS system and we acknowledge that the City plans to upgrade this system once other utility software system upgrades have been completed.</p>	Acknowledge	Planned to proceed after transmitter project complete
<b>REC 2:</b>  <b>ACTION 2:</b>	<p><b><i>At the time of processing payments (window, mail, drop box, etc.), we recommend that each employee sign into the POS using their own log-in to post the payment to the customer's account.</i></b></p> <p>UB does have a POS, however, it is not used to its full capabilities. Having an updated POS would allow the ability for all transactions to be posted in real time, receipts to be generated for customers, improve accuracy, and to expedite all reconciliation processes.</p>	In Progress	Water Superintendent and Deputy Auditor finalizing workflow to be implemented in June, 2023
<b>REC 3:</b>  <b>ACTION 3:</b>	<p><b><i>We recommend that each cash drawer be lockable. Each cash drawer should be locked when the Clerk is on break or when not in use. Access to cash drawers should be monitored and access codes should be kept secure.</i></b></p> <p>Purchase of lockable cash drawers. Drawers will not be assigned per clerk, they will be labeled numerically.</p>	In Progress	Purchase lockable drawers w/ space for checks. Also each drawer will have own key and a master set in department for emergency situations.

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Collections and Balancing</b>			
REC 4:	<b><i>We recommend the Clerk stamp the billing stub as "paid" at the time of collection and indicate on the billing stub if the payment was paid by check, cash or credit card and the amount paid. In addition, we recommend that each employee who has collections duties have their own individually identifiable stamp. This stamp could include the employee number (similar to the POS system employee number), name and/or initials</i></b>	In Progress	UB team is mocking up demo for review SSD provided examples to JP to mock up stamps with UB relevant content
ACTION 4:	Creation of a stamp for each employee that has all collection duties listed and can be checked off and initialed		
REC 5:	<b><i>We recommend the City run all cash bills through a counterfeit bill detector at the time of collection.</i></b>	Complete	
ACTION 5:	This is currently being done		
REC 6:	<b><i>We recommend the Utility Department's Clerk maintain all cash, check, and credit card slips collected each day in their respective individual lockable cash drawer</i></b>	In Progress	workflow being designed for implementation
ACTION 6:	Utility Department's Clerk maintain all cash, checks, and credit card slips collected each day in their cash drawer		
REC 7:	<b><i>If a cash drawer is not being used, we recommend the cash drawer be kept in a locked safe</i></b>	Complete	Implement 5/3/23
ACTION 7:	If cash drawers not being used kept in a locked safe. Purchase new safe and place in Check Remit room		

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Collections and Balancing</b>			
<b>REC 8:</b>  <b>ACTION 8:</b>	<p><i>We recommend the Clerk(s) who open the daily mail or drop box collections summarize the total amounts (or run through the check scanner) and then a separate Clerk post the payments to the system</i></p> <p>Second set of eyes on posting checks, the clerk that opens is different than the clerk that posts the checks.</p>	<p>In Progress</p>	<p><u>Deputy Auditor completed observation at UB 5/25/23 taking observations and creating workflow improvements</u></p> <p>DA &amp; WS conducted process mapping of workflow on 5/31/23. Implementation to occur in June.</p> <p>This will be rectified with workflow</p>
<b>REC 9:</b>  <b>ACTION 9:</b>	<p><i>We recommend that each cash drawer be balanced daily, with one cash drawer being re-opened to handle collections during the latter part of the day. The reconciliation process should be started late enough in the day to ensure as much collections as possible can be deposited at the bank during banking hours the same day of collections. Any collections in the sole remaining drawer left should be reconciled, reviewed, locked overnight in a safe and become part of the next day's collections and posting.</i></p> <p>Balance cash drawers earlier in the afternoon to make them part of the days deposit and only have one or two cash drawers open up for the remaining balance of the day. Minimize the amount of cash stored overnight. "Next day business" drawers are to be reconciled at end of day.</p>	<p>In Progress</p>	<p><u>Deputy Auditor completed observation at UB 5/25/23 taking observations and creating workflow improvements</u></p> <p>DA &amp; WS conducted process mapping of workflow on 5/31/23. Implementation to occur in June.</p> <p>This will be rectified with workflow improvement</p>
<b>REC 10:</b>  <b>ACTION 10:</b>	<p><i>We recommend that there be some level of segregation of duties between the collections and daily reconciliation procedures performed by the Utility Department.</i></p> <p>The clerk that preforms the daily reconciliation should have segregation of duties with collections.</p>	<p>In Progress</p>	<p>See Above.</p> <p>This will be rectified with workflow improvement</p>



## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Collections and Balancing</b>			
REC 11:	<p><i>We recommend that each cash drawer is counted/reconciled in the presence of the respective cash drawer owner. In addition, a summary of this reconciliation should be completed and signed by both the cash drawer owner and reviewer. As part of the process, each cash drawer should have its own bank deposit slip to be deposited to the bank on the same day as collected. The reconciliation process should be completed, even for the cash drawers that were not required to be used during the day. Finally, we recommend that all deposits be placed into "tamper-evident" deposit bags. This bag should include such information as the deposit/collection date, amount, and those employees' signatures who participated in the reconciliation process</i></p>	In Progress	<p><u>Deputy Auditor completed observation at UB 5/25/23 taking observations and creating workflow improvements</u> DA &amp; WS conducted process mapping of workflow on 5/31/23. Implementation to occur in June. This will be rectified with workflow improvement</p>
ACTION 11:	<p>Each cash drawer is counted/reconciled in the presence of the respective cash draw owner. Each draw should have its own bank deposit slip to the bank in "tamper-evident" deposit bags.</p>		
REC 12:	<p><i>We recommend that documentation be maintained for the daily reconciliation include a POS system report (or the system report that is currently in place).</i></p>	In Progress	<p>See Above. This will be rectified with other workflow improvements</p>
ACTION 12:	<p>Each batch and drawer should have its own individual deposit</p>		

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Collections and Balancing</b>			
<b>REC 13:</b>  <b>ACTION 13:</b>	<p><i>We recommend that all daily collections that have not been deposited in the bank to be stored in a lockable safe at the end of each day. In addition, any employee deemed to need access to the safe should have their own individual access code to open the safe. The safe should remain locked when not being accessed.</i></p> <p>“Next day business” collections not deposited in the bank to be stored in a lockable safe.</p>	In Progress	Currently researching best fit for safe purchase
<b>REC 14:</b>  <b>ACTION 14:</b>	<p><i>We recommend that the Department’s Supervisor and/or Service Safety Director conduct random cash drawer reconciliations throughout the year.</i></p> <p>Quarterly, random cash drawer reconciliations will be conducted by Auditors office and Superintendent.</p>	In Progress	UD and WS to implement after other process improvements have been executed
<b>REC 15:</b>  <b>ACTION 15:</b>	<p><i>We recommend that there be cameras installed in all areas where cash/collections can travel. In addition, camera shut-off access should not be available to any Utility Department personnel.</i></p> <p>Install an additional camera in Check remit room. No cash in Supervisors office, therefore no camera necessary</p>	Complete	Installed the week of May 8, 2023

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Depositing</b>			
<b>REC 1:</b>  <b>ACTION 1:</b>	<p><i><b>We recommend that there be some level of segregation of duties between the daily reconciliation and depositing procedures performed by the Utility Department. The Utility Department employee who prepares the daily deposits should not be the employee who takes the deposits to the bank (unless the daily deposit slips contain dual authentication). In addition, a bonded employee should be the one taking the deposit to the bank daily.</b></i></p> <p><b>Bonded employee should be the one taking the deposit on a daily basis.</b></p>	Complete	<p><b>Tammy to start as primary delivery the deposit effective 5/3/23</b></p>
<b>REC 2:</b>  <b>ACTION 2:</b>	<p><i><b>After the deposit is prepared, we recommend that the Utility Department Clerk place the deposit bags into a locked safe until taken to the bank.</b></i></p> <p><b>After the daily deposit is prepared, the deposit bags are placed in the safe. Safe needs to remained locked until deposit taken to the bank</b></p>	Complete	<p><b>Start locking 5/3/23. observe the amount of times safe required to be accessed on a daily basis</b></p>
<b>REC 3:</b>  <b>ACTION 3:</b>	<p><i><b>We recommend the Utility Department employee who takes the deposit to the bank have a City police escort. As an alternative, the City could contract with a local bank courier service to pick up the deposit at the Utility Department. Daily deposits could contain large amounts of cash. Safeguarding employees and the deposits should be a high priority of City management.</b></i></p> <p><b>Explore a local bank courier of time large cash deposits with Municipal court to minimize exposure. Consiedr a PD escort</b></p>	Complete	<p><b>Start random rotation of bank branches 5/3/23</b></p>

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Reporting</b>			
<b>REC 1:</b>  <b>ACTION 1:</b>	<b><i>We recommend that a copy of all bank deposit slips be submitted to the City Auditor's Office for each deposit.</i></b>  The Utility Department provides a copy of all bank deposits that are validated by the bank.	Complete	
<b>REC 2:</b>  <b>ACTION 2:</b>	<b><i>We recommend that the Utility Department and City Auditor reconcile their systems monthly by fund and receipt code</i></b>  This reconciliation is currently being performed.	Complete	

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Adjustments</b>			
<b>REC 1:</b>  <b>ACTION 1:</b>	<p><i>We recommend the Utility Department establish an individual threshold that requires the approval of the Safety Service Director for an adjustment prior to processing. We understand that there could be some timing constraints as to when the Service-Safety Director is available versus when an adjustment needs to be processed. The policy could include a clause that the approval be done within a certain number of days after the processing of the adjustment. For all other adjustments that fall below this threshold, we recommend that the policy include the approval of the Service-Safety Director on a periodic basis (ex. monthly or quarterly). For any adjustments not approved by the Safety-Service Director prior to processing, we recommend the policy and procedures identify a staff member (ex. Department Supervisor or Superintendent) who has the authority to approve.</i></p> <p>Recommend all adjustments receive approval of the Safety Service Director</p>	Complete	Decision to not identify a specific threshold
<b>REC 2:</b>  <b>ACTION 2:</b>	<p><i>For all adjustments processed, we recommend that employees who are part of the approval process (see previous recommendation) be segregated from the employee who is requesting the adjustment and the employee who is posting the adjustment to the utility system.</i></p> <p>Create a process that has Superintendent and safety service director be part of the adjustment process</p>	In Progress	This will be resolved with workflow implementation in June and SSD sign-off of adjustment files

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Adjustments</b>			
<b>REC 3:</b>  <b>ACTION 3:</b>	<b><i>We recommend a monthly or quarterly listing of all adjustments be provided to the Service Safety Director and the City Auditor (or other City Management) to monitor the purposes/trends/risks associated with adjustments occurring within the Utility Department</i></b>  <b>Create a process for sign off by the Service Safety Director to align with billing cycle</b>	Complete	Process started May 2023
<b>REC 4:</b>  <b>ACTION 4:</b>	<b><i>No more than monthly, we recommend that all approved adjustments be reconciled to the utility accounting system to ensure that only amounts approved have been posted.</i></b>  <b>Monthly reconciliation of adjustments to the utility accounting system to ensure only approved amounts by the Superintendent or Safety Service Director are posted.</b>	In Progress	IT is complete. Just need to document process in policy

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Other General Controls</b>			
<b>REC 1:</b>  <b>ACTION 1:</b>	<p><b><i>We recommend that the City establish policies and procedures where daily cash shortages are required to be replenished by processing a City voucher requisition from the City Auditor's office. This request should include support for the balancing process signed off by the owner of the cash drawer and second clerk or supervisory person involved in the cash drawer reconciliation process. In addition, we recommend that any cash overages be included in the daily deposit to the bank. At no point should the Utility Department maintain a cash overage/shortage petty-cash type fund within the Department.</i></b></p> <p><b>Removal of the overage/shortage petty-cash and set up procedure with the Auditors office.</b></p>	<p>Complete</p>	<p>Procedure established through the Auditor's Office effective 4/24/23</p>
<b>REC 2:</b>  <b>ACTION 2:</b>	<p><b><i>We recommend UB establish an individual threshold that requires the approval of the Service-Safety Director for refunds. We understand that there could be some timing constraints as to when the Service-Safety Director is available versus when a refund needs to be processed. The policy could include a clause that the approval be done within a certain number of days after the processing of the refund. For all other refunds that fall below this threshold, we recommend that the policy include the approval by the Service-Safety Director on a periodic basis (ex. monthly or quarterly). For any refunds not approved prior to processing, we recommend the policy and procedures identify a staff member (ex. Department Supervisor or Superintendent) who has the authority to approve.</i></b></p> <p><b>Currently, the City does not have a process that involves the Service-Safety Director or Superintendent.</b></p>	<p>Complete</p>	

## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Other General Controls</b>			
<b>REC 3:</b>  <b>ACTION 3:</b>	<p><i>For all refunds processed, we recommend that employees who are part of the approval process (see previous recommendation) be segregated from the employee who is requesting the refund and the employee who is posting the refund to the utility system.</i></p> <p>Currently, the Utility Department's Supervisor approves and submits all refunds to the City Auditor.</p>	Complete	
<b>REC 4:</b>  <b>ACTION 4:</b>	<p><i>We recommend all refunds be processed through the accounts payable function within the City Auditor's office.</i></p> <p>All refunds are processed through the City Auditor's office.</p>	Complete	
<b>REC 5:</b>  <b>ACTION 5:</b>	<p><i>We recommend the City implement a mandatory vacation policy. However, if the City cannot implement a mandatory vacation policy, we recommend that the Utility Department implement a system to cross-train employees and establish a periodic/rotation of duties. When this is done, we recommend that management evaluate any changes in collections, adjustments, refunds, unexpected trends, etc. that may indicate potential fraud risk red flags.</i></p> <p>There is currently no mandatory vacation policy in place. Various staff are cross trained, however there are no established rotation of duties in place. HR is working to establish options to implement</p>	In Progress	Pending options from HR to review



## INTERNAL CONTROL EVALUATION - CITY UTILITY BILLING DEPARTMENT

Recommendation/ Action Number	DESCRIPTION	STATUS	COMMENTS
<b>Other General Controls</b>			
<b>REC 6:</b> <i>If practical, we recommend that the City of Findlay establish a central collection point under of the direction of the City Auditor's office for most/all revenues collected by outside departments. This would strengthen internal controls and safeguard the cash collection process.</i>	<b>ACTION 6:</b> The City does not have a central collection point for revenue collections.	Acknowledge	Not practical based on layout of all City operations and cash handlings throughout the city
<b>REC 7:</b> <i>We recommend that the Utility Department use bar code scanners to process payment stubs.</i>	<b>ACTION 7:</b> Will explore the option of why currently not using and see if this will help with the processing of payments.	In Progress	New scanners will be implemented with new software. Timeline TBD
<b>REC 8:</b> <i>We recommend that each employee who handles receipt collections be covered under an employee bond or the City insurance policy (depending what the City feels is sufficient coverage based on assigned duties) as an additional safeguard over a loss of assets caused by employee theft. However, we recommend that any employee who makes the daily deposits to the bank be covered by an employee bond.</i>	<b>ACTION 8:</b> Employees are covered under the City of Findlay's insurance and Tammy's Bond. Tammy should be the primary individual responsible for this function.	Complete	

**FINDLAY CITY COUNCIL  
CARRY-OVER LEGISLATION  
JUNE 6, 2023**

**ORDINANCE NO. 2023-043** (*Phase 2 benching project*) **requires three (3) readings** **third reading – tabled**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ACCEPT PERMANENT OWNERSHIP OF PROPERTIES IN ORDER FOR THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, TO TRANSFER THE PARCELS LISTED ON THE ATTACHED EXHIBIT TO THE CITY OF FINDLAY, OHIO AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-046** (*315 N Blanchard St rezone*) **requires three (3) readings** **third reading**  
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 315 NORTH BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-1 LOCAL COMMERCIAL".

**ORDINANCE NO. 2023-047** (*continue Workers Compensation programs*) **requires three (3) readings** **third reading**  
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENROLL THE CITY OF FINDLAY IN THE BUREAU OF WORKERS' COMPENSATION (BWC) GROUP RETROSPECTIVE RATING PLAN, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-048** (*replacement Parking Enforcement vehicle*) **requires three (3) readings** **third 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) FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR THE CITY OF FINDLAY PARKING ENFORCEMENT DEPARTMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-050** (*CR 212/CR 236 road widening*) **requires three (3) readings** **third 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 HOHENBRINK EXCAVATING, INC. FOR THE COUNTY ROAD 212/COUNTY ROAD 236 ROAD WIDENING PROJECT NO. 32864600, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-056** (*WPC Clarifier Rehab & Oxidation Ditch Repairs*) **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) FOR REPAIRS ON OXIDATION DITCHES AT THE CITY OF FINDLAY WATER POLLUTION CONTROL CENTER, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-043**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ACCEPT PERMANENT OWNERSHIP OF PROPERTIES IN ORDER FOR THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, TO TRANSFER THE PARCELS LISTED ON THE ATTACHED EXHIBIT TO THE CITY OF FINDLAY, OHIO 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 Mayor of the City of Findlay, Ohio be and she is hereby authorized to execute any and all documents as necessary to accept ownership from the Board of Commissioners of Hancock County, Ohio to transfer the parcels listed on the attached Exhibit to the City of Findlay, Ohio.

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 that it is immediately necessary to authorize the said signing of a contract or contract so that the listed parcels may be transferred to the City of Findlay.

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 \_\_\_\_\_

**TRANSFER TO CITY FOR ADD'L BENCH**

PROPERTY ADDRESS

PARCEL NO.

**PURCHASED THROUGH FEMA GRANTS**

130 MAIN STREET NORTH	570000200100
139 MAIN STREET NORTH	560000190510
321 CLINTON CT	560000171290
321 CLINTON CT	560000171300
321 CLINTON CT	560000191170
321 CLINTON CT	560001018760
321 CLINTON CT	210001028375

**OTHER PURCHASES**

108 JEFFERSON ST	210001028374
108 JEFFERSON ST	210001028376
127 TAYLOR ST	210001028864
127 TAYLOR ST	210001028865
131 MAIN ST NORTH	560000190490
133 MAIN ST NORTH	560000190500
122 JEFFERSON ST	560000191050
122 JEFFERSON ST	560000191110
117 TAYLOR ST	560000191120
122 JEFFERSON ST	560001008066
204 MAIN STREET NORTH	570000200060
202 MAIN STREET NORTH	570000200070
136 MAIN STREET NORTH	570000200080
0 MAIN ST NORTH	570000200090
129 MAIN ST NORTH	570000200110
0 MAIN ST NORTH	570000200120
0 MAIN ST NORTH	570000200130
0 MAIN ST NORTH	570000200140
0 MAIN ST NORTH	570000200150
0 MAIN ST NORTH	570000200160
0 MAIN ST NORTH	570000200170
131 CORY ST NORTH	570000200180
137 MEEKS AVE	570000200230
201 MEEKS CT	570000200240
206 MEEKS CT	570000200250
210 MEEKS CT	570000200260
0 MEEKS CT	570000200280
141 MEEKS AVE	570000200290
202 CORY ST NORTH	570000200310

**TRANSFER TO CITY FOR ADD'L BENCH**

<u>PROPERTY ADDRESS</u>	<u>PARCEL NO.</u>
200 CORY ST NORTH	570000200320
121 CLINTON CT	580000243220
123 CLINTON CT	580000243230
125 CLINTON CT	580000243240
133 CLINTON CT	580000243260
135 CLINTON CT	580000243270
201 CLINTON CT	580000243280
203 CLINTON CT	580000243290
207 CLINTON CT	580000243310
211 CLINTON CT	580000243320
215 CLINTON CT	580000243330
125 MAIN ST NORTH	590000280320
123 MAIN ST NORTH	590000280330
121 MAIN ST NORTH	590000280340
119 MAIN ST NORTH	590000280350
117 MAIN ST NORTH	590000280360
115 MAIN ST NORTH	590000280370
0 MAIN ST NORTH	590000280400
0 MAIN ST NORTH	590000280410
0 MAIN ST NORTH	590000923230
120 MAIN ST NORTH	590001021127
125 R N MAIN ST	610000340930
221 CLINTON CT	610000341270
122 TAYLOR ST	610000341280
219 CLINTON CT	610000341680
126 TAYLOR ST	610000342170
217 CLINTON CT	610000342380
123 R N MAIN ST	610000342510
117 R N MAIN ST	610000350000
0 MAIN ST NORTH	610000926450
115 R N MAIN ST	610000926891
0 CLINTON CT	610001000364
121 R N MAIN ST	610001000371
119 R N MAIN ST	610001000372
0 MAIN ST NORTH	610001013284

**ORDINANCE NO. 2023-046**

**AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 315 NORTH BLANCHARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-1 LOCAL COMMERCIAL".**

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

SECTION 1: That the following described parcel:

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

Being a part of Lot #16779 in the Palmer's Addition. A complete legal description is attached hereto as Exhibit A.

Be and the same is hereby rezoned from its respective zoning classifications to C-1 Local Commercial.

SECTION 2: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to C-1 Local Commercial regulations.

SECTION 3: 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 \_\_\_\_\_

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that

STEVEN M. SMEAL, a married man,

the Grantor, for the consideration of Ten Dollars (\$10.00) and other good and valuable considerations received to his full satisfaction from

PARKE E. LYDICK and MARY L. HOBBS, both unmarried,

the Grantees, for their joint lives, remainder over in fee simple to the survivor of them, whose tax mailing address will be 315 North Blanchard Street, Findlay, OH 45840, does Give, Grant, Bargain, Sell and Convey unto the said Grantees, their heirs and assigns, the following described real estate, situated in the City of Findlay, County of Hancock and State of Ohio:

Being a part of Lot #16779 in the Palmer's Addition, a tract of land bounded and described as follows:

Beginning at a 1/2" Rebar set marking the southeast corner of Lot #16779;

Thence along the south line of said Lot #16779 also being the north line of a 16.5' alley, N 89°25'00" W, a distance of 44.80 feet to a capped Rebar found set on the east right-of-way line of North Blanchard Street (70' R/W);

Thence along said east line of North Blanchard Street, N 00°31'55" W, a distance of 37.71 feet to a 1/2" Rebar set;

Thence parallel with said south line of Lot #16779, S 89°25'00" E, a distance of 44.84 feet to a 1/2" Rebar set on the east line of said Lot #16779;

Thence along said east line, S 00°28'27" E, a distance of 37.71 feet to the point of beginning and containing 0.039 acres of land, more or less, subject to any prior easements of record.

NOTE: All bearings used are based on prior surveys and plats of record and are for the purpose of description only.

Prior Deed Reference: Volume 2278, Page 2470.

Permanent Parcel No.: 59-1025025.

be the same more or less, but subject to all legal highways.

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto the said Grantees, their heirs and assigns forever.

And the said Grantor does for himself, his heirs, executors and administrators, covenant with the said Grantees, their heirs and assigns, that at and until the ensealing of these presents he is well seized of the above-described premises as a good and

200600002962  
MID AM TITLE AGENCY

Transferred March 17, 2006

I hereby certify that the conveyance is in compliance with section 319.202 of the Revised Code.

Charity Lovaschberg  
HANCOCK COUNTY NOTARY COMMISSIONER

DESCRIPTION CHECKED  
HANCOCK CO. ENGINEER

BY 3/17/06 JS

WARRANTY DEED

PAGE 2

indefeasible estate in FEE SIMPLE, that he has good right to bargain and sell the same in manner and form as above-written, that the same are free from all encumbrances whatsoever except real estate taxes for the year 2006, which will be pro-rated to the date of delivery of this deed, and also except and subject to any recorded easements, easements now in use upon the premises, zoning ordinances and restrictions of record, if any, and that he will Warrant and Defend the said premises, with the appurtenances thereunto belonging, to the said Grantees, their heirs and assigns, against all lawful claims and demands whatsoever, except as noted above.

And for valuable consideration, Gina Staccione-Smeal, wife of Steven M. Smeal, does hereby remise, release and forever quit-claim unto the said Grantees, their heirs and assigns, all her right and expectancy of Dower in the above-described premises.

Executed by the undersigned this 15th day of March, 2006.

  
\_\_\_\_\_  
Steven M. Smeal

  
\_\_\_\_\_  
Gina Staccione-Smeal

State of Ohio :  
                  :        ss.  
Hancock County :

Before me, a Notary Public in and for said County and State, personally appeared the above-named Steven M. Smeal and Gina Staccione-Smeal, husband and wife, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In Testimony Whereof, I have hereunder set my hand and official seal at Findlay, OH, this 15th day of March, 2006.

  
\_\_\_\_\_  
Notary Public

This instrument prepared by:  
J. Bruce Brimley - bpw  
Attorney at Law  
337 South Main Street  
Findlay, OH 45840  
(419) 422-8000  
[NO TITLE SEARCH PERFORMED BY THIS OFFICE]



DEBRA K. CODY  
Notary Public, State of Ohio  
My Commission Expires  
April 1, 2008

200600002962  
Filed for Record in  
HANCOCK COUNTY OHIO  
ANITA H HUSGRAVE  
03-17-2006 At 10:01 am.  
WARR DEED 28.00  
OR Book 2288 Page 1982 - 1983



**ORDINANCE NO. 2023-047**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENROLL THE CITY OF FINDLAY IN THE BUREAU OF WORKERS' COMPENSATION (BWC) GROUP RETROSPECTIVE RATING PLAN, AND DECLARING AN EMERGENCY.**

WHEREAS, it has become apparent to the Mayor of the City of Findlay, Ohio that the City can eliminate substantial workers compensation liability and costs by enrolling in the Group Retrospective Rating Plan, and it is this Council's intent to give the Mayor of the City of Findlay, Ohio the authority to execute said agreement.

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 of the City of Findlay, Ohio, Hancock County, State of Ohio be, and she is hereby authorized to, enroll the City of Findlay in the Ohio Association of Public Treasurer's Group Retrospective Rating Plan approved by the Ohio Bureau of Workers Compensation, commencing January 1, 2024.

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 said agreement so that the new rating plan is in effect January 1, 2024.

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. 2023-048**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT(S) FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR THE CITY OF FINDLAY PARKING ENFORCEMENT DEPARTMENT, 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: SECTION 1: That the following sums be and the same are hereby appropriated and transferred:

FROM:	CIT Funds – Capital Improvements Restricted Account	\$ 36,000.00
TO:	Parking Enforcement #25075000-other	\$ 36,000.00

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 authorize said entering into a contracts and to appropriate and transfer funds so that a replacement vehicle for the Parking Enforcement 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 \_\_\_\_\_

**ORDINANCE NO. 2023-050**

**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 HOHENBRINK EXCAVATING, INC. FOR THE COUNTY ROAD 212/COUNTY ROAD 236 ROAD WIDENING PROJECT NO. 32864600, 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:

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 1,540,000.00
TO:	CR 212/CR 236 Widening #32864600	\$ 1,540,000.00
FROM:	Sewer Fund-Stormwater Restricted Account	\$ 650,000.00
TO:	CR 212/CR 236 Road Widening #32864600	\$ 650,000.00
FROM:	Ohio 629 Roadwork Development Grant	\$ 1,237,500.00
TO:	CR 212/CR 236 Road Widening #32864600	\$ 1,237,500.00

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 authorize said entering into a contract(s), and to appropriate and transfer funds so that this project may proceed.

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

**ORDINANCE NO. 2023-056**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT(S) FOR REPAIRS ON OXIDATION DITCHES AT THE CITY OF FINDLAY WATER POLLUTION CONTROL CENTER, 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:

FROM:	Sewer Fund	\$ 400,000.00
TO:	WPC Clarifier Rehab & Oxidation Ditch Repairs, <i>Project No. 35601300</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 authorize said entering into a contract(s), and to appropriate and transfer funds for repairs on oxidation ditches at the City of Findlay Water Pollution Control Center.

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

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Findlay, OH 45840  
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**Donald J. Rasmussen**  
Director of Law

JUNE 6, 2023

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JUNE 6, 2023 MEETING.

### ORDINANCES

- 2023-057 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2023-058 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR STRATEGIC INVESTMENT INFRASTRUCTURE IN SUPPORT OF ECONOMIC DEVELOPMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO.
- 2023-059 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.
- 2023-060 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (HEREINAFTER REFERRED TO AS CDBG) TO FUND THE REPLACEMENT OF THE EXISTING WATERLINE ON CROSS AVENUE AND HEMPHILL BOULEVARD, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-057**

**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 (insurance proceeds)	\$ 6,812.74
TO:	Fire Department #21014000-other	\$ 6,812.74

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 a received insurance payment for the repair of a City of Findlay fire engine from an accident may be utilized within the City of Findlay Fire Department,

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

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

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MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

**ORDINANCE NO. 2023-058**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR STRATEGIC INVESTMENT INFRASTRUCTURE IN SUPPORT OF ECONOMIC DEVELOPMENT, APPROPRIATING AND TRANSFERRING FUNDS THERETO.**

WHEREAS, the City of Findlay is desirous to advertise for bids and enter into contracts for strategic investment infrastructure in support of economic development.

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: Sewer Fund - Stormwater Restricted Account	\$500,000
TO: Project Hat Trick (#35631500)	\$500,000
FROM: General Fund	\$700,000
TO: Project Hat Trick (#35631500)	\$700,000
FROM: Sewer Fund	\$900,000
TO: Project Hat Trick (#35631500)	\$900,000
FROM: Water Fund	\$900,000
TO: Project Hat Trick (#35631500)	\$900,000

SECTION 1: That the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio be and the same are hereby authorized to advertise for bids and enter into contracts, as well as appropriate and transfer funds for strategic investment infrastructure in support of economic development for the aforementioned projects.

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. 2023-059

**AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS, WHERE REQUIRED, AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.**

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

SECTION 1: That the Service-Safety Director and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to advertise for bids where necessary pursuant to law and enter into contracts for construction of various projects as set forth in the Capital Improvements Program for year 2023.

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

FROM: CIT Fund – Capital Improvements Restricted Account	\$ 1,255,000.00
TO: 2023 Annual Street Resurfacing/Curb Repairs #32830400	\$ 460,000.00
TO: 2023 Street Preventative Maintenance #32830300	\$ 280,000.00
TO: 2023 City Sidewalk/Ramps #32831000	\$ 25,000.00
TO: Airport Fuel Farm Repairs #35231700	\$ 100,000.00
TO: Airport Snow Removal Equipment Building #35232300	\$ 250,000.00
TO: Replace Backup Server & Network Equipment #31932400	\$ 45,000.00
TO: Remote Offices Door Locks #31932200	\$ 75,000.00
TO: Dark Dispatch Upgrades #31932100	\$ 20,000.00

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

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_



**ORDINANCE NO. 2023-060**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (HEREINAFTER REFERRED TO AS CDBG) TO FUND THE REPLACEMENT OF THE EXISTING WATERLINE ON CROSS AVENUE AND HEMPHILL BOULEVARD, AND DECLARING AN EMERGENCY.**

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

SECTION 1: That the Mayor, Service-Safety Director, and/or City Engineering of the City of Findlay, Ohio be and they are hereby authorized to execute the necessary grant application(s) and/or agreement(s) for the replacement of the existing waterline on Cross Avenue and Hemphill Boulevard, and to enter into an agreement(s) with the Community Development Block Grant program to fund the replacement of the existing waterline on Cross Avenue and Hemphill Boulevard.

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 said execution of the necessary grant application(s) and/or agreement(s) with the Community Development Block Grant (CDBG) program to fund the replacement of the existing waterline on Cross Avenue and Hemphill Boulevard.

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

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

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MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_