

**REGULAR SESSION**

**FINDLAY CITY COUNCIL MEETING AGENDA  
JULY 18, 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 of the July 5, 2023 Regular Session City Council meeting minutes.

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

**PROCLAMATION:** none

**RECOGNITION/RETIREMENT RESOLUTIONS:** none

**PETITIONS:**

**Status of CR 220 annexation (parcel nos. 020001006785 and 020001013263)**

On July 7, 2023, annexation documents for the CR 220 annexation were received from the County Commissioners Office and will now be held in the office of the City Clerk the required 60 days ending September 29, 2022. Laura Comek, Laura M. Comek Law LLC., is the agent for the petitioner and will be submitting a letter requesting what the property will be zoned as. This annexation will be referred to as the Cr 220 (parcel nos. 020001006785 AND 020001013263) Annexation. Resolution Nos. 008-2023 (64.941 acres of land) and 009-2023 (73.077 acres of land) for the services the City will provide if annexed into City limits were adopted during the March 21, 2023 City Council meeting. The City Planning Commission and the Planning and Zoning Committee will discuss the rezoning request during their September 14, 2023 meetings. Legislation to accept and approve the annexation, as well as zone the parcels will be on the Regular Session City Council meeting agenda to receive its first reading after City Council accepts the September 14, 2023 PLANNING & ZONING COMMITTEE report. Annexation documents will be on hold in the City Clerk's Office until September 7, 2023. Filed.

**ORAL COMMUNICATIONS:** none

**WRITTEN COMMUNICATIONS:**

**Email from Cathy Weygandt – art idea for Findlay**

**Email from Lee Weygandt – Riverfront park**

**Email from Willard Camm – water bill**

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

**Findlay Police Department Activities Report – June 2023.**

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

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control** for Tot's BBQ LLC dba Tot's BBQ, located at 331 South Main Street, Findlay, Ohio for a D5 liquor permit. This requires a vote of Council.

James H. Mathias, Chief of Police – Tot's BBQ LLC dba Tot's BBQ, located at 331 South Main Street, Findlay, Ohio. A check of the records shows no current criminal record on the following:

Cheyenne D. Dowds

**Precipitation and Reservoir levels report – second (2<sup>nd</sup>) quarter April-June 2022.**

**Findlay Fire Department Activities Report – June 2023.**

**City Planning Commission minutes – June 15, 2023; staff report – July 13, 2023.**

**City Auditor Staschiak – Revenue Estimates for fiscal year 2024**

Ohio clearly defines a budgetary process that includes the requirement that municipalities prepare an annual tax budget by July 20<sup>th</sup>. The County Budget Commission has not required the filing of a complete tax budget for many years, but requires the City of Findlay to provide the attached estimated revenues for submission to the Budget Commission for the next fiscal year. In order to meet the statutory requirements for the distribution of local government money, this document should now be formally accepted by Council so that it can then be filed with the County Auditor no later than July 20, 2023. A motion for acceptance of the revenue estimates will be needed. As required by statute, a public hearing before tonight's 7/18/23 Regular Session City Council meeting was scheduled, notice of which was published ten (10) days before the hearing. The document has been available for public inspection in the City Auditor's Office since July 7, 2023. City Auditor Staschiak requests that this letter be read into the record of the 7/18/23 Regular Session City Council meeting.

#### **Mayor Muryn – CR 212/236 annexation**

The City of Findlay has been working to reconfigure the intersection of County Road 212 and County Road 236 since 2016. This project was focused on providing a better route for truck traffic outside of downtown, creating an overall safer intersection, further enhancing the County Road 212/County Road 99 area as an industrial corridor. Included on the next page of this letter is a timeline of the project. In April 2022, County Engineer Cade informed the City of Findlay that the project could not be completed because the entire roadway was not within City corporation limits. The City of Findlay immediately began work to complete the annexation. On June 29, 2023, the Hancock County Board of Commissioners denied the annexation request (attached). This project continues to have significant community safety and economic benefit to the City of Findlay and Hancock County. Though legally not required, included in tonight's Council packet is a simple resolution showing City Council's support of proceeding with filing an appeal to the Court of Common Pleas to pursue the annexation of this property. Resolution No. 017-2023 was created.

#### **Service-Safety Director Martin – annual Community Park Improvement Program grant**

The City of Findlay Public Works Department is again applying for the annual Community Park Improvement Program Grant through the Hancock Park District (HPD) for three (3) projects:

- Project #1 is for twenty-two thousand dollars (\$22,000.00) for restoration of the main restroom and main electrical building at Riverside Park. The restoration will include removing loose and defective mortar joints, power washing the building, and tuck and point work on all defective mortar joints, then sealing the brick. The work will be performed by a local contractor.
- Project #2 is for ten thousand dollars (\$10,000.00) to extend the stage at Riverside Park Bandshell by twelve feet by fifty-two feet (12ft x 52ft), laying brick and pouring a six inch (6") cap of concrete making the stage permanent. The work will be done by the City of Findlay team.
- Project #3 is for eight thousand dollars (\$8,000.00) to replace the boards on the walk bridge at Emory Adams Park that crosses Eagle Creek over the east side of the park along Brookside Drive. The work will be done by the City of Findlay team.

The HPD grant is offered each year to communities within Hancock County to improve their park systems. This grant is then divided among the communities that request the available funds. These funds are at no cost to the community and do not require matching funds. The City of Findlay has completed many projects in their parks using these grant dollars. One of the requirements of the grant is to obtain project approval during a public meeting from its governing body. City Council's verbal authorization of the aforementioned projects through grant funds is requested. Requires Council's verbal approval to fund this project by grant funds.

#### **A set of summary financial reports for June 30, 2023:**

- Summary of Year-To-Date Information as of June 30, 2023
- Financial Snapshot for General Fund as of June 30, 2023
- Open Projects Report as of June 30, 2023
- Cash & Investments as of June 30, 2023

#### **Service-Safety Director Martin – Findlay City Schools In-Kind Trade of Services MOU**

Certain City departments have space constraints, including the Police Department and Public Works. There have been ongoing discussions regarding the needs of each department while long-term solutions are being evaluated. In the short-term, the City of Findlay is always looking for opportunities. As of this last winter, the Findlay City School (FCS) bus garage was vacant, so Service-Safety Director Martin approached the Findlay City Schools Administration to find out if the City of Findlay could temporarily utilize the vacant garage until they either sold the building or demolish it in which they took the request under advisement with the rest of the board. During the same timeframe, FCS was working out the logistics of their athletic complex project. FCS proposed that in return for the City of Findlay to utilize their storage space, the City of Findlay would provide the labor associated with the sports complex asphalt and concrete walkways identified in the project. The agreement was an in-kind trade of services for storage space. Essentially, the City of Findlay uses the FCS bus garage to store City equipment, and in return, the City of Findlay will install identified concrete/asphalt. Additionally, if/when FCS decides to demo their bus garage, the City of Findlay will provide the demolition of the building while FCS covers the dump fees. There would be no exchange of dollars. This agreement was discussed with City Law Director Rasmussen, and per Ohio Revised Code 735.05, Service-Safety Director Martin acted within the boundaries of his role as Safety Service Director and did not need to go to Council.

*"The director of public service may make any contract, purchase supplies or material, or provide labor for any work under the supervision of the department of public service involving not more than fifty thousand dollars." – ORC Chapter 735.05*

With that information, Service-Safety Director Martin proceeded to work with the FCS Administration to prepare the agreement. The City Law Director reviewed and approved the final version of the agreement which was then executed. All aspects of the City's involvement were discussed and considered prior to the execution of this agreement. The labor cost associated with the asphalt/concrete work at the FCS athletic complex is approximately eleven thousand dollars (\$11,000.00). Anticipated labor costs associated with the demolition of the bus garage if/when it occurs is approximately seven thousand dollars (\$7,000.00). FCS will be covering all material costs of the project. Due to the planning and preparation of the City's Public Works Department Superintendent and the efficiency of the laborers, no City projects or work has been delayed or negatively impacted by this agreement. Service-Safety Director Martin apologizes for the frustration and will work ensure additional communication in the future. It is his hopes with this information that Council recognizes the intention of the Administration was not to circumvent Council in any way, but to work on behalf of the entire community in the capacity as Administrators. It is his opinion that this situation is a great community win and an example of how entities, especially the public, can work together to get things done and save taxpayer dollars.

### **Service-Safety Director Martin – homelessness and unhoused coalition efforts**

Service-Safety Director Martin is addressing the efforts of the City of Findlay and community partners in response to the increased presence of unhoused individuals in the community. He and Mayor Muryn recognize that this is an extremely frustrating and complex issue that did not show up overnight and is not going to be solved overnight. They also recognize that it is not a good look for the community, but will continue to work tirelessly to both help those in need while also working to address the community concerns that arise from a visible presence of unhoused. Almost two years ago, Mayor Muryn challenged Service-Safety Director Martin and Director of the City Mission of Findlay (a private non-profit entity) Kathryn Bausman to address the growing homeless population in Findlay. It is important to understand the “why” behind this situation. Homelessness has always been a part of the community, and as he talks with people, he hears stories of the transient population that frequents the community and have done so for years. Currently, there are approximately one hundred fifty to one hundred sixty (150-160) homeless in Hancock County. Breaking down the numbers: eighty to ninety (80-90) are sheltered by an organization (the mission, in hospital, or rehab), thirty to forty (30-40) in cars, couch surfing, or garages, and the remainder are in tents or on the streets. Homelessness is caused by various reasons which are unique to each individual. Some do not want help or do not trust the help being offered. Findlay, as well as communities across the country, is seeing an increase in the transient homeless. Though the specific reasons are unknown, it is safe to believe that the individuals on the street are in Findlay because of community ties (family, friends, job, etc.), the reputation as a nice community, and/or the variety of resources offered to help get them back on their feet. One of the major reasons there has been an increase in the visibly homeless is due to the fact that the City has focused on cleaning up abandoned/dilapidated structures, brush areas, etc. where individuals were seeking shelter out of sight. One important note is that there have not been any reported incidents of violence or confrontation from the individuals who are homeless, but that there were issues with trespassing of which were addressed. In early 2022, Service-Safety Director Martin and Ms. Bausman pulled local stakeholders (City Administration, Findlay Police Department, Findlay Zoning Department, the City Mission of Findlay, The Community Foundation, Hancock Public Health, Habitat for Humanity, Focus, ADAMHS, Blanchard Valley Health System, Hancock Metro Housing Authority, Family Resource Center, the faith-based community and Hope House. After much discussion, the group prioritized three (3) areas of focus that they felt would positively navigate homelessness. The three (3) areas of focus are as follows:

- **Community Education: provide resources and education to downtown businesses to be equipped to address a homeless individual on their property.**
  - The stigma around the unhoused population
  - Build skills to de-escalate situations
  - Uncomfortable/awkward situation – conversation starters
  - People feel bad and want to help out but do not know or who to call other than the Police
- **Affordable/Accessible Housing: work to support efforts of the affordable housing coalition to increase housing availability at various price points.**
  - Seventy-four percent (74%) of homeless that have addressed their issues and are employed cannot find housing
  - Fifteen dollar and hour (\$15/hr) = affordability of seven hundred eighty per month (\$780/month) rent
  - The average rent in Findlay is between eight hundred fifty dollars and one thousand dollars a month (\$850/\$1,000/month)
  - Lack of housing inventory available to rent (1,2,3 bedroom options)
  - How can the City of Findlay work landlords to decrease risk of renting to certain populations
- **Low-barrier Housing: work with the City Mission of Findlay to offer an option for individuals to be off the street that are not ready to comply with the necessary rules of the City Mission of Findlay.**
  - Collect data and feasibility information
  - Develop space at the City Mission of Findlay with different entry criteria

Subcommittees were created based on the area of focus and the respective skillset of the stakeholders involved. Being a long-term situation in the City of Findlay and not a “one size fits all” problem, it has taken quite a bit of time and effort to see progress. The subcommittees have in fact made progress as outlined below:

- Community Education
  - The City of Findlay Police Department continues to be an active contributor to this conversation
  - A handout has been created and is being distributed to local businesses as a how to conversation starter
  - Sharing resources for de-escalation tactics – Ryan Dowd YouTube
- Affordable/Accessible Housing
  - Realigned efforts among local agencies working towards the common goal
  - Continue to look for opportunities to create housing access and capacity within the local market
- Low-Barrier Housing
  - Collaboration between the City Mission of Findlay, Family Resource Center, and the ADAMHS Board
  - ADAMHS Board applied for the Substance Abuse & Mental Health Services (SAMHSA) grant of two million five hundred thousand dollars (\$2,500,000.00) over five (5) years
  - The City Mission of Findlay will shift the family population to create capacity for low barrier population
  - Find more fitting accommodations for family units who are transitioning to independence – location to be determined
  - Family Resource Center will provide in-house services to the low barrier population including telemedicine
- Faith-Based Community
  - Collaborating to share services and support each other based on parish resources and ability
  - St. Andrews Church: renovating annex building for free community laundry facilities
  - Cooling/warming shelter plan

The Unhoused Coalition will continue to work towards a solution for all involved. Progress has been made and have set the table for opportunities in the future. Service-Safety Director Martin is optimistic that a community approach to both help those in need while maintaining a beautiful, safe, and welcoming community that Findlay knows and loves is obtainable.

#### **Mayor Muryn – Water Treatment Project**

As we near the finish line of the Water Transmitter Project, questions have arisen regarding how bills are reconciled for the period of December 2021 – time of transmitter installation. The attached documents outline the process the Findlay Water Department uses to determine water bills. After transmitters are installed, the department is able to get a true read of usage during the period of time that bills were being estimated based on historical monthly usage data. This results in either a credit or additional charge being applied to each bill. Moving forward, the bills will be based on actual usage. It is the responsibility of the homeowner/resident to check their plumbing system for leaks and make repairs accordingly. The City of Findlay looks forward to having the ability to assist our users in monitoring for water leaks.

#### **COMMITTEE REPORTS:**

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to review changes to the Zoning Code.

*CITY PLANNING COMMISSION recommend some changes to the Zoning Code. Hancock Regional Planning Commission (HRPC) will provide red-lined copies. The PLANNING & ZONING COMMITTEE will consider this in August.*

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Damon Kelly to rezone 609 West Foulke Avenue from R3 Small Lot Residential to C1 Local Commercial. This was tabled during the June 15, 2023 PLANNING & ZONING COMMITTEE meeting.

*Councilman Russel moved to lift this from being tabled, seconded by Councilman Hellmann. Ayes: 4 Nays: 0.*

*Councilman Hellmann moved to deny the request, seconded by Councilman Bauman. Ayes: 4 Nays: 1.*

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the Downtown Recreation Area agreement.

*We recommend that the Mayor move forward with the execution of the contract with the following provisions:*

- 1. Adjust the contract format to the standard short form format agreement.*
- 2. Obtain/explore an access agreement form all property owners.*
- 3. Follow up with legal opinion on environmental related clauses in contract.*

#### **LEGISLATION:**

##### **RESOLUTIONS:**

**RESOLUTION NO. 016-2023** (Phase 2 Benching Project – environmental work - testing ) **requires three (3) readings**

**first reading**

A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

**RESOLUTION NO. 017-2023** (CR 212/236 – appeal County denial) **requires one (1) reading**

**first reading**

A RESOLUTION RECOGNIZING THE SUPPORT OF THE CITY OF FINDLAY, OHIO OF PROCEEDING WITH FILING AN APPEAL OF THE DENIAL OF THE COUNTY ROAD 212/COUNTY ROAD 236 ANNEXATION THROUGH THE COURT OF COMMON PLEAS, HANCOCK COUNTY, OHIO.

##### **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. 2023-062** (23 WTP Roof Replacement) **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 CONTRACTS WITH THE GARLAND COMPANY, INC. FOR REPAIRS NEEDED AT THE CITY OF FINDLAY, OHIO'S WATER BILLING OFFICE AND ALSO THE CITY OF FINDLAY, OHIO'S WATER DISTRIBUTION OFFICE, BOTH LOCATED AT 136 NORTH BLANCHARD STREET, PROJECT NO. 35732500, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-063** (219 Hurd Ave rezone) **requires three (3) readings**

**second 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 219 HURD AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "I-1 LIGHT INDUSTRIAL" TO "R-3 SMALL LOT RESIDENTIAL".

**ORDINANCE NO. 2023-064** (*0 W McPherson Ave rezone*) **requires three (3) readings** **second 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 0 WEST MCPHERSON AVENUE, PARCEL NO. 600000302210 REZONE) WHICH PREVIOUSLY WAS ZONED "O1 OFFICES/INSTITUTIONS" TO "M2 MULTI-FAMILY, HIGH DENSITY".

**ORDINANCE NO. 2023-065** (*ARPA Fund third appropriation of 2023*) **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 ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF VARIOUS PROJECTS LISTED BELOW, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-066** (*Municipal Building Elevator Replacement*) **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 WITH TOLEDO ELEVATOR & MACHINE COMPANY FOR THE REPLACEMENT OF THE MUNICIPAL BUILDING ELEVATOR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-068** (*annual bids and contracts*) **requires three (3) readings** **second reading**  
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-070** (*S Main St/McPherson Ave storm sewer repair*) **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 WAIVE FORMAL ADVERTISING AND BIDDING AND ENTER INTO CONTRACTS FOR STORM SEWER REPAIRS ON SOUTH MAIN STREET/MCPHERSON AVENUE, PROJECT NO. 35532800, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-071** (*Downtown Recreation Area – design & engineering*) **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 ENTER INTO A CONTRACT WITH STRAND & ASSOCIATES, INC. TO PROVIDE DESIGN AND ENGINEERING SERVICES OF THE DOWNTOWN RECREATION AREA PHASE II BENCHING OF THE BLANCHARD RIVER, PROJECT NO. 31913700, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-072** (*FCS storage unit MOU*) **requires three (3) readings** **first reading**  
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING GRANTING THE CITY OF FINDLAY PERMISSION TO STORE VARIOUS CITY EQUIPMENT IN THE FINDLAY CITY SCHOOL DISTRICT BOARD OF EDUCATION'S VACANT BUILDING LOCATED AT 0 BLANCHARD AVENUE (PARCEL NO. 610001017675) AS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING ATTACHED HERETO AS EXHIBIT A, AND DECLARING AN EMERGENCY.

**UNFINISHED BUSINESS:**

**OLD BUSINESS**

**NEW BUSINESS**

## Denise Devore

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**From:** Cathy <wall@woh.rr.com>  
**Sent:** Saturday, July 1, 2023 8:22 AM  
**To:** Christina Muryn; CityCouncil@FindlayOhio.gov  
**Subject:** Art in all of it  
**Attachments:** Art Idea For Findlay.docx

Sear Mayor Muryn and Council Members,

As we hopefully embark on the exciting opportunity of improving Findlay with the North River Park Development, I can only imagine the economical push-start this will have in bringing many people to Findlay. Every city that I travel through, I search out riverfront sites such as this, and I will always try to get a hotel/restaurant near-by, to be by such an exciting place to visit.

One missing component of the plans however, is an Art Commission to help in the early stages of development. Attached is an article from The Columbus Dispatch. It shares the artwork information of what Columbus did for along their river-front renovations. Now so many festivals occur along this Sciota Mile, and the park is amazing, bring so many visitors and their accompanying dollars to the city. I witness the attraction to the artwork mentioned in this article every time I am along the riverfront in Columbus. There are always crowds by these sculpture, no matter what time of year.

We can do this North River Park idea, and we can add the Art Commission component as well.

Here's to lifting the quality of life in Findlay,

Thank you for this consideration, and for all that you do,

Cathy Weygandt

204 Greenlawn Ave

Findlay OH

## ARTS

### The Story Behind the Deer Statues in Downtown Columbus

July 1, 2023

The Columbus Dispatch



If you've ever been in downtown Columbus, you might have come across the deer statues along the Scioto Mile.

How did they come to be and why are they there? Here's what to know.

The city hoped that public art initiatives like this one would boost Columbus tourism. Previously, much of the city's public art was privately funded. The city hadn't sought artwork in so long that no one could remember the last project, the Dispatch reported in 2013. The Columbus Art Commission existed without purpose for decades before finally convening in 2007, beginning with a focus on Downtown and the Scioto River area.

Artist and country singer Terry Allen of Sante Fe, N.M., came up with an idea for sculptures to enhance the Scioto Mile: bronze, "humanized" deer.

The inspiration? The name "Scioto" comes from the Shawnee American Indian word for "hairy water," because the Shawnee Indians found deer hair floating in the river after migrating from the Carolinas.

Allen's human-like deer sculptures, entitled "Scioto Lounge," were funded by the Miranova Tax Increment Finance agreement, which devotes tax revenue from properties by the Scioto Mile to redeveloping the area. The Columbus City Council approved the \$281,000 art contract in June 2013.

Here's a look at the deer statues:







## Denise Devore

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**From:** Lee <lweygandt@woh.rr.com>  
**Sent:** Saturday, July 1, 2023 9:36 PM  
**To:** City Council - All  
**Cc:** Wall  
**Subject:** [EXTERNAL]Riverfront park

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

We fully support developing Findlays riverfront park. Any city you'd want to live in or visit will have nicely developed park spaces. Findlay deserves better than what we currently have downtown.  
Lee Weygandt

## Denise Devore

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**From:** wcammm@twc.com  
**Sent:** Monday, July 3, 2023 10:18 PM  
**To:** City Council - All  
**Subject:** [EXTERNAL]Water Bill

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

Today; this senior citizen received a water bill of \$855 due by 7/12/2023.

This bill is @ 25 times + the average bi-monthly bill -charging for 181 units instead of the normal 7.  
Note: No leaks on my property & noticed the company messing with meters about a month ago...

I have resided here since 2015 and my deceased wife resided here much longer.

Being on Social Security, my elderly wife & I cannot afford this craziness.

I am prepared to sell our \$200+ k home and use all monies on lawsuits against Findlay for abuse I have received these last 2 years.

Willard Camm  
1128 Hurd Avenue

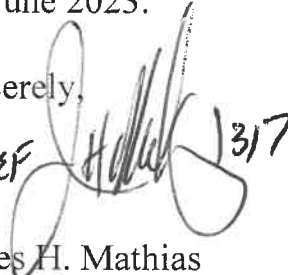
419-819-6715

July 3, 2023

Honorable Council:

Attached are the Findlay Police Department activity stats for June 2023.

Sincerely,

CHIEF  1317

James H. Mathias  
Chief of Police

**FINDLAY POLICE DEPARTMENT**

Monthly Activities Report - 2023

Category	2023		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
	Total	Avg	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total
<b>Detective Division</b>														
City (Law Director)	456	76.00	74	84	61	67	89	81						
County	330	55.00	97	43	48	53	54	35						
Juvenile	85	14.17	17	21	8	18	15	6						

<b>Vice Narcotics/Metrich</b>														
Narcotics Investigation	105	17.50	14	15	9	26	17	24						
<b>Felony</b>														
Arrests	33	5.50	4	9	5	7	2	6						
Charges	70	11.67	6	20	10	18	6	10						
<b>Misdemeanor</b>														
Arrests	2	0.33333	0	0	2	0	0	0						
Charges	3	0.5	0	0	3	0	0	0						
Drug Talks	5	1.00	0	0	0	3	2	0						

<b>Patrol Division</b>														
Traffic Stops	2,170	361.67	535	390	347	308	267	323						
Citations	1,179	196.50	236	174	220	183	180	186						
OVI	89	14.83	18	16	12	11	20	12						
<b>Accidents</b>														
Non-Injury	362	60.33	62	53	78	55	58	56						
Injury	68	11.33	8	12	14	11	14	9						
<b>Complaints</b>														
Homicide	0	0.00	0	0	0	0	0	0						
Robbery	9	1.50	1	1	1	0	3	3						
Assault	262	43.67	45	38	29	57	49	44						
Sex Offenses	56	9.33	13	8	14	12	2	7						
Unlawful Entry	46	7.67	11	2	11	4	12	6						
Theft/Fraud/Shoplifting	470	78.33	81	64	74	83	75	93						
Motor Vehicle Theft	27	4.50	5	4	7	2	7	2						
Arson	2	0.33	0	1	0	0	0	1						
Criminal Damage/Vandalism	113	18.83	18	13	13	19	23	27						
Domestic Dispute	364	60.67	64	42	63	71	66	58						
Alcohol/Drug	196	32.67	33	33	25	31	37	37						
Warrants Served	493	82.17	92	83	100	74	66	78						
Arrests	1,015	169.17	176	157	180	171	157	174						
Reports Generated	13,993	2332.17	2,393	2,064	2,359	2,398	2,396	2,383						
School Walk Thru/Public Relation	56	9.33	14	13	9	7	13	0						

<b>Special Assignment Unit</b>														
Events	0	0.00	0	0	0	0	0	0						
Arrests	0	0.00	0	0	0	0	0	0						
Traffic Citations	0	0.00	0	0	0	0	0	0						
Traffic Warning	0	0.00	0	0	0	0	0	0						
OVI	0	0	0	0	0	0	0	0						
Minor Misdemeanor Citations	0	0.00	0	0	0	0	0	0						
Warrants Served	0	0.00	0	0	0	0	0	0						
Alcohol/Drug Offenses	0	0.00	0	0	0	0	0	0						
Weapons Offenses	0	0.00	0	0	0	0	0	0						
Cases Referred for Charges	0	0.00	0	0	0	0	0	0						
Surveillance Details	0	0.00	0	0	0	0	0	0						
Assists to other PD Divisions	0	0.00	0	0	0	0	0	0						

<b>Municipal Court</b>														
Papers Processed	1,645	274.17	244	281	289	277	255	299						
Paper Service Hours	665	110.83	111	108	120	105	111	110						
Security Hours	339	56.50	67	52	62	55	58	45						
Prisoners To/From Court	0	0.00	0	0	0	0	0	0						
Miles Driven	4,446	741.00	817	788	799	691	501	850						
Summons	472	78.67	71	79	81	81	79	81						
Overtime Hours	4	0.67	0.5	1	0.5	0.5	1.5	0						



## Monthly Collection Report to Findlay Council

June 2023

Total collections for June 2023: \$3,807,313.82

	<b>2023</b>	<b>2022</b>	
	<u>Year-to-date</u>	<u>Year-to-date</u>	<u>Variance</u>
Withholders	11,644,092.70	11,882,572.47	-238,479.77
Individuals	2,326,823.91	2,237,735.83	89,088.08
Businesses	<u>6,500,528.87</u>	<u>7,615,463.68</u>	-1,114,934.81
<b>Totals</b>	20,471,445.48	21,735,771.98	-1,264,326.50
			-5.82%

### Actual & Estimated Past-due Taxes

Withholders	559,043.71
Individuals	3,511,162.13
Businesses	<u>319,806.62</u>
<b>Total</b>	4,390,012.46

### Actual and Projected Revenue

	<b>2023</b>	<b>Percentage</b>	<b>Amount</b>	<b>Percentage</b>	<b>2023</b>
	<u>Actual</u>	<u>of Projection</u>	<u>to Meet</u>	<u>to Meet</u>	<u>Projected</u>
	<u>Year-to-date</u>	<u>Collected</u>	<u>Projection</u>	<u>Projection</u>	<u>Year End</u>
Withholders	11,644,092.70	54.61%	9,676,907.30	45.39%	21,321,000.00
Individuals	2,326,823.91	80.24%	573,176.09	19.76%	2,900,000.00
Businesses	<u>6,500,528.87</u>	166.68%	<u>-2,600,528.87</u>	-66.68%	<u>3,900,000.00</u>
<b>Totals</b>	20,471,445.48	72.80%	7,649,554.52	27.20%	28,121,000.00

**Refunds Paid**

	<u>Month-to-date Quantity</u>	<u>Year-to-date Quantity</u>	<u>Month-to-date Amount</u>	<u>Year-to-date Amount</u>
Withholders	1	52	1,220.42	15,258.86
Individuals	50	927	20,818.03	507,685.17
Businesses	<u>1</u>	<u>39</u>	<u>335.00</u>	<u>52,412.73</u>
<b>Totals</b>	<b>52</b>	<b>1,018</b>	<b>22,373.45</b>	<b>575,356.76</b>

**Transfers of Overpayments**

	<u>Month-to-date Quantity</u>	<u>Year-to-date Quantity</u>	<u>Month-to-date Amount</u>	<u>Year-to-date Amount</u>
Withholders	2	56	206.35	20,178.03
Individuals	266	783	68,774.83	191,254.08
Businesses	<u>4</u>	<u>195</u>	<u>31,240.90</u>	<u>208,253.28</u>
<b>Totals</b>	<b>272</b>	<b>1,034</b>	<b>100,222.08</b>	<b>419,685.39</b>

  
Income Tax Administrator

7/5/2023  
Date



**Findlay Income Tax Department**

**Monthly Collections Report**

Wednesday, July 5, 2023

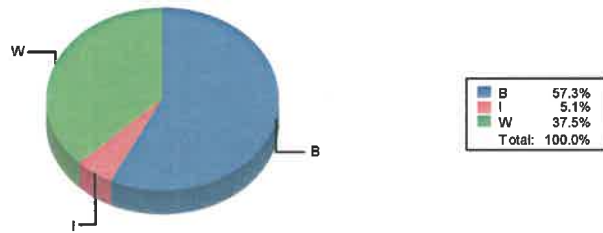
9:00:19AM

For Period June 1, 2023 through June 30, 2023

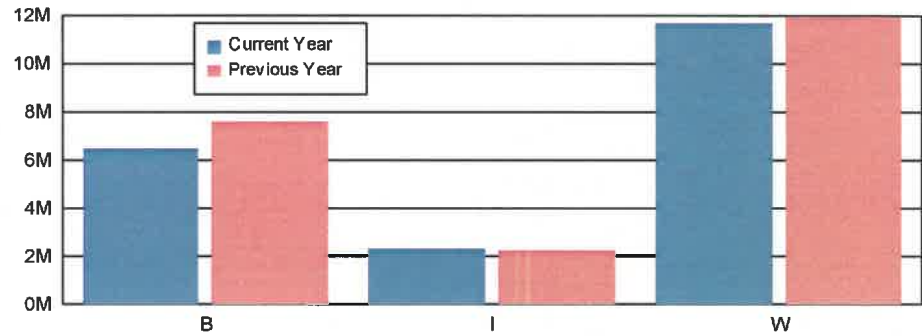
**City of Findlay**

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>1,429,158.88</b>	<b>11,644,092.70</b>	<b>11,882,572.47</b>	<b>-238,479.77</b>	<b>-2.01</b>	<b>1,420,387.06</b>	<b>8,771.82</b>
<b>I</b>	<b>195,866.66</b>	<b>2,326,823.91</b>	<b>2,237,735.83</b>	<b>89,088.08</b>	<b>3.98</b>	<b>123,090.07</b>	<b>72,776.59</b>
<b>B</b>	<b>2,182,288.28</b>	<b>6,500,528.87</b>	<b>7,615,463.68</b>	<b>-1,114,934.81</b>	<b>-14.64</b>	<b>1,967,584.28</b>	<b>214,704.00</b>
<b>Totals:</b>	<b>3,807,313.82</b>	<b>20,471,445.48</b>	<b>21,735,771.98</b>	<b>-1,264,326.50</b>	<b>-5.82</b>	<b>3,511,061.41</b>	<b>296,252.41</b>

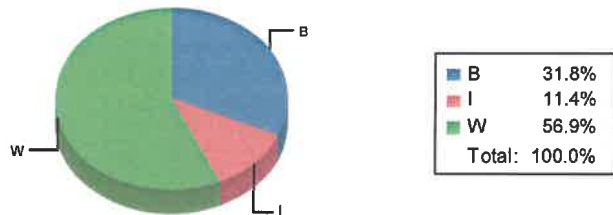
**Monthly Collections by Account Type**



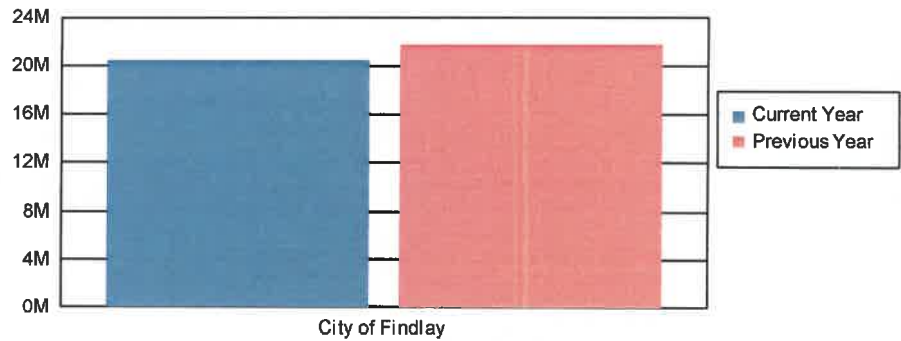
**Collections Year to Date**



**YTD Collections by Account Type**



**Year to Date Total Collections**







July 5, 2023

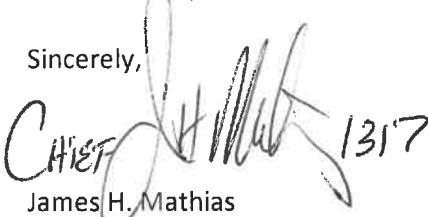
The Honorable Council:

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

Cheyenne D. Dowds

Tot's BBQ LLC, DBA Tot's BBQ, 331 South Main St., Findlay, OH 45840

Sincerely,

  
CHIEF 1317  
James H. Mathias  
Chief of Police

**NOTICE TO LEGISLATIVE  
AUTHORITY**

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

TO

<b>9008435</b> <small>PERMIT NUMBER</small>		<b>NEW</b> <small>TYPE</small>	<b>TOTS BBO LLC</b> <b>DBA TOTS BBO</b> <b>331 S MAIN ST</b> <b>FINDALY OH 45840</b>	
<small>ISSUE DATE</small>				
<b>06 16 2023</b>				
<small>FILING DATE</small>				
<b>D5</b> <small>PERMIT CLASSES</small>				
<b>32</b> <small>TAX DISTRICT</small>	<b>044</b> <small>TAX DISTRICT</small>	<b>A</b> <small>TAX DISTRICT</small>	<b>D85016</b> <small>RECEIPT NO.</small>	

FROM **07/03/2023**

**RECEIVED**  
**JUL 03 2023**  
**MAYOR'S OFFICE**

<small>PERMIT NUMBER</small>		<small>TYPE</small>
<small>ISSUE DATE</small>		
<small>FILING DATE</small>		
<small>PERMIT CLASSES</small>		
<small>TAX DISTRICT</small>	<small>TAX DISTRICT</small>	<small>RECEIPT NO.</small>



MAILED **07/03/2023**

RESPONSES MUST BE POSTMARKED NO LATER THAN.

**08/03/2023**

**IMPORTANT NOTICE**

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

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 9008435**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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

# City of Findlay

Christina Muryn, Mayor

## WATER TREATMENT DEPARTMENT

Jason Phillips, Superintendent

110 North Blanchard Street • Findlay, OH 45840

Phone: 419-424-7193 • Fax: 419-424-7892

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

July 6, 2023

## NEWS RELEASE

### PRECIPITATION & RESERVOIR LEVELS

Total precipitation recorded at the City of Findlay Water Pollution Control Center was 6.5 inches of rain and 0.5 inches of snow for the second quarter (Apr-Jun) of 2023.

At the end of June, the Findlay reservoirs stood at 99% of capacity. This reservoir level represents a 1057 day water supply at the city's current usage rate.

The City of Findlay Water Treatment Plant treated 546.25 million gallons of water in the second quarter of 2023. That is an average of 6 million gallons per day.

Thank you,



Jason Phillips  
Superintendent  
Water Treatment Plant

EC: City Council  
Department Supervisors  
File

	7/6/2023	2022					2023				
		Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	YTD Total	Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	YTD Total
<b>Precipitation</b>											
Rain (Inches)		6.47	9.7	9.93	2.84	28.94	10.02	6.5			16.52
Snow (Inches)		14	0.8	.0	1.8	16.6	10.3	0.5			10.8
<b>Total Precipitation (In Inches)</b>		<b>20.47</b>	<b>10.5</b>	<b>9.93</b>	<b>4.64</b>	<b>45.54</b>	<b>20.32</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>27.32</b>
<b>Reservoir</b>											
Current Volume (Billion Gallons)		5.6	6.3	5.6	5.12		5.7	6.3			
Max Capacity (Billion Gallons)		6.4	6.4	6.4	6.4		6.4	6.4			
<b>% of Capacity</b>		<b>88%</b>	<b>99%</b>	<b>88%</b>	<b>80%</b>		<b>89%</b>	<b>99%</b>			
Supply at Current Usage (Days)		1026	1101	946	908		990	1057			
Supply at Max Capacity/Current Usage (Days)		1166	1111	1076	1135		1111	1067			
<b>Treatment</b>											
Gallons Treated (Millions)		493.83	524.6	547.39	518.45		518.52	546.25			
Max Treatment Capacity (Millions)		1440	1456	1472	1472		1440	1456			
<b>Current Treatment Capacity Utilization</b>		<b>34%</b>	<b>36%</b>	<b>37%</b>	<b>35%</b>		<b>36%</b>	<b>38%</b>			
AVG Gallons Treated Per Day (Millions)		5.49	5.76	5.95	5.64		5.76	6			
Max Daily Treatment Capacity (Millions)		16	16	16	16		16	16			
<b>AVG Daily Remaining Capacity (Millions)</b>		<b>10.51</b>	<b>10.24</b>	<b>10.05</b>	<b>10.36</b>		<b>10.24</b>	<b>10</b>			

### Water and Sewer Rates

2017 Annual Water Rates		
Findlay	\$	358
Ohio average	\$	634

Year	Average Ohio Water Rate Increases	Findlay
2014	1.8%	0%
2015	3.3%	0%
2016	6.1%	0%
2017	0.9%	0%

2017 Annual Sewer Rates		
Findlay	\$	424
Ohio average	\$	677

Year	Average Ohio Sewer Rate Increases	Findlay
2014	3.2%	0%
2015	4.4%	0%
2016	0.9%	0%
2017	2.4%	0%

from 2017 Ohio EPA Sewer & Water Rate Survey





**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1st floor of Municipal Building  
Thursday June 15, 2023 – 9:00 a.m.

**Minutes**

**MEMBERS PRESENT:**

Mayor Muryn  
Rob Martin  
Dan Clinger  
Jackie Schroeder

**STAFF ATTENDING:**

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

**GUESTS:**

Dan Stone, Andrew Yates, Connor Henderson, Tabbatha Castret, Robert Love, Tim Sigworth, Josh Elchert, Grant Russel, Ray van Gunten, Dave Pueschel, Tom Romick, Aggie Hempfling, Dave Pueschel, Dave Glass, Louise Schadle, Barbara Ott

**CALL TO ORDER**

**ROLL CALL**

The following members were present:

Mayor Muryn  
Rob Martin  
Jackie Schroeder  
Dan Clinger

**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 May 11, 2023 meeting. Jackie Schroeder seconded. Motion approved 4-0-0.

Matt Cordonnier started by stating that one of the applicants, Shane Kelly, phoned him to say he was sick and unable to attend today's meeting. He requested to table his item, **APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 619 W. Foulke from R-3 Small Lot Residential to C-1 Local Commercial.**

**MOTION**

Mayor Muryn made motion to **table of APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 619 W. Foulke from R-3 Small Lot Residential to C-1 Local Commercial.**

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

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

**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.**

**CPC STAFF**

**General Information**

This request is located on the east side of Hurd Avenue, north of the intersection with W. Front Street. It is zoned I-1 Light Industrial. It is in a neighborhood that is zoned R-3 Small Lot Residential. The City of Findlay Land Use Plan designates the area as Small Lot Residential.

**Parcel History**

The site has been used as a single-family home.

**Staff Analysis**

The applicant would like to rezone the property to R-3 Small Lot Residential. This would allow them to add an addition to the house. As it is zoned industrial, the updates would not work within the I-1 district. During the 2020 zoning map update, HRPC recommended this parcel be rezoned to match its use, however, the previous owner declined to rezone at the time. Staff is supportive of the rezone request.

**Staff Recommendation**

Staff recommends that FCPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R3 Small Lot Residential.**

**ENGINEERING**

- No Comment

**FIRE PREVENTION**

- No Comment

**RECOMMENDATION**

CPC Staff recommends that FCPC recommend approval of APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R3 Small Lot Residential.

**DISCUSSION**

Tim Sigworth was present on behalf of his application. Mayor Muryn started by saying she was pleased with the improvements he was looking to make.

Dan Clinger asked how long Mr. Sigworth had owned the property. Mr. Sigworth said that he acquired it within the last year. He said it had a flat roof on the back, and they wanted to switch to a gabled roof. The exterior is salvageable but they are going put vinyl siding over it. He plans to convert it into a rental once the renovations are done. He owns other rentals in town.

Mr. Clinger asked if the Design Review standards apply to this property. Mr. Cordonnier said that residential duplexes and triplexes are exempt. Only buildings with 4 units or more are subject to the standards.

**MOTION**

Jackie Schroeder made motion to approval of APPLICATION FOR ZONING AMENDMENT #ZA-03-2023; filed by Greater Findlay Properties LLC, to rezone 219 Hurd Avenue from I-1 Light Industrial to R3 Small Lot Residential.

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

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

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 Fostoria Avenue.

**CPC STAFF**

**General Information**

This request is bounded on the north by Fostoria Avenue and on the south by Tiffin Avenue. It is zoned C-2 General Commercial. It is surrounded by C-2 General Commercial. It is not located in the 100-year flood plain. The City of Findlay Land Use Plan designates the parcel as Regional Commercial.

**Parcel History**

The site has operated as several restaurants over the years. Most recently, it was Cedar Valley, who did not operate a drive-thru.

### Staff Analysis

The applicant Mr. Elchert, operates Heavenly Pizza. He plans to move into the location, but has requested to re-establish the drive-thru. The drive-thru was a feature for a previous Long John Silver that was located at the site. The applicant submitted a sketch that shows that they can handle the required eight cars for stacking. With this being a less intense drive-thru than a traditional fast-food restaurant, staff is supportive of re-establishing the drive-thru conditional use.

### Staff Recommendation

CPC Staff recommends approval of APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria Avenue.

### ENGINEERING

- No Comment

### FIRE PREVENTION

- No Comment

### RECOMMENDATION

Staff recommends approval of APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria Avenue.

### DISCUSSION

Josh Elchert was present on behalf of the application. He clarified that it is not a traditional drive-thru window. The window is only for orders that have called ahead. He said they would also put signage to have people only turn right onto Tiffin Avenue as they exit the location.

Mayor Muryn asked if this was a new location or if they were just moving to the site. Mr. Elchert said it was just a relocation.

Mr. Clinger asked if they were removing the menu board. Mr. Elchert said that he was and only allow people to interact with the window. Mr. Clinger asked if they were making improvements to the parking. Mr. Elchert said that he would be repaving and restriping the parking.

Rob Martin asked what signage they would be putting in. Mr. Elchert said that they were going to install a monument sign and they have already received a variance for the placement for 5 feet off the front property line.

### MOTION

Mayor Muryn made motion to APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Josh Elchert, to re-establish a drive-thru for a new Heavenly Pizza at 1135 Fostoria

**Avenue.**

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

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

**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.**

**CPC STAFF**

**General Information**

This request is located at the southeast corner of Trenton Avenue at the intersection with Independence Square. It is zoned C-2 General Commercial. The entire surrounding area is also zoned C-2 General Commercial. It is not located within the 100-year floodplain.

**Parcel History**

The site currently has two existing tenant spaces, one of them being Chipotle. Previously the site was a Max & Erma's restaurant.

**Staff Analysis**

The applicant would like to add two additional tenant spaces to the existing commercial building. These two spaces would measure 21'x75' each. The additional storefronts would be added on the west side of the existing building, which did cut into the space for the drive aisle on the west side of the site. They do note that the parking has been switched from 90-degree parking to angled parking. They show a pick up lane on the west side of the building. Staff has concerns that this will cause traffic issues around this side of the building.

The parking on-site currently has more than enough to accommodate the entire building as a whole. They did not show any additional landscaping in the area. Staff has recommended that there be some additional shrubs added to either the northwest corner of the site or along the west side to help beautify the site.

The building renderings show a use of vertical articulation to help break up the bulk of the tenant spaces. Staff would remind the applicant that any equipment mounted on the roof must be screened from ground level view.

**Staff Recommendation**

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a two new tenant spaces at 1107 W. Trenton Avenue with the following condition:**

- **Work with HRPC to finalize additional landscaping on the west side (HRPC)**

**ENGINEERING**

**Access –**

Site will be accessed from the existing curb cut and parking lot that is currently being utilized by the existing building.

*Water Service –*

Due to the new tenants that are formed with the building expansion, the site is proposing three new water services for the site. Each of these lines are proposed to be 1-inch in size with separate meters for each tenant.

*Sanitary Service –*

Same as the water the proposed site will be adding three sanitary sewers taps for each of the new tenants. Each tap will be 4-inch in size and will be tied into the existing sanitary mainline.

*Stormwater Management –*

The site will be expanding the existing building to the west onto current impervious areas. No detention is required since the previous build accounted for this impervious areas.

*MS4 Requirements –*

The disturbed area is less than 1 acre so the applicant does not need to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

*Recommendations:*

**Approval of the Site-**

The following permits may be required prior to construction:

- Water Service x3
  - 3-inch Domestic
- Sanitary Tap x3
  - 4-inch Sewer

**FIRE PREVENTION**

- Be sure to obtain all proper permits for construction

**RECOMMENDATION**

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-13-2023 filed by Diverse Development LLC for a new tenant spaces at 1107 W. Trenton Avenue with the following condition:

Work with HRPC to finalize additional landscaping on the west side (HRPC)

**DISCUSSION**

Dan Stone was present on behalf of the application. He reiterated that Wal-Mart had a "No-Build" area on the property, so they would only be doing one of the tenant spaces instead of two. The building would go in the area where there is an existing patio space. He said they were happy to work with HRPC on landscaping. There will be no pick-up window or drive-thru. Dan Clinger asked if we needed to revise the recommendation since it was a different layout. Matt Cordonnier thought it was okay since it was going to a less intense proposal rather than more intense.

Mr. Clinger asked if there was an existing tap from the previous Max & Erma's. Jeremy Kalb said that with the separate tenants, they have to separate it out. Dan Stone said they had to re-install

the water system when Chipotle came to the site, so they will need to re-do the service and sewer this time around.

Mayor Muryn said she liked the layout, the flow, and green space on the property. She agreed they just needed to work with HRPC to finalize a landscaping sheet.

**MOTION**

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-13-2023** filed by **Diverse Development LLC** for a new tenant spaces at **1107 W. Trenton Avenue** with the following condition:

- **Work with HRPC to finalize additional landscaping on the west side (HRPC)**

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

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

- 3. APPLICATION FOR SITE PLAN REVIEW #SP-14-2023** filed by **Croys – TC and Son**, for a new office building on parcel **#570001022369** on **Fostoria Avenue**.

**CPC STAFF**

**General Information**

This request is located on the north side of Fostoria Avenue between Wells Fargo and the Millstream Credit Union. The site is zoned O-1 Office/Institution. Along Fostoria Avenue, it is also zoned O-1 Office/Institution. The neighborhood to the south is zoned R-1 Large Lot Residential. It is not in the 100-year floodplain. The City of Findlay Land Use Plan designates the parcel as Regional Commercial.

**Parcel History**

The site is currently vacant.

**Staff Analysis**

Croy Landscaping is proposing a new 3,972 sf office building for the business. The business would have an office space in the front, with an area in the back that could store landscaping equipment. The building and parking are located entirely on the east side of the site, which is to allow for future development of the space on the west side of the site. The one access into the site is located in the middle of the north end of the site, which connects into the shared access of the larger site. The parking lot would be in front of the building. The parking would accommodate 13 parking spots, with one being handicap accessible.

For the foundation plantings, they have shown that they only provided 24 shrubs rather than the required 46. Staff would recommend that the applicant work with HRPC to get the final landscaping plan approved.

**Staff Recommendation**

CPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-14-**

2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue with the following conditions:

- Work with HRPC to finalize the landscaping plan (HRPC)

### ENGINEERING

#### *Access –*

The site will be accessed by a new drive that will be coming off of the north end of the property. The drive will be utilizing the Access Easement that was established as part of past developments. Since the site will be access from the access easement, the proposed plans are eliminating the existing drive/ curb cut off of Fostoria Ave.

#### *Water Service –*

The plans are proposing a 3/4" tap on the 20-inch waterline that is located on the north side of Fostoria Avenue.

#### *Sanitary Service –*

The proposed site will be tapping the sanitary line that is located on the north side of Fostoria Avenue.

#### *Stormwater Management –*

The site will be utilizing the regional detention pond for the area, as well as incorporating more pervious areas to the site.

#### *MS4 Requirements –*

The disturbed area is less than 1 acre so the applicant does not need to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

#### *Recommendations:*

Approval of the Site

The following permits may be required prior to construction:

- Sidewalk Permit x1
- Curb Cut Permit x1
- Water Service x1
  - 3/4" Domestic
- Sanitary Tap x1
- Storm Tap x1

### FIRE PREVENTION

- Be sure to obtain all proper permits for construction

### RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-14-2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue with the following conditions:

- Work with HRPC to finalize the landscaping plan (HRPC)



## **DISCUSSION**

Dan Stone was present on behalf of the applicant. He clarified that the business is not the Croy Landscaping business. This company is an office with a few vehicles in the back for storage. They are a rental company and do own a mobile home park. There will be no outdoor storage, but the back will store maintenance vehicles.

Mr. Martin asked if they would be establishing a traffic pattern along the north side of the site. Dan Stone said that with the landscaping buffer, it would create an entryway into the site. It will become more defined as the parcels go along. The parcel to the north could install some islands in the future to help define that traffic layout. Mr. Clinger asked if they could put more landscaping in the buffer in addition to grass. Mr. Stone said that they could work with HRPC to make it look aesthetically pleasing. Mr. Clinger asked if they would repave the pavement as you enter the site on the north. Mr. Stone said that could be an adjustment made during construction.

Mr. Clinger asked about the sidewalk on the plan. Dan Stone said that they had to snake the sidewalk because of the slope of the drainage in the front. Mr. Clinger added he thought they should widen the vestibule in the front to give it better proportion with the building.

Mayor Muryn thought that the new layout works well and sets it up better for future development.

Ray van Gunten, 1610 Fostoria Avenue, said he had concern that the traffic pattern on the site. He said the semi-trucks come in on the west side of the site and snake around the offices along Fostoria Avenue. He was not opposed to the office going in, but the traffic on site. Mayor Muryn spoke up to say the tricky part is that the drives are not a platted roadway but an access agreement between the sites. Mr. Cordonnier said those are civil agreements and that he should find a copy from the Recorder's Office to know for sure what they say.

## **MOTION**

Mayor Muryn made a motion **to approve the APPLICATION FOR SITE PLAN REVIEW #SP-14-2023 filed by Croys – TC and Son, for a new office building on parcel #570001022369 on Fostoria Avenue with the following conditions:**

- **Work with HRPC to finalize the landscaping plan (HRPC)**

**2nd: Rob Martin**

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

**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.**

## **CPC STAFF**

### **General Information**

This request is located between W. Trenton Avenue at the southwest intersection of Bolton Street. The site is zoned C-2 General Commercial. Along W. Trenton Avenue, it is zoned C-2 General Commercial. The neighborhood to the south and east is zoned R-3 Small Lot Residential. It is not in the 100-year floodplain.

### **Parcel History**

The site was most recently a Pizza Hut restaurant.

### **Staff Analysis**

Take 5 Oil Properties LLC proposes a 1,708 sf oil change center for the location. They would demolish the old structure and shift it closer to W. Trenton Avenue to accommodate stacking. The new location of the structure meets the setbacks of the C-2 district. The height of the building is 19' 10", which is below the height maximum for the district. There will be three maintenance bays within the building and the ability to stack up to 10 vehicles outside without blocking the parking lot area. They have closed the access onto Trenton Avenue, so once cars leave the maintenance bays, they have to loop around the parking area, back onto Bolton Street. There is a parking lot that can show 12 parking spots, with one being, handicap accessible.

The landscaping plan shows that the applicant has met the requirements for the lot. They were required to provide five trees for the site, and they show six trees on site. They were required to provide 53 shrubs and they have provided 57.

There is an existing non-conforming pylon sign for the old Pizza Hut. This will need to be removed. The site can have a monument sign as a replacement, but will need to work with the City of Findlay Zoning Department on getting approval.

### **Staff Recommendation**

CPC Staff recommends **approval of 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.**

### **ENGINEERING**

#### *Access –*

The site will only be access by a drive that is located on Bolton Street. The existing curb cut on Trenton Avenue and a large portion of the curb cut on Bolton Street will be eliminated as part of the proposed site.

#### *Water Service –*

The plans are proposing to use the existing water service tap but will be running a new line from the meter to the building.

#### *Sanitary Service –*

The proposed site will be tapping the sanitary line that is located on the south side of Trenton Avenue. The proposed plans are showing an inside drop for the manhole, but the City does not allow inside drops so an outside drop will need to be installed.

***Stormwater Management –***

The site will be incorporating more pervious areas throughout the site, and the site consultant has provided a Storm Water Management Report with the site plan.

***MS4 Requirements –***

The disturbed area is less than 1 acre so the applicant does not 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

The following permits may be required prior to construction:

- Sidewalk Permit x1
- Curb Cut Permit x2
- Water Service x1
  - 1" Domestic
- Sanitary Tap x1
- Storm Tap x1

**FIRE PREVENTION**

- Be sure to obtain all proper permits for construction

**RECOMMENDATION**

Staff recommends approval of 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.

**DISCUSSION**

Connor Henderson was present on behalf of the application. Mayor Muryn asked how high the shrubs would grow. Mr. Henderson said they would probably grow to about 3 feet. Mayor Muryn said she would like to see those taller even if it meant they thinned out the total number.

Mr. Clinger said the symbol for landscaping is confusing. Mr. Henderson said that there is an increase in grass and landscaping compared to the existing site. He noted the symbol is for the irrigation. He said that the south boundary did not have any landscaping, so they would like to see it shifted to screen that.

Mr. Clinger said that the dumpster is located near the stacking and asked if that would be an issue. Mr. Henderson said that it would not be an issue because they would schedule trash pickup during off-hours. The same would be done with deliveries. Jackie Schroeder asked what their business hours would be. Mr. Henderson said 7am-7pm.

Mr. Clinger asked Jeremy Kalb about the drop. He said that in his notes he saw they had an inside drop system, and just wanted to note that it needed to change to an outside drop.

Mr. Clinger asked about if they had pits underneath the vehicles. Mr. Henderson said they are called shallow pits and did not have stairs or anything. They are “coffin-like pits” under the vehicles the workers can lower themselves. They are long, 4-foot deep pits. They have rollers that they can lay on. He likened it to the Valvoline on Tiffin Avenue.

Mr. Clinger asked if there was a door for customers to walk into the building. The door is on the west side of the building, but he was correct that there was not great access from the parking area. Mr. Martin asked if it would make sense to flip the building to get the door access on the opposite side. Mr. Henderson said unfortunately with the mechanicals of the building, they have to have it in this configuration.

Mr. Clinger asked how often deliveries are made. He said about once or twice a week.

Mr. Clinger asked about how they measure site clearance for a monument sign. Erik Adkins said they have a measurement they use that goes 25 feet on either road frontage to make a triangle where they sign cannot go. Mr. Clinger asked if they should add a condition on the monument sign. Mayor Muryn said that they did not need to because it is handled during the permitting process.

Jacob Mercer asked if the garage doors would close while they were doing the work. Mr. Henderson said that they leave them open when it is warm, but they do close them to keep the inside warm.

#### **MOTION**

Mayor Muryn made a motion to table the **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** with the following condition:

- **Work with HRPC to add landscaping along the residential properties**

**2nd: Rob Martin**

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

**6. APPLICATION FOR CONDITIONAL USE #CU-09-2023** filed by **Tabbatha Castret**, to **establish an Airbnb** at **2004 S. Main Street**.

#### **CPC STAFF**

##### **General Information**

This request is west side of Main Street, just south of the intersection with Highland Drive. It is zoned R-2 Medium Lot Residential. To the north and west it is zoned O-1 Office/Institution. To the south and east, it is zoned R-2 Medium Lot Residential. It is not located in the 100-year flood plain.

### **Parcel History**

The site is a single-family home.

### **Staff Analysis**

The applicant Ms. Castret has listed the property on Airbnb. The City was notified that the property operated as an Airbnb through a complaint due to noise created via the guests staying at the property. The home has three bedrooms listed within the residence. There is enough driveway space and garage spaces to accommodate up to six parking spots.

Given the location on Main Street, and the location just south of the Hospital, staff was supportive of the request for conditional use. Staff would remind the applicant that conditional uses are revocable permits, so if the City continues to receive complaints about the property, they may withdraw the permit.

### **Staff Recommendation**

CPC Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabbatha Castret, to establish an Airbnb at 2004 S. Main Street.**

### **ENGINEERING**

- No Comment

### **FIRE PREVENTION**

- No Comment

### **RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabbatha Castret, to establish an Airbnb at 2004 S. Main Street.**

### **DISCUSSION**

Tabbatha Castret was present on behalf of the application. Mayor Muryn asked if she rented out rooms while she lived there or if it was purely rental. She said that she only rents the house when she is not there. Jacob Mercer added that Ms. Castret is a traveling nurse with the hospital.

Mr. Clinger asked how long she owned the home and how long had she had it on Airbnb. She said she has owned it a little over a year, and had it on Airbnb for about 3 months. Mr. Clinger asked how her schedule worked with the hospital. She said that it varies. Right now, she is in Texas for the next 5 weeks, but is open after that.

Mayor Muryn asked if there were any ability to enforce consequences or restrictions for the house. Ms. Castret said that she has quiet hours set for the home for 10pm and rules for home.

Mr. Clinger said he sees standards for bed and breakfasts but he was not sure how to apply them to this situation. Mr. Cordonnier said that they have traditionally applied the standards to Airbnb's in the city. He notes that they are slightly different since the owner is not on site. He discussed the regulations with the realtor for the site and said they discussed the frustration from

not including more language to address them. In the code update, he wants to include a definition for short term rental and added Airbnb's to connect the two together. Mr. Clinger asked if Airbnb's were required to be licensed through the state and get an ID number. Mr. Cordonnier if that was a requirement of the zoning code.

Mr. Clinger asked Ms. Castret how long is a typical length stay. Ms. Castret said it varies, it could be a few days, or could be up to a month. Mr. Clinger asked how many times she has rented the house out. She thought probably 30 times in 3 months. It is only rented as a whole house rather than by room. Mr. Martin asked if she could limit the number of people in the house. She said that she has camera's at the house that she can monitor the number of people coming into the house.

Louise Schadel lives next door at the intersection with Main Street and Highland Drive. She was against the request because she thinks this is a single-family neighborhood and this doesn't fit. She mentioned a party that lasted past 10pm and that parking overflowed into a hospital parking lot area.

Rob Love spoke next as Ms. Castret and brother-in-law. He rejected the idea that the neighborhood is quiet because it is next to the hospital and is located on Main Street and sees a lot of traffic. He said Ms. Castret works at the hospital, and they have many people going in and out of the facility. Mr. Clinger asked if he knew of other Airbnb's in the neighborhood. Ms. Castret said she didn't know about the neighborhood, but that there were a dozen or so in the city. Mr. Love said that that was something he would like to see addressed, because he knows other realtors aren't aware that the City is applying the bed and breakfast standards to Airbnb's. He thought it was a gray area that hopefully gets cleaned up.

Mr. Martin asked if there was someone in town to be a contact. Mr. Love said it was him and that he lived on Greenlawn Avenue, so he could make it over easily.

Mayor Muryn noted that she was willing to support the request, considering the location on Main Street. She thinks that as long as there are not a ton of complaints against the property in regards to guests staying. Mr. Love said that he understands the conditional use is revocable, so when does the number of complaints reach that level. Mr. Cordonnier said he's not seen a conditional use revoked since becoming director. He thought that it would be appropriate for the CPC to re-evaluate the conditional use in a public meeting.

Mr. Clinger asked if Ms. Castret had any communication from neighbors about the situation or about concerns that they had. Ms. Castret said she had not.

Barbara Ott is the neighbor across Main Street. She had noticed an increase in activity. Her friend told her that it was an Airbnb. Ms. Ott was confused how she established it without changing the zoning.

Mayor Muryn said she appreciated her comments. She said that the conditional use is a revocable permit to allow for certain uses within a zoning district. In this case, Airbnb's are a conditional use in the residential district. She thought given the location near the hospital that there are rentals in the neighborhood, but just operated by the hospital. She didn't think the request was out of place for the location.

**MOTION**

Mayor Muryn made a motion to approve **APPLICATION FOR CONDITIONAL USE #CU-09-2023 filed by Tabbatha Castret, to establish an Airbnb at 2004 S. Main Street.**

**2nd: Rob Martin**

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

**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.**

**CPC STAFF**

**General Information**

This request is located on the south side of W. McPherson Avenue just east of the intersection with Hurd Avenue. It is zoned O-1 Office/Institution. It is in a neighborhood of R-1 Large Lot Residential. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Office.

**Parcel History**

The site is currently vacant. It was originally a part of the Lake Cascades PUD, but remained office after PUD's were removed from the code. There were never any plans presented for these lots on this parcel.

**Staff Analysis**

The applicant would like to rezone the property to construct a three-story apartment building on the site.

While the request is a deviation from the Findlay Land Use Plan, the request does fit the residential character of the neighborhood. The site is over an acre in size and can accommodate the additional units of residential on site. While there is a single-family residential neighborhood across W. McPherson Avenue, this site is surrounded by a mix of residential, office and utility structures.

**Staff Recommendation**

Staff recommends that FCPC recommend approval of **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.**

**ENGINEERING**

- No Comment

### FIRE PREVENTION

- No Comment

### RECOMMENDATION

CPC Staff recommends that FCPC recommend approval of 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.

### DISCUSSION

Andrew Yates and Dan Stone were present on behalf of the application. He said this location was attractive for multi-family. He has another 24-unit apartment complex in town and has found that there is a demand for nicer one-bedroom units. He thought the view over Lake Cascades was attractive, and could be enticing for traveling nurses or young professionals. It will be nice finishes inside the units, with nice countertops. He is transporting a building from Grand Avenue. Once moved, it will be stripped to the bones, and they will add the 3<sup>rd</sup> floor to it. On the east side of the parcel, they would install an 8-foot-high privacy fence. On the west side, they are building a 2-foot-high berm with an 8-foot-high fence on top to block the substation. Given the zoning, this site could be a 4-story office building, so he thought this would be less intrusive to the surrounding neighborhood. He did communicate with the neighbors about his plans, but had not had anyone reach out. He lastly added that he wanted to have a dog park and is working on getting an easement to connect to the walking path off the back of the lot.

Mayor Muryn said that she liked the potential layout. She asked if he could work with Jeremy Kalb to get trees along McPherson to help provide more of a buffer between the parking lot and the neighbors across the street. Mr. Yates said he could do that and had planned on working around mature trees. Mayor Muryn added that she thought the dog park should only be for the residents to remove any confusion. Mr. Yates said he could put signage and potentially key cards to unlock a gate to the dog park. Matt Cordonnier noted that there is an elevation change, so he doubted many would try to walk through that area. Mr. Yates said that he agreed and that he was hoping to pick up the debris and keep that area looking nice.

Mr. Clinger asked about how they plan to move a building from Grand Avenue. Mr. Yates said would jack up the building off the foundation and then use cranes to load it onto a flatbed truck. They would then drive it across town to the site. They did this to save on building costs. Mr. Clinger said that he wanted to make sure that in the future, they comply with the architectural standards of the zoning code.

Dave Pueschel, 321 W. McPherson Avenue spoke. He understands what they are trying to do to make the project economically viable. He feared that the building height would infringe on the privacy of the neighbors to the east. He was also concerned about the runoff from the site. He added that he was concerned the traffic from Donnell could lead to issues with the site. His last concern was that there would be an increase in noise in the neighborhood. He thought that with



the increase in people in the area will impact negatively and could impact the home values in the area. Mayor Muryn addressed some of the concerns. She noted that there is a detention pond on the west side of the site. Mr. Pueschel asked if there was an oil separator. Mr. Kalb said that they don't require it.

Mayor Muryn asked if they could put architectural detail on the end to block the view to the east. Mr. Yates said that they could do that, and that the balcony and walkways would not face that direction, so that would not be a problem. Dan Stone did note that there was an easement that they needed to keep in mind. Mayor Muryn asked if they could shift west a bit. Dan Stone said that with detention and the trees on site, it would make it difficult.

Mr. Clinger asked if the access could be flipped to get it away from the neighbor. Mr. Stone said that they could do that. Mr. Yates said that they were willing to work to be a good neighbor.

Mr. Clinger asked how many units Mr. Yates owned, and he said over 150. He said that he was up front with neighbors about his history with projects and wants to maintain a good product in Findlay. Mr. Clinger added that the apartments would be less intrusive than an office building. Mr. Clinger asked if there were any concerns about the tower. Mr. Cordonnier said that since the tower is in place he didn't see it as an issue. Dave Glass, the CEO of Findlay Publishing, spoke about the tower. He said that they send signal from the tower to another facility in Houcktown. He asked if there was any issue with the tower and becoming non-compliant. Mr. Cordonnier reiterated that since it was there first, there shouldn't be any issue. Mr. Glass said that they do visit the site regularly so he's glad to hear that.

Mr. Stone asked in terms of the rezoning, he wanted to know if they could potentially rezone a portion to keep the tower in compliance. Mr. Cordonnier said that he didn't think it would be necessary to do that. If there was any issue where the tower is destroyed, the city would work with them to re-establish it.

Tom Romick, 320 W. McPherson Avenue, spoke next. He worried that the 3-stories are too dense for this property. He noted that the houses are single story, and this will be too intense for this neighborhood. He noted that several neighbors signed a petition to oppose the development. Jacob Mercer noted that he did receive a call about the petition but had not received it. Matt Cordonnier did share his concerns about the height, but he noted that it is set back off the right-of-way. Since it is further back, it doesn't feel as tall.

Aggie Hempfling, 420 W. McPherson Avenue, spoke next. She asked about the parking for the development. Mr. Yates said that this has 40 spaces, so he anticipated there being about 8 empty spots in the lot on average. She seconded Tom's comments that it's too intense of a use for the site.

Matt Cordonnier said that typically for a rezoning that the CPC does not address the site plan, but it is nice to merge the conversations a bit. He asked if they could install a hedge row to block the

lights from the parking lot shining across the street. Mr. Stone said that they would since it is part of the code, and they would work with the landscaping to block the lights.

Matt Cordonnier asked which trees were staying. Mr. Stone noted that two trees on the west side would remain. There was a tree in the front on that side that would need removed for the detention. Mr. Clinger added that along W. McPherson Avenue, he thought that

**MOTION**

Rob Martin made a motion to **approve 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.**

**2nd: Mayor Muryn**

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

Matt Cordonnier just reminded the group that the rezoning goes to the City Council Planning & Zoning committee at noon. Once they make a recommendation, it goes to City Council for 3 readings. The site plan will need to come back for review before the project can begin.

**MOTION**

Mayor Muryn made a motion to **table the APPLICATION FOR SITE PLAN REVIEW #SP-16-2023 filed by Andek LLC to construct a 3-story 24-unit apartment building at parcel #600000302210 on W. McPherson Avenue.**

**2nd: Rob Martin**

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

**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.**

**MOTION**

Mayor Muryn made a motion to **remove from the table 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: Dan Clinger**

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

**DISCUSSION**

Mayor Muryn started by asking Matt Cordonnier to go over the changes since our last discussions.

Matt Cordonnier said that he sent out the June update to the group, added it to the City website, and posted on the HRPC Facebook page.

Starting with page 30, items for CPC review, he noted that he was thinking of removing the item. The discussion was that we have fairly minor changes to site plans that are required to go to CPC, but common sense says it should not. He put a statement for staff to make administrative approval, but now he feels like we should not change it. Mayor Muryn agreed that removing it takes out the ambiguity.

For the Agriculture District, he put a height limit of 60 feet. The discussion was around silos and barns, and are often taller than a traditional accessory structure. Mayor Muryn asked if 60 feet was drawn from a standard height. Mr. Cordonnier said he used language from other communities but would consult some farmers to know if it would work. Mayor Muryn clarified too that any structure that annexed into the City would be pre-existing and grandfathered in. Jackie Schroeder asked if this was intended for any properties within the City. Matt Cordonnier said that this only would apply to properties zoned Agriculture. With the update, there would be zero parcels zoned agriculture. Ms. Schroeder asked if any could become zoned Agriculture. Mr. Cordonnier said yes, but they would have to request the rezone, and he would be hard pressed to think of any that would be ideal candidates within the city for this zoning. He reminded the group that nobody is entitled to a specific zoning class.

Mr. Cordonnier added that they included a number for animal operations. If someone wanted to do that within the city, they felt the City should want to know the number on site. The Mayor felt they should reduce the number. On the other hand, it is a conditional use, so maybe it wouldn't be a problem.

Councilman Russel spoke regarding the agriculture district. He wondered if they would want this because they would then have to track the number of animals on those sites. He thought the goal was to ease the transition of annexation for farm ground, and this seems to muddy down the process. Mr. Cordonnier said he played the opposite view, where they have a piece that was annexed and they look to increase into a large animal operation, then he would want to have a conversation with CPC.

The Conditional Use process will work well for this district because we don't want a farm to change hands and then change the intensity of the use. To Mr. Russel's point, we don't want to go and count individual animals, but we do want to know when they switch from farm ground to animal operations. The Mayor asked Mr. Cordonnier to continue thinking on this.

Matt Cordonnier removed a confusing statement regarding front yard setbacks. There was confusion regarding infill, so he thought it was best to remove it.

He added electric charging stations to the C-1, C-2, C-3, M-1, M-2, and O-1 districts. Originally, it was going to be C-2, but thought it was best to include in all these districts as a conditional use. This way, the board can review any before installation throughout the City.

The Design Review Board maintenance requirements has seen some changes. There was a haphazard process where after a complaint, the Board has to vote whether the complaint is valid before contacting the property owner. The update would allow the Board to meet with the property owner after a complaint is received. There have only been a handful of complaints in the five years, and they found that it has been an unnecessary added step.

Dan DeArment mentioned to Matt Cordonnier that they have transfer stations and recycling centers are permitted in I-1, so he moved them to conditional uses in I-1. This allowed for some ability for flexibility and review before they are implemented.

In the new I-3 district, they removed the “pyramid” system. Essentially, it said, I-1 and I-2 permitted uses were also allowed in I-3. This removes the pandora’s box from the I-3 district.

He added a definition for short term rentals and directly tied Airbnb’s to the code. He included this under the bed & breakfast definition to tie them together. This obviously was fresh in our minds due to the earlier case. Short term would be rented less than 28 days. Mr. Martin asked where the number came from. Mr. Cordonnier said it was from surveying other communities. He thought that in the future we might want to look at these further to address these. He said they are only a conditional use in R-2 and R-3 and not allowed in the R-1 district. He didn’t want to throw in too much changes regarding this at this late stage.

He noted to the group that all the exhibits and pictures would be removed. This will include removing the 1-page summaries at the beginning of each zoning district. When things are listed 2-3 times, it can lead to missing spots where there are conflicting statements.

Mr. Martin asked if Mr. Cordonnier had received any citizen feedback on the June update. Mr. Cordonnier said he had not. Mayor Muryn said that she would like to table again to give them time to get everything in its’ final form. Matt Cordonnier said he would get the final version out June 30<sup>th</sup>.

#### **MOTION**

Mayor Muryn made a motion table **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 and recommend staff make those adjustments.**

**2nd: Rob Martin**

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

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

# FINDLAY CITY PLANNING COMMISSION



## STAFF REPORT July 13<sup>th</sup>, 2023

### **CITY PLANNING COMMISSION MEMBERS**

Mayor Christina Muryn, Chairman  
Rob Martin, Service-Safety Director  
Jackie Schroeder  
Dan DeArment  
Dan Clinger

Matt Cordonnier, HRPC Director  
Jacob Mercer, HRPC Staff  
Kevin Shenise, Fire Inspector  
Jeremy Kalb, P.E., City Engineer  
Don Rasmussen, Law Director  
Erik Adkins, Flood Plain/Zoning Supervisor

**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1<sup>st</sup> floor of Municipal Building  
July 13<sup>th</sup>, 2023 – 9:00 AM

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SWEARING IN**

**APPROVAL OF MINUTES**

**NEW ITEMS**

1. APPLICATION FOR CONDITIONAL USE #CU-11-2023 filed by Ben & Courtney Dutcher for mixed-use commercial residential at 614 Lima Avenue.
2. APPLICATION FOR CONDITIONAL USE #CU-12-2023 filed by Elizabeth Baldrige, to allow welding in the building located at parcel #600001000740 at the corner of Olney Avenue and Morriscal Boulevard.

**TABLED ITEMS**

1. APPLICATION FOR ZONING AMENDMENT #ZA-04-2023 filed by Shane Kelly to rezone 609 W. Foulke Avenue from R-3 Small Lot Residential to C-1 Local Commercial.
2. APPLICATION FOR SITE PLAN REVIEW #SP-16-2023 filed by Andek LLC to construct a 3-story 24-unit apartment building at parcel #600000302210 on W. McPherson Avenue.
3. 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, 1<sup>st</sup> floor of Municipal Building  
Thursday, July 13<sup>th</sup>, 2023– 9:00 a.m.

**COMMENTS**

**NEW ITEMS**

- 1. APPLICATION FOR CONDITIONAL USE #CU-11-2023 filed by Ben & Courtney Dutcher for mixed-use commercial residential at 614 Lima Avenue.**

**CPC STAFF**

**General Information**

This request is located on the northeast corner of the intersection of Lima Avenue and Western Avenue. It is zoned C-2 General Commercial. To the north, it is also zoned C-2 General Commercial. To the east, there is neighborhood of R-3 Small Lot Residential. To the south and west, it is zoned I-2 Heavy Industrial. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

**Parcel History**

The site has been vacant since the Dairy Queen closed.

**Staff Analysis**

The applicant would like to convert the old Dairy Queen property into a mixed-use commercial/residential structure. They would have commercial on the first floor, with an apartment on the second. The proposed commercial tenant would be a coffee shop. The residential unit would be on the second floor and would not exceed 50% of the building square footage as prescribed in the zoning code.

The parking lot can accommodate 20 vehicles, which is well over the required amount in the C-2 district. There would not be any additional lighting planned for the building. The applicant stated that the ingress into the second story unit would be through the stairs at the rear. They plan to reconstruct them as part of the renovations.

In terms of the renovations, they are putting in exterior dormer windows for the second story. The applicant also plans to paint the structure to have it not look like the former Dairy Queen. Staff would recommend that the exterior work be approved by HRPC as part of the review process.

**Staff Recommendation**

Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-11-2023 filed by Ben & Courtney Dutcher for mixed-use commercial residential at 614 Lima Avenue with the following condition:**

- Approval of elevations by HRPC

**ENGINEERING**

- No Comment

**FIRE PREVENTION**

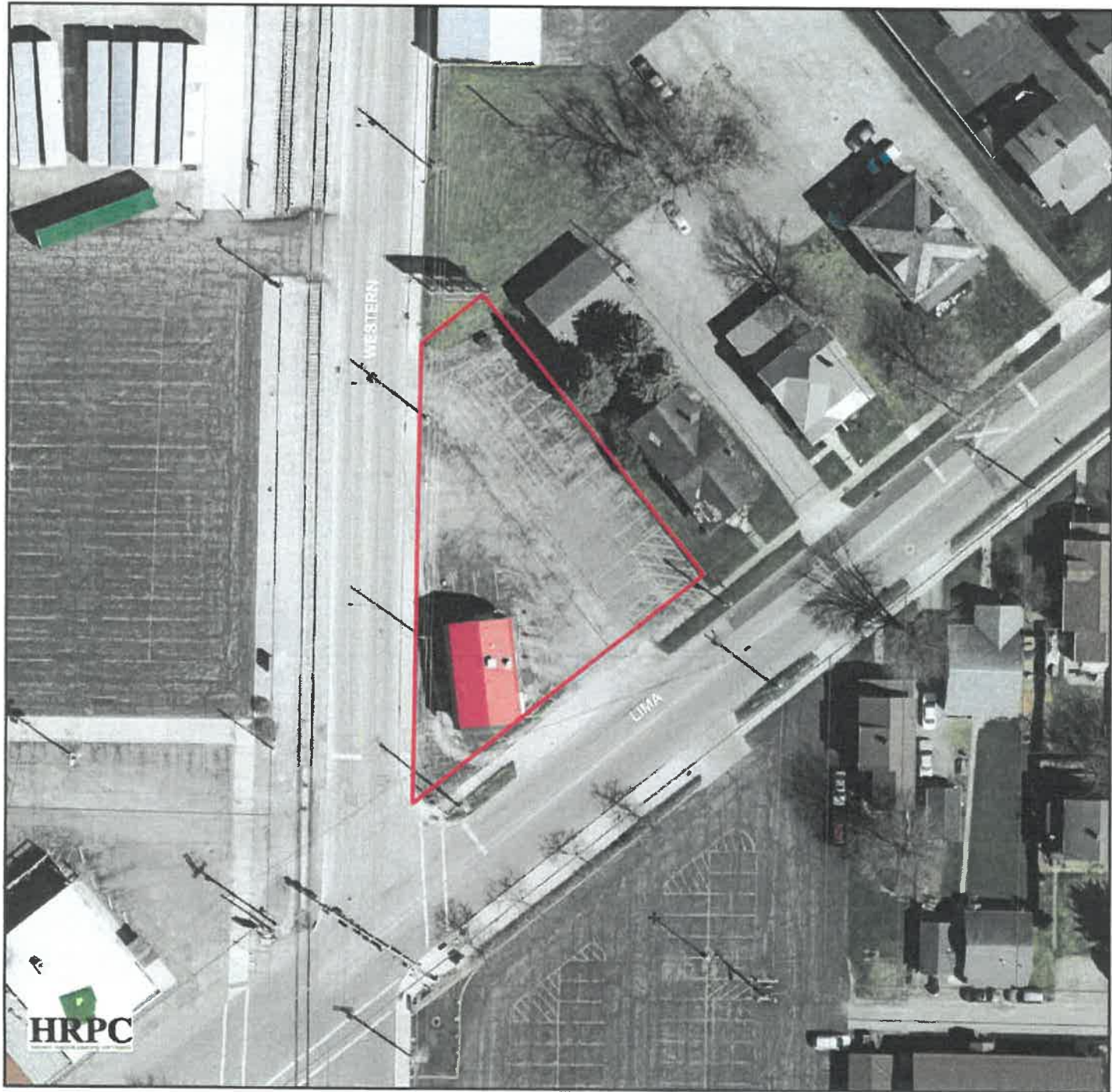
- No Comment

**RECOMMENDATION**

CPC Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-11-2023** filed by **Ben & Courtney Dutcher** for **mixed-use commercial residential at 614 Lima Avenue:**

- **Approval of elevations by HRPC**








# CU-12-2023

**APPLICATION FOR  
CONDITIONAL USE**  
filed by Ben & Courtney Dutcher  
for mixed use commercial residential  
at 614 Lima Avenue.

## Legend

-  614 W. Lima Avenue
-  Parcels
-  Road Centerline

Findlay Locator Map



**HRPC**

0 20 40 80 120 160  
Feet

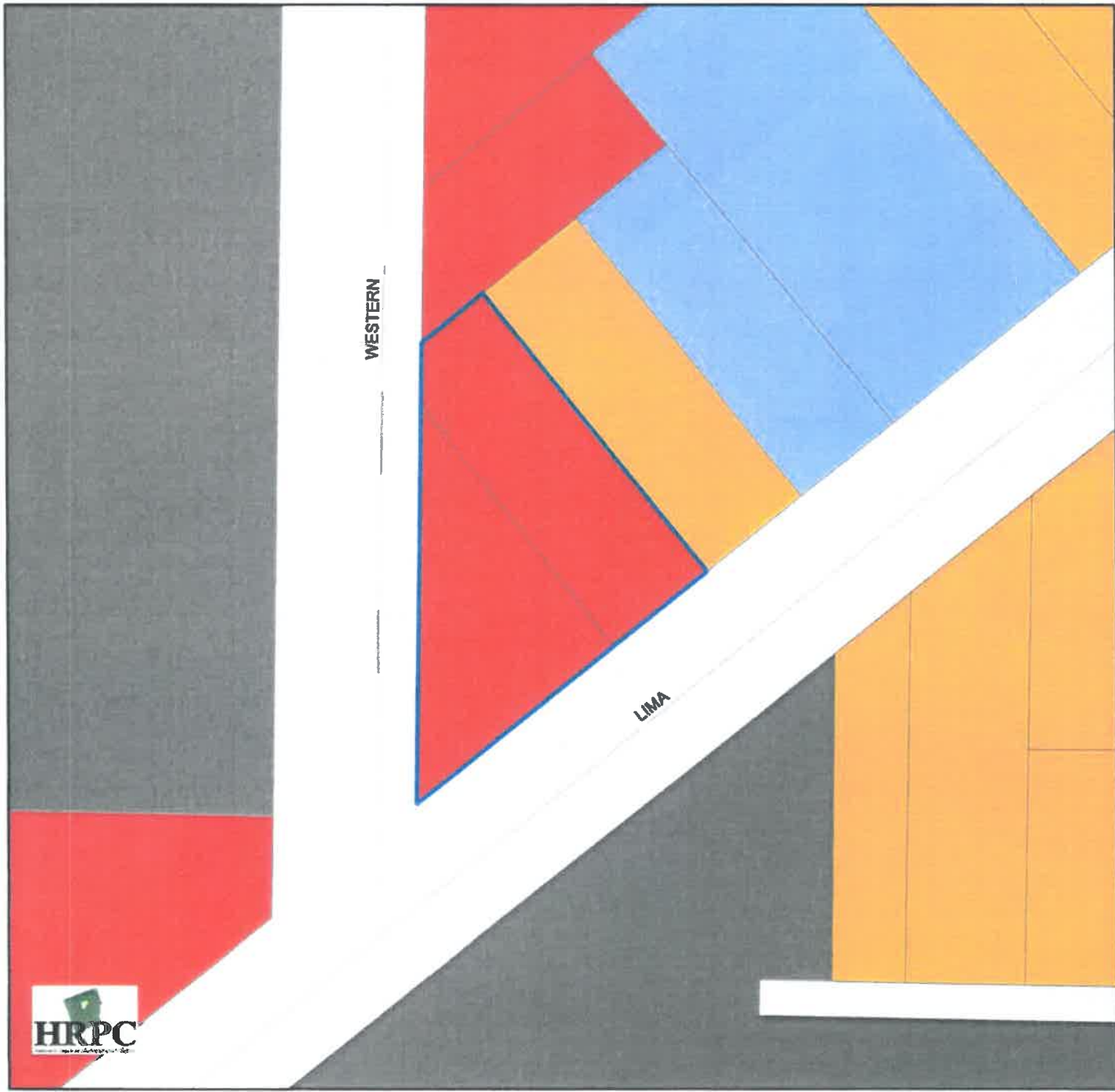
# CU-12-2023

APPLICATION FOR  
CONDITIONAL USE  
filed by Ben & Courtney Dutcher  
for mixed use commercial residential  
at 614 Lima Avenue.

### Legend

- 614 W. Lima Avenue
- Parcels
- Road Centerline
- Large Lot Residential, R-1
- Medium Lot Residential, R-2
- Small Lot Residential, R-3
- Duplex/Triplex, R-4
- Local Commercial, C-1
- General Commercial, C-2
- Downtown Commercial, C-3
- Office/Institution, O-1
- Light Industrial, I-1
- Heavy Industrial, I-2
- Condominium, CD
- Multi-Family, Low Density, M-1
- Multi-Family, High Density, M-2
- Parcs and Open Space, PO
- Mobile Home, MH

Findlay Locator Map



**2. APPLICATION FOR CONDITIONAL USE #CU-12-2023 filed by Elizabeth Baldrige, to allow welding in the building located at parcel #600001000740 at the corner of Olney Avenue and Morrival Boulevard.**

**CPC STAFF**

**General Information**

This request is located at the southwest intersection of Olney Avenue and Morrival Boulevard. It is zoned C-2 General Commercial. It is located in a neighborhood of R-3 Small Lot Residential. Along Lima Avenue to the south, there is C-2 General Commercial. It is not located in the 100-year flood plain. The City of Findlay Land Use Plan designates the parcel as Neighborhood Commercial.

**Parcel History**

According to the Auditor's website, the garage was constructed on the site in 1982, and has previously been used for storage.

**Staff Analysis**

The applicant has requested a conditional use to allow a welder to occupy one of the tenant spaces at the building. The new owners have started to advertise the space as commercial since they acquired the site last year.

Staff has concerns that while this parcel is zoned C-2 General Commercial, the use could have negative impacts on the surrounding neighborhood. There is no paved off-street parking. Neighbors have noted that semi-trucks have been parking along Olney Avenue, which is a narrow road. The Auditor lists the building at 2600 sf, which would mean that they would be required to provide seven parking spaces. Staff also recommends no work should be conducted outside the enclosed space.

While there is commercial properties on Lima Avenue, the area to the north and west are residential in nature. Staff would like to see some landscaping or fencing to help screen the residential from the commercial activity. We would also recommend a limit on hours of operation to Monday-Friday from 8am-5pm to reduce any additional impact on the neighborhood.

**Staff Recommendation**

CPC Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-12-2023 filed by Elizabeth Baldrige, to allow welding in the building located at parcel #600001000740 at the corner of Olney Avenue and Morrival Boulevard with the following conditions:**

- **Add screening along the west side of the parcel abutting residential**
- **Provide a parking area to accommodate 7 off-street parking spots**
- **Hours of Operation restricted to 8am-5pm Monday-Friday**
- **All welding work must be done in an enclosed space**

**ENGINEERING**

- No Comment

### **FIRE PREVENTION**

- Contact FFD to set up a fire inspection
- If any work is being done to the structure, be sure to obtain the proper permits

### **RECOMMENDATION**

Staff recommends approval of **APPLICATION FOR CONDITIONAL USE #CU-12-2023** filed by **Elizabeth Baldrige**, to allow welding in the building located at parcel **#600001000740** at the corner of **Olney Avenue** and **Morrical Boulevard** with the following conditions:

- **Add screening along the west side of the parcel abutting residential**
- **Provide a parking area to accommodate 7 off-street parking spots**
- **Hours of Operation restricted to 8am-5pm Monday-Friday**
- **All welding work must be done in an enclosed space**



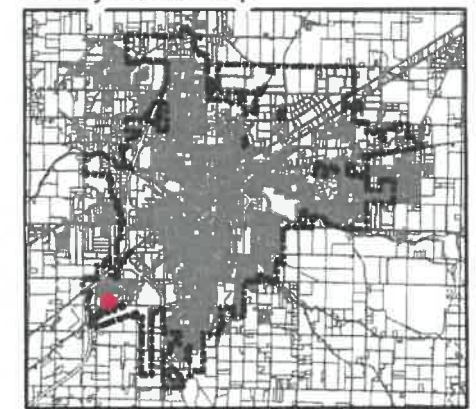
# CU-13-2023

**APPLICATION FOR  
CONDITIONAL USE**  
filed by Elizabeth Baldrige to  
allow welding in the building located  
at parcel #600001000740  
at the corner of  
Olney Avenue and  
Morrival Boulevard.

## Legend

- CU-13-2023
- Parcels
- Road Centerline

Findlay Locator Map



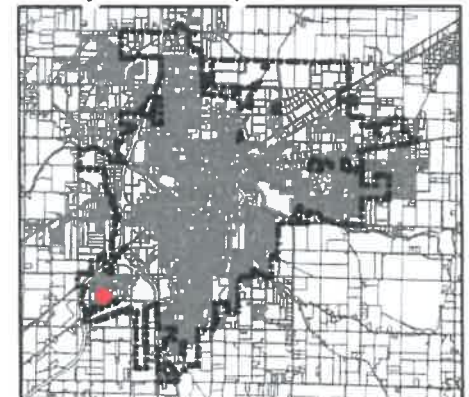
# CU-13-2023

APPLICATION FOR  
CONDITIONAL USE  
filed by Elizabeth Baldrige to  
allow welding in the building located  
at parcel #600001000740  
at the corner of  
Olney Avenue and  
Morrical Boulevard.

## Legend

- CU-13-2023
- Road Centerline
- Large Lot Residential, R-1
- Medium Lot Residential, R-2
- Small Lot Residential, R-3
- Duplex/Triplex, R-4
- Local Commercial, C-1
- General Commercial, C-2
- Downtown Commercial, C-3
- Office/Institution, O-1
- Light Industrial, I-1
- Heavy Industrial, I-2
- Condominium, CD
- Multi-Family, Low Density, M-1
- Multi-Family, High Density, M-2
- Parks and Open Spaces, PO
- Mobile Home, MH

## Findlay Locator Map









### **TABLED ITEMS**

1. **APPLICATION FOR ZONING AMENDMENT #ZA-04-2023 filed by Shane Kelly to rezone 619 W. Foulke Avenue from R-3 Small Lot Residential to C-1 Local Commercial.**

### **CPC STAFF**

#### **General Information**

This request is located on the south side of W. Foulke Avenue west of the intersection with Bolton Street. It is zoned R-3 Small Lot Residential. To the north, along Trenton Avenue, it is zoned mostly C-2 General Commercial. Along the south side of W. Foulke Avenue, it is zoned R-3 Small Lot Residential. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the parcel as Small Lot Residential.

#### **Parcel History**

The site is a single-family home.

#### **Staff Analysis**

The applicant, Shane Kelly, is the father of the property owner, Damon Kelly. They have requested to rezone the property to C-1 Local Commercial, so that he can operate his sublimation business on the property. The sublimation is a form of printing on items such as cups and t-shirts. He has an accessory structure that would allow him to store his equipment and operate the business. When he met with staff, he was interested in potentially doing a home business, however he felt the lack of being able to have signage or foot traffic was detrimental to the success of the business.

The Findlay Land Use Plan designates this site as residential. The request therefore goes against the Land Use Plan as adopted by the City of Findlay. Although the Findlay Land Use Plan is only one of our guiding criteria, deviation from the Plan is generally done under unique circumstances. In the case of this request, there are a variety of other concerns that suggest that deviation would not benefit the surrounding community. These concerns include: increased traffic, increase in use intensity, and extending commercial south into a residential neighborhood.

#### **Staff Recommendation**

Staff recommends that FCPC recommend denial of **APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 619 W. Foulke Avenue from R-3 Small Lot Residential to C-1 Local Commercial.**

### **ENGINEERING**

- No Comment

### **FIRE PREVENTION**

- No Comment




### **RECOMMENDATION**

**CPC Staff recommends that FCPC recommend denial of APPLICATION FOR ZONING AMENDMENT #ZA-04-2023; filed by Shane Kelly to rezone 619 W. Foulke Avenue from R-3 Small Lot Residential to C-1 Local Commercial.**

# ZA-04-2023

APPLICATION FOR  
ZONING AMENDMENT  
filed by Shane Kelly to  
rezone 609 W. Foulke from  
R-3 Small Lot Residential to  
C-1 Local Commercial.

## Legend

-  609 W. Foulke Avenue
-  Parcels
-  Road Centerline



Findlay Locator Map



# ZA-04-2023

APPLICATION FOR  
ZONING AMENDMENT  
filed by Shane Kelly to  
rezone 609 W. Foulke from  
R-3 Small Lot Residential to  
C-1 Local Commercial.



### Legend

- 609 W. Foulke Avenue
- Parcels
- Road Centerline
- Large Lot Residential, R-1
- Medium Lot Residential, R-2
- Small Lot Residential, R-3
- Duplex/Triplex, R-4
- Local Commercial, C-1
- General Commercial, C-2
- Downtown Commercial, C-3
- Office/Institution, O-1
- Light Industrial, I-1
- Heavy Industrial, I-2
- Condominium, CD
- Multi-Family, Low Density, M-1
- Multi-Family, High Density, M-2
- Parks and Open Space, PO
- Mobile Home, MH

Findlay Locator Map



0 40 80 160 240 320

N

2. **APPLICATION FOR SITE PLAN REVIEW #SP-16-2023 filed by Andek LLC to construct a 3-story 24-unit apartment building at parcel #600000302210 on W. McPherson Avenue.**

**CPC STAFF**

**General Information**

This request is located on the south side of W. McPherson Avenue just east of the intersection with Hurd Avenue. It is currently in the process of rezoning from O-1 Office/Institution to M-2 Multi-Family, High Density. It is in a neighborhood of R-1 Large Lot Residential. It was a part of the PUD for the Lake Cascades Park. It is not located within the 100-year flood plain.

**Parcel History**

The site is currently vacant.

**Staff Analysis**

The applicant would like to construct a three-story apartment building on the site. Staff received an updated site plan for the site as well as elevations for the building. The site plan shows a 3-story structure that can accommodate 24 single bedroom units. The units are above the minimum 500 sf in living space required in the M-2 district. In terms of lot size, 24 units exceeds the lot size ratio of one unit/3500 sf. They will need to request a variance from the BZA to increase from 16 units to 24. The applicant indicated that they wanted to stick to the 24 one-bedroom units, rather than higher bedroom counts because that would in theory increase the number of people in each unit. That would then increase the number of parking spaces that they would need for each unit.

In terms of the site layout, we have seen an update to the parking plan to accommodate the dead end parking turnarounds on the drive aisles. The parking lot itself can accommodate 41 parking spots, with 2 being handicap accessible. This is below the minimum standard for M-2, which requires 2 parking spaces per dwelling unit and 1 per 5 units for visitor parking. The applicant indicated a reduction in total parking was derived from the idea that each unit was a single bedroom, so they would not require as much parking as a traditional development. This would need BZA approval.

The landscaping plan submitted meets the standards except that they were short 5 shrubs on the foundation plantings. Staff would like to see the 5 additional shrubs added to the site. On the east side of the site, they have indicated a privacy fence to screen the residential neighbor. This would drop down to a 40-foot long, 4-foot high fence all the way to the north property line. Staff would like to see the 4-foot high fence changed to decorative landscaping if possible.

**Staff Recommendation**

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-16-2023 filed by Andek LLC to construct a 3-story 24-unit apartment building at parcel #600000302210 on W. McPherson Avenue with the following condition:

- **Approval of the rezoning from O-1 Office/Institution to M-2 Multi-Family High Density.**
- **Variances provided from the BZA to increase the allowed total units from 16 to 24 and the reduction in parking from 53 to 41.**

## **ENGINEERING**

### ***Access –***

Site will be accessed from a new curb cut that is located on the east side of the site. The new curb cut will lead into a parking lot that will be used by the tenants for the proposed apartments.

### ***Water Service –***

The plans are proposing a domestic line to come off of the 10-inch waterline that is running N-S through the site. Due to the location of the water main the meter will most likely need to be placed inside of the building. Final location of the meter shall be determined with the City of Findlay Water Department.

### ***Sanitary Service –***

The sanitary service will be connected to the sanitary sewer that is running N-S through the site.

### ***Stormwater Management –***

The site plans are proposing a new detention pond to be located on the NW corner of the site and have met the detention requirements for the City.

### ***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 site plans the applicant has provided a SWPPP plan for the site.

### ***Recommendations:***

Approval of the Site

The following permits may be required prior to construction:

- Sidewalk Permit x1
  - 50 FT
- Curb Cut Permit x1
  - 55 FT
- Street Opening Permit x1
- Water Service x1
- Sanitary Tap x1
- Storm Tap x1

**FIRE PREVENTION**

- Be sure to obtain all proper permits for construction
- Concerns regarding site accessibility for fire apparatus

**RECOMMENDATION**

CPC Staff recommends tabling of APPLICATION FOR SITE PLAN REVIEW #SP-16-2023 filed by Andek LLC to construct a 3-story 24-unit apartment building at parcel #600000302210 on W. McPherson Avenue with the following condition:

- Approval of the rezoning from O-1 Office/Institution to M-2 Multi-Family High Density.
- Variance provided from the BZA to increase the allowed total units from 16 to 24 and the reduction in parking from 53 to 41.




- 3. 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.**

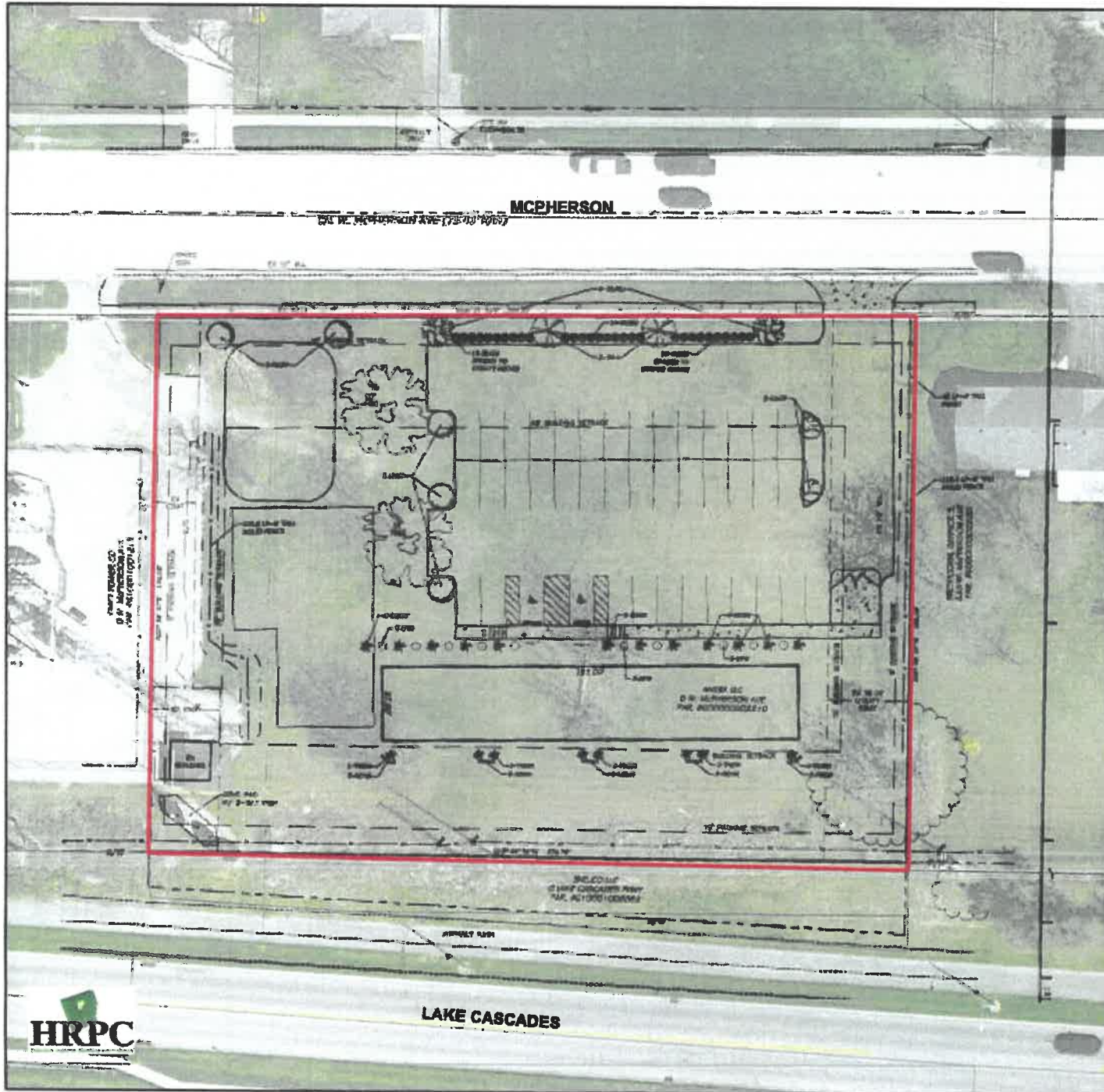


# SP-16-2023

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

## Legend

-  Parcel #600000302210
-  Parcels
-  Road Centerline



Findlay Locator Map





## AUDITOR'S OFFICE

318 Dorney Plaza, Room 313  
Findlay, OH 45840-3346  
Telephone: 419-424-7101 • Fax: 419-424-7866  
[www.findlayohio.com](http://www.findlayohio.com)

**JIM STASCHIAK II**  
CITY AUDITOR

July 12<sup>th</sup>, 2023

The Honorable Council  
Findlay, Ohio

**It is respectfully requested this letter be read into the record of the Council Meeting.**

SUBJECT: Revenue Estimates for fiscal year 2024

Dear Council Members,

Ohio clearly defines a budgetary process which includes the requirement that municipalities prepare an annual tax budget by July 20<sup>th</sup>. The County Budget Commission has not required the filing of a complete tax budget for many years and requires the City of Findlay only to provide the attached 'Estimated Revenues' for submission to the Budget Commission for the next fiscal year.

In order to meet the statutory requirements for the distribution of the local government money, this document should now be formally accepted by Council, so it can then be filed with the County Auditor by no later than July 20.

A motion for acceptance of the revenue estimates will be needed. As required by statute, the Council Clerk scheduled a public hearing before this meeting, notice of which was published 10 days before the hearing. The document has been available for public inspection in my office since July 7<sup>th</sup> of this year.

Respectfully submitted,

Jim Staschiak II  
City Auditor

## ESTIMATE OF REVENUES

2024

CITY OF FINDLAY

EXHIBIT I

FUND NAME: GENERAL FUND

FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL

DESCRIPTION (1)	CURRENT YEAR 2023	BUDGET YEAR 2024
BALANCE, JANUARY 1	\$27,141,763	\$23,318,244
REVENUES		
Local Taxes		
General Property Tax-Real Estate and Tangible Personal Property Tax	\$2,778,000	\$2,778,000
Trailer Tax and Other Local Taxes-	\$9,310	\$9,510
Hotel/Motel	\$700,000	\$700,000
Subtotal Local Taxes	<u>\$3,487,310</u>	<u>\$3,487,510</u>
Intergovernmental Revenues		
State Shared Taxes & Permits		
1.1 County LGF	\$560,000	\$560,000
Municipal LGF	\$215,000	\$215,000
Cigarette Tax	\$1,850	\$1,850
License Tax		
Liquor & Beer Permits	\$32,000	\$32,000
Gasoline Tax		
Other State Shared Taxes & Permits	\$0	\$0
Subtotal State Shared Taxes & Permi	<u>\$808,850</u>	<u>\$808,850</u>
Fees for Services, Fines and Transfers		
Cable Franchise Fees	\$300,000	\$310,000
General Interest Earnings	\$800,000	\$900,000
Income tax transfer	\$21,233,242	\$21,688,726
Municipal Court Fines and Fees	\$1,307,275	\$1,307,275
Health Department Fees	\$0	\$0
Interdepartmental Charges		
Auditor's office	\$449,700	\$449,700
Computer Services	\$661,500	\$661,500
Engineering	\$0	\$0
Recreation	\$836,902	\$804,400
Misc Fees for Services	\$3,171,021	\$1,479,302
Subtotal Fees, Fines, Transfers	<u>\$28,759,640</u>	<u>\$27,600,903</u>
TOTAL REVENUE	\$31,352,609	\$31,897,263
TOTAL REVENUE AND BALANCE	\$58,494,372	\$55,215,507

THE CITY OF FINDLAY

Used for any fund receiving property tax revenue except General Fund

FUND NAME: POLICE PENSION

Exhibit II

FUND TYPE/CLASSIFICATION: GOVERNMENTAL/SPECIAL REVENUE

DESCRIPTION	CURRENT YEAR 2023	BUDGET YEAR 2024
(1)		

REVENUE

Real Property Tax (0111) \$290,465 \$290,465

St Dist Rollback Tax (0112)

St Dist Homestead Tax (0113)

Tang.Pers.Property Tax (0114)

Trailer Tax (0115)

TOTAL REVENUE \$290,465 \$290,465

BALANCE, JANUARY 1 \$0 \$0

70780 TOTAL REVENUE & BALANCE \$290,465 \$290,465

FUND NAME: FIRE PENSION

Exhibit II

FUND TYPE/CLASSIFICATION: GOVERNMENTAL/SPECIAL REVENUE

DESCRIPTION	CURRENT YEAR 2023	BUDGET YEAR 2024
(1)		

REVENUE

Real Property Tax (0111) \$290,465 \$290,465

St Dist Rollback Tax (0112)

St Dist Homestead Tax (0113)

Tang.Pers.Property Tax (0114)

Trailer Tax (0115)

TOTAL REVENUE \$290,465 \$290,465

BALANCE, JANUARY 1 \$0 \$0

70790 TOTAL REVENUE & BALANCE \$290,465 \$290,465

FUND	ESTIMATED UNENCUMBERED BALANCE January 1 2024	BUDGET YEAR ESTIMATED REVENUE 2024	TOTAL BALANCE AND REVENUE
List all funds individually unless reported on Exh. I or II			

GOVERNMENTAL:

SPECIAL REVENUE

20400	SCM&R-Streets	\$1,361,168	\$3,227,400	\$4,588,568
20420	County Permissive	\$0	\$0	\$0
20405	SCM&R-Hiways	\$371,441	\$206,100	\$577,541
70470	City Income Tax	\$10,193,823	\$28,820,720	\$39,014,543
20600	Law Enforcement Trust Fund	\$0	\$0	\$0
20650	Drug Enforcement Trust Fund	\$36	\$0	\$36
20700	I.D. Alcohol Treatment	\$158,648	\$15,900	\$174,548
20740	Opiod Abatement Fund	\$10,044	\$0	\$10,044
20750	Enforce/Education	\$641	\$2,600	\$3,241
20790	Court Special Projects	\$156,670	\$300,000	\$456,670
20800	Court Computerization Fund	\$38,968	\$65,000	\$103,968
20810	Metrich Drug Law Enforce Fund	\$1	\$0	\$1
20820	Alcohol Monitoring	\$45,604	\$32,100	\$77,704
20830	Mediation Services	\$141,504	\$14,000	\$155,504
20840	Electronic Imaging	31,313	\$45,000	\$76,313
20850	Legal Research	\$20,763	\$0	\$20,763
20900	Severance Payout Reserve	\$1,720,145	\$3,441	\$1,723,586
20970	ARPA Relief Fund	\$1,225,902	\$0	\$1,225,902
20990	Coronavirus Relief Fund	\$0	\$0	\$0
	TOTAL SPECIAL REVENUE FUNDS	\$15,476,671	\$32,732,261	\$48,208,932

DEBT SERVICE FUNDS

30100	Debt Service	\$0	\$618,021	\$618,021
30900	MPTIF - 236	\$0	\$0	\$0
	TOTAL DEBT SERVICE FUNDS	\$0	\$618,021	\$618,021

CAPITAL PROJECT FUNDS

40200	Municipal Court Improve. Fund	\$184,890	\$175,000	\$359,890
	TOTAL CAPITAL PROJECTS	\$184,890	\$175,000	\$359,890

SPECIAL ASSESSMENT FUNDS

80100	Special Assessments-Pavements	\$1,712	\$0	\$1,712
80200	Special Assessments-Walks	\$0	\$0	\$0
80300	Special Assessments-Storm Sew	\$85	\$0	\$85
80400	Special Assessments-San.Sewers	\$0	\$0	\$0
80500	Special Assessments-Bldg.Demol.	\$0	\$0	\$0
	TOTAL SPECIAL ASSESSMENT FUNDS	\$1,797	\$0	\$1,797

FUND	ESTIMATED UNENCUMBERED BALANCE January 1 2024	BUDGET YEAR ESTIMATED REVENUE 2024	TOTAL BALANCE AND REVENUE	
List all funds individually unless reported on Exh. I or II				
PROPRIETARY:				
ENTERPRISE FUNDS				
50100	Airport Operations	\$215,124	\$1,084,850	\$1,299,974
50500	Water Fund	\$6,935,725	\$8,793,220	\$15,728,945
50600	Water Pol Cntrl (Sewer) Fund	\$18,641,289	\$9,988,280	\$28,629,569
50700	Parking Fund	\$50,797	\$95,781	\$146,578
50800	Swimming Pool Fund	\$7,758	\$109,097	\$116,855
TOTAL ENTERPRISE FUNDS		\$25,850,692	\$20,071,228	\$45,921,920
INTERNAL SERVICE FUNDS				
60300	Central Stores	\$10,977	\$11,700	\$22,677
60500	Workers Comp Retro Plan	\$0	\$0	\$0
60600	Self Insurance	\$935,659	\$10,000	\$945,659
TOTAL INTERNAL SERVICE FUNDS		\$946,636	\$21,700	\$968,336
FIDUCIARY:				
TRUST & AGENCY FUNDS				
70860	Cemetery Trust	\$1,675,227	\$56,500	\$1,731,727
70870	Private Trust	\$164,506	\$170	\$164,676
70880	Guaranteed Deposits	\$0	\$0	\$0
TOTAL TRUST & AGENCY FUNDS		\$1,839,733	\$56,670	\$1,896,403
TOTAL FOR MEMORANDUM ONLY		\$44,300,418	\$53,674,880	\$97,975,298

**CITY OF FINDLAY  
GENERAL OBLIGATION DEBT  
Budget Year**

**2024**

**EXHIBIT IV**

	PURPOSE OF BONDS AND NOTES	Date of Issue	Date Due	Ordinance or Resolution	Rate of Interest (Avg)	Amounts of Bonds and Notes Out- standing at beginning of budget year January 1 2024	BUDGET YEAR		
							Amount Required for Principal and Interest January 1 to December 31 2024	Amount Receivable from Other Sources to Meet Debt Pmts January 1 to December 31 2024	
Long Term Bonds	INSIDE 10 MILL LIMIT								
	2016 Cube, Diamonds, CR236 refunding '08	2016	07/01		2.57%	\$4,020,000	\$515,602	\$515,602	
	Energy Bond Series 'B'	2011	12/01		5.40%	\$230,106	\$87,736	\$87,736	
	<b>TOTAL</b>					<b>\$4,250,106</b>	<b>\$603,337</b>	<b>\$603,337</b>	

\* If the levy is outside the 10 mill limit by vote enter the words "by vote" and the date of the election.  
If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.

# **ESTIMATE OF REVENUES**

## **FOR SUBMISSION TO THE BUDGET COMMISSION**

**Hancock County  
Budget Commission**

**City of Findlay  
Budget Year 2024**

### **To the Auditor of Hancock County:**

The following revenue estimates for the budget year beginning January 1, 2024 has been adopted by the Council of the City of Findlay and is herewith submitted for consideration of the Budget Commission.

**Signed** \_\_\_\_\_

**Date** \_\_\_\_\_





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

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

July 7, 2023

RE: 212/236 Annexation

Dear Council,

As you know, since 2016 the City of Findlay has been working to reconfigure the intersection of County Road 212 and County Road 236. This project was focused on providing a better route for truck traffic outside of downtown, creating an overall safer intersection, and further enhancing the County Road 212/County Road 99 area as an industrial corridor.

Included on the next page of this letter is a timeline of our work on this project.

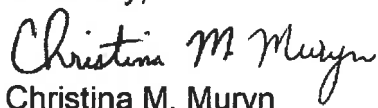
In April 2022, Engineer Cade made the City aware that we could not complete this project because the entire roadway was not within City Corporation limits. The City immediately began work to complete annexation.

On June 29<sup>th</sup>, 2023 the Hancock County Board of Commissioners denied the annexation request. (Attached)

It is my belief that this project continues to have significant community safety and economic benefit to the City of Findlay and Hancock County.

Though legally not required, included in your packet today is a simple resolution showing City Council's support of proceeding with filing an appeal to the Court of Common Pleas to pursue the annexation of this property.

Sincerely,

  
Christina M. Muryn  
Mayor

<b><u>Date</u></b>	<b><u>Task(s)</u></b>
7/2016	Letters of Interest received from 7 consultants and money was appropriated to the project to have Peterman Design the project. County Engineer Cade served as a project evaluator.
9/30/2016	City of Findlay performed Soil borings on CR212 & CR236
11/2018	Preliminary Plans received from Peterman
1/18-1/25/2022	reconfigure intersection at SR 12 to allow AEP to maintain location of transmission pole, narrow roadway to railroad to allow HWEC to keep their pole alignment.
1/19/2022	submitted plans to N&S
1/24/2022	Mayor sent an email to the Commissioners, County Auditor, and Cade to meet to talk about the project and possible funding. Email included the description of the project, cost, and schedule.
2/14/2022	Met with Doug Cade and Commissioner Pepple to discuss the project and funding.
2/7-7/6/2022	submitted plans to SUNOCO/Energy Transfer, worked through roadway relocation, shifting 212 north to minimize impact to SUNOCO pipeline, received approval 7/6/22
2/24/2022	received Preliminary Engineering Agreement (PEA) from N&S
4/6 /2022	submitted executed PEA to N&S
4/20/2022	Doug informs the City that the project needs to be annexed into the City prior to Starting
4/25/2022	Met with Dan Stone to discuss the annexation process and to get started.
5/3/2022	PO issued to N&S for PEA
6/27/2022	received 30% comments from AECOM/N&S
7/21/2022	City requested design exception for switch relocation to Legacy
7/28/2022	Received the annexation plat from Dan Stone for Comments
7/29/2022	N&S denied design exception
8/10/2022	Annexation Plats sent to County from approval. There was a discrepancy in the Right of Way width for CR236 north of CR212 we needed a clarification from the County.
8/30/2022	Reached out to the County to see if they found anything on the ROW.

9/6/2022	Received a response that they there still working on it.
10/3/2022	Dan Stone sent in a Public Records request for the ROW
10/4/2022	Right of Way for CR236 (through public records request) provided to Dan Stone from County
10/22/2022	City met with Legacy, they have no interest in keeping switch as they no longer use it
10/25/2022	County Engineer provides approval of the annexation map
11/11/2022	N&S approves removing switch from the project
11/8/2022	Advertised to Bid to stay ahead of construction season
12/6/2022	Bids due, subsequently changed to 12/13/2022
5/30/2023	Annexation Hearing held at the Commissioner's Meeting
06/29/2023	Commissioner's Filed Resolution of Denial



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

Rob Martin BSN, MBA  
Service-Safety Director

June 29, 2023

Honorable City Council  
City of Findlay, Ohio

Dear Honorable Council Members:

The City of Findlay Public Works Department once again is applying for the annual Community Park Improvement Program Grant through the Hancock Park District (HPD).

Project #1 request is for \$22,000.00 for restoration of the main restroom and main electrical building at Riverside Park. The restoration will include removing loose and defective mortar joints, power washing the building, and tuck and point work on all defective mortar joints, then sealing the brick. The work will be performed by a local contractor.

Project #2 request is for \$10,000.00 to extend the stage at Riverside Park Bandshell by 12 feet x 52 feet, laying brick and pouring a 6 inch cap of concrete making the stage permanent. The work will be done by the City of Findlay team.

Project #3 request is for \$8000.00 to replace the boards on the walk bridge at Emory Adams Park that crosses Eagle Creek over the east side of the park along Brookside Drive. The work will be done by the City of Findlay team.

The HPD grant is offered each year to communities within Hancock County to improve their park systems. This grant is then divided among the communities that request the available funds. These funds are at no cost to the community and do not require matching funds. The City has completed many projects in our parks using these grant dollars.

One of the requirements of the grant is to "obtain project approval during a public meeting from its governing body." Therefore, I am requesting that Council approve the aforementioned projects to be funded by the grant funds.

Thank you for your consideration of this matter.

Sincerely,

Rob Martin  
Service-Safety Director

pc: Donald J. Rasmussen, Director of Law  
Dave Honse, Public Works Department  
Jim Staschiak II, City Auditor



# AUDITOR'S OFFICE

318 Dorney Plaza, Room 313  
Findlay, OH 45840-3346  
Telephone: 419-424-7101 • Fax: 419-424-7866  
[www.findlayohio.com](http://www.findlayohio.com)

**JIM STASCHIAK II**  
CITY AUDITOR

Wednesday, July 12, 2023

The Honorable Council  
Findlay, Ohio

Council Members,

A set of summary financial reports for the prior month include:

Summary of Year-To-Date Information as of June 30<sup>th</sup>, 2023  
Financial Snapshot for General Fund as of June 30<sup>th</sup>, 2023  
Open Projects Report as of June 30<sup>th</sup>, 2023  
Cash & Investments as of June 30<sup>th</sup>, 2023

Respectfully Submitted,

A handwritten signature in blue ink, which appears to read "Jim Staschiak II". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Jim Staschiak II  
City Auditor

**CITY OF FINDLAY**  
**SUMMARY OF YEAR-TO-DATE INFORMATION AS OF JUNE 30, 2023**

	<b>EXPENDITURE BUDGET</b>	<b>Y-T-D EXPENSED</b>	<b>Y-T-D %</b>	<b>ANNUAL REVENUE BUDGET</b>	<b>Y-T-D RECEIVED</b>	<b>Y-T-D %</b>
COUNCIL	245,711	109,037	44.4%	2,500	1,000	40.0%
MAYOR'S OFFICE	345,019	170,203	49.3%	2,900	3,105	107.1%
AUDITOR'S OFFICE	933,039	418,692	44.9%	450,197	182	0.0%
TREASURER'S OFFICE	31,344	19,239	61.4%	-	-	0.0%
LAW DIRECTOR	830,239	393,392	47.4%	152,560	32,285	21.2%
MUNICIPAL COURT	2,803,489	1,154,679	41.2%	1,307,275	793,174	60.7%
CIVIL SERVICE OFFICE	123,751	51,968	42.0%	-	-	100.0%
PLANNING & ZONING	156,883	87,475	55.8%	-	-	0.0%
COMPUTER SERVICES	661,455	311,245	47.1%	661,445	662,278	100.1%
GENERAL EXPENSE	3,935,201	2,248,399	57.1%	-	-	0.0%
GENERAL REVENUE	-	-	0.0%	26,872,812	18,807,171	70.0%
POLICE DEPARTMENT	9,827,730	4,132,268	42.0%	458,205	124,134	27.1%
DISASTER SERVICES	66,801	59,207	88.6%	-	-	0.0%
FIRE DEPARTMENT	8,922,453	4,068,635	45.6%	333,918	68,836	20.6%
DISPATCH CENTER	1,293,965	615,707	47.6%	-	-	0.0%
HUMAN RESOURCES	184,408	80,372	43.6%	-	651	0.0%
SERVICE DIRECTOR	325,499	137,141	42.1%	-	-	0.0%
ENGINEERING OFFICE	913,616	407,926	44.6%	122,000	57,300	47.0%
PUBLIC BUILDING	737,354	176,890	24.0%	-	117	0.0%
ZONING	414,729	173,211	41.8%	87,350	66,204	75.8%
PARK MAINTENANCE	1,304,064	567,007	43.5%	108,735	103,244	94.9%
RESERVOIR RECREATION	14,688	2,491	17.0%	-	-	0.0%
RECREATION MAINTENANCE	1,560	-	0.0%	-	-	0.0%
RECREATION FUNCTIONS	1,130,396	492,102	43.5%	836,902	412,490	49.3%
CEMETERY DEPARTMENT	660,283	264,340	40.0%	178,300	102,858	57.7%
<b>TOTAL GENERAL FUND</b>	<b>35,863,677</b>	<b>16,141,624</b>	<b>45.0%</b>	<b>31,575,099</b>	<b>21,235,028</b>	<b>67.3%</b>

CONTINUED ON REVERSE

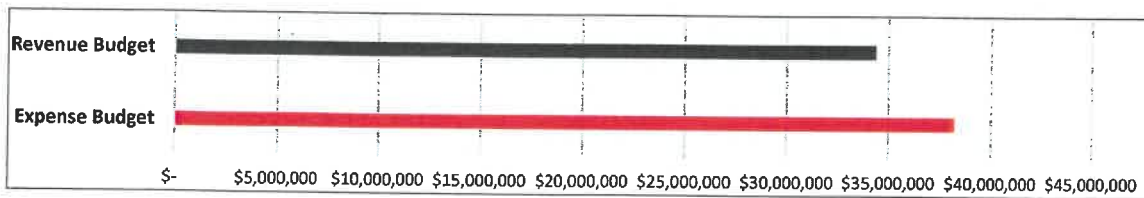
	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
SCM&R STREETS	4,171,715	1,580,719	37.9%	3,366,798	2,062,723	61.3%
TRAFFIC-SIGNALS	631,785	275,977	43.7%	103,431	110,226	106.6%
<b>TOTAL SCM&amp;R FUND</b>	<b>4,803,500</b>	<b>1,856,697</b>	<b>38.7%</b>	<b>3,470,229</b>	<b>2,172,950</b>	<b>62.6%</b>
SCM&R HIWAYS	195,995	95,113	48.5%	205,100	98,255	47.9%
<b>TOTAL SCM&amp;R HIWAYS FUND</b>	<b>195,995</b>	<b>95,113</b>	<b>48.5%</b>	<b>205,100</b>	<b>98,255</b>	<b>47.9%</b>
AIRPORT OPERATIONS	1,513,602	609,066	40.2%	1,201,251	673,929	56.1%
<b>TOTAL AIRPORT FUND</b>	<b>1,513,602</b>	<b>609,066</b>	<b>40.2%</b>	<b>1,201,251</b>	<b>673,929</b>	<b>56.1%</b>
WATER TREATMENT	4,271,435	1,594,079	37.3%	46,300	44,075	95.2%
WATER DISTRIBUTION	3,026,687	1,089,490	36.0%	98,200	58,328	59.4%
UTILITY BILLING	2,228,065	881,932	39.6%	8,669,008	4,849,007	55.9%
SUPPLY RESERVOIR	1,277,162	237,865	18.6%	19,879	4,709	23.7%
<b>TOTAL WATER FUND</b>	<b>10,803,349</b>	<b>3,803,367</b>	<b>35.2%</b>	<b>8,833,387</b>	<b>4,956,119</b>	<b>56.1%</b>
SANITARY SEWER MAINT	1,385,997	480,817	34.7%	1,000	1,565	156.5%
STORMWATER MAINT	322,133	101,862	31.6%	790,500	396,473	50.2%
WATER POLLUTION CONTROL	4,781,207	2,256,453	47.2%	9,137,700	4,800,048	52.5%
<b>TOTAL SEWER FUND</b>	<b>6,489,337</b>	<b>2,839,132</b>	<b>43.8%</b>	<b>9,929,200</b>	<b>5,198,086</b>	<b>52.4%</b>
PARKING	145,946	52,719	36.1%	131,785	85,477	64.9%
<b>TOTAL PARKING FUND</b>	<b>145,946</b>	<b>52,719</b>	<b>36.1%</b>	<b>131,785</b>	<b>85,477</b>	<b>64.9%</b>
SWIMMING POOL	138,750	56,325	40.6%	109,003	109,003	100.0%
<b>TOTAL SWIMMING POOL FUND</b>	<b>138,750</b>	<b>56,325</b>	<b>40.6%</b>	<b>109,003</b>	<b>109,003</b>	<b>100.0%</b>
CIT ADMINISTRATION	25,826,642	16,012,132	62.0%	28,229,300	20,585,239	72.9%
<b>TOTAL CIT FUND</b>	<b>25,826,642</b>	<b>16,012,132</b>	<b>62.0%</b>	<b>28,229,300</b>	<b>20,585,239</b>	<b>72.9%</b>

**GENERAL FUND REVENUES & EXPENSES**

Prior Year Ending Cash Balance – Unappropriated		\$	27,141,763
Revenue and Receipts Projection General Fund	\$	34,388,989	
Expenses Appropriated General Fund <i>(assumes \$0.00 returned by departments)</i>	\$	<b>38,212,508</b>	

**BUDGETED OPERATIONAL SURPLUS/(DEFICIT)** **(3,823,519)**

**BUDGETED UNENCUMBERED YEAR END GENERAL FUND BALANCE** **\$ 23,318,244**



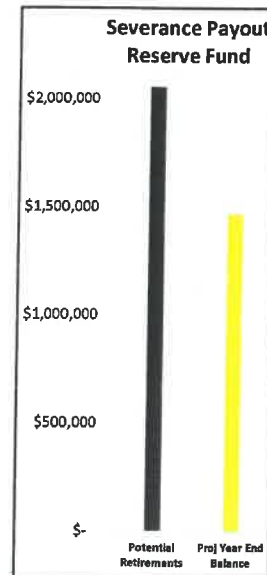
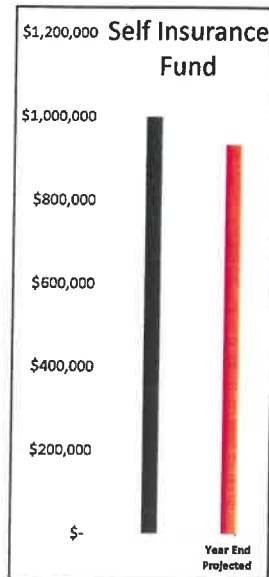
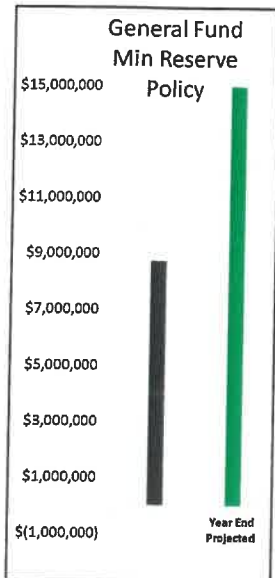
**MONITORING INTANGIBLE / ANTICIPATED ITEMS**

**POSSIBLE                      LIKELY**

- Revenue Differential + / (-)
- Expense Differential + / (-)
- 2020 Proposed Capital Improvements Plan General Fund Dollars
- Fund Subsidies + / (-)

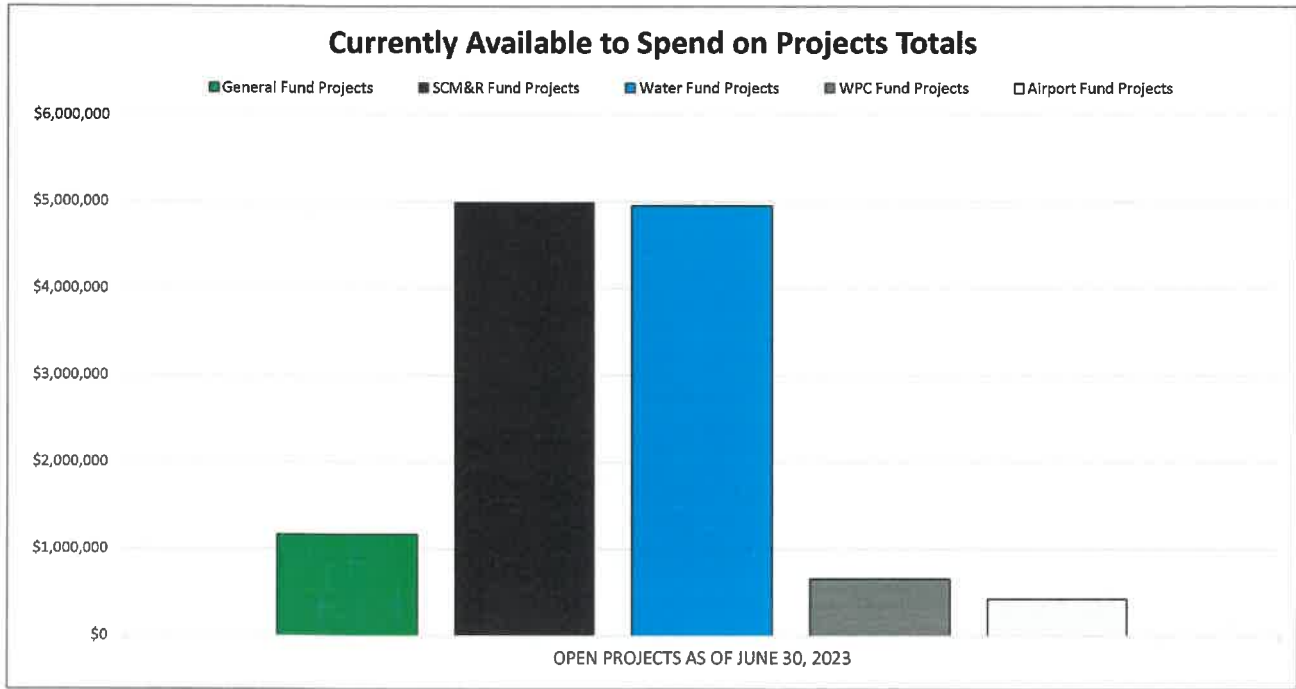
**FINANCIAL POLICY AMOUNTS**

			<b>Year End Projected</b>	<b>Over/(Short)</b>
Minimum Reserve Balance General Fund	\$	8,747,726	\$ 23,318,244	<b>\$14,570,518</b>
General Fund Rainy Day Reserve Account #10000000-818002	\$	1,500,000	\$ 1,500,000	<b>\$0</b>
Self Insurance Fund (\$1MM reserve)	\$	1,000,000	\$ 935,659	<b>(\$64,341)</b>
Severance Payout Reserve Fund & Potential Retirements through 2022	\$	2,055,602	\$ 1,470,145	<b>(\$585,457)</b>





**CITY OF FINDLAY  
OPEN PROJECTS AS OF JUNE 30, 2023**



PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED	EXPENSED	PENDING	AVAILABLE
		INCEPTION TO DATE	INCEPTION TO DATE	PURCHASE ORDERS	TO SPEND
31912000	PARKER TRAINING/RESTROOM REMODEL	72,559	61,117	11,115	327
31912500	TRAFFIC/FABRICATION SHOP	97,750	88,144	6,350	3,256
31912800	TYLER EXECUTIME IMPLEMENTATION	150,000	133,826	16,174	-
31913400	21 UPGRADE SHELTER 15	155,000	69,817	73,265	11,918
31913700	DOWNTOWN RECREATION AREA	105,775	100,775	-	5,000
31920700	22 ORC REQUIRED PD TRAINING	24,203	23,226	-	977
31920800	ENG/ZONING FILE SCANNING	92,000	64,873	4,083	23,044
31920900	MUNI BLDG ELEVATOR REPLACEMENT	297,000	5,990	-	291,010
31921900	SECURITY CAMERAS	91,130	86,945	2,596	1,589
31922200	2022 GIS FUNCTIONALITY GROWTH	80,000	32,655	20,303	27,042
31922400	MUNI BLDG BATHROOM UPGRADES	50,000	17,600	26,000	6,400
31923000	CUBE BLDG GENERATOR	165,000	-	-	165,000
31924300	RIVERSIDE DAM MODIFICATIONS	80,000	72,488	7,512	-
31924400	MUNI CT COURTMASTER EFILING	19,650	-	19,650	-
31924600	PD QUICK RESPONSE GRANT FY202	62,500	46,586	15,914	-
31924700	CASC	58,000	41,300	16,700	-
31924800	MLK MURAL	15,000	-	-	15,000
31925000	CITY ADA TRANSITION PLAN	300,000	-	-	300,000
31925100	CITY RESTROOM ACCESSIBILITY	45,000	-	-	45,000
31925400	TECHNOLOGY IMPROVMENTS	70,000	36,079	30,867	3,054
31925500	CIT SOFTWARE	190,000	-	170,415	19,585
31925600	TREE PLANTING	100,000	-	-	100,000
31925800	DEMOLITION PROGRAM	400,000	-	-	400,000

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED INCEPTION TO DATE	EXPENSED INCEPTION TO DATE	PENDING PURCHASE ORDERS	AVAILABLE TO SPEND
31926400	HPD GRANT FY 2023	14,780	14,780	-	-
31930200	FFD#2 ROOF REPLACEMENT	50,000	-	49,950	50
31930600	FFD AFG FY 2021	58,184	15,337	41,161	1,685
31930700	PD BODYWORN CAMERAS	167,116	141,996	-	25,120
31930900	ARPA POLICE VEHICLES 2023	284,700	228,273	52,912	3,515
31931100	3RD FLOOR CONF ROOM REMODEL	38,000	32,841	4,735	424
31931200	EMORY FT FINDLAY PLAY UPGRADE	70,000	4,678	64,582	740
31931300	2023 ENGINEERING REMODEL	68,000	67,216	-	784
31931400	RIVERSIDE PARK/POOL CONCRETE	60,000	60,000	-	-
31931800	RESERVOIR DOCKS	70,000	-	-	70,000
31931900	GREENWAY TRL P3 PID117097	165,000	39,500	125,500	-
31932000	TEMPORARY SALT STRUCTURE	90,000	10,137	79,863	-
31932100	DARK DISPATCH UPGRADES	20,000	-	-	20,000
31932200	REMOTE OFFICES DOOR LOCKS	75,000	-	-	75,000
31932400	REPLACE BACKUP SERVER/NETWORK	45,000	-	-	45,000
31948200	OHIO 629 - MARATHON	250,000	18,676	10,000	221,324
31955300	ROWMARK 629 ROADWORK	100,000	1,516	-	98,484
31966800	2017 ORC PD REQUIRED TRAINING	39,556	4,000	-	35,556
31977900	PUBLIC SAFETY SOFTWARE SYSTEM	731,770	726,451	2,086	3,233
31993600	KEEP ACTIVE KEEP HEALTHY PROG	100,000	98,614	-	1,386
31993800	RVR GREENTRAIL TO RIVERBEND	3,224,509	750,194	2,377,585	96,730
31994900	FIRE STRICT FACILITY	2,425,500	1,663,765	723,328	38,407
<b>GENERAL FUND PROJECTS</b>		<b>10,867,682</b>	<b>4,759,394</b>	<b>3,952,647</b>	<b>2,155,641</b>
32542300	OIL DITCH CLEANING	170,000	-	-	170,000
32549500	HOWARD RUN DITCH CLEANING	6,000	-	-	6,000
32811100	I75/CR99 INTERCHANGE PID10237	420,000	420,000	-	-
32821400	HAN-INTERSTATE & FHS TRAILS	135,000	72,251	39,082	23,667
32822000	ODOT FY23 RESURF PID1087776	903,320	84,349	661,316	157,656
32823100	S MAIN/HARDIN INTERSECTION	120,000	10,285	98,492	11,223
32823200	S MAIN/CRAWFORD INTERSECTION	100,000	10,703	73,387	15,910
32823400	W MAIN CROSS/CORY INTERSECTION	100,000	9,920	85,760	4,320
32830300	2023 STREET PREV MAINT	270,000	71,820	87,078	111,102
32830400	23 ANNUAL RESURFACING/CURB	967,000	781,092	77,091	108,817
32831000	2023 CITY SIDEWALKS/RAMS	50,000	1,966	48,034	-
32852700	W SANDUSKY/WESTERN AVENUE	190,000	111,965	16	78,019
32864600	CR212/CR236 WIDENING	3,667,500	215,054	35,424	3,417,022
32872100	S MAIN/LINCOLN INTERSECTION	125,000	104,098	254	20,648
32876000	BLANCHARD/LINCOLN BIKE LANE	3,471,500	2,558,104	50,002	863,394
<b>SCM&amp;R FUND PROJECTS</b>		<b>10,695,320</b>	<b>4,451,606</b>	<b>1,255,937</b>	<b>4,987,776</b>
35202300	AIP-28 REHAB TAXIWAY A	432,624	402,630	25,263	4,731
35210500	AIRPORT NORTH APRON REHAB	189,046	175,046	1,924	12,076
35222100	TERMINAL BLDG MOVE/REHAB	126,000	119,689	2,265	4,046
35224000	AIP-33 NORTH APRON REHAB CONS	2,283,995	1,898,304	334,349	51,342
35225200	AIP-34	306,000	211,369	94,216	415
35231700	AIRPORT FUEL FARM REPAIRS	100,000	-	-	100,000
35232300	AIRPORT SNOW REMVL EQUIP BLD	250,000	-	-	250,000
35293200	AIP-27 RUNWAY 7/25 REHAD CRACK SEAL	136,618	133,370	-	3,248
<b>AIRPORT FUND PROJECTS</b>		<b>3,824,283</b>	<b>2,940,409</b>	<b>458,016</b>	<b>425,858</b>

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED INCEPTION TO DATE	EXPENSED INCEPTION TO DATE	PENDING PURCHASE ORDERS	AVAILABLE TO SPEND
35512100	WASHINGTON AVE STORM UPGRADE	40,000	18,227	9,400	12,373
35521700	W LINCOLN STORM SWR	220,000	119,306	86,603	14,091
35601300	WPC CLARIFIER 3&4 REHAB	1,080,845	601,133	58,585	421,127
35610700	2021 COMBINED SEWER OVERFLOW	40,000	29,289	10,711	-
35611600	SPRINGLAKE SANITARY UPGRADE	625,000	490,705	79,700	54,595
35622800	CLARIFIERS WEIR BRUSH REPLACE	100,000	87,100	-	12,900
35626200	CSO LTC PLAN AMENDMENT 22	390,500	46,898	308,160	35,442
35630100	WPC AUTOMATIC TRANSFER SWITCH	300,000	1,110	254,000	44,890
35630500	2023 MANHOLE ADJUST PROGRAM	70,000	-	10,000	60,000
35691900	WEST MAIN CROSS SAN SEWER	20,000	18,891	1,109	-
<b>SEWER FUND PROJECTS</b>		<b>2,886,345</b>	<b>1,412,659</b>	<b>818,268</b>	<b>655,418</b>
35710100	RECTOR AVE WATERLINE REPLACE	444,147	8,091	381,410	54,646
35720200	HARRISON ST WL REPLACEMENT	71,000	787	-	70,213
35722700	RESERVOIR PAINT/REPAIR	30,000	-	-	30,000
35723800	SMALL WATERLINE UPGRADES	5,000	291	500	4,209
35725300	WTP GENERATOR	1,685,000	-	-	1,685,000
35730800	LAUREL LAKE W/L REPLACEMENT	5,000	-	500	4,500
35781800	WTP SCADA SYSTEM UPGRADES	585,600	505,565	62,150	17,885
35782600	WTP & RES SECURITY CAMERAS	150,000	106,939	-	43,061
35782800	RESERVOIR TRANSFER LINE REHAB	1,957,881	94,794	43,535	1,819,552
35783300	WATER METER SYSTEM REPLACE	2,092,622	1,267,622	-	825,000
35790800	WTP CO2 TANKS REPLACEMENT	450,500	43,677	6,324	400,499
<b>WATER FUND PROJECTS</b>		<b>7,476,750</b>	<b>2,027,766</b>	<b>494,419</b>	<b>4,954,565</b>

<u>PROJECT</u> <u>NUMBER</u>	<u>PROJECT NAME</u>	<u>TOTAL</u> <u>APPROPRIATED</u> <u>INCEPTION TO DATE</u>	<u>TOTAL</u> <u>EXPENSED</u> <u>INCEPTION TO DATE</u>	<u>TOTAL</u> <u>PENDING</u> <u>PURCHASE ORDERS</u>	<u>CURRENTLY</u> <u>AVAILABLE</u> <u>TO SPEND</u>
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CITY OF FINDLAY  
CASH & INVESTMENTS AS OF JUNE 30, 2023

<u>AMOUNT</u>	<u>DESCRIPTION AND COUPON RATE</u>	<u>BANK/FIRM</u>
\$ 899,000.00	STAR OHIO @ 5.260%	
133,904.26	STAR OHIO @ 5.260%	
48,003,500.00	STAR OHIO @ 5.260%	
1,650,526.75	STAR OHIO @ 5.260%	
31,505,000.00	SAVINGS ACCOUNT	FIFTH THIRD BANK
997,804.87	US TREASURY @ 0.750% COUPON	FIFTH THIRD BANK
990,890.00	US TREASURY @ 0.125% COUPON	FIFTH THIRD BANK
980,117.19	US TREASURY @ 0.125% COUPON	FIFTH THIRD BANK
803,615.40	FFCB @ 1.60% COUPON	KEY BANK
946,835.94	US TREASURY @ 0.250% COUPON	HUNTINGTON BANK
964,023.44	US TREASURY @ 0.125% COUPON	FIFTH THIRD BANK
970,940.00	US TREASURY @ 1.500% COUPON	KEY BANK
964,453.13	US TREASURY @ 0.875% COUPON	HUNTINGTON BANK
982,460.94	US TREASURY @ 2.500% COUPON	HUNTINGTON BANK
995,234.38	US TREASURY @ 4.250% COUPON	HUNTINGTON BANK
962,539.06	US TREASURY @ 2.375% COUPON	HUNTINGTON BANK
969,843.75	US TREASURY @ 2.500% COUPON	PNC BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 4.290%	PREMIER BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 5.000%	WATERFORD BANK
<hr/>		
\$94,210,689.11	INVESTMENT TOTAL	
3,163,874.84	5/3 BANK ACCOUNT BALANCE	
-	ACCRUED INVESTMENT INTEREST	
<hr/>		
<b><u>\$97,374,563.95</u></b>	<b>TOTAL CASH &amp; INVESTMENTS</b>	

**UNAPPROPRIATED FUND BALANCES (CURRENT CASH BALANCES ON REVERSE)**

GENERAL	\$ 23,318,244
SCM&R	1,361,168
SCM&R HIWAY	371,441
SEVERANCE PAYOUT RESERVE	1,720,145
ARPA	1,225,902
AIRPORT	215,124
WATER	5,865,253
SEWER	12,644,493
STORMWATER	2,604,421
PARKING	50,797
CIT ADMINISTRATION	200,000
CIT CAPITAL IMPROVEMENT	4,996,911

CITY OF FINDLAY  
**BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF JUNE 30, 2023**

\$34,786,260.40	General Fund
1,500,000.00	General Fund Restricted Rainy Day
3,605,857.56	General Fund Projects
2,114,679.39	SCM&R Fund
3,543,098.54	SCM&R Fund Projects
-	County Permissive License Fund
365,351.97	State Highway Fund
934.39	Law Enforcement Trust Fund
3,445.93	Drug Law Enforcement Trust Fund
353,737.62	ID Alcohol Treatment Fund
41,717.34	Opioid Abatement Fund
74,363.94	Enforcement & Education Fund
948,650.86	Court Special Projects Fund
164,287.50	Court Computerization Fund
2,109.56	METRICH Drug Law Enforcement Trust Fund
171,662.50	Alcohol Monitoring Fund
184,738.14	Mediation Fund
116,381.07	Electronic Imaging Fund
20,787.63	Legal Research Fund
1,845,650.51	Severance Payout Fund
1,225,902.31	ARPA Fund
534,576.92	Debt Service Fund
31,340.69	CR 236 TIF Fund
1,031,450.77	Municipal Court Improvement Fund
586,690.69	Airport Fund
308,564.28	Airport Fund Projects
9,685,934.73	Water Fund
933,305.97	Water Fund Restricted
3,335,637.45	Water Fund Projects
11,898,152.05	Sewer Fund
5,641,611.20	Sewer Fund Restricted
1,319,946.31	Sewer Fund Projects
99,590.61	Parking Fund
-	Parking Fund Projects
90,827.50	Swimming Pool Fund
20,525.36	Internal Service Central Stores Fund
246,361.78	Internal Service Workers Comp Fund
1,018,152.11	Internal Service Self Insurance Fund
4,534,437.86	CIT Fund
2,275,174.54	CIT Fund- Restricted Capital Improvements
192,750.45	Police Pension Fund
192,750.45	Fire Pension Fund
69,015.04	Unclaimed Monies Fund
280,153.56	Tax Collection Agency Fund
1,696,938.59	Cemetery Trust Fund
167,535.81	Private Trust Fund
111,768.97	Guaranteed Deposits
1,712.02	Special Assessments Pavements Fund
-	Special Assessments Sidewalks Fund
-	Special Assessments Sidewalks Fund Projects
41.08	Special Assessments Storm Fund
<b><u>\$97,374,563.95</u></b>	<b>TOTAL CASH &amp; INVESTMENTS</b>



OFFICE OF  
THE MAYOR  
CHRISTINA M. MURYN

Rob Martin, BSN, MBA  
Service-Safety Director

July 12, 2023

RE: Findlay City Schools In-kind Trade of Services MOU

Dear Honorable Council,

As you may be aware, certain City departments have space constraints, including the Police Department and Public Works. There have been ongoing discussions regarding the needs of each department while long-term solutions are being evaluated. In the short-term, we are always looking for opportunities. This last winter I realized the Findlay City School (FCS) bus garage was vacant and I approached their Administration to see if the City could temporarily borrow space until they either sold the building or demolished it. They took it under advisement with the rest of the board.

During this same time, FCS was working out the logistic of their athletic complex project. FCS proposed that in return for storage space, the City would provide the labor associated with the sports complex asphalt and concrete walkways identified in the project. The agreement was an in-kind trade of services for storage space. Essentially, the City uses the FCS bus garage to store City equipment and in return the City will install identified concrete/asphalt. Additionally, if/when FCS decides to demo the bus garage, the City will provide the demolition of the building while FCS covers the dump fees. There would be no exchange of dollars.

I discussed this agreement with the City Law Director and per the Ohio Revised Code Chapter 735.05, I was acting within the boundaries of my role as Safety Service Director and it did not need to go to Council.

*“The director of public service may make any contract, purchase supplies or material, or provide labor for any work under the supervision of the department of public service involving not more than fifty thousand dollars.”- ORC Chapter 735.05*

With that information, I proceeded to work with FCS Administration to prepare the agreement. The City Law Director reviewed and approved the final version of the agreement which was then executed. All aspects of the City’s involvement were discussed and considered prior to the execution of this agreement. The labor cost associated with the asphalt/concrete work at the FCS athletic complex is approximately \$11,000. The anticipated labor coast associated with the demolition of the bus garage if/when it occurs is approximately \$7,000. Please note Findlay City Schools will be covering all material costs of the project. Due to the planning and preparation of the City’s Public Works Department Superintendent and the efficiency of the laborers, no City projects or work has been delayed or negatively impacted by this agreement.



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

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

I apologize for the frustration and will work ensure additional communication in the future. Hopefully, with this information council recognizes the intention of the administration was not to circumvent council in anyway but to work on behalf of the entire community in our capacity as administrators.

This situation is, in my opinion, a great community win and an example of how entities, especially public, can work together to get things done and save tax payer dollars.

Best regards,

A handwritten signature in blue ink, appearing to read 'Rob Martin', is written over the 'Best regards,' text.

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



July 14, 2023

RE: Homelessness and the Unhoused Coalition efforts

Dear Honorable Council,

I wanted to take the opportunity to address the efforts of the City of Findlay and community partners in response to the increased presence of unhoused individuals in our community. The Mayor and I recognize that this is an extremely frustrating and complex issue that did not show up overnight and is not going to be solved overnight. We also recognize that it is not a good look for our community, and we will continue to work tirelessly to both help the individuals in need while also working to address the community concerns that arise from a visible presence of unhoused.

Almost two years ago the Mayor charged me and Kathryn Bausman, Director of The City Mission (a private non-profit entity), to address the growing homeless population in Findlay. First, I think it is important to understand the “why” behind this situation. Homelessness has always been a part of our community and as I talk with people, I hear stories of the transient population that frequents our community and have done so for years. Currently there are approximately 150 – 160 homeless in Hancock County. Breaking down the numbers: 80-90 are sheltered by an organization (the mission, in hospital, or rehab), 30-40 in cars, couch surfing, or garages, and the remainder are in tents or on the streets.

Homelessness is caused by various reasons which are unique to each individual. Some people don’t want help or don’t trust the help being offered. Findlay, as well as communities across the country, is seeing an increase in the transient homeless though we do not know the specific reasons it is safe to believe that the individuals on the street are in Findlay because of community ties (family, friends, job), the reputation as a nice community, and/or the variety of resources we offer to help get back on their feet. One of the major reasons we have seen an increase in the visibly homeless is do to the fact that we have focused on cleaning up abandoned/dilapidated structures, brush areas, etc. where individuals were seeking shelter out of sight.

One important note is that we have not seen any instances of violence or confrontation from the individuals who are homeless. We have had issues with trespassing which were addressed. (confirm accuracy)

In early 2022, Kathryn and I pulled local stakeholders together to start the conversation on how to approach this issue. Again, this was not an issue that showed up overnight and was not going to be solved overnight. The conversation included the following local entities: City Administration, Findlay Police Department, Findlay Zoning Department, The City Mission, The Community Foundation, Hancock Public Health, Habitat for Humanity, Focus, ADAMHS, Blanchard Valley Health System, Hancock Metro

Housing Authority, Family Resource Center, the faith-based community and Hope House. After much discussion, this group prioritized three areas of focus that they felt would navigate homelessness positively. The three areas of focus are as follows:

- **Community Education: Provide resources and education to downtown businesses to be equipped to address a homeless individual on their property.**
  - The stigma around the unhoused population
  - Build skills to de-escalate situations
  - Uncomfortable/awkward situation – Conversation starters
  - People feel bad and want to help but don't know how or who to call other than the police
  
- **Affordable / Accessible Housing: Work to support efforts of the affordable housing coalition to increase housing availability at various price points.**
  - 74% of homeless that have addressed their issues and are employed can't find housing
  - \$15/hr job = affordability of \$780/month rent
  - The average rent in Findlay is \$850-\$1,000/month
  - Lack of housing inventory available to rent (1,2,3-bedroom options)
  - How can we work with landlords to decrease risk of renting to certain populations?
  
- **Low-barrier housing: Work with the Mission to offer an option for individuals to be off the street that are not ready to comply with the necessary rules of the Mission.**
  - Collect data and feasibility informationPreparing for a feasibility trial with local partners with existing resources
  - Develop space at Mission with different entry criteria

Subcommittees were created based on the area of focus and the respective skillset of the stakeholders involved. Being a long-term situation in the City and it not being a "one size fits all" problem, it has taken quite a bit of time and effort to see progress. With that, the subcommittees have in fact made progress. Below are high-level updates:

- **Community Education**
  - Findlay PD continues to be an active contributor to this conversation
  - A handout has been created - being distributed to local businesses as a "how to" conversation starter
  - Sharing resources for de-escalation tactics – Ryan Dowd YouTube
  
- **Affordable / Accessible Housing**
  - Realigned efforts among local agencies working towards the common goal
  - Continue to look for opportunities to create housing access and capacity within our local market
  
- **Low - Barrier Housing**
  - Collaboration between City Mission, Family Resource Center, and ADAMHS Board
    - ADAMHS Board applied for the SAMHSA Grant (Substance Abuse & Mental Health Services) - \$2.5MM over 5 years
    - City Mission will shift the family population to create capacity for low barrier population

Rob Martin, BSN, MBA  
Service-Safety Director

- Find more fitting accommodations for family units who are transitioning to independence – Location TBD
- FRC will provide in-house services to low barrier population including telemedicine
- Faith-based community
  - Collaborating to share services and support each other based on parish resources and ability
  - St. Andrews Church - Renovating Annex building for free community laundry facilities
  - Cooling / Warming Shelter Plan

The Unhoused Coalition will continue to work towards a solution for all involved. We have made progress and have set the table for opportunities in the future. I am optimistic that we can find a community approach to both help those in need and maintain the beautiful, safe, and welcoming community that we all know and love.

Best regards,



Rob Martin BSN, MBA  
Service Safety Director



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

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

July 13, 2023

RE: Water Transmitter Project

Dear Honorable Council,

As we near the finish line of the water transmitter project, questions have arisen regarding how bills are reconciled for the period of December 2021- time of transmitter installation.

The attached documents outline the process the Findlay Water Department uses to determine water bills. After transmitters are installed the department is able to get a true read of usage during the period of time that bills were being estimated based on historical monthly usage data. This results in either a credit or additional charge being applied to each bill. Moving forward, the bills will be based on actual usage. Please remember it is the responsibility of the homeowner/resident to check their plumbing system for leaks and make repairs accordingly. We look forward to having the ability to assist our users in monitoring for water leaks.

If you have additional questions regarding the process please reach out to me to schedule a conversation.

Best regards,

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

Christina M. Muryn

Mayor

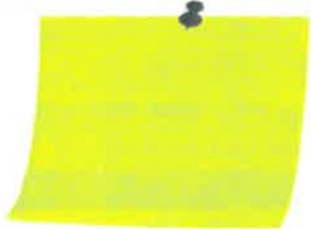
The Utility Billing Department has been estimating water consumption since December 2021. As the Department comes into the home stretch of installation of the new transmitters, we are working to clarify the information provided on your water bill.

The first area to look on your bill is in the bottom payment portion. The word "Book" is in the middle of the stub. If the letter "A" appears after the number (i.e., 47A), then you have a new transmitter. If not, your bill is still being estimated. After the new transmitter has been installed, a billing clerk reviews the account to determine if the account was overestimated or underestimated.

**Example of Bill and Worksheet for an Overestimated Account**

**CITY OF FINDLAY**  
 CITY OF FINDLAY  
 WATER/SEWER BILLING OFFICE  
 136 N BLANCHARD STREET  
 FINDLAY OH 45840-5808

**UTILITY BILL**



Customer Name:

<i>Public Service Announcements</i>	ACCOUNT NUMBER		SERVICE DATES 4/10/2023 to 6/9/2023		SERVICE ADDRESS	
	SERVICE	PREVIOUS READING	CURRENT READING	USAGE	CHARGES	
	WATER	1301	1307	101	275.95	
	SEWER	1301	1307	101	215.71	
	STORM WATER				6.00	
CREDIT				-423.70		
<b>Amount Due If Paid By Due Date</b> →					<b>TOTAL DUE \$73.96</b>	
AMOUNT DUE AFTER DUE DATE		DUE DATE 7/12/23		<b>AMOUNT DUE \$73.96</b>		

Book: 47A

**CITY OF FINDLAY**  
 CITY OF FINDLAY  
 WATER/SEWER BILLING OFFICE  
 136 N BLANCHARD STREET  
 FINDLAY OH 45840-5808

Account Number	
Due Date	7/12/23
Amount Due	\$73.96
After Due Date	

## Worksheet for an Overestimated Water Bill

Start Date	Begin Read	End Date	End Read	Read Type	Consumption	Minimum Consumption During Estimated Billing Cycle	
8/10/2021	1145	10/1/2021	1170	Actual	25		
10/1/2021	1170	12/8/2021	1182	Estimate	12	4	8
12/8/2021	1182	2/8/2022	1196	Estimate	14	4	10
2/8/2022	1196	4/7/2022	1211	Estimate	15	4	11
4/7/2022	1211	6/7/2022	1226	Estimate	15	4	11
6/7/2022	1226	8/9/2022	1241	Estimate	15	4	11
8/9/2022	1241	10/6/2022	1256	Estimate	15	4	11
10/6/2022	1256	12/8/2022	1271	Estimate	15	4	11
12/8/2022	1271	2/9/2023	1286	Estimate	15	4	11
2/9/2023	1286	4/10/2023	1301	Estimate	15	4	11
4/10/2023	1301	5/12/2023	1300	Actual	-1		95
5/12/2023	1301	5/16/2023	1307	Actual	6		

Calculation #1	
<b>Actual Consumption</b>	
1300-1170=	130
4x9=	36
	130
	-36
	94

Calculation #2	
<b>Billed Consumption</b>	
Total of Units Charged During Estimation	95

Calculation #3		
<b>Amount Credited</b>		
Water Charge	95x2.67=	\$(253.65)
Sewer Charge	95x1.79=	\$(170.05)
	Credit	\$(423.70)

Calculation #4		
<b>Additional Usage after installation of Transmitter</b>		
1301	1307	6
		95
		101

Calculation #5		
<b>Amount shown on bill</b>		
Water	97x2.67=	\$ 258.99
Sewer	97x1.79=	\$ 173.63
Storm		\$ 6.00
		\$ 438.62
Water Base		\$ 16.96
Sewer Base		\$ 42.08
		\$ 497.66

Calculation #6	
<b>Water Bill</b>	
Billed	\$ 497.66
Credit	\$ (423.70)
Owed	\$ 73.96

The example below depicts how the Water Department calculates a reimbursement for a residential user with a 5/8" water meter that has been over-charged for their water consumption.

1. The last actual water meter reading that took place at the residence was for the 8/10/21-10/1/21 billing cycle. Beginning on 10/1/21 and ending on 4/10/2023 the resident was billed based on historical monthly averages for their property. Once the transmitter was installed on their water meter, the water department was able to track their actual usage for the 4/10/23-5/12/23 billing cycle. The transmitter showed that they had used one less unit of water (-1 units of water) during this period (8/10/21-5/12/23) than they had been billed for.

**Consumption Calculation**

$$(End\ Read) - (Starting\ Read) = Units\ of\ Water\ Used$$

$$1300 - 1170 = 130$$

Each water user is billed for a minimum of 4 units per billing cycle (2 units/month) which is included in their base fee. The base fee is dependent on the size of the water meter.

**Base Unit Calculation**

$$(Base\ Units) \times (Estimated\ Billing\ Cycles) = Number\ of\ Units\ Charged\ to\ the\ Base\ Rate$$

$$4 \times 9 = 36$$

The number of base units are subtracted from the actual consumption which provides the number of units that the user should be billed for.

**Actual Consumption Calculation**

$$(Consumption\ Total) - (Base\ Units\ Total) = Actual\ Consumption\ Total$$

$$130 - 36 = 94$$

2. Billed Consumption is the total units of water used during the billing cycles that estimated monthly averages were used.

$$(Estimated\ Monthly\ Usage) - (Minimum\ Units\ During\ Billing\ Cycle) = Number\ of\ Units\ Billed$$

$$131 - 36 = 95$$

3. The amount credited is based on multiplying the units of water used by the water rate and sewer rate. In this case, the user is located within the City of Findlay limits.

**Amount Credited**

$$(Units\ of\ Water\ Used) \times (Water\ Rate) = WINB\ Charge$$

$$95 \times 2.67 = \$ (253.65)$$

$$(Units\ of\ Water\ Used) \times (Sewer\ Rate) = Sewer\ Charge$$

$$95 \times 1.79 = \$ (170.05)$$

The total amount credited is the sum of these two charges.

$$\$(253.65) + \$(170.05) = \$(423.70)$$

- The additional usage after the installation of the transmitter is then calculated. This will show the units that have been used from the date of the transmitter installation to the date of actual billing.

**Additional Usage**

$$(Units\ Used\ on\ Date\ of\ Billing) - (Units\ Used\ on\ Date\ of\ Transmitter\ Installation) = Additional\ Usage$$

$$1307 - 1301 = 6$$

The total additional usage is then added to the actual consumption total.

$$(Actual\ Consumption) + (Additional\ Usage) = Total\ Usage$$

$$6 + 95 = 101$$

The four (4) units that are included in the water base charge are then subtracted.

$$(Total\ Usage) - (Base\ Units) = Total\ Units\ to\ be\ Charged$$

$$101 - 4 = 97$$

- Water, sewer and storm charges are shown separately on a water bill.

**Water Charge**

$$(Units\ of\ Water\ Used) \times (Water\ Rate) = Water\ Charge$$

$$97 \times 2.67 = \$258.99$$

**Sewer Charge**

$$(Units\ of\ Water\ Used) \times (Sewer\ Rate) = Sewer\ Charge$$

$$97 \times 1.79 = \$173.63$$

**Storm Charge**

The storm charge is a flat rate of \$6.00 for this property.

**Total Charge for Additional Units Used**

$$(Water\ Charge) + (Sewer\ Charge) + (Storm\ Charge) = Total\ Water\ Bill$$

$$\$258.99 + \$173.63 + \$6.00 = \$438.62$$

**Water Base Charge**

5/8" Meter Inside Corporation Limits is \$8.48 Monthly

$$2 \times \$8.48 = \$16.96$$

**Sewer Base Charge**



*5/8" Meter Inside Corporation Limits is \$21.04 Monthly*

$$2 \times \$21.04 = \$42.08$$

**Total**

*(Total Charge for Additional Units) + (Water Base Charge) + (Sewer Base Charge) = Total Bill*

$$\$438.62 + \$16.96 + \$42.08 = \$497.66$$

6. The final water bill will show what was billed, credited, and what is owed by the user.

**Final Calculation**

Billed \$497.66

Credit \$(423.70)

**Owed \$73.96**

The next billing cycle, will reflect usage and charges for actual consumed water during that two-month billing period the usage and charges will return back to a regular bill. Please be aware that your bill may increase based on your measure consumption now being actual.

---

**Example of Bill and Worksheet for an Underestimated Account**

If the water bill has been underestimated the clerk reviews the account and if usage is higher than the estimated readings, the amount due will be greater than normal. The usage reflects water that was consumed, but not billed during the estimation period along with the current billing cycle.



CITY OF FINDLAY  
 WATER/SEWER BILLING OFFICE  
 136 N BLANCHARD STREET  
 FINDLAY OH 45840-5806

**UTILITY BILL**



Customer Name:

Public Service Announcements

ACCOUNT NUMBER	SERVICE DATES 4/10/2023 to 6/9/2023		SERVICE ADDRESS	
SERVICE	PREVIOUS READING	CURRENT READING	USAGE	CHARGES
WATER	1306	1312	102	302.65
SEWER	1306	1312	102	233.61
STORM WATER				6.00
CREDIT				-423.70
Amount Due If Paid By Due Date →				<b>TOTAL DUE</b> \$118.56
AMOUNT DUE AFTER DUE DATE	DUE DATE 7/12/23	AMOUNT DUE \$118.56		

Book: 47A



CITY OF FINDLAY  
 WATER/SEWER BILLING OFFICE  
 136 N BLANCHARD STREET  
 FINDLAY OH 45840-5806

Account Number	
Due Date	7/12/23
Amount Due	\$118.56
After Due Date	

## Worksheet for an Underestimated Water Bill

Start Date	Begin Read	End Date	End Read	Read Type	Consumption	Estimated Billing Cycle	
8/10/2021	1145	10/1/2021	1170	Actual	25		
10/1/2021	1170	12/8/2021	1182	Estimate	12	4	8
12/8/2021	1182	2/8/2022	1196	Estimate	14	4	10
2/8/2022	1196	4/7/2022	1211	Estimate	15	4	11
4/7/2022	1211	6/7/2022	1226	Estimate	15	4	11
6/7/2022	1226	8/9/2022	1241	Estimate	15	4	11
8/9/2022	1241	10/6/2022	1256	Estimate	15	4	11
10/6/2022	1256	12/8/2022	1271	Estimate	15	4	11
12/8/2022	1271	2/9/2023	1286	Estimate	15	4	11
2/9/2023	1286	4/10/2023	1301	Estimate	15	4	11
4/10/2023	1301	5/12/2023	1306	Actual	5		95
5/12/2023	1306	5/16/2023	1312	Actual	6		

Calculation #1	
<b>Actual Consumption</b>	
1306-1170=	136
4x9=	36
	136
	-36
	100

Calculation #2	
<b>Billed Consumption</b>	
Total of Units Charged During Estimation	95

Calculation #3		
<b>Amount Credited</b>		
Water Charge	95x2.67=	\$ (253.65)
Sewer Charge	95x1.79=	\$ (170.05)
Credit		\$ (423.70)

Calculation #4		
<b>Additional Usage after installation of Transmitter</b>		
1306	1312	6
		100
		106

Calculation #5		
<b>Amount shown on bill</b>		
Water	102x2.67=	\$ 285.69
Sewer	102x1.79=	\$ 191.53
Storm		\$ 6.00
		\$ 483.22
Water Base		\$ 16.96
Sewer Base		\$ 42.08
		\$ 542.26

Calculation #6		
<b>Water Bill</b>		
Billed	\$	542.26
Credit	\$	(423.70)
Owed	\$	118.56

The example below depicts how the Water Department calculates a payment for a residential user with a 5/8" water meter that has been under-charged for their water consumption.

1. The last actual water meter reading that took place at the residence was for the 8/10/21-10/1/21 billing cycle. Beginning on 10/1/21 and ending on 4/10/2023 the resident was billed based on historical monthly averages for their property. Once the transmitter was installed on their water meter, the water department was able to track their actual usage for the 4/10/23-5/12/23 billing cycle. The transmitter showed that they had used five more units of water during this period (8/10/21-5/12/23) than they had been billed for.

#### Consumption Calculation

$$(End\ Read) - (Starting\ Read) = Units\ of\ Water\ Used$$

$$1306 - 1170 = 136$$

Each water user is billed for a minimum of 4 units per billing cycle (2 units/month) which is included in their base fee. The base fee is dependent on the size of the water meter.

#### Base Unit Calculation

$$(Base\ Units) \times (Estimated\ Billing\ Cycles) = Number\ of\ Units\ Charged\ to\ the\ Base\ Rate$$

$$4 \times 9 = 36$$

The number of base units are subtracted from the actual consumption which provides the number of units that the user should be billed for.

#### Actual Consumption Calculation

$$(Consumption\ Total) - (Base\ Units\ Total) = Actual\ Consumption\ Total$$

$$136 - 36 = 100$$

2. Billed Consumption is the total units of water used during the billing cycles that estimated monthly averages were used.

$$(Estimated\ Monthly\ Usage) - (Minimum\ Units\ During\ Billing\ Cycle) = Number\ of\ Units\ Billed$$

$$131 - 36 = 95$$

3. The amount credited is based on multiplying the units of water used by the water rate and sewer rate. In this case, the user is located within the City of Findlay limits.

**Amount Credited**

*(Units of Water Used) x (Water Rate) = WINB Charge*

$$95 \times 2.67 = \$253.65$$

*(Units of Water Used) x (Sewer Rate) = Sewer Charge*

$$95 \times 1.79 = \$170.05$$

The total amount credited is the sum of these two charges.

$$\$ (253.65) + \$ (170.05) = \$ (423.70)$$

4. The additional usage after the installation of the transmitter is then calculated. This will show the units that have been used from the date of the transmitter installation to the date of actual billing.

**Additional Usage**

*(Units Used on Date of Billing) – (Units Used on Date of Transmitter Installation) = Additional Usage*

$$1312 - 1306 = 6$$

The total additional usage is then added to the actual consumption total.

*(Actual Consumption) + (Additional Usage) = Total Usage*

$$6 + 100 = 106$$

The four (4) units that are included in the water base charge are then subtracted.

*(Total Usage) – (Base Units) = Total Units to be Charged*

$$106 - 4 = 102$$

5. Water, sewer and storm charges are shown separately on a water bill.

**Water Charge**

*(Units of Water Used) x (Water Rate) = Water Charge*

$$102 \times 2.67 = \$285.69$$

**Sewer Charge**

*(Units of Water Used) x (Sewer Rate) = Sewer Charge*

$$102 \times 1.79 = \$191.53$$

**Storm Charge**

*The storm charge is a flat rate of \$6.00 for this property.*

**Total Charge for Additional Units Used**

*(Water Charge) + (Sewer Charge) + (Storm Charge) = Total Water Bill*

$$\$285.69 + \$191.53 + \$6.00 = \$483.22$$

**Water Base Charge**

*5/8" Meter Inside Corporation Limits is \$8.48 Monthly*

$$2 \times \$8.48 = \$16.96$$

**Sewer Base Charge**

*5/8" Meter Inside Corporation Limits is \$21.04 Monthly*

$$2 \times \$21.04 = \$42.08$$

**Total**

*(Total Charge for Additional Units) + (Water Base Charge) + (Sewer Base Charge) = Total Bill*

$$\$483.22 + \$16.96 + \$42.08 = \$542.26$$

6. The final water bill will show what was billed, credited, and what is owed by the user.

**Final Calculation**

Billed \$542.26

Credit \$423.70

**Owed \$118.56**

The next billing cycle, will reflect usage and charges for actual consumed water during that two-month billing period the usage and charges will return back to a regular bill. Please be aware that your bill may increase based on your measure consumption now being actual.

**Please remember it is the responsibility of the homeowner/resident to check their plumbing system for leaks and make repairs accordingly.**

**Committee Members:**

**Staff:**

- Grant Russel, at large – Committee Chair
- Brian Bauman, Ward 5
- Holly Frische, Ward 1
- Dennis Hellmann, Ward 2
- Jim Slough, Ward 4

- Eric Adkins, Zoning Supervisor
- Matt Cordonnier, HRPC Director
- Don Rasmussen, Law Director
- Jacob Mercer, HRPC
- Jeremy Kalb, City Engineer

Meeting Start Time: 12:00

**Guests:**

Meeting End Time: 12:08

**Agenda:**

Call to Order

Roll Call

Approval of Minutes

New Items

1. Zoning Code changes
2. 609 W Foulke Ave rezone – tabled during the 6/15/23 PLANNING & ZONING COMMITTEE meeting

*RECOMMENDED  
 - CPCL ~~MADE~~ SOME CHANGES  
 - HRPC to provide red-line copies  
 - PLE to CONSIDER IN AUG.*

*- MOVE TO LIFT FROM TABLE  
 (Russel/Hellmann)*

4-0

*- MOVE TO DENY  
 (HELLMANN/BAUMAN)*

4-1

Adjournment

Grant Russel  
 Grant Russel, Planning & Zoning Committee Chair

# COMMITTEE REPORT

## THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to review changes to the Zoning Code.

We recommend

### PUBLIC HEARING:

Aye  Nay \_\_\_\_\_  
Grant Russel, Chairman

Aye  Nay \_\_\_\_\_  
Brian Bauman

Aye  Nay \_\_\_\_\_  
Holly Frische

Aye  Nay \_\_\_\_\_  
Dennis Hellmann

Aye  Nay \_\_\_\_\_  
James Slough

**PLANNING & ZONING COMMITTEE**

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

**DATED: July 13, 2023**



**COMMITTEE REPORT**

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

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Damon Kelly to rezone 609 West Foulke Avenue from R3 Small Lot Residential to C1 Local Commercial. This was tabled during the June 15, 2023 **PLANNING & ZONING COMMITTEE** meeting.

We recommend

*DENIAL OF THE REQUEST*

**PUBLIC HEARING:**

Aye  Nay *Grant Russel*  
Grant Russel, Chairman

Aye  Nay *Brian Bauman* *SECOND*  
Brian Bauman

**PLANNING & ZONING COMMITTEE**

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

Aye  Nay *Holly Frische*  
Holly Frische

Aye  Nay *Dennis Hellmann* *MOTION DATED: July 13, 2023*  
Dennis Hellmann

Aye  Nay *ABSENT*  
James Slough

**Committee Members:**

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

**Staff:**

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

Meeting Start Time: 5:01 PM

Meeting End Time: 5:37 PM

**Guests:**

Saclyn Hohman - Staff  
Holly Frische - Council  
Jeremy Kalb

**Agenda:**

Call to Order

Roll Call

Approval of Minutes

New Items

1. Downtown Recreation Area agreement

Adjournment



Jeff Wobser, Appropriations Committee Chair

# COMMITTEE REPORT

## THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The APPROPRIATIONS COMMITTEE to whom was referred a request to discuss the Downtown Recreation Area agreement.

We recommend

That the mayor move forward with execution of the contract with the following provisions:

1. Adjust the contract format to ~~standard short form~~ <sup>standard short form</sup> ~~format~~ <sup>format</sup> ~~agreement~~
2. Obtain/Explore an access agreement from all property owners.
3. Follow up w/ legal <sup>opinion</sup> on environmental related clauses in contract.

Aye  Nay

  
Jeff Wobser, Chairman

Aye  Nay

  
Randy Greeno

Aye  Nay

  
Jim Niemeyer

Aye  Nay

  
Josh Palmer

Aye  Nay

  
Beth Warnecke

APPROPRIATIONS COMMITTEE

DATE: July 13, 2023

LEGISLATION \_\_\_\_\_

**FINDLAY CITY COUNCIL  
CARRY-OVER LEGISLATION  
JULY 18, 2023**

**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. 2023-062** (*23 WTP Roof Replacement*) **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 CONTRACTS WITH THE GARLAND COMPANY, INC. FOR REPAIRS NEEDED AT THE CITY OF FINDLAY, OHIO'S WATER BILLING OFFICE AND ALSO THE CITY OF FINDLAY, OHIO'S WATER DISTRIBUTION OFFICE, BOTH LOCATED AT 136 NORTH BLANCHARD STREET, PROJECT NO. 35732500, APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-063** (*219 Hurd Ave rezone*) **requires three (3) readings** **second 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 219 HURD AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "I-1 LIGHT INDUSTRIAL" TO "R-3 SMALL LOT RESIDENTIAL".

**ORDINANCE NO. 2023-064** (*0 W McPherson Ave rezone*) **requires three (3) readings** **second 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 0 WEST MCPHERSON AVENUE, PARCEL NO. 600000302210 REZONE) WHICH PREVIOUSLY WAS ZONED "O1 OFFICES/INSTITUTIONS" TO "M2 MULTI-FAMILY, HIGH DENSITY".

**ORDINANCE NO. 2023-065** (*ARPA Fund third appropriation of 2023*) **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 ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF VARIOUS PROJECTS LISTED BELOW, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-066** (*Municipal Building Elevator Replacement*) **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 WITH TOLEDO ELEVATOR & MACHINE COMPANY FOR THE REPLACEMENT OF THE MUNICIPAL BUILDING ELEVATOR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-068** (*annual bids and contracts*) **requires three (3) readings** **second reading**  
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2023-070** (*S Main St/McPherson Ave storm sewer repair*) **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 WAIVE FORMAL ADVERTISING AND BIDDING AND ENTER INTO CONTRACTS FOR STORM SEWER REPAIRS ON SOUTH MAIN STREET/MCPHERSON AVENUE, PROJECT NO. 35532800, 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. 2023-062**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH THE GARLAND COMPANY, INC. FOR REPAIRS NEEDED AT THE CITY OF FINDLAY, OHIO'S WATER BILLING OFFICE AND ALSO THE CITY OF FINDLAY, OHIO'S WATER DISTRIBUTION OFFICE, BOTH LOCATED AT 136 NORTH BLANCHARD STREET, PROJECT NO. 35732500, APPROPRIATING AND TRANSFERRING FUNDS, 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 Engineer of the City of Findlay be and they are hereby authorized to enter into contracts with The Garland Company, Inc. for the roof replacement at the City of Findlay, Ohio's Water Billing Office and also the Water Distribution Office, Project No. 35732500.

SECTION 2: That the following sums be and the same are hereby appropriated and transferred:

FROM:	Water Fund	\$ 93,000.00
TO:	23 Billing/Distribution Roof Replacement #35732500	\$ 93,000.00
FROM:	Sewer Fund	\$ 62,000.00
TO:	23 Billing/Distribution Roof Replacement #35732500	\$ 62,000.00

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 authorize entering into contracts with The Garland Company, Inc., as well as appropriate and transfer funds, so that said roof replacement at the City's Water Billing Office and also the Water Distribution Office may begin.

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_



**ORDINANCE NO. 2023-063**

**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 219 HURD AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "I-1 LIGHT INDUSTRIAL" TO "R-3 SMALL LOT RESIDENTIAL".**

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 #645 N75FT in the Vance Addition.

Be and the same is hereby rezoned from its respective zoning classifications to R-3 Small Lot Residential.

SECTION 2: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to R-3 Small Lot Residential 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 \_\_\_\_\_

**ORDINANCE NO. 2023-064**

**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 0 WEST MCPHERSON AVENUE, PARCEL NO. 600000302210 REZONE) WHICH PREVIOUSLY WAS ZONED "O1 OFFICES/INSTITUTIONS" TO "M2 MULTI-FAMILY, HIGH DENSITY".**

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 #17413-17414 and #17415 W75FT in the Summit Addition.

Be and the same is hereby rezoned from its respective zoning classifications to M2 Multi-Family, High Density.

SECTION 2: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to M2 Multi-Family, High Density 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 \_\_\_\_\_

**ORDINANCE NO. 2023-065**

**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 THE CONSTRUCTION OF VARIOUS PROJECTS LISTED BELOW, 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 Mayor, Service-Safety Director and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to advertise for bids and enter into contracts in order for American Rescue Plan Act (ARPA) Funds to be utilized to purchase various items for the designated various projects listed below.

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

FROM:	ARPA Fund	\$ 1,162,500.00
TO:	Emory Fort Findlay Playground Upgrade #31931200	\$ 550,000.00
TO:	Parking Training/Restroom Remodel #31912000	\$ 250,000.00
TO:	2023 Sidewalk Improvement Program #31932700	\$ 40,000.00
TO:	ARPA Police Vehicle Purchase 2024 #31932600	\$ 322,500.00

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 authorize said entering into a contracts and to appropriate and transfer funds so that ARPA Funds may be utilized for various items for designated various 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. 2023-066**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH TOLEDO ELEVATOR & MACHINE COMPANY FOR THE REPLACEMENT OF THE MUNICIPAL BUILDING ELEVATOR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Findlay is desirous to replace the elevator in the Municipal Building. After putting this out to bid twice with no accepted bids, the City of Findlay will be working with Toledo Elevator and Machine Company to complete the necessary work for the replacement of said elevator, thus entering into an agreement with Toledo Elevator and Machine Company, and;

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 following sums be and the same are hereby appropriated and transferred:

FROM: CIT Funds – Capital Improvements Restricted Account          \$ 85,200.00  
TO:      Municipal Building Elevator Replacement, *Project No. 31920900*          \$ 85,200.00

SECTION 2: That the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to enter into a contract with Toledo Elevator & Machine Company for the replacement of the Municipal Building elevator.

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 authorize said entering into a contract with Toledo Elevator & Machine Company so that the elevator in the Municipal Building may be replaced.

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

**ORDINANCE NO. 2023-068**

**AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2024, AND DECLARING AN EMERGENCY.**

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

SECTION 1: That the Mayor and/or Service-Safety Director of the City of Findlay, Ohio, be and they are hereby authorized to advertise for bids and enter into contracts with a one year renewal option for the purchase of the materials, chemicals and service agreements needed by the various departments of the City of Findlay, Ohio, commencing January 1, 2024.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio and for the further reason that it is immediately necessary to furnish new materials, chemicals and service agreements for the various operating departments of the City of Findlay to continue their various essential services to its inhabitants;

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. 2023-070**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING AND ENTER INTO CONTRACTS FOR THE STORM SEWER REPAIRS FOR THE SOUTH MAIN STREET/MCPHERSON AVENUE, PROJECT NO. 35532800, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.**

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

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

FROM:	Sewer Fund – Stormwater Restricted Account	\$ 130,000.00
TO:	South Main St/McPherson Ave Storm Sewer Upgrade, <i>Project No. 35532800</i>	\$ 130,000.00

SECTION 2: That the Mayor, Service-Safety Director and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to waive formal adverting and bidding and enter into contracts for the South Main Street/McPherson Avenue Storm Sewer Upgrade, project no. 355532800.

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 waive formal advertising and bidding and enter into said contracts so that the aforementioned storm sewer repairs may begin.

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

# City of Findlay

## Office of the Director of Law

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

**Donald J. Rasmussen**  
Director of Law

JULY 18, 2023

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JULY 18, 2023 MEETING.

### **RESOLUTIONS**

- 016-2023 A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.
- 017-2023 A RESOLUTION RECOGNIZING THE SUPPORT OF THE CITY OF FINDLAY, OHIO OF PROCEEDING WITH FILING AN APPEAL OF THE DENIAL OF THE COUNTY ROAD 212/COUNTY ROAD 236 ANNEXATION THROUGH THE COURT OF COMMON PLEAS, HANCOCK COUNTY, OHIO.

### **ORDINANCES**

- 2023-071 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH STRAND & ASSOCIATES, INC. TO PROVIDE DESIGN AND ENGINEERING SERVICES OF THE DOWNTOWN RECREATION AREA PHASE II BENCHING OF THE BLANCHARD RIVER, PROJECT NO. 31913700, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY.
- 2023-072 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING GRANTING THE CITY OF FINDLAY PERMISSION TO STORE VARIOUS CITY EQUIPMENT IN THE FINDLAY CITY SCHOOL DISTRICT BOARD OF EDUCATION'S VACANT BUILDING LOCATED AT 0 BLANCHARD AVENUE (PARCEL NO. 610001017675) AS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING ATTACHED HERETO AS EXHIBIT A, AND DECLARING AN EMERGENCY.

**RESOLUTION NO. 016-2023**

**A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.**

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

SECTION 1: That the Auditor of the City of Findlay, Ohio is hereby authorized to transfer the following sums to the following accounts and/or projects:

FROM: Demolition Program, *Project No. #31925800* \$ 100,000.00  
TO: Phase 2 Benching Environmental, *Project No. #31933000* \$ 100,000.00

SECTION 2: That this Resolution 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 transfer of funds so that environmental work (testing) for the Phase 2 of the Benching Project of the Downtown Recreation Area may begin.

WHEREFORE, this Resolution 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 \_\_\_\_\_



**RESOLUTION NO. 017-2023**

**A RESOLUTION RECOGNIZING THE SUPPORT OF THE CITY OF FINDLAY, OHIO OF PROCEEDING WITH FILING AN APPEAL OF THE DENIAL OF THE COUNTY ROAD 212/COUNTY ROAD 236 ANNEXATION THROUGH THE COURT OF COMMON PLEAS, HANCOCK COUNTY, OHIO.**

WHEREAS, the City of Findlay, Ohio has been working to reconfigure the County Road 212/County Road 236 intersection to provide a better route for truck traffic outside of downtown, creating an overall safer intersection, furthering enhancing the County Road 212/County Road 99 area as an industrial corridor; and

WHEREAS, in April 2022, the City of Findlay, Ohio was informed by the Hancock County Engineer that the City of Findlay, Ohio could not complete this project because the entire roadway was not within City Corporation limits, thus the City of Findlay, Ohio immediately began work to complete the annexation; and

WHEREAS, in June 2023, the Hancock County Board of Commissioners denied the annexation request (see Resolution No. 432-23 attached as Exhibit A), thus necessitating the need for the City of Findlay, Ohio to appeal the denial, and

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

SECTION 1: That Findlay City Council is in full support of the Mayor of the City of Findlay, Ohio filing an appeal of the denial of the County Road 212/County Road 236 annexation through the Court of Common Pleas of Hancock County, Ohio, taking the necessary action to pursue the annexation of the aforementioned property, thus providing a significant community safety and economic benefit to the City of Findlay and Hancock County.

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

RECEIVED  
JUL 07 2023  
MAYOR'S OFFICE

RESOLUTION

June 29, 2023  
Resolution No. 432-23

RE: PETITION OF FOR ANNEXATION OF A TOTAL OF 15.043 ACRES OF LAND  
IN ~~ALLEN TOWNSHIP~~ TO THE CITY OF FINDLAY, HANCOCK COUNTY,  
OHIO <sup>Cass and Marion Townships</sup>  
TKB

The Board of County Commissioners of Hancock County, Ohio, met in regular session on the 29<sup>th</sup> day of June, 2023, with the following commissioners present:

Timothy Bechtol, Michael Pepple, and \_\_\_\_\_.

The Clerk advised that the Board followed the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Pepple, moved for the adoption of the following resolution:

WHEREAS, the Commissioners of Hancock County, State of Ohio, proceeded on the 30<sup>th</sup> day of May, 2023, to hear the petition submitted by Philip L. Rooney, attorney and agent for the owners of the property described in the petition for annexation of 15.043 acres of land in Cass and Marion Townships to the City of Findlay, Hancock County, Ohio, filed, March 31, 2023, and having in open hearing heard all of the persons desiring to be heard for or against the granting of the petition, and having considered all the facts with reference thereto, being fully advised; and

WHEREAS, the Commissioners make the following findings, based upon the exhibits and testimony presented at the hearing of this matter:

1. The Petition contains all of the matters required by Ohio Revised Code, Section 709.02 including, without limitation:
  - a. A full description and accurate map or plat of the territory to be annexed;
  - b. A statement of the total number of owners of real estate in the territory to be annexed;
  - c. The name of the person to act as agent for the petitioners.
2. The territory sought to be annexed is adjacent and contiguous to the City of Findlay, Ohio.
3. Notice of the petition and the hearing has been published as required by law, and all notices of filing the petition and the hearings thereon have been given and delivered as required by law.

4. The persons whose names are subscribed on the petition are owners of real estate in the territory sought to be annexed, and as of the time the petition was filed, the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed. No signatures have been withdrawn pursuant to Ohio Revised Code, Sections 709.03 and 709.031.
5. The map or plat and the description of the territory contained in the petition are accurate.
6. The City of Findlay has complied with Division (B) of Ohio Revised Code, Section 709.031.
7. The territory sought to be annexed is not unreasonably large.
8. The general good of the territory sought to be annexed will not be served if the annexation petition is granted and the annexation is allowed.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of Hancock County, Ohio, that the prayer of the Petition for the annexation of 15.043 acres of property in in Cass and Marion Townships be annexed to the City of Findlay be **DENIED**.

Bechtol, seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

**Board of Hancock County Commissioners**

Absent  
William L. Bateson, President

Timothy K. Bechtol Yes  
Timothy K. Bechtol, Vice-President

Michael W. Peple Yes  
Michael W. Peple, Commissioner

ATTEST:

Lynn Taylor  
Lynn Taylor, Clerk  
Board of Hancock County Commissioners

DATE: June 29, 2023

Auditor  
L. Land  
City of Findlay  
P. Rooney; CR-212/236 Annexation File  
G:CF/Annexation/212-236 Cass-MarionFinalRes

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF HANCOCK COUNTY, OHIO**

**IN RE:**

**THE ANNEXATION OF 15.043  
ACRES OF LAND, FROM CASS  
AND MARION TOWNSHIPS TO  
THE CITY OF FINDLAY,  
HANCOCK COUNTY, OHIO  
(County Road 212/236 Annexation)**

**MEMORANDUM OPINION AND  
DECISION OF THE BOARD OF  
COUNTY COMMISSIONERS**

This matter having come on for hearing on the 30<sup>th</sup> day of May, 2023, at the offices of the Hancock County Commissioners upon the Petition submitted by Philip L. Rooney, attorney and agent for petitioners, of a certain tract of land described as:

A tract of land being 15.043 acres of land being part of the South Half of Section 33 and part of the Southwest Quarter of Section 34, Cass Township and also being part of the Northwest Quarter, part of the Northeast Quarter and part of the Southeast Quarter of Section 4 and part of the Northwest Quarter and part of the Southwest Quarter of Section 3, Marion Township, County of Hancock, State of Ohio, and referred to as the "County Road 212/236 Annexation"

A full description being set forth fully in the attachment hereto and incorporated herein as if fully rewritten.

**FINDINGS OF FACT:**

The Board of County Commissioners for Hancock County, Ohio, in relation to the foregoing petition and upon the evidence, exhibits, statements and arguments submitted at the hearing thereon make the following findings of fact:

1. The Petition was filed in the Office of the Board of County Commissioners on March 31, 2023, and said Petition was entered upon the record of the proceedings of the Board on April 4, 2023.
2. The Clerk of the Board of County Commissioners filed the Petition with the Office of the Hancock County Auditor on April 4, 2023, and the hearing on the Petition was held on May 30, 2023 at 11:00 a.m., not less than sixty (60) days nor more than ninety (90) days after the Petition was filed with the Auditor's Office.

3. The Clerk of the Board of County Commissioners, on April 4, 2023, notified the Agent for the Petitioners of the time and place for the hearing on the Petition.
4. Publication of the Notice of the Petition was accomplished in the Findlay Courier, a newspaper of general circulation in Hancock County, Ohio on May 2, 2023.
5. The Annexation Petition, contained a full description and accurate map of the territory sought to be annexed; a statement purporting to identify the number of owners of the real estate in the territory sought to be annexed; and the names of the person acting as agent for the Petitioners.
6. The Petition was signed by a majority of the owners of the real estate in the territory proposed to be annexed, a copy of said petition is hereto attached and identified as Hearing Exhibit 1.
7. No petitioner, having signed the Petition, has sought to have his or her name removed therefrom pursuant to Ohio Revised Code Sections 709.03 or 709.032.
8. Each Petitioner present at the hearing was given the opportunity, through representative counsel, to speak as to the merits of the Petition.
9. There were questions for the agent of petitioner regarding traffic signals being placed at the intersection of CR 212/236, but no one spoke in opposition to the petition. The petitioner indicated that a traffic signal light was not planned for the intersection.
10. The Board was approached at subsequent regularly scheduled County Commissioners meeting by two Cass Township Trustees speaking in opposition if there is not to be a light. The Trustees indicated that they would have attended the hearing to lodge protest had they not been told that a light was going to be placed at the intersection.
11. The Board of Commissioners requested additional information to support the statements by City of Findlay Engineer, Jeremy Kalb that the traffic surveys did not warrant the expense of a traffic signal light at the intersection.
12. Instead of providing the additional evidence, City of Findlay Mayor, Christina Muryn attended a regular Board of Commissioners meeting to indicate that there was not going to be a traffic signal light at the intersection.
13. Evidence was presented at hearing which evidenced delivery of the publication notice to the Clerks of the Cass and Marion Township Trustees and Clerk of the Findlay City Council.
14. The conflicting information given to area residents and the Boards of Cass and Marion Township Trustees leads this Board to find evidence to indicate that the general good of the area proposed to be annexed would not be served by the granting of the petition. It is the belief of this Board that the intersection as proposed by the City of Findlay would present a

danger to the traffic other than truck traffic.

**CONCLUSIONS OF LAW:**

In determining whether annexation will or will not be granted in any instance, the County Commissioners are invested with a wide discretion, and they may and should take into consideration all matters substantially affecting the rights and interests of all parties concerned in the proceedings. (20 O.Jur. 3rd p. 407) The methods of annexation are purely statutory and therefore the decision of the Commissioners is dictated by and must comply with the statutory law.

Prior to the question of annexation being submitted to the Commissioners for their determination, the statute places certain responsibilities upon the Petitioners. When the Petition is submitted by adjacent property owners, Ohio Revised Code, Section 709.02 has the following requirements:

1. Application shall be in the form of a Petition;
2. Addressed to County Commissioners;
3. Signed by a majority of the owners;
4. Contain a full description and accurate map;
5. Contain a statement of the number of owners; and
6. Contain the name of person to act as agent for petitioner.

In the present case, these requirements have been met.

The next statutory requirement in the annexation process is for the Petition to be filed in the office of the Board of County Commissioners and appropriately entered upon the record of the Board's proceedings, then filed in the County Auditor's Office. (See Ohio Revised Code Section 709.03) The Clerk of the Board of County Commissioners has satisfied each of these requirements.

The Board has the further requirement after the Petition is filed to set the matter for a hearing, naming the place and time the hearing will be held, which hearing cannot be earlier than sixty (60) days not later than ninety (90) days after the Petition was filed. (See Ohio Revised Code Section

709.031) A review of the dates above substantiate that these requirements were met.

The burden then shifts to the agent for the Petitioner to comply with the balance of both of Ohio Revised Code Sections 709.03 and 709.031. In the present case the evidence gives no indication that the statutory requirements were not met.

Further, Ohio Revised Code Section 709.031 provides that after the agent has delivered the notice of publication to the Clerk of the legislative authority of the municipal corporation:

(B) ... the municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation (Emphasis added).

City of Findlay Resolution No. 008-2023, states that the Village intends to make available certain specified services. As stated in Petition for Annexation of 162.631 v. Hahn, 52 Ohio App. 3d 8 at 16 (1988), A... the city should state the services that the city will provide: (Emphasis added).

The statute is important when considered with Ohio Revised Code Section 709.033. That statute, Section 709.033 provides that after the hearing on a petition to annex, the board of county commissioners shall enter an order upon its journal allowing the annexation if it finds, based upon a preponderance of the substantial reliable, and probative evidence on the whole record, that each of the conditions set forth in section 709.033 have been met.

Although the agent for the petitioners has complied with the provisions of Section 709.033(A)(1)-(4), the provisions of section 709.033(A)(5) has not been met by the preponderance of substantial, reliable, and probative evidence.

As a result of all evidence presented to the Board at hearing regarding the annexation of 15.043 acres of land from Cass and Marion Townships to the City of Findlay, Hancock County,

Ohio, the record **does not** suggest that a granting of the annexation would be on balance, in the general good of the of the area. Accordingly, the Commissioners do not have authority to go forward with the consideration of the petition or to grant the petition for annexation.

This memorandum and opinion entered upon the record of the Board of Hancock County Commissioners this 27th day of JUNE, 2023.

**Board of Hancock County Commissioners**

Absent  
William L. Bateson, President

Timothy K. Bechtol  
Timothy K. Bechtol, Vice-President

Michael W. Peple  
Michael W. Peple, Commissioner

ATTEST:

Lynn Taylor  
Lynn Taylor, Clerk  
Board of Hancock County Commissioners

DATE: June 29, 2023

APPROVED:

Lucinda M. Land  
Lucinda M. Land  
Assistant Hancock County Prosecutor



**ORDINANCE NO. 2023-071**

**AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT WITH STRAND & ASSOCIATES, INC. TO PROVIDE DESIGN AND ENGINEERING SERVICES OF THE DOWNTOWN RECREATION AREA PHASE II BENCHING OF THE BLANCHARD RIVER, PROJECT NO. 31913700, APPROPRIATING FUNDS, 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 following sums be and the same are hereby appropriated:

FROM:	General Fund	\$ 1,500,000.00
TO:	Downtown Recreation Area, <i>Project No. 31913700</i>	\$ 1,500,000.00

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 with Strand & Associates, Inc., and to appropriate said funds so that design and engineering services of the Downtown Recreation Area Phase II Benching of the Blanchard River project may begin,

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

**ORDINANCE NO. 2023-072**

**AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING GRANTING THE CITY OF FINDLAY PERMISSION TO STORE VARIOUS CITY EQUIPMENT IN THE FINDLAY CITY SCHOOL DISTRICT BOARD OF EDUCATION'S VACANT BUILDING LOCATED AT 0 BLANCHARD AVENUE (PARCEL NO. 610001017675) AS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING ATTACHED HERETO AS EXHIBIT A, 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 and/or Service-Safety Director of the City of Findlay, Ohio be and they are hereby authorized to enter into a Memorandum of Understanding (MOU), hereto attached as Exhibit A to store various City equipment in the Findlay City School District Board of Education's vacant building located at 0 Blanchard Avenue (parcel no. 610001017675) as set forth in the attached Agreement hereto as Exhibit B.

SECTION 2: That the City of Findlay agrees to provide optional demolition services as outlined in the Option for Demolition Services agreement as set forth in the attached Option for Demolition Services hereto as Exhibit C.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enter into said MOU so that the City of Findlay may store various City equipment in the Findlay City School District Board of Education's vacant building located at 0 Blanchard Avenue (parcel no. 610001017675) at no cost, and in exchange, the City of Findlay will install asphalt and concrete around Findlay City High School athletic fields, with the possibility of later demolishing certain improvements as described in Exhibit C of said Option for Demolition Services.

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

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

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

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

APPROVED \_\_\_\_\_

**Memorandum of Understanding**

This Agreement is made and entered into by and between the City of Findlay, Hancock County, Ohio (hereinafter "City") and Findlay City Schools (hereinafter "FCS").

Whereas, it is the intention of FCS to install asphalt surface driveway access around the athletic fields on the Findlay High School campus. *This pathway will create a safe and efficient ingress/egress for Safety Service Vehicles during emergency response as well as ADA accessible routes;* and,

Whereas, City has agreed to provide the necessary labor to *install necessary concrete sidewalks and pave asphalt surface course located on FCS High School Athletic complex (Attachment A).*

Now, Therefore, it is the agreement of the parties as follows:

FCS shall provide all material for construction of said project at no cost to the City.

City shall provide all labor necessary to install agreed upon *asphalt driveway and concrete sidewalks for FCS athletic complex.*

*City Engineering Department shall review and approve all storm water drainage patterns.*

FCS shall retain ownership of LAND.

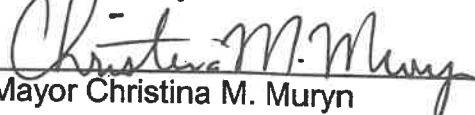
IN WITNESS WHEREOF, the undersigned have caused to be executed this Agreement on the date last written below.

Findlay City Schools

  
NAME \_\_\_\_\_

Date: 5/19/23

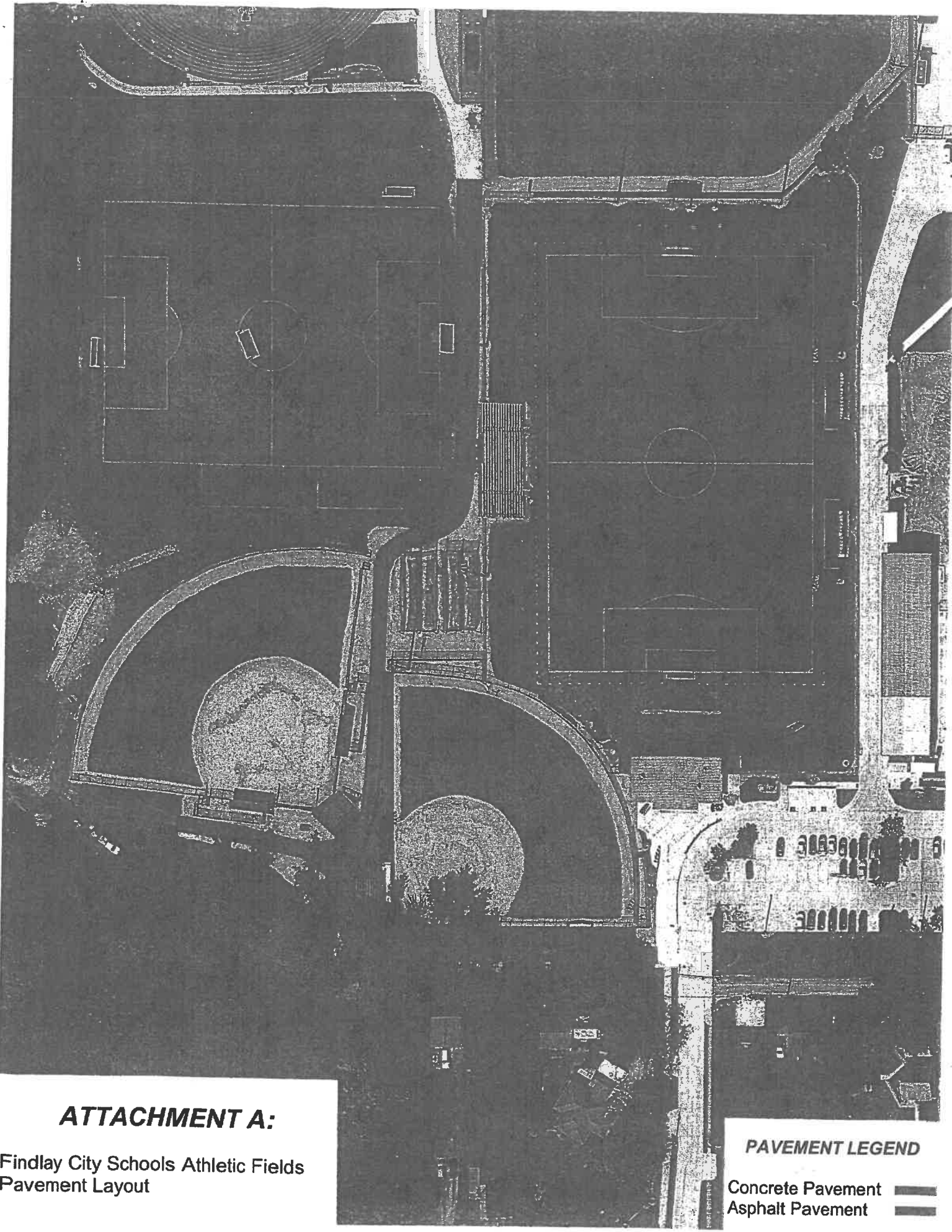
City of Findlay

  
Mayor Christina M. Muryn

Date: 04/19/2023

  
Don Rasmussen Law Director

Date: 4/19/23

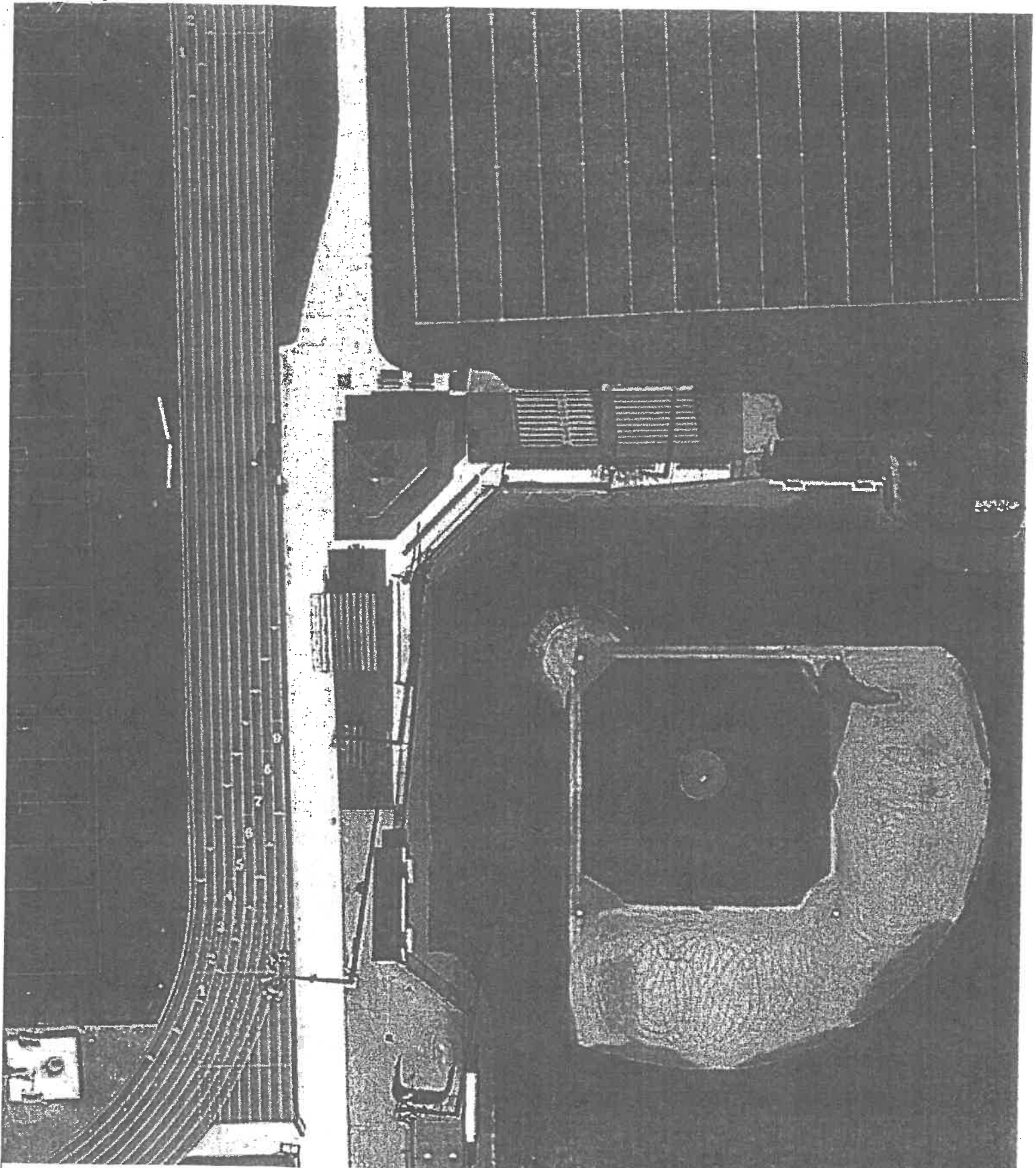


**ATTACHMENT A:**

Findlay City Schools Athletic Fields  
Pavement Layout

**PAVEMENT LEGEND**

- Concrete Pavement 
- Asphalt Pavement 

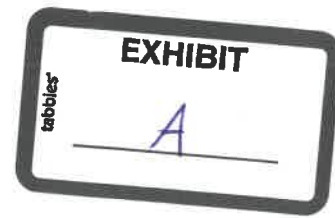


## **ATTACHMENT A:**

Findlay City Schools Athletic Fields  
Pavement Layout

### **PAVEMENT LEGEND**

Concrete Pavement   
Asphalt Pavement 



**MEMORANDUM OF UNDERSTANDING**

**between**

**THE CITY OF FINDLAY, OHIO**

**and the**

**FINDLAY CITY SCHOOL DISTRICT**

This Memorandum of Understanding is entered into this \_\_\_\_\_ day of \_\_\_\_\_ (month), \_\_\_\_\_ (year) by and between the City of Findlay (hereinafter referred to as "CITY") and the Findlay City School District (hereinafter referred to as "FCS").

**WHEREAS**, FCS agrees to grant the CITY permission to utilize their currently vacant building located at 0 Blanchard Avenue (parcel no. 610001017675) for cold storage for the foreseeable future, and;

**WHEREAS**, FCS is allowing the CITY to use said storage building, owned by FCS, at no cost to the CITY, and;

**WHEREAS**, CITY will have full access to said FCS building, therefore, CITY is not liable for said building damage or loss during CITY's use, and;

**WHEREAS**, FCS is not liable for City-owned property that is lost or damaged while stored in said building during the terms of the contract, and;

**WHEREAS**, CITY will provide adequate insurance to cover CITY-owned property stored in FCS building on said property, and;

**WHEREAS**, the Service-Safety Director of the City of Findlay, Ohio is hereby authorized to enter into a contract for storage use of the aforementioned FCS building, and;

**WHEREAS**, said contract shall be renewable in December of each year for a one (1) year calendar term of January 1<sup>st</sup> through December 31<sup>st</sup> of each year with FCS reserving the right to revoke said contract within thirty (30) days of written notice to CITY, and;

**NOW, THEREFORE**, it is mutually agreed between the aforementioned parties to enter into a contract for the City of Findlay, Ohio to utilize Findlay City School District's building for storage use, renewable each year.

City of Findlay:

---

Christina M. Murn, Mayor

---

Matt Cooper, Findlay City School District

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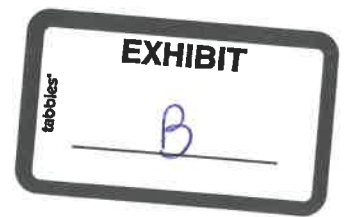
Robert Martin, Service-Safety Director

Approved as to form:

---

Donald J. Rasmussen, Law Director

This Instrument Prepared By: Donald J. Rasmussen, Director of Law  
City of Findlay  
318 Dorney Plaza, Room 310  
Findlay, Ohio 45840  
(419) 429-7338



## AGREEMENT

THIS AGREEMENT is made and entered into on the date of the last signature below ("Effective Date") by and between THE CITY OF FINDLAY, OHIO ("City"), and THE FINDLAY CITY SCHOOL DISTRICT BOARD OF EDUCATION ("Board").

In consideration of mutual promises and benefits set forth herein, the Board will permit the City to store certain vehicles and equipment (collectively "Equipment") on the Board's property described herein ("Premises") in accordance with the following terms and conditions:

1. THE PREMISES: For purposes of this Agreement, the Premises in question shall be the Board's former bus garage known as Parcel Numbers 610001017675, 610001016736, 610000926910 in the records of the Hancock County, Ohio, Auditor. The Premises shall include the garage structure and the connected parking area(s) and/or driveway(s).
2. TERM AND TERMINATION: This Agreement shall be effective from the Effective Date and continue for a period of one (1) year ("Term"). This Agreement may be renewed for additional one (1) year periods upon the signed, written agreement of the City and the Board (each, a "Renewal Term"). In no case, except by further written agreement of the parties, shall the combined Term and Renewal Terms exceed five (5) years. Either party may terminate this Agreement for breach by the other party if, after prior written notice is given by the nonbreaching party, the breaching party fails to remedy or correct the breach within thirty (30) days. Furthermore, the Board may terminate this Agreement at any time and for any reason by giving City fourteen (14) days' advance written notice. The parties may further terminate this Agreement by mutual written agreement.
3. USE OF PREMISES: The Board grants to the City a non-exclusive, non-transferable, terminable right to store Equipment (as described more specifically in Exhibit A hereto) on or in the Premises during the Term of this Agreement. City shall have no other rights or interest in the Premises other than that which is necessary to move the Equipment onto/into and/or out of the Premises. The City shall have reasonable rights of access to the Premises as required to move and/or access the Equipment; however, these shall be subservient to any activities on or in, or use of, the Premises by the Board.

The City shall not be permitted to utilize the Premises for any other purpose and the City shall not utilize the Premises for any purpose contrary to law or the rules or regulations of any public authority, including zoning restrictions, or in any manner so as to increase the cost of hazard insurance. The City shall not store, maintain, or bring hazardous materials on the Premises. The Board shall, in its sole discretion, determine whether an item present on the Premises is a "hazardous material." The City shall not permit members of the public to enter the Premises. The City shall, at its sole cost and expense, be responsible for the care and safeguarding of any Equipment or any other personal property the City brings to and/or stores in or on the Premises.



The City shall at all times abide by all regulations, rules, Board policies, and administrative guidelines of the Board while using and accessing the Premises. The City shall not place anything on the roof or exterior walls of the Premises without the Board's prior written consent.

4. CONSIDERATION: In exchange for the rights conveyed herein to City by the Board, the City shall: (a) execute the Option for Demolition Services attached hereto as Exhibit B; (b) provide the Demolition Services pursuant to Exhibit B (the Option for Demolition Services); and (c) provide such other good and valuable consideration as the parties may agree to from time to time.
5. CONDITION OF PREMISES: The Board is making the Premises available for the City's use herein in an "as-is" condition. The Board makes no, and disclaims all, warranties and/or representations regarding the condition of the Premises and/or its fitness for the City's intended use. This notwithstanding, if the City's use of the Premises, or activities therein or upon, causes loss, damage, disturbance, or harm to the Premises, or any adjacent property of the Board, the City shall repair and/or restore the Premises and/or any of the Board's adjacent property at its sole cost and expense.
6. INSURANCE AND LIABILITY: The City agrees that it shall be liable for any and all claims, harms, losses, and/or other injuries or outcomes, including any governmental order or action, that relate to and/or result from its use of the Premises under this Agreement, including any environmental issues (including for, but not limited to "hazardous waste", "hazardous substance", pollutant or contaminant under any federal, state or local statute, regulation, rule or ordinance or amendments thereto including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601 et seq.) and/or the Resource Conservation and Recovery Act (42 U.S.C. Section 6901 et seq.)). Should damage result to the Board's surrounding property as a result of the City's use of the Premises at any point in the future, City shall, at its sole cost and expense, remedy the damage to the Board's property. The provisions of this Section shall survive termination of this Agreement.

The City represents and warrants that prior to entering the Premises it shall procure and maintain, or cause any contractor performing work on the Premises to procure and maintain, a policy of insurance covering City's use of the Premises, including any and all personnel, and Equipment and other personal property to be brought or stored in or upon the Premises. Such insurance shall name the Board as an additional insured. For purposes of clarity, the Board shall not carry or provide any insurance coverage with respect to the City, its Equipment, personnel, and/or any other personal property present or stored in or upon the Premises.

7. INDEPENDENT CONTRACTOR: City acknowledges and agrees that it shall, at all times, be acting as an independent contractor and not as an employee, servant, agent, or partner of the Board. City further acknowledges and agrees that none of its service providers, employees, agents, contractors, subcontractors, or assigns performing any work or providing any services under this Agreement shall be considered employees of

the Board with respect to any federal, state or local laws. City shall be responsible for, and shall pay for, any wages, benefits, charges, fees and/or taxes, including social security taxes, health care charges/taxes, workers' compensation taxes, unemployment taxes, STRS/SERS/OPERS contributions, and/or any other governmental charges or taxes required to be paid on behalf of City's service providers, employees, agents, contractors, subcontractors, or assigns performing any work or providing any services under this Agreement. The provisions of this Section shall survive termination of this Agreement.

8. ASSIGNMENT: The City shall not assign this Agreement without the Board's prior written consent. In the event of such consent, the assignee shall agree in writing to keep and perform all of the obligations of the City arising under the Agreement. Such assignment shall not relieve the City from its liability and obligation under this Agreement.
9. NOTICES: All notices which are required for either party to serve upon the other shall be effectively served if personally delivered, sent by electronic mail to the other party's authorized designee, or sent by certified mail, return receipt requested, to the addresses set forth on the signature page hereof. Either party may, from time to time by written notice given to the other party, specify a new address to which any such notice shall thereafter be sent.
10. GOVERNING LAW: This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. Exclusive jurisdiction and venue shall be Hancock County, Ohio.
11. SEVERABILITY: If any provision of this Agreement or the application of any provision to any person or to any circumstance shall be determined to be invalid or unenforceable, then such determination shall not affect any other provision of this Agreement or the application of such provision to any other person or circumstance, all of which other provisions shall remain in full force and effect, and it is the intention of the Board and City that if any provision of the Agreement is susceptible of two or more constructions, one of which would render the provision enforceable and the other or others of which would render the provision unenforceable, then the provision shall have the meaning which renders it enforceable.
12. ENTIRE AGREEMENT: This Agreement constitutes the entire agreement between the Board and City with respect to the subject matter hereof, and this Agreement supersedes all prior and contemporaneous agreements between the Board and City in connection with the subject matter hereof. No officer, employee or other servant or agent of City or the Board is authorized to make any representation, warranty or other promise not contained in this Agreement. No change, termination, or attempted waiver of any of the provisions of this Agreement shall be binding upon City or the Board unless in writing and signed by the party affected.

13. MUTUAL DRAFTING: Each party acknowledges that it has had an opportunity to review and revise this Agreement and that the normal rule of construction to the effect that ambiguities in an agreement are to be resolved against the drafting party shall not apply to the interpretation of this Agreement.
14. DUPLICATE ORIGINALS: This Agreement may be executed in one or more counterparts, each of which shall be deemed to be a duplicate original, but all of which, taken together, shall constitute a single instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed effective as of the date last written below.

CITY OF FINDLAY, OHIO

FINDLAY CITY SCHOOL DISTRICT  
BOARD OF EDUCATION

  
\_\_\_\_\_  
ROB MARTIN

By:   
\_\_\_\_\_  
KRISTA MILLER

Its: Service Safety Director

Its: Interim Superintendent

5-18-23  
\_\_\_\_\_  
DATE

5-23-23  
\_\_\_\_\_  
DATE

ADDRESS: 318 Dorney Plaza  
Findlay, OH 45840

ADDRESS: 1100 Broad Avenue  
Findlay, OH 45840

DESIGNEE:  
EMAIL:

DESIGNEE:  
EMAIL:

## **EXHIBIT A**

### **Equipment stored at the Old School Bus Garage**

#### **Public Works Items:**

1. Durapatcher
2. Small Tar Kettle
3. Bomag Paver
4. Cube Bus
5. Crack sealer
6. #584 Grader
7. #79 Backhoe
8. #362 Stencil Truck
9. 2023 new international dump truck
10. # 73 Bucket Truck
11. # 128 International Dump Truck
12. #536 Tar Truck
13. #577 Semi and low boy
14. #559 Cat Paver
15. #74 Little Bucket Truck
16. #507 Traffic bucket Truck

#### **Police Dept Items:**

1. K9 Course and Dog Food
2. National Night Out Items
3. Crime Prevention Trailer

#### **Fire Dept Items:**

1. Crib and Shoring Rescue Trailer
2. Engine .5 little fire truck

**EXHIBIT B**

**[INSERT OPTION AGREEMENT]**

## OPTION FOR DEMOLITION SERVICES

This Option for Demolition Services (the "Agreement") is entered as of the date of the last signature set forth below ("Effective Date") by and between THE CITY OF FINDLAY, OHIO ("City"), and THE FINDLAY CITY SCHOOL DISTRICT BOARD OF EDUCATION ("Board").

1. TERM: The term of this Agreement begins on the Effective Date and will expire five (5) calendar years therefrom, ("Expiration Date") unless extended upon agreement of the Parties.
2. OPTION FEE: In consideration of the Option granted by this Agreement, the Board shall pay the City a nonrefundable option fee of One Hundred Dollars (\$100).
3. GRANT OF OPTION: In consideration of the Option Fee, and as due consideration for the rights afforded the City pursuant to the Agreement between the parties, dated 5/23/2023 ("Bus Garage Agreement"), the City grants the Board the option to contract with the City, at no cost to the Board, for the City to demolish certain improvements described in Exhibit A, hereto ("Improvements") upon the Premises consistent with the terms and conditions set forth in this Agreement.
4. EXERCISE OF OPTION: At any time following the termination of the Bus Garage Agreement for any reason, but otherwise within the Term of this Agreement, the Board shall have the option to contract with the City, as set forth herein, for the City to demolish the Improvements.
5. DEMOLITION OF IMPROVEMENTS: Upon the Board's exercise of the Option set forth herein, the City, at no cost to the Board, shall proceed to demolish the Improvements upon the Premises as follows:
  - a. Preparation. The City and the Board shall jointly develop, in consultation with any and all appropriate consultants, engineers, contractors, and/or governmental authorities, a demolition plan documenting all steps and procedures for the demolition of the improvements (the "Demolition Plan"). As part of the Demolition Plan, (i) the City shall make any and all necessary preparations to, on, or of the Premises and/or Improvements to adequately and appropriately prepare the Improvements for demolition; and (ii) the Board shall be responsible, prior to demolition, for the removal and/or relocation of any portions of the Improvements, and/or any personal property on or in the Improvements which the Board wishes to preserve.
  - b. Demolition. The City shall carry out the Demolition Plan and all necessary and related demolition work using any and all necessary equipment, personnel, and other resources as the City determines, in its reasonable discretion, to be necessary for the completion of such work.
  - c. Remediation and Restoration. Following demolition of the Improvements, the City shall use commercially reasonable efforts to remove any and all debris, rubble, garbage, and/or any other remaining pieces of the Improvements from the Premises

within a reasonable amount of time. At the direction of the Superintendent, the City shall repair the site following demolition and do all necessary grading and moving of any dirt, soil, and/or gravel on the Premises. The Board will be responsible for any landfill dump fees it incurs:

- d. Expectations. The City shall perform all work described in this Agreement at no cost to the Board, in a good and workmanlike manner, and in accordance with all applicable laws, regulations, and industry standards. The Superintendent shall determine, in his or her/ sole discretion, when all necessary and required work has been satisfactorily completed. The City's obligations under this Agreement will be considered fulfilled only upon written notice from the Superintendent. The City agrees that it shall use all commercially reasonable efforts to minimize interference with the use and occupancy of the Board's adjacent property, buildings, and/or surrounding areas (as applicable).
6. INSURANCE AND LIABILITY: The City agrees that it shall be liable for any and all claims, harms, losses, and/or other injuries or outcomes, including any governmental order or action, that relate to and/or result from any and all work to be performed on the Improvements and/or Premises under this Agreement, including any environmental issues (including for, but not limited to "hazardous waste", "hazardous substance", pollutant or contaminant under any federal, state or local statute, regulation, rule or ordinance or amendments thereto including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601 et seq.) and/or the Resource Conservation and Recovery Act (42 U.S.C. Section 6901 et seq.)). The provisions of this Section shall survive termination of this Agreement.

The City represents and warrants that prior to entering the Premises it shall procure and maintain, or cause any contractor performing work on the Premises to procure and maintain, a policy of insurance covering all of City's work on the Improvements and/or the Premises, including any and all personnel, and equipment and other personal property to be used in or upon the Premises. Such insurance shall name the Board as an additional insured. For purposes of clarity, the Board shall not carry or provide any insurance coverage with respect to the City, its equipment, personnel, and/or any other personal property present or stored in or upon the Premises.

7. INDEPENDENT CONTRACTOR: City acknowledges and agrees that it shall, at all times, be acting as an independent contractor and not as an employee, servant, agent, or partner of the Board. City further acknowledges and agrees that none of its service providers, employees, agents, contractors, subcontractors, or assigns performing any work or providing any services under this Agreement shall be considered employees of the Board with respect to any federal, state or local laws. City shall be responsible for, and shall pay for, any wages, benefits, charges, fees and/or taxes, including social security taxes, health care charges/taxes, workers' compensation taxes, unemployment taxes, STRS/SERS/OPERS contributions, and/or any other governmental charges or taxes required to be paid on behalf of City's service providers, employees, agents, contractors, subcontractors, or assigns performing any work or providing any services under this Agreement. The provisions of this Section shall survive termination of this Agreement.

8. NOTICES: All notices which are required for either party to serve upon the other shall be effectively served if personally delivered, sent by electronic mail to the other party's authorized designee, or sent by certified mail, return receipt requested, to the addresses set forth on the signature page hereof. Either party may, from time to time by written notice given to the other party, specify a new address to which any such notice shall thereafter be sent.
9. GOVERNING LAW: This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. Exclusive jurisdiction and venue shall be Hancock County, Ohio.
10. SEVERABILITY: If any provision of this Agreement or the application of any provision to any person or to any circumstance shall be determined to be invalid or unenforceable, then such determination shall not affect any other provision of this Agreement or the application of such provision to any other person or circumstance, all of which other provisions shall remain in full force and effect, and it is the intention of the Board and City that if any provision of the Agreement is susceptible of two or more constructions, one of which would render the provision enforceable and the other or others of which would render the provision unenforceable, then the provision shall have the meaning which renders it enforceable.
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12. MUTUAL DRAFTING: Each party acknowledges that it has had an opportunity to review and revise this Agreement and that the normal rule of construction to the effect that ambiguities in an agreement are to be resolved against the drafting party shall not apply to the interpretation of this Agreement.
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CITY OF FINDLAY, OHIO

FINDLAY CITY SCHOOL DISTRICT  
BOARD OF EDUCATION

  
\_\_\_\_\_  
ROB MARTIN

By:

  
\_\_\_\_\_  
KRISTA MILLER



Its: Service Safety Director

5-18-23

DATE

ADDRESS: 318 Dorney Plaza  
Findlay, OH 45840

DESIGNEE:  
EMAIL:

Its: Interim Superintendent

5-23-23

DATE

ADDRESS: 1100 Broad Avenue  
Findlay, OH 45840

DESIGNEE:  
EMAIL:

**EXHIBIT A**

**All improvements to the real property known as Parcel Numbers 610001017675, 610001016736, 610000926910 in the records of the Hancock County, Ohio, Auditor and commonly known as the former bus garage property for the Findlay City School District.**