

FINDLAY CITY COUNCIL MEETING AGENDA

REGULAR SESSION

SEPTEMBER 5, 2023

COUNCIL CHAMBERS

ROLL CALL of 2022-2023 Councilmembers

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

Acceptance or changes to the August 15, 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 and have been in the office of the City Clerk the required 60-days ending September 7, 2023. The request will be on the September 14, 2023 the CITY PLANNING COMMISSION (CPC) and also the PLANNING & ZONING COMMITTEE (P&Z) for the zoning of these parcels totaling 138.018 acres to be zoned I-1 Light Industrial, except for parcel #020001030280 and the eastern 1.351 acres of parcel #020001030251. Upon CPC and P&Z's approval during their 9/14/23 meetings and Council's acceptance of those minutes/committee report during the 9/19/23 City Council meeting, legislation to accept and approve the annexation, and also to provide the above list of acreage with the requested zoning classification will be available for their first reading during the 10/3/23 City Council meeting. The agents for the aforementioned parcels have submitted letters requesting what the parcels will be zoned as. This annexation is referred to as the CR 220 (aka RaceTrac) (parcel nos. 020001006785 AND 020001013263) Annexation. Resolution No. 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.

Zoning amendment request – 1700 Fostoria Avenue (Findlay Center for Bus & Technology)

Daniel Stone with Van Horn, Hoover & Associates, Inc. on behalf of Nipper Industrial Holdings, LLC would like to change the zoning of 1700 Fostoria Avenue to I-1 Light Industrial. It is currently zoned C-2 Commercial. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

Alley vacation request – Coventry Drive/West Yates Avenue

Paul and Brenda Miller are requesting a vacation of the east-west alley between East Yates Avenue and Coventry Drive bounded by Lots 26-34 in the Old Orchard 4th Addition and 4006-4020 in the Chamberlin Hill Addition. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

Zoning amendment request – 1600 East Melrose Avenue

Phillip Lawson on behalf of Strauch III Ltd. would like to change the zoning of 1600 East Melrose Avenue to M-2 Multi-Family, High Density. It is currently zoned C-2 General Commercial. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

ORAL COMMUNICATIONS: none

WRITTEN COMMUNICATIONS:

Email from Katie Erickson – no to the downtown park project

Email from Haydee Sadler – downtown park

Email from Kai Crum – new downtown park

Email from Herbert Franks – downtown park

Email from Barbara Williamson – thoughts on downtown park

Email from Cathy Weygandt – several items to consider

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Auditor Staschiak – Resolution accepting millage rates and amounts

The County Budget Commission has completed their work and returned our Certificate of Estimated Resources for our 2024 budget. Our tax millage has been certified exactly as submitted; 2.6 mills for the General Fund and 0.3 mills each for Police and Fire Pension Funds to a total of 3.2 mills, approximately \$37MM (three million seven hundred thousand dollars). Local government money is estimated to be \$785,000.00 for next year subject to likely adjustments by the State. Council should now accept the amounts and levy the tax rates as certified by the Budget Commission. The proper Resolution must be adopted and returned to the County Auditor no later than September 30, 2023. Legislation for this is requested and only requires one reading. City Auditor Staschiak requests that this letter be read. Resolution No. 020-2023 was created.

Board of Zoning Appeals minutes – July 13, 2023.

Fire Chief Eberle – Firehouse Subs Foundation grant

The Firehouse Subs Foundation operates a grant program for fire equipment that provides one hundred percent (100%) of funding for successful applicants. The foundation’s grant cycle occurs quarterly with short deadlines. Earlier this year, Firefighters approached Fire Chief Eberle about applying to the Foundation to purchase fire hose nozzles on all Fire Department apparatuses, as many are in need of replacement. They volunteered to do all the research, including contracting a vendor, obtaining demo nozzles and conducting flow tests in order to determine what would work best for the Fire Department, in which Fire Chief Eberle provided authorization to proceed. The application was submitted for twenty-four (24) fire nozzles and associated hardware for a total amount of twenty-one thousand five hundred eighty-nine dollars and forty-four cents (\$21,589.44). The Findlay Fire Department was notified in July that the application was approved and that no local match is required. Deputy Auditor Sampson informed the Findlay Fire Department that because the grantor is not a government entity, the City had to wait to appropriate any funds to this effort until the electronic deposit was received. Funds were received this week and can now proceed with legislation. Lead times for fire nozzles are currently about three (3) months, so in order to facilitate this purchase as quickly as possible and because there are no local funds involved, all three (3) readings of the legislation during the September 5, 2023 City Council meeting is requested. Thank you to Firefighters Jonathon Morter and Jason Mattox for spearheading this effort. Ordinance No. 2023-083 was created.

FROM: General Fund (Firehouse Subs Foundation Grant) \$ 21,589.44
TO: Fire Department #21014000-other \$ 21,589.44

President Pro-tempore Russel – Ad-Hoc Committee on request for transfer of property to Habitat for Humanity

President Pro-tempore Russel is recommending the following members be appointed to an ad-hoc committee to review the request land transfer from Habitat for Humanity:

- Brian Bauman, Chairman
- Josh Palmer
- Beth Warnecke
- Jeff Wobser

This recommendation is requested to be voted for approval on during the September 5, 2023 City Council meeting.

Chief of Police Mathias – Ohio Attorney General Drug Abuse Response (DART) grant program

The Findlay Police Department has been approved to receive a sixty-two thousand five hundred dollar (\$62,500) grant from the Ohio Attorney General Drug Abuse Response Team (DART) grant program. The purpose of this grant is to assist local agencies in their efforts to combat the opioid/fentanyl problem in their communities. The Findlay Police Department has collaborated with Family Resource Center (FRC) in operating a team called the Quick Response Team (QRT) that has been in operation since late 2017. Within seventy-two (72) hours of a person experiencing a drug overdose, a coordinator from the FRC and a Findlay Police Officer will make contact with that person. The purpose of this contact is to make the person aware of the opportunities available for treatment and recovery. These funds from the Ohio Attorney General will be used to reimburse FRC for the salary and expenses of a coordinator. This is the fifth (5th) year that the City has been awarded the grant. There is no City match for the grant. Legislation to appropriate the awarded grant funds and waive the second and third readings during the September 5, 2023 City Council meeting is requested. Ordinance No. 2023-085 was created.

FROM: Ohio Attorney General Law Enforcement Diversion Program Grant \$ 62,500.00
TO: PD Quick Response FY24, project no. 31933200 \$ 62,500.00

City Auditor Staschiak – RLF Administration

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for July 2022 through June 2023. This is now a routine request where Council has approved requesting the appropriation without going to committee each time. Legislation to authorize a draw from the Revolving Loan Fund account and appropriate \$4,158.06 from the RLF to General Expense #2101000-449400 to pay the invoice is requested. Ordinance No 2023-086 was created.

Mayor Muryn – jake braking and noise pollution

Over the past few years, there have been numerous discussions with residents related to noise pollution and opportunities for decreasing noise pollution within the City of Findlay and is asking for Council’s support for a No Engine Brake ordinance. The City of Findlay Police Department will be increasing their traffic enforcement efforts along with noise violation enforcement both on a general basis and focused enforcement during congregated vehicular events such as the informal “cruise nights”. She has been in contact with the Ohio Rail Development Commission about what steps are necessary to establish Findlay as a “quiet zone” which would allow for decreased use of locomotive horns within the City of Findlay corporation limits. At this point in time, it would take significant modifications to all railroads through the City of Findlay which are not feasible, however, this will be kept in mind as railroad crossings are improved to look for opportunities for modification.

It has been brought to her attention that the City of Findlay does not have a “No Engine Brake” ordinance. *“A compression release engine brake, compression brake, or decompression brake, frequently called a Jake Brake, is an engine braking mechanism installed on some diesel engines. When activated, it opens exhaust valves to the cylinders, right before the compression stroke ends, releasing the compressed gas trapped in the cylinder, and slowing the vehicle.” It creates a disruptive noise.* Given the amount of noise generated from the use of Engine Braking, she is requesting legislation to pass a no engine brake utilization within the City of Findlay in an attempt to decrease some noise pollution, as well as, decrease truck traffic. She will continue to work with the City of Findlay team and residents to identify additional measures which can be implemented to decrease noise pollution. Ordinance No. 2023-087 was created.

Mayor Muryn – bulk trash and tire drop off event

The City of Findlay held a bulk trash drop off event in April that included a trash and tire drop off. This program was very successful in assisting residents in the clean up of their properties. The City of Findlay would like to hold another bulk trash drop off and tire drop off event tentatively scheduled for October 19-21, 2023. This program aligns with the intent of the use of demolition program funds. Legislation to appropriate twenty thousand dollars (\$20,000.00) to cover the cost of tire disposal fees and trash disposal fees from the demolition program funds is requested. Resolution No. 021-2023 was created.

FROM: Demolition Program #31925800-other \$ 20,000.00
TO: Bulk Trash & Tire Drop Off #31934300-other \$ 20,000.00

Mayor Muryn – DFID MOU

In March 2023, the City of Findlay entered into a Memorandum of Understanding (MOU) with Downtown Findlay Improvement District (DFID) in which they pay the City of Findlay forty thousand dollars (\$40,000) annually and that the City of Findlay agrees to provide the following services: floral procurement and planting, downtown plant/floral watering and fertilization, speaker and music expense, Christmas light procurement and hanging, weeds/maintenance/beautification and snow removal along Main Street in the Downtown District of the City of Findlay. The City of Findlay received this payment in May 2023. Takeover of these services was not budgeted in 2023 due to the MOU not being signed until March 2023. Legislation to appropriate forty thousand dollars (\$40,000.00) to cover the cost of services is requested. Ordinance No. 2023-088 was created.

FROM: General Fund \$ 40,000.00
TO: General Expense #21010000-other \$ 40,000.00

Mayor Muryn – solar eclipse

The City of Findlay will be experiencing a large influx of people for the solar eclipse on April 8, 2024. In preparation of this event, a project has been set up to accommodate expenses resulting from this event such as portable toilets, extra trash pickup/dumpsters, advertising, etc. Legislation to appropriate funds to cover the costs associated with the solar eclipse 2024 is requested. Ordinance No. 2023-089 was created.

FROM: General Fund \$ 20,000.00
TO: Solar Eclipse 2024, Project No. 31934000-other \$ 20,000.00

City Engineer Kalb – Cemetery sanitary sewer, project no. 31934100

Through the flow monitoring efforts that are taking place with the long term control plan (LTCP) Amendment, it has been found that there is a cross connection of the sanitary and storm sewer at the Maple Grove Cemetery. With this cross connection, there is a possibility that a drainage area of thirty-eight (38) areas is being discharged to the sanitary sewer. To ensure the City’s Water Pollution Control Center is not treating storm water, a sanitary line for the Cemetery buildings is desired to be ran. Once a new sanitary lateral is established, all of the cross connections will be plugged to ensure a dedicated sanitary and storm sewer for the Maple Grove Cemetery. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to enter into contracts and to appropriate and transfer funds. Ordinance No. 2023-090 was created.

FROM: CIT Fund – Capital Improvements Restricted Account \$ 55,000.00
TO: Cemetery Sanitary Sewer, Project No. 31934100 \$ 55,000.00

City Engineer Kalb – Laurel Lane waterline replacement, project no. 35730800

Ordinance No. 2023-034 authorized a bid opening to be held for this project on August 15, 2023. Bids were received from three (3) potential contractors with the bid amounts ranging from \$100,527 to \$124,212.50. The lowest and best bid was received from Helms & Sons Excavating Inc. of Findlay, Ohio. Five thousand dollars (\$5,000) was previously appropriated to the project for design and advertising, and an additional appropriation is needed to cover the City’s portion of the construction cost and provide a contingency for this project. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to enter into contracts and to appropriate and transfer funds is requested. Ordinance No. 2023-091 was created.

FROM: Water Fund \$ 125,000.00
TO: Laurel Lane Waterline Replacement, Project No. 35730800 \$ 125,000.00

City Engineer Kalb – Park and Airport ADA restroom (CDBG), project no. 31924500

Ordinance No. 2022-045 authorized the City of Findlay to receive grant funding from the Department of Development for Americans with Disabilities Act (ADA) upgrades in the restrooms at the Findlay Airport, as well as two (2) of the City’s parks. The City of Findlay Engineering Department is finalizing plans for the upgrades and is expecting to have the project out to bid within the month. An appropriation of Community Development Block Grant (CDBG) funds into the project is requested. Once the project is sold, a future appropriation of funds will be requested for the local match funds. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to advertise for bids, enter into contracts, and to appropriate and transfer funds is requested. Ordinance No. 2023-092 was created.

FROM: Department of Development, Office of Community Development \$ 222,000.00
TO: Park & Airport ADA Restroom (CDBG), Project No. 31924500 \$ 222,000.

City Engineer Kalb – small waterline upgrades (CDBG), project no. 35723800

Ordinance No. 2022-046 authorized the City of Findlay to receive grant funding from the Department of Development for the installation of new waterlines on George Street, Garfield Avenue, Midland Avenue, and Allen Avenue. The City of Findlay Engineering Department is currently working on the plans for the waterline replacement in the area and is expecting to have the project out to bid in the next couple of months. An appropriation of Community Development Block Grant (CDBG) funds into the project is requested. Once the project is sold, a future appropriation of funds will be requested for the local match funds. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to advertise for bids, enter into contracts, and to appropriate and transfer funds is requested. Ordinance No. 2023-093 was created

FROM: Department of Development, Office of Community Development \$ 500,000.00
TO: Small Waterline Upgrades (CDBG), Project No. 35723800 \$ 500,000.00

City Engineer Kalb – HAN I-75 CR 99 DDI interchange (PID102375), project no. 32811100 (preliminary participatory legislation)

The Ohio Department of Transportation (ODOT) will be constructing a Diverging Diamond Interchange (DDI) for Interstate 75 and County Road 99 due to the increased traffic volume and decrease in level of service. This project has been in discussions for a number of years. The City of Findlay, along with the County have been working with ODOT to improve this key gateway to the community. While the project name states that it is an interchange replacement, it will also include work on County Road 99 from Technology Drive to Main Street. On August 17, 2023, the City of Findlay received some regulatory documents from ODOT that will need to be executed and returned to ODOT by September 11, 2023. This preliminary participatory legislation will give consent to ODOT to perform the work within the City corporation limit, provide adequate maintenance once the project is complete, and the continued commitment of one million dollars (\$1,000,000) for the construction of the DDI. This commitment for the project has been planned for the past couple of years as part of the City’s Capital Improvement Plan and will be appropriated at a future date. Due to ODOT’s deadline, all three (3) readings for this legislation is requested to be given during the September 5, 2023 City Council meeting. Legislation authorizing City representatives to execute the necessary preliminary participatory legislation for the Han I-75 CR 99 Interchange project. Ordinance No. 2023-094 was created

City Engineer Kalb – South Main Street and McPherson Street storm sewer repair 35532800, additional appropriation

As discussed at the recent APPROPRIATIONS COMMITTEE meeting, the storm sewer project on South Main Street has ran into some unknown conditions that will accrue additional cost. As the project progressed, it was found that multiple areas will need undercut and additional pavement repairs will be performed due to buried concrete and poor soil conditions. Along with the pavement undercuts, it was found that there were a couple of unknown utility lines that were running perpendicular through the storm pipe. Some of the unknown lines were running at a grade that would not allow the storm pipe to go over or under the line, so utility companies were contacted to come out and relocate their lines. This additional work caused some minor setbacks in the project schedule and budget, but due to the location of the repair and the impact that it has to the traveling public, the project could not be suspended until the next City Council meeting. To ensure that it was discussed with Councilmembers before the additional work was authorized, the APPROPRIATIONS COMMITTEE met on August 21, 2023 to discuss the additional cost that was being authorized without having enough funds in the project to cover the cost at that time. Legislation to appropriate and transfer additional funds to the project so that the contractor can be properly compensated for the additional work that was needed. Ordinance No. 2023-095 was created.

FROM: Sewer Fund – Stormwater Restricted Account \$ 30,000.00
TO: South Main Street & McPherson Storm Sewer Repair, Project No. 35532800 \$ 30,000.00

City Engineer Kalb – WTP CO₂ Tanks Replacement, Project No. 35790800

Ordinance No. 2019-013 authorized a bid opening on August 17, 2023 for this project. Bids were received from two (2) potential contractors with the bid amounts ranging from \$1,149,464 to \$1,154,250. The lowest and best bid was received from Kirk Bros Construction, Inc. of Alvada, Ohio. Four hundred fifty thousand dollars (\$450,000) was previously appropriated to the project for design, advertising, and already appropriated ARPA funds for construction. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to enter into contract, and to appropriate and transfer additional funds to cover the remaining portion of the construction cost and to provide a contingency for the project is requested. Ordinance No. 2023-096 was created.

FROM: Water Fund \$ 800,000.00
TO: WTP CO₂ Tanks Replacement, Project No. 35790800 \$ 800,000.00

City Auditor Staschiak – internal controls of the City of Findlay Utility Billing Department annual audit letter

Over the last few years, it has been noted that in the Management (Recommendations) Letter of the City’s annual audit that the internal controls of the Utility Billing Department needs to be reviewed and improved. In 2022, City Auditor Staschiak contracted with the CPA firm Rea & Associates CPA Firm to assist with an in-depth independent special review of that department’s controls. On April 11, 2023, the WATER AND SEWER COMMITTEE received a detailed report of the status of the City of Findlay Utility Billing Office internal controls. The report included observations, as well as numerous recommendations. This “Stage I” review and reported recommendations cost the City approximately fifteen thousand dollars (\$15,000). Deputy Auditor Sampson spent several days developing new procedures and working with the Utility Billing personnel and the Department Head to be sure everyone was on the same page and able to implement the recommendations. The goal was to be well prepared for a follow-up review well ahead of its scheduled date. On July 13, 2023, Rea & Associates CPA Firm returned to complete a “State II” review and status update for the implementation for the recommended controls. The attached report notes there are a few items to be completed now such as the actual cash drawers being installed and some long-term items including a new billing software system. Several items have been completed to date, however, the report also notes several deficiencies in following the new recommended controls. The City Auditors Office has also observed deficiencies. Unfortunately, due to the deficiencies noted in the report of the July 13, 2023 inspection, the City will be unable to clear its State Audit Management Comment from the report.

Get the internal control process approved by the State Auditor is a primary goal along with ensuring safe custodianship of the community's money. It is necessary to bring Rea & Associates CPA Firm back for another inspection at a date to be determined. If the department passes a future review, then there is a high likelihood the management recommendation will be viewed as complete. City Auditor Staschiak assures Council that he will continue to take every step that is reasonable and necessary for the City to ensure the public that every dollar of their money is being handled with the uttermost care. It is requested that this letter be read.

Mayor Muryn – water services for Villages of Arlington and North Baltimore

Mayor Muryn is providing an update on discussion the City Administration has been having with the Villages of Arlington and North Baltimore for the City of Findlay to potentially provide them water. In 2019, representatives of North Baltimore reached out to the City of Findlay to discuss what it may look like for them to get water from the City of Findlay. The City of Findlay is open to a master meter agreement providing water and that Arlington and North Baltimore would maintain everything on the other side of the meter. Arlington or North Baltimore contacted the City in early March 2022 wanting to have further discussions and were going to discuss with their City Council their desire to move forward with the master meter agreement the City suggested to them. Sometime between March 2022-March 2023, they also decided to reach out to an engineering firm to look at project design and costs that lead them to speak with the Ohio Department of Transportation (ODOT) about cross points with Interstate 75, and also some preliminary investigation into possible grant funds. In April 2023, it appeared that North Baltimore was gaining traction on their side, so Mayor Muryn felt it was now worth the City's time to bring in a legal expert to assist with discussions about what a regional water approach would look like to ensure consistent structures could be offered among interested parties. Mayor Muryn has had brief conversations with various Councilmembers over the past two (2) years letting them know that conversations with Arlington and North Baltimore have taken place and that when we had a clearer understanding of what the proposal would look like before it is brought to City Council. She has also mentioned it in conversations with City Auditor Staschiak dating back to 2022. In June 2022, Arlington representatives reached out to the City of Findlay to discuss the opportunity for the City of Findlay to provide water to them in which the City asked them a variety of questions letting them know that the City would be willing to discuss it once they have a clearer picture of what they wanted. The City met with them on February 27, 2023 and also March 20, 2023 to help coach them through some information the City of Findlay would need in order to have such discussions. Part of these discussions included the City mentioning that there may be opportunities from the State to assist in connecting their systems to the City of Findlay but no further action was taken at that time. In April 2023, the City of Findlay received notice that Arlington had worked through some internal discussions and were ready to reengage with the City. The City of Findlay provided their team a questionnaire (*Exhibit 1*) to be completed so that the City of Findlay would have a clearer understanding of their system condition. On April 25, 2023, Mayor Muryn reached out to Bricker Graydon via email (*Exhibit 2*). On April 28, 2023, Mayor Muryn, Service-Safety Director Martin, City Engineer Kalb, Water Treatment Plant Superintendent Phillips, and Law Director Rasmussen had a call with Bricker Graydon attorneys to discuss the questions the City of Findlay sent. At that point, the discussions were primarily focused on Issues 1 and 2. On June 13, 2023, Mayor Muryn, Service-Safety Director Martin, City Engineer Kalb, and Water Treatment Plant Superintendent Phillips had a call with Bricker Graydon attorneys to discuss the water regionalization concept in more detail. On July 24, 2023, Bricker Graydon provided draft legal contracts that they see as viable structures for the City of Findlay to provide water services to the Villages of Arlington and North Baltimore. On August 9, 2023, Service-Safety Director Martin, City Engineer Kalb, Water Treatment Plant Superintendent Phillips, Law Director Rasmussen, and City Prosecutor Feighner discussed the reviewing of the initial proposals. Due to Mayor Muryn's family emergency, she was not present for the discussion and instead provided her initial thoughts over the telephone to Service-Safety Director Martin. From that meeting, the next steps for them were to put together a draft proforma/template for discussion with the City of Findlay team. Once the City of Findlay has had the opportunity to discuss these agreements with Bricker Graydon, the City of Findlay will bring them forward for discussion. Following the City of Findlay's discussions on this, they would then bring it to the WATER AND SEWER COMMITTEE to layout this background, the information gathered, and next steps. It is always Mayor Muryn's desire for the City Administration to do their job of running the City and working with City Council to implement effective legislation. In order to do so, it is their responsibility to gather information to be able to have productive, informative dialogue on issues. Mayor Muryn looks forward to meeting with City Council to discuss this topic in more detail in the coming weeks in working to evaluate an opportunity which would not only benefit the City of Findlay, but also provide a high quality and economical alternative to neighboring communities while protecting the City of Findlay and its region from for-profit water entities. A graphic is included with this presentation that shows the current City of Findlay Water Treatment Plant capacity, utilization, and opportunity. Mayor Muryn's top priority is the citizens of Findlay and ensuring safe, clean and affordable water. Findlay is fortunate that past community leaders took an innovative and forward-looking approach to the City's Water Treatment Plant and that Findlay once again has the opportunity to utilize this resource for the betterment of the community and region (*Exhibit 3*). By doing so, Findlay maintains a water quality, mitigates costs, keeps water rates low, helps neighboring communities, and protects the Findlay region from outside for-profit water entities.

Mayor Muryn – Phase 2 Benching properties (Ordinance No. 2023-043)

On May 16, 2023, Ordinance No. 2023-043 was tabled due to concerns around the timing of the transfer of ownership and wanting to ensure all benching and environmental work was completed prior to the city taking ownership. Attached is the final version of the Memorandum of Agreement (MOA) executed the County Commissioners that clearly states that the properties will not be transferred until the benching is complete. Additionally, the MOA acknowledges the environmental review which has been completed and the action that has been taken to remedy the environmental concerns. Finally, out of an abundance of caution, the City of Findlay is working to have additional environmental review completed on all properties within the benching and proposed downtown recreation area footprint. Mayor Muryn is requesting Ordinance No. 2023-043 be amended to specifically reference the MOA and state that the properties would not be transferred until the benching work is completed which will provide the necessary documentation to ensure the work is completed, environmental concerns are addressed, and that the City has assurances the properties necessary for the downtown recreation area will be transferred to the City. Mayor Muryn is providing this as an additional item in support of the adoption of Ordinance No. 2023-043 AS AMENDED in the near future. Ordinance No. 2023 was tabled after the third reading on 5/16/23.

Findlay Fire Department Activities Report - August 2023.

City Income Tax Monthly Collection Report - August 2023.

Fire Chief Eberle – Findlay-Hancock County Community Foundation grant

The Findlay Fire Department actively trains with the Findlay Police department and other agencies for Active Shooter & Hostile Event Response. During recent Rescue Task Force (RTF) training at the Findlay High School, it was determined that additional equipment is needed to best equip fire personnel for such a response. Battalion Chief Cooper was tasked with exploring any funding opportunities for this equipment in which he reached out to the Findlay-Hancock County Community Foundation who were receptive to the idea and are supportive of local efforts to train for such an event and recommended that Battalion Chief Cooper send a formal request and quote for the necessary equipment in which they quickly approved a grant for the full amount. The requested equipment includes eight (8) Class 3-A ballistic vests, eight (8) rescue task force triage & treatment bags, and eight (8) combat application tourniquets for a total cost of eight thousand seven hundred dollars (\$8,700). This equipment will complement the existing RTF equipment with the Fire Department inventory allow each engine crew to be supplied with the necessary items for an immediate active shooter response. Funds from the Community Foundation are expected to be received next week. Once those funds are deposited, legislation authorizing a transfer of funds to the Fire Department budget so that they can purchase these items will be requested. The Findlay Fire Department thanks Battalion Chief Cooper for quickly finding a solution to this issue, and to The Findlay-Hancock County Community Foundation for their continued support of local efforts to protect the community.

COMMITTEE REPORTS:

The **STRATEGIC PLANNING COMMITTEE** met on August 15, 2023 to continue discussing the Strategic Planning process.

We recommend:

- A. *To prepare a process outline for the handling of action items on an ongoing basis.*
- B. *Continue discussion on current action items.*

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss the request for additional funds for the South Main Street storm system repair project.

We recommend approval of up to forty thousand dollars (\$40,000) of additional appropriation and to continue to move forward with the project.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 020-2023 (*millage rates & amounts*) **requires one (1) reading** **first reading**
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

RESOLUTION NO. 021-2023 (*bulk trash and tire drop off event*) **requires three (3) readings** **first reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 022-2023 (*no PO*) **requires one (1) reading** **first reading**
A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

ORDINANCES:

ORDINANCE NO. 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. 2023-071 (*Downtown Recreation Area – design & engineering*) **requires three (3) readings** **tabled after third reading on 8/15/23**
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. 2023-075 (*HAN-Bigelow Avenue Resurfacing*) **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 APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR THE RESURFACING OF BIGELOW AVENUE FROM MAIN STREET TO MELROSE AVENUE, PROJECT NO. 32833800, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-076 (*OPWC grant application – Morrival Blvd waterline 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 APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION FOR A REPLACEMENT WATERLINE ON MORRICAL BOULEVARD FROM I-75 TO BLISS AVENUE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-079 (*4th 2023 Capital Improvement appropriation*) **requires three (3) readings** *second reading*
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2023 DEPARTMENT EQUIPMENT LIST, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-081 (*farmland lease*) **requires three (3) readings** *second reading*
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A LEASE AGREEMENT(S) TO FARM APPROXIMATELY ONE HUNDRED EIGHTY-ONE (181) ACRES IN THE VICINITY OF THE AIRPORT, APPROXIMATELY SIXTY-FOUR (64) ACRES IN THE VICINITY OF THE RESERVOIRS, ALL OWNED BY THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-082 (*PUCO Hazmat training grant award*) **requires three (3) readings** *second reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-083 (*Firehouse Subs Foundation grant*) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ACCEPT AWARDED FIREHOUSE SUBS FOUNDATION GRANT FUNDS FOR THE PURCHASE OF FIRE HOSE NOZZLES ON ALL APPARATUSES, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-084 (*200 W Lincoln St rezone*) **requires three (3) readings** *first 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 200 WEST LINCOLN STREET REZONE) WHICH PREVIOUSLY WAS ZONED “R-3 SMALL LOT RESIDENTIAL” TO “C-3 DOWNTOWN COMMERCIAL”.

ORDINANCE NO. 2023-085 (*Ohio Attorney General Drug Abuse Response (DART) grant program*) **requires three (3) readings** *first reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-086 (*RLF Administration (July 2022 - June 2023)*) **requires three (3) readings** *first reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-087 (*jake braking and noise pollution*) **requires three (3) readings** *first reading*
AN ORDINANCE DECLARING THE PRACTICE OF ENGINE BRAKING, OTHERWISE KNOWN AS “JAKE BRAKING”, TO BE PROHIBITED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-088 (*DFID MOU*) **requires three (3) readings** *first reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-089 (*solar eclipse event*) **requires three (3) readings** *first reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-090 (*Cemetery sanitary sewer*) **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 CONTRACTS FOR THE INSTALLATION OF A SEPARATE SANITARY LINE TO ALLOW FOR A DEDICATED SANITARY AND STORM SEWER FOR THE CITY OF FINDLAY’S MAPLE GROVE CEMETERY BUILDING, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-091 (*Laurel Lane waterline replacement*) **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 CONTRACTS WITH HELMS & SONS EXCAVATING, INC. FOR A REPLACEMENT WATERLINE ON LAUREL LANE, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-092 (*Park & Airport ADA restroom – CDBG*) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT FOR AMERICANS WITH DISABILITIES ACT (ADA) UPGRADES TO RESTROOMS AT THE CITY OF FINDLAY AIRPORT AND TWO (2) PARKS, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-093 (*small waterline upgrades – CDBG*) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT, AS WELL AS THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE INSTALLATION OF NEW WATERLINES ON GEORGE STREET, GARFIELD AVENUE, MIDLAND AVENUE, AND ALLEN AVENUE, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-094 (*HAN I-75 CR 99 DDI Interchange (PID102375)*) **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 EXECUTE THE NECESSARY PRELIMINARY PARTICIPATORY LEGISLATION FOR THE HAN I-75 CR 99 INTERCHANGE PID102375, PROJECT NO. 32811100, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-095 (*S Main St & McPherson storm sewer repair*) **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 CHANGE ORDER WITH HOHENBRINK EXCAVATING LLC FOR ADDITIONAL WORK ASSOCIATED WITH THE SOUTH MAIN STREET AND MCPHERSON AVENUE STORM SEWER REPAIR, PROJECT NO. 35532800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-096 (*WTP CO₂ Tanks Replacement*) **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 CONTRACTS WITH KIRK BROTHERS CONSTRUCTION, INC. FOR THE REPLACEMENT OF CO₂ TANKS AT THE CITY OF FINDLAY WATER TREATMENT PLANT, PROJECT NO. 35790800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS

PETITION FOR ZONING AMENDMENT

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

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

ADDRESS 1700 Fostoria Ave. **SUBDIVISION** Findlay Center for Business & Technology

LOT No.(s) 1, 5 & 6

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

SIGNATURE **SUBDIVISION** **LOT NO.** **STREET FRONTAGE**

Christian H. Digitally signed by Christian H. Pedersen Date: 2023.08.22 12:12:13 -0400 **FCBT** 1, 5 & 6

As Manager of Nipper Industrial Holdings, LLC

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE Multi-use building with Industrial and warehousing

PRESENT ZONING DISTRICT C-2 General Commercial

PROPOSED ZONING DISTRICT I-1 Light Industrial

ATTACH:

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

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

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

Name of Owner Nipper Industrial Holdings, LLC

Name of Contact Person if other than owner _____
(A letter granting person to act on Owner's behalf must accompany application if not signed by Owner)

Mailing Address _____

Phone No. (Home) _____ (Business) _____

Email: _____

Date

Signature of contact Person

OFFICE USE ONLY

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

Date Petition Submitted to City Council _____

Referral to Planning Commission _____ Referral to Planning & Zoning _____

Planning Commission _____ Disposition _____

Planning & Zoning _____ Disposition _____

Public Hearing Date Set By Council _____ Date
of Newspaper Notice _____

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

Date of Notice to Abutting Owners _____
(Must be mailed at least 20 days prior to Hearing)

Referred for Legislation: _____

Date of Readings by Council:

First _____ Second _____ Third _____

Action by Council: _____ Ordinance No. _____



August 22, 2023

Findlay City Council

Attn: Council Members

Re: FCBT Lots 1, 5 & 6 Rezoning
1700 Fostoria Ave.

On behalf of our client, Nipper Industrial Holdings, we are respectfully submitting a formal request to rezone Lots 1, 5 & 6 of the Findlay Center for Business & Technology from C-2 Commercial to I-1 Light Industrial.

When this property was being redeveloped in 2004 and 2005, the property was rezoned as a Planned Unit Development (PUD). This PUD set up a mixture of uses for the property. The three lots being rezoned were assigned a BT-Business Technology District. Based on the original documents (attached), this zoning allowed I-1 uses for manufacturing, industrial and warehousing. From this time forward, these 3 lots were used for industrial and warehousing activities (with no lapse in use).

During one of the last Zoning Map updates, the PUD zoning was removed and this area was designated as a commercial area and not based on the uses inside the building.

We are respectfully requesting the rezoning be changed to I-1 which is consistent with the original intent of the development. The rezoning will also be consistent with the building and property use since 2004 & 2005.

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

Sincerely,

Daniel R. Stone, P.E., P.S.

President

VAN HORN, HOOVER & ASSOCIATES, INC.



**Van Horn, Hoover
& Associates, Inc.**

3200 N. Main St.
Findlay, OH 45840

Phone: 419.423.5630
Fax: 419.423.5772

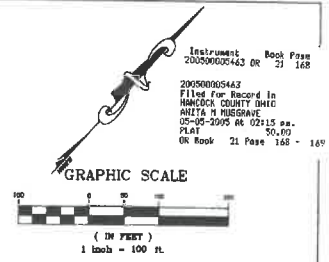
• Civil Engineering • Surveying

info@vanhornhoover.com

REZONING EXHIBIT

Final Subdivision Plat of FINDLAY CENTER FOR BUSINESS & TECHNOLOGY

Situated in the City of Findlay, County of Hancock, State of Ohio
31.141 Acres



NOTE: BOUNDARY WAS ESTABLISHED PER DEC. 1987 SURVEY PERFORMED BY PETERMAN & ASSOCIATES, INC., ADJOINING RECORD SUBDIVISIONS, AND SURVEYS OF RECORD.

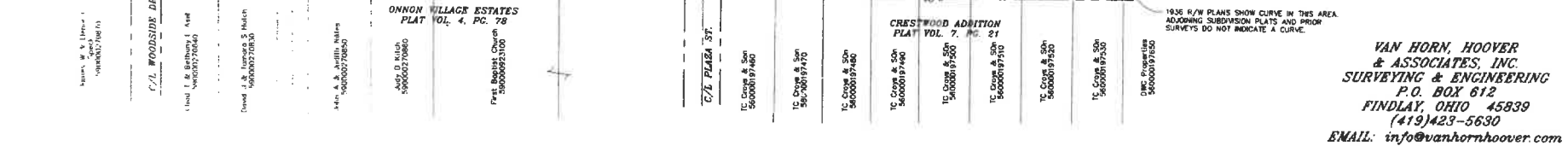
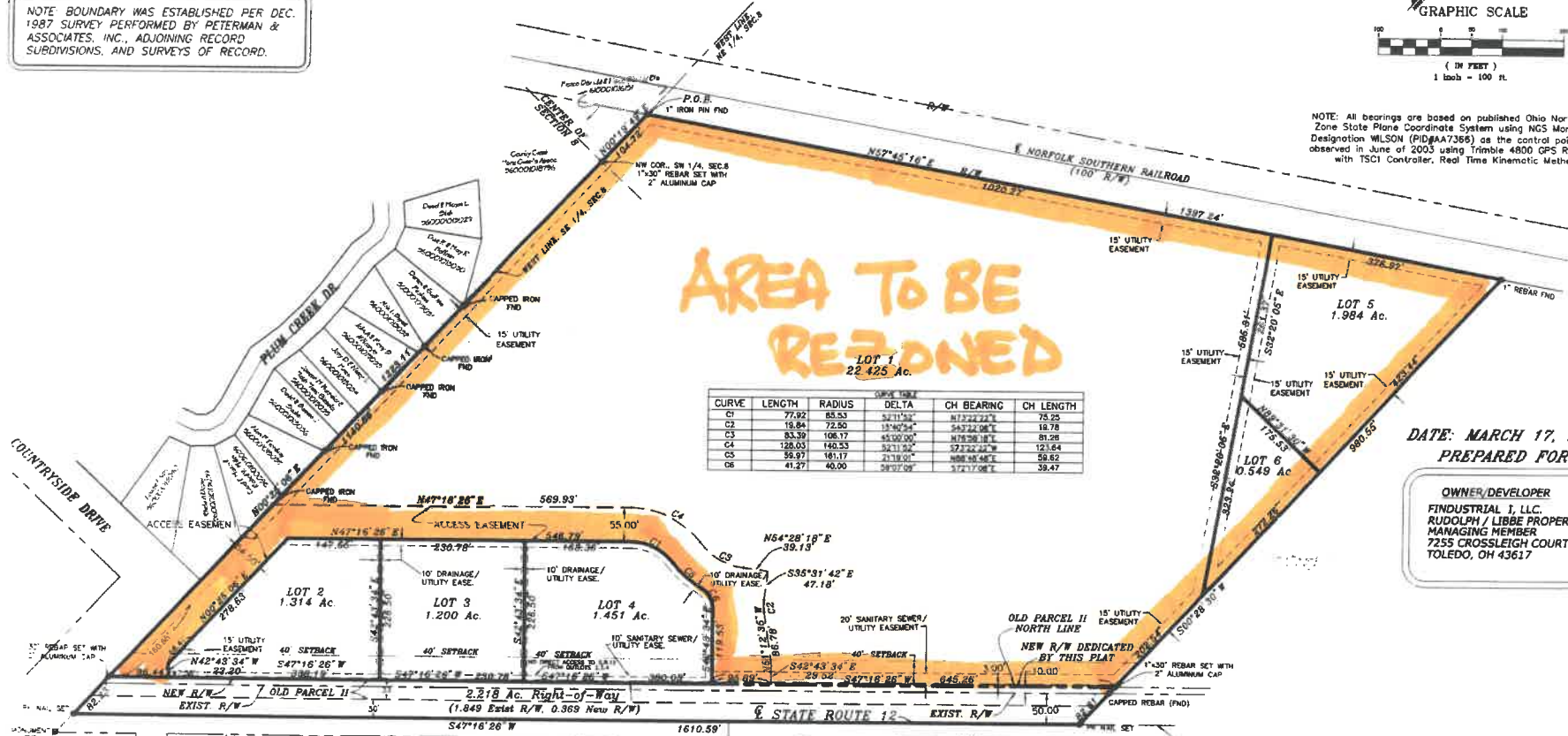
NOTE: All bearings are based on published Ohio North 3401 Zone State Plane Coordinate System using NGS Monument Designation WILSON (PIDAA7385) as the control point, and observed in June of 2003 using Trimble 4800 GPS Receivers with TSC1 Controller, Real Time Kinematic Method.

AREA TO BE REZONED

CURVE	LENGTH	RADIUS	DELTA	CH BEARING	CH LENGTH
C1	77.92	85.53	52°11'53"	N73°22'22"E	75.25
C2	18.84	72.50	15°40'24"	S63°22'08"E	14.78
C3	83.39	106.17	45°00'00"	N18°38'18"E	81.09
C4	128.03	140.33	52°31'52"	S72°32'22"W	121.64
C5	56.97	181.17	21°18'01"	N88°40'48"E	56.82
C6	41.27	40.00	58°27'09"	S72°17'08"E	38.47

DATE: MARCH 17, 2005
PREPARED FOR:

OWNER/DEVELOPER
FINDUSTRIAL I, LLC.
RUDOLPH / LIBBE PROPERTIES
MANAGING MEMBER
7255 CROSSLEIGH COURT
TOLEDO, OH 43617



VAN HORN, HOOVER & ASSOCIATES, INC.
SURVEYING & ENGINEERING
P.O. BOX 612
FINDLAY, OHIO 45839
(419)423-5630
EMAIL: info@vanhornhoover.com



**Van Horn, Hoover
& Associates, Inc.**

3200 N. Main St.
Findlay, OH 45840

Phone: 419.423.5630
Fax: 419.423.5772

• Civil Engineering • Surveying

info@vanhornhoover.com

**ORIGINAL
P.U.D.
DOCUMENTS**

BT
BT - BUSINESS TECHNOLOGY DISTRICT

INTENT: The BT BUSINESS TECHNOLOGY DISTRICT is intended to provide for in-fill development of the existing manufacturing area for light industrial uses, as well as provide for general business uses in the same building or proposed buildings. The BT District combines the permitted uses of I-1 Light Industrial and B-2 General Business, excluding any form of residential development.

PERMITTED USE – CERTIFICATE REQUIRED

- USES DESCRIBED IN THE FINDLAY, OHIO: ZONING CODE, SECTIONS 1155.02, 1163.02

PROHIBITED USE

- RESIDENTIAL USES DESCRIBED IN THE FINDLAY, OHIO: ZONING CODE, SECTION 1155.02

ARCHITECTURAL STANDARDS

- NO STRUCTURE SHALL EXCEED TWO STORIES IN HEIGHT

SCREENING

- A LANDSCAPE BUFFER CONSISTING OF AT LEAST TWO STAGGERED ROWS OF 4’-6” TALL PINE TREES SHALL BE PLACED ALONG THE WEST LINE OF THE PROPERTY.

DENSITY: N/A

RESULTANT POPULATION*: N/A

TRAFFIC GENERATION*: See Traffic Data (sheet 4)

Ingress / Egress from the site shall take place from only the points indicated on the zoning and access map. These points of access shall not be altered unless agreed upon by the Owner and the City of Findlay. Any additional development shall be made to take advantage of existing access points through reciprocal easement agreements.

PARKING*: Parking will be provided in accordance with City of Findlay Zoning Standards. The number of spaces required will be determined when a site plan is submitted to the Findlay City Planning Commission for review. All parking required to meet City of Findlay Zoning Standards shall be accomplished in an off-street location. Shared parking and access agreements may be used to accomplish parking requirements.

MINIMUM YARD REQUIREMENTS: REF 1163.04 To maintain consistency, the setbacks in the BT – BUSINESS TECHNOLOGY DISTRICT shall be the same as those in the B district listed previously in this document. The exception shall be that parking will be permitted to within ten (10) feet of any public right-of-way or residential district.

<u>Setbacks:</u>	<u>Building</u>	<u>Parking</u>
Front	40 feet	10 feet
Side	50 feet	0 feet
Rear	20 feet	0 feet
Abutting Residential	50feet	20 feet

Zero lot line structures will be permitted when constructed with common walls. Setbacks abutting any property not a part of this PUD shall meet City of Findlay Zoning Standards. Condominium documents may be created at any time for existing or proposed structures.

BT Technology District, cont.

SIGNAGE:

TENANT DIRECTORY SIGN: Tenant signs attached to the face of the building will be administered by the Owner through deed restrictions.

EXISTING SIGNAGE: The existing signage on the property was placed in accordance with the City of Findlay Zoning Code and shall be considered in compliance with this PUD. A description of the existing signage is as follows:

1. Owner has installed a General Sign fronting onto Fostoria Avenue, in front of FCBT, which says, Findlay Center for Business and Technology and the address number, 1700.
2. Owner has installed a Tenant Directory Sign in front of FCBT onto which the individual Tenant names are listed.

PROPOSED SIGNAGE: With the intent to follow sign standards currently under consideration, the following restrictions apply:

1. One 40' max height pylon style sign shall be permitted for the PUD development. The surface area of the sign face shall not exceed 300sf.
2. A monument sign shall be permitted on each outlot. The surface area of each sign shall not exceed 75sf, with a maximum height of 6 feet.

Additional directional signs shall be permitted as and when necessary on the property to direct vehicular and pedestrian traffic. Directional signs shall be set back a minimum of 20' from the right-of-way and shall not exceed 32sf in surface area.

*Figures are estimates only.

ALLEY/STREET VACATION PETITION

FEE PAID _____ DATE _____

ADVERTISING AND FILING FEES PAID _____ DATE _____

HONORABLE MAYOR AND COUNCIL, CITY OF FINDLAY, OHIO:

Co HENRY DR. / W YATES We, the undersigned, being owners of property abutting the requested vacation shown on the attached plat, respectfully petition your Honorable Body to vacate the COVENTRY DR W described as: street/alley YATES

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

Old Orchard 4th Edition

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

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

OWNER	ADDRESS	LOT NUMBER
<u>Paul & Brenda Miller</u>	<u>610 COVENTRY DR</u>	<u>33</u>
<u>Brooks Miller Stephenson</u>	<u>620 Coventry Dr</u>	<u>34</u>
<u>Paul Kahn</u>	<u>510 Coventry Dr</u>	<u>30</u>
<u>Karen Coshel</u>	<u>518 Coventry Dr</u>	<u>31</u>
<u>Mike Bmes</u>	<u>500 Coventry Dr</u>	<u>28</u>
<u>Maria + Dominic Guarneri</u>	<u>412 Coventry Dr</u>	<u>27</u>
<u>Marv E. Kane</u>	<u>400 Coventry Dr.</u>	<u>26</u>
<u>M. D. [unclear]</u>	<u>4029 W. Yates Ave</u>	<u>4010</u>
<u>Darrick Raper</u>	<u>433 W Yates Ave</u>	<u>4008, 4009</u>
<u>Paul Huff</u>	<u>2303 Western Ave.</u>	<u>4006, 4007</u>
<u>Brandy [unclear]</u>	<u>1011 W. Yates Ave</u>	<u>4013, 4014</u>

TO: Applicants for Street or alley Vacation
FROM: Council Clerk

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

APPLICATION REQUIREMENTS

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

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

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

FEE

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

ASSESSMENTS

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

PLANNING COMMISSION ACTION

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

COMMITTEE ACTION

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

CITY COUNCIL ACTION

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

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

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

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

Revised 12-05

Name of Contact Person Paul or Brenda Miller

Mailing Address 610 Coventry Dr 419-788-4696

Phone No. (Home) _____ (Business) _____

8-30-23 (date) Paul Miller (Signature of Contact Person)

OFFICE USE ONLY

<u>Owner</u>	<u>Address</u>	<u>Lot Number</u>
William T. Stalato	600 Coventry Dr	32
Amber Opperman	506 Coventry Dr	29

625 YATES 4X NOT SURE BUT WOULDN'T
SIGN (AMBIGUOUS)

~~611 YATES~~

605 YATES 2X (NO)

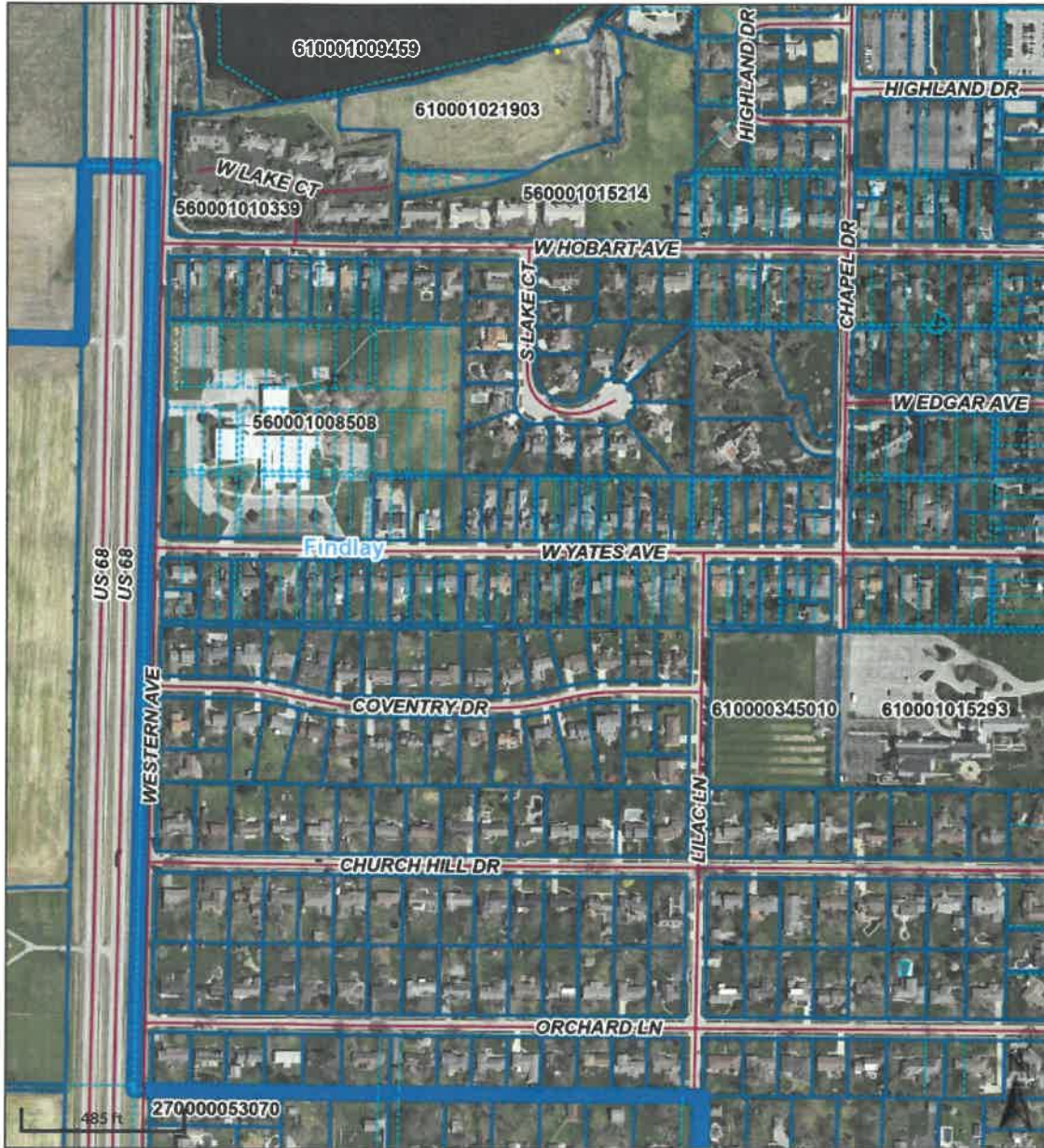
601 YATES HARD NO, SAID HE HAS
ISSUES WITH THE CITY

513 YATES NO ANSWER 4X

509 YATES NO ANSWER 4X

505 YATES HARD NO, SAID HE HAS
ISSUES WITH CITY NOT REMOVING A TREE
IN THE UNDEVELOPED ALLEY

501 YATES, ELDERLY COUPLE, LIKELY
DIDN'T UNDERSTAND (NO)



Overview



Legend

- RowDims
- Parcels
- Parcel Numbers
- Road Centerlines
- Corporate Limits
- Low Level
- Landhooks
- Lot Lines
- Blocks
- MiscText

Date created: 8/30/2023

Last Data Uploaded: 8/30/2023 6:31:02 AM

Developed by  Schneider
GEOSPATIAL

PETITION FOR ZONING AMENDMENT

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

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

ADDRESS 1600 E. MELROSE AV. **SUBDIVISION** E. MELROSE BUSINESS PARK

LOT No.(s) 9, 10, 11

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

<u>SIGNATURE</u>	<u>SUBDIVISION</u>	<u>LOT NO.</u>	<u>STREET FRONTAGE</u>

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE FARM LAND

PRESENT ZONING DISTRICT C-2, GENERAL COMMERCIAL

PROPOSED ZONING DISTRICT M-2, MULTI-FAMILY, HIGH DENSITY

ATTACH:

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

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

c. A written statement of the reason for the request and justification for the change.

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

Name of Owner STRAUCH III LTD

Name of Contact Person if other than owner PHILLIP P. LAWSON
(A letter granting person to act on Owner's behalf must accompany application if not signed by Owner)

Mailing Address 9679 SMOKIES WAY, FINDLAY, OH 45840

Phone No. (Home) — (Business) 567-208-7373

Email: PPLAWSON23@GMAIL.COM

8/31/2023
Date

Phillip P. Lawson
Signature of contact Person

OFFICE USE ONLY

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

Date Petition Submitted to City Council _____

Referral to Planning Commission _____ Referral to Planning & Zoning _____

Planning Commission _____ Disposition _____

Planning & Zoning _____ Disposition _____

Public Hearing Date Set By Council _____ Date
of Newspaper Notice _____

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

Date of Notice to Abutting Owners _____

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

Referred for Legislation: _____

Date of Readings by Council:

First _____ Second _____ Third _____

Action by Council: _____ Ordinance No. _____

August 18, 2023

Ms. Denise DeVore, Clerk
Findlay City Council
318 Dorney Plaza, Room 114
Findlay, OH 45840

RE: Petition for Zoning Amendment, Permission to act on owner's behalf.

Dear Ms. DeVore,

I, C. Randolph Strauch, as the owner of Strauch III LTD, do hereby grant Mr. Phillip P. Lawson permission to act on my behalf regarding the accompanying petition for zoning amendment regarding three parcels located on the northwest quadrant of East Melrose Avenue and Keith Parkway in the City of Findlay, Ohio.

If you have any questions concerning this petition for zoning amendment application, please contact me at 419-306-3932 (if unavailable contact Jim Geyer at 419-722-8327).

Thank you for your attention regarding this matter.

Yours truly,

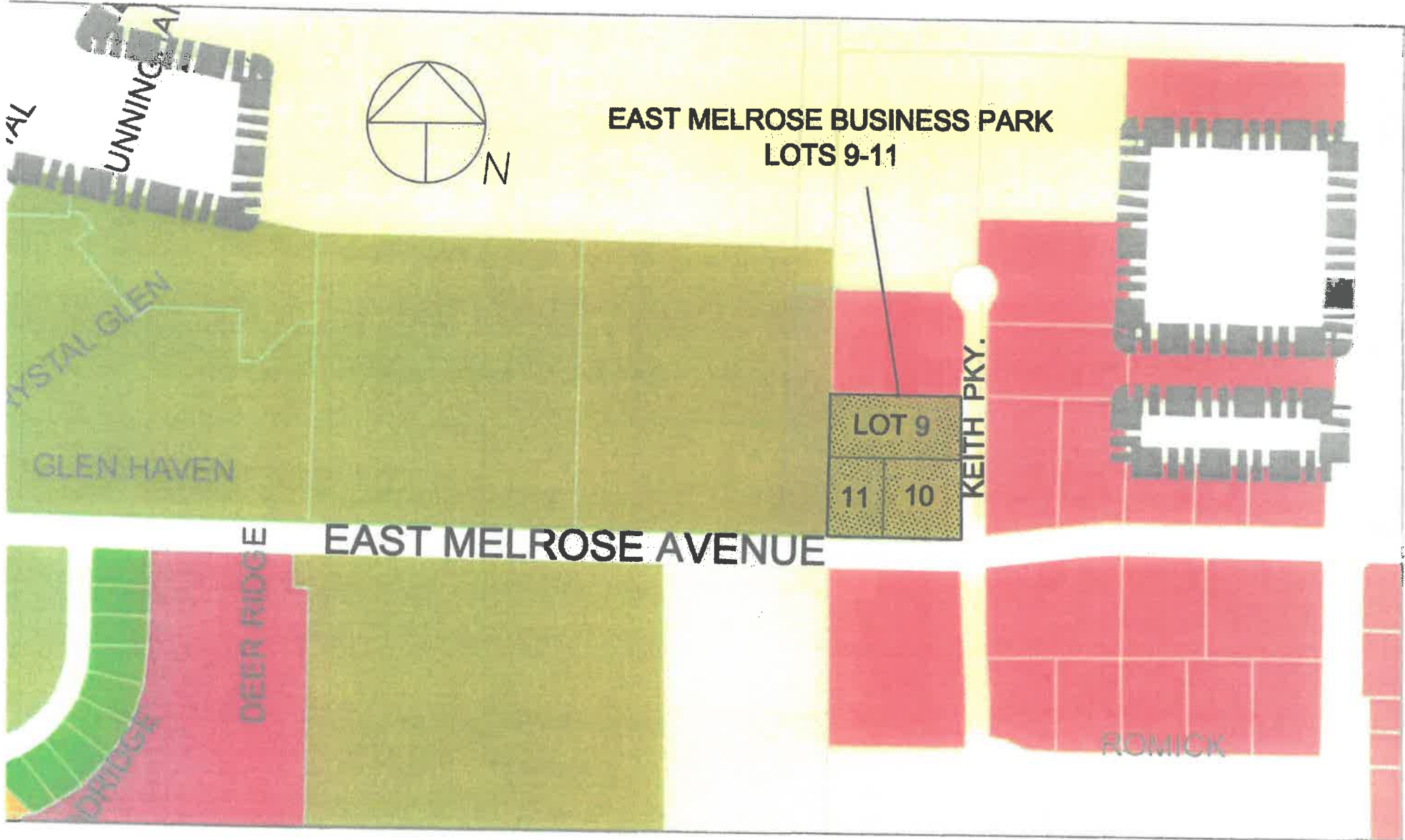
A handwritten signature in black ink that reads "C. Randolph Strauch". The signature is written in a cursive style with a horizontal line extending from the end of the name.

C. Randolph Strauch
Strauch III LTD

EXISTING ZONING DISTRICT GENERAL COMMERCIAL, C-2



PROPOSED ZONING DISTRICT MULTI FAMILY, HIGH DENSITY, M-2



Petition For Zoning Amendment

Attachment c. Written statement of the reason for the request and justification for the change.

Lots 9, 10 and 11 in the E. Melrose Business Park are being purchased along with the adjacent 4.13-acre southern portion of parcel number 210001031227, which is zoned Multi-Family, High Density, M-2. The total land being purchased is 7.0 acres to build a multi-family housing development. The zoning request is to change lots 9, 10, and 11 from General Commercial, C-2 to Multi-Family, High Density, M-2.

The justification for requesting the zoning change is to create multi-family housing in Findlay, which is greatly needed in the community.

Denise Devore

From: Katie Erickson <eemathnut@gmail.com>
Sent: Tuesday, August 15, 2023 11:16 AM
To: City Council - All
Subject: [EXTERNAL]No to the downtown park project

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

Hello! I have been a resident of Findlay since 2007, and I am reaching out to encourage you to NOT proceed with the large park project north of the river in downtown Findlay without letting the citizens vote on it.

While I am in favor of parks in general, \$10 million is a LOT of taxpayer money for one giant park when there are so many issues in our city that need to be addressed. For that price tag, I believe the citizens should have the opportunity to vote on it so everyone's voice can be heard - not just the few who do take the time to learn about what's going on and share their thoughts.

On June 28, the mayor's Facebook page posted about this Downtown Recreation Area ([here](#)). I left a comment on that post asking 3 questions:

1. Where is the money coming from for this park?
2. Does the city already own all the properties that this would affect?
3. Will the general population have an opportunity to vote on this? (Not just provide comments, but an actual issue on a ballot.) If so, when? If not, why not?

The response I received from the mayor was that I should review the proposal (which I had already read twice) and that there "will most likely be various rounds of community input as the design is refined," which implies that this project is moving forward no matter what, though some of the details may change.

My reply on Facebook was:

"I read through that document a second time and I am still unable to find those specific answers (hence why I asked the question in the first place). 😊

1. All I can find on the funding is that page 12 says simply to "Appropriate" the funds. What does that mean?
2. This is a yes/no question, which I would think someone close to the project could easily answer.
3. If many people speak up and say they don't want this project to be done, is that still an option? Or are you moving ahead regardless and only changing details based on the public's feedback?"

I never received an additional response. While the city wants to create the illusion of listening to the constituents, I do not feel that is happening in this scenario, as my questions were basically ignored.

Findlay has larger issues that need to be addressed, primarily a wage problem. The city is bringing in a lot of warehouse jobs, but nothing in the higher pay levels. This results in an economy that is skewed to the lower income levels, and a housing market where people are struggling to pay the rent. There is an incorrect mentality surrounding Findlay that rents are too high, even though actual data shows that we're below average rent for the state. The real problem is that there are not enough high-paying jobs.

Due to this issue, there is also a strong problem with homelessness, crime, and drug abuse in our community, which is often related to mental health issues. While I suppose this fancy new park would provide more benches for the homeless population to sleep on and more areas for drug transactions, I do not feel that spending millions of dollars on a park is the way to solve these issues.

I am unfortunately not able to attend the city council meeting this evening in person or else I would share these comments there. But I wanted to be sure to send this email to let you know my thoughts. I moved to Findlay as a young adult and have enjoyed its small-town charm, but it is sad to see what is happening to this once lovely city as the real problems are not being addressed. Thank you for reading this.

Sincerely,
Katie Erickson
1025 W Sandusky St

Denise Devore

From: H Sadler <haydeesadler@hotmail.com>
Sent: Tuesday, August 15, 2023 1:20 PM
To: CityCouncil@FindlayOhio.gov; Clerk of Council
Subject: [EXTERNAL]Downtown Park - PLEASE READ AT COUNCIL MEETING

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

Dear Council Members,

As a member of the Strategic Planning committee in moving Findlay Forward, I felt it a privilege to be selected as part of this committee. I signed up to volunteer as many times as possible and be the scribe at the table in taking the surveys. I also did a pop-up session at our church, sent emails with links to all my family & friends and also shared the surveys through my social media to get as many voices involved as possible. To my disappointment, I noticed during committee meetings that priority was placed on certain words over others. Ideas that were minimal became the most important. Not in one committee meeting alone, but rather in committee meeting after committee meeting. Slowly I began to see the true concerns of Findlay residents move to the edges of the plan and some eliminated all together.

While I understand that each of us taking surveys heard from different people at different times, I can assure you that "safety", as the mayor placed as a number one goal by her own preference and being a "connected city" were not at all at the top of responses. While safety certainly is an issue, Opioid Problem, Homelessness, Police Response, Affordable housing and recreation were at the top of the list. While the City of Findlay is laser focused on this Strategic Plan, it does not represent the voices of the people. In today's Courier the mayor is stated to say, "This project has been in discussion for multiple years", which many believe is an extension of the 2017 Catalytic Plan that involves Public-Private Partnerships. Partnerships that are NOT "Safe" to our community as stated in Goal 1.

The City's lack of transparency of the Catalytic Plan in 2017, frivolous spending of taxpayer dollars on this Downtown park and refusal to listen to the residents of this community has proved that the City of Findlay doesn't care to hear the voices of the people. While headlines are put out to make it seem as we are part of the 'Building a roadmap for Findlay's future', it is clear that the city is going to do what the city wants to do.

The Mayor and City Council should be ashamed of themselves for conducting City business outside of the constituents they represent. A \$4 million design cost with \$10 million of taxpayer dollars & up to \$30 million in Public-Private Partnership funds are NOT what the people want.

I strongly advise and recommend you do NOT pass this in its third reading but rather give it more time.

Haydee Sadler for the City of Findlay

PLEASE READ AT THIS EVENINGS COUNCIL MEETING.

Denise Devore

From: Kai Crum <kai.crum@kctech.biz>
Sent: Tuesday, August 15, 2023 1:58 PM
To: City Council - All; Website - (Mayor)
Subject: [EXTERNAL]New Downtown Park

*****CAUTION*****

Security Checkpoint: **External Website Email!** This email originated from a "Department Address" listed on the City Website. These emails have a high probability of being Phishing/Spam related. Use extra caution when clicking links, or opening attachments.

Dear Mayor & City Council:

I urge each and everyone of you to vote YES for this initiative to revitalize the Downtown Findlay area. There is a great need for green space that is usable within the community and this being downtown only makes it more valuable and centrally accessible and convenient to the Residents of Findlay. So with that at your meeting tonight, please vote YES for the Mayor's Plan.

Sincerely,

Kai Traxler

Denise Devore

From: Herbert Franks <franks_herb@icloud.com>
Sent: Tuesday, August 15, 2023 5:17 PM
To: City Council - All
Subject: [EXTERNAL]Down town park

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

As a citizen of the city of Findlay I'm am strongly opposed to the big park on Main Street near the river.

Sent from my iPhone hfranks

Denise Devore

From: John Harrington
Sent: Wednesday, August 23, 2023 1:10 PM
To: City Council - All
Cc: Denise Devore
Subject: Fw: [EXTERNAL]thoughts on the downtown park

Please add to next meetings package as written communication

John Harrington
President; Findlay City Council

Phone: 419-957-4119
jharrington@findlayohio.com



From: BARBARA WILLIAMSON <blv1248@yahoo.com>
Sent: Wednesday, August 23, 2023 8:07 AM
To: John Harrington
Subject: [EXTERNAL]thoughts on the downtown park

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

Dear Mr. President of Findlay City Council:

I am a resident of Findlay Ohio living in the 6th ward on West Lima Street. I have lived in Hancock County, mostly in Findlay, since moving to Ohio from Virginia in 1975. I raised 3 daughters here and now have 2 grandchildren who attend Findlay City Schools.

I am writing in support of the potential park development north of the Blanchard River. I believe this is a much-needed project which would link the downtown area with the University of Findlay campus. The north side of the river has always been a somewhat maligned neighborhood, in my observation. When I first moved to Findlay, there were bars and somewhat unsavory areas. Nearly all those buildings are gone now and we have a huge green space that is just waiting to be transformed into a park which could be a hub for this city. However, I believe the "north side of the river" has been ignored and is currently a gaping wound in our downtown area. Findlay City Council has the opportunity to change that! Last year I was in Cape Girardeau, Missouri for a gathering and was surprised to find the small city to have many similarities to Findlay. The population is nearly 40,000, they have a university, one public library and their governing body is a city council, also like Findlay. Additionally, the city is on a river (granted, it is the Mississippi and not the Blanchard) and there are parks galore, near the Mighty Miss. The Mississippi has flooded many times over the years and Cape Girardeau installed a flood wall and floodgates to protect the city. Nevertheless, they still experience flooding from time to time. The parks in areas which are prone to flooding were created to survive high water and to be easily cleaned or repaired after a flood.

The reason I am talking about Cape Girardeau is because while I was visiting and was struck with all the similarities to Findlay, I was also struck with Findlay's lack of attractive outdoor areas near downtown which would bring people to Findlay, where they will spend money on food, stay in hotels, make purchases, etc. Why would we NOT invest in a beautiful outdoor venue, utilizing empty green space, while adding an attractive park and enhancing land values north of the river??

As our community moves into the 21st century and is trying to encourage new businesses, residents and visitors to the area, I believe a beautiful green space in our downtown would only make our city more attractive.
Please consider voting for the city to invest the necessary funds for the design of this project.

Sincerely yours,

Barbara V. Williamson

567-232-0784

Sent from [Mail](#) for Windows

Denise Devore

From: Cathy <wall@woh.rr.com>
Sent: Sunday, August 27, 2023 9:36 AM
To: John Harrington; Holly Frische; Dennis Hellmann; Beth Warnecke; Brian Bauman; Jim Slough; Jim Niemeyer; Joshua Palmer; Joshua Palmer; Grant Russel; Randy Greeno; Jeff Wobser; Clerk of Council; Christina Muryn
Subject: [EXTERNAL]Several items to consider

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

Dear Honorable Mayor and Council,

1. I recently read on social media an idea of the current "Pedal Pub" is to extend travels onto South Main street to have tours past the historical homes. South Main street is not Disneyland and does not need this type of "tourism". There needs to be an ordinance prohibiting this from occurring. Can we get proactive on this idea? Organized walking tours would be acceptable and encouraged.
2. I am a huge proponent of the "Big Ask", Habitat's idea of a possible donation of land by the city. Expensive study after study and the new Strategic plan has shown affordable housing is a huge issue for citizens and businesses. As council readies to vote on the Hat Trick concept, consider where all the employees will come from if there is no housing for them? We don't blink an eye laying down infrastructure and tax credits for one business after another; we need to put this same energy and money for our citizens. My only concern about this neighborhood concept is the name "Hope Springs"; will this have an attached stigma as the "poor" neighborhood?
3. Tabling the Downtown River Project was a big disappointment. We need to keep moving this forward. Hopefully after the environmental concerns are addressed, council will get back on track.

Thank you for all of your dedication and work,

Cathy Weygandt

204 Greenlawn Ave

Findlay, OH

419-306-8691



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

Thursday, August 17, 2023

The Honorable Council
Findlay, Ohio 45840

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

SUBJECT: Resolution Accepting Millage Rates and Amounts

Dear Council Members:

The County Budget Commission has completed their work and returned our Certificate of Estimated Resources for our 2024 Budget. Our tax millage has been certified exactly as submitted; 2.6 mills for the General Fund and 0.3 mills each for Police and Fire Pension Funds to a total of 3.2 mills, approximately \$3.7MM. Local government money is estimated to be \$785,000.00 for next year subject to likely adjustments by the State.

Council should now accept the amounts and levy the tax rates as certified by the Budget Commission. The proper Resolution must be adopted and returned to the County Auditor no later than September 30th, 2022. I have therefore, asked the Director of Law to place the required legislation on your agenda for your September 5th meeting. This Resolution requires one reading.

Respectfully submitted,

Jim Staschiak II
City Auditor

Board of Zoning Appeals

July 13, 2023

Members present: Phil Rooney, Chairman; Blaine Wells; and Scott Brecheisen.

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

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-19-2023-64011

Address: 1200 1st Street

Zone: R-1 Large Lot Residential

Filed by Brittini Capozzi, regarding a variance from section 1161.03(B)(1) of the City of Findlay Zoning Ordinance for a proposed privacy fence at 1200 1st Street. The applicant has proposed to construct a 6-foot high vinyl fence which will be at 0-feet from the unimproved Williams Street right-of-way. This section requires a 30-foot setback from the right-of-way.

The owner has an unimproved, open Williams Street abutting their property. With the right-of-way still being classified as open, this property has two front yards. If the right-of-way was

The city will not oppose the decision the board makes.

Simone Habershaw, roommate of owner at 1200 1st Street, representing the owner, was sworn in. She stated if they had to build the fence per the ordinance, the fence would not be solid panels, and they are concerned their small dogs would slip through it. The housing development behind their house goes into that road area so it would not be possible to build a road through there.

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

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

Mr. Wells made a motion to approve the variance as requested pending the permit be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the variance as requested pending the permit be obtained within 60 days, 3-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-20-2023-64026

Address: 1319 S. West Street

Zone: R-2 Medium Lot Residential

Filed by Tamarack Construction LLC, regarding a variance from section 1122.07(A) of the City of Findlay Zoning Ordinance for proposed dwelling at 1319 S. West Street. The applicant is proposing to

construct a new dwelling with 1100-square feet of living area. This section requires the dwelling to have 1300-square feet of living area.

This property is situated inside an older neighborhood and multiple dwellings would not meet a 5-foot setback, due to additions and how the original building was constructed. The owner is proposing to construct an open framed carport, that will be attached to the dwelling. Had the owner construct a detached carport, the request would only be relief from a 3-foot setback.

The city will not oppose the decision the board makes.

Mr. Chad Oman, co-owner of Tamarack Construction, LLC, was sworn in. He stated they are looking to build a house that fits within that neighborhood.

Mr. Wells asked what the intent is, will it be a spec house or are they going to sell it?

Mr. Oman stated they are flexible.

Mr. Nick Soloman, 1317 S. West Street, was sworn in. He stated he lives next door to this property. He wants to know what the intent is, is it to rent it out? He stated when most people build, they know what they want to do with it.

Mr. Oman stated they were open.

Mr. Soloman asked why he wasn't sure what the intent is?

Mr. Oman stated it depends on the market, etc. He asked Mr. Soloman if he was opposed one way or another?

Mr. Soloman stated potentially yes. He stated there is a concern of what kind of people will be coming into the neighborhood.

Mr. Oman stated they would do a full back-ground check and rent to a professional, not a college student.

Mr. Rooney stated it is not within their privy to say what they do with the house.

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

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

Mr. Adkins stated he has never received any calls with complaints about any of these builder's properties.

Mr. Wells made a motion to approve the variance as requested pending the permit be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the variance as requested pending the permit be obtained within 60 days, 3-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-21-2023-64042 & BZA-22-2023-64043

Address: 1800 Tiffin Avenue (Address TBD)

Zone: C-2 General Commercial

Filed by Giant Eagle INC, regarding a variance from section 1161.11.4(A)(2) of the City of Findlay Zoning Ordinance for a new development at the southeast corner of 1800 Tiffin Avenue. The applicant is proposing to construct a new parking lot which is 7-feet from the right-of-way. This section requires the parking lot to be a minimum of 10-feet from the right-of-way.

The owner filed an additional request regarding a variance from section 1135.04(D) of the City of Findlay Zoning Ordinance for a new development at the southeast corner of 1800 Tiffin Avenue. The applicant is proposing to construct a new building that will be 20-feet from the rear property line. This section requires the building to be 30-feet from the rear property line.

This project already went through City Planning Commission in May, and received conditional approval based off the outcome of the variance request.

For the first request, currently the mall has a sea of pavement and any improvement to the front is good for the area. The owner originally proposed little to no green space in front, but has since been able to gain 7-feet of green area.

The city does not see an issue with this request due to the improvement to the impervious area that currently exist.

The city will not oppose the decision the board makes.

The second request goes hand and hand with the first request. In order to gain green area in the front, the building needed to be shifted back. The city does not have an issue with this request either.

The city is supportive of the request and will not oppose the decision the board makes.

Mr. Lee May, owner of Giant Eagle, 101 Kappa Dr., Pittsburg, PA 15238, was sworn in. He passed out presentation. Proposed 1.5-acre lot. Went back as far as the landlord could allow them to go because other tenants have leases. No residential parcels nearby. All are zoned C2. Giant Eagle has a lot more produce and fresh foods. Explained and discussed packet handed out. Height of building is about 17 ½-feet.

Mr. Wells asked for confirmation that it is fully conditionally approved by City Planning Commission?

Mr. Adkins stated, yes; and the owner of the property is fully supportive of this.

Ms. Robin Cichra, Key Bank, 1100 Main Street, Wakeman, Ohio, was sworn in. She stated she is the property manager for the Key Bank in Findlay. She stated that since they did not receive a site plan, they are concerned with the line of sight for customers, depending on which way they are coming from. She stated they are asking for a site plan for Corporate real estate team can review it to make sure it adheres to the conditions that Key Bank likes to have when they are leasing a property. (She was given a handout packet).

Mr. Rooney explained to Ms. Cichra that the variance they are requesting to push the building back farther will help them.

Mr. Larry Ball, 1921 Tiffin Avenue, was sworn in. He owns property caddy-corner from this site. He stated the goal for the mall was to get to the 10-foot setback, now they are pulling back on that. What does that mean 10 years from now? He is concerned about the setbacks and the long-term plan.

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

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

Mr. Wells stated the City Planning Commission took these concerns and plans for long term growth into consideration.

Mr. Adkins stated that CPC has looked at improvements, including adding shrubbery, etc.... They have made that decision.

Mr. May will walk through the plan with Ms. Cichra. He stated it is a drive out, not parking.

Case #: BZA-21-2023-64042 (7' parking lot setback instead of required 10')

Mr. Wells made a motion to approve the variance as requested pending the permit be obtained within 120 days.

Mr. Brecheisen seconded the motion.

Motion to approve the variance as requested pending the permit be obtained within 120 days, 3-0.

Case #: BZA-22-2023-64043 (19' rear setback instead of required 30')

Mr. Wells made a motion to approve the variance as requested pending the permit be obtained within 120 days.

Mr. Brecheisen seconded the motion.

Motion to approve the variance as requested pending the permit be obtained within 120 days, 3-0.

The June 08, 2023 meeting minutes were approved.

The meeting was adjourned.


Chairman


Secretary



CHRISTINA M. MURYN, MAYOR
JOSHUA EBERLE, FIRE CHIEF

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

Date: August 18, 2023

Re: Firehouse Subs Foundation Grant

Honorable City Council,

The Firehouse Subs Foundation operates a grant program for fire equipment that provides 100% of funding for successful applicants. The Foundation's grant cycle occurs quarterly, and as such deadlines are very short. Earlier this year, firefighters approached me about applying to the Foundation to purchase fire hose nozzles on all our apparatus, as many are in need of replacement. They volunteered to do all the research, including contacting a vendor, obtaining demo nozzles and conducting flow tests in order to determine what would work best for our department. I greatly appreciated the initiative and provided authorization to proceed.

The application was submitted for 24 fire nozzles and associated hardware, for a total amount of \$21,589.44. We were notified in July that this application was approved. Again, this requires no local match.

Deputy Auditor Sampson informed me that because the grantor is not a government entity, we had to wait to appropriate any funds to this effort until the electronic deposit was received. This week we received the funds and can now proceed with legislation.

Lead times for fire nozzles are currently about 3 months. In order to facilitate this purchase as quickly as possible and because there are no local funds involved, I would request you consider completing all 3 readings during the September 5th Council meeting.

I would also like to thank firefighters Jonathon Morter and Jason Mattox for spearheading this effort.

If you have any questions, please contact me. Thank you for your consideration.

Sincerely,

Joshua S. Eberle, Fire Chief

Findlay Fire Department



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

August 21, 2023

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

Re. ad-hoc Committee on request for transfer of property to Habitat for Humanity

Dear John,

I am recommending the following members be appointed to an ad-hoc committee to review the request land transfer request from Habitat for Humanity:

- Brian Bauman, chairman
- Josh Palmer
- Beth Warnecke
- Jeff Wobser

Please allow for a vote on this recommendation at the September 5, 2023 regular Session of Council for approval.

Sincerely,

Grant C. Russel

Grant C. Russel
President Pro-tempore
Findlay City Council

City of Findlay

Christina M. Muryn, Mayor

POLICE DEPARTMENT

James Mathias, Chief of Police

318 Dorney Plaza, Room 116 • Findlay, OH 45840

Phone: 419-424-7194 • Fax: 419-424-7296

www.findlayohio.com

August 22, 2023

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The Findlay Police Department has been approved to receive a \$62,500.00 grant from the Ohio Attorney General Drug Abuse Response Team (DART) Grant Program. The purpose of this grant is to assist local agencies in their efforts to combat the opioid/fentanyl problem in their communities. The Findlay Police Department has collaborated with Family Resource Center in operating a team called the Quick Response Team (QRT). This has been in operation since late 2017. Within 72 hours of a person experiencing a drug overdose, a Coordinator from the Family Resource Center and a Findlay PD Officer will make contact with that person. The purpose of this contact is to make the person aware of the opportunities available for treatment and recovery.

These funds from the Ohio Attorney General will be used to reimburse Family Resource Center for the salary and expenses of a Coordinator. This is the fifth year that we have been awarded the grant. There is no match for the grant.

Therefore, I am requesting that Council consider appropriating \$62,500.00 to the following project:

From: Ohio Attorney General Law Enforcement Diversion Program Grant \$62,500.00

To: PD Quick Response FY 2024 (project 31933200) \$62,500.00

As the Family Resource Center Coordinator is actively performing her duties, and the Family Resource Center is incurring expenses, I would respectfully request this matter be given its required three readings at the next meeting.

Thank you for your consideration.

Sincerely,

317

James Mathias
Chief of Police



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

August 22, 2023

The Honorable Council
Findlay, Ohio 45840

RE: Revolving Loan Fund Administration

Dear Council Members:

The Hancock Regional Planning Commission has submitted invoices for their expenses/staff time for RLF administration for July 2022 through June 2023. I have attached copies for your reference.

This is now a routine request, and you have approved requesting the appropriation without going to committee each time. I have therefore asked the Director of Law to place legislation on your agenda to authorize a draw from the Revolving Loan Fund account and appropriate \$4,158.06 from the RLF to General Expense #21010000-449400 to pay the invoice.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jim Staschiak II", is written over a faint, larger version of the same signature.

Jim Staschiak II
City Auditor

Cc: Don Rasmussen
File



RECEIVED
AUG 21 2023
AUDITOR

August 15, 2023

City Auditor
318 Dorney Plaza, Suite 313
Findlay, Oh 45840

RE: Invoice for Revolving Loan Fund Administration

Dear City Auditor,

Attached is an invoice for \$4,158.06 for the City of Findlay Revolving Loan Fund administrative services provided by HRPC Staff from July through December 2022 and January through June 2023.

With this letter, HRPC is requesting payment of the invoice from the City of Findlay Revolving Loan Fund.

If you have any questions, feel free to contact our office. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Matt Cordonnier".

Matt Cordonnier
Director



Hancock Regional Planning Commission
 318 Dorney Plaza, Rm. 304
 Findlay, OH 45840 US
 +1 4194247094
 jsells@findlayohio.com

INVOICE

BILL TO

City of Findlay RLF
 City of Findlay
 Revolving Loan, Fund

INVOICE # 1802
DATE 08/18/2023

DESCRIPTION	QTY	RATE	AMOUNT
Charges			
Gordonnier Professional Services - Hourly Rate	64.252	42.22	2,712.72
Mercer Professional Services - Hourly Rate	11.50	34.01	391.12
Jefferies Professional Services - Hourly Rate	6.9975	34.01	237.98
Ewing, Laura Professional Services - Hourly Rate	24	34.01	816.24

July-December 2022 & January-June 2023 Admin

BALANCE DUE

\$4,158.06

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
5-Jul-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	phone calls/emails
14-Jul-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	phone calls/emails
18-Jul-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	phone calls/emails
29-Jul-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	End of month review
8-Aug-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Account Review with Wes
22-Aug-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Phone call
29-Aug-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Work with Jess to compile RLF Billing
31-Aug-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	End of month review
6-Sep-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	3.00	Research to utilize RLF in Downtown Findlay - for Façade improvement
12-Sep-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.50	Discussion of Façade RLF
19-Sep-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	phone calls
30-Sep-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.50	Financial Review
Total	Cordonnier, Matthew					16.00	\$675.52
1-Jul-22	Jefferies, Wesley	FINDLAY RLF	SUPPORT		Y	1.00	Account Review/Emails
12-Jul-22	Jefferies, Wesley	FINDLAY RLF	SUPPORT		Y	1.00	Account Review/Emails
25-Jul-22	Jefferies, Wesley	FINDLAY RLF	SUPPORT		Y	1.00	Account Review/Emails
8-Aug-22	Jefferies, Wesley	FINDLAY RLF	SUPPORT		Y	1.00	Account Review with Matt
12-Aug-22	Jefferies, Wesley	FINDLAY RLF	SUPPORT		Y	3.00	Organize files etc. for exit
Total	Jefferies, Wesley					7.00	\$238.07

GRAND TOTAL-Quarter 3 2022

\$913.59

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
13-Oct-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	meeting, review of statements balances, amortization schedules & banking reconciliations-future budgeting
17-Oct-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Phone Calls and Emails
26-Oct-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Review Finances
16-Nov-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	0.50	phone call
21-Nov-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Review financials
28-Nov-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Lunch meeting with potential RLF applicant - cracker barrel
8-Dec-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Future budgeting meeting for potential uses of RLF Funds
15-Dec-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Phone Call Dan S.
30-Dec-22	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Year end financial review meeting
Total	Cordonnier, Matthew					12.50	\$527.75
13-Oct-22	Mercer, Jacob	FINDLAY RLF	SUPPORT		Y	2.00	meeting, review of statements balances, amortization schedules & banking reconciliations-future budgeting
	Mercer, Jacob	FINDLAY RLF	SUPPORT		Y	1.50	phone calls/emails
31-Oct-22							
12-Nov-22	Mercer, Jacob	FINDLAY RLF	SUPPORT		Y	1.50	Review with Matt the meeting with potential applicant
8-Dec-22	Mercer, Jacob	FINDLAY RLF	SUPPORT		Y	2.00	Future budgeting meeting for potential uses of RLF Funds
30-Dec-22	Mercer, Jacob	FINDLAY RLF	SUPPORT		Y	2.00	Year end financial review meeting
Total	Mercer, Jacob					9.00	\$306.09

GRAND TOTAL -Quarter 4 2022

\$833.84

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
6-Jan-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	0.25	phone call dan
10-Jan-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Worked with Jess to verify all year end balances-reconcile banking statements-Financial review for the year
11-Jan-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	4.00	Worked with Jess to update spreadsheets for 2023, create year end statements and courtesy letters for all loan clients
12-Jan-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.50	Met with Jake regarding microenterprise loan
17-Jan-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Spoke with Jihad Shaheen regarding Cedar Valley mortgage release, met with Jess regarding release, email GLCAP regarding 2 mortgages being held-prepared mortgage release, sent to commissioners for signatures
6-Feb-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Phone calls and emails.
10-Feb-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Phone call & emails with Trish Miller regarding year end statement, loan balance questions and change of address for Lewis
31-Mar-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Financial review with Jess & Laura
8-Mar-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Training with Laura
7-Mar-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Training with Laura
6-Mar-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	4.00	Meeting with potential Loan Applicant-Intro to RLF with Laura
Total	Cordonnier, Matthew	FINDLAY RLF			Y	22.75	\$960.51
6-Mar-23	Ewing, Laura	FINDLAY RLF			Y	4.00	Meeting with loan applicant, Intro to RLF with Matt
7-Mar-23	Ewing, Laura	FINDLAY RLF				2.00	RLF Training with Matt
8-Mar-23	Ewing, Laura	FINDLAY RLF			Y	2.00	RLF Training with Matt
31-Mar-23	Ewing, Laura	FINDLAY RLF			Y	2.00	Financial Review with Matt & Jess
Total	Ewing, Laura	FINDLAY RLF			Y	10.00	\$340.10
11-Jan-23	Mercer, Jacob	FINDLAY RLF			Y	1.00	Met with Silver Viera about a Microenterprise Loan
12-Jan-23	Mercer, Jacob	FINDLAY RLF			Y	1.50	Met with Matt to discuss meeting regarding Microenterprise Loan
Total	Mercer, Jacob	FINDLAY RLF				2.50	\$85.03

GRAND TOTAL-Quarter 1 2023

\$1,385.63

Date	Employee	Project	Activity	Task	Billable	Hours	Comment
1-May-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	3.00	Meeting with commercial banker. Overview of how RLF works with Laura
9-May-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	4.00	Laura Training, help with updating RLF Application
15-May-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	2.00	Review of finances with Laura, training
24-May-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	1.00	Findlay Brewing Co Balances, emails with Steve regarding bank account information for payments
6-Jun-23	Cordonnier, Matthew	FINDLAY RLF	SUPPORT		Y	3.00	Financial review with Jess & Laura-Training
Total	Cordonnier Matthew					13.00	\$548.86
1-May-23	Ewing, Laura	FINDLAY RLF			Y	3.00	Overview of RLF Processes with Matt
8-May-23	Ewing, Laura	FINDLAY RLF			Y	1.00	Worked on updating the RLF application
9-May-23	Ewing, Laura	FINDLAY RLF			Y	4.00	Training with Matt, Worked on updating the RLF application
10-May-23	Ewing, Laura	FINDLAY RLF			Y	1.00	Worked on updating the RLF application
15-May-23	Ewing, Laura	FINDLAY RLF			Y	2.00	Review of Finances with Matt-Training
6-Jun-23	Ewing, Laura	FINDLAY RLF			Y	3.00	Financial review with Jess & Matt-Training
Total	Ewing, Laura					14.00	\$476.14

GRAND TOTAL-Quarter 2 2023

\$1,025.00



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin, BSN, MBA
Service-Safety Director

August 21, 2023

RE: Jake Braking and Noise Pollution

Dear Honorable Council,

Over the past few years, we have had numerous discussions with residents related to noise pollution and opportunities for decreasing noise pollution within the City of Findlay. I wanted to provide a quick update as well as request support for a No Engine Brake Ordinance.

First, the City of Findlay Police Department will be increasing their traffic enforcement efforts along with noise violation enforcement both on a general basis and focused enforcement during congregated vehicular events, such as the informal "cruise nights".

Second, I have been in contact with the Ohio Rail Development Commission about what steps are necessary to establish Findlay as a "quiet zone". This would allow for decreased use of locomotive horns within the City of Findlay corporation limits. At this point in time, it would take significant modifications to all railroads through the City of Findlay which are not feasible. However, we will keep this in mind as railroad crossings are improved to look for opportunities for modification.

Finally, it has been brought to my attention that the City of Findlay does not have a "No Engine Brake" Ordinance. *"A compression release engine brake, compression brake, or decompression brake, frequently called a Jake Brake, is an engine braking mechanism installed on some diesel engines. When activated, it opens exhaust valves to the cylinders, right before the compression stroke ends, releasing the compressed gas trapped in the cylinders, and slowing the vehicle." It creates a disruptive noise.* Given the amount of noise generated from the use of Engine Braking, I have requested an ordinance be prepared to pass no engine brake utilization within the City of Findlay. Hopefully, this will help decrease some noise pollution as well as decrease truck traffic.

I will continue to work with the City of Findlay team and residents to identify additional measures which can be implemented to decrease noise pollution.

Thank you for your assistance and consideration.

Sincerely,

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

Christina M. Muryn
Mayor



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

Rob Martin BSN, MBA
Service-Safety Director

August 17, 2023

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The City of Findlay held a bulk trash drop off event in April that included a trash drop off and tire drop off. This program was very successful in assisting our residents in the clean up of their properties.

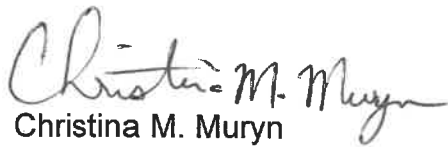
The City would like to hold another bulk trash drop off and tire drop off event tentatively scheduled for October 19-21, 2023. I believe this program aligns with the intent of the use of demolition program funds. Therefore, I respectfully request an appropriation of \$20,000.00 to cover the cost of tire disposal fees and trash disposal fees from the demolition program funds as follows:

FROM:	Demolition Program 31925800-other	\$20,000.00
TO:	Bulk Trash & Tire Drop Off 31934300-other	\$20,000.00

By copy of this letter, I am requesting the Director of Law to prepare the necessary legislation for authorization of this request.

Thank you for your consideration.

Sincerely,


Christina M. Muryn
Mayor

cc: Rob Martin, Service-Safety Director
Donald J. Rasmussen, Director of Law
Jim Staschiak II, City Auditor



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

Rob Martin BSN, MBA
Service-Safety Director

August 23, 2023

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

As you may know, in March 2023, the City of Findlay entered into a Memorandum of Understanding (MOU) with Downtown Findlay Improvement District (DFID) whereas they pay the City \$40,000 annually, and the City agrees to provide the following services: floral procurement and planting, downtown plant/floral watering and fertilization, speaker and music expense, Christmas light procurement and hanging, weeds/maintenance/beautification and snow removal along Main Street in the Downtown District of the City of Findlay. The City received this payment in May 2023.

Takeover of these services was not budgeted in 2023 due to the MOU not being signed until March 2023. Therefore, an appropriation of these funds is requested to cover the cost of services.

An appropriation is respectfully requested as follows:

FROM:	General Fund	\$40,000.00
TO:	General Expense 21010000-other	\$40,000.00

By copy of this letter, I am requesting the Director of Law to prepare the necessary legislation for authorization of this request.

Thank you for your consideration.

Sincerely,

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

Christina M. Muryn
Mayor

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



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

Rob Martin BSN, MBA
Service-Safety Director

August 23, 2023

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The City of Findlay will be experiencing a large influx of people for the Solar Eclipse on April 8, 2024. In preparation of this event, a project has been set up to accommodate expenses resulting from this event, such as portable toilets, extra trash pickup/dumpsters, advertising, etc.

Therefore, I respectfully request an appropriation of \$20,000.00 to cover the costs associated with the Solar Eclipse 2024 from the general fund as follows:

FROM:	General Fund	\$20,000.00
TO:	Solar Eclipse 2024 Project No. 31934000-other	\$20,000.00

By copy of this letter, I am requesting the Director of Law to prepare the necessary legislation for authorization of this request.

Thank you for your consideration.

Sincerely,


Christina M. Muryn
Mayor



CHRISTINA M. MURYN, MAYOR

ENGINEERING DEPARTMENT

JEREMY D. KALB, PE
City Engineer

Honorable City Council
Findlay, OH 45840

August 24, 2023

RE: Laurel Lane Waterline Replacement, Project No. 35730800

Dear Council Members:

As authorized by Ordinance No. 2023-034, a bid opening was held for the above referenced project on August 15, 2023. Bids were received from three (3) potential contractors with the bid amounts ranging from \$100,527 to \$124,212.50. The lowest and best bid was received from Helms & Sons Excavating Inc. of Findlay, Ohio.


Previously, an amount of \$5,000 was appropriated to the project for design and advertising. At this time, an appropriation is needed to cover the City's portion of the construction cost and provide a contingency for the project.

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

From: Water Fund	\$125,000
To: Laurel Lane Waterline Replacement, Project No. 35730800	\$125,000

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

Sincerely,


Jeremy Kalb, PE
City Engineer

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

Honorable City Council
Findlay, OH 45840

August 24, 2023

RE: Park & Airport ADA Restroom (CDBG), Project No. 31924500

Dear Council Members,

As authorized by City Council on June 7, 2022 in Ordinance 2022-045, the City of Findlay has received grant funding from the Department of Development for ADA upgrades in the restrooms at the Findlay Airport and two Parks. The Engineering Department is finalizing plans for the upgrades and is expecting to have the project out to bid within the month.

At this time it is desired to appropriate the CDBG grant funds into the project. Once the project is sold, a future appropriation will be made for the local match funds.

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

FROM: Department of Development, Office of Community Development	\$ 222,000
TO: Park & Airport ADA Restroom (CDBG), Project No. 31924500	\$ 222,000

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

Sincerely,



Jeremy Kalb, P.E.
City Engineer

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

Honorable City Council
Findlay, OH 45840

August 24, 2023

RE: Small Waterline Upgrades (CDBG), Project No. 35723800

Dear Council Members,

As authorized by City Council on June 7, 2022 in Ordinance 2022-046, the City of Findlay has received grant funding from the Department of Development for the installation of new waterlines on George, Garfield, Midland, and Allen. The Engineering Department is currently working on the plans for the waterline replacement in the area and is expecting to have this project out to bid in the next couple of months.

At this time it is desired to appropriate the CDBG grant funds into the project. Once the project is sold, a future appropriation will be made for the local match funds.

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

FROM: Department of Development, Office of Community Development	\$ 500,000
TO: Small Waterline Upgrades (CDBG), Project No. 35723800	\$ 500,000

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

Sincerely,



Jeremy Kalb, P.E.
City Engineer

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

Honorable City Council
Findlay, OH 45840

August 28, 2023

RE: HAN- I75 CR99 DDI Interchange (PID102375), Project No. 32811100
Preliminary Participatory Legislation

Dear Council Members,

As you are aware, the Ohio Department of Transportation (ODOT) will be constructing a Diverging Diamond Interchange (DDI) for Interstate 75 and County Road 99, due to the increased traffic volume and decrease in level of service. This project has been in discussions for a number of years and the City of Findlay, along with the County, have been working with ODOT to improve this key gateway to our community. While the project name states that it is an interchange replacement, it will also include work on County Road 99 from Technology Drive to Main Street.

On August 17th we received some regulatory documents from ODOT that will need to be executed and returned to ODOT by September 11th. This Preliminary Participatory Legislation will give consent to ODOT to perform the work within the City Corporation Limit, provide adequate maintenance once the project is complete, and the continued commitment of \$1,000,000 for the construction of the DDI. This commitment for the project has been planned for the past couple of years as part of the City's Capital Improvement Plan and will be appropriated at a future date.

Due to the deadline that was sent forth by ODOT, I am requesting that this ordinance be given all three readings at the September 5th Council meeting.

By copy of this letter, the Law Director is requested to prepare the necessary legislation that will authorize City Representatives to execute the necessary Preliminary Participatory Legislation for the HAN I75 CR99 Interchange Project.

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

Sincerely,



Jeremy Kalb, P.E.
City Engineer

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

Honorable City Council
Findlay, OH 45840

August 28, 2023

RE: S. Main Street & McPherson Storm Sewer Repair, 35532800
Additional Appropriation

Dear Council Members:

As discussed at the recent Appropriations Committee meeting, the storm sewer project on S. Main Street has ran into some unknown conditions that will accrue additional cost. As the project progressed it was found that multiple areas will need undercut and additional pavement repairs will be performed due to buried concrete, and poor soil conditions. Along with the pavement undercuts, it was found that there were a couple of unknown utilities line that were running perpendicular through the storm pipe. Some of the unknown lines were running at a grade that would not allow the storm pipe to go over or under the line so we had to contact the respective utility company to come out and relocate their lines.

This additional work caused some minor setbacks in the project schedule and budget, but due to the location of the repair and the impact that it has to the travelling public, the project could not be suspended until the next Council meeting. To ensure that it was discussed with Council members before the additional work was authorized, and Appropriation Committee meeting was held on August 21st to discuss the additional cost that was being authorized without having enough funds in the project to cover the cost at that time.

At this time I will be requesting additional funds to be appropriated to the project so that the contractor can be properly compensated for the additional work that was needed.

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

From: Sewer Fund-Stormwater Restricted Account	\$30,000
To: S. Main Street & McPherson Storm Sewer Repair, Project No. 35532800	\$30,000

Sincerely,


Jeremy Kalb, PE
City Engineer

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



CHRISTINA M. MURYN, MAYOR

**ENGINEERING
DEPARTMENT**

JEREMY D. KALB, PE
City Engineer

Honorable City Council
Findlay, OH 45840

August 30, 2023

RE: WTP CO₂ Tanks Replacement, Project No. 35790800

Dear Council Members:

As authorized by Ordinance No. 2019-013 a bid opening was held for the above referenced project on August 17, 2023. Bids were received from two (2) potential contractors with the bid amounts ranging from \$1,149,464 to \$1,154,250. The lowest and best bid was received from Kirk Bros Construction Inc. of Alvada, Ohio.

Previously, an amount of \$450,000 was appropriated to the project for design, advertising, and appropriated ARPA funds for construction. At this time, an appropriation is needed to cover the remaining portion of the construction cost and to provide a contingency for the project.

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

From: Water Fund

\$800,000

To: WTP CO₂ Tanks Replacement,
Project No. 35790800

\$800,000

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

Sincerely,

Jeremy Kalb, PE
City Engineer

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



AUDITOR'S OFFICE

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

JIM STASCHIAK II - CITY AUDITOR

Wednesday, August 23, 2023

The Honorable Council
Findlay, Ohio

It is respectfully requested that this letter be read into the Council Record.

Dear Council Members,

Over the last few years it has been noted in the Management (Recommendations) Letter of our annual audit that the internal controls of the Utility Billing Department needed reviewed and improved. In 2022 I contracted with the CPA firm Rea & Associates to assist with an in-depth independent special review of that department's controls.

On April 11th Council's Water and Sewer committee received a detailed report of the status of the City of Findlay Utility Billing office internal controls. The report included observations as well as numerous recommendations. This "Stage I" review and reported recommendations cost the city approximately \$15,000.

Deputy Auditor G. Sampson spent several days developing new procedures and working with the Utility Billing personnel and the Department head to be sure everyone was on the same page and able to implement the recommendations. The goal was to be well prepared for a follow-up review well ahead of its scheduled date.

On July 13th, the Rea & Associates, returned to complete a "Stage II" review and status update for the implementation of the recommended controls.

The attached report notes there are a few items to be completed now; such as the actual cash drawers being installed and some long-term items including a new billing software system. Several items have been completed to date; however, the report also notes several deficiencies in following the new recommended controls. My office has also observed deficiencies.

Unfortunately, due to the deficiencies noted in the report of the July 13th inspection, the City will be unable to clear its State Audit Management Comment from the report. Getting our internal control process approved by the State Auditor is a primary goal along with ensuring safe custodianship of the community's money, it will be necessary to bring Rea & Associates back for another inspection (at a date yet to be determined). If the department passes a future review then there is a high likelihood the management recommendation will be viewed as completed.

As City Auditor I can assure you I will continue to take every step that is reasonable and necessary for us to ensure the public that every dollar of their money is being handled with the utmost care.

With Respect,

Jim Staschiak II – City Auditor



City of Findlay, Ohio

Stage II of Internal Control Evaluation - City Utility Department

August 23, 2023



SCOPE Narrative

In accordance with our consulting agreement dated July 13, 2022 between the City of Findlay, Ohio (City) and Rea and Associates, Inc., we have completed the second stage of that agreement. Below is a summary of the procedures performed:

- We visited the City's Utility Department on July 13, 2023. We also had some subsequent follow up discussions with various City personnel. During this visit, we performed procedures over the newly implemented control activities over the billing, collecting, depositing, balancing and/or reconciling.

As a result of our procedures, we have summarized below a list of recommended control processes from the first stage that should have been considered by the City. We have included the response to each control from Stage I as to whether the City had implemented the control (or a reasonable alternative). For Stage II, we have included a response on the result of the procedures performed for each control that we recommended that the City evaluate the cost-benefit of its implementation.

Internal control provides many benefits to an entity. It provides management with added confidence regarding the achievement of objectives, provides feedback on how effectively an entity is operating, and helps reduce risks affecting the achievement of the City's objectives. Management should consider a variety of cost factors in relation to expected benefits when designing and implementing internal controls. The complexity of cost-benefit determination is compounded by the interrelationship of controls with operational processes. Where controls are integrated with operational processes, it is difficult to isolate either their costs or benefits.

Management may decide how an entity evaluates the costs versus benefits of various approaches to implementing an effective internal control system. However, cost alone is not an acceptable reason to avoid implementing internal controls. Management is responsible for meeting internal control objectives. The costs versus benefits considerations support management's ability to effectively design, implement, and operate an internal control system that balances the allocation of resources in relation to the areas of greatest risk, complexity, or other factors relevant to achieving the entity's objectives.

Finally, no matter how strong the internal control policies and procedures are, no entity can reduce the risk of fraud or error to zero percent. The risk of not detecting fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of the internal control system.

Adjustment to customer accounts, deposits, or ledgers require strong internal controls to safeguard the assets of the City and reduce the risk of fraud or error. Adjustments can happen at various stages of operations. It's common to note when fraud is perpetrated at cash collection points within a government, it is common that there is some aspect of adjustment posting that concealed the fraud act. As a result, we have included adjustments as its own separate category.



The internal controls summarized have been categorized into the following areas:

1. Billing
2. Collections and Balancing
3. Depositing
4. Reporting
5. Adjustments
6. Other General Controls

Billing

1. We recommend that the City install an Advanced Metering Infrastructure (AMI) system that is used to import meter reads into the utility billing system.

Stage I: We acknowledge that the City is currently in the process of installing an AMI system throughout the City.

Stage II: Per inquiry and observation, we noted no changes.

2. We recommend that the City review meter readings (prior to sending to their third-party vendor or processing billing) to identify any potential errors in meter readings, large billings that were caused by leaks, misread readings, etc. Documentation of this review and any approvals should be maintained by the Utility Department.

Stage I: The City has hired a third-party vendor to print and mail all utility bills. We acknowledge there are procedures in place, which include the current utility system flagging various billing anomalies and staff that also review and address all unusual billings prior to submitting to the third-party vendor. However, no documentation of the approvals is maintained by the Department.

Stage II: Per inquiry of the Department and observation, no procedures have been implemented to maintain documentation of the review and/or approval of the billings.

3. We recommend that there be some level of segregation of duties between the billing and collections over services provided by the Utility Department.

Stage I: Currently, the Department Clerk III and Assistant Supervisor each can collect utility receipts in a backup role. However, we believe the activities noted in #2 above include sufficient segregation over billing that reduce the risk of fraud or error over collections.

Stage II: Proper controls (excluding the retention of documentation) in place during Stage I. No procedures performed.

- 
4. We recommend the City establish a set of shut-off procedures on aging delinquent accounts.

Stage I: The City has established utility shut-off policies and procedures.

Stage II: Proper controls in place during Stage I. No procedures performed.

5. To ensure all accounts are collected in full, we recommend that City exercise their right to certify delinquent amounts with the County Auditor's office at least annually.

Stage I: The City certifies delinquent accounts with the County Auditor's office at least annually.

Stage II: Proper controls in place during Stage I. No procedures performed.

Collections and Balancing

1. We recommend the City develop/purchase an updated Point of Sale system (POS) that is better designed to handle the operational and technological needs of a department this size. A different POS could not only be designed to have various controls and safeguards in place, it could also improve the overall efficiencies in operations.

Stage I: The City does have a POS system and we acknowledge that the City plans to upgrade this system once other utility software system upgrades have been completed.


Stage II: Per inquiry and observation, we noted no changes since Stage I.

2. At the time of processing payments (window, mail, drop box, etc.), we recommend that each employee sign into the POS using their own log-in to post the payment to the customer's account.

Stage I: The Utility Department does have a POS, however, it is not used to its full capabilities. Currently, collections at the windows are typically not posted until the following business day using billing stubs received. Other collections areas (ex. lockbox and mail) are posted the day of collections. Having an updated POS would allow the ability for all transactions to be posted in real time, receipts to be generated for customers, improve accuracy, and to expedite all reconciliation processes. The current system in place requires processing a transaction through multiple screens. We acknowledge the potential wait time the customer may experience with the current POS system may not be acceptable to management.

Stage II: Per inquiry of the Department, review of revised policy and procedure and observations when on-site, we noted that cash and check collections at the window are now posted to the system at the time of collection. Currently, there is no "system" receipt is provided to the customer, however each customer is provided an invoice payment stubbed that is stamped "paid" using a pre-assigned stamper (see #4 below).

3. We recommend that each cash drawer be lockable. Each cash drawer should be locked



when the Clerk is on break or when not in use. Access to cash drawers should be monitored and access codes should be kept secure.

Stage I: The City does not have lockable cash drawers for the Utility Department. We noted typically there are three cash drawers that are used for daily operations, while an additional three drawers are left in the safe and used only if needed.

Stage II: Per inquiry of Superintendent, we noted that the City has ordered lockable cash drawers, however the drawers had not yet been delivered at the time of our visit.

4. We recommend the Clerk stamp the billing stub as “paid” at the time of collection and indicate on the billing stub if the payment was paid by check, cash or credit card and the amount paid. In addition, we recommend that each employee who has collections duties have their own individually identifiable stamp. This stamp could include the employee number (similar to the POS system employee number), name and/or initials.

Stage I: Currently, the Utility Department Clerk will stamp the customer’s billing stub with their individual (color assigned) stamp indicating that the billing was paid, and the Clerk will write the collection location (window, lockbox, or by mail) where the payment was received. The Clerk will verify the amount paid by the customer. If paid by check, the check will also be stamped and “check” will be written on the billing stub. If paid by cash, on the back of the billing stub the Clerk will write what they received, and the change given to the customer. If paid by credit card, the Clerk will write the confirmation number on the billing stub. While this is effective with the systems in place, purchasing an updated POS system will improve accuracy and efficiencies.

In addition, the current system in place has an assigned stamp (ink color only) for each employee who works at the window. However, these stamps are not safeguarded in any way. In addition, there are employees who can collect monies using another employee’s assigned drawer. They will use the assigned employee’s stamp and they will initial the stub that they collected the money, not the person who is assigned the stamp or drawer. This opens the City up to unaccountable risks.

Stage II: Per observation, we noted that the Department has new stamps that include the respective employee number for each employee. However, the stamps are not safeguarded in any way and current cash drawers do not have the capability to be locked. In addition, the Department has revised their customer billing stubs to include an *office use only* section that gives the employees the ability to checkmark the type of payment received. Per inquiry, new lockable cash drawers have been ordered and are expected to be delivered and installed in the near future.

5. We recommend the City run all cash bills through a counterfeit bill detector at the time of collection.

Stage I: At the time of collection of each cash payment, the Clerk will run the cash bills through a counterfeit bill detector at the window before processing the payment.

Stage II: Proper controls in place during Phase I. During observation of the collection process at the window when on-site during Stage II, we did note that this control is still being performed.

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6. We recommend the Utility Department's Clerk maintain all cash, check, and credit card slips collected each day in their respective individual lockable cash drawer.

Stage I: The Utility Department's cash drawers only include cash in an unlockable drawer. Other items are kept outside the cash drawer.

Stage II: Per observation, we noted no procedure has been implemented to address this recommendation. The Utility Department's cash drawers still only include cash in an unlockable drawer. Other items are kept outside the cash drawer. See #4 (Stage II) above regarding future lockable cash drawers.

7. If a cash drawer is not being used, we recommend the cash drawer be kept in a locked safe.

Stage I: The Utility Department keeps one unlocked cash drawer in an open common area, away from the collection windows. There are also three additional cash drawers that are typically not in use that are kept in the safe. However, per inquiry the safe is often kept unlocked during the workday.

Stage II: Per observation, we noted the Utility Department still had one unlocked cash drawer in an open common area towards the back of the office, away from the collection windows. We observed the three additional cash drawers in the locked safe. The safe was locked during the time of our visit. Per #4 above, we understand lockable drawers have been ordered. If this drawer is not lockable, our recommendation is to lock this drawer in the safe until it is needed to be used.


8. We recommend the Clerk(s) who open the daily mail or drop box collections summarize the total amounts (or run through the check scanner) and then a separate Clerk post the payments to the system.

Stage I: Typically, there are multiple clerks who simultaneously open and account for the drop box and/or mail collections. Each of which can also run the checks and billing stubs through the Remit software and post the payments to the customer accounts.

Stage II: We viewed the night deposit and mail collections for June 16th, June 23rd, June 30th and July 12th, 2023. We noted that one clerk opens the mail and/or night deposits. A second clerk will run the checks and stubs through the Remit software. Then the clerk that opened the mail will post the payments to the system. This was evident by the assigned user ID and closed by user ID on each Batch Details Report included in the daily documentation. Two clerks were involved with each batch for the four days listed above.

9. We recommend that each cash drawer be balanced daily, with one cash drawer being re-opened to handle collections during the latter part of the day. The reconciliation process should be started late enough in the day to ensure as much collections as possible can be deposited at the bank during banking hours the same day of collections. Any collections in the sole remaining drawer left should be reconciled, reviewed, locked overnight in a safe and become part of the next day's collections and posting.

Stage I: Currently, each cash drawer used during the day is reconciled around 4:15pm daily. One cash drawer is then reopened to continue to collect payments. However,



the payments collected after the cash drawer has been counted are not reconciled until the end of the next day's collections. In addition, any collections received each day are not deposited until the next business day for all drawers.

Stage II: Per review of the revised policy and procedures, each drawer should have an *Ending Cash Start Up/Starting Cash Start up* form in the drawer. The drawer owner should complete the ending cash section and sign the form. Another clerk should verify that the ending cash is correct and sign the form. The form remains in the drawer until it is opened again. The opening clerk should confirm the cash in the drawer. The clerk will sign the form indicating that the cash drawer equals what was stated on the form for ending cash.

Per inquiry of the Department, we noted at the beginning of implementation of the revised procedures, there was confusion on how to properly complete this form. For the batches we viewed for June 16th and June 23rd, we noted that the forms were not completed for each open drawer. We noted a total of seven drawers open for these two days and only three forms were completed. For batches we viewed for June 30th and July 12th, we noted that the forms were properly completed and maintained in the daily documentation for each cash drawer.

Per inquiry of the Department and review of the daily documentation, the unused cash drawers are not being reconciled each day.

Per inquiry of the Superintendent, the Department typically takes the deposit in late afternoon. The deposits that are waiting for deposit are kept in a tamper-evident deposit bag in the Department's locked safe. When on-site, we viewed two tamper-evident deposit bags in the locked safe.

10. We recommend that there be some level of segregation of duties between the collections and daily reconciliation procedures performed by the Utility Department.

Stage I: Currently, Utility Department Clerk IV performs the daily reconciliation duties. In the event the Clerk IV collects payments at the window during the day, an independent clerk will count Clerk IV's cash drawer and post the batch to the system. This will be evidenced by the ID number of who posted the batch in the Utility System.

Stage II: Proper controls in place during Stage I. No procedures performed.

11. We recommend that each cash drawer is counted/reconciled in the presence of the respective cash drawer owner. In addition, a summary of this reconciliation should be completed and signed by both the cash drawer owner and reviewer. As part of the process, each cash drawer should have its own bank deposit slip to be deposited to the bank on the same day as collected. The reconciliation process should be completed, even for the cash drawers that were not required to be used during the day. Finally, we recommend that all deposits be placed into "tamper-evident" deposit bags. This bag should include such information as the deposit/collection date, amount, and those employees' signatures who participated in the reconciliation process.

Stage 1: Currently, the Utility Department Clerk IV will take the cash drawer to her desk at the back of the Office to count each drawer. The cash drawer is not counted in the presence of the owner. Only the cash drawers used at the window during the



day are counted. Cash drawers are not deposited the same day, nor are the deposits taken to the bank maintained in any sort of “tamper-evident” or lockable deposit bag.

Stage II: The Department has implemented revised policy and procedures over drawer balancing. Per inquiry of the Department and review of the revised policy and procedures, we noted that the drawer balancing and deposit preparation occur in the remit room. A *Cash Out Report* needs to be completed fully at the top by the drawer owner. The drawer owner prints an open batch report from the system, counts their own drawer, image/endorse checks, and reconciles the drawer to the system report. The drawer owner will sign off on the *Cash Out Report* when completed. A second clerk that is independent of the drawer will confirm the drawer and sign off on the *Cash Out Report*. The drawer owner will prepare the deposit ticket and tamper-evident deposit bag. Each drawer has its own deposit.

We viewed the daily documentation for June 16th, June 23rd, June 30th and July 12th, 2023. We noted that each batch had its own separate deposit. Each deposit used a tamper-evident deposit bag that was labeled with a date, description and signature. The deposit bags are numbered and a deposit bag slip is maintained with the daily documentation. For the drawers on June 16th and June 23rd, we noted that *Cash Out Reports* were maintained for each drawer however no evidence that the drawers were confirmed or compared to a system report. One drawer on June 23rd did not list the bank bag number or have a manager signature. For the drawers on June 30th and July 12th, we noted that *Cash Out Reports* were maintained for each drawer and properly completed by two clerks.

12. We recommend that documentation be maintained for the daily reconciliation include a POS system report (or the system report that is currently in place).


Stage I: The Utility Department Clerk IV will print a Transaction Summary and Individual Batch Details from the current utility system. These reports are maintained with the daily reconciliation.

Stage II: Proper controls in place during Stage I. During observation of the batch documentation maintained for each day, we noted that a Transaction Summary and Batch Detail reports are still being maintained.

13. We recommend that all daily collections that have not been deposited in the bank to be stored in a lockable safe at the end of each day. In addition, any employee deemed to need access to the safe should have their own individual access code to open the safe. The safe should remain locked when not being accessed.

Stage 1: The Department has a safe and stores all daily collections in the safe at the end of the day. However, not all employees who have access to the safe have their own individual access credentials (i.e., there is some sharing of access codes). In addition, we learned that at times, the safe remains open/unlocked during operating hours.

Stage II: Per observation, the safe was locked during the day. The Assistant Supervisor unlocked the safe to show us the prepared deposit bags that were waiting for deposit. The Department has ordered a new safe. However, the safe had not



arrived by the time of our on-site observation.

14. We recommend that the Department's Supervisor and/or Service Safety Director conduct random cash drawer reconciliations throughout the year. Random cash drawer reconciliations help prevent fraud perpetrators from having time to alter, destroy, and misplace records. To properly implement, ensure there is no way for employees to know when these will be conducted and who will be chosen (ex. no standard rotation, select an employee back-to-back occasionally, etc).

Stage I: The Utility Department does not perform random cash drawer reconciliations. However, this is done by the City Auditor's Office. We believe there are added safeguarding of assets advantages to be gained if the Department conducts these as well.

Stage II: Per inquiry with the Superintendent, we noted a response to this recommendation is in-process. The Deputy Auditor will be training the Superintendent how to conduct a random cash drawer reconciliation. The plan is to have one each quarter. The quarters for each year will be divided evenly between the Auditor's Office and the Superintendent. In addition, we inquired with the Deputy City Auditor noting that a cash drawer count was performed by the Auditor's Office the morning that the new processes were implemented.

15. We recommend that there be cameras installed in all areas where cash/collections can travel. In addition, camera shut-off access should not be available to any Utility Department personnel.

Stage I: The Department has several cameras that cover most of the Department. We noted camera coverage excludes nearly the entire area of the Supervisor's office and approximately half of a separate room where the check scanner is located. Per inquiry with the Supervisor and Superintendent, camera shut-off access is not available to those charged with access to use the camera feeds (Superintendent and Supervisor). We acknowledge that the City has identified that the Supervisor's office should not have camera access. We recommend that the check scanning room have complete camera coverage.

Stage II: We observed the new camera views for the scanning room on the Superintendent's computer noting there is a bird eye view and two additional views. The bird eye view allows you to move the camera around the room and zoom in/out. The entire room including the scanner and all areas where cash is reconciled is covered. In addition, there is a back and front view of the offices collection counter. There is no overhead view. The City should evaluate if the front and back review does not reduce risk of loss or theft to an acceptable level to determine if an overhead view is needed.

Depositing

1. We recommend that there be some level of segregation of duties between the daily reconciliation and depositing procedures performed by the Utility Department. The Utility Department employee who prepares the daily deposits should not be the employee who takes the deposits to the bank (unless the daily deposit slips contain dual



authentication). In addition, a bonded employee should be the one taking the deposit to the bank daily.

Stage I: The Utility Department Clerk IV performs the daily reconciliation of the cash drawers, prepares the deposits, and takes the deposit to the bank (on most days). There is currently no segregation of duties between the daily reconciliation and depositing procedures.

Stage II: Per inquiry of the Superintendent, we noted that the Supervisor is the primary individual responsible for depositing to the bank. However, the Water Superintendent, Assistant Supervisor and Clerk IV serve as backups if the Supervisor is not available. In addition, the Department has implemented policy and procedures that require two employees to be involved in the drawer reconciliation and daily deposit preparation process. We viewed the daily drawer *Cash Out Report* for drawers open on June 16th, June 23rd, June 30th and July 12th. We noted the *Cash Out Reports* for June 16th and June 23rd were not properly signed by the cashier and manager. However, the reports for June 30th and July 12th were all signed by the cashier and manager except for one drawer on July 12th. The drawer reconciliation for July 12th drawer #5 was completed however it did not include the signature of the cashier.

Refer to Other General Controls #8 for bonded employees related response.

2. After the deposit is prepared, we recommend that the Utility Department Clerk place the deposit bags into a locked safe until taken to the bank.

Stage I: After the daily deposit is prepared, the deposit bags are placed in the safe. However, it was noted that the Department's safe is often left unlocked during office hours.

Stage II: Per observation when on-site during stage II, the safe was locked during the day. The Assistant Supervisor unlocked the safe to show us the prepared deposit bags that were waiting for deposit.

3. We recommend the Utility Department employee who takes the deposit to the bank have a City police escort. As an alternative, the City could contract with a local bank courier service to pick up the deposit at the Utility Department. Daily deposits could contain large amounts of cash. Safeguarding employees and the deposits should be a high priority of City management.

Stage I: Currently, the Department Clerk IV (or their back up when not available) takes the deposit to the bank. For the daily deposit, there are no quality safety measures in place for employees or the actual deposit.

Stage II: Per inquiry with the Superintendent, no police escort or local bank courier is being used currently. The Utility Department has established a threshold as to when two-employees will take a deposit to the bank to be in compliance with the new departments cash handling policy. Currently, one employee is taking the deposit. The Department has implemented procedures to randomly pick the bank branch that they will take the deposit to each day. This is done by flipping a coin.

Reporting

1. We recommend that a copy of all bank deposit slips be submitted to the City Auditor's Office for each deposit.

Stage I: The Utility Department provides a copy of all bank deposits that are validated by the bank.

Stage II: Proper controls in place during Stage I. No procedures performed.

2. We recommend that the Utility Department and City Auditor reconcile their systems monthly by fund and receipt code.

Stage I: This reconciliation is currently being performed.

Stage II: Proper controls in place during Stage I. No procedures performed.

Adjustments

1. We recommend the Utility Department establish an individual threshold that requires the approval of the Safety Service Director for an adjustment prior to processing. We understand that there could be some timing constraints as to when the Service-Safety Director is available versus when an adjustment needs to be processed. The policy could include a clause that the approval be done within a certain number of days after the processing of the adjustment. For all other adjustments that fall below this threshold, we recommend that the policy include the approval of the Service-Safety Director on a periodic basis (ex. monthly or quarterly). For any adjustments not approved by the Safety-Service Director prior to processing, we recommend the policy and procedures identify a staff member (ex. Department Supervisor or Superintendent) who has the authority to approve.

Stage I: Currently, the City does not have a process that involves the Service-Safety Director or Superintendent.

Stage II: Per inquiry with the Superintendent, we noted that they are working on finalizing an adjustment policy. However, the City elected not to set a threshold. The Safety-Service Director, Superintendent and City Auditor will be provided a listing of all adjustments monthly. We were provided a draft of this new policy and a sample report for July 2023 that was provided to these positions.

2. For all adjustments processed, we recommend that employees who are part of the approval process (see previous recommendation) be segregated from the employee who is requesting the adjustment and the employee who is posting the adjustment to the utility system.

Stage I: The current process has all adjustments approved by the Supervisor. This is segregated from employees who request and post adjustments. However, based on our inquiries it's our understanding that all adjustments require the approval of the

Service-Safety Director.

Stage II: Per inquiry of the Superintendent and review of a draft policy and procedure for adjustments, the new process includes the Supervisor approving the adjustment listing that is provided by the Clerk IV. The Supervisor does not enter information on the spreadsheet or post adjustments to the system. Per the drafted policy we inspected, the Supervisor then will obtain the approval from Safety-Service Director, the Supervisor will provide the adjustments to be posted by a clerk. The Supervisor will perform a final review at month end to ensure all approved adjustments were properly posted.

3. No more than monthly, we recommend that all approved adjustments be reconciled to the utility accounting system to ensure that only amounts approved have been posted.

Stage I: The Utility Department Supervisor reconciles all approved adjustments to the utility accounting system. However, these adjustments are only approved at the Supervisor level (see previous recommendations).

Stage II: Proper controls in place during Stage I. No procedures performed.

Other General Controls

1. We recommend that the City establish policies and procedures where daily cash shortages are required to be replenished by processing a City voucher requisition from the City Auditor's office. This request should include support for the balancing process signed off by the owner of the cash drawer and second clerk or supervisory person involved in the cash drawer reconciliation process. In addition, we recommend that any cash overages be included in the daily deposit to the bank. At no point should the Utility Department maintain a cash overage/shortage petty-cash type fund within the Department.

Stage I: Currently, the Utility Department maintains a separate box for all cash overages and shortages. We do not believe this is a best practice or in line with our recommendation. We noted the Department already has a form established that summarizes any cash over/short by drawer as part of the daily reconciliation process that will assist them in the above recommendation. The Utility Department does request and accounts payable voucher when shortages are determined.

Stage II: Per inquiry of the Utility Department, a separate box for all cash overages and shortages is no longer maintained. The funds were given to the Auditor's Office for deposit. We confirmed with the Deputy City Auditor that the funds from the extra money box were deposited. We noted that the Department has since been short once and used the process that has been established by the Auditor's Office to get a drawer replenishment. The Department has also been over once and deposited that overage as a separate deposit to the bank as directed. In addition, we noted that the City has established a Cash Over/Short Policy effective May 1, 2023.

The Department has established policy and procedures over drawer shortages and overages. The *Cash Out Report* includes an area for any overages/shortages. If an over/short exists, a manager shall also confirm the overage or shortage amount and



begin the process of the over/short checklist. We inspected the *Cash Out Reports* for June 16th, June 23rd, June 30th and July 12th, 2023, noting no overages or shortages.

2. We recommend the Utility Department establish an individual threshold that requires the approval of the Service-Safety Director for refunds. We understand that there could be some timing constraints as to when the Service-Safety Director is available versus when a refund needs to be processed. The policy could include a clause that the approval be done within a certain number of days after the processing of the refund. For all other refunds that fall below this threshold, we recommend that the policy include the approval by the Service-Safety Director on a periodic basis (ex. monthly or quarterly). For any refunds not approved prior to processing, we recommend the policy and procedures identify a staff member (ex. Department Supervisor or Superintendent) who has the authority to approve.

Stage I: Currently, the City does not have a process that involves the Service-Safety Director or Superintendent.

Stage II: Per inquiry of the Deputy City Auditor, refund vouchers are now sent to the Service-Safety Director for signature prior to being processed for the check run by the Auditor's Office. The Department elected not to set a threshold. All refunds are included on the report that is submitted for Service-Safety Director's approval.

3. For all refunds processed, we recommend that employees who are part of the approval process (see previous recommendation) be segregated from the employee who is requesting the refund and the employee who is posting the refund to the utility system.

Stage I: Currently, the Utility Department's Supervisor approves and submits all refunds to the City Auditor.

Stage II: Proper controls in place during Stage I. No procedures performed.

4. We recommend all refunds be processed through the accounts payable function within the City Auditor's office.


Stage I: All refunds are processed through the City Auditor's office.

Stage II: Proper controls in place during Stage I. No procedures performed.

5. We recommend the City implement a mandatory vacation policy. However, if the City cannot implement a mandatory vacation policy, we recommend that the Utility Department implement a system to cross-train employees and establish a periodic/rotation of duties. When this is done, we recommend that management evaluate any changes in collections, adjustments, refunds, unexpected trends, etc. that may indicate potential fraud risk red flags.

Stage I: There is currently no mandatory vacation policy in place. Various staff are cross trained, however there are no established rotation of duties in place.

Stage II: Per inquiry of the Superintendent, we noted that the Superintendent has been trained on the new policy and procedures. The City does not currently have a job rotation policy or mandatory vacation policy. Per inquiry, the City's HR Director



conducted an extensive search across a number of Ohio municipalities and political subdivision. There were none that have a mandatory vacation policy. Until this is a best practice standard across municipalities and political subdivisions, the City Administration has stated they will not implement a mandatory vacation policy. Lastly, the Water Superintendent monitors employees leave balances and reminds employees if they have an unused balance of vacation since the City has a use it or lose it policy.

6. If practical, we recommend that the City of Findlay establish a central collection point under of the direction of the City Auditor's office for most/all revenues collected by outside departments. This would strengthen internal controls and safeguard the cash collection process.

Stage I: The City does not have a central collection point for revenue collections.

Stage II: Per observation, we noted that payments are being collected and processed at the City's Utility Billing Office. The City does not have a central collection point for revenue collections. The City has deemed this recommendation not practical based on the layout of all City operations and cash handling throughout the City.

7. We recommend that the Utility Department use bar code scanners to process payment stubs.

Stage I: The Utility Department used to process payment stubs using a barcode. However, management concluded it was more efficient to not use them as the scanners did not work as well with the stubs when "wet or crumbled." Part of this evaluation could be to determine the amount of "wet or crumbled" stub inefficiencies that can occur as compared to the whole to determine if the overall process would be more efficient with using scanners. Part of this evaluation should include the process inefficiencies cause by the error rate that results from manual input versus barcode scanning, serving customers at the window, reconciliations, etc.

Stage II: Per observation, no changes since stage I. Per inquiry, we noted that the City plans to implement scanners when they upgrade the utility billing software.

8. We recommend that each employee who handles receipt collections be covered under an employee bond or the City insurance policy (depending what the City feels is sufficient coverage based on assigned duties) as an additional safeguard over a loss of assets caused by employee theft. However, we recommend that any employee who makes the daily deposits to the bank be covered by an employee bond.

Stage I: Based on inquiry, we understand that all employees who have receipt collection duties within the Utility Department are covered under an employee bond or the City's insurance policy. However, we were informed that there are employees who make daily deposits with the bank that are not covered by an employee bond.

Stage II: Per inquiry of the Superintendent, we noted that the Supervisor is the primary individual responsible for depositing to the bank. However, the Water Superintendent, Assistant Supervisor and Clerk IV serve as backups if the Supervisor is not available. Per the Deputy City Auditor, the Supervisor is covered by a bond. The Assistant Supervisor, Clerk IV and Superintendent are covered under an insurance policy.



CONCLUSIONS

The results of this report summarize our procedures and recommendations in accordance with Stage I and II outlined in our engagement letter dated July 13, 2022. As a reminder, Rea and Associates was not engaged to perform any cost-benefit analysis to implement each recommendation noted. If you require any further analysis, which are outside the scope of this request, we will be more than happy to discuss these with the City of Findlay.

We thank you for the opportunity to serve City of Findlay, Ohio.

Rea & Associates, Inc.



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin, BSN, MBA
Service-Safety Director

August 29, 2023

Dear Honorable City Council,

This letter is to provide an update on discussions my Administration has been having with the Villages of Arlington and North Baltimore regarding the potential for the City of Findlay to provide them water.

In 2019, representatives of North Baltimore reached out to the City to discuss what it may look like for them to get water from the City of Findlay. In meeting with them we shared that we would be open to a master meter agreement providing water and they would maintain everything on the other side of the meter. We did not hear from them for a while and then they reached out in early March 2022 saying that they wanted to have further discussions and were going to discuss with their City Council their appetite to move forward with such an agreement. From March 2022-March 2023 they also decided to reach out to an engineering firm to look at project design and costs, which also led to them speaking with the Ohio Department of Transportation about cross points with Interstate 75, and some preliminary investigation into possible grant funds. This was done by North Baltimore. In April 2023, it appeared North Baltimore was gaining traction on their side and therefore I felt it was now worth our time to bring in a legal expert that could assist with discussing what such a, "regional" water approach would look like to ensure we had consistent structures to offer among interested parties.

Please note that I have had various brief conversations with Council members over the past two years letting them know that we were having these conversations and that when we had a clearer understanding of what such a proposal would look like we would bring it to Council. Additionally, I have mentioned it in conversations with the Auditor dating back to 2022.

In June 2022, Arlington Representatives reached out to the City of Findlay and were also interested in discuss the opportunity of the City of Findlay providing water. The City asked them a variety of questions and let them know that the City would be willing to discuss it once they had a clearer picture of what they wanted. We met with them on February 27, 2023 and March 20, 2023 to help coach them through some information we would need to have such discussions. Part of these discussions included the City mentioning that there may be opportunities from the State to assist in connecting their system to ours but no further action was taken at that time. In April 2023, we received notice that Arlington had worked through some internal discussions and were ready to reengage with the City. We provided their team a questionnaire (**Exhibit 1**) for them to complete so that we could have a clearer understanding of their system condition.

On April 25, 2023 I reached out to Bricker Graydon with the email shown as **Exhibit 2**.

On April 28th, 2023 myself, Rob Martin, Jeremy Kalb, Jason Phillips, and Don Rasmussen had a call with Bricker Graydon attorneys to discuss the questions we had sent. At that point our discussions were primarily focused on Issues 1 and 2.

On June 13th, 2023 myself, Rob Martin, Jeremy Kalb, and Jason Phillips had a call with Bricker Graydon attorneys to discuss the water regionalization concept in more detail.

On July 24th, 2023 Bricker Graydon provided draft legal contracts that they see as viable structures for the City of Findlay to provide water services to the Villages of Arlington and North Baltimore.

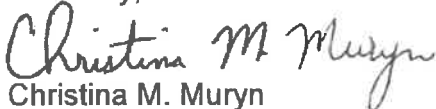
On August 9th, 2023 Rob Martin, Jeremy Kalb, Jason Phillips, Don Rasmussen, and Rob Feighner had a discussion reviewing the initial proposals. Due to my family emergency I provided by initial thoughts over the phone to Rob Martin. From this meeting the teams next steps were to put together a draft proforma/template for discussion with our team. Once we have had the opportunity to discuss these agreements with Bricker Graydon we will then bring them forward for discussion.

Following my teams' discussions on this we would then bring it to Water and Sewer Committee to layout this background, the information we have, and next steps.

As you know, it is always my desire for the Administration to do our job, running the City and working with Council to implement effective legislation. To do this, I believe it is our responsibility to gather information to be able to have productive, informative dialogue on issues. I look forward to meeting with Council to discuss this topic in more detail in the coming weeks as we work to evaluate an opportunity which would not only benefit the City of Findlay but also provide a high quality and economical alternative to our neighboring communities while protecting the City and our region from for profit water entities. I have included a graphic with this presentation which shows the current City of Findlay Water Treatment Plant Capacity, Utilization, and Opportunity. I would also note that my top priority is the citizens of Findlay and ensuring that we have safe, clean, and affordable water. We are fortunate that our past community leaders took an innovative and forward-looking approach to our water treatment plant. We once again have the opportunity to utilize this resource for the betterment of our community and region (**Exhibit 3**). By doing so we maintain a water quality, mitigate cost, keep water rates low, help our neighboring communities, and protect our region from outside, for profit water entities.

I apologize that I will not be at the September 5th, 2023 City Council meeting but I look forward to further discussion on this topic in the near future.

Sincerely,



Christina M. Muryn
Mayor



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

Rob Martin, BSN, MBA
Service-Safety Director

Water Regionalization Questionnaire

MUNICIPALITY: _____

CONTACT NAME: _____

CONTACT NUMBER: _____

EMAIL: _____

SECTION 1: HISTORY OF SYSTEM

What year was the distribution system installed?

What is the breakdown of pipe type in the system?

What is a typical service construction in the system?

How much of the system has been replaced with plastic?

How many water main breaks do you experience annually?

SECTION 2: DISTRIBUTION SYSTEM

What inventory of parts do you have?

How many new taps a year do you experience?

Who is your largest user?

Where are your shut off valves located for homes?

What model and brand of hydrants do you have?



What model and brand of line valves do you use?
How many hydrants are in the system?
Do you have any hydrants on 4" lines?
How many waterline replacements have been completed?
How many water lines need replaced and why?
How old are the hydrants?
Do your hydrants have weep holes?
How many dead ends in the system and how often are they flushed?
SECTION 3: BILLING
How many water meters are in the system?
Current method of collecting meter readings?
Number of water bills sent out?
Any special charges on bills?
What is your average monthly billing?

SECTION 4: COMPLIANCE
How have you verified no lead services?
What is the customer side pipe type?
How many service connections are in the system?
Can you please supply a detail distribution system map?
Average daily production at water treatment plant?
When were your hydrants last flushed?
When were the valves last exercised in the system?
What is your water loss? How is it calculated?
Have you ever had a leak survey done?
What are your current sampling parameters?
How many lead and copper locations do you have for sampling?
What is your current chlorine residual in the system?
How many sample sites do you have for bacteria samples?



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

Rob Martin, BSN, MBA
Service-Safety Director

Where are your TTHM sample locations?

How have your TTHM and HAA% results been?

Has there been any OEPA violations? Can you send a copy of the latest sanitary survey?

EXHIBIT 2

From: Christina Muryn <cmuryn@findlayohio.gov>
Sent: Tuesday, April 25, 2023 10:28 AM
To: Cross, Christina <CCross@brickergraydon.com>
Cc: Robert Martin <rmartin@findlayohio.gov>; Jeremy Kalb <jkalb@findlayohio.gov>; Jason Phillips <jphillips@findlayohio.gov>; Don Rasmussen <drasmussen@findlayohio.gov>
Subject: City of Findlay- Legal Questions

Good Morning Christina,

I hope you are doing well. I am reaching out on a few different items that the City of Findlay needs outside legal opinions/counseling on.

ISSUE 1: Flood Mitigation Operations & Maintenance

Background: As you are aware the City of Findlay/Hancock County has been working for the past decade to resolve flooding within our region. One of the major projects is a flood basin which will be dry the majority of the time and then fill as needed during storm events based upon the flood level of Eagle Creek. This helps the Blanchard River to not rise as quickly and be able to be regulated a bit better. This basin will require long term maintenance (inspection, clearing, periodic mowing, etc.), overall it is minimal and is expected to cost around \$170,000 annually. The City is currently in discussions with the Maumee Watershed Conservancy District which is overseeing its construction for the City of Findlay to accept ownership and ops and maintenance responsibility following its construction.

- Draft Memorandum of Agreement Attached. Letter to Council Attached. Email from ODNR about the transfer.

Questions:

- o Can the City of Findlay utilize stormwater funds for the operations and maintenance of the basin?
- o Can the City of Findlay impose an assessment on properties benefiting from the flood mitigation efforts to cover the maintenance?
 - If so, are there limitations? For example, only properties within the City of Findlay corporation limit?

Goal: Ensure legal method of flood mitigation maintenance with lowest impact to citizens and best long-term sustainability.

ISSUE 2: Stormwater Billing

Background: The City of Findlay is looking to update our stormwater rates to provide a sustainable cash flow for long term control projects as well as for the operations and maintenance of the eagle creek basin. (Proposed structure attached. Stormwater ordinance attached. [Link](#) to CURRENT stormwater rules and rates.)

Questions:

- o Other than methods which would be considered in equitable. Are there any restrictions on the structure of stormwater billing which can be implemented by the City of Findlay?
 - We had been looking at basing fees off of size of water meter. Would this have been legal?
 - We are now planning to base the fees off of property size. Any legal concerns with this?
 - We would like to have a stormwater credit which would allow properties that are larger acreage but have lower levels of impermeable surface or other stormwater management systems on their property to get a credit on their bill. Are you familiar with this and do you have any recommendations on structure?

- Can the City charge stormwater fees to properties on the City of Findlay's system that are not inside the City corporation limits, but utilize the City's system?
- When we read the stormwater regulations it would appear the Service Safety Director is the authorized agent and can change the stormwater rates. Please confirm who can change the rates.

Goal: Ensure legal compliance with stormwater fee update.

ISSUE 3: Water (& MAYBE Sewer) Regionalization

Background: The City of Findlay is currently in discussions with two neighboring municipalities which are interested in contracting with the City of Findlay for water. We believe there are three structures that we want to explore. 1) City takes over entire system. 2) Master meter setup at an agreed upon location and is simply a bulk provider. 3) City provide master meter but also has a maintenance contract with a defined structure of maintenance offerings.

Questions:

- Are each of the three above options legal?
- How do you recommend structure of such an offering?
- Can you help prepare the necessary documents to enter into such an agreement?

Goal: Understand options for water regionalization. Have draft agreements for discussion with partner communities.

I look forward to hearing from you and determine best next steps to address the above questions.

Sincerely,

Mayor Christina Muryn

City of Findlay, Ohio

America's Top Micropolitan 8 Years In A Row

318 Dorney Plaza, Room 310

Findlay, OH 45840

Phone: 419-424-7137

Fax: 419-424-7245

<http://www.findlayohio.gov>



*Enduring stewardship dedicated to service and safety for citizens,
promoting Findlay as the premier place for growth and opportunity.*

Exhibit 3

Current Findlay Water Treatment Plant

	MGD
Maximum Capacity*	16.00
Target Production**	8.50
Current Utilization	6.21
Target Production Surplus	2.29
Daily Flushing/Waste***	0.30
North Baltimore Usage	0.55
Arlington Usage	0.10
North Baltimore & Arlington Impact	0.35

MGD=Million Gallons a Day

*Maximum Capacity is the amount that the plant can technical produce on a daily basis. However, this does not allow for any system redundancy and would strain the system if used long term.

**Target Production is the current capacity which would be able to be sustained without losing redundancy and with no significant changes to the plant.

***Currently the City of Findlay has to flush/dump 0.3 MGD at the north end flushing station to ensure water quality and water pressure is maintained.



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

Rob Martin, BSN, MBA
Service-Safety Director

August 30th, 2023

RE: ORD 2023-043 Phase 2 Benching Properties

Dear Honorable Council,

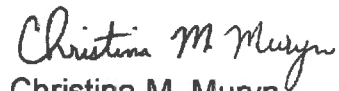
On May 16th, 2023 Ordinance 2023-043 was tabled due to concerns around the timing of the transfer of ownership and wanting to ensure all benching and environmental work were completed prior to the City taking ownership. Attached is the final version of the Memorandum of Agreement (MOA) executed by the Commissioners which clearly states that the properties will not be transferred until the benching is complete.

Additionally, the MOA acknowledges the environmental review which has been completed and the action that has been taken to remedy the environmental concerns

Finally, out of an abundance of caution the City is working to have additional environmental review completed on all properties within the benching and proposed downtown recreation area footprint.

I have requested the legislation also be amended to specifically reference the MOA and state that the properties would not be transferred until the benching work is completed. This provides the necessary documentation to ensure the work is complete, environmental concerns are addressed, and that the City has assurances the properties necessary for the downtown recreation area will be transferred to the City. I wanted to provide this as an additional item in support of adoption of ORD 2023-043 AS AMENDED in the near future.

Sincerely,


Christina M. Muryn
Mayor

RESOLUTION

June 27, 2023
Resolution 422-23

RE: AUTHORIZING THE HANCOCK COUNTY COMMISSIONERS TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CITY OF FINDLAY AND THE MAUMEE WATERSHED CONSERVANCY DISTRICT REGARDING TRANSFER OF PROPERTIES.

The Board of County Commissioners, Hancock County, Ohio met in regular session on the 27th day of June, 2023, with the following Commissioners present:

William Bateson , Timothy Bechtol , and Michael Pepple .

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

Pepple moved for the adoption of the following resolution:

WHEREAS, the Hancock County Commissioners wish to authorize the Memorandum of Agreement between the Hancock County Commissioners, the City of Findlay and the Maumee Watershed Conservancy District attached hereto and incorporated herein for the transfer of properties associated with the Hydraulic Improvements/Benching Projects.

NOW BE IT THEREFORE RESOLVED, that the Board of Hancock County Commissioners hereby approves the authorization of the MOA attached hereto and incorporated herein as if fully rewritten.

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

Board of Hancock County Commissioners

William L. Bateson, President

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

Michael W. Pepple Yes
Michael W. Pepple, Commissioner

ATTEST:

Christine Carrigan
~~Lynn Taylor, Clerk~~ Christine Carrigan, Asst. Clerk
Board of Hancock County Commissioners

DATE: June 27, 2023

**MEMORANDUM OF AGREEMENT
BY AND BETWEEN THE HANCOCK COUNTY COMMISSIONERS,
THE CITY OF FINDLAY, OHIO AND THE MAUMEE
WATERSHED CONSERVANCY DISTRICT.**

I. BACKGROUND:

The Maumee Watershed Conservancy District (MWCD), a watershed district formed pursuant to Chapter 6101 of the Ohio Revised Code, has received recommendations for flood mitigation improvements in and near the City of Findlay from Stantec, a consulting firm hired by the MWCD to review the plan presented by the US Army Corps of Engineers General Investigation Study of the Blanchard River.

One of the recommendations presented by Stantec involves expanding the Hydraulic Improvements Phase 1 project with Additional Hydraulic Improvements that will extend from the Norfolk Southern railroad eastward crossing North Cory and Main Streets to the CSX railroad. The project will remove existing material from the north bank of the Blanchard River to increase the flood plain capacity and lower water surface elevations within the project site and upstream of the CSX railroad.

In November, 2009, the voters of Hancock County (the County) passed a ¼% Sales Tax whose proceeds are dedicated to flood mitigation in Hancock County. This Memorandum of Agreement shall serve as the pledge by the Hancock County Commissioners to provide said ¼% Sales Tax to the MWCD to cover the costs associated with the completion of the Additional Hydraulic Improvements (AHI)

II. HANCOCK COUNTY DUTIES AND REQUIREMENTS:

A. Transfer of County Owned Properties. The Hancock County Commissioners (HCC) agree to transfer, after AHI is complete, the HCC owned properties within the footprint of the AHI to the City of Findlay (City). The HCC has provided the flood mitigation funding through the ¼% Sales Tax to purchase the Hydraulic Improvement parcels only as a conduit for the sales tax funding. It has always been the intention to transfer these parcels once the Hydraulic Improvements are completed to the City of Findlay. A listing of the parcels to be transferred is attached as Exhibit A.

B. Construction of AHI. HCC agree to provide funding for the construction of the AHI through the ¼% Sales Tax to the MWCD to cover the costs associated with the completion of the AHI. The contribution from the Hancock County Commissioners for Construction shall not exceed the available funds in the ¼% Sales Tax Flood Mitigation Fund.

C. Known Environmental Remediation. HCC have removed underground storage tanks in compliance with BUSTR regulations at 120 N Main Street and 136 N Main Street. HCC has received a "No Further Action" letter from the Bureau of Underground Storage Tank Regulations for these two parcels. HCC in coordination with Hancock County Regional Planning, the City and the Ohio Brownfields Fund has contracted to remediate the chromium contamination at 119 Clinton Court. Construction of the AHI

will not commence until the chromium remediation is completed. HCC is not aware of any additional environmental concerns and intends to transfer the parcels listed in Exhibit A to the City of Findlay once the Hydraulic Improvements are completed.

D. AHI Construction. HCC agrees to enter into a Memorandum of Agreement with the City and MWCD following the bidding of the AHI that outlines the duties and responsibilities of each party.

III. CITY OF FINDLAY DUTIES AND REQUIREMENTS:

A. Acceptance of Properties Transferred from Hancock County. The City agrees to accept ownership of the parcels transferred from HCC as identified in Exhibit A.

B. Maintenance. The City agrees to maintain the parcels identified in Exhibit A upon execution and recording of a Warranty Deed documenting the transfer. The City further agrees to maintain the AHI post construction.

C. AHI Construction. The City agrees to enter into a Memorandum of Agreement with HCC and MWCD following the bidding of the AHI that outlines the duties and responsibilities of each party. Should the costs of construction exceed the funds available in the County ¼ Sales Tax fund for Flood Mitigation, the City further agrees to provide the funds necessary to complete the project.

IV. GENERAL TERMS

A. Liability. Each party to this Agreement shall be responsible for its own acts and omissions and those of its officers, employees and agents. In no event shall either party be liable to the other party for indirect, consequential, incidental, special, or punitive damages, or lost profits.

B. Effective Date. This Agreement shall become effective by the date of last signature.

C. Governing Law. This Agreement shall be interpreted and construed in accordance with the laws of the State of Ohio. In the event any disputes related to this Agreement are to be resolved in a Court of Law, said Court shall be located in the courts of Hancock County, State of Ohio.

D. Entire Agreement. This Agreement and its Appendices and Attachments contain the entire understanding between the parties and supersede any prior understandings, agreements, proposals, and all other communications between the parties relating to the subject matter of this Agreement, whether such shall be oral or written.


E. Assignment. Neither this Agreement nor any rights, duties or obligations described herein shall be assigned by any party hereto without the prior written consent of the other parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date shown below.

SIGNATORIES:

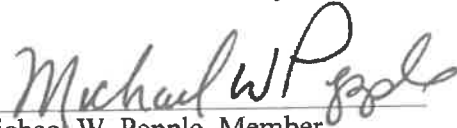
William L. Bateson, Chairman
Board of Hancock County Commissioners

Date



Timothy K. Bechtol, Member
Board of Hancock County Commissioners

6-27-23
Date



Michael W. Pepple, Member
Board of Hancock County Commissioners

Date

Approved as to form:

Lucinda M. Land
Assistant County Prosecutor

Date

City of Findlay

Christina Muryn, Mayor
City of Findlay, Ohio

Date

Approved as to form:

Donald J. Rasmussen
City of Findlay Law Director

Date

Maumee Watershed Conservancy District

George Ropp, President
Maumee Watershed Conservancy District

Date

Mark Moats, Board Member

Date

David Kuhn, Board Member

Date

TRANSFER TO CITY FOR ADD'L BENCHPROPERTY ADDRESSPARCEL 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. 2023-043 AS AMENDED

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 following completion of the Phase 2 Hydraulic Improvements (River Benching) as stated in the attached Memorandum of Agreement.

~~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 _____



Monthly Collection Report to Findlay Council

August 2023

Total collections for August 2023: \$1,744,107.58

	<u>2023</u> <u>Year-to-date</u>	<u>2022</u> <u>Year-to-date</u>	<u>Variance</u>
Withholders	15,013,129.95	15,206,139.76	-193,009.81
Individuals	2,533,805.53	2,423,648.13	110,157.40
Businesses	<u>6,840,191.31</u>	<u>7,762,795.21</u>	<u>-922,603.90</u>
Totals	24,387,126.79	25,392,583.10	-1,005,456.31 -3.96%

Actual & Estimated Past-due Taxes

Withholders	560,190.01
Individuals	3,469,069.99
Businesses	<u>295,516.01</u>
Total	4,324,776.01

Actual and Projected Revenue

	<u>2023</u> <u>Actual</u> <u>Year-to-date</u>	<u>Percentage</u> <u>of Projection</u> <u>Collected</u>	<u>Amount</u> <u>to Meet</u> <u>Projection</u>	<u>Percentage</u> <u>to Meet</u> <u>Projection</u>	<u>2023</u> <u>Projected</u> <u>Year End</u>
Withholders	15,013,129.95	70.41%	6,307,870.05	29.59%	21,321,000.00
Individuals	2,533,805.53	87.37%	366,194.47	12.63%	2,900,000.00
Businesses	<u>6,840,191.31</u>	175.39%	<u>-2,940,191.31</u>	-75.39%	<u>3,900,000.00</u>
Totals	24,387,126.79	86.72%	3,733,873.21	13.28%	28,121,000.00

Refunds Paid

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	2	59	121.07	15,685.95
Individuals	40	998	15,457.97	535,208.48
Businesses	<u>6</u>	<u>50</u>	<u>3,814.05</u>	<u>59,187.72</u>
Totals	48	1,107	19,393.09	610,082.15

Transfers of Overpayments

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	0	57	0.00	20,196.43
Individuals	62	1,010	19,768.15	269,016.33
Businesses	<u>153</u>	<u>454</u>	<u>215,945.03</u>	<u>503,926.79</u>
Totals	215	1,521	235,713.18	793,139.55

 9/1/2023
Income Tax Administrator Date

Findlay Income Tax Department

Monthly Collections Report

Friday, September 1, 2023

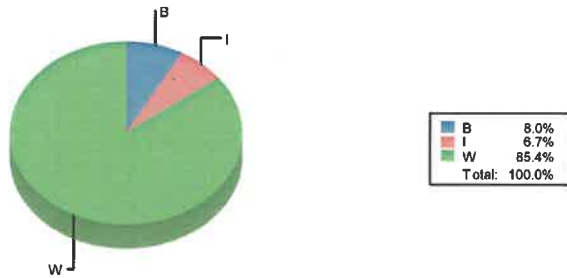
10:10:46AM

For Period August 1, 2023 through August 31, 2023

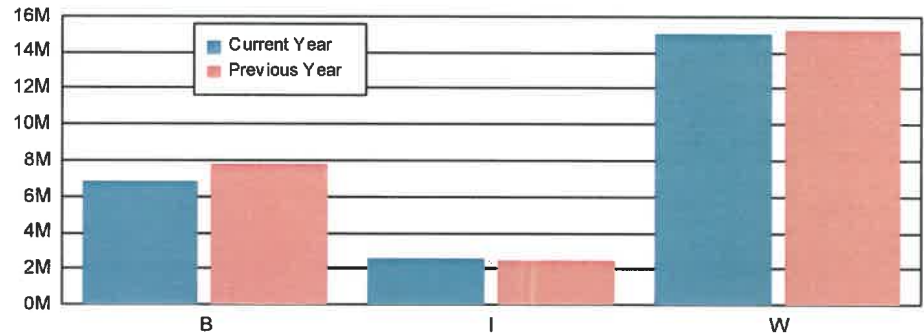
City of Findlay

Account Type	Monthly Total	2023 Year to Date	2022 Year to Date	Increase (Decrease)	% Change	2023 Month to Date	Previous Year(s) Month to Date
W	1,488,753.52	15,013,129.95	15,206,139.76	-193,009.81	-1.27	1,485,740.37	3,013.15
I	116,113.05	2,533,805.53	2,423,648.13	110,157.40	4.55	16,457.43	99,655.62
B	139,241.01	6,840,191.31	7,762,795.21	-922,603.90	-11.88	90,251.06	48,989.95
Totals:	1,744,107.58	24,387,126.79	25,392,583.10	-1,005,456.31	-3.96	1,592,448.86	151,658.72

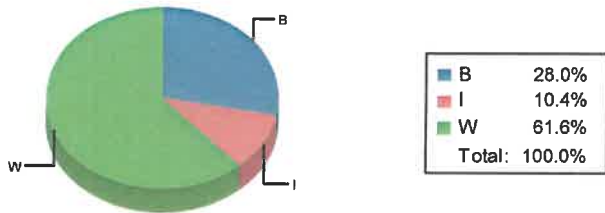
Monthly Collections by Account Type



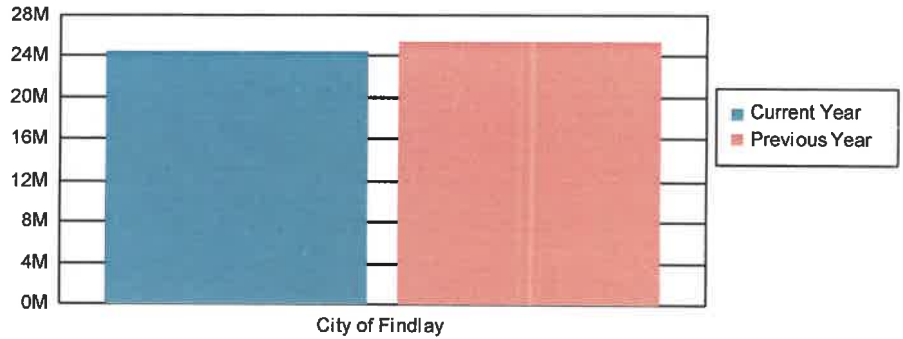
Collections Year to Date



YTD Collections by Account Type



Year to Date Total Collections



2023	January	February	March	April	May	June	July	August	September	October	November	December	Year-to-Date
Withholding													
2023 Total	123,651.07	1,448,135.35	1,567,651.11	3,115,774.64	1,836,386.40	1,420,387.06	1,872,007.22	1,485,740.37	-	-	-	-	12,869,733.22
2022 Total	2,009,184.22	76,628.71	6,913.62	12,911.34	5,084.16	5,579.07	5,245.76	2,556.13	-	-	-	-	2,124,103.01
2021 Total	2,914.70	638.88	1,508.24	783.04	287.15	359.48	3,166.66	371.72	-	-	-	-	10,029.87
2020 Total	534.22	369.89	119.64	1,347.29	-	2,793.27	(296.67)	(29.70)	-	-	-	-	4,837.94
2019 Total	-	-	2,897.79	-	-	-	-	-	-	-	-	-	2,897.79
2018 Total	-	837.36	-	-	-	-	-	-	-	-	-	-	837.36
2017 Total	-	-	-	-	-	-	25.76	-	-	-	-	-	25.76
2016 Total	-	15.00	-	20.00	40.00	40.00	60.00	40.00	-	-	-	-	215.00
2015 Total	-	-	-	-	-	-	-	-	-	-	-	-	-
2014 Total	-	-	-	-	-	-	-	-	-	-	-	-	-
2013 Total	-	-	-	-	-	-	-	-	-	-	-	-	-
2010-2012 Total	-	-	-	-	-	-	-	-	-	-	-	-	-
2010-2012 at 1 percent	-	-	-	-	-	-	-	-	-	-	-	-	-
2010-2012 at .25 percent	-	-	-	-	-	-	-	-	-	-	-	-	-
2009 & Prior at 1 percent	-	-	75.00	75.00	150.00	-	75.00	75.00	-	-	-	-	450.00
2012 & Prior at 1 percent	-	-	75.00	75.00	150.00	-	75.00	75.00	-	-	-	-	450.00
Prev Yr MTD Check	3,448.92	1,861.13	4,600.67	2,225.33	477.15	3,192.75	3,030.75	457.02	-	-	-	-	19,293.72
Total Category Check	2,136,284.21	1,526,625.19	1,579,165.40	3,130,911.31	1,841,947.71	1,429,158.88	1,880,283.73	1,488,753.52	-	-	-	-	15,013,129.95
All Years at 1% Check	2,136,284.21	1,526,625.19	1,579,165.40	3,130,911.31	1,841,947.71	1,429,158.88	1,880,283.73	1,488,753.52	-	-	-	-	15,013,129.95
Past-due Collections	3,448.92	1,861.13	11,514.29	15,136.67	5,561.31	8,771.82	8,276.51	3,013.15	-	-	-	-	57,583.80
% of Total that are Past Due	0.16%	0.12%	0.73%	0.48%	0.30%	0.61%	0.44%	0.20%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	0.38%
2023													
Individual													
2023 Total	-	17,105.05	52,021.62	169,604.10	17,373.03	123,090.07	21,012.80	16,457.43	-	-	-	-	416,664.10
2022 Total	143,756.52	72,699.13	217,439.87	987,366.59	59,446.76	28,728.64	28,673.53	41,631.55	-	-	-	-	1,579,742.59
2021 Total	24,188.86	23,114.13	20,010.61	17,910.11	10,039.98	4,881.70	5,442.74	11,595.84	-	-	-	-	117,183.97
2020 Total	21,353.93	22,260.88	17,131.00	17,161.12	9,669.23	7,215.13	8,740.85	8,454.94	-	-	-	-	111,987.08
2019 Total	18,014.09	19,735.99	15,039.46	10,422.18	10,021.88	8,860.86	6,517.35	15,882.12	-	-	-	-	104,493.93
2018 Total	6,004.48	12,008.52	17,853.74	8,108.76	10,051.13	7,932.80	6,761.93	7,236.84	-	-	-	-	75,958.00
2017 Total	3,498.84	5,541.78	6,963.80	3,717.98	4,628.01	3,361.55	3,407.30	6,083.87	-	-	-	-	37,203.13
2016 Total	2,643.54	3,712.20	6,544.09	1,329.82	2,378.49	3,561.14	2,291.03	2,705.76	-	-	-	-	25,166.07
2015 Total	955.40	3,126.40	3,908.10	1,042.48	2,829.30	3,042.53	1,877.57	1,611.22	-	-	-	-	18,393.00
2014 Total	1,569.02	2,644.70	1,600.39	3,318.39	2,456.79	704.96	1,151.68	500.36	-	-	-	-	13,946.29
2013 Total	425.17	2,225.59	1,741.25	1,373.09	1,220.21	897.33	1,008.48	981.57	-	-	-	-	9,872.69
2010-2012 Total	66.26	6,498.07	1,695.85	1,092.81	1,574.98	3,510.15	3,678.78	2,891.55	-	-	-	-	21,008.45
2010-2012 at 1 percent	53.01	5,198.46	1,356.68	874.25	1,259.98	2,808.12	2,943.02	2,313.24	-	-	-	-	16,806.76
2010-2012 at .25 percent	13.25	1,299.61	339.17	218.56	315.00	702.03	735.76	578.31	-	-	-	-	4,201.69
2009 & Prior at 1 percent	332.80	848.49	380.41	-	160.00	80.00	304.53	80.00	-	-	-	-	2,186.23
2012 & Prior at 1 percent	385.81	6,046.95	1,737.69	874.25	1,419.98	2,888.12	3,247.55	2,393.24	-	-	-	-	18,982.09
Prev Yr MTD Check	79,052.39	101,716.75	92,868.70	65,476.74	55,030.00	44,047.95	41,182.24	58,024.07	-	-	-	-	537,398.84
Total Category Check	222,808.91	191,520.93	362,330.19	1,222,447.43	131,849.79	195,866.66	90,868.57	116,113.05	-	-	-	-	2,533,805.53
All Years at 1% Check	222,795.66	190,221.32	361,991.02	1,222,228.87	131,534.79	195,164.63	90,132.81	115,534.74	-	-	-	-	2,529,603.84
Past-due Collections	79,052.39	101,716.75	92,868.70	65,476.74	55,030.00	44,047.95	41,182.24	58,024.07	-	-	-	-	537,398.84
% of Total that are Past Due	35.48%	53.11%	25.63%	5.36%	41.74%	22.49%	45.32%	49.97%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	21.21%

2023	January	February	March	April	May	June	July	August	September	October	November	December	Year-to-Date
Business													
2023 Total	978.00	13,245.00	127,032.57	1,527,192.18	30,246.66	1,967,584.28	62,220.86	90,251.06	-	-	-	-	3,818,750.61
2022 Total	16,231.64	24,236.12	188,249.72	2,303,026.68	16,304.17	215,841.76	40,678.82	46,550.78	-	-	-	-	2,851,119.69
2021 Total	34,332.70	16,934.95	(28,139.60)	4,742.54	2,169.41	(1,326.20)	29,957.93	958.55	-	-	-	-	59,628.28
2020 Total	653.50	2,385.15	711.25	3,963.71	13,035.88	10.25	24,271.30	35.62	-	-	-	-	45,066.66
2019 Total	289.77	686.21	3,069.97	623.45	736.25	0.19	42,052.39	70.00	-	-	-	-	47,528.23
2018 Total	354.62	-	2,679.70	130.00	284.38	-	-	-	-	-	-	-	3,448.70
2017 Total	154.00	-	1,296.49	1,628.02	310.56	-	635.93	-	-	-	-	-	4,025.00
2016 Total	-	-	893.50	288.89	225.97	-	604.20	-	-	-	-	-	2,012.56
2015 Total	-	-	1,431.50	-	197.64	-	-	-	-	-	-	-	1,629.14
2014 Total	-	-	376.63	341.00	215.82	-	-	-	-	-	-	-	933.45
2013 Total	-	-	-	377.00	233.82	-	-	-	-	-	-	-	610.82
2010-2012 Total	-	234.48	2,311.00	677.85	659.84	180.00	-	675.00	-	-	-	-	4,738.17
2010-2012 at 1 percent	-	187.58	1,848.80	542.28	527.87	144.00	-	540.00	-	-	-	-	3,790.54
2010-2012 at .25 percent	-	46.90	462.20	135.57	131.97	36.00	-	135.00	-	-	-	-	947.63
2009 & Prior at 1 percent	-	-	-	-	-	-	-	700.00	-	-	-	-	700.00
2012 & Prior at 1 percent	-	187.58	1,848.80	542.28	527.87	144.00	-	1,240.00	-	-	-	-	4,450.54
Prev Yr MTD Check	35,784.59	20,240.79	(15,369.56)	12,772.46	18,069.57	(1,137.76)	97,521.75	2,439.17	-	-	-	-	170,321.01
Total Category Check	52,994.23	57,721.91	299,912.73	3,842,991.32	64,620.40	2,182,288.28	200,421.43	139,241.01	-	-	-	-	6,840,191.31
All Years at 1% Check	52,994.23	57,675.01	299,450.53	3,842,855.75	64,488.43	2,182,252.28	200,421.43	139,106.01	-	-	-	-	6,839,243.68
Past-due Collections	1,451.89	3,305.84	12,770.04	8,029.92	15,900.16	190.44	67,563.82	1,480.62	-	-	-	-	110,692.73
% of Total that are Past Due	2.74%	5.73%	4.26%	0.21%	24.61%	0.01%	33.71%	1.06%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	1.62%
Totals													
2023 Total	124,629.07	1,478,485.40	1,746,705.30	4,812,570.92	1,884,006.09	3,511,061.41	1,955,240.88	1,592,448.86	-	-	-	-	17,105,147.93
2022 Total	2,169,172.38	173,563.96	412,603.21	3,303,304.61	80,835.09	250,149.47	74,598.11	90,738.46	-	-	-	-	6,554,965.29
2021 Total	61,436.26	40,687.96	(6,620.75)	23,435.69	12,496.54	3,912.98	38,567.33	12,926.11	-	-	-	-	186,842.12
2020 Total	22,541.65	25,015.92	17,981.89	22,472.12	22,705.11	10,018.65	32,715.48	8,460.86	-	-	-	-	161,891.68
2019 Total	18,303.86	20,422.20	21,007.22	11,045.63	10,758.13	8,861.05	48,569.74	15,952.12	-	-	-	-	154,919.95
2018 Total	6,359.10	12,845.88	20,533.44	8,238.76	10,335.51	7,932.60	6,761.93	7,236.84	-	-	-	-	80,244.06
2017 Total	3,652.84	5,541.78	8,260.29	5,346.00	4,938.57	3,361.55	4,068.99	8,083.87	-	-	-	-	41,253.89
2016 Total	2,643.54	3,727.20	7,437.59	1,638.71	2,644.46	3,601.14	2,955.23	2,745.76	-	-	-	-	27,393.63
2015 Total	955.40	3,126.40	5,339.60	1,042.48	3,026.94	3,042.53	1,877.57	1,611.22	-	-	-	-	20,022.14
2014 Total	1,569.02	2,644.70	1,977.02	3,659.39	2,672.61	704.96	1,151.68	500.36	-	-	-	-	14,879.74
2013 Total	425.17	2,225.59	1,741.25	1,750.09	1,454.03	897.33	1,008.48	981.57	-	-	-	-	10,483.51
2010-2012 Total	66.26	6,732.55	4,006.85	1,770.66	2,234.82	3,690.15	3,678.78	3,566.55	-	-	-	-	25,746.62
2010-2012 at 1 percent	53.01	5,386.04	3,205.48	1,416.53	1,787.86	2,952.12	2,943.02	2,853.24	-	-	-	-	20,597.30
2010-2012 at .25 percent	13.25	1,346.51	801.37	364.13	446.96	738.03	735.76	713.31	-	-	-	-	5,149.33
2009 & Prior at 1 percent	332.80	848.49	455.41	75.00	310.00	80.00	379.53	855.00	-	-	-	-	3,336.23
2012 & Prior at 1 percent	385.81	6,234.53	3,600.89	1,491.53	2,097.86	3,032.12	3,322.55	3,708.24	-	-	-	-	23,633.53
Prev Yr MTD Check	118,285.90	123,818.67	82,099.81	80,474.53	73,576.72	46,102.94	141,734.74	60,920.26	-	-	-	-	727,013.57
Total All Categories Check	2,412,087.35	1,775,868.03	2,241,408.32	8,196,350.06	2,038,417.90	3,807,313.82	2,171,573.73	1,744,107.58	-	-	-	-	24,387,126.79
All Years at 1% Check	2,412,074.10	1,774,521.52	2,240,606.95	8,195,995.93	2,037,970.94	3,806,575.79	2,170,837.97	1,743,394.27	-	-	-	-	24,381,977.47
Past-due Collections	83,953.20	106,883.72	117,153.03	88,643.33	76,491.47	53,010.21	117,022.57	62,517.84	-	-	-	-	705,675.37
% of Total that are Past Due	3.48%	6.02%	5.23%	1.08%	3.75%	1.39%	5.39%	3.58%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	2.89%



CHRISTINA M. MURYN, MAYOR
JOSHUA EBERLE, FIRE CHIEF

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

Date: September 1, 2023

Re: The Findlay-Hancock County Community Foundation Grant

Honorable City Council,

The Findlay Fire Department actively trains with the Findlay Police Department and other agencies for Active Shooter & Hostile Event Response. During recent Rescue Task Force (RTF) training at the Findlay High School, we identified additional equipment needed to best equip fire personnel for such a response.

Battalion Chief Matt Cooper was tasked with exploring any funding opportunities for this equipment. During this effort, he reached out to The Findlay-Hancock County Community Foundation. They were receptive to the idea, and are supportive of local efforts to train for such an event. They recommended Battalion Chief Cooper send a formal request and quote for the necessary equipment, and quickly approved a grant for the full amount.

The requested equipment includes 8 Class 3-A Ballistic Vests, 8 Rescue Task Force Triage & Treatment Bags, and 8 Combat Application Tourniquets, for a total cost of \$8,700. This equipment will complement the existing RTF equipment within the fire department inventory, allowing us to supply each engine crew with the necessary items for an immediate Active Shooter Response.

We expect to receive the funds from the Community Foundation next week. Once it has been deposited, Council will need to appropriate this amount into the fire department budget to go forward with the purchase.

I'd like to extend my thanks to Battalion Chief Cooper for quickly finding a solution to this issue, and especially to The Findlay-Hancock County Community Foundation for their continued support of local efforts to protect our community.

Sincerely,

Joshua S. Eberle, Fire Chief

Findlay Fire Department

Committee Members:

- Jeff Wobser, at-large – Committee Chair
- Randy Greeno, at-large
- Dennis Hellmann, ward 2
- Grant Russel, at-large
- Beth Warnecke, ward 3
- Mayor Christina Muryn
- Jim Staschiak, Auditor

Staff:

- Jaelyn Hohman*
-
-
-

Guests:

Meeting Start Time: 5:03 PM

Meeting End Time: 5:45 PM

Agenda:

Call to Order

Roll Call

Approval of Minutes

New Items

Continue the Strategic Planning process.

Adjournment



Jeff Wobser, Strategic Planning Committee Chair

- A. Discussion on the process to add new or revised Action Items to the SP in an ongoing process.
- B. Ask PN about user groups for idea exchange.
- C. Adoption vs implementation.

COMMITTEE REPORT
THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **STRATEGIC PLANNING COMMITTEE** met on August 15, 2023 to continue discussing the Strategic Planning process.

We recommend:

- A. To prepare a process outline for the handling of Action Items on an ongoing basis.
- B. Continue discussion on current Action Items

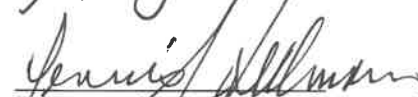
Aye Nay


Jeff Wobser, Chairman

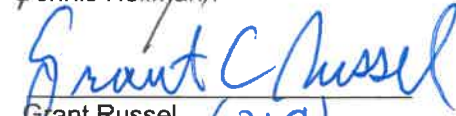
Aye Nay


Randy Greeno

Aye Nay


Dennis Hellmann


Aye Nay


Grant Russel (2nd)

Aye Nay


Beth Warnecke

Aye Nay


Mayor Muryn (Mayor)

Aye Nay


Auditor Staschiak

LEGISLATION: _____

DATE: August 15, 2023

COMMITTEE: STRATEGIC PLANNING

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
- Jeremy Kalb*

Meeting Start Time: 5:04

Guests: Holly Frische

Meeting End Time: _____

Agenda:

Call to Order

Roll Call

Approval of Minutes

New Items

1. South Main Street storm system repair project

*Requesty Addendum
\$40K.*

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 request for additional funds for the South Main Street storm system repair project.

We recommend *Approval of up to \$40,000.00 of Additional appropriation and to continue to move forward with the project.*

Aye Nay

J. Wob
Jeff Wobser, Chairman *(motion)*

Aye Nay

Absent
Randy Greeno

Aye Nay

Jim Niemeyer
Jim Niemeyer *(2nd)*

Aye Nay

Josh Palmer
Josh Palmer

Aye Nay

Beth Warnecke
Beth Warnecke

APPROPRIATIONS COMMITTEE

DATE: August 21, 2023

LEGISLATION _____

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
SEPTEMBER 5, 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. 2023-071 (*Downtown Recreation Area – design & engineering*) **requires three (3) readings** **tabled after third reading on 8/15/23**
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. 2023-075 (*HAN-Bigelow Avenue Resurfacing*) **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 APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR THE RESURFACING OF BIGELOW AVENUE FROM MAIN STREET TO MELROSE AVENUE, PROJECT NO. 32833800, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-076 (*OPWC grant application – Morriscal Blvd waterline 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 APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION FOR A REPLACEMENT WATERLINE ON MORRISCAL BOULEVARD FROM I-75 TO BLISS AVENUE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-079 (*4th 2023 Capital Improvement appropriation*) **requires three (3) readings** **second reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2023 DEPARTMENT EQUIPMENT LIST, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-081 (*farmland lease*) **requires three (3) readings** **second reading**
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A LEASE AGREEMENT(S) TO FARM APPROXIMATELY ONE HUNDRED EIGHTY-ONE (181) ACRES IN THE VICINITY OF THE AIRPORT, APPROXIMATELY SIXTY-FOUR (64) ACRES IN THE VICINITY OF THE RESERVOIRS, ALL OWNED BY THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-082 (*PUCO Hazmat training grant award*) **requires three (3) readings** **second reading**
AN ORDINANCE APPROPRIATING FUNDS 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. 2023-071

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. 2023-075

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR THE RESURFACING OF BIGELOW AVENUE FROM MAIN STREET TO MELROSE AVENUE, PROJECT NO. 32833800, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to authorize the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio to apply for/execute the aforementioned grant application(s) and agreement(s) to receive grant funds from the Federal Highway Administration (FHA) for the resurfacing of Bigelow Avenue from Main Street to Melrose Avenue, and;

WHEREAS, the Ohio Department of Transportation (ODOT) will provide up to eighty percent (80%) of the eligible project costs of up to nine hundred thirty-five thousand seven hundred twenty dollars (\$935,720) with the City of Findlay being responsible for a twenty percent (20%) matching share which is included in the FY24 10-year Capital Improvements Plan.

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 apply for and execute the necessary grant application(s) and agreement(s) to receive grant funds from the Federal Highway Administration (FHA) for the resurfacing of the aforementioned roadways.

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 apply for and execute the aforementioned grant application(s) and sign the necessary agreement(s) in order to receive and utilize grant funding.

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. 2023-076

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO APPLY FOR AND EXECUTE THE NECESSARY GRANT APPLICATION(S) AND AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION FOR A REPLACEMENT WATERLINE ON MORRICAL BOULEVARD FROM I-75 TO BLISS AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to authorize the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio to apply for and execute the aforementioned grant application(s) and agreement(s) to receive grant funds from the Ohio Public Works Commission (OPWC) for a waterline replacement for the aforementioned area, and;

WHEREAS, said replacement waterline will be upgrading the current six inch (6") line to a twelve inch (12") main line for water quality and flow, and;

WHEREAS, there is no required City of Findlay matching share for this project.

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 apply for and execute the necessary grant application(s) and agreement(s) to receive grant funds from the Ohio Public Works Commission (OPWC) for the aforementioned waterline replacement project.

SECTION 2: That the Auditor of the City of Findlay be and he is hereby authorized to execute any and all documents necessary to obtain and comply with said Federal funding.

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 apply for and execute the aforementioned grant application(s) and sign the necessary agreement(s) in order to receive and utilize grant funding.

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. 2023-079

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2023 DEPARTMENT EQUIPMENT LIST, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Service-Safety Director of the City of Findlay be and he is hereby authorized to advertise for bids where necessary pursuant to law and enter into contracts for construction of various projects as set forth in the capital improvements program for the year 2023.

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

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 22,825.00	
TO:	Police #21012000-other		\$ 6,825.00
TO:	Park Maintenance #21034000-other		\$ 16,000.00
FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 425,000.00	
TO:	Rawson Park Tennis Court #31933400		\$ 45,000.00
TO:	CUBE Parking Lot Resurfacing Phase III #31933500		\$ 80,000.00
TO:	ODOT FY24 HAN-Bigelow Ave #32833800		\$ 2,000.00
TO:	South Main Street/Hardin Street Intersection #32823100		\$ 40,000.00
TO:	South Main Street/Crawford Street Intersection #32823200		\$ 40,000.00
TO:	West Main Cross Street/Cory Street Intersection #32823400		\$ 43,000.00
TO:	West Main Cross Street/South West Street Intersection #32831600		\$ 175,000.00
FROM:	Water Fund	\$ 2,000.00	
TO:	East Street Waterline Repair #35732900		\$ 2,000.00
FROM:	Sewer Fund	\$ 4,000.00	
TO:	2023 Annual Sewer & Manhole Lining #35633600		\$ 2,000.00
TO:	Large Diameter Sewer Cleaning #35633700		\$ 2,000.00

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

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. 2023-081

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A LEASE AGREEMENT(S) TO FARM APPROXIMATELY ONE HUNDRED EIGHTY-ONE (181) ACRES IN THE VICINITY OF THE AIRPORT, APPROXIMATELY SIXTY-FOUR (64) ACRES IN THE VICINITY OF THE RESERVOIRS, ALL OWNED BY THE CITY OF FINDLAY, OHIO, 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 Service Director of the City of Findlay, Ohio be and he is hereby authorized to advertise for bids and enter into a lease agreement(s) for farmland areas owned by the City of Findlay, for a period of three (3) year beginning calendar year 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 it is immediately necessary to secure said bids so that said lease agreement(s) may be entered into prior to the 2024 spring planting.

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 _____

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

SEPTEMBER 5, 2023

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, SEPTEMBER 5, 2023 MEETING.

RESOLUTIONS

- 020-2023 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
- 021-2023 A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.
- 022-2023 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

ORDINANCES

- 2023-083 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ACCEPT AWARDED FIREHOUSE SUBS FOUNDATION GRANT FUNDS FOR THE PURCHASE OF FIRE HOSE NOZZLES ON ALL APPARATUSES, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2023-084 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 200 WEST LINCOLN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-3 DOWNTOWN COMMERCIAL".
- 2023-085 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2023-086 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2023-087 AN ORDINANCE DECLARING THE PRACTICE OF ENGINE BRAKING, OTHERWISE KNOWN AS "JAKE BRAKING", TO BE PROHIBITED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, AND DECLARING AN EMERGENCY.
- 2023-088 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2023-089 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2023-090 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS FOR THE INSTALLATION OF A SEPARATE SANITARY LINE TO ALLOW FOR A DEDICATED SANITARY AND STORM SEWER FOR THE CITY OF FINDLAY'S MAPLE GROVE CEMETERY BUILDING, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2023-091 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH HELMS & SONS EXCAVATING, INC. FOR A REPLACEMENT WATERLINE ON LAUREL LANE, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2023-092 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT FOR AMERICANS WITH DISABILITIES ACT (ADA) UPGRADES TO RESTROOMS AT THE CITY OF FINDLAY AIRPORT AND TWO (2) PARKS, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2023-093 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT, AS WELL AS THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE INSTALLATION OF NEW WATERLINES ON GEORGE STREET, GARFIELD AVENUE, MIDLAND AVENUE, AND ALLEN AVENUE. APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2023-094 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY PRELIMINARY PARTICIPATORY LEGISLATION FOR THE HAN I-75 CR 99 INTERCHANGE PID102375, PROJECT NO. 32811100, AND DECLARING AN EMERGENCY.
- 2023-095 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT CHANGE ORDER WITH HOHENBRINK EXCAVATING LLC FOR ADDITIONAL WORK ASSOCIATED WITH THE SOUTH MAIN STREET AND MCPHERSON AVENUE STORM SEWER REPAIR, PROJECT NO. 35532800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2023-096 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH KIRK BROTHERS CONSTRUCTION, INC. FOR THE REPLACEMENT OF CO₂ TANKS AT THE CITY OF FINDLAY WATER TREATMENT PLANT, PROJECT NO. 35790800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Revised Code, Secs. 5705.34-5705.35

020-2023

The Council of the *Findlay*, Hancock County, Ohio, met in _____ session
on the _____ day of _____, _____, at the office of _____
with the following members present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax
Budget for the next succeeding fiscal year commencing January 1st, _____; and

WHEREAS, The Budget Commission of Hancock County, Ohio, has certified its action thereon to this
Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by
this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore
be it

RESOLVED, By the Council of the *City of Findlay*, Hancock County, Ohio, that the amounts and
rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted;
and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax
necessary to be levied within and without the ten mill limitation as follows:

2023 Tax Year
City of Findlay
 2024 Calendar Year

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
 AND COUNTY AUDITOR'S ESTIMATED TAX RATES

Fund	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		3,032,572.00	2.60	
Police Pension		349,912.00	0.30	
Fire Pension		349,912.00	0.30	
Total:		3,732,396.00	3.20	

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

Fund	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy <small>(Carry to Sch A, Col II)</small>

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. _____, _____
- Mr. _____, _____
- Mr. _____, _____
- Mr. _____, _____
- Mr. _____, _____
- Mr. _____, _____
- Mr. _____, _____
- Mr. _____, _____

Adopted the _____ day of _____, _____.

Attest: _____ President of Council

_____ Clerk of Council

CERTIFICATE OF COPY

ORIGINAL ON FILE

The State of Ohio, Hancock County, ss.

I, _____, Clerk of the Council of the City of Findlay, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, _____

Clerk of Council

No. _____

COUNCIL OF THE CITY OF

Hancock County, Ohio.

**RESOLUTION
ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR.**

(City Council)

Adopted _____, 20__

Clerk of Council.

Filed _____, 20__

County Auditor.

By _____
Deputy.

1. A copy of this Resolution must be certified to the County Auditor before the first day of October in each year, or at such later date as may be approved by the Tax Commissioner.

RESOLUTION NO. 021-2023

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, <i>Project No. #31925800-other</i>	\$ 20,000.00
TO:	Bulk Trash & Tire Drop Off, <i>Project No. #31934300-other</i>	\$ 20,000.00

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 costs associated with an additional bulk trash and tire drop off event may be paid.

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. 022-2023

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

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

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

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
ERSI, Inc.	257590	21021000-441700	ENGINEERING	\$4,290.00	ARCGIS ONLINE VIEWER ANNUALL SUBSCRIPTION AND MAINTENANCE	NO PURCHASE ORDER PREPARED
SPENGLER NATHANSON P L L	257721	21005000-441400	LAW DIRECTOR	\$21,016.84	GEORGE MARTENS LITIGATION	NO PURCHASE ORDER PREPARED
MISSION COMMUNICATIONS	258064	25061000-331300	WPC	\$3,331.20	PAID BY THIRD PARTY IN THE PAST AND NOW CITY HAS TO PAY	NO PURCHASE ORDER PREPARED
BRICKER GRAYDON LLP	258452	21005000-441400	LAW DIRECTOR	\$17,106.50	LEGAL FEES FOR WATER REGIONALIZATION	NO PURCHASE ORDER PREPARED

ORDINANCE NO. 2023-083

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ACCEPT AWARDED FIREHOUSE SUBS FOUNDATION GRANT FUNDS FOR THE PURCHASE OF FIRE HOSE NOZZLES ON ALL APPARATUSES, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to authorize the Service-Safety Director of the City of Findlay, Ohio to accept awarded Firehouse Subs Foundation Grant Program funds to be used for the purchase of fire hose nozzles on all apparatuses that are in need of replacement. Said grant award funds one hundred percent (100%) of costs with no local match from the City of Findlay required.

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:

WHEREAS, Council desires to authorize the Service-Safety Director of the City of Findlay, Ohio to accept awarded Firehouse Subs Foundation grant funds to be used to purchase fire hose nozzles on all apparatuses that are in need of replacement to be utilized by the City of Findlay Fire Department, and;

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

FROM: General Fund (Firehouse Subs Foundation Grant)	\$ 21,589.44
TO: Fire Department #21014000-other	\$ 21,589.44

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to authorize the Service-Safety Director of the City of Findlay, Ohio to appropriate awarded program grant funds to be utilized within the Findlay Fire Department as outlined above.

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. 2023-084

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 200 WEST LINCOLN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-3 DOWNTOWN COMMERCIAL".

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

SECTION 1: That the following described parcel:

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

Being in the Vance and Cory's Addition Add Lots # 271-274 and the 200 feet and alley.

Be and the same is hereby rezoned from its respective zoning classifications to C-3 Downtown Commercial.

SECTION 2: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to C-3 Downtown Commercial regulations.

SECTION 3: This Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-085

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	Ohio Attorney General LE Diversion Program Grant	\$ 62,500.00
TO:	PD Quick Response Grant FY24 <i>Project No. 31933200</i>	\$ 62,500.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that incurred expenses by the Family Resource Center Coordinator may be paid,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-086

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	Revolving Loan Fund	\$ 4,158.06
TO:	General Expense #21010000-449400	\$ 4,158.06

SECTION 2: That the Auditor of the City of Findlay, Ohio is hereby authorized to draw four thousand one hundred fifty-eight dollars and eighty-six cents (\$4,158.06) from the Revolving Loan Fund Account held at Fifth Third Bank.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that Hancock Regional Planning Commission July 2022 through June 2023,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-087

AN ORDINANCE DECLARING THE PRACTICE OF ENGINE BRAKING, OTHERWISE KNOWN AS "JAKE BRAKING", TO BE PROHIBITED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, 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 Council for the City of Findlay desires to control noise pollution and unnecessary traffic noise.

SECTION 2: *Definitions:* **Engine-Braking**, commonly known as **Jake-Braking**, shall mean the use or operation of any mechanical exhaust device designed to aid in the braking, decompression or deceleration of any motor vehicle which results in excessive, loud, unusual or explosive noise from such vehicle.

SECTION 3: *Prohibited Acts:* It shall be unlawful for the driver of any motor vehicle to use, or to operate or to be caused to be used or operated, at any time and on any street or road over which the City of Findlay has jurisdiction, any mechanical exhaust or decompression device which results in the practice known as "engine-braking" or commonly known as "jake-braking".

SECTION 4: *Exemptions:* The provisions of this Ordinance shall not apply to any motor vehicle responding to a bona fide emergency or avoiding a traffic accident.

SECTION 5: *Posting of Signs:* The City of Findlay Safety-Service Director or his/her designee is hereby authorized and directed to post, at reasonable locations within the City of Findlay or outside the corporate limits of the City of Findlay with ODOT approval, signs indicating the prohibitions set forth herein

SECTION 6: *Penalty:* Whoever violates this section is guilty of an unclassified misdemeanor offense and shall be fined up to \$100.00 for the first offense, up to \$250.00 for a second offense within two years of the first offense and up to \$500.00 for a third or subsequent offense within two years of the first offense.

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. 2023-088

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	General Fund	\$ 40,000.00
TO:	General Expense #21010000-other	\$ 40,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that expenses incurred by the City of Findlay based upon the Memorandum of Understanding for services provided to the Downtown Findlay Improvement District may be paid.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-089

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	General Fund	\$ 20,000.00
TO:	Solar Eclipse 2024, <i>Project No. 31934000-other</i>	\$ 20,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that costs associated with the solar eclipse event may be paid.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-090

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS FOR THE INSTALLATION OF A SEPARATE SANITARY LINE TO ALLOW FOR A DEDICATED SANITARY AND STORM SEWER FOR THE CITY OF FINDLAY'S MAPLE GROVE CEMETERY BUILDING, 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 are hereby appropriated and transferred as follows:

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 55,000.00
TO:	Cemetery Sanitary Sewer, <i>Project No. 31934100</i>	\$ 55,000.00

SECTION 2: That the Mayor, Service-Safety Director, and/or City Engineering of the City of Findlay, Ohio be and they are hereby authorized to enter into contracts for the installation of a separate sanitary line, as well as appropriate and transfer funds, so that a separate sanitary and storm sewer may be dedicated for the City of Findlay's Maple Grove Cemetery building.

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 said contracts, as well as appropriate and transfer funds, so that a separate sanitary and storm sewer may be dedicated for the City of Findlay's Maple Grove Cemetery building.

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. 2023-091

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH HELMS & SONS EXCAVATING, INC. FOR A REPLACEMENT WATERLINE ON LAUREL LANE, APPROPRIATING 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 are hereby appropriated as follows:

FROM:	Water Fund	\$ 125,000.00
TO:	Laurel Lane Waterline Replacement, <i>Project No. 35730800</i>	\$ 125,000.00

SECTION 2: That the Mayor, Service-Safety Director, and/or City Engineering of the City of Findlay, Ohio be and they are hereby authorized to enter into contracts with Helms & Sons Excavating, Inc. for a replacement waterline on Laurel Lane.

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 said contracts with Helms & Sons Excavating, Inc., as well as appropriate funds so that construction costs and contingency for the aforementioned project may be paid.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-092

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT FOR AMERICANS WITH DISABILITIES ACT (ADA) UPGRADES TO RESTROOMS AT THE CITY OF FINDLAY AIRPORT AND TWO (2) PARKS, APPROPRIATING 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 be and they are hereby authorized to advertise for bids and enter into contracts in order to receive awarded grant funding from the Department of Development for Americans with Disabilities Act (ADA) upgrades to restrooms at the City of Findlay Airport and two (2) parks.

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

FROM:	Department of Development Office of Community Development	\$ 222,000.00
TO:	Park & Airport ADA Restroom (CDBG) #31924500	\$ 222,000.00

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 advertise for bids and enter into contracts in order to receive awarded grant funding from the Department of Development for Americans with Disabilities Act (ADA) upgrades to restrooms at the City of Findlay Airport and two (2) parks, appropriate said funds so that said upgrades may be done.

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. 2023-093

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS IN ORDER TO RECEIVE AWARDED GRANT FUNDING FROM THE DEPARTMENT OF DEVELOPMENT, AS WELL AS THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE INSTALLATION OF NEW WATERLINES ON GEORGE STREET, GARFIELD AVENUE, MIDLAND AVENUE, AND ALLEN AVENUE, APPROPRIATING 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 be and they are hereby authorized to advertise for bids and enter into contracts in order to receive awarded grant funding from the Department of Development, as well as the Community Development Block Grant Program for the installation of new waterlines on George Street, Garfield Avenue, Midland Avenue, and Allen Avenue.

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

FROM:	Department of Development Office of Community Development	\$ 500,000.00
TO:	Small Waterline Upgrades (CDBG), <i>Project No. 35723800</i>	\$ 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 advertise for bids and enter into contracts in order to receive awarded grant funding from the Department of Development, as well as the Community Development Block Grant Program to be utilized for the installation of new waterlines at the aforementioned locations, appropriate said funds, so that said upgrades may be done.

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. 2023-094

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY PRELIMINARY PARTICIPATORY LEGISLATION FOR THE HAN I-75 CR 99 INTERCHANGE PID102375, PROJECT NO. 32811100, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation will be constructing a Diverging Diamond Interchange for Interstate 75 and County Road 99 due to increased traffic volume and the decrease in level of service, work to include County Road 99 from Technology Drive to Main Street.

WHEREAS, regulatory documentation is required to be executed and returned to the Ohio Department of Transportation by September 11, 2023. Said preliminary participatory legislation provides consent to the Ohio Department of Transportation to perform the work within the City Corporation limit, provide adequate maintenance once the project is complete, and provide a continued commitment of one million dollars (\$1,000,000) for the construction of the Diverging Diamond Interchange

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

SECTION 1: That the Mayor, Service-Safety Director, and/or City Engineering of the City of Findlay, Ohio be and they are hereby authorized to execute the necessary preliminary participation legislation for the HAN I-75 CR 99 interchange project (attached hereto as Exhibit A).

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to authorize said execution of the necessary preliminary participatory legislation for the aforementioned project so that the construction of a Diverging Diamond Interchange for Interstate 75 and County Road 99 may be begin.

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

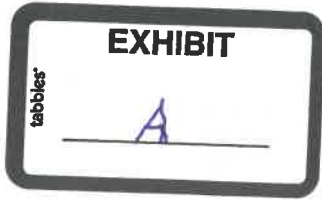
PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____



Preliminary Participatory Legislation

Ordinance # 2023-094

The following is an Ordinance enacted by the City of Findlay, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the LPA has identified the need for the described project:

This project proposes the following:

- Reconstruct the CR 99 interchange with IR 75 in Hancock County to accommodate existing and future traffic with a diverging diamond interchange.
- Upgrade intersections along the CR 99 corridor between Technology Drive and Main St.
- Replace and upsize a storm sewer outlet that runs east along CR 99/CR 212 in Hancock County to its outlet.

WHEREAS, a portion of described project is located within the City corporation limits.

NOW THEREFORE, be it ordained by the City of Findlay of Hancock County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA hereby agrees to pay \$1,000,000 of local funds towards the construction of the project. In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State to be not necessary for the project, the LPA shall contribute 100% of the cost of those items.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs. The LPA grants the Director permission to purchase or appropriate in the name of the LPA any property necessary to complete the project.

The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of said City of Findlay is hereby empowered on behalf of the City of Findlay to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: _____, 2023.
(Date)

Attested: _____
(Clerk)

(Mayor)

Attested: _____

(President of Council)

This Ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Findlay of Hancock County, Ohio

I, _____, as Clerk of the City of Findlay of Hancock County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City of Findlay on the _____ day of _____, 2023, that the publication of such ordinance has been made and certified of record according to law: that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance certified of publication thereof are of record in _____, Page _____.
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____, 20____.

Clerk

(SEAL) _____ City of Findlay of Hancock County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Findlay of Hancock County, Ohio

Attest: _____, Date _____
Contractual Officer (Mayor)

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____

ORDINANCE NO. 2023-095

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT CHANGE ORDER WITH HOHENBRINK EXCAVATING LLC FOR ADDITIONAL WORK ASSOCIATED WITH THE SOUTH MAIN STREET AND MCPHERSON AVENUE STORM SEWER REPAIR, PROJECT NO. 35532800, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, additional work associated with the South Main Street and McPherson Avenue Storm Sewer Repair, Project No. 35532800 was authorized without a purchase order, but was discussed with City Council prior to the appropriating legislation, therefore, Council is desirous to authorize payment to Hohenbrink Excavating LLC for said additional work.

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

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

FROM:	Sewer Fund – Stormwater Restricted Account	\$ 30,000.00
TO:	South Main Street & McPherson Storm Sewer Repair, <i>Project No. 35532800</i>	\$ 30,000.00

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 the entering into a contract change order with Hohenbrink Excavating LLC for additional work associated with the South Main Street and McPherson Avenue Storm Sewer Repair, Project No. 35532800, and to appropriate funds so that accrued additional costs for said additional work may be paid to the contractor.

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. 2023-096

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO CONTRACTS WITH KIRK BROTHERS CONSTRUCTION, INC. FOR THE REPLACEMENT OF CO₂ TANKS AT THE CITY OF FINDLAY WATER TREATMENT PLANT, PROJECT NO. 35790800, APPROPRIATING 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 are hereby appropriated as follows:

FROM:	Water Fund	\$ 800,000.00
TO:	WTP CO ₂ Tanks Replacement, <i>Project No. 35790800</i>	\$ 800,000.00

SECTION 2: That the Mayor, Service-Safety Director, and/or City Engineering of the City of Findlay, Ohio be and they are hereby authorized to enter into contracts with Kirk Brothers Construction, Inc. for the replacement of CO₂ tanks at the City of Findlay Water Treatment Plant, Project No. 35790800.

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 said contracts with Kirk Brothers Construction, Inc., as well as appropriate funds so that construction costs and contingency for the aforementioned project may be paid.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____