

**FINDLAY CITY COUNCIL MEETING AGENDA
NOVEMBER 8, 2023**

REGULAR SESSION

COUNCIL CHAMBERS

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

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

Acceptance or changes to the November 8, 2023 Regular Session City Council meeting minutes.

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

PROCLAMATION: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Zoning amendment request –0 Keith Parkway (parcel no. 570001019010)

Philip Rooney with Rooney & Ranzau, Ltd. on behalf of Strauch III, Ltd. would like to change the zoning of 0 Keith Parkway (parcel no. 570001019010) 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: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Board of Zoning Appeals minutes –September 14, 2023.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for TMI Property Management LLC dba Hampton Inn Findlay, 921 Interstate Drive, Findlay, Ohio for D5A liquor permits. This requires a vote of Council.

James H. Mathias, Chief of Police – TMI Property Management LLC dba Hampton Inn Findlay, 921 Interstate Drive, Findlay, Ohio. A check of the records shows no criminal record on the following:

Mark M. Chloupek, Andrew E. Leavitt, Robert P. Smith, Karen L. Kovach

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for MMG Findlay LLC, located at 1831 Fostoria Avenue, Findlay, Ohio for a C1 liquor permit. This requires a vote of Council.

James H. Mathias, Chief of Police – MMG Findlay LLC, located at 1831 Fostoria Avenue, Findlay, Ohio. A check of the records shows no current criminal record on the following:

Manpreet Singh

Treasurer’s Reconciliation Report – September 30, 2023.

Fifth Ward Councilman Bauman – City of Findlay Shade Tree Commission Ordinance

The City of Findlay Shade Tree Commission’s (FSTC) ordinance was last updated on May 17, 2016 via Ordinance No. 2016-040. In conjunction with the Public Works Department, Councilman Bauman is recommending the changes outlined below as approved by the FSTC:

- Reduce the number of members of the FSTC from eleven (11) to ten (10).
- Eliminate the City Forester position. (Salary Ordinance).
- The position of City Forester has been replaced with “designee” of the Service-Safety Director and Public Works Department.
- Replace “Service Director” with Service-Safety Director.
- Add definition for the Zoning Department.
- 913.05 Section C, #1 is amended to provide a more workable definition for the Public Works Department.
- The City of Findlay may subsidize the purchase of a tree for planting on private property in an area not to exceed twenty feet (20’) from the back edge of the sidewalk of right-of-way line.
- Zoning Department may refer developers/builders of new residential developments to the FSTC ordinance to ensure plans for proposed landscaping or tree plantings within the right-of-way comply with 913.05, Section J.
- No public tree shall be planted closer than five feet (5’), previously four feet (4’) from underground utilities which include gas, electric and sewer lines.
- Public trees may be planted over underground water lines. Water lines are typically placed about four feet (4’) below the surface and will not be impacted.
- No public tree may be planted closer than twenty-five feet (25’), previously ten feet (10’) from curb cuts (driveways or crosswalks) and street signs.

For this purpose, Ordinance No. 2023-120 was created.

City Engineer Kalb – HAN I-75 CR 99 DDI Interchange (PID102375) Project No. 32811100 City’s share for construction

The Ohio Department of Transportation (ODOT) will be constructing a Diverging Diamond Interchange (DDI) for Instate 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 the community. As discussed during the September 5, 2023 City Council meeting, the City previously committed four hundred twenty thousand dollars (\$420,000) towards the design of the DDI and an additional one million dollars (\$1,000,000) towards the construction. This one million dollar (\$1,000,000) commitment has been planned and accounted for over the past couple of years and can be seen in the Capital Improvement Plan. An additional one million dollars (\$1,000,000) is requested to be appropriated to this project as the City’s share to the construction of the DDI. The project is scheduled to be sent out to bid in January 2024 and construction is expected to start in spring of 2024. Additional information will be provided to Council once a contractor is selected and the project schedule date is set. Legislation to appropriate and transfer funds is requested. Ordinance No. 2023-121 was created.

FROM: CIT Fund – Capital Improvement Restricted Account \$ 1,000,000.00
TO: HAN-I75 CR99 DDI Interchange (PID 102375), Project No. 32811100 \$ 1,000,000.00

City Engineer Kalb – HAN Interstate and FHS Trail PID 115232 (32821400) third party acquisition

During the October 3, 2023 City Council meeting, it was mentioned that this project is for an extension of a ten foot (10’) multi-use trail along Howard Street and Broad Avenue. The City of Findlay Engineering Department is currently working with a consultant on the design of the trail and through the design process where it was determined that additional right-of-way will need to be developed per the Ohio Department Of Transportation’s (ODOT) manual. Due to some of the existing grades along the proposed path, temporary easements are needed for construction. A full set of right-of-way plans are required for any temporary easements (or right-or-way takes) and a pre-qualified acquisition consultant will perform any negotiations since this is an ODOT funded project. Funds have previously been appropriated for the design of the multiuse path and for the development of the right-of-way plans. Additional funds are requested to team up with an acquisition consultant to perform the necessary negotiations that are needed for this project. Legislation to appropriate and transfer funds is requested. Ordinance No. 2023-122 was created.

FROM: CIT Fund – Capital Improvements Restricted Account \$ 26,000.00
TO: HAN-Interstate and FHS Trails PID115232, Project No. 32821400 \$ 26,000.00

City Income Tax Monthly Collection Report – October 2023.

City Auditor Staschiak – City Income Tax Administration Fund

One of the primary roles of the City Auditor is to monitor receipts and appropriations throughout the year to ensure the City complies with State Budgetary Law. Year-to-date income tax receipts are coming in higher than expected and projected for 2023, primarily due to a large influx in business net profit tax receipts. This increase in revenue necessitates an appropriation of money within the City Income Tax Administration Fund to the General Fund. This appropriation will have the effect of increasing the transfer thereby increasing the projected General Fund year-end balance by the amount below which has no impact on CIT operations. Legislation to include the emergency clause to appropriate funds is requested. Ordinance No. 2023-123 was created.

FROM: City Income Tax Administrative Fund \$ 5,223,200.00
TO: City Income Tax Administration #27047000-other \$ 5,223,200.00

Findlay Police Department Activities Report – October 2023.

City Planning Commission agenda – November 9, 2023; minutes – October 12, 2023; staff report – November 9, 2023.

Mayor Muryn – 2024 salary ordinance amendment

Mayor Muryn is requesting to amend SECTION 9: HOURLY JOB CLASSIFICATIONS AND PAY RANGES of the current salary ordinance (Ordinance No. 2023-097, AS AMENDED) to add pay ranges 0160 and 9160 back onto the salary ordinance for the job classifications of Assistant Recreation Supervisor and Assistant Utilities Billing Supervisor. This information was inadvertently deleted and should have remained as pay ranges for the aforementioned job classifications. Legislation to amend salary ordinance no. 2023-097, AS AMENDED as redlined in the proposed documents is requested. Ordinance No. 2023-124 was created.

Mayor Muryn – Downtown Recreation Area Environmental Review

Mayor Muryn is providing an update on the status of the environmental review of the downtown recreation area footprint and a number of other surrounding properties which have been identified for transfer to the City of Findlay. As a reminder, a variety of environmental studies have been done on these properties over the years, and the City is aware of a number of RECs (reported environmental condition). These RECs will largely be addressed by the phase 2 benching work which is expected to begin next spring, but out of an abundance of caution a more thorough environmental review is in process. Following approval by Findlay City Council, myself and Auditor Staschiak, reviewed and selected Civil Environmental Consultants, Inc. to complete a Phase I and subsequent Phase II environmental studies of the identified area. As was expected, the Phase I reports identified parcels where additional study was recommended. Currently, the Phase II environmental studies are underway and are expected to be complete by the end of November/early December. She plans to share the Phase II reports as soon as they are received and have a committee meeting as needed to review in detail so that Council may take appropriate action by the end of the year. Please note: that one of the invoices received from CEC for seventeen thousand nine hundred seventy-two and sixty-five cents (\$17,972.65) for their services will need Council to approve payment as the purchase order was not processed prior to the work beginning. The invoice will be paid out of the previously appropriated one hundred thousand dollars (\$100,000) via Resolution No. 016-2023 in project #31933000. The invoiced amounts along with the remaining work will be under the one hundred thousand dollar (\$100,000) funds appropriated.

Mayor Muryn – KPIs

Third quarter 2023 City of Findlay Key Performance Indicators (KPI) are now available at: <https://www.findlayohio.com/government/transparency-performance>. The attached KPI Dashboard shows a few key metrics. These KPIs are a critical tool used to measure service delivery and operational effectiveness. They show progress towards goals set for continuous improvement. The City of Findlay is proud of the work the City of Findlay team is doing to ensure targets are met.

Findlay Fire Department Activities Report - October 2023.

COMMITTEE REPORTS:

A **WATER AND SEWER COMMITTEE** meeting was held on October 17, 2023 to discuss the Project Hat Trick (Sheetz) infrastructure.

We recommend stating that the intent of the WATER AND SEWER COMMITTEE is to endorse the construction of a 16" waterline on TR 99 from CR 212 to TR 99 and a 24-inch sanitary sewer from the existing sewer connection on the west of TR 99/CR 212 heading east on TR 99 to the intersection of TR 230.

An **APPROPRIATIONS COMMITTEE** meeting was held on October 17, 2023 to discuss the Project Hat Trick (Sheetz) infrastructure.

We recommend that the City Administration get documents verifying that the property has transferred to the new owner; a document for easements for a future waterline on TR 99; and a document from Sheetz that states that they are moving forward.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 024-2023 (CR 230/212 aka Hat Trick aka Buchanan annexation aka Sheetz) **requires three (3) readings** **third reading**

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 32, T2N, R11E, A TRACT OF LAND CONSISTING OF 77.808 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE CR 230/212 (HAT TRICK AKA SHEETZ ANNEXATION).

RESOLUTION NO. 026-2023 (Recreation Department All Star Park) **requires three (3) readings** **second reading**

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

RESOLUTION NO. 028-023 (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. 2023-099 (City employee retirement payouts) **requires three (3) readings** **third reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-102 (CR 99 annexation – accept & approve) **requires three (3) readings** **third reading**

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTING OF TWELVE (12) PARCELS TOTALING 57.691 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

ORDINANCE NO. 2023-103 (*CR 99 annexation zoning*) **requires three (3) readings** *third reading*
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO KNOWN AS THE ZONING CODE BY ZONING THE FOLLOWING DESCRIBED PROPERTY AS BOTH I-1 LIGHT INDUSTRIAL AND C-2 GENERAL COMMERCIAL AS OUTLINED BELOW. SAID ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTS OF TWELVE (12) PARCELS TOTALING 57.691 ACRES (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

ORDINANCE NO. 2023-105 (*315 Walnut St rezone*) **requires three (3) readings** *third reading*
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 315 WALNUT STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SMALL LOT RESIDENTIAL" TO "C-1 LOCAL COMMERCIAL".

ORDINANCE NO. 2023-106 (*Indigent Defense Services renewal agreement 2023-2025*) **requires three (3) readings** *third reading*
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT FOR CALENDAR YEARS 2023 THROUGH 2025 WITH THE HANCOCK COUNTY PUBLIC DEFENDER COMMISSION, AND THE HANCOCK COUNTY COMMISSIONERS FOR A TOTAL OF NINETY-FIVE THOUSAND DOLLARS (\$95,000.00) PER YEAR FOR SAID CALENDAR YEARS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-107 (*Capital Improvement Flood Mitigation*) **requires three (3) readings** *third reading*
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-108 (*HAN-Interstate and FHS Trails PID115232*) **requires three (3) readings** *third reading*
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-110 (*Water Meter System Replacement*) **requires three (3) readings** *third reading*
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-112 (*Project Hat Trick (Sheetz) MOU*) **requires three (3) readings** *third reading*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NECESSARY PARTIES, INCLUDING, BUT NOT LIMITED TO THE HANCOCK COUNTY ENGINEER AND THE ALLEN TOWNSHIP TRUSTEES TO ASSIST WITH ROADWAY IMPROVEMENTS TO DISTRIBUTION DRIVE NORTH OF COUNTY ROAD 212 AND TOWNSHIP ROAD FROM DISTRIBUTION DRIVE EAST TO TOWNSHIP ROAD 230.

ORDINANCE NO. 2023-114 (*Income Tax Code update*) **requires three (3) readings** *second reading*
AN ORDINANCE AMENDING SECTIONS 194.03, 194.062, 194.094 AND 194.10 AND ADDING SECTION 194.0621 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2023-115 (*zoning code*) **requires three (3) readings** *second reading*
AN ORDINANCE REPEALING THE CURRENT ZONING CODE, CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING A NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO; TO BE KNOWN AS "CITY OF FINDLAY ZONING ORDINANCE"; ADOPTING, APPROVING, AND INCORPORATING THE CURRENT ZONING MAP, ALONG WITH THE ENTIRE TEXT OF NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AS IF FULLY REWRITTEN HEREIN.

ORDINANCE NO. 2023-116 (*ee payroll deductions for HSA*) **requires three (3) readings** *second reading*
AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYROLL DEDUCTIONS FOR THOSE EMPLOYEES WHO HAVE ELECTED TO ENROLL IN THE HEALTH SAVINGS ACCOUNT (HSA) PLAN AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-118 (*1600 E Melrose Ave 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 1600 EAST MELROSE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "M-2 MULTI-FAMILY, HIGH DENSITY".

ORDINANCE NO. 2023-119 (*1700 Fostoria Ave 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 1700 FOSTORIA AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "I-1 LIGHT INDUSTRIAL".

ORDINANCE NO. 2023-120 (*Shade Tree Commission & Tree Regulations*) **requires three (3) readings** *first reading*
AN ORDINANCE REPEALING CHAPTER 913 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ESTABLISHING A NEW CHAPTER 913 ENTITLED ESTABLISHMENT OF SHADE TREE COMMISSION AND TREE REGULATIONS ORDINANCE FOR THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2023-121 requires three (3) readings *first reading*
(HAN I-75 CR 99 DDI Interchange (PID102375) Project No. 32811100 City's share for construction)
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-122 (HAN Interstate and FHS Trail PID 115232 (32821400) third party acquisition) requires three (3) readings *first reading*
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-123 (City Income Tax Administration Fund) requires three (3) readings *first reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-124 (salary ordinance amendment) requires three (3) readings *first reading*
AN ORDINANCE AMENDING ONE (1) SECTION OF CODIFIED ORDINANCE NO. 2023-097, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HEREWITH, 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 0 Keith Parkway SUBDIVISION East Melrose Business Park

LOT No.(s) Eight (8)

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
Strauch III, Ltd.	East Melrose Business Park	8	260 feet

By: 

Four horizontal lines for additional signatures or information.

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE Vacant

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.
- 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 Philip L. Rooney
(A letter granting person to act on Owner's behalf must accompany application if not signed by Owner)

Mailing Address 320 South Main Street, Findlay, Ohio 45840

Phone No. (Home) _____ **(Business)** 419-425-3821

Email: prooney@flagcitylaw.com

10/20/23
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)

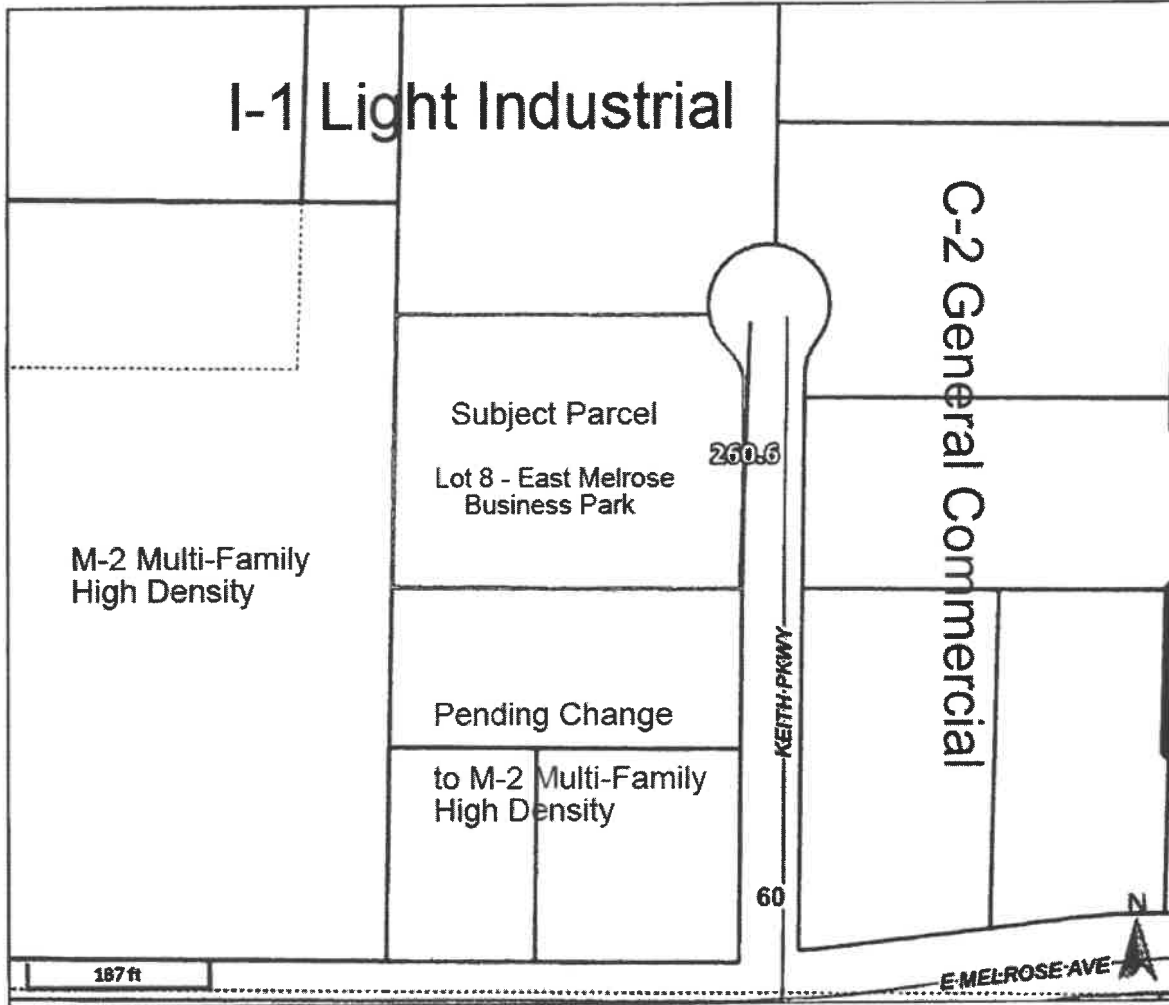
Referred for Legislation: _____

Date of Readings by Council:

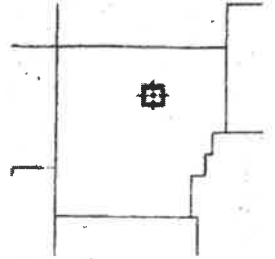
First _____ Second _____ Third _____

Action by Council: _____ Ordinance No. _____

Attachment "A"



Overview



Legend

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

Parcel ID 570001019010 Alternate 101105403008000
 Sec/Twp/Rng n/a ID
 Property 0 KEITH PKWY Class 110 AGRICULTURAL VACANT LAND "QUALIFIED FOR CURRENT AGRICULTURAL USE VALUE"
 Address FINDLAY
 Acreage 2.107
 District 21 Findlay Corp - Findlay CSD
 Brief Tax Description EAST MELROSE BUSINESS PARK LOT 8 I-75 CONNECTOR RD IMPR PRJ
 (Note: Not to be used on legal documents)

Owner STRAUCH III LTD
 Address PO BOX 727
 ARLINGTON OH
 45814

Date created: 10/20/2023
 Last Data Uploaded: 10/20/2023 6:31:33 AM

Developed by Schneider
 GEOSPATIAL

Attachment "C"

Reason for Zoning Amendment

Applicant is requesting that the parcel in question be rezoned to M-2 Multi-Family Residential as a result of the pending rezoning of the property located to the south of the subject parcel to M-2 Multi-Family Residential. In that the subject parcel would be the only C-2 zoned property on the west side of Keith Parkway, the requested zoning amendment to make the parcel compatible with the other property on that side of Keith Parkway is the logical conclusion to the completion of the pending rezoning of the adjoining parcels.

Board of Zoning Appeals

September 14, 2023

Members present: Phil Rooney, Chairman; Kerry Trombley; Scott Brecheisen; and Alex Treece.

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

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-28-2023-64258

Address: 215 Stanford Parkway

Zone: I-1 Light Industrial

Filed by Country Club Acres, regarding a variance from section 1141.04 of the City of Findlay Zoning Ordinance for a lot split at 215 Stanford Parkway. The applicant is proposing a lot split leaving the structure from the north property line (22.3-feet), from the west property line (23-feet), and from the east property line (29.9-feet), all of which will be non-conforming. This section requires a 30-foot setback from the structures and the north, west, and east property lines.

The owner is looking to separate the storage units onto a separate lot. In order to do so, a variance must be obtained to bring the lot in to conformity. All of the request is within 10-feet.

The city will not oppose the board's decision.

Mr. James Koehler, 2047 Old Mill Road, Findlay, Ohio was sworn in.

Mr. Trombley asked if the easement is going to run all the way to the street?

Mr. Koehler stated, yes.

Mr. Rooney explained there is an existing easement.

Mr. Trombley asked if the intent was to sell?

Mr. Koehler stated, they are trying to get out of the main storage business.

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

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

Mr. Adkins stated this will not require a permit, rather a lot split, and we will have to receive documentation from Hancock Regional Planning once this is completed.

Mr. Brecheisen made a motion to approve the requested variance contingent upon the lot being split within 60 days.

Mr. Rooney stated the deed will have to be approved.

Mr. Trombley seconded the motion.

Motion to approve the requested variance contingent upon obtaining the lot split within 60 days, 3-0 (Mr. Rooney abstained from voting).

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-29-2023-64261

Address: 1460 Timberwood Drive

Zone: R-1 Large Lot Residential

Filed by Michael Leddy regarding a variance from section 1161.01.1(D)(2) of the City of Findlay Zoning Ordinance for an accessory structure at 1460 Timberwood Drive. The applicant constructed an accessory structure 3-feet from the rear property line. This section requires the accessory structure be 5-feet from the rear property line.

The owner replaced a shed with a bigger shed, in the same location. However, unknowingly, the shed was only 3-feet away from the rear property line.

The city will not oppose the decision the board's decision.

Mr. Trombley asked if this is replacing the existing shed in the same spot?

Mr. Adkins stated the other shed was smaller and was not permitted.

Mr. Michael Leddy, 1460 Timberwood Drive, was sworn in. He stated it was a complete oversight on his end. The shed was placed and he did not have it moved forward enough. The fence was re-built with posts concreted in, so he is requesting a variance.

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

Mr. Adkins stated there were no communications on this case. He stated Mr. Leddy already has a permit for this.

Mr. Trombley made a motion to approve the requested variance.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, 4-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-30-2023-64271

Address: 2311 Greenacre Drive

Zone: R-2 Medium Lot Residential

Filed by Robin Ritchie, regarding a variance from section 1161.03(B)(1) of the City of Findlay Zoning Ordinance for a new fence at 2311 Greenacre Drive. The applicant has constructed a new 6-foot high

fence which is 15.4-feet from the Birch Court right-of-way. This section allows for a 4-foot high fence that is 50-percent open when located within the required front yard setback, which is 25-feet from the Birch Court right-of-way.

This lot is unique being it is on the corner of a cul-de-sac. The way the lot is situated, it creates two front yards for the lot, both of which have a 25-foot setback. The fence was installed 10-feet closer than allowed.

The city will not oppose the decision the board's decision.

Mr. Rooney asked if this replaces an older fence?

Mr. Adkins stated, no.

Mr. Trombley asked if there are two (2) variances?

Mr. Adkins stated, no; just one for the height to be allowed to be located in the required front yard. It's 15.4 feet from the Birch Court right of way instead of the required 25 feet.

Mr. Brian Bell, 2311 Greenacre Drive, was sworn in. He stated he didn't know he had to get a permit, but has since gotten the permit and paid the penalty fee. He got all of the neighbors in the cul-de-sac to sign off on it, along with the ones across the street on Greenacre that will have to look at it. He is asking for a variance to leave the fence where it is at.

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

Mr. Adkins stated there were no communications on this case. He stated Mr. Leddy already has a permit for this.

Mr. Trombley made a motion to approve the requested variance.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, 4-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-31-2023-64272

Address: 1403 S. Blanchard Street

Zone: R-3 Small Lot Residential

Filed by Richard Felkner, regarding a variance from section 1123.05(E) of the City of Findlay Zoning Ordinance for the construction of a roofed deck at 1403 S. Blanchard Street. The applicant is proposing to construct a 12 X 30 addition that will be 7-feet from the 5th Street right-of-way. This section requires an average of the front yard setbacks of the neighboring properties to determine the front yard setback, which is equal to 20-feet from the 5th Street right-of-way.

The addition is proposed to be constructed over the existing deck. With an R-3 classification, the coverage is not an issue, only the setback from 5th Street. Had this parcel not change zoning districts in 2020, the request would have been much larger than the request now.

The city will not oppose the decision the board's decision.

Mrs. Patricia Felkner, 1403 S. Blanchard Street, was sworn in. She stated no neighbors will see the roof. It is for outdoor dining space.

Mr. Brecheisen asked if she is looking to put a roof over the existing deck, not an enclosed addition?

Mrs. Felkner stated, no, just a roof, and part will be open, about four (4) feet, where she has some plants, so they can get some sunshine. She stated that right now they have a roll out awning that is getting tattered; and they are getting a little old to maintain it.

Mr. Trombley asked about it being open on two sides and the front.

Mrs. Felkner stated that is right.

Mr. Trombley asked what it is going to be built out of?

Mrs. Felkner stated roofing timbers, treated lumber, with lights and plastic stuff that covers the beams, plywood and stuff.

Mr. Trombley asked if the top is going to be shingled?

Mrs. Felkner stated yes to match the house and garage. It will not go out any farther than the existing house does right now, toward Fifth Street.

Mr. Richard Felkner, was sworn in. He stated the roof will go out toward the garage. It will just be an extension of the house going out right over the existing deck.

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

Mr. Adkins stated there was one (1) phone call from the neighbor to the South, concerned about water run off going onto their property. It was suggested to him to come to the meeting and voice his concerns for the record; however, he did not show up.

Mrs. Felkner stated they plan on putting on gutters so that doesn't happen.

Mr. Felkner stated the side of the deck is about 7-feet from his property, so there won't be any water running over to his property.

Mr. Trombley asked if the gutters will go down into a tile or out into the lawn?

Mr. Felkner stated it will go out into the lawn.

Mr. Brecheisen made a motion to approve the requested variance on the condition that the required permits are obtained within 60 days.

Mr. Treece seconded the motion.

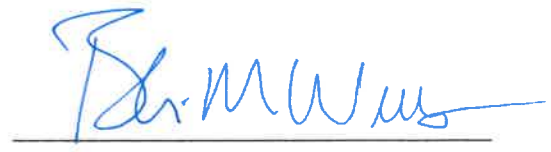
Motion to approve the requested variance on the condition that the required permits are obtained within 60 days, 4-0.

The August 10, 2023 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary

October 23, 2023

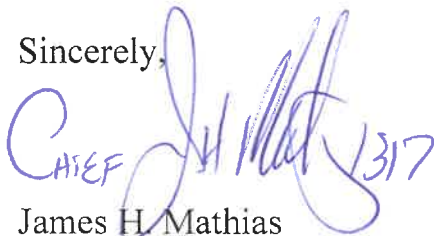
The Honorable Council:

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

Mark M. Chloupek
Andrew E. Leavitt
Robert P. Smith
Karen L. Kovach

TMI Property Management LLC, DBA Hampton Inn Findlay, 921 Interstate Dr., Findlay, OH 45840

Sincerely,


CHIEF

James H. Mathias
Chief of Police

**NOTICE TO LEGISLATIVE
AUTHORITY**

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

TO

89700200020 PERMIT NUMBER		NEW TYPE	TMI PROPERTY MANAGEMENT LLC	
10 12 2023 ISSUE DATE		DBA HAMPTON INN FINDLAY		
10 12 2023 FILING DATE		921 INTERSTATE DR		
D5A PERMIT CLASSES		FINDLAY OH 45840		
32 TAX DISTRICT	044	A	D96920 RECEIPT NO.	

FROM **10/17/2023**

RECEIVED

OCT 20 2023

MAYOR'S OFFICE

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED **10/17/2023**

RESPONSES MUST BE POSTMARKED NO LATER THAN.

11/17/2023

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 8970020-0020**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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

October 31, 2023

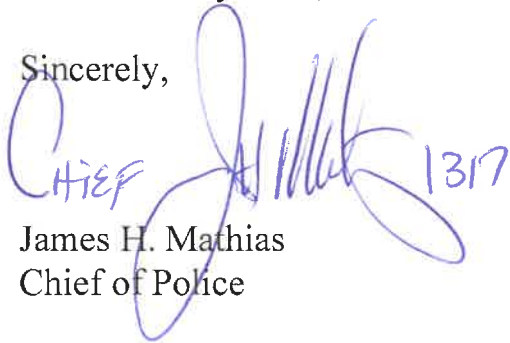
The Honorable Council:

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

Manpreet Singh

MMG Findlay LLC, 1831 Fostoria Ave., Findlay, OH 45840

Sincerely,

 CHIEF 1317

James H. Mathias
Chief of Police

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2380 FAX(614)644-3166

TO

5380420		NEW		MMG FINDLAY LLC	
PERMIT NUMBER		TYPE		1831 FOSTORIA AVE	
ISSUE DATE				FINDLAY OH 45840	
10 19 2023					
FILING DATE					
C1					
PERMIT CLASSES					
32	044	A	D98072		
TAX DISTRICT			RECEIPT NO.		

RECEIVED
OCT 27 2023
MAYOR'S OFFICE

FROM **10/24/2023**

PERMIT NUMBER		TYPE			
ISSUE DATE					
FILING DATE					
PERMIT CLASSES					
TAX DISTRICT			RECEIPT NO.		



MAILED **10/24/2023**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **11/24/2023**

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 5380420**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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



TREASURER'S OFFICE

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

Treasurer's Reconciliation for September 30, 2023

TREASURER

Susan Jo Hite Findlay City Treasurer

Fifth Third Initial	
Balance	4,994,911.89
- Withdrawals ()	(7,542,323.27)
+ Deposits	6,875,479.19
	<hr/>
	4,328,067.81
(-Outstanding Checks)	(562,263.68)
Deposit in Transit	764.50
Deposit in Transit	145.09
Deposit in Transit	139.50
Correction Pending	-597.75
	<hr/>
Treasurer's Checking	
Bal	3,766,255.47
Investment Principal	96,252,956.92
Accrued Interest	
Treasurer's Total Cash	
and Investments	100,019,212.39

Respectfully submitted,

Susan Jo Hite
Treasurer

AUDITOR

Auditor's Checking Bal	3,766,255.47
Auditor's Total Cash and	
Investments	100,019,212.39



CHRISTINA M. MURYN, MAYOR

CITY COUNCIL

Brian R. Bauman
Fifth Ward

Dear Colleagues,

The City of Findlay Shade Tree Commission's (FSTC) ordinance was last updated on May 17, 2016, with passage of Ordinance No. 2016-040. Therefore, in conjunction with the Public Works Department, I recommend the changes outlined below, as approved by the FSTC.

- Reduce the number of members of the FSTC from eleven (11) to ten (10).
- Eliminate the City Forester position. (Salary Ordinance)
- The position of City Forester has been replaced with "designee" of the Service-Safety Director and Public Works Department.
- Replace "Service Director" with Service-Safety Director.
- Add definition for the Zoning Department
- 913.05, Section C, #1 is amended to provide a more workable definition for the Public Works Department.
- The City may subsidize the purchase of a tree for planting on private property in an area not to exceed twenty (20) feet from the back edge of the sidewalk or right-of-way line.
- Zoning Department may refer developers/builders of new residential developments to the FSTC ordinance to ensure plans for proposed landscaping or tree plantings within the right-of-way comply with 913.05, Section J.
- No public tree shall be planted closer than five (5) feet, previously four (4) feet, from underground utilities, which include gas, electric, and sewer lines.
- Public trees may be planted over underground water lines. Water lines are typically placed about four (4) feet below the surface and will not be impacted.
- No public tree may be planted closer than twenty-five (25) feet, previously ten (10) feet from curb cuts (driveways or crosswalks) and street signs.

For this purpose, Ordinance No. 2023-120 has been created. Thank you for your consideration of this matter.

Sincerely,

Brian R. Bauman
City Council, Fifth Ward
Chair, Findlay Shade Tree
Commission

Cc: Christina Muryn, Mayor
Robert Martin, Service-Safety Director
Dave Honse, Public Works Department



CHRISTINA M. MURYN, MAYOR

ENGINEERING
DEPARTMENT

JEREMY D. KALB, PE
CITY ENGINEER

Honorable City Council
Findlay, OH 45840

October 30, 2023

RE: HAN- I75 CR99 DDI Interchange (PID102375), Project No. 32811100
City's Share for Construction

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.

As previously discussed in the September 5th Council meeting, the City has previously committed \$420,000 towards the design of the DDI and an additional \$1,000,000 towards the construction. This \$1,000,000 commitment has been planned and accounted for over the past couple of years and can be seen in the Capital Improvement Plan.

At this time, it is desired to appropriate \$1,000,000 to the above-mentioned project as the City's share to the construction of the DDI. The project is scheduled to be sent out to bid in January 2024 and construction is expected to start in spring of 2024. I will provide information to all of Council once a contractor is selected and the project schedule is set.

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

FROM: CIT Fund – Capital Improvement Restricted Account	\$1,000,000
TO: HAN-I75 CR99 DDI Interchange (PID 102375) – Project No. 32811100	\$1,000,000

If you have any questions on any of the above listed projects, 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

October 30, 2023

RE: HAN-Interstate and FHS Trails PID115232 (32821400)
Third Party Acquisition

Dear Council Members:

As mentioned in the October 3rd Council Meeting, the above-mentioned project is for an extension of a ten (10) foot multi-use trail along Howard Street and Broad Avenue. The Engineering Department is currently working with a consultant on the design of the trail and through the design process it was found that additional right of way plans will need to be developed per ODOT's Manual. Due to some of the existing grades along the proposed path, temporary easements are needed for construction. Since this is an ODOT funded project, a full set of right of way plans are required for any temporary easements (or right of way takes) and a pre-qualified acquisition consultant will perform any negotiations. Previously funds have been appropriated for the design of the multiuse path and for the development of the right of way plans

At this time, it is desired to appropriate additional funds to the project to team up with an acquisition consultant to perform the necessary negotiations that are needed for the project.

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

FROM: CIT Fund- Capital Improvements Restricted Account	\$ 26,000
TO: HAN-Interstate and FHS Trails PID115232, Project No. 32821400	\$ 26,000

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



Monthly Collection Report to Findlay Council

October 2023

Total collections for October 2023: \$2,321,578.47

	<u>2023</u> <u>Year-to-date</u>	<u>2022</u> <u>Year-to-date</u>	<u>Variance</u>
Withholders	18,773,659.24	18,578,643.89	195,015.35
Individuals	2,977,068.53	2,830,783.39	146,285.14
Businesses	<u>9,019,871.61</u>	<u>8,896,291.51</u>	<u>123,580.10</u>
Totals	30,770,599.38	30,305,718.79	464,880.59
			1.53%

Actual & Estimated Past-due Taxes

Withholders	580,691.12
Individuals	3,448,153.71
Businesses	<u>282,591.51</u>
Total	4,311,436.34

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	18,773,659.24	88.05%	2,547,340.76	11.95%	21,321,000.00
Individuals	2,977,068.53	102.66%	-77,068.53	-2.66%	2,900,000.00
Businesses	<u>9,019,871.61</u>	231.28%	<u>-5,119,871.61</u>	-131.28%	<u>3,900,000.00</u>
Totals	30,770,599.38	109.42%	-2,649,599.38	-9.42%	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	1	68	28.12	17,498.25
Individuals	14	1,030	3,990.67	550,958.52
Businesses	<u>6</u>	<u>65</u>	<u>4,633.89</u>	<u>66,895.53</u>
Totals	21	1,163	8,652.68	635,352.30

Transfers of Overpayments

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	3	66	236.31	21,761.25
Individuals	99	1,152	98,067.86	400,502.11
Businesses	<u>112</u>	<u>671</u>	<u>2,824,946.90</u>	<u>3,409,283.94</u>
Totals	214	1,889	2,923,251.07	3,831,547.30

 11/1/2023
Income Tax Administrator Date

Findlay Income Tax Department

Monthly Collections Report

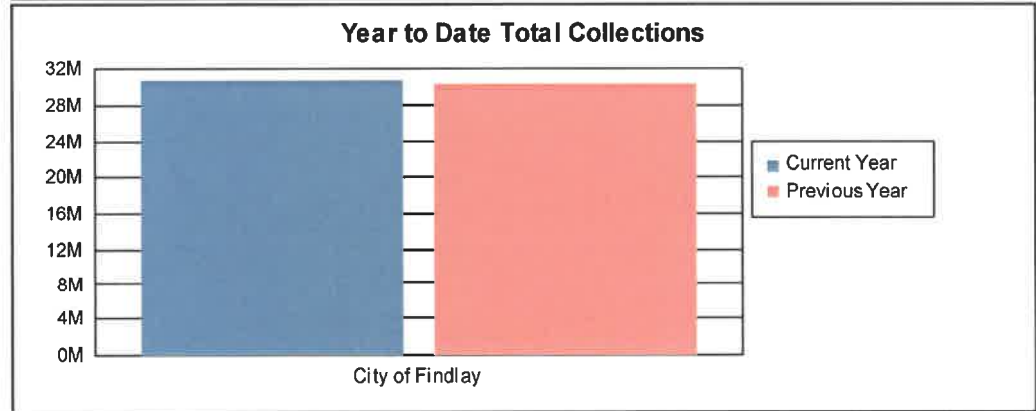
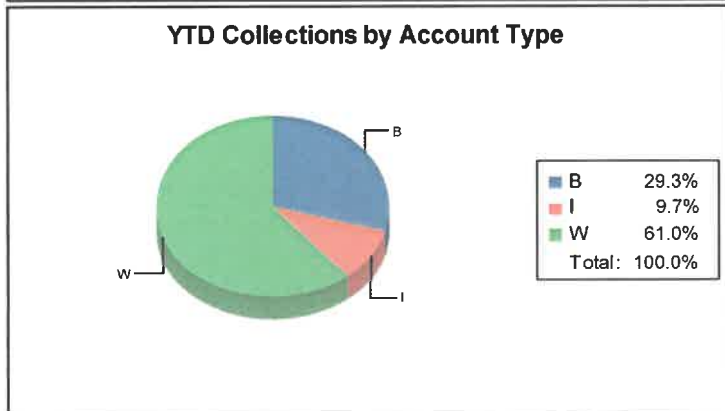
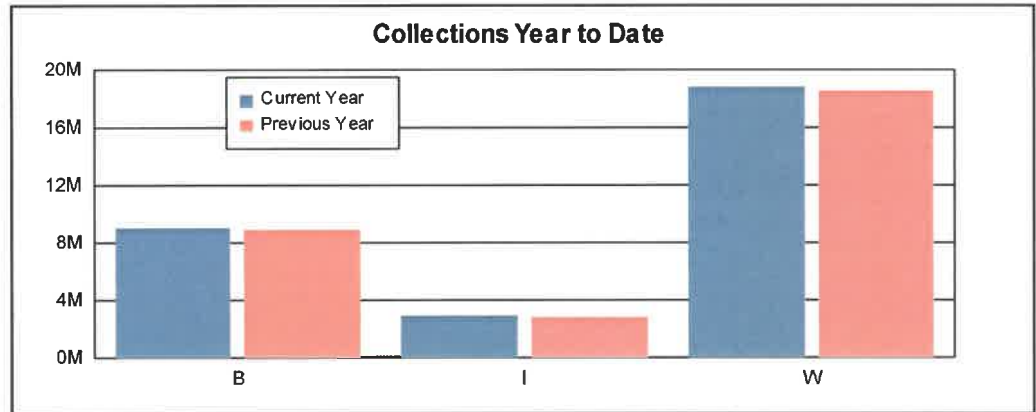
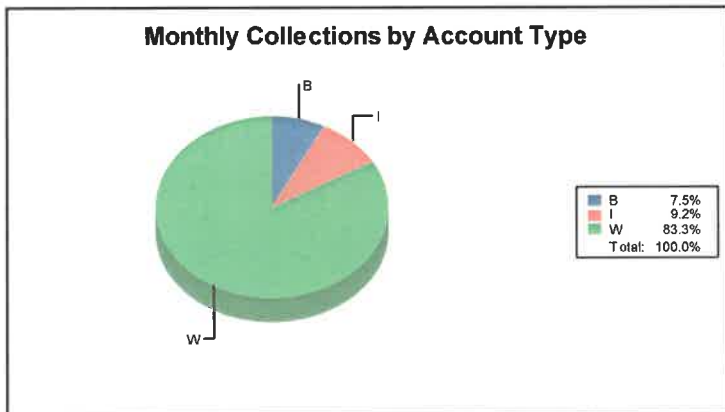
Wednesday, November 1, 2023

9:17:26AM

For Period October 1, 2023 through October 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	1,933,149.98	18,773,659.24	18,578,643.89	195,015.35	1.05	1,931,416.89	1,733.09
I	213,210.76	2,977,068.53	2,830,783.39	146,285.14	5.17	49,716.09	163,494.67
B	175,217.73	9,019,871.61	8,896,291.51	123,580.10	1.39	109,481.09	65,736.64
Totals:	2,321,578.47	30,770,599.38	30,305,718.79	464,880.59	1.53	2,090,614.07	230,964.40



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	1,828,540.14	1,931,416.89	-	-	16,629,690.25
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	1,481.98	1,618.09	-	-	2,127,203.06
2021 Total	2,914.70	638.88	1,508.24	783.04	287.15	359.48	3,166.66	371.72	593.19	-	-	-	10,623.06
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	-	-	-	-	-	(3,351.00)	-	-	-	(453.21)
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	40.00	40.00	-	-	295.00
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	75.00	75.00	-	-	600.00
2012 & Prior at 1 percent	-	-	75.00	75.00	150.00	-	75.00	75.00	75.00	75.00	-	-	600.00
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	(2,642.81)	115.00	-	-	16,765.91
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	1,827,379.31	1,933,149.98	-	-	18,773,659.24
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	1,827,379.31	1,933,149.98	-	-	18,773,659.24
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	(1,160.83)	1,733.09	-	-	58,156.06
% of Total that are Past Due	0.16%	0.12%	0.73%	0.48%	0.30%	0.61%	0.44%	0.20%	-0.06%	0.09%	#DIV/0!	#DIV/0!	0.31%
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	134,645.04	49,716.09	-	-	601,025.23
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	24,586.76	115,490.77	-	-	1,719,820.12
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	14,172.62	14,006.82	-	-	145,363.41
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	17,732.08	9,524.89	-	-	139,244.05
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	16,966.93	6,935.33	-	-	128,396.19
2018 Total	6,004.48	12,008.52	17,853.74	8,108.76	10,051.13	7,932.60	6,761.93	7,236.84	8,503.51	6,105.45	-	-	90,566.96
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	4,517.83	2,940.94	-	-	44,661.90
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	3,076.78	2,065.55	-	-	30,308.40
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	1,241.38	1,059.51	-	-	20,693.89
2014 Total	1,569.02	2,644.70	1,600.39	3,318.39	2,456.79	704.96	1,151.68	500.36	706.47	487.50	-	-	15,140.26
2013 Total	425.17	2,225.59	1,741.25	1,373.09	1,220.21	897.33	1,008.48	981.57	1,504.73	1,335.27	-	-	12,712.69
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	2,037.69	2,179.90	-	-	25,226.04
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	1,630.15	1,743.92	-	-	20,180.83
2010-2012 at .25 percent	13.25	1,299.61	339.17	218.56	315.00	702.03	735.76	578.31	407.54	435.98	-	-	5,045.21
2009 & Prior at 1 percent	332.80	848.49	380.41	-	160.00	80.00	304.53	80.00	360.42	1,362.74	-	-	3,909.39
2012 & Prior at 1 percent	385.81	6,046.95	1,737.09	874.25	1,419.98	2,888.12	3,247.55	2,393.24	1,990.57	3,106.66	-	-	24,090.22
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	70,820.44	48,003.90	-	-	656,223.18
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	230,052.24	213,210.76	-	-	2,977,068.53
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	229,644.70	212,774.78	-	-	2,972,023.32
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	70,820.44	48,003.90	-	-	656,223.18
% of Total that are Past Due	35.48%	53.11%	25.63%	5.36%	41.74%	22.49%	45.32%	49.97%	30.78%	22.51%	#DIV/0!	#DIV/0!	22.04%

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	1,948,167.49	109,481.09	-	-	5,876,399.19
2022 Total	16,231.64	24,236.12	188,249.72	2,303,026.69	16,304.17	215,841.76	40,678.82	46,550.78	43,160.68	62,978.93	-	-	2,957,259.30
2021 Total	34,332.70	16,934.95	(28,139.60)	4,742.54	2,169.41	(1,328.20)	29,957.93	958.55	5,323.38	2,258.58	-	-	67,210.24
2020 Total	653.50	2,385.15	711.25	3,963.71	13,035.88	10.25	24,271.30	35.62	2,020.22	649.19	-	-	47,736.07
2019 Total	289.77	686.21	3,069.97	623.45	736.25	0.19	42,052.39	70.00	2,829.40	(463.20)	-	-	49,894.43
2018 Total	354.62	-	2,679.70	130.00	284.38	-	-	-	1,291.23	287.95	-	-	5,027.88
2017 Total	154.00	-	1,296.49	1,628.02	310.56	-	635.93	-	1,445.17	(211.11)	-	-	5,259.06
2016 Total	-	-	893.50	288.89	225.97	-	604.20	-	-	11.30	-	-	2,023.86
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	225.00	225.00	-	-	5,188.17
2010-2012 at 1 percent	-	187.58	1,848.80	542.28	527.87	144.00	-	540.00	180.00	180.00	-	-	4,150.54
2010-2012 at .25 percent	-	46.90	462.20	135.57	131.97	36.00	-	135.00	45.00	45.00	-	-	1,037.63
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	-	180.00	-	-	4,570.54
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	13,134.40	2,757.71	-	-	186,213.12
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	2,004,462.57	175,217.73	-	-	9,019,871.61
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	2,004,417.57	175,172.73	-	-	9,018,833.98
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	7,811.02	2,757.71	-	-	121,261.46
% of Total that are Past Due	2.74%	5.73%	4.26%	0.21%	24.61%	0.01%	33.71%	1.06%	0.39%	1.57%	#DIV/0!	#DIV/0!	1.34%
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	3,911,352.67	2,090,614.07	-	-	23,107,114.67
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	69,229.42	180,087.79	-	-	6,804,282.50
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	20,089.19	18,265.40	-	-	223,196.71
2020 Total	22,541.65	25,015.92	17,961.89	22,472.12	22,705.11	10,018.65	32,715.48	8,460.86	19,752.30	10,174.08	-	-	191,818.06
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	16,445.33	6,472.13	-	-	177,837.41
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	9,794.74	6,393.40	-	-	96,432.20
2017 Total	3,652.84	5,541.78	8,260.29	5,346.00	4,938.57	3,361.55	4,068.99	6,083.87	5,963.00	2,729.83	-	-	49,946.72
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	3,116.78	2,116.85	-	-	32,627.26
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	1,241.38	1,059.51	-	-	22,323.03
2014 Total	1,569.02	2,644.70	1,977.02	3,659.39	2,672.61	704.96	1,151.68	500.36	706.47	487.50	-	-	16,073.71
2013 Total	425.17	2,225.59	1,741.25	1,750.09	1,454.03	897.33	1,008.48	981.57	1,504.73	1,335.27	-	-	13,323.51
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	2,262.69	2,404.90	-	-	30,414.21
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	1,810.15	1,923.92	-	-	24,331.37
2010-2012 at .25 percent	13.25	1,346.51	801.37	354.13	446.96	738.03	735.76	713.31	452.54	480.98	-	-	6,082.84
2009 & Prior at 1 percent	332.80	848.49	455.41	75.00	310.00	80.00	379.53	855.00	435.42	1,437.74	-	-	5,209.39
2012 & Prior at 1 percent	385.81	6,234.53	3,660.89	1,491.53	2,097.86	3,032.12	3,322.55	3,708.24	2,245.57	3,361.66	-	-	29,540.76
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	81,312.03	50,876.61	-	-	859,202.21
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	4,061,894.12	2,321,578.47	-	-	30,770,599.38
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	4,061,441.58	2,321,097.49	-	-	30,764,516.54
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	77,470.63	52,494.70	-	-	835,640.70
% of Total that are Past Due	3.48%	6.02%	5.23%	1.08%	3.75%	1.39%	5.39%	3.58%	1.91%	2.26%	#DIV/0!	#DIV/0!	2.72%



AUDITOR'S OFFICE

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JIM STASCHIAK II - CITY AUDITOR

Wednesday, November 01, 2023

The Honorable Council
Findlay, Ohio

Dear Council Members,

One of the primary roles of the City Auditor is to monitor receipts and appropriations throughout the year to ensure the City complies with State Budgetary Law. Year-to-date income tax receipts are coming in higher than expected and projected for 2023, primarily due to a large influx in business net profit tax receipts.


This increase in revenue necessitates an appropriation of money within the City Income Tax Administration Fund to the General Fund. This appropriation will have the effect of increasing the transfer thereby increasing the projected General Fund year-end balance by the amount below. It has no impact on CIT operations.

The appropriation should appear as follows:

FROM:	City Income Tax Administration Fund	\$5,223,200.00
TO:	City Income Tax Administration 27047000 – other	\$5,223,200.00

This process happens annually (increase or decrease) as part of the budget process. By copy of this letter I request the Director of Law to draft the appropriate legislation with the emergency clause included.

Respectfully submitted,



Jim Staschiak II
City Auditor

November 1, 2023

Honorable Council:

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

Sincerely,

 1317

James H. Mathias
Chief of Police

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
November 9th, 2023 – 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

TABLED ITEMS

NEW ITEMS

1. APPLICATION FOR ZONING AMENDMENT #ZA-11-2023 filed by Strauch III LTD to rezone lot 8 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.
2. APPLICATION FOR SITE PLAN REVIEW #SP-26-2023 filed by Werk-Brau, for a 30,772 sf parking lot expansion of their facility at 2500 Fostoria Avenue.
3. APPLICATION FOR SITE PLAN REVIEW #SP-27-2023 filed by VFW Post 5645 for a 1800 sf pavilion and fencing at 315 Walnut Street.
4. APPLICATION FOR CONDITIONAL USE #CU-18-2023 filed by MadCass LLC, 116 W. Lima Street, to establish a triplex at 239 Garfield Avenue located at parcel 210001029420.

ADMINISTRATIVE APPROVALS

ADJOURNMENT

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday October 12, 2023 – 9:00 a.m.

Minutes

MEMBERS:

Mayor Muryn
Rob Martin
Dan DeArment
Jackie Schroeder
Dan Clinger

STAFF ATTENDING:

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

GUESTS:

Dan Stone, Ray Van Guten, Deborah Pregabon, John Courtney, Steve Reddick, Brian Spoon, Steve Russell, Andrew Yates, Andy Lammers, Paul & Brenda Miller

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Muryn
Rob Martin
Dan DeArment
Jackie Schroeder
Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Rob Martin motioned to approve the minutes for the September 14, 2023 meeting with the change. Dan DeArment seconded. Motion approved 5-0-0.

TABLED ITEMS

- 1. APPLICATION FOR ZONING AMENDMENT #ZA-09-2023; filed by Nipper Industrial Holdings LLC, to rezone lots 1, 5, and 6 of the Findlay Center for Business & Technology, 1700 Fostoria Avenue, from C-2 General Commercial to I-1 Light Industrial.**

CPC STAFF

General Information

This request is located on the north side of Fostoria Avenue near the intersection with Broad Avenue. It is zoned C-2 General Commercial. To the west, it is zoned R-3 Small Lot Residential. To the south it is zoned a mix of R-1 Large Lot Residential and M-2 Multi-Family High Density. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designated the parcel as Regional Commercial.

Parcel History

The site is currently home to Shelley Company and Metzger Breicheisen LLC. It has housed a number of businesses over the years since the closing of RCA. Originally the parcel was zoned Industrial for the RCA site. In 2004, it was part of a Planned Unit Development, that had a mix of commercial and industrial uses. Lots 1, 5, and 6 were listed as Business Technology zoning which allowed for a mix of commercial and industrial uses. After the PUD's were removed from the code, the parcel was given C-2 General Commercial Zoning in 2011.

Staff Analysis

At the September 14th CPC meeting, the item was tabled for further discussion between the applicant and their neighbors regarding some outstanding items regarding the site. This included the maintenance plan for the drive that loops around the three outlots, additional landscaping, and screening of the outdoor storage.

For the truck traffic, the applicant explored the idea of putting the truck traffic at the intersection in the middle of the site. The difficulties arise when the truck turn radius is accounted for. There would need to be adjustments to the stacking to allow trucks the proper width the turning in and out of the site as shown in the exhibits.

They have submitted a new landscaping sheet to show the islands in the new parking area. This will add to the screening and delineate the parking area from the drive aisles.

Given this additional information, staff is feeling more confident that the applicant will maintain the site to better align with the requirements of I-1 Light Industrial.

Staff Recommendation

Staff recommends approval of APPLICATION FOR ZONING AMENDMENT #ZA-09-2023; filed by Nipper Industrial Holdings LLC, to rezone lots 1, 5, and 6 of the Findlay Center for Business & Technology, 1700 Fostoria Avenue, from C-2 General Commercial to I-1 Light Industrial.

ENGINEERING

- No Comment

FIRE PREVENTION

- No Comment

RECOMMENDATION

Staff recommends that FCPC recommend approval of APPLICATION FOR ZONING AMENDMENT #ZA-09-2023; filed by Nipper Industrial Holdings LLC, to rezone lots 1, 5, and 6 of the Findlay Center for Business & Technology, 1700 Fostoria Avenue, from C-2 General Commercial to I-1 Light Industrial.

DISCUSSION

Dan Stone was present on behalf of the application. Regarding the landscaping on the site, he believed that there was discussion about outdoor storage with some additional landscaping back in 2009. The current landowners worked with the homeowner's association to the east to fill in additional landscaping. Given that it was implemented in 2009, the landscaping is pretty well developed and does a good job screening. The other concern with the landscaping was regarding the screening of current trucks on site. They've added some landscaped islands to the site to better define the drive aisle going forward. These islands would have 2 juniper trees each. He added juniper trees are typically not included in landscaping islands, but they will be green year round, growing 6-8 feet wide and 10-14 feet tall, which will help address the screening issues. If they get approval, they could start installation yet this year.

Mr. Stone addressed the drive aisle on the site. He said there are currently deed restrictions in place to address the maintenance of the drive aisle. The owners of lot 1 are more aware of the fact that they are the responsible and will address this moving forward.

Mr. Stone said they investigated the traffic pattern on the site. They looked at the idea of cars entering and exiting the site via the traffic light intersection. Exiting the site will be problematic because of the turn radius of the trucks, which would require major improvements to the intersection to accomplish. At this point, they would like to keep the truck traffic leaving at the west end of the site.

Mr. DeArment asked if they had the radius to do so with their current exit. Mr. Stone said that is how they are doing it today, so they could maintain this traffic pattern. Mayor Muryn interjected that the reconfiguring of the intersection would be expensive and intensive for the City. She said the intent of last meeting was to investigate options. Going forward, having signage say that trucks enter at the light, and leave on the west would reduce the traffic at the west intersection in half. The Mayor noted it was less than 20 trucks per day, so this addressed her primary concern.

Dan Clinger asked if they could add some additional landscaping on the north side of the west property line. Dan Stone noted there is existing fencing in that stretch. The Mayor said she was comfortable keeping it as planned, and reinvestigate it in the future if they start receiving

complaints. She noted also that there is a utility easement so it would be difficult to add to that area.

Ray Van Guten, owner 1610 Fostoria Avenue, spoke about his concerns. He noted that the analysis was done at the traffic light, but no analysis was done regarding the existing intersection. He said they do drive onto the grass in his property when they are making their turns. He raised concerns regarding the covenants and restrictions regarding screening of outdoor storage. He also mentioned that he is concerned if the zoning is approved; the intensity of the use can be opened up to anything permitted in the industrial district.

Mayor Muryn responded that regarding the deed restrictions, that was a civil matter and not something that the City could really consider.

Dan DeArment asked if the road could be widened in that area to accommodate the traffic in and out at the light. Dan Stone said there is a small roadside swale there and that the road does drop off a bit on the south side, which would limit them. Jeremy Kalb added that they need to be careful how they align the lanes as well because you don't want a straight lane in line with a turn lane. It wouldn't be a simple asphalt addition, but require a major intersection upgrade.

Dan DeArment asked if they could do something to ensure that the trucks aren't turning onto Mr. Van Guten's property. Dan Stone noted that with the incoming traffic going in at the light, they would not be cutting that corner. It should eliminate the issue moving forward.

Mr. Clinger asked what the size of the islands would be. Mr. Stone said 30-40 feet. Mr. Clinger said that he would like to see more than 2 trees in the islands. Mr. Stone said they could have 3 trees in them. Mr. Clinger said that was good but he wasn't sure we were meeting the screening standards completely. Mr. Cordonnier said that they are trying to walk the line between site plan and rezoning. If this was a new construction project, they would have to meet the standards, but this has existed since the 1950's.

MOTION

Rob Martin made motion for FCPC to recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-09-2023; filed by Nipper Industrial Holdings LLC, to rezone lots 1, 5, and 6 of the Findlay Center for Business & Technology, 1700 Fostoria Avenue, from C-2 General Commercial to I-1 Light Industrial.**

2nd: Jackie Schroeder

VOTE: Yay (5) Nay (0) Abstain (0)

NEW ITEMS

- 1. APPLICATION FOR SITE PLAN REVIEW #SP-23-2023 filed by Andek LLC to construct a 3-story 16-unit apartment building at parcel #600000302210 on W. McPherson Avenue.**

CPC STAFF

General Information

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

Parcel History

The site is currently vacant.

Staff Analysis

The applicant has resubmitted a site plan for the site. Originally, the site plan called for a 3-story, 24 unit structure. CPC recommended approval contingent upon the zoning being approved and the applicant receiving variances for the density and parking. The zoning was approved by City Council; however, the BZA denied the variances for the density and parking.

Given their denial, the applicant has reworked the site plan to meet the zoning standards. Instead of 24 units, they have dropped it down to 16, which is under the density for the site. The first floor would have 4 units. Two of the units would be 2-bedroom, while the other two were single-bedroom units. The second and third floor would be 6 units each, all being single-bedroom units. They have kept the number of parking the same from the original plan, but with the reduction in units, now have more than enough to accommodate the site.

The site layout is in line with what was originally approved. The landscaping will remain as originally submitted and meets the standard. They applied the recommended landscape buffer near the northeast corner of the site between their neighbor to the east. They also now show a 2' high landscaping mound along W. McPherson Avenue to help with the screening.

Another beneficial change since the last discussion was the dumpster was moved to the west side of the parking lot. This will alleviate issues with having it closer to the neighbor to the east.

Given the reduction in density and keeping the rest of the site the same, staff is supportive of the site plan.

Staff Recommendation

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-23-2023 filed by Andek LLC to construct a 3-story 16-unit apartment building at parcel #600000302210 on W. McPherson Avenue.**

ENGINEERING

Access –

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

Water Service –

The plans are proposing a domestic line to come off of the 10-inch waterline that is running N-S through the site. Due to the location of the water main the meter will most likely need to be placed inside of the building with a backflow preventor. Due to the size of the line a 4-inch valve will need to be placed on the tee at the water main. Final location of the meter shall be determined with the City of Findlay Water Department.

Sanitary Service –

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

Stormwater Management –

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

MS4 Requirements –

The disturbed area is more than 1 acre so the applicant does need to comply with the City of Findlay’s Erosion & Sediment Control Ordinance. As part of the site plans the applicant has provided a SWPPP plan for the site.

Recommendations:

Approval of the Site-

The following permits may be required prior to construction:

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

FIRE PREVENTION

- Be sure to obtain all proper permits for construction

RECOMMENDATION

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-23-2023 filed by Andek LLC to construct a 3 story 16-unit apartment building at parcel #600000302210 on W. McPherson Avenue.**

DISCUSSION

Dan Stone and Andrew Yates were present on behalf of the application. Mr. Stone just reiterated that they were unable to get the variances required for the parking and density from the BZA. This revised site plan complies with the code.

Deborah Pregibon, 1124 Hurd Avenue, spoke from the neighborhood. She said that the neighborhood had explored a referendum petition against the rezoning. They spoke with Mr.

Yates and he said that there were no immediate plans for the project. They reiterated to Mr. Yates that they were not opposed to him building on the site, but they opposed the proposed 3-story building. They were surprised to hear that now plans have been revived and that they are almost identical to the original proposal. They have the same concerns as before about the fit in the neighborhood. Mayor Muryn asked her what she would like to see on the site. Ms. Pregibon said that she wanted something tasteful and would rather a 2-story building.

Mayor Muryn thanked her for her comments. She noted that tastes can be subjective and that while she personally would have gone with a different look, she didn't oppose the plan as submitted. She also reiterated that this structure is on a parcel right next to a substation, which is much taller than the surrounding neighborhood as well. She understands the concerns of the neighbor given Donnell Park and pond are within view of the site. She added that the developer has addressed many of the concerns of the commission over the past few months regarding the setback of the building, the dumpster location, landscaping and mounding, etc.

Mayor Muryn asked the applicant why they chose to go 3-story rather than 2. Mr. Stone said that it was to get the number of units on the square footage coverage within the code. In addition, with a more condensed footprint, it would create open space on site. Mr. DeArment said that he would have been more in favor of a 2-story structure rather than 3. Mr. Clinger asked Mr. Yates if they made it 2-story could they do the 16 units and fit it in the lot coverage requirement. Mr. Yates said that was one of the reasons they needed a variance last time, so he wasn't sure he could. This time he increased the parking to comply with the code. He said that if they did 2-story, he would need to account for constructing additional foundations and that would eat into the economic viability of the project.

Jackie Schoeder added that she was okay with the 3-story structure, but wondered if the trees in front of the building were removed. Mr. Yates said that they were moved to the parking islands instead. Mr. Stone said that they have a combination of shrubs and trees along McPherson Avenue as well.

Mayor Muryn asked if they could shift it further back off the neighborhood. Mr. Stone said originally they were trying to avoid disturbing remove two mature trees on the site, but they would be more than happy to shift it.

MOTION

Mayor Muryn made motion for approval of **APPLICATION FOR SITE PLAN REVIEW #SP-23-2023 filed by Andek LLC to construct a 3 story 16-unit apartment building at parcel #600000302210 on W. McPherson Avenue with the following conditions:**

- **Shift the site at least 20 feet to the west**

2nd: Rob Martin

VOTE: Yay (3) Nay (2) Abstain (0)

2. APPLICATION FOR ZONING AMENDMENT #ZA-10-2023 filed by Strauch III LTD to rezone lots 9, 10, and 11 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.

CPC STAFF

General Information

This request is located on the north side of E. Melrose Avenue on the west side of the intersection with Keith Parkway. It is zoned C-2 General Commercial. To the north is a mix of C-2 General Commercial and I-1 Light Industrial. Across Keith Parkway to the east, it is zoned C-2 General Commercial. To the west, it is zoned M-2 Multi-Family, High Density. Across E. Melrose Avenue to the south, it is zoned a mix of M-2 Multi-Family, High Density, I-1 Light Industrial, and C-2 General Commercial. It is not located within the 100-year floodplain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

The site is currently vacant.

Staff Analysis

The applicant is requesting the rezone to M-2 Multi-Family, Density. Although the Findlay Land Use Map recommends that these parcels along Keith Parkway be commercial, the parcels are abutting M-2 already. Given the existence of multi-family in the area, staff did not have any concerns with the request.

Staff Recommendation

Staff recommends CPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-10-2023 filed by Strauch III LTD to rezone lots 9, 10, and 11 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.**

ENGINEERING

- No Comment

FIRE PREVENTION

- No Comment

RECOMMENDATION

CPC Staff recommends CPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-10-2023 filed by Strauch III LTD to rezone lots 9, 10, and 11 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.**

DISCUSSION

Phil Lawson was present on behalf of the application. He has done multi-family projects in the City of Findlay previously, and he referenced the old St. Michael's school site he helped implement. They have plans to do approximately 80 units on this site, if they can get the properties rezoned.

Mr. DeArment asked if they had a waiting list for the St. Michael's site. Mr. Lawson said they did and it was popular.

Mr. Clinger asked if Mr. Lawson owned the properties currently. Mr. Lawson said that they had letters of intent to purchase once it was rezoned.

Mr. Cordonnier asked if the M-2 zoning would work for the project he described. He remembered that for the St. Michael's school site was not M-2. Mr. Lawson said he was aware of the different zoning, but for this site, he thought M-2 would give them flexibility they needed.

MOTION

Dan DeArment made motion for **FCPC to recommend approval of APPLICATION FOR ZONING AMENDMENT #ZA-10-2023 filed by Strauch III LTD to rezone lots 9, 10, and 11 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.**

2nd: Mayor Muryn

VOTE: Yay (5) Nay (0) Abstain (0)

3. APPLICATION FOR SITE PLAN REVIEW #SP-20-2023 filed by Moose Lodge 698 Loyal Order TR for a 6739 sf building expansion at their building at 1028 W. Main Cross Street.

CPC STAFF

General Information

This request is located on the north side of W. Main Cross Street. It is zoned C-2 General Commercial. The land to the south and west is zoned C-2 General Commercial. To the north is PO Parks and Open Space. To the east, it is a R-3 Small Lot Residential neighborhood along Durrell Street. The parcel is within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

Parcel History

This is location for the Moose Lodge.

Staff Analysis

The Moose Lodge would like to expand their building. This would involve an expansion on each the east and the west side of the building. Th expansion to the east would eliminate the drive aisle around that side of the existing building. The distance between the edge of the expansion and the property line is 11.3', while the code states it needs to be 25' when adjacent to

residential. This would need a variance from the BZA. The applicant has indicated they will be replacing the existing fence with a new 8 feet tall panel fence to help with the screening.

The parking lot would be expanded to the west. The code requires a 5-foot setback from a side lot line. This new configuration would require a variance from the BZA. Since this is abutting similar uses, and is setback a great distance from the road, staff was supportive of the change.

Staff Recommendation

Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-20-2023 filed by Moose Lodge 698 Loyal Order TR for a 6739 sf building expansion at their building at 1028 W. Main Cross Street with the following condition:**

- **Receive the variances from the BZA regarding the side yard and parking setbacks**

ENGINEERING

Access –

The site is accessed from the existing drives coming off of W. Main Cross Street. The site plans propose no change to the site access.

Water Service –

The site will be an expansion of the existing building with no additional taps or water line work taking place. Existing service line will be utilized.

Sanitary Service –

The site will be an expansion of the existing building with no additional taps or sewer line work taking place. Existing service line will be utilized.

Stormwater Management –

The site plans are proposing an expansion of the existing detention pond that is located on the northwest corner of the site.

MS4 Requirements –

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

Recommendations:

Approval of the Site

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-20-2023 filed by Moose Lodge 698 Loyal Order TR for a 6739 sf building expansion at their building at 1028 W. Main Cross Street with the following condition:**

- **Receive the variances from the BZA regarding the side yard and parking setbacks**

DISCUSSION

John Courtney of Blanchard Design Associates was present on behalf of the application. He is also a member of the Moose Lodge. He noted that membership continues to grow and that this expansion will help them expand their indoor social area, while shifting the parking lot away from the residential neighbors.

Jacob Mercer noted that the applicants did send their plans to the BZA first. The BZA tabled the item so that they could get reviewed by the CPC.

Mayor Muryn asked if this would impact their outdoor area to the north. She also noted that the City has received complaints in the past regarding the site. Mr. Courtney said that this would not impact that area. They would be moving the parking to the west side of the site, so this will reduce vehicular traffic from the east side of the site.

Mr. Clinger asked would this impact fencing for the site. Mr. Courtney said that they currently have a vinyl fence behind the outdoor pavilion area. Near the expansion, they have an existing split rail fence. They are proposing that they have an 8-foot vinyl fence to help address concerns. Steve Reddick, the Moose Business Administrator, also spoke. He said that the expansion of the building and fencing would help with the sound buffering for the site. He also said that the 8-foot fence would help reduce the amount of trash being tossed into neighbor's yards. They needed to expand both the east and west side because really the building is split in two. The east side is the social quarters and the west side is the lodge side. Both sides needed to expand to help accommodate events for the different purposes.

Dan DeArment asked what the noise complaints were about. Mr. Reddick wasn't sure. They occasionally get police calls if the band is playing too loud in the pavilion during the summer months.

Mayor Muryn asked about the walking space between the expansion and the fence. Mr. Reddick said they wanted to put in stone and landscape a bit. Mayor Muryn said that she would like landscaping as well as fencing to prevent people from walking along that side of the building.

Mayor Muryn asked if they would be able to work with a 20-foot setback rather than an 11-foot setback. Mr. Reddick said that if they shrunk it back, they would still have to pay the same amount, while not the space they really need.

Steve Russell, 132 Durrell Avenue, spoke on the project. He noted that the trees are on his property. He said that there is often trash in the yard. He used to be a member and raised his concerns with a board member, but nothing was ever done. He is against them being any closer to their property than they already are.

Mr. Clinger asked if there was an offset between the parking lot to the west and the new lot. Brian Spoon from Millstream Building Systems said that he believed the elevation is approximately the same as the doctor's office. Mr. Cordonnier still thought there should be something to separate the parking lots.

Mayor Muryn said she would still like to see that landscaping buffer behind the new fence to address the screening. She asked if the rest of the parking could be shifted with the project. Mr. Spoon said that it was possible, but thought they would start to lose parking because of keeping the drive aisle widths intact.

Mr. Reddick spoke again regarding the trash. He said their liquor license said that they do not allow carryout. The only reason they should have it outside is if they have it in the beer garden. He said that they are more than an average bar, and that they have raised over \$300,000 for charity. He said that they would work harder to self-police the beer cans being thrown into neighboring properties. Mayor Muryn said that she would like to see it go all the way to the ground. Mr. Reddick said that they would be good with that and it would match the existing vinyl fence behind the pavilion.

Erik Adkins spoke to add that this project is within the floodplain and he is waiting on the volumetric calculations for the pond. He said it was not deep enough at one point. He would need to see those as the floodplain manager before permits could be approved.

MOTION

Dan Clinger made a motion for approval of **APPLICATION FOR SITE PLAN REVIEW #SP-20-2023 filed by Moose Lodge 698 Loyal Order TR for a 6739 sf building expansion at their building at 1028 W. Main Cross Street with the following condition:**

- **Receive the variances from the BZA regarding the side yard and parking setbacks**
- **A landscaping buffer be installed along the entire east side with the 8 foot tall fence**
- **Submission of the verified pond calculations**
- **The eastern side be closed to pedestrian and vehicular traffic**
- **The landscaping plan be approved by HRPC**
- **Addition of separation between the parking lot to the west**

2nd: Dan DeArment

VOTE: Yay (5) Nay (0) Abstain (0)

- 3. APPLICATION FOR CONDITIONAL USE #CU-17-2023 filed by Doug Andrus, for outdoor storage of merchandise at 1113 W. Main Cross Street.**

CPC STAFF

General Information

This request is located on the south side of W. Main Cross Street. It is surrounded by C-2 General Commercial. The parcel is within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Neighborhood Commercial.

Parcel History

The site was most recently Dr. Rhoton’s car dealership, which he established at CPC in 2019.

Staff Analysis

The applicant is proposing to convert the structure into a flower and garden business. Along with this, he would sell things like firewood, Christmas trees, lawn chairs, and local art. This would involve having areas of outdoor display of merchandise as shown in the exhibit. While the Christmas trees and lawn furniture would not be in a structure, there would be times of year where there would be a hooped greenhouse. Staff would recommend that the greenhouse be no closer than 50 feet from the front property line. The Christmas trees could be allowed closer, but should not encroach on the 30-foot front yard setback in the C-2 district.

The conceptual drawing provided did show an increase in parking for the site. While outside our review for the conditional use, staff would recommend a striping plan be submitted to staff to approve with the permits.

This is a conditional use, and is a revocable permit. If the City receives complaints regarding the outdoor display areas, they can review and potentially revoke the permit in the future.

Staff Recommendation

Staff recommends approval of the **APPLICATION FOR CONDITIONAL USE #CU-17-2023 filed by Doug Andrus, for outdoor storage of merchandise at 1113 W. Main Cross Street with the following condition:**

- **The greenhouse structure be no closer than 50 feet from the front property line**
- **Christmas trees and other plants available for sale be no closer than 30 feet from the front property line.**

ENGINEERING

- No Comment

FIRE PREVENTION

- No Comment

RECOMMENDATION

Staff recommends approval of the **APPLICATION FOR CONDITIONAL USE #CU-17-2023 filed by Doug Andrus, for outdoor storage of merchandise at 1113 W. Main Cross Street with the following condition:**

- **The greenhouse structure be no closer than 50 feet from the front property line**
- **Christmas trees and other plants available for sale be no closer than 30 feet from the front property line.**

DISCUSSION

Doug Andrus was present on behalf of his application. Mayor Muryn noted that she was fine with the proposal as long as it is well maintained.

Matt Cordonnier noted that W. Main Cross Street is one of the main corridors into the City of Findlay. That is why staff requested things be set back a bit to help the aesthetics of the area. Mr. Andrus agreed and said he hoped his plants and trees would look nice.

Mr. Martin asked about signage for the site. Mr. Andrus said he discussed having something made next door at the monument store, but he was still working on it. Mr. Cordonnier said that he needs to talk to Erik Adkins once he submits his permits. He also thought a ground mounted sign would be most appropriate.

Mr. Clinger asked about the property line. Matt Cordonnier noted that there are 2 parcels, but they are both owned by the same owner. They could ask the applicant to combine the parcels, and that would be simply done through a lot combination with the County Auditor.

MOTION

Mayor Muryn made a motion to approve the APPLICATION FOR CONDITIONAL USE #CU-17-2023 filed by Doug Andrus, for outdoor storage of merchandise at 1113 W. Main Cross Street with the following condition:

- **The sign needs to be a ground mounted**
- **The greenhouse structure be no closer than 50 feet from the front property line**
- **Christmas trees and other plants available for sale be no closer than 30 feet from the front property line.**

2nd: Dan Clinger

VOTE: Yay (5) Nay (0) Abstain (0)

- 4. APPLICATION FOR SITE PLAN REVIEW #SP-21-2023 filed by Werk-Brau, for a 26,280 sf expansion of their facility at 2500 Fostoria Avenue.**

CPC STAFF

General Information

This request is located on the north side of Fostoria Avenue. On the north side of Fostoria Avenue it is zoned I-1 Light Industrial. On the south side of Fostoria Avenue, it is zoned MH Mobile Home. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the parcel as Industrial.

Parcel History

This is the site for Werk-Brau.

Staff Analysis

The applicant has requested a 26,280 sf building expansion on the north side of the building. The main addition is on the north side of the existing building and measures 24,080 sf. This places the expansion as far away from the roadway as possible. The existing building is 38,550 sf in size. The second addition is on the west side of the building and measures 2,200 sf. This expansion will encroach on a side yard setback, which in the I-1 district is 30 feet. This will need approval from the BZA.

With the elimination of land on the north side, 68 parking spaces will be eliminated between this site and the site to the east. The applicant has indicated they will submit a plan for a new parking area that will accommodate 72 parking spaces. This will be reviewed by CPC in November.

Staff Recommendation

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-21-2023 filed by Werk-Brau, for a 26,280 sf expansion of their facility at 2500 Fostoria Avenue with the following condition:

- **Receive a variance from BZA for the 30-foot side yard setback.**
- **Receive approval of the parking plan by CPC**

ENGINEERING

Access –

Site plans are showing no changes to the access from Fostoria Ave.

Water Service –

No proposed water.

Sanitary Service –

No proposed sewer

Stormwater Management –

Site will be utilizing the existing regional retention pond.

MS4 Requirements –

The disturbed area is more than 1 acre so the applicant does need to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

Recommendations:

Approval of the Site

FIRE PREVENTION

- No Comment

RECOMMENDATION

CPC Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-21-2023 filed by Werk-Brau, for a 26,280 sf expansion of their facility at 2500 Fostoria Avenue with the following condition:

- Receive a variance from BZA for the 30-foot side yard setback.
- Receive approval of the parking plan by CPC

DISCUSSION

Dan Stone was present on behalf of the applicant. He said they were aware of the setback issue, and they are happy to go through the procedure.

Mayor Muryn said she said this was a pretty simple site plan, and wasn't concerned about the setback.

MOTION

Mayor Muryn made a motion to approve APPLICATION FOR SITE PLAN REVIEW #SP-21-2023 filed by Werk-Brau, for a 26,280 sf expansion of their facility at 2500 Fostoria Avenue subject to the following conditions:

- Receive a variance from BZA for the 30-foot side yard setback.
- Receive approval of the parking plan by CPC

2nd: Dan Clinger

VOTE: Yay (5) Nay (0) Abstain (0)

- 5. APPLICATION FOR SITE PLAN REVIEW #SP-22-2023 filed by Charles A. Lammers Properties LLC, for a new building for Blasius Countertops on parcel 560000177230 on Lotze Street.**

CPC STAFF

General Information

This request is located on the north side of Lotze Street, just west of the intersection with N. Main Street. The parcel is zoned C-2 General Commercial. The properties along N. Main Street are zoned C-2 General Commercial. To the north is CD Condominium. The neighborhood to the west and south is R-2 Medium Lot Residential. It is not located within the 100-year flood plain.

Parcel History

The site is currently vacant.

Staff Analysis

The applicant is proposing the construct a new building for the existing business on the abutting property to the east. This would be a 2520 sf structure located in the northwest corner of the lot. The applicant shows that they would be adding asphalt to match the asphalt of the abutting property. With the additional asphalt, they show that they have added detention to the north of the structure. They do show that they are installing 6 arborvitaes in the northwest corner to provide screening. The code does require 4 canopy trees and 4 evergreen trees per 100 lineal feet of contiguous boundary with conflicting zoning districts. This would mean that they need 6 canopy trees for the west boundary.

Staff did not see any foundation plantings on the site plan. The code requires 2 shrubs to be planted for every 12 lineal feet of building circumference. This building has 212 lineal feet of circumference, so we would need 33 shrubs to be installed. Foundation plantings can be grouped and extended around the asphalt if desired.

Staff Recommendation

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-22-2023 filed by Charles A. Lammers Properties LLC, for a new building for Blasius Countertops on parcel 560000177230 on Lotze Street with the following conditions:**

- **Install 6 canopy trees along the west boundary**
- **Install 33 shrubs for the foundation plantings**

ENGINEERING

Access –

Site will be accessed from a new drive that will be coming off of the south side of County Road 99

Water Service –

No proposed water.

Sanitary Service –

No proposed sewer.

Stormwater Management –

The site plans are proposing a new detention pond to be located on the NW corner of the site.

MS4 Requirements –

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

Recommendations:

Approval of the Site

The following permits may be required prior to construction:

- Drive Permit x 1
- Sidewalk Permit x1

FIRE PREVENTION

- No Comment

RECOMMENDATION

Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-22-2023 filed by Charles A. Lammers Properties LLC, for a new building for Blasius Countertops on parcel 560000177230 on Lotze Street with the following conditions:**

- **Install 6 canopy trees along the west boundary**

- Install 33 shrubs for the foundation plantings

DISCUSSION

Dan Stone was present on behalf of the applicant. He said that he is happy to discuss the landscaping with staff about the final plan. He said the owners had discussion with the neighbor about their parking on the site. They are working on an agreement to have them feel comfortable with everything. He said that they are good with adding foundation plantings, but were hoping to cluster them around the site.

Regarding the architectural standards, he said they will work with the staff to address those issues. These types of buildings are becoming more and more common, and he understands staff concerns about the look of them.

Mayor Muryn asked what work is done inside the building. Andy Lammers, the owner, said that it would primarily be just storage of the materials. Most of the work is done at a different facility. They may trim some materials at this site, but that rarely happens. Mr. Clinger asked if this currently happens in the main building. Mr. Lammers said yes, and that he hoped in the future to expand the showroom a bit with the materials being stored in the new structure.

Mr. DeArment asked if they had a dumpster enclosure. Matt Cordonnier noted it is an existing dumpster, so he said it is not really inside the review of this building. Mr. Stone said they were willing to do some screening for it. Mayor Muryn said it would be ideal to enclose it; however, it is outside today's review.

Matt Cordonnier reiterated that the code does have architectural standards. He said we recommended a change in material, but the code calls for articulation. He said that he views the change in color as articulation. It also calls for some sort of entrance feature. He pulled up a similar example that the CPC approved on Blanchard Street, which featured a pronounced entryway.

Erik Adkins asked if there was an office inside the structure. Mr. Lammers said they would probably have an office space back there. He said if it does not have an office, it would be classified as an accessory structure and would need to be combined with the abutting parcel. Mr. Clinger asked if this would include a restroom. Staff confirmed that it would. Mr. Stone said that would be fine, and he would work with the engineer regarding permits.

MOTION

Mayor Muryn made a motion to approve APPLICATION FOR SITE PLAN REVIEW #SP-22-2023 filed by Charles A. Lammers Properties LLC, for a new building for Blasius Countertops on parcel 560000177230 on Lotze Street with the following conditions:

- **Install 6 canopy trees along the west boundary**
- **Install 33 shrubs for the foundation plantings**
- **Work with HRPC on the architectural standards**

2nd: Dan Clinger

VOTE: Yay (5) Nay (0) Abstain (0)

7. APPLICATION FOR ALLEY VACATION #AV-01-2023 filed by Paul & Brenda Miller to vacate the remainder of the e/w alley between Lilac Lane and Western Avenue north of Coventry Drive.

CPC STAFF

General Information

The right-of-way was part of the plat for this subdivision. The eastern part of the alley was vacated back in 2021 when a list of neighbors requested a vacation up to a certain point.

Staff Analysis

During the staff review of the alley, there is an existing storm sewer that runs through the middle of the right-of-way before turning north. Discussions between HRPC and the Engineer determined that there will need to be an easement in the area, and that structures should not be encouraged over the sewer. That said, staff would recommend that the alley remain and that the City work with the property owners to take care of maintenance issues.

Staff Recommendation

Staff recommends FCPC recommend **denial of APPLICATION FOR ALLEY VACATION #AV-01-2023 filed by Paul & Brenda Miller to vacate the remainder of the e/w alley between Lilac Lane and Western Avenue north of Coventry Drive.**

ENGINEERING

There is an existing storm sewer that runs in the middle of the unapproved alley. If the alley is vacated the City will need an easement for the storm sewer that will be roughly the same size as the existing ROW. If an easement is established it would be preferred to not allow fences or sheds over top of the easement.

FIRE PREVENTION

No Comment

RECOMMENDATION

CPC Staff recommends that FCPC recommend **denial of APPLICATION FOR ALLEY VACATION #AV-01-2023 filed by Paul & Brenda Miller to vacate the remainder of the e/w alley between Lilac Lane and Western Avenue north of Coventry Drive.**

DISCUSSION

Paul and Brenda Miller were present on behalf of the application. Matt Cordonnier started by saying that the applicants did not provide 100% of the abutting property owners signatures on the petition. He said that our ordinance, which mirrors the Ohio Revised Code, says that that the applicant then has to advertise it in the newspaper six times over six consecutive weeks to notify the neighborhood about the potential vacation. The Miller's said that they weren't able to get a quote, but it doesn't sound like they will need to run the notice if it gets denied.

Mr. Miller asked if he could extend his fence over the right-of-way and install a gate on either side so that City crews could get through. Mr. Kalb said he was against that idea, and he did not want a situation where he would have to remove the fence to perform maintenance.

He mentioned one of the neighbors wanted help getting maintenance on the trees in the easement. He asked how to get to the right department to address that. Mayor Muryn said her office would help them get in touch with the right people.

MOTION

Mayor Muryn made a motion that FCPC recommend denial of APPLICATION FOR ALLEY VACATION #AV-01-2023 filed by Paul & Brenda Miller to vacate the remainder of the e/w alley between Lilac Lane and Western Avenue north of Coventry Drive.

2nd: Rob Martin

VOTE: Yay (5) Nay (0) Abstain (0)

There being no further business, Mr. Martin adjourned the meeting.

FINDLAY CITY PLANNING COMMISSION



STAFF REPORT November 9th, 2023

CITY PLANNING COMMISSION MEMBERS

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

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

City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
November 9th, 2023 – 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

TABLED ITEMS

NEW ITEMS

1. **APPLICATION FOR ZONING AMENDMENT #ZA-11-2023** filed by Strauch III LTD to rezone lot 8 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.
2. **APPLICATION FOR SITE PLAN REVIEW #SP-26-2023** filed by Werk-Brau, for a 30,772 sf parking lot expansion of their facility at 2500 Fostoria Avenue.
3. **APPLICATION FOR SITE PLAN REVIEW #SP-27-2023** filed by VFW Post 5645 for a 1800 sf pavilion and fencing at 315 Walnut Street.
4. **APPLICATION FOR CONDITIONAL USE #CU-18-2023** filed by MadCass LLC, 116 W. Lima Street, to establish a triplex at 239 Garfield Avenue located at parcel 210001029420.

ADMINISTRATIVE APPROVALS

ADJOURNMENT

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

COMMENTS

NEW ITEMS

- 1. APPLICATION FOR ZONING AMENDMENT #ZA-11-2023 filed by Strauch III LTD to rezone lot 8 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.**

CPC STAFF

General Information

This request is located on the west side of Keith Parkway. It is zoned C-2 General Commercial. To the north is I-1 Light Industrial. Across Keith Parkway to the east, it is zoned C-2 General Commercial. To the west, it is zoned M-2 Multi-Family, High Density. It is not located within the 100-year floodplain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

The site is currently vacant.

Staff Analysis

The applicant is requesting the rezone to M-2 Multi-Family, High Density. Last month, it was recommended lots 9, 10, and 11 would be rezoned to M-2 Multi-Family High Density. This was the last lot on the west side of Keith Parkway that would have remained C-2 Commercial. Given the surrounding area, the applicant wished to rezone to fit with the lots to the south.

Although the Findlay Land Use Map recommends that these parcels along Keith Parkway be commercial, the parcel is abutting M-2 already. Given the existence of multi-family in the area, staff did not have any concerns with the request.

Staff Recommendation

Staff recommends CPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-11-2023 filed by Strauch III LTD to rezone lot 8 of the East Melrose Business Park from C-2 General Commercial to M-2 Multi-Family, High Density, located at 1600 E. Melrose Avenue.**

ENGINEERING

- No Comment

FIRE PREVENTION

- No Comment

RECOMMENDATION

CPC Staff recommends CPC recommend approval of **APPLICATION FOR ZONING AMENDMENT #ZA-11-2023** filed by **Strauch III LTD** to rezone lot 8 of the **East Melrose Business Park** from **C-2 General Commercial** to **M-2 Multi-Family, High Density**, located at **1600 E. Melrose Avenue**.

ZA-11-2023

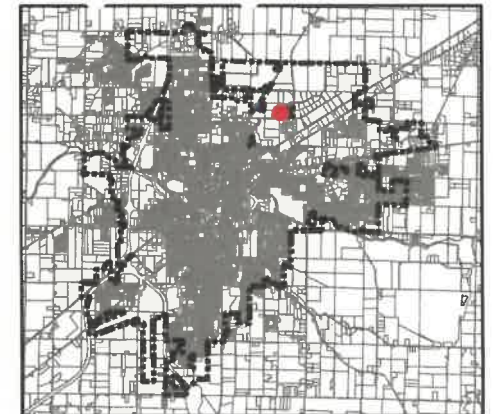
APPLICATION FOR
ZONING AMENDMENT
filed by Strauch III LTD to
rezone lot 8 of the
East Melrose Business Park
from C-2 General Commercial to
M-2 Multi-Family, High Density,
located at 1600 E. Melrose Avenue.

Legend

-  Lot 8
-  Parcels
-  Road Centerline



Findlay Locator Map



0 95 190 380 570 760 Feet



ZA-11-2023

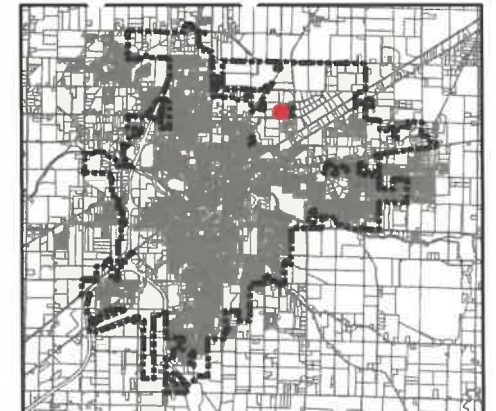
APPLICATION FOR
ZONING AMENDMENT
filed by Strauch III LTD to
rezone lot 8 of the
East Melrose Business Park
from C-2 General Commercial to
M-2 Multi-Family, High Density,
located at 1600 E. Melrose Avenue.



Legend

- Lot 8
- Parcels
- Road Centerline
- Large Lot Residential, R-1
- Medium Lot Residential, R-2
- Small Lot Residential, R-3
- Duplex/Triplex, R-4
- Local Commercial, C-1
- General Commercial, C-2
- Downtown Commercial, C-3
- Office/Institution, O-1
- Light Industrial, I-1
- Heavy Industrial, I-2
- Condominium, CD
- Multi-Family, Low Density, M-1
- Multi-Family, High Density, M-2
- Parks and Open Space, PO
- Mobile Home, MH

Findlay Locator Map



2. APPLICATION FOR SITE PLAN REVIEW #SP-26-2023 filed by Werk-Brau, for a 30,772 sf parking lot expansion of their facility at 2500 Fostoria Avenue.

CPC STAFF

General Information

This request is located on the north side of Fostoria Avenue. On the north side of Fostoria Avenue it is zoned I-1 Light Industrial. On the south side of Fostoria Avenue, it is zoned MH Mobile Home. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the parcel as Industrial.

Parcel History

This is the site for Werk-Brau.

Staff Analysis

The applicant has requested to construct a new parking lot that can accommodate 72 parking spaces. Last month, Werk-Brau had submitted a site plan that had a building expansion which eliminated 68 parking spaces. As part of the building expansion, some of the employees are being shifted into different buildings on site. With the shift, they needed the parking lot to be shifted to the west to address this.

The only part staff noted is that they don't show any additional landscaping for the parking lot. Staff would recommend 20 trees for perimeter landscaping be included around the perimeter of the parking lot.

Staff Recommendation

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-26-2023 filed by Werk-Brau, for a 30,772 sf parking lot expansion of their facility at 2500 Fostoria Avenue with the following condition:

- **Work with HRPC to get an approved landscaping plan**

ENGINEERING

Access –

Site will be accessed from existing drive.

Water Service –

No proposed service.

Sanitary Service –

No proposed service.

Stormwater Management –

The new parking lot will be utilizing the existing surge pond that is located on site.

MS4 Requirements –

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

Recommendations:

Approval of the Site-

FIRE PREVENTION

- No Comment

RECOMMENDATION

CPC Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-26-2023 filed by Werk-Brau, for a 30,772 sf parking lot expansion of their facility at 2500 Fostoria Avenue with the following condition:

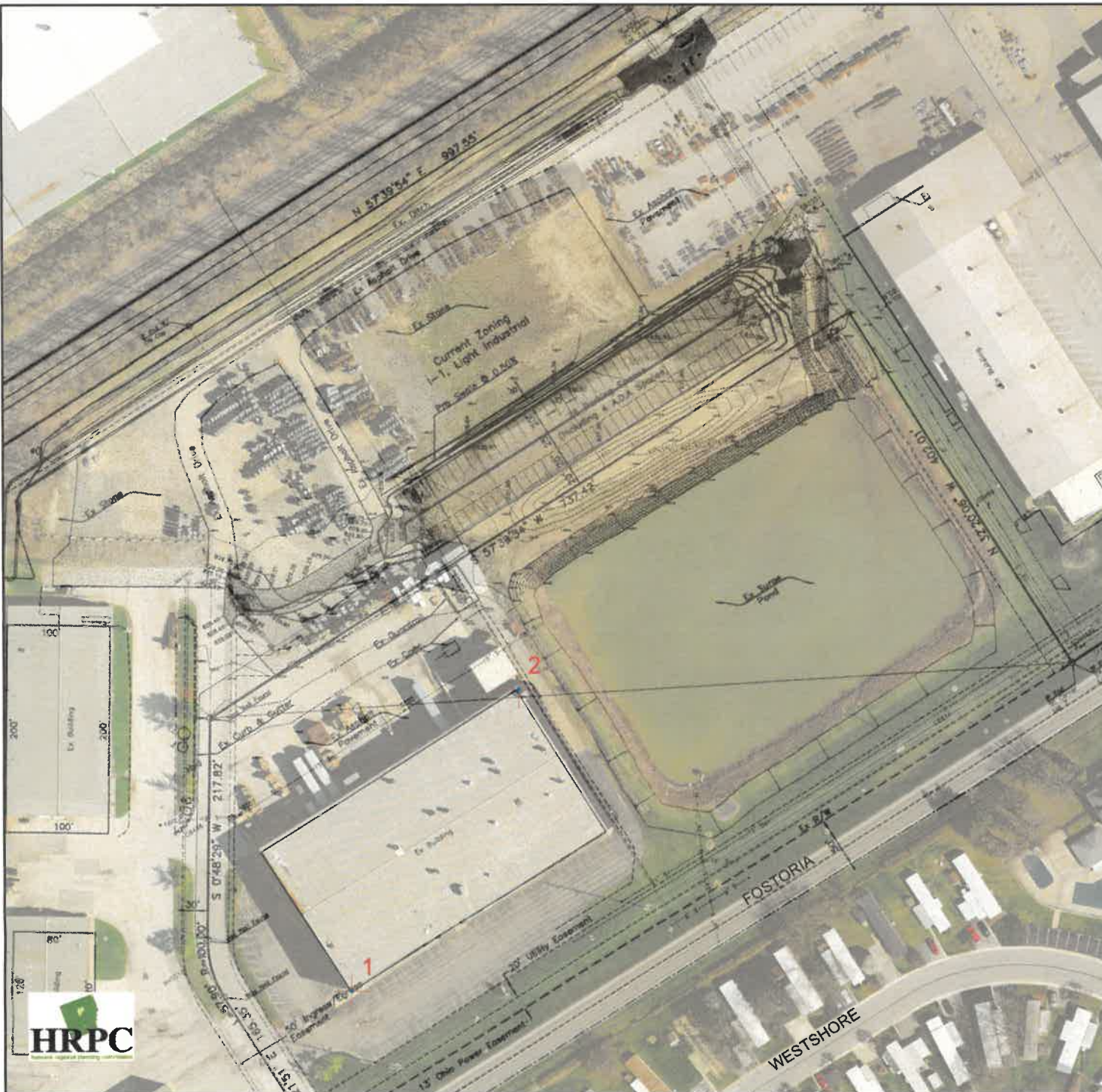
- **Work with HRPC to get an approved landscaping plan**

SP-26-2023

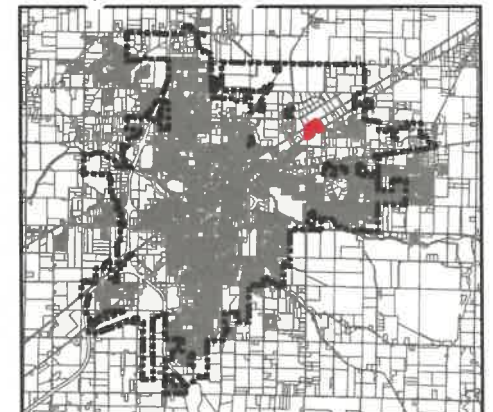
APPLICATION FOR
SITE PLAN REVIEW
filed by Werk-Brau, for a
30,772 sf parking lot
expansion at
2500 Fostoria Avenue.

Legend

- Parcels
- 2500 Fostoria Avenue
- Road Centerline



Findlay Locator Map



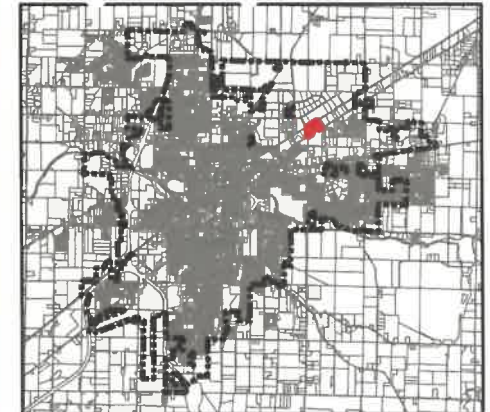
SP-26-2023

APPLICATION FOR
SITE PLAN REVIEW
filed by Werk-Brau, for a
30,772 sf parking lot
expansion at
2500 Fostoria Avenue.

Legend

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

Findlay Locator Map



3. APPLICATION FOR SITE PLAN REVIEW #SP-27-2023 filed by VFW Post 5645 for an 1800 sf pavilion and fencing at 315 Walnut Street.

CPC STAFF

General Information

This request is located on the south side of Walnut Street between Taylor Street and the north/south railroad tracts. It is zoned R-3 Single Family Small Lot. On the south side of Walnut Street, it is mostly R-3 Small Lot Residential with some C-1 Local Commercial. To the north is a mix of C-2 General Commercial and I-1 Light Industrial. It is not located within the 100-year floodplain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

Parcel History

The site is currently vacant.

Staff Analysis

The VFW would like to add a pavilion to their site. They host events in the summer and would like to have an outdoor area where they can gather. The pavilion would be a four-post structure with an overhang located in the southeast corner of the site. They would enclose this with an 8-foot high vinyl fence that they would wrap around the south and east property line. There will also be a 4-foot high aluminum fence across the north side of the pavilion space. Staff did not have any concerns with the proposed plan.

Staff Recommendation

Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-27-2023 filed by VFW Post 5645 for an 1800 sf pavilion and fencing at 315 Walnut Street.**

ENGINEERING

Access –

Site will be accessed the existing drive off Walnut Avenue.

Water Service –

No proposed service.

Sanitary Service –

No proposed service.

Stormwater Management –

Due to the stone being pretty compact and the proposed building fairly small it does not appear that detention is required. Would like to see the stone in front of the fence removed and replaced with grass.

MS4 Requirements –

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

Recommendations:

Approval of the Site-

FIRE PREVENTION

- Obtain all of the proper permits for building the pavilion and fence

RECOMMENDATION

CPC Staff recommends approval of **APPLICATION FOR SITE PLAN REVIEW #SP-27-2023** filed by **VFW Post 5645** for an **1800 sf pavilion and fencing at 315 Walnut Street.**

SP-27-2023

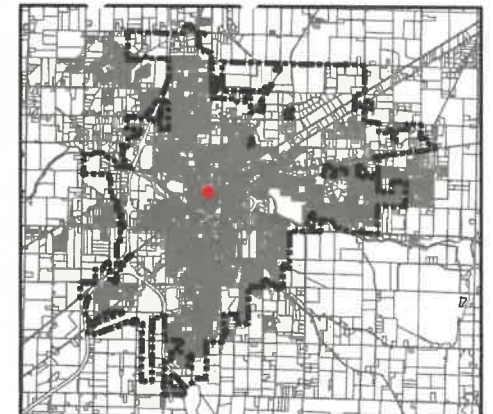
APPLICATION FOR
SITE PLAN REVIEW
filed by VFW Post 5645 for a
1800 sf pavilion and fencing
at 315 Walnut Street.

Legend

-  315 Walnut Street
-  Parcels
-  Road Centerline



Findlay Locator Map



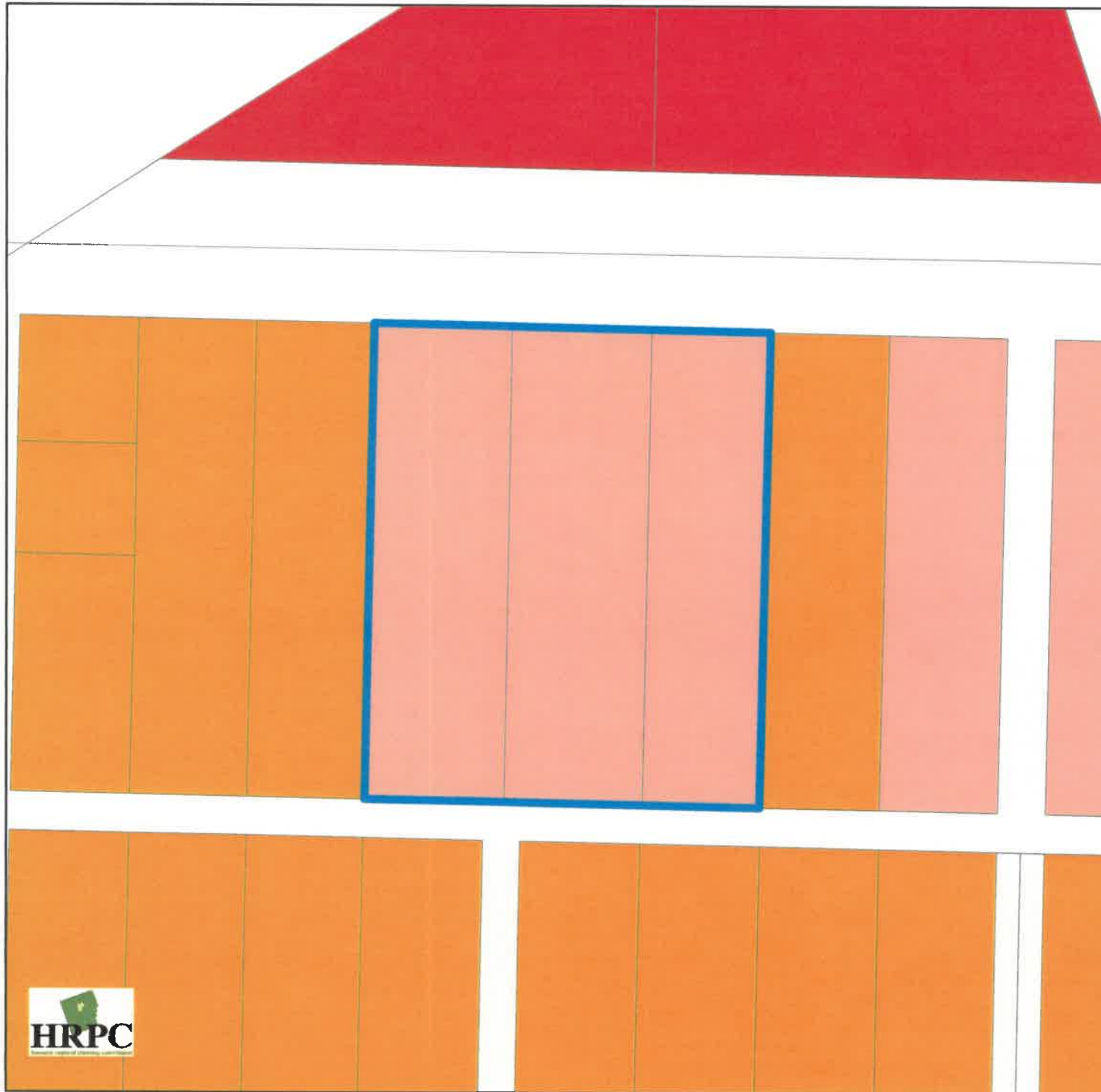
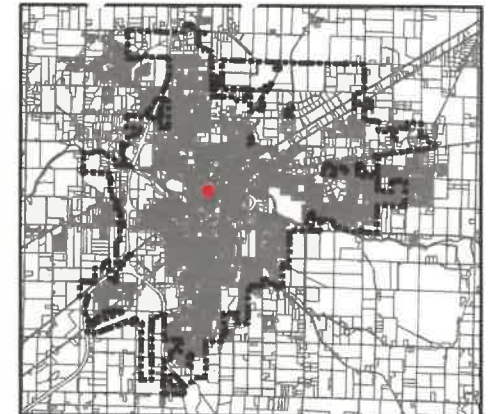
SP-27-2023

APPLICATION FOR
SITE PLAN REVIEW
filed by VFW Post 5645 for a
1800 sf pavilion and fencing
at 315 Walnut Street.

Legend

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

Findlay Locator Map



4. APPLICATION FOR CONDITIONAL USE #CU-18-2023 filed by MadCass LLC, 116 W. Lima Street, to establish a triplex at 239 Garfield Avenue located at parcel 210001029420.

CPC STAFF

General Information

This request is located on the south side of Garfield Street, just west of the railroad tracks. The parcel is zoned R-3 Small Lot Residential. It is in a neighborhood of R-3 Small Lot Residential. The City of Findlay Land Use Plan designates the area as small lot residential. It is not located within the 100-year flood plain.

Parcel History

The site is currently vacant.

Staff Analysis

The applicant is proposing to split the existing parcel in half. Once split, they would like to construct a triplex on the eastern half, nearest to the railroad tracks. The house they will construct on the west side will be a single-family home. MadCass LLC owns several properties along Garfield Avenue already. They would like to continue their layout with a shared driveway between two houses, with the driveway opening up to a parking area in the rear of the buildings. The layout of the house would have the garage in the front, with a first unit on the second floor. In the back of the house, there would be a unit on each floor.

For the triplex, they are proposing a 3-car garage. They would have a parking area in the back that would accommodate at least four (4) additional cars.

Given the presence of duplexes along Garfield Avenue, and that they have provided adequate parking, staff did not have any concerns with the request.

Staff Recommendation

Staff recommends **approval of APPLICATION FOR CONDITIONAL USE #CU-18-2023 filed by MadCass LLC, 116 W. Lima Street, to establish a triplex at 239 Garfield Avenue located at parcel 210001029420.**

ENGINEERING

- No Comment

FIRE PREVENTION

- No Comment




RECOMMENDATION

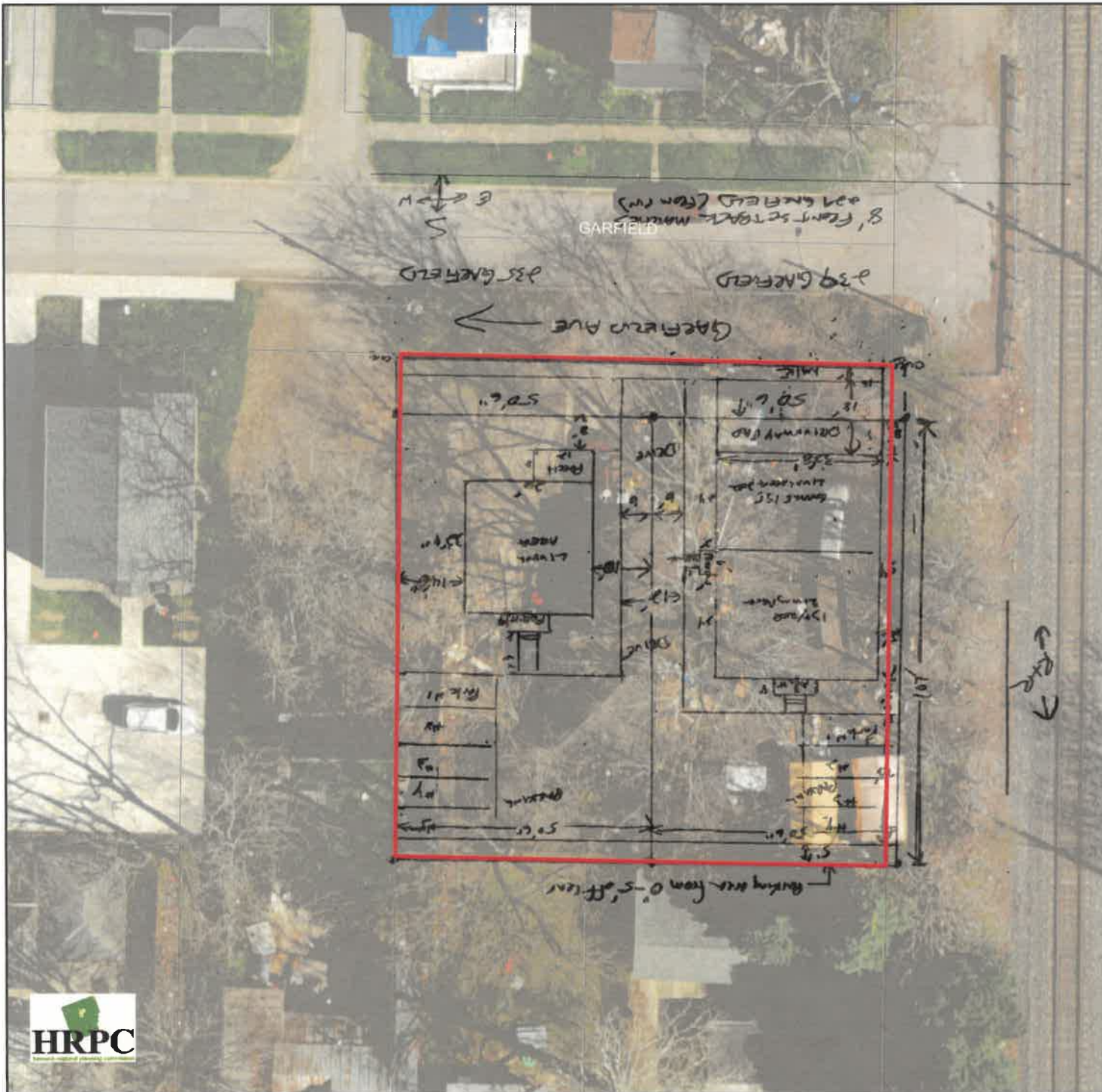
Staff recommends approval of **approval of APPLICATION FOR CONDITIONAL USE #CU-18-2023 filed by MadCass LLC, 116 W. Lima Street, to establish a triplex at 239 Garfield Avenue located at parcel 210001029420.**

CU-18-2023

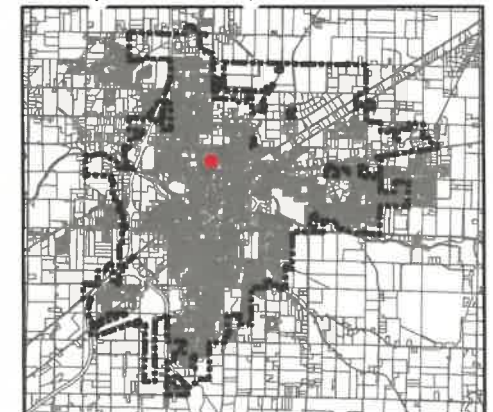
APPLICATION FOR
CONDITIONAL USE
filed by MadCass LLC,
116 W. Lima Street,
to establish a triplex at
239 Garfield Avenue located
at parcel 210001029420.

Legend

-  235 and 239 Garfield Avenue
-  Parcels
-  Road Centerline



Findlay Locator Map



CU-18-2023

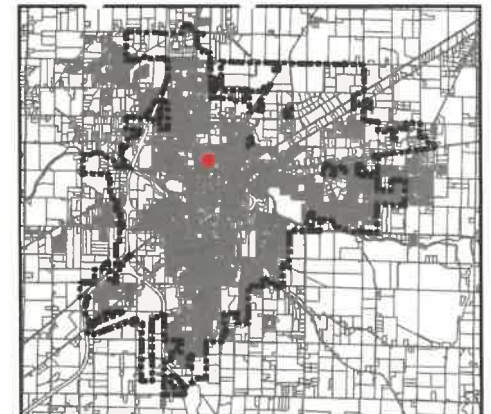
APPLICATION FOR
CONDITIONAL USE
filed by MadCass LLC,
116 W. Lima Street, to
establish a triplex at
239 Garfield Avenue located
at parcel 210001029420.

Legend

-  235 and 239 Garfield Avenue
-  Parcels
-  Road Centerline



Findlay Locator Map



CU-18-2023

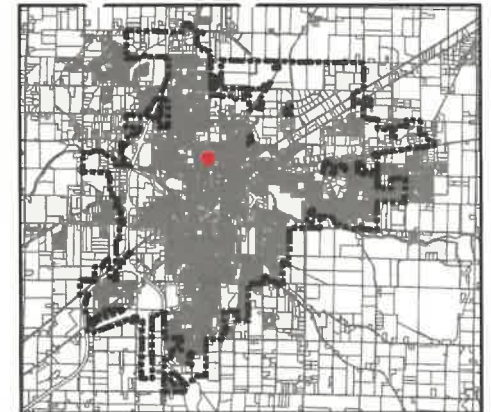
APPLICATION FOR
CONDITIONAL USE
filed by MadCass LLC,
116 W. Lima Street, to
establish a triplex at
239 Garfield Avenue located
at parcel 210001029420.



Legend

- 235 and 239 Garfield Avenue
- Parcels
- Road Centerline
- Large Lot Residential, R-1
- Medium Lot Residential, R-2
- Small Lot Residential, R-3
- Duplex/Triplex, R-4
- Local Commercial, C-1
- General Commercial, C-2
- Downtown Commercial, C-3
- Office/Institution, O-1
- Light Industrial, I-1
- Heavy Industrial, I-2
- Condominium, CD
- Multi-Family, Low Density, M-1
- Multi-Family, High Density, M-2
- Parks and Open Space, PO
- Mobile Home, MH

Findlay Locator Map





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

Rob Martin, BSN, MBA
Service-Safety Director

November 1, 2023

Honorable City Council:
Findlay, OH 45840

RE: 2024 Salary Ordinance Amendment:

Dear Honorable Council,

Ordinance No. 2023-097 (Salary Ordinance), As Amended Section 9: Hourly Job Classifications and Pay Ranges is requested to be amended to add pay ranges 0160 and 9160 back onto the salary ordinance for the job classifications of Assistant Recreation Supervisor and Assistant Utilities Billing Supervisor. This information was inadvertently deleted and should have remained as pay ranges for the aforementioned job classifications.

By copy of this letter, the Law Director is requested to prepare the amended Salary Ordinance (Ordinance No. 2023-97, As Amended) as redlined in the proposed documents.

Sincerely,

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

Christina M. Muryn
Mayor

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



October 31, 2023

RE: Downtown Recreation Area Environmental Review

Dear Honorable Council,

I am writing to provide an update on the status of the environmental review of the downtown recreation area footprint and a number of other surrounding properties which have been identified for transfer to the City of Findlay. As a reminder, a variety of environmental studies have been done on these properties over the years, and the City is aware of a number of RECs (reported environmental condition). These RECs will largely be addressed by the phase 2 benching work which is expected to begin next spring, but out of an abundance of caution a more thorough environmental review is in process.

Following approval by Findlay City Council, myself and Auditor Staschiak reviewed and selected Civil & Environmental Consultants, Inc. to complete a Phase I and subsequent Phase II environmental studies of the identified area. As was expected, the Phase I reports identified parcels where additional study was recommended.

Currently, the phase II environmental studies are underway and are expected to be complete by the end of November/early December. I plan to share the Phase II reports as soon as they are received and have a committee meeting as needed to review in detail so that Council may take appropriate action by the end of the year.

Please note that one of the invoices received from CEC for \$17,972.65 for their services will need Council to approve payment as the purchase order was not processed prior to the work beginning. The invoice will be paid out of the previously appropriated \$100,000 from Resolution 016-2023 in project # 31933000. The invoiced amounts along with the remaining work will be under the \$100,000 funds appropriated.

Thank you for your assistance in completing this work so that we may move forward.

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

November 1, 2023

RE: Key Performance Indicators

Dear Honorable Council Members:

This letter is to inform you that the City of Findlay Key Performance Indicators Third Quarter 2023 are now available at <https://www.findlayohio.com/government/transparency-performance>. Included with this letter is the KPI Dashboard which shows a few key metrics.

These KPIs are a critical tool we use to measure our service delivery and operational effectiveness. They allow us to see our progress towards goals we set for continuous improvement. We are proud of the work that the City of Findlay team is doing to ensure that we are hitting our targets.

For additional detail, please visit the website. As always, if you have any questions, please do not hesitate to reach out.

Sincerely,

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

Christina M. Muryn
Mayor

KPI Dashboard (click on a KPI for more detail)

See more KPIs at each department section

SAFETY

Police

violent crimes

15.9

average incidents per month through Q3 2023

slightly above 3 yr. average*

Police

non-violent crimes

99.5

average incidents per month through Q3 2023

below 3 year average*

Police

average response time

5:23

minutes in 2023 YTD

quicker than target

Fire

average response time

4:06

minutes in 2023 YTD

quicker than target

*Overtime incurred is higher than the 3 year average due to staffing needs in the Fire and Police Departments. The City is actively recruiting and hiring.

*Crime Incidents appear higher due to the decrease experienced during the pandemic in 2020, as well as the transition to a new, more comprehensive, data collection system at the beginning of 2020. As we accumulate more data, the metrics will be adjusted accordingly.

SERVICES

Water

safe drinking water

100%

days in compliance

meets target

Sewer

regulatory compliance

100%

days in compliance

meets target

Public Works

pothole repairs

1.6 days

average time to complete

quicker than target

Airport

hangar capacity

107%

capacity filled

better than target

Engineering

lane miles paved

17.3

miles paved in 2023

on track for target

PARKS & RECREATION

The Cube

ice usage

67.8%

average capacity utilized YTD

better than target

The Cube

public skate

97

participants per session YTD

Marathon Diamonds

field usage

68%

average capacity utilized YTD

better than target

FINANCIAL

City

ratio of actual to budget

0.94

ratio for Q3 2023

better than target

City

overtime

\$619K

incurred YTD

above 5 year average*

Findlay Fire Department
 Monthly Activities Report - 2023
 Submitted By: Joshua S. Eberle, Fire Chief

Fire Statistics	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Fires	7	10	7	8	5	19	8	5	7	8		
Assist Other Agency	90	90	107	110	91	113	106	120	112	118		
Emergency Medical Service (EMS)	10	9	7	8	13	8	12	15	12	14		
Car Accidents	9	18	17	19	10	11	16	14	11	16		
Rescues (Extrication, Water, Elevator)	1	2	1		3	1	3	1	0	3		
Hazmat	19	9	15	17	6	6	7	8	11	10		
Good Intent	7	8	8	15	5	3	4	13	19	17		
Burning Complaints	2	7	4	7	11	5	8	3	3	14		
False Alarms	31	12	33	28	46	51	46	38	41	47		
Totals	176	165	199	212	190	217	210	217	216	247	0	0

Runs by District	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Station 1 - (South Main St)	59	47	69	68	71	81	60	67	74	90		
Station 2 - (North Main St)	54	50	50	65	39	61	53	71	61	68		
Station 3 - (Tiffin Ave)	27	30	40	36	36	43	44	48	37	54		
Station 4 - (CR 236)	36	38	40	43	44	32	53	31	44	35		
Totals	176	165	199	212	190	217	210	217	216	247	0	0

Fire Prevention Bureau

Construction	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations			1	3			2		4	1		
Inspections					3	1	3			2		
Plan Reviews			4		6	2	2	1	4			
System Acceptance Tests		3					3		1	3		
Totals	0	6	5	3	9	3	10	1	9	6	0	0

Existing Structure - Additions	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations	3		3	4	4		1	3	3	5		
Inspections	9	3	3	9	3	2	3	2	3	4		
Plan Reviews	7	6	12	3	9	10	5	5	3	8		
System Acceptance Tests	5	2	8	9	6	2	5	6	2	4		
Totals	24	11	26	25	22	14	14	16	11	21	0	0

Fire Investigations	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Cause and Determination												
Accidental	2	2	1	4		1		1	1	1		
Undetermined			1			1						
Incendiary						1						
Fire Investigation Activities												
Follow-up	7	7	5	7	2	5	7	4	10	9		
Interviews												
Assists						1						
Totals	9	9	7	11	2	9	7	5	11	10	0	0

Inspections	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Assembly	26	15	7	3	6	9	7	16	1	3		
Business	30	22	14	15	11	6	19	19		5		
Education K-12			1			3						
Education Pre-School	2	2		2	1		2	1	1			
Factory									1			
Mercantile	38		4	3	2	6	3	11		3		
Hazardous / Fireworks												
Institutional		2							1			
Mercantile		13										
Residential	1	4	12	1	4	2	15	14	13	34		
Adoption / Foster Care	2		1	1	3		2	2	1	1		
Pre-Fire Plan	12	12	21	3	8	3				2		
Storage			1									
Utility Mobile Food Vendors			1	1				38				
Utility Outbuildings												
Vacant Structures	1											
Totals	112	70	62	29	35	29	48	101	18	48	0	0

Prevention	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations		1	4	3	1			1	3	34		
Complaints	1		1	1	1	1	9	1	1			
Fireworks Exhibitions / Events							3	1	6	1		
Knox Box Consults/Maint.	1	2		2	4		2	1	2	1		
Other	1				1	1						
Fire Plan Updates		4				7				14		
Pre-Fire Plan	63			10	4		3	59	93			
Property Research	5	1	3	2	2	3	4	3		3		
Safety Presentations	4	4	9	7	8		4			12		
Re-inspections	41	53	122	47		20	36	25	42	7		
Background Checks	14				2			1	1	9		
Totals	130	65	139	72	23	32	61	92	148	81	0	0

Public Presentations	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Station Tours												
Truck Visits										6		
Meetings Attended	4	4	3	3	7	3	5	6	4	2		
School / Seminars Attended	2	2	1	7	2				2			
Birthday Parade / Drive-by												
Smoke Detector Install Visits												
Safety Presentations						6		3	7			
Totals	6	6	4	10	9	3	5	6	6	8	0	0

Committee Members:

- Jeff Webser, at large — Committee Chair
- Randy Greeno, at-Large, Acting Chair
- Jim Niemeyer, Ward 6
- Josh Palmer, Ward 7
- Grant Russel, at large
- Beth Warnecke, Ward 3

Meeting Start Time: 4:00

Meeting End Time: 4:55:05

Staff:

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

Guests: Holly Frishe Dan DeArment

Brian Bauman

Jason Phillips

Jaclynn Holman

Agenda:

Call to Order

Roll Call

Approval of Minutes

New Items

Project Hat Trick (Sheetz) infrastructure

Adjournment


Randy Greeno, Appropriations Committee Acting Chair

DISCUSSION INCLUDES
PRESENTATION BY
KAUB ON WATER &
SANITARY PROPOSED
IMPROVEMENTS
- W&S COMMITTEE
RECOMMENDATION

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A ~~combined~~ **APPROPRIATIONS COMMITTEE/WATER AND SEWER COMMITTEE** meeting was held on October 17, 2023 to discuss the Project Hat Trick (Sheetz) infrastructure.

We recommend

THAT THE CITY ADMINISTRATION gets documents verifying that the property has transferred to the new owner; ~~be~~ a document for easements for a future waterline on TR 99; and a document from Sheetz that states that they are moving forward

Aye Nay

ABSENT

Jeff Wobser, Chairman

Aye Nay

Randy Greeno
Randy Greeno, Acting Chairman

MOTION

Aye Nay

Jim Niemeyer
Jim Niemeyer

SECOND

Aye Nay

Josh Palmer
Josh Palmer

APPROPRIATIONS COMMITTEE

Aye Nay

~~Grant Russell~~

DATE: October 17, 2023

Aye Nay

Beth Warnecke
Beth Warnecke

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A ~~combined~~ ~~APPROPRIATIONS COMMITTEE~~/WATER AND SEWER COMMITTEE meeting was held on October 17, 2023 to discuss the Project Hat Trick (Sheetz) infrastructure.

We recommend

STATING that the intent of the Water & Sewer Committee to endorse the construction of a 16" inch waterline on TR 99 from CR 212 to TR 99 and a 24 inch sanitary sewer from the existing sewer connection on the west of TR 99/CR 212 heading east on TR 99 to the intersection of TR 230

Aye Nay ~~Jeff Webber, Chairman~~

Aye Nay *Randy Greeno*
Randy Greeno, Acting Chairman

Aye Nay ~~Jim Niemeyer~~

Aye Nay *Josh Palmer* **SECOND**

APPROPRIATIONS COMMITTEE

Aye Nay *Grant Russel* **MOTION**

DATE: October 17, 2023

LEGISLATION _____

Aye Nay ~~Boh Wernerke~~

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
NOVEMBER 8, 2023**

RESOLUTION NO. 024-2023 (*CR 230/212 aka Hat Trick aka Buchanan annexation aka Sheetz*) **requires three (3) readings** **third reading**
A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 32, T2N, R11E, A TRACT OF LAND CONSISTING OF 77.808 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE CR 230/212 (HAT TRICK AKA SHEETZ ANNEXATION)).

RESOLUTION NO. 026-2023 (*Recreation Department All Star Park*) **requires three (3) readings** **second reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

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. 2023-099 (*City employee retirement payouts*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-102 (*CR 99 annexation – accept & approve*) **requires three (3) readings** **third reading**
AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTING OF TWELVE (12) PARCELS TOTALING 57.691 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

ORDINANCE NO. 2023-103 (*CR 99 annexation zoning*) **requires three (3) readings** **third reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO KNOWN AS THE ZONING CODE BY ZONING THE FOLLOWING DESCRIBED PROPERTY AS BOTH I-1 LIGHT INDUSTRIAL AND C-2 GENERAL COMMERCIAL AS OUTLINED BELOW. SAID ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTS OF TWELVE (12) PARCELS TOTALING 57.691 ACRES (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

ORDINANCE NO. 2023-105 (*315 Walnut St rezone*) **requires three (3) readings** **third reading**
AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 315 WALNUT STREET REZONE) WHICH PREVIOUSLY WAS ZONED “R-3 SMALL LOT RESIDENTIAL” TO “C-1 LOCAL COMMERCIAL”.

ORDINANCE NO. 2023-106 (*Indigent Defense Services renewal agreement 2023-2025*) **requires three (3) readings** **third reading**
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT FOR CALENDAR YEARS 2023 THROUGH 2025 WITH THE HANCOCK COUNTY PUBLIC DEFENDER COMMISSION, AND THE HANCOCK COUNTY COMMISSIONERS FOR A TOTAL OF NINETY-FIVE THOUSAND DOLLARS (\$95,000.00) PER YEAR FOR SAID CALENDAR YEARS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-107 (*Capital Improvement Flood Mitigation*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-108 (*HAN-Interstate and FHS Trails PID115232*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-110 (*Water Meter System Replacement*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-112 (*Project Hat Trick (Sheetz) MOU*) **requires three (3) readings**

third reading

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NECESSARY PARTIES, INCLUDING, BUT NOT LIMITED TO THE HANCOCK COUNTY ENGINEER AND THE ALLEN TOWNSHIP TRUSTEES TO ASSIST WITH ROADWAY IMPROVEMENTS TO DISTRIBUTION DRIVE NORTH OF COUNTY ROAD 212 AND TOWNSHIP ROAD FROM DISTRIBUTION DRIVE EAST TO TOWNSHIP ROAD 230.

ORDINANCE NO. 2023-114 (*Income Tax Code update*) **requires three (3) readings**

second reading

AN ORDINANCE AMENDING SECTIONS 194.03, 194.062, 194.094 AND 194.10 AND ADDING SECTION 194.0621 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2023-115 (*zoning code*) **requires three (3) readings**

second reading

AN ORDINANCE REPEALING THE CURRENT ZONING CODE, CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING A NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO; TO BE KNOWN AS "CITY OF FINDLAY ZONING ORDINANCE"; ADOPTING, APPROVING, AND INCORPORATING THE CURRENT ZONING MAP, ALONG WITH THE ENTIRE TEXT OF NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AS IF FULLY REWRITTEN HEREIN.

ORDINANCE NO. 2023-116 (*ee payroll deductions for HSA*) **requires three (3) readings**

second reading

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

RESOLUTION NO. 024-2023

A RESOLUTION STATING WHAT SERVICES THE CITY OF FINDLAY, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF FINDLAY, OHIO, SITUATED IN ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO, AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 32, T2N, R11E, A TRACT OF LAND CONSISTING OF 77.808 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE CR 230/212 (HAT TRICK AKA SHEETZ ANNEXATION)).

WHEREAS, Ohio Revised Code 709.03 (D) requires a statement from the municipal legislative authority stating what services, if any, that will be provided to the territory proposed to be annexed upon annexation, and approximately when they will be furnished, and;

WHEREAS, it is the desire of this Council to provide said statement in compliance with said Revised Code Section.

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

SECTION 1: That in the event the Hancock County Commissioners should approve the petition for annexation of the subject property referenced above and should the legislative authority of the City of Findlay, Ohio, annex said property, it is the intent of this Council to make available the following services:

- a) street lighting
- b) street maintenance
- c) water distribution system
- d) sanitary sewer system
- e) storm sewer system
- f) engineering services
- g) full-time police protection
- h) full-time fire protection

All of which services will be available to said property upon completion of the annexation.

SECTION 2: That the purpose of this Resolution is not to legally bind the City of Findlay to the rendering of the above referenced services but rather to comply with said Revised Code Section so that the Commissioners may take action upon said annexation petition and further, to represent that this property like all other property within the incorporated limits of the City of Findlay, Ohio, shall be afforded the same services.

SECTION 3: 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 _____

RESOLUTION NO. 026-2023

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:	Recreation Department.#21044400-perosnal services	\$ 13,575.00
TO:	Recreation Department #21044400-other	\$ 13,575.00

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 needed repairs to the playground equipment at the City of Findlay Recreation Department All Star Park may be repaired.

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 _____

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. 2023-099

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:	Severance Payout Reserve Fund	\$ 150,000.00
TO:	Severance Payout Account #22090000-personal services	\$ 150,000.00

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 City employee retirement payouts 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. 2023-102

AN ORDINANCE ACCEPTING AND APPROVING AN APPLICATION FOR ANNEXATION OF TERRITORY SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTING OF TWELVE (12) PARCELS TOTALING 57.691 ACRES OF LAND, MORE OR LESS (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

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

SECTION 1: That upon the application of all the owners of the following described territory for annexation of the following described territory, situated in the Township of Allen, County of Hancock, State of Ohio, to the City of Findlay. Said twelve (12) parcels are listed below:

Parcel Nos:	020000005500	020000005510	020000005520	020000005530
	020000005570	020000005580	020000005590	020001001074
	020001001076	020001030280	020001030281	020001030282

SECTION 2: 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. 2023-103

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO KNOWN AS THE ZONING CODE BY ZONING THE FOLLOWING DESCRIBED PROPERTY AS BOTH I-1 LIGHT INDUSTRIAL AND C-2 GENERAL COMMERCIAL AS OUTLINED BELOW. SAID ANNEXATION OF TERRITORY IS SITUATED IN THE TOWNSHIP OF ALLEN, COUNTY OF HANCOCK, STATE OF OHIO, CONSISTING OF TWELVE (12) PARCELS TOTALING 57.691 ACRES (HEREINAFTER REFERRED TO AS THE COUNTY ROAD 99 (RACETRAC) ANNEXATION).

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

SECTION 1: That all twelve (12) parcels listed below are situated in the Township of Allen, County of Hancock, State of Ohio. A breakdown map of said zoning for said twelve (12) parcels is attached hereto as Exhibit A.

SECTION 2: That the following described parcels:

Parcel Nos:	020000005500	020000005510	020000005520	020000005530
	020000005570	020000005580	020000005590	020001001074
	020001001076	020001030282		

Be and the same is hereby rezoned from its respective zoning classifications to I-1 Light Industrial classification.

SECTION 3: That from and after the effective date of this ordinance, said parcels above described herein shall be subject to I-1 Light Industrial regulations.

SECTION 4: That the following described Parcel No. 020001030280:

Be and the same is hereby rezoned from its respective zoning classification to C-2 General Commercial.

SECTION 5: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to C-2 General Commercial regulations.

SECTION 6: That the following described Parcel No. 020001030281:

That the eastern 1.351 acres is hereby rezoned from its respective zoning classification to C-2 General Commercial.

That the western 1.315 acres is hereby rezoned from its respective zoning classification to I-1 Light Industrial.

Be and the same is hereby rezoned from its respective zoning classification to the aforementioned zoning classifications.

SECTION 7: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to both C-2 General Commercial and I-1 Light Industrial zoning as described above in SECTION 6.

SECTION 8: 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

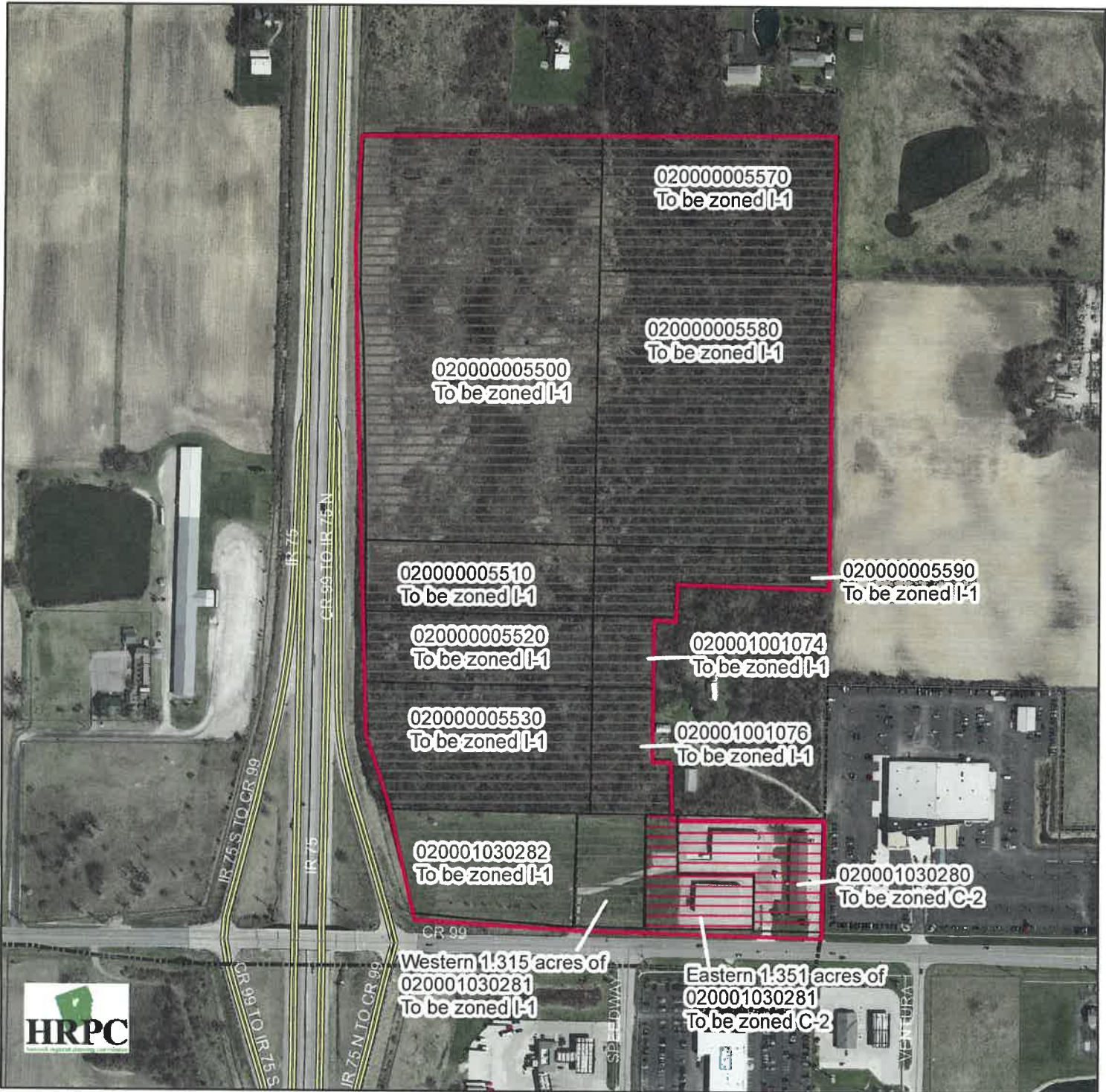
APPROVED _____

ZA-08-2023

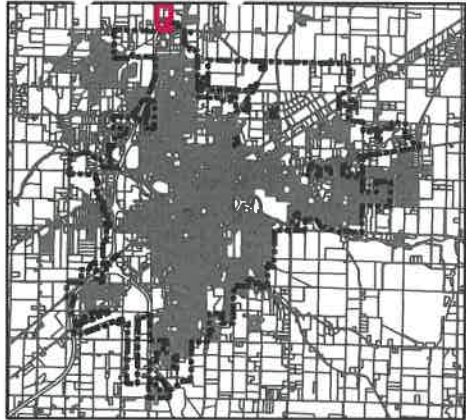
APPLICATION FOR ZONING AMENDMENT filed by Dr. Lai, RaceTrac Petroleum LLC, 11600 County Road 99 LLC, and 11732 County Road 99 LLC to provide initial zoning for 57.691 acres of property in Allen Township upon annexation into Findlay.

Legend

-  CR99AnnexationArea
-  C-2 Proposed Zoning
-  I-1 Proposed Zoning
-  Parcels
-  Road Centerline



Findlay Locator Map



ORDINANCE NO. 2023-105

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

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

SECTION 1: That the following described parcel:

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

Being Lot 1826 and part alley in the Gray and Patterson 3rd Addition.

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

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-106

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT FOR CALENDAR YEARS 2023 THROUGH 2025 WITH THE HANCOCK COUNTY PUBLIC DEFENDER COMMISSION, AND THE HANCOCK COUNTY COMMISSIONERS FOR A TOTAL OF NINETY-FIVE THOUSAND DOLLARS (\$95,000.00) PER YEAR FOR SAID CALENDAR YEARS, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Mayor of the City of Findlay, Ohio, be and she is hereby authorized to enter into a contract for calendar years 2023 through 2025 with the Hancock County Public Defender Commission, and the Hancock County Commissioners for a total of ninety-five thousand dollars (\$95,000.00) per year for said years.

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 enact said legislation so that the contract may be executed for calendar year 2023 through 2025 with the Hancock County Public Defender Commission and the Hancock County Commissioners,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-107

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

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

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

FROM:	General Fund	\$ 2,500,000.00
TO:	CIT Fund - Capital Improvements Flood Mitigation Restricted Account	\$ 2,500,000.00

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 appropriate and transfer funds so that flood mitigation efforts for basin maintenance and railroad bridge renovations expenses may be funded.

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. 2023-108

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

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

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

FROM: CIT Fund - Capital Improvement Restricted Account \$ 40,000.00
TO: HAN-Interstate and FHS Trails PID115232, *Project No. 32821400* \$ 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 and transfer said funds so that the contractor 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. 2023-110

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

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

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

FROM:	Sewer Fund	\$ 1,315,500.00
TO:	Water Meter System Replacement, <i>Project No. #35783300</i>	\$ 1,315,500.00
FROM:	Water Fund	\$ 1,315,500.00
TO:	Water Meter System Replacement, <i>Project No. #35783300</i>	\$ 1,315,500.00

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 and transfer funds so that the aforementioned costs associated with the final transmitters and materials for the Water Meter System Replacement, Project No. 35783300 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. 2023-112

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NECESSARY PARTIES, INCLUDING, BUT NOT LIMITED TO THE HANCOCK COUNTY ENGINEER AND THE ALLEN TOWNSHIP TRUSTEES TO ASSIST WITH ROADWAY IMPROVEMENTS TO DISTRIBUTION DRIVE NORTH OF COUNTY ROAD 212 AND TOWNSHIP ROAD FROM DISTRIBUTION DRIVE EAST TO TOWNSHIP ROAD 230.

WHEREAS, the City of Findlay is desirous to enter into a Memorandum Of Understanding to allow the necessary parties, including, but not limited to, the Hancock County Engineer and the Allen Township Trustees to assist with roadway improvements to Distribution Drive north of County Road 212 and Township Road 99 from Distribution Drive east to Township Road 230 (hereinafter referred to as Project Hat Trick) in order to continue the strategic investment of infrastructure in support of economic development.

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

SECTION 1: That the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay, Ohio be and the same are hereby authorized to enter into a Memorandum of Understanding with the necessary parties, including, but not limited to the Hancock County Engineer and the Allen Township Trustees to assist with roadway improvements to Distribution Drive north of County Road 212 and Township Road 99 from Distribution Drive east to Township Road 230 in order to continue the strategic investment infrastructure in immediate support of project Hat Trick and for support of future opportunities in the area.

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. 2023-114

AN ORDINANCE AMENDING SECTIONS 194.03, 194.062, 194.094 AND 194.10 AND ADDING SECTION 194.0621 OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

WHEREAS, Council desires to amend said sections of the Income Tax Ordinance, No. 2015-101.

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 paragraph 11, subparagraph (O) of Section 194.03, which reads as follows:

- (O) Earnings and income of all individuals under sixteen years of age, whether residents or nonresidents.

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

- (O) Earnings and income of all individuals under eighteen years of age, whether residents or nonresidents.

SECTION 2: That paragraph A of Section 194.062, which reads as follows:

- (A) Net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

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

- (A) Except as otherwise provided in Section 194.0621 and division (B) of 194.062, net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

SECTION 3: That paragraph D of Section 194.062 which reads as follows:

- (D) For the purposes of division (A)(3) of this section, receipts from sales and rentals made and services performed shall be situated to a municipal corporation as follows:

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

- (D) For the purposes of division (A)(3) of this section, and except as provided in Section 194.0621, receipts from sales and rentals made and services performed shall be situated to a municipal corporation as follows:

SECTION 4: That the following be added to Income Tax Ordinance, No. 2015-101, which will be designated Section 194.0621:

- (A) As used in this section: (1) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria: (a) The taxpayer has assigned the individual to a qualifying reporting location. (b) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location. (2) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or controlled by a customer or client of the taxpayer.

"Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year. (3) "Reporting location" means either of the following: (a) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer; (b) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under section 718.03 of the Revised Code on qualifying wages paid to an employee for the performance of personal services at that location. (4) "Qualifying reporting location" means one of the following: (a) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year; (b) If no reporting location exists in this state for an employee or owner under division (A)(4)(a) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year; (c) If no reporting location exists in this state for an employee or owner under division (A)(4)(a) or (b) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

- (B) A taxpayer may elect to apply the provisions of this section to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of section 718.02 of the Revised Code apply to such apportionment except as otherwise provided in this section. A taxpayer shall make the election allowed under this section in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election. The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this section, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location. After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation. Nothing in this section prohibits a taxpayer from making a new election under this section after properly revoking a prior election.
- (C) For the purpose of calculating the ratios described in division (A) of section 718.02 of the Revised Code, all of the following apply to a taxpayer that has made the election described in division (B) of this section: (1) For the purpose of division (A)(1) of section 718.02 of the Revised Code, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location. (2) For the purpose of division (A)(2) of section 718.02 of the Revised Code, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location. (3) For the purpose of division (A)(3) of section 718.02 of the Revised Code, and notwithstanding division (D) of that section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

- (D) Nothing in this section prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (B) of section 718.02 of the Revised Code. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.
- (E) Except as otherwise provided in this section, nothing in this section is intended to affect the withholding of taxes on qualifying wages pursuant to sections 718.011 and 718.03 of the Revised Code.

SECTION 5: That paragraph A of Section 194.094, which reads as follows:

- (A) Any taxpayer that has duly requested an automatic six-month extension for filing the taxpayer's federal income tax return shall automatically receive an extension for the filing of a municipal income tax return. The extended due date of the municipal income tax return shall be the fifteenth day of the tenth month after the last day of the taxable year to which the return relates.

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

- (A) Any taxpayer that has duly requested an automatic six-month extension for filing the taxpayer's federal income tax return shall automatically receive an extension for the filing of a municipal income tax return. The extended due date of the municipal income tax return for a taxpayer that is an individual shall be the fifteenth day of the tenth month after the last day of the taxable year to which the return relates. The extended due date of the municipal income tax return for a taxpayer that is not an individual shall be the fifteenth day of the eleventh month after the last day of the taxable year to which the return relates.

SECTION 6: That paragraph C of Section 194.094, which reads as follows:

- (C) A taxpayer that has not requested or received a six-month extension for filing the taxpayer's federal income tax return may request that the Tax Administrator grant the taxpayer a six-month extension of the date for filing the taxpayer's municipal income tax return. If the request is received by the Tax Administrator on or before the date the municipal income tax return is due, the Tax Administrator shall grant the taxpayer's requested extension.

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

- (C) A taxpayer that has not requested or received a six-month extension for filing the taxpayer's federal income tax return may request that the Tax Administrator grant the taxpayer a six-month extension of the date for filing the taxpayer's income tax return. If the request is received by the Tax Administrator on or before the date the tax return is due, the Tax Administrator shall grant the taxpayer's requested extension.

SECTION 7: That the following be added to Income Tax Ordinance, No. 2015-101, which will be designated paragraph F and G of Section 194.094:

- (F) If a taxpayer receives an extension for the filing of a municipal income tax return under paragraph(A), (B), (C), (D) or (E) of this section, the tax administrator shall not make any inquiry or send any notice to the taxpayer with regard to the return on or before the date the taxpayer files the return or on or before the extended due date to file the return, whichever occurs first.

- (G) If a tax administrator violates paragraph (F) of this section, the municipal corporation shall reimburse the taxpayer for any reasonable costs incurred to respond to such inquiry or notice, up to one hundred fifty dollars. Paragraph (F) of this section does not apply to an extension received under paragraphs (A), (B) or (C) of this section if the tax administrator has actual knowledge that the taxpayer failed to file for a federal extension as required to receive the extension under paragraph (A) of this section or failed to file for an extension under paragraph (C) of this section.

SECTION 8: That paragraph C, subparagraph 4 of Section 194.10, which reads as follows:

- (C) (4) With respect to returns, other than estimated income tax returns, the Municipality shall impose a monthly penalty of twenty-five dollars (\$25) for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed a total of one hundred fifty dollars (\$150) in assessed penalty for each failure to timely file a return.

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

- (C) (4) With respect to returns other than estimated income tax returns, a municipal corporation may impose a penalty not exceeding twenty-five dollars for each failure to timely file each return, regardless of the liability shown thereon, except that a municipal corporation shall abate or refund the penalty assessed on a taxpayer's first failure to timely file a return after the taxpayer files that return.

SECTION 9: This Ordinance be and the same hereby approved and adopted by this Council, and shall be effective January 1, 2024 at 12:01AM, unless otherwise prescribed by HB33 of the 135th Ohio General Assembly.

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. 2023-115

AN ORDINANCE REPEALING THE CURRENT ZONING CODE, CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING A NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO; TO BE KNOWN AS "CITY OF FINDLAY ZONING ORDINANCE"; ADOPTING, APPROVING, AND INCORPORATING THE CURRENT ZONING MAP, ALONG WITH THE ENTIRE TEXT OF NEW CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AS IF FULLY REWRITTEN HEREIN.

WHEREAS, The City of Findlay Zoning Department in cooperation with the Hancock Regional Planning Commission, City Planning Commission, and the Planning and Zoning Committee of Council has completed the tedious task of reviewing and updating the zoning code ordinance for the City of Findlay; and,

WHEREAS, the parties have identified regulations that do not work as originally intended or were too restrictive by their operation; and,

WHEREAS, the update provides balance and clarification to the zoning code, and;

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

SECTION 1: That new Chapter 331.45 of the Codified Ordinances of the City of Findlay, Ohio be enacted which reads as follows:

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

SECTION 1: That the current Chapter 1100 et seq of the codified ordinances of the City of Findlay, Ohio, be and the same is hereby repealed, and in its place a new Chapter 1100 et seq of the codified ordinances of the City of Findlay, Ohio is hereby enacted to be known as "City of Findlay Zoning Ordinance" which also adopts, approves, and incorporates the zoning map, along with the entire text of new Chapter 1100 et seq of the codified ordinances of the City of Findlay, Ohio as if fully rewritten herein.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-116

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

Whereas, Ordinance 2022-111 authorized a pre-tax Health Savings Account (HSA) plan, for qualified medical expenses paid by all eligible employees with the City of Findlay, Ohio under the private letter ruling of the City's agent for said Health Savings Account (HSA) plan, and;

Whereas, Ordinance 2022-111 ordained that the health insurance premiums and any employer contributions associated with said pre-tax Health Savings Account (HSA) plan shall be granted pre-tax consideration, and;

Whereas, the amount of employer contributions to the Health Savings Account (HSA) for calendar year 2024 are below.

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

SECTION 1: That the Auditor of the City of Findlay, Ohio, be and he is hereby authorized to make payroll deductions from those City employees who have elected to enroll in the Health Savings Account (HSA). Said payroll deductions shall only be made to City employees who have an active Health Savings Account (HSA) and have given proof of that account to the City Auditor's Office.

SECTION 2: That the Auditor be and he is hereby authorized to pay to each employee enrolled in said Health Savings Account (HSA) plan, the sum of seven hundred twenty dollars and no cents (\$720.00), if enrolled individually; or, the sum of one thousand eight hundred dollars and no cents (\$1,800.00), if enrolled as a family, or as an employee plus spouse, or as an employee plus children. Said employer contributions shall be distributed directly, pre-tax, to the employee's Health Savings Account (HSA) in twenty-four (24) distributions to coincide with the scheduled deduction of health insurance premiums from January 1, 2024 through December 31, 2024 so long as said employee is employed by the City of Findlay. If at any time during the year an employee enrolled in the Health Savings Account (HSA) separates from employment with the City of Findlay, such employer contributions shall cease immediately and said employee shall be entitled to only such employer contributions as have been accrued through employee's last payroll period with the City of Findlay. Said payments shall only be made to City employees who have an active (HSA) and have given proof of that account to the City Auditor's Office.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

City of Findlay

Office of the Director of Law

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

Donald J. Rasmussen
Director of Law

NOVEMBER 8, 2023

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, NOVEMBER 8, 2023 MEETING.

RESOLUTIONS

028-2023 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

2023-118 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 1600 EAST MELROSE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "M-2 MULTI-FAMILY, HIGH DENSITY".

2023-119 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 1700 FOSTORIA AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "I-1 LIGHT INDUSTRIAL".

2023-120 AN ORDINANCE REPEALING CHAPTER 913 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ESTABLISHING A NEW CHAPTER 913 ENTITLED ESTABLISHMENT OF SHADE TREE COMMISSION AND TREE REGULATIONS ORDINANCE FOR THE CITY OF FINDLAY, OHIO.

2023-121 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

2023-122 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

2023-123 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

2023-124 AN ORDINANCE AMENDING ONE (1) SECTION OF CODIFIED ORDINANCE NO. 2023-097, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HEREWITH, DECLARING AN EMERGENCY.

RESOLUTION NO. 028-2023

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
CIVIL & ENVIRONMENTAL CONSULTANTS INC	260735 AND 260734	31933000-441100-19330	PHASE 2 BENCHYING ENVIRONMENTAL	\$20,027.50	PROFESSIONAL SERVICE	NO PURCHASE ORDER PREPARED

ORDINANCE NO. 2023-118

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 1600 EAST MELROSE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "M-2 MULTI-FAMILY, HIGH DENSITY".

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

SECTION 1: That the following described parcel:

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

Being Lots 9-11 (parcel nos. 570001019011, 570001019012, 570001019013) in the East Melrose Business Park.

Be and the same is hereby rezoned from its respective zoning classifications to M-2 Multi-Family, High Density.

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2023-119

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 1700 FOSTORIA AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "I-1 LIGHT INDUSTRIAL".

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 Lots # 1, 5, and 6 of the Findlay Center for Business & Technology.

Be and the same is hereby rezoned from its respective zoning classifications to I-1 Light Industrial.

SECTION 2: That from and after the effective date of this ordinance, said parcel above described herein shall be subject to I-1 Light Industrial 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. 2023-120

AN ORDINANCE REPEALING CHAPTER 913 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ESTABLISHING A NEW CHAPTER 913 ENTITLED ESTABLISHMENT OF SHADE TREE COMMISSION AND TREE REGULATIONS ORDINANCE FOR THE CITY OF FINDLAY, OHIO.

SECTION 1: That Chapter 913 of the Codified Ordinance of the City of Findlay, Ohio be and the same is hereby repealed in its entirety.

SECTION 2: That a new Chapter 913 be and the same is hereby adopted to read as follows:

913.01 ESTABLISHMENT

There is hereby created and established the Shade Tree Commission of the City of Findlay, County of Hancock, State of Ohio.

913.02 MEMBERSHIP AND TERMS

1. The Commission shall consist of ten (10) members. Six members shall be appointed by the Mayor. One member each shall be from City Council, the City Engineer's office, the Service-Safety Director's office, and one member from the Public Works Department.
2. The Mayor, subject to the approval of the City Council, shall appoint all members of the Commission.
3. The Chairperson of the Commission shall preside over all meetings of the Commission and act as parliamentarian. The Vice-Chairperson shall assume the duties of the Chairperson in his or her absence.
4. The six public members of the Commission shall be appointed for three-year terms and staggered so not more than two members' terms expire in the same year. An exception to the expiration schedule shall be if a member or members resign before the expiration of his/her or their term, the Mayor shall immediately appoint a replacement to fill the unexpired term.
5. The Commission members shall serve without compensation.
6. Any Commission member who misses three (3) consecutive meetings or more than fifty percent (50%) of the regular meetings on an annual basis shall be removed from the Shade Tree Commission.

913.03 POWERS AND DUTIES

1. The Commission, when requested by City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question regarding the tree lawn or public trees.
2. To hold regular and special meetings, at which the subject of trees, insofar as it relates to the Municipality, may be discussed by the members of the Commission, officers, personnel, and Council committees of the Municipality and all others interested in the tree program.
3. To educate and inform the public regarding the selection, planting and maintenance of trees within the corporate limits, whether the same be on private or public property.
4. To participate in the Tree City USA program, and to ensure the City meets all standards therein, including an Arbor Day observance on an annual basis.
5. To work with the City Administration and the Public Works Department to implement a tree planting program as the budget allows.
6. To adopt rules, regulations, and policy consistent with this chapter and to enforce in a court of law said rules, regulations, and policy.

913.04 MEETINGS AND PROCEDURES

The Commission shall choose its own officers, make its own rules and regulations, and keep a journal of its proceedings. A simple majority of the appointed members present shall be a quorum for the transaction of business. All plans, findings, advice, reports, and recommendations of the Commission shall be in writing. The minutes shall be filed with the Mayor's Office.

913.05 TREE REGULATIONS

A. DEFINITIONS

1. "Boulevard" means a wider than normal street with two-way traffic separated by a median strip usually landscaped with shrubs and/or trees.
2. "Hazardous Tree" refers to any public tree that has identified parts which are likely sources of harm within a target zone and is capable of causing damage or is a threat to the health and safety of persons or property.
 - a) Size of tree is an obstruction to Engineering as it pertains to sidewalks, utilities, or street cleaning.
 - b) Size of tree is an obstruction for motorists and/or pedestrians.
 - c) Fruit or nut is too messy, has a bad odor, and/or is deemed toxic.

3. "Large Trees" shall refer to trees taller than 50' at maturity.
4. "Medium Trees" shall refer to trees taller than 25' and no taller than 50' at maturity.
5. "Person" means any person, firm, partnership, association, corporation, company, or organization of any kind.
6. "Property Line" means the boundary between two (2) or more pieces of property.
7. "Property Owner" means the person owning such property as shown by the Hancock County Auditor's Plat of the City of Findlay, Hancock County, Ohio, including the executor, administrator, or beneficiary of the estate of a deceased owner.
8. "Pruning" means the process of removing of tree parts for a specific reason following International Society of Arboriculture Best Management Practices.
9. "Public Places" shall include all other grounds owned by the City of Findlay.
10. "Public Trees" shall include all trees now or hereafter growing within the right-of-way.
11. "Public Works Department" means the person or persons designated by the Service-Safety Director who, among other things, has under his or her control all public streets and highways within the corporate limits of the City.
12. "Right-of-Way" means any strip of land dedicated to public use.
13. "Service-Safety Director" means the person designated as Director of Public Service-Safety pursuant to Ohio Revised Code Chapter 735 et seq and Ohio Revised Code Chapter 737, et seq.
14. "Shrub" means a low growing woody plant with one or several perennial main stems producing branches, shoots, or multiple stems from or near the base of the plant and incapable of being pruned to provide at least six feet of clear branchless trunk.
15. "Small Trees" shall refer to trees no taller than 25' at maturity.
16. "Street, Boulevard or Highway" means the entire width of every public way, easement of right-of-way when any part thereof is open to the public, as a matter of right, for the purpose of vehicular and pedestrian traffic.
17. "Target" refers to people, property, or activities that could be injured, damaged, or disrupted by a tree failure.

18. "Tree" means a tall growing woody plant with one or more perennial main stems or a trunk which develops branches from the aerial section of the stem rather than from the base; capable of being pruned to at least six feet of clear branchless trunk below the crown within ten (10) years of planting. Tree size is defined in 3, 4, and 15 above.
19. "Tree Inventory" means a survey of trees in all public places, including City parks and tree lawns; identifying the number of trees, species distribution, size distribution, maintenance needs, and planting needs.
20. "Tree Lawn" means that part of a street and or that part of private land abutting the street or highway, lying between the property line and that portion of the street or highway usually used for vehicular traffic.
21. "Tree Topping" is the practice of removing whole tops of trees or large branches and/or trunks from the tops of the trees leaving stubs or lateral branches that are too small to assume the role of a terminal leader.
22. "Zoning Department" means the person or persons designated by the Service-Safety Director who is responsible for the administration of the City of Findlay's Zoning regulations.

B. DUTY OF PRIVATE PROPERTY OWNER

1. It shall be the duty of any private property owner owning or occupying property bordering on right-of-way upon which property there may be non-public trees or shrubs, to prune or cause to be pruned such tree or shrub in a manner that they will not obstruct street lights, street signs, or obstruct pedestrian or vehicular traffic on sidewalks or streets. Debris disposal shall be the responsibility of the private property owner.
2. It shall be the duty of any person owning or occupying property bordering on right-of-way upon which there are any non-public trees or shrubs that are designated by the Public Works Department as dead, dying, diseased, or hazardous or deemed a menace to the health, safety, and welfare of the people of Findlay, to remove or cause to be removed said tree(s) and/or shrub(s).
3. In either of the above situations, the Service-Safety Director, his/her designee, including the Public Works Department, shall provide a notice to the property owner indicating the required action (pruning or removal) to be taken and a deadline by which to respond. Should the property owner fail to comply with the deadline, it shall be lawful for the Mayor or his/her agent to enter upon the property and cause such action. The property owner or occupant may be charged triple the actual cost of the work and cash payment shall be made within sixty (60) days; otherwise said costs shall be assessed to the property taxes.

4. No person or property owner shall remove or significantly impact a tree from the right-of-way for any reason without approval from the Service-Safety Director and/or the Public Works Department. Should approval not be given for the removal, the person shall be required to replant or replace an equal number of approved trees at the landowner's cost. The Service-Safety Director, the Public Works Department, and/or their designee, must approve the replacement or replanting.

C. CITY MAY REMOVE TREES

1. The Public Works Department may identify hazardous trees that have the potential to cause harm to persons or property and may remove those trees as soon as practical.
2. The Public Works Department may remove or cause or order to be removed, any trees or part thereof which by reason of its nature is injurious to existing sewers, electric power lines, gas lines, sidewalks or other public improvements.
3. The Public Works Department shall provide notice to the abutting property owner indicating the required action to be taken.

D. CITY MAY PRUNE TREES

1. The Public Works Department may prune trees that impede utility, traffic and visibility clearance, pedestrian and vehicular clearance.
2. The Public Works Department may provide notice to abutting property owner(s).

E. CITY MAY PLANT TREES

1. The Shade Tree Commission, with the continuing financial support of the City, will conduct an annual tree planting program. City residents may participate in the tree planting program which will allow them to purchase a tree at a reduced rate, and based on guidance from the Commission, plant the tree in a specified spot within their tree lawn with approval from the Public Works Department.
2. The City may subsidize purchase of a tree to plant on private property in an area not to exceed 20' from the right-of-way line.
3. Whenever it is necessary for the City to remove a tree from the tree lawn and other public places, the property owner may apply to plant a new tree in a contiguous area, if possible, within regulations set forth herein.
4. The Zoning Department may refer developers/builders to this ordinance to ensure plans for proposed landscaping and/or tree plantings comply with regulations set forth herein as defined in Section J.

F. PLANTING TREES IN TREE LAWNS AND OTHER PUBLIC PLACES

No person shall plant a tree in a tree lawn or other public place without first obtaining the prior approval of the Public Works Department, the Shade Tree Commission, or their designee.

G. TREES PROHIBITED IN PUBLIC PLACES

1. No person shall plant a tree that is located on the Shade Tree Commission's prohibited tree list.
2. Whenever any tree or shrub is planted or set out in conflict with the provisions of this Regulation, the City may remove without obligation to replace the illegally planted tree(s).

H. ABUSE OR MUTILATION OF PUBLIC TREES

1. No person or entity shall intentionally damage, cut, carve, top, transplant, or remove any tree; attach any rope, wire, nails, advertising posters, squirrel feeder, or other contrivance to any public tree or shrub; allow any gaseous, liquid, or solid substance to come in contact with any public tree or shrub; set fire or permit fire to burn when the fire or heat thereof shall injure any portion of any public tree or shrub.
2. No person or entity shall excavate any ditches, tunnels, trenches, alley, or drive within a radius of ten feet from any public tree or shrub without obtaining approval from the Public Works Department.
3. No person shall deposit, place, store, or maintain upon any tree lawn or public place, any stone, brick, sand, concrete, or other materials that may impede the free passage of water, air, or fertilizer to the roots of any tree growing therein, except by written consent of the Public Works Department.

I. TREE SPACING

These are regulations for tree placement and planting. Exceptions may occur in special plantings designed or approved by the Service-Safety Director, the Public Works Department, and/or the Shade Tree Commission.

1. The spacing of public trees will be in accordance with the three (3) species size classes referred to in the Ordinance Definitions for tree size and no trees may be planted closer together than the following:

Small trees:	twenty (20) feet
Medium trees:	thirty (30) feet
Large trees:	forty (40) feet
2. Trees may be planted on private property a minimum of ten (10) feet from the edge of the pavement and no more than twenty (20) feet from the back edge of the sidewalk.

3. Distance from Curb and Sidewalk: Minimum size of the tree lawn width shall be:

Small trees:	eight (8) feet
Medium trees:	eleven (11) feet
Large trees:	fourteen (14) feet or planted on private property as noted in private easement section and at least five (5) feet from the sidewalk and no more than twenty (20) feet from right-of-way line.

Plant trees in center of tree lawn to avoid root problems with sidewalks and curbs. Exceptions may occur in special plantings designed or approved by the Service-Safety Director or Public Works Superintendent.

There shall be no plantings in a tree lawn of less than eight (8) feet.

J. DISTANCE FROM THE STREET CORNERS, WATER METERS, MANHOLES, FIRE PLUGS, ETC.

1. No public tree shall be planted closer than fifty (50) feet from any stop sign or seventy-five (75) feet from the outside of the curb radius on a street where there are no stop signs.
2. No public tree shall be planted closer than ten (10) feet to any fire hydrant.
3. No public tree shall be planted closer than ten (10) feet to any water meter cover or lid or manhole cover or lid.
4. No public tree shall be planted closer than five (5) feet from underground utility lines, including gas, electric, and sewer.
5. No public tree shall be planted closer than twenty-five (25) feet from curb cuts (e.g. driveways or crosswalks) and street signs.
6. No public tree shall be planted closer than twenty-five (25) feet from street lights.
7. No public tree shall be planted until all utilities are located by the Ohio Utilities Protection Service (OUPS).
8. No public tree shall be planted under overhead utility wires with a planting distance no closer than twenty-five (25) feet.
9. No public trees shall be planted closer than seventy-five (75) feet from mid-street crosswalks.
10. Minimum size of the tree planting area shall be ten (10) feet from edge of pavement.

K. ADOPTION OF RULES

The Shade Tree Commission, with the approval of City Administration, may adopt rules consistent with the Ordinance that shall provide detailed guidelines for the administration of this Ordinance.

913.99 PENALTY

Any person violating or failing to comply with any provision of this chapter upon conviction or a plea of guilty, for the first offense shall be subject to a minor misdemeanor penalty. A second violation shall constitute a separate violation and upon conviction or plea of guilty shall be subject to a misdemeanor of the fourth degree penalty. A third violation upon conviction or a plea of guilty shall be subject to a misdemeanor of the third degree penalty. A fourth violation upon conviction or plea of guilty shall be subject to a misdemeanor of the second degree penalty. A fifth and subsequent violation, thereafter, upon a conviction or plea of guilty shall be a misdemeanor of the first degree. The Court shall consider the issue of restitution for damages in addition to any fine or term of imprisonment.

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. 2023-121

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

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

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

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 1,000,000.00
TO:	HAN-I75 CR 99 DDI Interchange (PID102375), <i>project no. 32811100</i>	\$ 1,000,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer funds so that the City’s share of the construction costs for the Diverging Diamond Interchange for I-75 and County Road 99 may be paid, a contractor selected, and the project be scheduled.

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. 2023-122

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

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

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

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 26,000.00
TO:	HAN-interstate and FHS Trails (PID115232), <i>project no. 32821400</i>	\$ 26,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer funds so that additional right-of-way plans for any temporary easements (aka right-of-way takes) negotiations may be performed by a pre-qualified acquisition consultant, as required per the Ohio Department of Transportation’s manual.

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. 2023-123

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:	City Income Tax Administration Fund	\$ 5,223,200.00
TO:	City Income Tax Administration #27047000-other	\$ 5,223,200.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that increased revenue from business net profit tax receipts may be available in the General Fund.

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. 2023-124

AN ORDINANCE AMENDING ONE (1) SECTION OF CODIFIED ORDINANCE NO. 2023-097, AS AMENDED, KNOWN AS THE SALARY ORDINANCE OF THE CITY OF FINDLAY, OHIO, AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT HEREWITH, 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 a portion of SECTION 9 of Codified Ordinance No. 2023-097, AS AMENDED of the City of Findlay, Ohio which reads as following:

Assistant Recreation Supervisor	0170-0200	9170-9200
Assistant Utilities Billing Supervisor	0170-0200	9170-9200

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

Assistant Recreation Supervisor	0160-0200	9160-9200
Assistant Utilities Billing Supervisor	0160-0200	9160-9200

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 amend current salary ordinance no. 2023-097, AS AMENDED to add pay ranges 0160 and 9160 back into the salary ordinance for preparation and implementation of various changes in specific provisions which will go into effect on January 7, 2024.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____