

FINDLAY CITY COUNCIL MEETING AGENDA

REGULAR SESSION

JANUARY 2, 2024

COUNCIL CHAMBERS

ROLL CALL of 2024-2025 Councilmembers

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

PETITIONS:

Alley vacation request – Sixth Street between Blanchard Avenue and Strong Avenue

John Crates, Rockwell Investment Group is requesting a vacation of Sixth Street between Blanchard Avenue and Strong Avenue. This is a 60-foot unimproved right-of-way just south of Lots 11-13. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

Alley vacation request – Strong Avenue north of Blanchard Avenue

John Crates, Rockwell Investment Group is requesting a vacation of the second east/west alley off Strong Avenue north of Blanchard Avenue that is a fifteen foot (15') unimproved right-of-way. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

Blanchard Valley Health System Chief Financial Officer David Cytlak – Technology Drive name change

Blanchard Valley Health System (BVHS) has purchased 3401 and 3411 Technology Drive and intends to name this new campus Wellness Park. They will be renovating both buildings to create a new multi-specialty clinic. This investment will bring primary care, rheumatology, endocrinology/diabetes, orthopedics, podiatry, imaging, outpatient lab, and both adult and pediatric rehabilitation (PT, OT, Speech, etc.) to the north side of Findlay. Both buildings will contain shelved space for future growth and expansion. These two (2) properties combined with the vacant property BVHS owns in the southwest quadrant of the County Road 99/I-75 Interchange will begin to form a larger campus. BVHS will grow services and continue meeting the healthcare and wellness needs of our region. The name Technology Drive fit the original purpose of the location with Microsoft's investment in the 34-1 building and Kirk Development's investment in the 3411 building. Since the buildings will now provide medical and wellness services space, they are requesting that the street name be changed from Technology Drive to Wellness Way. Ordinance No. 2024-013 was created.

ORAL COMMUNICATIONS:

Megan Hunyor, Public Affairs Specialist for Columbia Gas of Ohio – upcoming projects

WRITTEN COMMUNICATIONS: none

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Shiv Baba Inc. dba 5K Carryout, located at 1790 East Melrose Avenue, Findlay, Ohio for a C1 and C2 liquor permit. Applicants are Ashish Patel, Swetaben Patel. This requires a vote of Council.

James H. Mathias, Chief of Police is unable to provide background check(s) for the criminal record(s) for those that applied for these liquor permits due to no social security number(s) provided by the Division of Liquor Control stating that this is a master file, therefore, Division of Liquor Control will not provide social security number(s) for master files.

City Income Tax Monthly Collection Report – December 2023.

Findlay Fire Department Activities Report – December 2023.

Findlay Police Department Activities Report – December 2023.

Findlay Municipal Court Activities Report – December 2023.

Service-Safety Director Martin – Community Foundation Grant award

In December of 2023, the City of Findlay Police Department was generously awarded the Findlay-Hancock County Community Foundation President's Discretionary Grant. This five thousand dollar (\$5,000) grant is to support community engagement between the City of Findlay Police Department and the residents of Findlay, Ohio. The City of Findlay has received the grant dollars. Legislation to appropriate funds is requested. Ordinance No. 2024-006 was created.

FROM:	Community Foundation Grant	\$ 5,000.00
TO:	Police Department #21012000-other	\$ 5,000.00

Hancock Regional Planning Commission Director Cordonnier – RLF refund of overpayment

The Hancock Regional Planning Commission (HRPC) is the administrator of the Revolving Loan Fund (RLF) on behalf of the City of Findlay. On December 8, 2023, one of the businesses that has an active loan mistakenly made two (2) deposits to the bank account for the City of Findlay RLF for a loan account that has been paid off. The business has requested the monies be refunded due to their error. HRPC respectfully requests that the overpayment in the amount of six hundred fifty-eight dollars and two cents (\$658.02) be paid back to Josette Brinkman dba Fastsigns of Findlay located at 303 East Sandusky Street. An appropriation of funds is requested and that since this is a refund of an overpayment, HRPC requests that Council suspend the statutory rules and give the legislation all three (3) readings and pass it during the January 16, 2024 meeting. Ordinance No. 2024-007 was created.

Mayor Muryn – Board of Zoning Appeals appointments

Mayor Muryn is appointing Sarah Nowak and Brody Yingling to serve on the Board of Zoning Appeals. Sarah and Brody have expressed a desire to switch roles as full-time and alternate members of the Board of Zoning Appeals. Sarah currently serves as a full-time member of the Board of Zoning Appeals. She has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals, however, she would like to serve as an alternate member rather than a full-time member. This appointment would be effective through December 31, 2024. Brody currently serves as an alternate member of the Board of Zoning Appeals. He has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals, however, he would like to serve as a full-time member rather than an alternate member. This appointment would be effective through December 31, 2027. These appointments require Council’s confirmation.

Mayor Muryn – Board of Zoning Appeals appointment

Mayor Muryn is appointing Scott Brecheisen to the Board of Zoning Appeals. Mr. Brecheisen has expressed a desire and wiliness to continue to serve the community as a member of the Board of Zoning Appeals. This appointments will be effective January 1, 2024 through December 31, 2027. This appointment requires Council confirmation.

City Engineer Kalb – HAN-Bright Road & Melrose Avenue multi-use path, 2024 TAP Application

The City of Findlay has been invited to submit an application for this year’s Transportation Alternative Program (TAP) funds. The City of Findlay Engineering Department would like to submit an application to extend a multi-use trail on Bright Road from Fostoria Avenue to Melrose Avenue and Melrose Avenue form Bright Road to Crystal Avenue. The proposed 10-FT multiuse path will connect new housing developments on Melrose Avenue to various destinations such places of work, convenience stores, adjacent neighborhoods, etc. With current timelines, if the project is awarded grant funds from the Ohio Department of Transportation (ODOT), construction will be in ODOT’s 2027 fiscal year. Through the use of TAP funds and Toll Credit funds, ODOT will be covering ninety-five percent (95%) of the construction cost with the City of Findlay being responsible for the engineering and design, as well as the five percent (5%) match for construction. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to apply for the funds and sign any applicable agreement(s) or related documents is requested. Ordinance No. 2024-008 was created.

City Engineer Kalb – 2024 early projects

There are several projects that will be included in the 2024 Capital Improvement Plan that the City of Findlay Engineering Department would like to be able to bid as soon as possible or to get design funds appropriated into the project so that the design can be completed. Legislation authorizing the Mayor, Service-Safety Director and/or City Engineer to advertise for bids an enter into contracts for construction, as well as appropriate and transfer funds is requested. Ordinance No. 2024-009 was created.

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 2,000.00
TO:	2024 Annual Street Resurfacing/Curb Repairs, <i>Project No. 32840100</i>	\$ 2,000.00
FROM:	Water Fund	\$ 4,000.00
TO:	Hemphill Waterline Replacement, <i>Project No. 35740300</i>	\$ 2,000.00
TO:	S. West Street Waterline Replacement, <i>Project No. 35740400</i>	\$ 2,000.00

Income Tax Administrator Price – Resolution No. 005-2024 Income Tax Department #27047000

As part of dealing with the influx of business during tax season, the City Income Tax Department typically hires a seasonal employee to work during the time period of mid-January through April. In recent years, this employee has been hired through a temporary employment agency. The initial reasoning for hiring through a temp agency was that it was more cost effective than hiring internally through the City, but have recently been informed that this is no longer the case and that the billable hour from the temp agency is significantly more than paying a seasonal employee internally, including OPERS, Medicare and Workman’s Comp expenses. The new quote from the agency came after the City Income Tax Department had already budgeted for the seasonal employee’s wages to be paid out of 440901 temp agency services line item. In order for the department to hire and pay said employee directly through the City, the funds totaling twelve thousand dollars (\$12,000.00) will need to be transferred to the 111300 seasonal employee line item. This transfer cannot take place without legislative approval from City Council. Legislation to transfers funds is requested. Resolution No. 005-2024 was created.

FROM:	City Income Tax Department #27047000-other	\$ 12,000.00
TO:	City Income Tax Department #27047000-personal services	\$ 12,000.00

Mayor Muryn – Revolving Loan Fund Board appointments

Mayor Muryn is appointing Blair Lane and Joe Mayberry to the Revolving Loan Fund Board. Mr. Lane and Mr. Mayberry have expressed a desire and willingness to continue to serve the community as members of the City Revolving Loan Fund Board. Their appointments will be effective January 1, 2024 through December 31, 2025. These appointments require Council confirmation.

Mayor Muryn – Revolving Loan Fund Board appointments

Mayor Muryn is appointing Josh Kin to the Revolving Loan Fund Board. Mr. Kin has expressed a desire and willingness to continue to serve the community as a member of the City Revolving Loan Fund Board. His appointment will be effective January 1, 2024 through December 31, 2025. This appointment requires Council confirmation.

Mayor Muryn – appointment to Airport Advisory Board

Mayor Muryn is appointing Brandon Betscher to serve on the Airport Advisory Board. His appointment will be effective through December 31, 2026. This appointment does not require Council's confirmation.

Precipitation and Reservoir levels report – fourth quarter (October-December 2023).

City Engineer Kalb – HAN-US 68/SR 15 Interchange Improvements PID1122800, Project No. 32840200

As discussed in the January 9, 2024 APPROPRIATIONS COMMITTEE meeting, the Ohio Department of Transportation (ODOT) and the Maumee Watershed Conservancy District will be making improvements to the US 68 and SR 15 interchange that will allow residents in the Spring Lake Subdivision to have an egress onto US 68 once the Eagle Creek Basin is constructed. As part of the improvements, ODOT is requesting a twenty percent (20%) local match to help fund the construction and inspection of the project. The local match of six hundred fifty thousand dollars (\$650,000.00) will need to be delivered to the Maumee Watershed Conservancy District on or before February 16, 2024. Once the funds are transferred to the Conservancy District, the local match funds will then be transferred to ODOT as per the Memorandum of Agreement between the City of Findlay and the Maumee Watershed Conservancy District. To ensure the funds will be available prior to the indicated deadline, it is requested that this ordinance be given its second and third readings during the February 6, 2024 City Council meeting. Legislation authorizing the Mayor, Service-Safety Director, and/or City Engineer to execute the Memorandum of Agreement with the Maumee Watershed Conservancy District and to appropriate and transfer funds. Ordinance No. 2023-010 was created.

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 650,000.00
TO:	HAN-US 68/SR 15 Interchange Improvements PID112280, Project No. 32840200	\$ 650,000.00

Rooney & Ranzau, Ltd. Philip Rooney – Downtown Findlay Improvement District

Mr. Rooney represents the Downtown Findlay Improvement District, Inc. (DFID). Pursuant to Ohio Revised Code Section 1710.06(B), he is to provide the attached documentation of the DFID’s proposed Downtown Services Plan and Budget as part of the renewal of the Downtown Improvement District for an additional term of five (5) years. As required by statute, City Council is to provide him with any comments or recommendations regarding the plan so that he may proceed with the final plan and petition. This is the first step of this renewal process. Mr. Rooney will provide future correspondences to City Council as he progresses through the process, requiring future legislation.

Assistant City Law Director Feighner – follow up to Councilwoman Frische’s email dated December 27, 2023

The intent of this letter is to respond to Councilwoman Frische’s email of December 27, 2023 (attached) regarding City water rates. Paragraph number one (1) of her email was addressed at the City Council meeting on January 2, 2024 and was supported by a letter Council should have received that evening (letter attached). Basically, the default/initial authority to address water rates provided by Ohio Revised Code in 743.04(A) is a City Public Service Director. This authority remains unless a municipality sets forth a different individual or body. The City of Findlay does not need to memorialize what ORC 743.04(A) says by ordinance since it is an Ohio Law already in place. As to her third paragraph in the subject email, an ordinance/resolution cannot be drafted to stop the recent rate increase in that as set forth above, Service-Safety Director Marin is the only City official at this point in time who can do so. Furthermore, Council cannot recognize by any means that ORC 743.04 does not say what it says regarding the authority to establish water rates. Council could give the authority to someone else or a body if it so chooses. That has not been done yet. As to an AD HOC COMMITTEE being formed, same is not typically done by ordinance. The term AD HOC by definition means “as needed”. It is usually a temporary group put together to address a particular problem, i.e. an AD HOC COMMITTEE was formed to address Council Rules. Usually, in his experience, the formation of an AD HOC COMMITTEE is done by oral motion with discussion of the need for same and who is to be on said AD HOC COMMITTEE. Then, that motion would pass or not pass and same would be memorialized in the minutes of that meeting or meetings. Additionally, City Council cannot draft legislation that the water rates remain unchanged for 2024 (undoing the recent rate increase) because as the whole of this letter states, that authority presently lies with Service-Safety Director Martin to adjust rates. If Council wants to take the authority away from their Public Service-Safety Director to adjust water rates, it would be of his opinion that a select committee would be proposed, that its members would be proposed and same either passes or does not via Council vote. In the situation at hand, a WATER & SEWER COMMITTEE already exists and such considerations of present and future water rates seem to fall within their purview. He only mentions the WATER & SEWER COMMITTEE in this regard because it is his understanding that the committee may be discussed at a public meeting as the future authority for setting water rates.

Mayor Muryn – Downtown Recreation Area Environmental next steps

In follow up to the December 19, 2023 APPROPRIATIONS COMMITTEE meeting, Mike Coonfare with Civil & Engineering Consultants, Inc. has prepared a quote to complete the Soil Waste Characterization work as was discussed. There are no sufficient funds in the project #31933000 to pay for this work, therefore legislation authorizing the Mayor to enter into an agreement for environmental review with Civil & Environmental Consultant, Inc., as well as appropriate funds is requested. Ordinance No. 2024-011 was created.

FROM:	General Fund	\$ 5,000.00
TO:	Phase 2 Benching Environmental, Project No. 31933000	\$ 5,000.00

Hancock Regional Planning Commission Grant Administrator Penzinski – Community Development Block Grant (CDBG) Fair Housing & Administration update of agreements

Attached for Mayor Muryń's signature and City Council's approval are two (2) agreements in relation to the administration of the City of Findlay's current and future Community Development Block Grant (CDBG) programs.

The first agreement is an updated agreement between the City of Findlay and Hancock Regional Planning Commission (HRPC) to continue to administer the City of Findlay's CDBG programs through 2026. Rates have been updated in that the HRPC Office charges the grant for administration. Other than that, the agreement is identical to those that have been executed in the past.

The second agreement is an updated agreement between the City of Findlay and Findlay's Hope House for the Homeless to continue to administer the City of Findlay's CDBG Fair Housing programs through 2026. This contract is identical to those that have been executed in the past.

Both the administrative and fair housing costs related to CDBG program are paid in full by grant funding. Legislation authorizing the Mayor to execute an agreement with HRPC's and Findlay's Hope House for the Homeless to provide services related to CDGB projects for program years 2024 through 2026 dated retroactively to January 1, 2024 is requested. Resolution No. 007-2024 was created for the CDBG Fair Housing; Ordinance No. 2024-012 was created for CDBG administration.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss 6815 Interchange renovation.

We recommend approval of \$650,000.00 of Capital Funds for the renovation of the SR 68/15 interchange. It is noted by the committee that this project is not inside the City limits, but does offer safety service access to Spring Lake and the building of the dry basin for flood mitigation. Ordinance No. 2024-010 was created.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss fire truck replacement.

We recommend the Administration continue to gather additional information or the purchase of a truck. Also, the Auditor work out cost/prepayment options.

A **COMMITTEE OF THE WHOLE** meeting was held on Wednesday, January 10, 2024 to discuss 2024 Economic Development strategies.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 002-2024 (*advances on County tax settlements*) **requires three (3) readings** **second reading**

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2024 PURSUANT TO OHIO REVISED CODE §321.34.

RESOLUTION NO. 003-2024 (*ODOT Aviation - Airport Improvement Program Grant SPY24*) **requires three (3) readings** **second reading**

A RESOLUTION AUTHORIZING THE CITY OF FINDLAY, OHIO TO MAKE AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION, FOR AN OHIO AIRPORT IMPROVEMENT GRANT FOR SFY 2024.

RESOLUTION NO. 003-2024 (*Income Tax Department seasonal employee*) **requires three (3) readings** **first reading**

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

RESOLUTION NO. 006-2024 (*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).

RESOLUTION NO. 007-2024 (*CDBG Findlay Hope House - for The Homeless Inc*) **requires three (3) readings** **first reading**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY RETROACTIVE TO JANUARY 1, 2024.

ORDINANCES:

ORDINANCE NO. 2024-003 (2023 annual sewer & manhole lining #35633600) **requires three (3) readings** *second reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-004 **requires three (3) readings** *second reading*
(HAN-Greenway Trail Phase III, PID11709, Project No. 31931900, additional design services and right-of-way acquisitions)
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-006 (Community Foundation Grant award) **requires three (3) readings** *first reading*
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-007 (RLF refund of overpayment) **requires three (3) readings** *first reading*
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-008 (HAN-Bright Rd & Melrose Ave multi-use path, 2024 TAP application) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR GRANT FUNDS AND SIGN ANY APPLICABLE AGREEMENTS OR RELATED DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE HAN-BRIGHT ROAD AND MELROSE AVENUE MULTI-USE PATH 2024 TAP APPLICATION AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-009 (2024 early projects) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-010 (US 68/SR 15 Interchange renovation) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE MAUMEE WATERSHED CONSERVANCY DISTRICT AS SET FORTH IN THE MEMORANDUM OF AGREEMENT ATTACHED HERETO AS EXHIBIT A, APPROPRIATE AND TRANSFER FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-011 (Downtown Recreation Area Environmental next steps) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. FOR ADDITIONAL WORK FOR ENVIRONMENTAL REVIEW OF THE DOWNTOWN RECREATION AREA, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-012 (CDBG administration) **requires three (3) readings** *first reading*
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEARS 2024 AND 2025 RETROACTIVE TO JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-013 (Technology Drive name change) **requires three (3) readings** *first reading*
AN ORDINANCE CHANGING THE NAME OF TECHNOLOGY DRIVE, IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS



ALLEY/STREET VACATION PETITION CITY OF FINDLAY

(Revised May 2017)

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

FEE PAID:

\$

ADVERTISING AND FILING FEES PAID

\$

DATE:

/ /

DATE:

/ /

We, the undersigned being owners of property abutting the requested _____ vacation shown on the attached plat, respectfully petition.

street or alley

Your Honorable Body to vacate the Street described as:

street/alley

Sixth St Between Blanchard Ave and Strong Ave

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

MC Whiteley Add

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

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

OWNER

ADDRESS

LOT NO.

John Chats
419-889-0754

602 Rockwell Ave

11-1273

Styrmiles
937-673-0974

Parcel ID 610000333730

(Foursite Holdings Ltd)

TO: Applicants for Street or alley Vacation

FROM: Council Clerk

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

APPLICATION REQUIREMENTS

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

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

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

FEE

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

ASSESSMENTS

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

PLANNING COMMISSION ACTION

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

COMMITTEE ACTION

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

CITY COUNCIL ACTION

Once the petition is place on Council's agenda, it will be referred to the City Planning Commission and the Committee with all documentation submitted. Both the City Planning Commission and the Planning & Zoning Committee shall review the request. Upon their findings, Council will request legislation and give it three (3) separate readings if the vacation is to proceed.

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

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

Revised 12-05

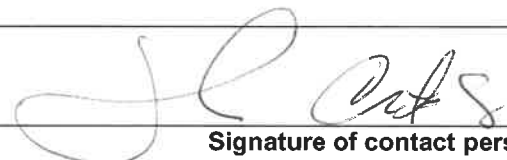
Name of Owner  (Rockwell Invested Group LLC)

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

Mailing Address 602 Rockwell Ave

Phone No. (Home) (49) 889-0754 (Business) () -

Email: _____

12/30/2023 Date  Signature of contact person

OFFICE USE ONLY

\$75.00 fee paid _____ 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 Property 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. _____

M



Hancock County, OH



Overview



Legend

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

Parcel ID 61000333730 Alternate ID 101129001021000
 Sec/Twp/Rng n/a Class 500 RESIDENTIAL VACANT PLATTED LAND
 Property Address 0 STRONG AVE Acreage n/a
 FINDLAY
 District 21 Findlay Corp - Findlay CSD
 Brief Tax Description WHITELEY M C ADD BLK 18 LOT 1 SW FR
 (Note: Not to be used on legal documents)

Owner Address FOURSITE HOLDINGS LTD
 50 E 3RD ST
 DAYTON OH 45402

Date created: 12/18/2023
 Last Data Uploaded: 12/18/2023 6:25:28 AM

Developed by Schneider
 GEOSPATIAL



ALLEY/STREET VACATION PETITION CITY OF FINDLAY

(Revised May 2017)

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

FEE PAID:

\$

ADVERTISING AND FILING FEES PAID

\$

DATE:

/ /

DATE:

/ / 1-8-2024

We, the undersigned being owners of property abutting the requested _____ vacation shown on the attached plat, respectfully petition.

street or alley

Your Honorable Body to vacate the Alley described as:
street/alley

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

M.C. Whiteley ADD.

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

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

OWNER	ADDRESS	LOT NO.
<u>John Cates</u> <u>419-889-0754</u>	<u>602 Rockwell Ave</u>	<u>11-12-13</u>
<u>Rob Bishop</u> <u>419-421-7698</u>	<u>8718 Tue Rd 215 Findlay</u>	<u>10</u>
<u>Rose Reddick</u>	<u>2146 Blanshard Ave Findlay</u>	<u>1-7-24</u>

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

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

APPLICATION REQUIREMENTS

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

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

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

FEE

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

ASSESSMENTS

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

PLANNING COMMISSION ACTION

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

COMMITTEE ACTION

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

CITY COUNCIL ACTION

Once the petition is placed on Council's agenda, it will be referred to the City Planning Commission and the Committee with all documentation submitted. Both the City Planning Commission and the Planning & Zoning Committee shall review the request. Upon their findings, Council will request legislation and give it three (3) separate readings if the vacation is to proceed.

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

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

Revised 12-05

Name of Owner John Crates (Rockwell Invest Group LLC)


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

Mailing Address 602 Rockwell Ave

Phone No. (Home) (419) 889-0254 (Business) () -

Email: _____

11, 14, 2023
Date


Signature of contact person

OFFICE USE ONLY

\$75.00 fee paid _____ 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 Property 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. _____

Denise Devore

From: Jacob Mercer
Sent: Wednesday, January 10, 2024 10:24 AM
To: Denise Devore
Subject: RE: Rockwell Ave vacation

Hey Denise,



It's the East/west alley off Strong Avenue (Box in red). It's a 15 foot unimproved right-of-way. I can get you a better map if needed. I would say the 2nd east/west alley off Strong Avenue, north of Blanchard Avenue. The other request they submitted is the 60 foot unimproved right-of-way just south of lots 11-13 (yellow box). Both are on the agenda for February CPC.

Jacob Mercer, Planner
Hancock Regional Planning Commission
318 Dorney Plaza – Room 304
Findlay, Ohio 45840
Office: 419-424-7145
Cell: 419-957-7730
Email: jmercerc@findlayohio.com

January 11, 2024

Findlay City Council
318 Dorney Plaza
Findlay, OH 45840

Dear Councilors,

The purpose of this letter is to request that the name Technology Drive be changed.

Blanchard Valley Health System (BVHS) has purchased 3401 and 3411 Technology Drive. BVHS intends to name this new campus Wellness Park. We will be renovating both buildings to create a new multi-specialty clinic. This investment will bring primary care, rheumatology, endocrinology / diabetes, orthopedics, podiatry, imaging, outpatient lab, and both adult and pediatric rehabilitation (PT, OT, Speech, etc.) to the north side of Findlay.

Both buildings will contain shelled space for future growth and expansion. These two properties combined with the vacant property BVHS owns in the southwest quadrant of the County Road 99 and I-75 interchange will begin to form a larger campus. BVHS will grow services and continue meeting the healthcare and wellness needs of our region.

The name Technology Drive fit the original purpose of the location with Microsoft's investment in the 3401 building and Kirk Development's investment in the 3411 building. Since the buildings will now provide medical and wellness services space, we request that the street name be changed from Technology Drive to Wellness Way.

Thank you for your consideration.

Sincerely,



David Cytlak
Chief Financial Officer

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6806 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

8093934		STCK		SHIV BABA INC DBA 5K CARRYOUT 1790 E MELROSE AV FINDLAY OHIO 45840
PERMIT NUMBER		TYPE		
ISSUE DATE				
04 12 2023				
FILING DATE				
C1 C2				
PERMIT CLASSES				
32	044	A	D79812	
TAX DISTRICT		RECEIPT NO.		

FROM 12/22/2023

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



MAILED 12/22/2023

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/22/2024

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 STCK 8093934

(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

1chk
#5113
\$100



For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.
2022 OCT 31 AM 10:57

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
http://www.com.ohio.gov/liqr

APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP
PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name: **Shiv Baba, Inc.** Liquor Permit Number(s): **8093934** *228677#*

Permit Premises Address: **1790 E. Melrose Avenue**

Email Address: **5 k c a r r y o u t @ g m a i l . c o m**

Attorney's Name, Address and Telephone Number (If represented):
Matthew L. Klein 419-423-4321

Is Stock Traded on a National Exchange? YES NO If YES, give Name of Exchange and Symbol
N/A

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) Ashish Patel	10/06/79		100
2)			
3)			
4)			
5)			
SECTION B: REVISED 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE		Number of Shares issued For Stock Transfer Only (NOT Percentages)
1) Ashish Patel	10/06/79		50
2) Swetaben Patel	09/04/82		50
3)			
4)			
5)			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.

TOTAL NUMBER OF SHARES ISSUED: **100**

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"

1) CEO/President	Ashish Patel
2) Vice-President	Swetaben Patel
3) Secretary	Ashish Patel
4) Treasurer	Ashish Patel

Birthdate
10/06/79
09/04/82
10/06/79
10/06/79



Monthly Collection Report to Findlay Council

December 2023

Total collections for December 2023: \$3,030,748.88

	2023	2022	
	<u>Year-to-date</u>	<u>Year-to-date</u>	<u>Variance</u>
Withholders	21,751,066.58	21,955,371.83	-204,305.25
Individuals	3,144,188.36	2,996,698.87	147,489.49
Businesses	<u>11,741,831.57</u>	<u>13,345,545.59</u>	<u>-1,603,714.02</u>
Totals	36,637,086.51	38,297,616.29	-1,660,529.78
			-4.34%

Actual & Estimated Past-due Taxes

Withholders	586,561.13
Individuals	3,408,599.86
Businesses	<u>264,512.94</u>
Total	4,259,673.93

Actual and Projected Revenue

	2023	Percentage	Amount	Percentage	2023
	<u>Actual</u>	<u>of Projection</u>	<u>to Meet</u>	<u>to Meet</u>	<u>Projected</u>
	<u>Year-to-date</u>	<u>Collected</u>	<u>Projection</u>	<u>Projection</u>	<u>Year End</u>
Withholders	21,751,066.58	102.02%	-430,066.58	-2.02%	21,321,000.00
Individuals	3,144,188.36	108.42%	-244,188.36	-8.42%	2,900,000.00
Businesses	<u>11,741,831.57</u>	301.07%	<u>-7,841,831.57</u>	-201.07%	<u>3,900,000.00</u>
Totals	36,637,086.51	130.28%	-8,516,086.51	-30.28%	28,121,000.00

Refunds Paid

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	0	73	0.00	17,032.37
Individuals	8	1,085	29,252.63	626,455.85
Businesses	<u>1</u>	<u>86</u>	<u>19.00</u>	<u>380,310.02</u>
Totals	9	1,244	29,271.63	1,023,798.24

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	1	73	102.73	22,573.01
Individuals	7	1,199	3,851.14	424,100.66
Businesses	<u>9</u>	<u>739</u>	<u>7,715.42</u>	<u>4,899,287.12</u>
Totals	17	2,011	11,669.29	5,345,960.79

 1/2/2024
Income Tax Administrator Date

Findlay Income Tax Department

Monthly Collections Report

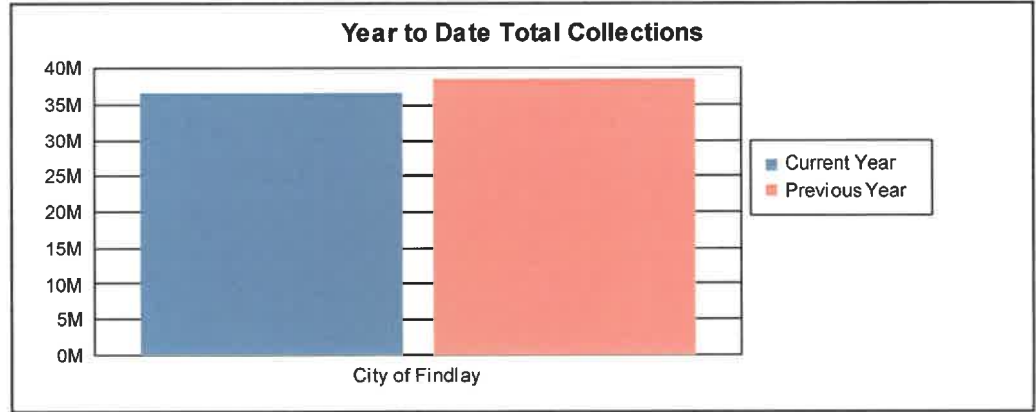
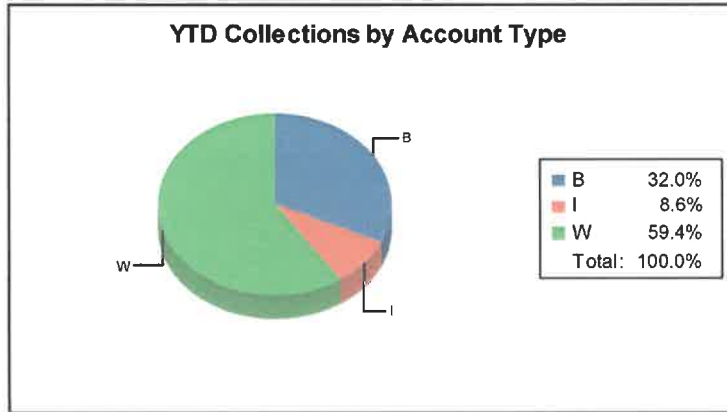
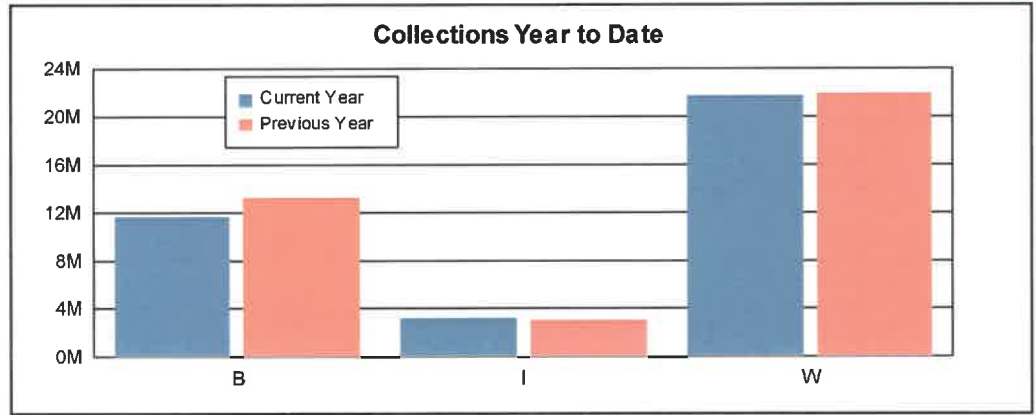
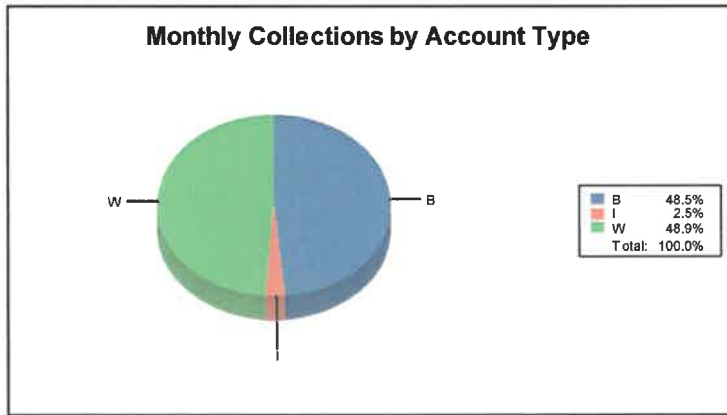
Tuesday, January 2, 2024

11:27:07AM

For Period December 1, 2023 through December 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	1,483,292.70	21,751,066.58	21,955,371.83	-204,305.25	-0.93	1,469,887.14	13,405.56
I	76,980.76	3,144,188.36	2,996,698.87	147,489.49	4.92	31,584.32	45,396.44
B	1,470,475.42	11,741,831.57	13,345,545.59	-1,603,714.02	-12.02	1,500,572.98	-30,097.56
Totals:	3,030,748.88	36,637,086.51	38,297,616.29	-1,660,529.78	-4.34	3,002,044.44	28,704.44



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	1,488,986.58	1,469,887.14	19,588,563.97
2022 Total	2,009,184.22	76,628.71	8,913.62	12,911.34	5,064.16	5,579.07	5,245.76	2,556.13	1,481.98	1,618.09	4,325.42	11,303.10	2,142,831.60
2021 Total	2,914.70	638.88	1,508.24	783.04	287.15	359.48	3,166.66	371.72	583.19	-	748.99	557.54	11,929.59
2020 Total	534.22	369.89	119.64	1,347.29	-	2,793.27	(296.67)	(29.70)	-	-	412.65	1,389.92	6,640.51
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	-	25.00	40.00	40.00	60.00	40.00	40.00	40.00	-	80.00	375.00
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	(359.00)	75.00	316.00
2012 & Prior at 1 percent	-	-	75.00	75.00	150.00	-	75.00	75.00	75.00	75.00	(359.00)	75.00	316.00
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	802.64	2,102.46	19,671.01
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	1,494,114.64	1,483,292.70	21,751,066.58
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	1,494,114.64	1,483,292.70	21,751,066.58
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	5,128.06	13,405.56	76,689.68
% 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%	0.34%	0.90%	0.35%
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	15,820.09	31,584.32	648,429.64
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	17,295.79	10,988.17	1,748,104.08
2021 Total	24,188.86	23,114.13	20,010.61	17,910.11	10,039.98	4,891.70	5,442.74	11,595.84	14,172.62	14,006.82	5,754.30	164,725.01	164,725.01
2020 Total	21,353.93	22,280.88	17,131.00	17,161.12	9,669.23	7,215.13	8,740.85	8,454.94	17,732.08	9,524.89	14,588.33	7,723.95	181,556.33
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	11,511.39	4,663.45	144,571.03
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	6,358.71	3,621.43	100,547.10
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	3,755.57	5,807.77	54,225.24
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	2,395.18	1,237.34	33,940.92
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	804.53	1,327.43	22,825.85
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	862.13	1,173.64	17,176.03
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	661.52	1,219.69	14,593.90
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	1,719.53	988.38	27,933.95
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	1,375.62	790.70	22,347.16
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	343.91	197.68	5,586.79
2009 & Prior at 1 percent	332.80	848.49	380.41	-	160.00	80.00	304.53	80.00	360.42	1,362.74	759.00	890.89	5,559.28
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	2,134.62	1,681.59	27,906.44
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	57,023.19	34,408.27	747,654.64
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	90,139.07	76,980.76	3,144,188.36
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	89,795.16	76,783.08	3,138,601.57
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	74,318.98	45,396.44	775,938.60
% 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%	82.45%	58.97%	24.68%

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	109,163.72	1,500,572.98	7,486,135.89
2022 Total	16,231.64	24,236.12	188,249.72	2,303,026.68	16,304.17	215,841.76	40,678.82	46,550.78	43,160.68	62,978.93	1,141,243.40	(34,721.98)	4,063,780.72
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	(5,010.96)	3,458.68	65,657.96
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	2,871.77	297.84	50,905.68
2019 Total	289.77	686.21	3,069.97	623.45	736.25	0.19	42,052.39	70.00	2,829.40	(483.20)	2,833.95	-	52,728.38
2018 Total	354.62	-	2,679.70	130.00	284.38	-	-	-	1,291.23	287.95	251.66	120.00	5,399.54
2017 Total	154.00	-	1,296.49	1,628.02	310.56	-	635.93	-	1,445.17	(211.11)	32.00	747.90	6,038.96
2016 Total	-	-	893.50	288.89	225.97	-	604.20	-	-	11.30	41.00	-	2,064.86
2015 Total	-	-	1,431.50	-	197.64	-	-	-	-	-	58.00	-	1,687.14
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	-	167.58	1,848.80	542.28	527.87	144.00	-	1,240.00	-	180.00	-	-	4,670.54
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	1,077.42	4,624.42	191,914.96
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	1,251,484.54	1,470,475.42	11,741,831.57
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	1,251,484.54	1,470,475.42	11,740,793.94
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	1,077.42	4,624.42	126,963.30
% 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%	0.09%	0.31%	1.08%
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	1,613,970.39	3,002,044.44	27,723,129.50
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	1,162,864.61	(12,430.71)	7,954,716.40
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	16,265.40	9,345.33	9,770.52	242,312.56
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	17,872.75	9,411.71	219,102.52
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	14,345.34	4,663.45	196,846.20
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	6,610.37	3,741.43	106,784.00
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	3,787.57	6,555.67	60,289.96
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	2,436.18	1,317.34	36,380.78
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	862.53	1,327.43	24,512.99
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	862.13	1,173.64	18,109.48
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	681.52	1,219.69	15,204.72
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	1,719.53	988.38	33,122.12
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	1,375.62	790.70	26,497.70
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	343.91	197.68	6,624.42
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	400.00	965.89	6,575.28
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	1,775.62	1,756.59	33,072.98
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	58,903.25	41,135.15	959,240.61
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	2,835,738.25	3,030,748.88	36,637,086.51
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	2,835,394.34	3,030,551.20	36,630,462.09
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	80,524.46	63,426.42	979,591.58
% 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%	2.84%	2.09%	2.67%

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	12	6
Assist Other Agency	90	90	107	110	91	113	106	120	112	118	112	130
Emergency Medical Service (EMS)	10	9	7	8	13	8	12	15	12	14	5	11
Car Accidents	9	18	17	19	10	11	16	14	11	16	23	24
Rescues (Extrication, Water, Elevator)	1	2	1		3	1	3	1	0	3	12	0
Hazmat	19	9	15	17	6	6	7	8	11	10	4	13
Good Intent	7	8	8	15	5	3	4	13	19	17	14	5
Burning Complaints	2	7	4	7	11	5	8	3	3	14	4	2
False Alarms	31	12	33	28	46	51	46	38	41	47	31	45
Totals	176	165	199	212	190	217	210	217	216	247	217	236

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	68	79
Station 2 - (North Main St)	54	50	50	65	39	61	53	71	61	68	56	68
Station 3 - (Tiffin Ave)	27	30	40	36	36	43	44	48	37	54	43	49
Station 4 - (CR 236)	36	38	40	43	44	32	53	31	44	35	50	40
Totals	176	165	199	212	190	217	210	217	216	247	217	236

Fire Prevention Bureau

Construction	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations			1	3			2		4	1	5	2
Inspections					3	1	3			2	3	7
Plan Reviews		3	4		6	2	2	1	4		2	3
System Acceptance Tests		3					3		1	3	3	4
Totals	0	6	5	3	9	3	10	1	9	6	13	16

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	3	3
Inspections	9	3	3	9	3	2	3	2	3	4	10	1
Plan Reviews	7	6	12	3	9	10	5	5	3	8	10	8
System Acceptance Tests	5	2	8	9	6	2	5	6	2	4	10	2
Totals	24	11	26	25	22	14	14	16	11	21	33	14

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		3
Undetermined			1			1					1	3
Incendiary						1						
Fire Investigation Activities												
Follow-up	7	7	5	7	2	5	7	4	10	9	2	12
Interviews												
Assists						1						
Totals	9	9	7	11	2	9	7	5	11	10	3	18

Inspections	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Assembly	26	15	7	3	6	9	7	16	1	3	33	18
Business	30	22	14	15	11	6	19	19		5	14	49
Education K-12			1			3					1	12
Education Pre-School	2	2		2	1		2	1	1			2
Factory									1			1
Mercantile	38		4	3	2	6	3	11		3	20	14
Hazardous / Fireworks												
Institutional		2							1			
Mercantile		13										
Residential	1	4	12	1	4	2	15	14	13	34	10	24
Adoption / Foster Care	2		1	1	3		2	2	1	1	1	
Pre-Fire Plan	12	12	21	3	8	3				2	2	7
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	81	127

Prevention	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations		1	4	3	1			1	3	34	3	1
Complaints	1		1	1	1	1	9	1	1		2	1
Fireworks Exhibitions / Events							3	1	6	1	1	
Knox Box Consults/Maint.	1	2		2	4		2	1	2	1	3	
Other					1	1						
Fire Plan Updates		4				7				14		
Pre-Fire Plan	63			10	4		3	59	93		1	
Property Research	5	1	3	2	2	3	4	3		3	10	
Safety Presentations	4	4	9	7	8		4			12	4	
Re-inspections	41	53	122	47		20	36	25	42	7	36	
Background Checks	14				2			1	1	9	21	5
Totals	130	65	139	72	23	32	61	92	148	81	81	7


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	9	1
School / Seminars Attended	2	2	1	7	2				2		2	1
Birthday Parade / Drive-by												
Smoke Detector Install Visits												
Safety Presentations						6		3	7			
Totals	6	6	4	10	9	3	5	6	6	8	11	2

January 2, 2024

Honorable Council:

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

Sincerely,

Chief  1317

James H. Mathias
Chief of Police

THE SUPREME COURT OF OHIO
Individual Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **ALAN D HACKENBERG**
Report for the month of: **December 2023**

Date of completion of most recent physical inventory
06/30/2023

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge
Pending beginning of period	1	161	74	86	0	11	0	332	0
New cases filed	2	32	9	21	0	6	0	68	0
Cases transferred in, reactivated or redesignated	3	1	0	1	0	0	0	2	0
TOTAL (Add lines 1-3)	4	194	83	108	0	17	0	402	0
Jury trial	5	0	0	0	0	0	0	0	0
Court trial	6	0	0	0	0	0	0	0	0
Default	7			0	0	0	0	0	0
Guilty or no contest plea to original charge	8	21	11	9				41	0
Guilty or no contest plea to reduced charge	9	2	0	1				3	0
Dismissal for lack of speedy trial(criminal) or want of prosecution (civil)	10	0	0	0	0	0	0	0	0
Other Dismissals	11	26	1	11	0	0	0	38	1
Transfer to another judge or court	12	0	0	1	0	1	0	2	0
Referral to private judge	13			0	0	0	0	0	0
Unavailability of party for trial or sentencing	14	0	0	0	0	0	0	0	0
Bankruptcy stay or interlocutory appeal	15	0	0	0	0	1	0	1	0
Other terminations	16	1	1	0	0	2	0	4	0
TOTAL (Add lines 5-16)	17	50	13	22	0	4	0	89	0
Pending end of period (Subtract line 17 from line 4)	18	144	70	86	0	13	0	313	0
Cases pending beyond time guideline	19	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	20	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline	21	0	0	0	0	0	0	0	0

Fax to:
(614) 387-9419
-or-
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431

Approved FTP 1/4/24

ALAN D HACKENBERG Date

Preparer's name and telephone number if other than judge (print or type) Date

ALAN D HACKENBERG Date

THE SUPREME COURT OF OHIO
Administrative Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **ALAN D HACKENBERG**
 Report for the month of: **December 2023**

	A	B	C	D	E	F	G	H	I	T	
	Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL	
Pending beginning of period	1	3	87	7	358	6	586	55	0	174	1276
New cases filed	2	9	70	19	543	1	144	25	0	28	839
Cases transferred in, reactivated or redesignated	3	1	13	0	131	0	4	0	0	1	150
TOTAL (Add lines 1-3)	4	13	170	26	1032	7	734	80	0	203	2265
Trial/Hearing by judge (include bindover by preliminary hearing, guilty or no contest pleas and defaults)	5	0	12	0	37	1	184	12	0	0	246
Hearing by Magistrate (Include guilty or no contest pleas and defaults)	6		5	0	22	0	0	0	0	48	75
Transfer (Include waivers of preliminary hearing and individual judge assignments)	7	9	65	16	46	0	9	0	0	0	145
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	8	0	0	0	0	0	18	0	0	0	18
Other dismissals (Include dismissals at preliminary hearing)	9	0	2	0	113	0	18	6	0	15	154
Violations Bureau	10		0		179						179
Unavailability of party for trial or sentencing	11	0	7	0	61	0	0	0	0	0	68
Bankruptcy stay or interlocutory appeal	12	0	0	0	0	0	0	0	0	0	0
Other terminations	13	0	10	0	212	0	7	1	0	0	230
TOTAL (Add lines 5-13)	14	9	101	16	670	1	236	19	0	63	1115
Pending end of period (Subtract line 14 from line 4)	15	4	69	10	362	6	498	61	0	140	1150
Cases pending beyond time guideline	16	0	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	17	0	0	0	0	0	0	0	0	0	0

Fax to:
 (614) 387-9419
 -or-
Mail to:
 Court Statistical Reporting Section
 Supreme Court of Ohio
 65 South Front Street, 6th Floor
 Columbus, Ohio 43215-3431

Approved FTP 1/4/24
 ALAN D HACKENBERG _____ Date
 Preparer's name and telephone number if other than judge (print or type) _____ Date

THE SUPREME COURT OF OHIO
Individual Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **STEPHANIE M BISHOP**
 Report for the month of: **December 2023**

Date of completion of most recent physical inventory
04/13/2023

	B	C	D	E	F	G	H	T	V	
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge	
Pending beginning of period	1	208	81	89	1	15	1	0	395	0
New cases filed	2	33	7	25	0	3	0	0	68	0
Cases transferred in, reactivated or redesignated	3	0	0	1	0	0	0	0	1	0
TOTAL (Add lines 1-3)	4	241	88	115	1	18	1	0	464	0
Jury trial	5	0	0	0	0	0	0	0	0	0
Court trial	6	0	0	0	0	0	0	0	0	0
Default	7				0	0	1	0	1	0
Guilty or no contest plea to original charge	8	15	13	17				45	0	
Guilty or no contest plea to reduced charge	9	1	0	4				5	0	
Dismissal for lack of speedy trial(criminal) or want of prosecution (civil)	10	0	0	0	0	0	0	0	0	0
Other Dismissals	11	30	1	6	0	1	0	0	38	0
Transfer to another judge or court	12	0	0	0	0	0	0	0	0	0
Referral to private judge	13				0	0	0	0	0	0
Unavailability of party for trial or sentencing	14	8	0	3	0	0	0	0	11	0
Bankruptcy stay or interlocutory appeal	15	0	0	0	0	0	0	0	0	0
Other terminations	16	1	0	1	0	3	0	0	5	0
TOTAL (Add lines 5-16)	17	55	14	31	0	4	1	0	105	0
Pending end of period (Subtract line 17 from line 4)	18	186	74	84	1	14	0	0	359	0
Cases pending beyond time guideline	19	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline	20	0	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline	21	0	0	0	0	0	0	0	0	0

Fax to: (614) 387-9419 -or- Mail to: Court Statistical Reporting Section Supreme Court of Ohio 65 South Front Street, 6th Floor Columbus, Ohio 43215-3431
--

Approved FTP 1/4/24

 STEPHANIE M BISHOP Date

 Preparer's name and telephone number if other than judge (print or type) Date

 ALAN D HACKENBERG Date

ANNUAL REPORT

ALAN D. HACKENBERG, JUDGE
 STEPHANIE M. BISHOP, JUDGE
 HEATHER M EIGEL, CLERK
 CANDACE R. GRIFFITH, CHIEF PROBATION OFFICER
 BRAD J. BASH, JUDICIAL ASSISTANT SUPERVISOR

FINDLAY MUNICIPAL COURT
 318 DORNEY PLAZA RM 206
 FINDLAY, OHIO 45839
 TELEPHONE 419-424-7141
 FAX 419-424-7803

FINDLAY MUNICIPAL COURT Monthly Report for December, 2023

PAGE 1

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CASES FILED:				
TRAFFIC	562	8,376	608	8,349
TRAFFIC COMPANION	69	1,128	119	1,167
TRAFFIC OVERTIME PARKING	-	-	-	2
CRIMINAL	79	1,525	102	1,644
CRIMINAL COMPANION	7	157	20	200
SEARCH WARRANT	3	73	10	101
CIVIL	170	2,170	117	1,599
SMALL CLAIMS	28	952	73	1,054
EXTRADITION	1	12	3	19
HABITUAL TRAFFIC VIOLATOR	-	-	-	2
OTHER	7	161	6	142
TOTALS	926	14,554	1,058	14,279
COURT PROCEEDINGS:				
ABILITY TO PAY	2	29	8	57
Admin License Suspension	2	30	3	23
APPEAL DOG DESIGNATION	-	2	-	2
Arraignment	630	9,674	757	9,968
Attachment	10	123	4	107
Bond	1	9	-	22
BOND RETURN	1	23	1	4
BOND VIOLATION	-	4	11	21
Civil Status Conference	1	25	-	29
COMMUNITY SERVICE REVIEW	3	79	5	146
Contempt of Court	50	358	26	378
CONTESTED DUS CONTEMPT HEARING	-	2	-	11
Contested Small Claims	1	14	1	12
Continued	552	8,015	596	7,834
Damages	-	12	1	9
Debtors Examination	37	673	36	470
Default	1	10	1	4
Desk Review	119	1,353	101	1,273
DIVERSION PLEA	7	26	2	33
DUS CLINIC	-	22	-	59
DUS DIVERSION REVIEW	2	30	7	49
Expungement	-	1	-	-
Extradition	-	2	-	9
Forcible Detention	18	228	8	203
Garnishment	1	14	1	17
Habitual Traffic Violator	-	-	-	1
Hearing on Motion	3	67	2	72
HEARING ON MOTION TO SEAL RECOR	6	73	4	107
HEARING ON WARRANT	-	35	24	384
Jury Trial	1	7	-	2
Marriage	1	41	1	41
Mediation	-	-	-	5
Miscellaneous	1	12	1	26
Motion to Compel	-	1	-	-
Motion to Dismiss	-	2	-	-

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
Motion to Vacate Judgment	1	2	-	2
Motion to Withdraw as Counsel	1	6	-	16
No Hearing	-	1	-	-
Plea	73	1,101	86	1,210
Preliminary	8	92	6	104
Pre-Trial	132	1,860	152	1,942
Pre-Trial with Judge	75	832	54	807
Reconsideration of Sentence	-	2	-	11
Restitution	-	2	-	1
Revivor	1	54	3	25
Revocation	-	111	10	133
SAFE SURRENDER	-	29	-	11
SECOND PRETRIAL	92	1,196	108	1,249
Sentencing	3	45	2	44
Small Claims	37	744	53	865
STATUS CONFERENCE	855	17,008	1,002	17,581
Suppression	2	44	-	49
TELEPHONE PRETRIAL	6	181	13	195
Trial	5	59	5	64
WRIT OF RESTITUTION	15	180	7	158
WRITTEN PLEA	7	84	9	80
TOTALS	2,763	44,629	3,111	45,925

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CRIMINAL VIOLATIONS:				
ASSAULT	3	56	3	49
BREAKING & ENTERING	-	-	-	3
BURGLARY	1	5	-	7
CONTEMPT	-	2	-	-
CRIMINAL DAMAGING	2	29	1	42
CRIMINAL TRESPASS	3	57	6	97
DISORDERLY CONDUCT	4	132	11	122
DOMESTIC VIOLENCE	3	174	7	182
DRUG ABUSE	7	302	26	359
OPEN CONTAINER PROHIBITED	-	20	2	24
OVI	-	1	-	2
RESISTING ARREST	1	29	1	28
ROBBERY	-	2	-	3
TELEPHONE HARASSMENT	1	7	1	8
THEFT	22	248	19	202
UNDERAGE CONSUMPTION	-	17	-	14
OTHER CRIMINAL	39	603	45	702
TOTALS	86	1,684	122	1,844
TRAFFIC VIOLATIONS:				
ACD/SPEED	27	251	34	297
DISOBEYING TRAFFIC CONTROL DEV	15	119	11	140
DRAG RACING	-	2	-	5
DRIVING UNDER SUSPENSION	30	402	46	458
EXPIRED REGISTRATION	10	234	26	341
FAIL TO MAINTAIN CONTROL	22	280	26	287
FAILURE TO YIELD RIGHT OF WAY	3	101	8	115
LEAVING SCENE OF AN ACCIDENT	6	46	8	59
LEFT OF CENTER	-	8	-	9
OVERLOAD	28	590	68	627
OVI	32	567	49	520
PASSING A STOPPED SCHOOL BUS	5	23	-	25
RECKLESS OPERATION	-	21	1	21
SEAT BELT	38	741	33	824
SPEEDING	282	3,888	246	3,780
OVERTIME PARKING	-	-	-	2
OTHER TRAFFIC	133	2,231	171	2,008
TOTALS	631	9,504	727	9,518

NOTE: SEARCH WARRANTS NOT INCLUDED IN VIOLATION TOTALS

ARRESTING AGENCY:	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
PATROL				
OVERTIME PARKING	-	-	-	1
TRAFFIC OTHER	411	6,104	381	5,495
OMVI	18	283	30	222
CRIMINAL FELONIES	-	6	-	15
CRIMINAL MISDEMEANORS	15	228	18	243
SEARCH WARRANTS	-	8	2	10
FINDLAY P.D. (BY ORDINANCE)				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	127	1,727	153	2,110
OMVI	8	177	15	208
CRIMINAL FELONIES	-	-	-	-
CRIMINAL MISDEMEANORS	43	915	72	967
SEARCH WARRANTS	-	-	-	1
FINDLAY P.D. (BY ORC)				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	2	8	-	4
OMVI	-	1	-	2
CRIMINAL FELONIES	8	104	5	98
CRIMINAL MISDEMEANORS	6	202	7	231
SEARCH WARRANTS	3	50	7	75
SHERIFF				
OVERTIME PARKING	-	-	-	1
TRAFFIC OTHER	58	1,076	143	1,342
OMVI	6	105	4	88
CRIMINAL FELONIES	1	8	-	14
CRIMINAL MISDEMEANORS	7	147	8	163
SEARCH WARRANTS	-	14	1	14
OTHERS				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	1	22	1	45
OMVI	-	2	-	2
CRIMINAL FELONIES	-	-	-	1
CRIMINAL MISDEMEANORS	6	71	12	110
SEARCH WARRANTS	-	1	-	1
TOTALS	720	11,259	859	11,463
PROBATION:				
ESTABLISHED	15	327	16	311
TERMINATED	22	364	15	311
CURRENT	116	116	119	119
TOTALS	153	807	150	741

ACTIVITIES ORDERED:	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
ALCOHOL EVALUATION	-	1	1	3
ALCOHOL/SUBSTANCE EVAL	5	120	9	116
ANGER MANAGEMENT	-	4	-	1
BENCH WARRANT TO AGENCY	112	2,237	231	3,133
COMMUNITY SERVICE	-	2	-	3
COMMUNITY SERVICE CITY	3	46	2	57
COMMUNITY SERVICE COUNTY	7	96	8	102
COMMUNITY SERVICE INDIVIDUAL	10	224	23	281
COMMUNITY SERVICE NO JAIL	1	3	-	5
DIP	15	226	15	181
DOMESTIC VIOLENCE PROGRAM	1	9	1	9
ELECTRONIC HOME MONITORING	-	2	-	2
EXECUTION TO AGENCY	1	2	1	1
FORM 95	-	12	3	22
HOUSE ARREST	-	-	-	1
JAIL	5	62	7	79
Jail Term Suspended Condition	-	15	1	10
MENTAL EVAL	3	23	2	24
NO CONTACT WITH VICTIM	1	22	1	18
Pay Restitution	1	23	2	28
Probation	6	139	12	141
SCRAM	-	45	3	28
STAR Program	6	47	5	57
TREATMENT FRC	2	52	7	62
TREATMENT MISCELLANEOUS	2	49	7	86
UCP	2	11	-	9
Unsupervised Probation	-	-	-	1
VIP	19	207	12	158
TOTALS	202	3,679	353	4,618

*****CURRENT YEAR*****
 MTD YTD

*****LAST YEAR*****
 MTD YTD

RECEIPTS DEPOSITED:

ALCOHOL MONITORING	\$1,847.50	\$28,153.60	\$2,015.05	\$28,229.30
BOND FEES	\$175.00	\$3,550.00	\$225.00	\$2,900.00
CIVIL DEPOSIT TENDERS	\$932.40	\$17,038.60	\$179.35	\$4,013.02
COURT COST	\$60,812.55	\$751,905.34	\$46,267.40	\$646,888.79
DUI ENFORCEMENT	\$2,449.04	\$31,393.08	\$2,425.54	\$32,051.90
ELECTRONIC IMAGING	\$3,467.78	\$48,668.87	\$3,542.20	\$44,756.08
FINES & FORFEITURES	147,883.96	\$2,080,270.63	164,096.55	\$2,054,423.62
FUND REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00
INDIGENT DRIVER ALCOHOL	\$365.49	\$5,936.80	\$476.30	\$6,641.17
INMATE MEDICAL EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00
INTEREST	\$168.80	\$2,200.24	\$125.82	\$886.90
JAIL HOUSING	\$12,223.82	\$201,520.97	\$19,707.64	\$177,451.72
JAIL REIMBURSEMENT	\$340.53	\$2,937.12	\$356.70	\$4,853.37
LEGAL RESEARCH	\$5.00	\$30.50	\$4.47	\$67.97
MEDIATION	\$1,098.12	\$15,348.56	\$1,117.50	\$14,127.80
MISCELLANEOUS	\$24,082.83	\$297,542.24	\$20,043.58	\$288,930.98
MUNI COURT COMPUTERIZATION	\$5,639.15	\$79,253.52	\$5,786.54	\$72,640.71
MUNI COURT IMPROVEMENT	\$14,478.63	\$203,613.72	\$14,957.45	\$186,963.10
RESTITUTION	\$190.00	\$4,656.93	\$472.00	\$6,348.40
SPECIAL PROJECTS	\$23,931.67	\$333,592.96	\$24,783.44	\$308,522.18
STATE PATROL	\$19,557.78	\$260,189.02	\$16,000.02	\$222,107.09
TRAFFIC/CRIMINAL BONDS	\$10,544.13)	\$101,137.64	\$8,059.95	\$62,477.99
	<u>309,105.92</u>	<u>\$4,468,940.34</u>	<u>330,642.50</u>	<u>\$4,165,282.09</u>

DISTRIBUTIONS:

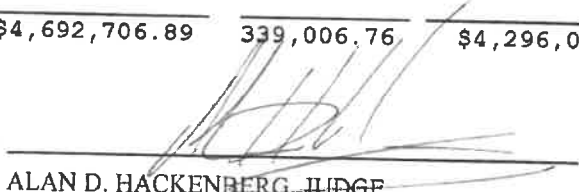
ALCOHOL MONITORING	\$1,847.50	\$28,153.60	\$2,015.05	\$27,985.70
BOND FEES	\$175.00	\$3,550.00	\$225.00	\$2,850.00
CIVIL DEPOSIT TENDERS	\$310.00	\$14,215.54	\$0.00	\$1,422.78
COURT COST	\$60,397.55	\$747,561.35	\$45,881.90	\$643,042.04
DUI ENFORCEMENT	\$2,432.09	\$31,138.83	\$2,391.64	\$31,634.43
ELECTRONIC IMAGING	\$3,443.78	\$48,425.87	\$3,506.20	\$44,486.08
FINES & FORFEITURES	149,139.21	\$2,088,199.18	162,875.57	\$2,050,287.99
FUND REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00
INDIGENT DRIVER ALCOHOL	\$365.49	\$5,936.80	\$476.30	\$6,441.17
INMATE MEDICAL EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00
INTEREST	\$168.80	\$2,200.24	\$125.82	\$672.84
JAIL HOUSING	\$12,223.82	\$201,286.76	\$19,029.14	\$173,197.48
JAIL REIMBURSEMENT	\$340.53	\$2,937.12	\$356.70	\$4,788.37
LEGAL RESEARCH	\$5.00	\$30.50	\$4.47	\$67.97
MEDIATION	\$1,091.12	\$15,269.56	\$1,106.50	\$14,046.80
MISCELLANEOUS	\$41,568.61	\$432,439.07	\$31,066.59	\$408,397.85
MUNI COURT COMPUTERIZATION	\$5,599.15	\$78,850.52	\$5,730.54	\$72,213.71
MUNI COURT IMPROVEMENT	\$14,374.63	\$202,563.72	\$14,807.45	\$185,846.10
RESTITUTION	\$145.00	\$4,279.79	\$230.00	\$5,867.71
SPECIAL PROJECTS	\$23,763.67	\$331,896.96	\$24,534.44	\$306,720.79
STATE PATROL	\$19,425.78	\$257,954.02	\$15,640.02	\$218,911.09
	<u>336,816.73</u>	<u>\$4,496,889.43</u>	<u>330,003.33</u>	<u>\$4,198,880.90</u>

DISTRIBUTED TO:

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CITY OF FINDLAY	151,487.11	\$2,059,549.29	147,199.08	\$1,842,645.56
HANCOCK COUNTY	\$13,640.68	\$209,552.50	\$17,192.49	\$226,362.86
OTHERS	140,774.47	\$1,779,536.23	131,520.57	\$1,642,710.77
STATE OF OHIO	\$48,029.83	\$644,068.87	\$43,094.62	\$584,324.33
	<u>353,932.09</u>	<u>\$4,692,706.89</u>	<u>339,006.76</u>	<u>\$4,296,043.52</u>



STEPHANIE M. BISHOP, JUDGE



ALAN D. HACKENBERG, JUDGE

DISCLAIMER: RECEIPTS COLLECTED ARE NOT TO BE CONFUSED WITH RECEIPTS DEPOSIT



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin, BSN, MBA
Service-Safety Director

January 5, 2024

Dear Council Members,

RE: Appropriate Community Foundation Grant Award

In December of 2023, the City of Findlay Police Department was generously awarded the Findlay-Hancock County Community Foundation President's Discretionary Grant. This \$5,000 grant is to support community engagement between the Police Department and the residents of Findlay, Ohio. The City has received the grant dollars and is requesting the dollars be appropriated accordingly:

FROM: \$5,000 Community Foundation Grant

TO: \$5,000 Police Department (21012000-other)

By copy of this letter, the Law Director is requested to prepare the necessary legislation that will authorize the appropriation as requested.

Sincerely,

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

Rob Martin
Service Safety Director

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



January 8, 2024

Findlay City Council
318 Dorney Plaza
Findlay, Ohio 45840

Attention: John Harrington, President

RE: RLF Refund of Overpayment

Honorable Members of Council:

Hancock Regional Planning Commission is the administrator of the Revolving Loan Fund on behalf of the City. On December 8, 2023 one of the Businesses that has an active loan mistakenly made 2 deposits to the bank account for the City RLF, for a loan account that has been paid off. The business has requested the monies be refunded due to their error.

HPRC respectfully requests that the overpayment in the amount of \$658.02 be paid back to Josette Brinkman DBA Fastsigns of Findlay at 303 East Sandusky Street, Findlay. Please appropriate the funds as follows:

FROM: Findlay Revolving Loan Fund ----- \$658.02
TO: General Expense (21010000-other) ----- \$658.02

As this is merely a refund of an overpayment, HPRC respectfully requests that Council suspend the statutory rules and give the legislation all three readings and pass it at your January 16 meeting.

Please let me know if you have any comments or concerns.

Sincerely,

Matt Cordonnier
Director



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin BSN, MBA
Service-Safety Director

January 5, 2024

Honorable City Council
City of Findlay, Ohio

RE: Board of Zoning Appeals Appointments

Dear Council Members:

Sarah Nowak and Brody Yingling have expressed a desire to switch roles as full-time and alternate members of the Board of Zoning Appeals.

Sarah Nowak currently serves as a full-time member of the Board of Zoning Appeals. She has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals, however, she would like to serve as an alternate member rather than a full-time member. This appointment would be effective through December 31, 2024.

Brody Yingling currently serves as an alternate member of the Board of Zoning Appeals. He has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals, however, he would like to serve as a full-time member rather than an alternate member. This appointment would be effective through December 31, 2027.

This letter will serve as my request for your confirmation of Sarah Nowak as an alternate member of the Board of Zoning Appeals for the City of Findlay and Brody Yingling as a full-time member of the Board of Zoning Appeals. I trust that you will concur with my choice and confirm my appointment. Thank you for your consideration.

Sincerely,

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

Christina M. Muryn
Mayor



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin BSN, MBA
Service-Safety Director

January 5, 2024

Honorable City Council
City of Findlay, Ohio

RE: Appointment to Board of Zoning Appeals

Dear Council Members:

This letter will serve as my request for your confirmation of Scott Brecheisen to the Board of Zoning Appeals for the City of Findlay.

Mr. Brecheisen has expressed a desire and willingness to continue to serve the community as a member of the Board of Zoning Appeals. This appointment is effective January 1, 2024, through December 31, 2027.

I trust that you will concur with my choice and confirm my appointment. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads 'Christina M. Muryn'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Christina M. Muryn
Mayor



CHRISTINA M. MURYN, MAYOR

ENGINEERING DEPARTMENT

Jeremy D. Kalb, PE
City Engineer

Honorable City Council
Findlay, OH 45840

January 8, 2024

RE: HAN-Bright Road & Melrose Avenue Multiuse Path, 2024 TAP Application

Dear Council Members,

The City of Findlay has been invited to submit an application for this year's Transportation Alternative Program (TAP) funds. The Engineering Department would like to submit an application to extend a multiuse trail on Bright Road from Fostoria Avenue to Melrose Avenue and Melrose Avenue from Bright Road to Crystal Avenue. The proposed 10-FT multiuse path will connect new housing developments on Melrose Avenue to various destinations, such as places of work, convenience stores, adjacent neighborhoods, etc. With the current timelines, if the project is awarded grant funds from ODOT construction will be in ODOT's 2027 Fiscal Year. Through the use of Transportation Alternative Funds and Toll Credit Funds, ODOT will be covering 95% of the construction cost and the City will be responsible for Engineering and Design as well as the 5% match for construction.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to authorize the Mayor, Service Safety Director and/or City Engineer to apply for the funds and sign any applicable agreement or related documents.

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

Sincerely,

Jeremy Kalb, PE
City Engineer

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



CHRISTINA M. MURYN, MAYOR

ENGINEERING
DEPARTMENT

JEREMY D. KALB, PE
City Engineer

Honorable City Council
Findlay, OH 45840

January 8, 2024

RE: 2024 Early Projects

Dear Council Members:

There are several projects that will be included in the 2024 Capital Improvement Plan that Engineering would like to be able to bid as soon as possible or to get design funds appropriated into the project so that the design can be completed.

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

FROM: CIT Fund – Capital Improvement Restricted Account \$2,000

TO: 2024 Annual Street Resurfacing/Curb Repairs, Project No. 32840100 \$2,000

FROM: Water Fund \$4,000

To: Hemphill Waterline Replacement, Project No. 35740300 \$2,000
S. West Street Waterline Replacement, Project No. 35740400 \$2,000

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

Sincerely,

Jeremy Kalb, PE
City Engineer

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



**INCOME TAX
DEPARTMENT**
CHRISTINA M. MURYN, MAYOR
Mary Price
Tax Administrator

January 11, 2024

Honorable Findlay City Council
Findlay, Ohio 45840

Re: Resolution Number 005-2024
Income Tax Department 27047000

Dear Honorable Council,

As part of dealing with the influx of business during tax season, the City Income Tax Department typically hires a seasonal employee to work during the time period of mid-January through April. In recent years, this employee has been hired through a temporary employment agency. The initial reasoning for hiring through a temp agency was that it was more cost effective than hiring internally through the City. Recently we have been informed that this is no longer the case, and the billable hour from the temp agency is significantly more than paying a seasonal employee internally, including OPERS, Medicare and Workman's Comp expenses.

The new quote from the agency came after the City Income Tax department had already budgeted for the seasonal employee's wages to be paid out of the 440901 temp agency services line item. In order for the department to hire and pay said employee directly through the City, the funds totaling \$12,000.00 will need to be transferred to the 111300 seasonal employee line item. This transfer cannot take place without legislative approval from City Council.

For this purpose, Resolution 005-2024 has been created.

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

Sincerely,

Mary Price
Income Tax Administrator



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin BSN, MBA
Service-Safety Director

January 8, 2024

Honorable City Council
City of Findlay, Ohio

RE: Appointment to City Revolving Loan Fund Board

Dear Council Members:

This letter will serve as my request for your confirmation of Blair Lane and Joe Mayberry to the Revolving Loan Fund Board for the City of Findlay.

Mr. Lane and Mr. Mayberry have expressed a desire and willingness to continue to serve the community as members of the City Revolving Loan Fund Board. These appointments are effective January 1, 2024, through December 31, 2025.

I trust that you will concur with my choice and confirm my appointment. Thank you for your consideration.

Sincerely,


Christina M. Muryn
Mayor



OFFICE OF
THE MAYOR
CHRISTINA M. MURYN

Rob Martin BSN, MBA
Service-Safety Director

January 8, 2024

Honorable City Council
City of Findlay, Ohio

RE: Appointment to City Revolving Loan Fund Board

Dear Council Members:

This letter will serve as my request for your confirmation of Josh Kin to the Revolving Loan Fund Board for the City of Findlay.

Mr. Kin has expressed a desire and willingness to serve the community as a member of the City Revolving Loan Fund Board. This appointment is effective January 1, 2024, through December 31, 2025.

I trust that you will concur with my choice and confirm my appointment. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads 'Christina M. Muryn'. The signature is fluid and cursive, with the first name being the most prominent.

Christina M. Muryn
Mayor



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

Rob Martin BSN, MBA
Service-Safety Director

January 8, 2024

Honorable City Council
City of Findlay, Ohio

RE: Appointment to Airport Advisory Board

Dear Council Members:

This is to inform you that I am appointing Brandon Betscher to serve on the Airport Advisory Board for the City of Findlay.

Mr. Betscher has expressed a desire and willingness to serve the community in this capacity. This appointment will be effective through December 31, 2026.

This appointment does not require confirmation by Council, however, I trust that you will concur with this selection.

Sincerely,

A handwritten signature in black ink that reads 'Christina M. Muryn'. The signature is fluid and cursive, with the first name 'Christina' being the most prominent.

Christina M. Muryn
Mayor

City of Findlay

Christina Muryn, Mayor

WATER TREATMENT DEPARTMENT
Jason Phillips, Superintendent
110 North Blanchard Street • Findlay, OH 45840
Phone: 419-424-7193 • Fax: 419-424-7892
www.findlayohio.com

January 10, 2024

NEWS RELEASE

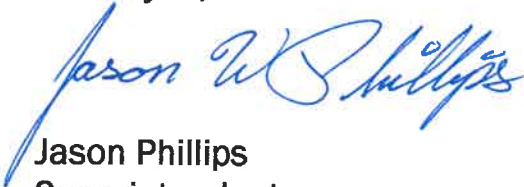
PRECIPITATION & RESERVOIR LEVELS

Total precipitation recorded at the City of Findlay Water Pollution Control Center was 6.77 inches of rain and 0.5 inches of snow for the fourth quarter (Oct-Dec) of 2023.

At the end of December, the Findlay reservoirs stood at 83% of capacity. This reservoir level represents a 1037 day water supply at the city's current usage rate.

The City of Findlay Water Treatment Plant treated 469.83 million gallons of water in the fourth quarter of 2023. That is an average of 5.11 million gallons per day.

Thank you,



Jason Phillips
Superintendent
Water Treatment Plant

EC: City Council
Department Supervisors
File

	2022						2023				
	1/10/2024	Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	YTD Total	Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	YTD Total
Precipitation											
Rain (Inches)		6.47	9.7	9.93	2.84	28.94	10.02	6.5	7.82	6.77	31.11
Snow (Inches)		14	0.8	0	1.8	16.6	10.3	0.5	0	0.5	11.3
Total Precipitation (In Inches)		20.47	10.5	9.93	4.64	45.54	20.32	7	7.82	7.27	42.41
Reservoir											
Current Volume (Billion Gallons)		5.6	6.3	5.6	5.12		5.7	6.3	5.8	5.3	
Max Capacity (Billion Gallons)		6.4	6.4	6.4	6.4		6.4	6.4	6.4	6.4	
% of Capacity		88%	99%	88%	80%		89%	99%	90%	83%	
Supply at Current Usage (Days)		1026	1101	946	908		990	1057	983	1037	
Supply at Max Capacity/Current Usage (Days)		1166	1111	1076	1135		1111	1067	1092	1252	
Treatment											
Gallons Treated (Millions)		493.83	524.6	547.39	518.45		518.52	546.25	539.29	469.83	
Max Treatment Capacity (Millions)		1440	1456	1472	1472		1440	1456	1472	1456	
Current Treatment Capacity Utilization		34%	36%	37%	35%		36%	38%	37%	32%	
AVG Gallons Treated Per Day (Millions)		5.49	5.76	5.95	5.64		5.76	6	5.86	5.11	
Max Daily Treatment Capacity (Millions)		16	16	16	16		16	16	16	16	
AVG Daily Remaining Capacity (Millions)		10.51	10.24	10.05	10.36		10.24	10	10.14	10.89	

Water and Sewer Rates

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

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

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

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



CHRISTINA M. MURYN, MAYOR

ENGINEERING
DEPARTMENT

JEREMY D. KALB, PE
City Engineer

Honorable City Council
Findlay, OH 45840

January 8, 2024

RE: HANUS68/ SR15 Interchange Improvements PID112280
Project No. 32840200

Dear Council Members:

As discussed in the January 9th Appropriations Meeting, the Ohio Department of Transportation and the Maumee Watershed Conservancy District will be making improvements to the US68 and SR15 Interchange that will allow residents in the Spring Lake Subdivision to have an egress onto US68 once the Eagle Creek Basin is constructed. As part of the improvements, ODOT is requesting a 20% local match to help fund the construction and inspection of said project. The local match of \$650,000 will need to be delivered to the Maumee Watershed Conservancy District on or before February 16, 2024. Once the funds are transferred to the Conservancy District, the local match funds will then be transferred to ODOT as per the Memorandum of Agreement between the City and the Maumee Watershed Conservancy District.

To ensure that the funds will be available prior to the indicated deadline, it is requested that this ordinance be given its second and third reading at the February 6th Council meeting.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to authorize the Mayor, Service Safety Director, and/or City Engineer execute the Memorandum of Agreement with the Maumee Watershed Conservancy District and to appropriate and transfer funds as follows:

FROM: CIT Fund – Capital Improvement Restricted Account	\$650,000
TO: HAN-US68 SR15 Interchange Improvements PID112280, Project No. 32840200	\$650,000

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

Sincerely,

Jeremy Kalb, PE
City Engineer

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



Philip L. Rooney
Christie L. Ranzau

rooney & ranzau, ltd.
attorneys at law
320 s. main st.
findlay, ohio 45840
419-425-3821
flagcitylaw.com

January 10, 2024

Christina Muryn, Mayor
City of Findlay, Ohio
Municipal Building
318 Dorney Plaza
Findlay, Ohio 45840

and

City of Findlay, Ohio
c/o Denise DeVore, Clerk of Council
Municipal Building
318 Dorney Plaza
Findlay, Ohio 45840

Re: Downtown Findlay Improvement District

To the Clerk:

The undersigned represents the Downtown Findlay Improvement District, Inc., hereinafter the "DFID". Pursuant to Ohio Revised Code Section 1710.06(B), I would request that you review the attached documentation as the DFID's proposed downtown services plan as part of the renewal of the downtown improvement district for an additional term of five (5) years.

As required by the statute, I would request that you provide me with any comments or recommendations regarding the plan at your earliest convenience so that we may proceed with the final plan and petition.

If you have any questions please feel free to contact me at your convenience.

Sincerely,

ROONEY & RANZAU, LTD.

Philip L. Rooney

Downtown Findlay Improvement District Inc.

**Amended and Renewed
Downtown Services Plan and Budget**

The Downtown Findlay Improvement District Inc. (the "Corporation") intends to deliver the services described below to the area of downtown Findlay shown in the map attached hereto (the "District"). The services to be rendered pursuant to this plan shall be provided for a period of five (5) years from the date of approval of the plan. This plan has been amended from the original downtown services plan and budget for the District adopted in 2009 and renewed in 2013 and 2020.

CLEAN, SAFE & BEAUTIFUL SERVICES

Strategic Direction: Deliver high quality and cost-effective clean and safe services to maintain downtown Findlay as a visually attractive area and enhance its perception as a clean and safe regional asset that attracts people and investment.

1. Create and implement a program to clean and maintain downtown streets and alleys and to provide lighting and mirrors in the alleys to enhance safety.
2. Develop a plan to provide dumpster enclosures or similar screening devices to improve cleanliness and aesthetics.
3. Add recycling cans throughout downtown.
4. Identify and work with the City to have broken sidewalks replaced.
5. Provide plantings and flowers for beautification of the downtown lamp poles.
6. Add living walls in a few areas to enhance beauty.
7. Update and activate pedestrian alleyways, for example, add outdoor concrete games.

MARKETING AND DEVELOPMENT

Maintain effective communication with downtown property owners to identify concerns.

OTHER PROVISIONS

The plan also includes the following activities as authorized by Ohio Revised Code Section 1710.06:

1. Operation of the Corporation to govern the District, including the hiring of employees and professional services; contracting for insurance; leasing of office space; and other actions necessary to operate the Corporation.
2. Planning, designing and implementing public improvements and public services, including hiring architectural, engineering, legal, appraisal, insurance and planning services, and, for public services, managing, protecting and maintaining public and private facilities, including public improvements.
3. Conducting court proceedings to carry out Chapter 1710 of the Ohio Revised Code.
4. Paying damages resulting from the provision of public improvements or public services and implementing the plans.
5. Paying the costs of issuing, paying interest on, and redeeming notes and bonds issued for funding public improvements or public service plans.

BUDGET

The budget for the cost of the plan will be approximately Sixty Thousand Dollars (\$60,000.00) per year. The board of directors will be given discretion on how to allocate funds among the services to be provided. The Corporation will produce an annual report for the members of the District describing how funds are spent. The funds necessary to finance the plan shall be obtained through the assessment of Members of the District based on the assessed value of individual properties as determined by the Hancock County Auditor's Office, in relation to the assessed value of all Property located within the District as a whole and on the square footage of individual properties in relation to the total square footage of all Property located within the District as a whole.

Proposed DFID Budget - 2025 -2030

	2024	2025	2026	2027	2028	2029	2030
INCOME:							
Beginning Balance	23,000	21,080	19,334	17,707	16,146	14,617	12,997
Other Types of Income							
Hayrack sponsor Income							
Program Income	60,000	60,000	60,000	60,000	60,000	60,000	60,000
TOTAL INCOME:	83,000	81,080	79,334	77,707	76,146	74,617	72,997
PROJECTED SPENDING:							
Business Expenses							
Accounting Fees	3,120	3,330	3,560	3,820	4,100	4,420	4,770
Legal Fees							
Supplies	200	200	200	200	200	200	200
Insurance	1,000	1,000	1,000	1,000	1,000	1,000	1,000
City MOU for Flowers, Maint, Lights, Etc	40,000	40,000	40,000	40,000	40,000	40,000	40,000
Vitality Initiatives	16,600	16,216	15,867	15,541	15,229	15,000	15,000
Plaques & Brackets							
Misc Other Costs	1,000	1,000	1,000	1,000	1,000	1,000	1,000
TOTAL SPENDING:	61,920	61,746	61,627	61,561	61,529	61,620	61,970
PROJECTED CARRYOVER:	21,080	19,334	17,707	16,146	14,617	12,997	11,027

OFFICE OF THE ASSISTANT DIRECTORS OF LAW CITY PROSECUTORS

314 WEST CRAWFORD STREET P.O. BOX 1544 FINDLAY, OHIO 45839
TELEPHONE (419) 424-7139

DONALD J. RASMUSSEN
Director of Law

ROBERT E. FEIGHNER, JR.
ELLIOTT T. WERTH
MARSHALL WM. FINELLI
KALINA D. VAJSKOP
Assistant Directors of Law
City Prosecutors

January 12, 2024

Councilwoman Holly Frische
Via E-Mail hfrische@findlayohio.gov

RE: Your E-Mail Dated December 27, 2023

Dear Councilwoman Frische:

The intent of this letter is to respond to your e-mail of December 27, 2023 (attached) regarding City water rates.

Your paragraph number one (1) was addressed at the Council Meeting of January 2, 2024 and was supported by a letter you should have received that evening (letter attached). Basically, the default/initial authority to address water rates provided by Ohio Revised Code in 743.04(A) is a city public service director. This authority remains unless a municipality sets forth a different individual or body. The City of Findlay does not need to memorialize what ORC 743.04(A) says by ordinance since it is an Ohio Law already in place.

As to your third paragraph in the subject e-mail, an ordinance/resolution cannot be drafted to stop the recent rate increase in that as set forth above, Rob Martin is the only City official at this point in time who can do so.

Furthermore, Council cannot recognize by any means that ORC 743.04 does not say what it says regarding the authority to establish water rates. Council could give the authority to someone else or a body if it so chooses. That has not been done yet.

As to an Ad Hoc committee being formed, same is not typically done by ordinance. The term Ad Hoc by definition means "as needed". It is usually a temporary group put together to address a particular problem, i.e. an Ad Hoc committee was formed to address Council Rules. Usually, in my experience, the formation of an Ad Hoc committee is done by oral motion with discussion of the need for same and who is to be on said Ad Hoc committee. Then that motion would pass or not pass and same would be memorialized in the minutes of that meeting or meetings.

Additionally, City Council cannot draft legislation that the water rates remain unchanged for 2024 (undoing the recent rate increase) because as the whole of this letter states, that authority presently lies with Rob Martin to adjust rates.

Flag City, USA

If a Council wanted to take the authority away from their public service director to adjust water rates, it would be my opinion that a select committee would be proposed, that its members would be proposed and same either passes or does not via Council vote. In the situation at hand, a Water & Sewer Committee already exists and such considerations of present and future water rates seem to fall within their purview. I only mention the Water & Sewer Committee in this regard because it is my understanding that this Committee may be discussed at a public meeting as the future authority for setting water rates.

Respectfully:

A handwritten signature in blue ink, appearing to read "R. E. Feighner, Jr.", written in a cursive style.

Robert E. Feighner, Jr.
Assistant City Law Director

Denise Devore

From: Robert Feighner <rfeighner@hbrlawfirm.com>
Sent: Thursday, January 11, 2024 9:06 AM
To: Denise Devore
Subject: [EXTERNAL]Letter
Attachments: water letter.pdf

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

Please include the attached letter in council packet

Thank you,

Robert E. Feighner, Jr.
Hackenberg, Feighner & Werth, LLC
314 West Crawford Street
Findlay, Ohio 45840
419-422-4014
419-425-1544 (Fax)

Robert Feighner

From: Holly Frische
Sent: Wednesday, December 27, 2023 10:55 AM
To: Don Rasmussen; Denise Devore; Robert Feighner
Cc: Jim Niemeyer; holly frische
Subject: request legislation for the 1/2/24 council meeting

December 26, 2023

Don and Rob,

City Council has not passed any legislation designating authority to the director of public service, any elected official or body designated by charter to raise water rates according to ORC 743.04. Because this has not been done the 50% water rate increase cannot be raised on the citizens of Findlay.

The public understands planning for the future, but citizens are also on budgets and any water rate increase must be validated with facts and not simply desires to want more cash on hand. City Council has an obligation to all the citizens and businesses to make sure any rate increases are warranted, justified and allowable by following process.

Councilman Jim Niemeyer, 6th Ward and Councilwoman Holly Frische, 1st Ward are requesting immediate legislation in the form of an ordinance or resolution to stop any rate increase effective January 1, 2024 until an ADHOC Committee can be formed. The committee's objective will be to develop water rate increase guides, processes, and limitations. This committee will recommend who or what body will be granted the authority to raise water rates inside the city limits.

We are requesting this legislation to be in the City Council packet for 1/2/2024.

We are requesting the legislation to include:

City Council recognizes that ORC 743.04 does not specifically give authority to one person or body and that council must pass legislation designating who has the authority to raises water rates inside the city limits for the protection of the citizens.

City Council has the desire to form and ADHOC committee to develop water rate increase guides, processes, and limitations to protect the citizens of Findlay.

City Council requires water rates inside the city limits to remain the same from 2023 with no increases in 2024 until legislation is passed (list 2023 rate chart).

Questions please call or email.

Thank you

Councilwoman Holly Frische

Councilman Jim Niemeyer

**OFFICE OF THE ASSISTANT DIRECTORS OF LAW
CITY PROSECUTORS**

314 WEST CRAWFORD STREET P.O. BOX 1544 FINDLAY, OHIO 45839
TELEPHONE (419) 424-7139

DONALD J. RASMUSSEN
Director of Law

ROBERT E. FEIGHNER, JR.
ELLIOTT T. WERTH
MARSHALL WM. FINELLI
KALINA D. VAJSKOP
Assistant Directors of Law
City Prosecutors

January 2, 2024

Rob Martin
Service Safety Director - Findlay
Hand Delivery

Re: Water Rates – Authority – ORC 743.04(A)

Mr. Martin:

The intent of this letter is to expand on a previous memorandum prepared by our office regarding the authority for the assessment and collection of water rates. The prior memorandum provided reference to ORC 743.04(A) (attached) and its provision that the director of public service, in fact, has the authority to address water rates. I understand now that there may be some confusion in the translation of this section of law to which I want to remedy with this memorandum.

ORC 743.04(A) in the entire first paragraph says two things: (1) the director of public service can set water rates and (2), if the subject city is a “charter” city, then an appointed official by the terms of their charter or a body (committee in other words) by the terms of their charter may set rates.

The interpretation of statutes/ordinances/contract terms is matter of the practice of law and the ultimate interpretation of courts of law. In simple terms, you read the four corners of a document and apply the simple/plain meaning given to terms. This is what courts do. They do not insert or add words.

I was fortunate enough to find some case law on this particular statute (attached). The challenging party in this case was challenging the authority of a “charterd” city to create a board for water rate issues. The Court thus had to dissect the statute and its meaning which helps address our issue. I highlighted pertinent language of the case for your convenience. Bottom line as you can see on page five (5) of the case is the statute is interpreted and given intent to say the two (2) separate intentions I stated above, to wit: if not a chartered city then the director of public services has the authority to set rates and if a “charted” city then the terms of the charter may appoint a city official or a body to address same. The particular statute language by the authority of the attached case is not intended to say the authority is vested in the director of

public service OR a city official OR a body authorized by charter so you must now create an ordinance picking one. Out of the gate, the director of public service for an unchartered city has the authority.

Lastly, as the attached case points out, the authority given in the statute to set rates is not exclusive to a director of public service or the person or body named by charter. A municipality may by ordinance give the authority to some other city official.

I hope this memorandum helps. While competing opinions on the translation of this statute could be given hours of debate, I believe the attached case clearly shows the separation of the terms for authority.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert E. Feighner, Jr.", written in a cursive style.

Robert E. Feighner, Jr.
Assistant City Law Director

ORC Ann. 743.04

Archived code versions

Current through File 12 of the 135th General Assembly (2023-2024).

§ 743.04 Assessment and collection of water rents.

(A) For the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation, including operating expenses and the costs of permanent improvements, the director of public service or any other city official or body authorized by charter may assess and collect a water rent or charge of sufficient amount and in such manner as the director, other official, or body determines to be most equitable from all tenements and premises supplied with water.

(1) When water rents or charges are not paid when due, the director or other official or body may do either or both of the following:

(a) Certify them, together with any penalties, to the county auditor. The county auditor shall place the certified amount on the real property tax list and duplicate against the property served by the connection if the auditor also receives from the director or other official or body additional certification that the unpaid rents or charges have arisen pursuant to a service contract made directly with an owner who occupies the property served.

The amount placed on the tax list and duplicate shall be a lien on the property served from the date placed on the list and duplicate and shall be collected in the same manner as other taxes, except that, notwithstanding section 323.15 of the Revised Code, a county treasurer shall accept a payment in such amount when separately tendered as payment for the full amount of such unpaid water rents or charges and associated penalties. The lien shall be released immediately upon payment in full of the certified amount. Any amounts collected by the county treasurer under this division shall be immediately placed in the distinct fund established by section 743.06 of the Revised Code.

(b) Collect them by actions at law, in the name of the city from an owner, tenant, or other person who is liable to pay the rents or charges.

(2) The director or other official body shall not certify to the county auditor for placement upon the tax list and duplicate and the county auditor shall not place upon the tax list and duplicate as a charge against the property the amount of any unpaid water rents or charges together with any penalties as described in division (A)(1)(a) of this section if any of the following apply:

(a) The property served by the connection has been transferred or sold to an electing subdivision as defined in section 5722.01 of the Revised Code, regardless of whether the electing subdivision is still the owner of the property, and the unpaid water rents or charges together with any penalties have arisen from a period of time prior to the transfer or confirmation of sale to the electing subdivision;

(b) The property served by the connection has been sold to a purchaser at sheriff's sale or auditor's sale, the unpaid water rents or charges together with any penalties have arisen from a period of time prior to the confirmation of sale, and the purchaser is not the owner of record of the property immediately prior to the judgment of foreclosure nor any of the following:

(i) A member of that owner's immediate family;

(ii) A person with a power of attorney appointed by that owner who subsequently transfers the land to the owner;

743.04 Assessment and collection of water rents.

- (iii) A sole proprietorship owned by that owner or a member of that owner's immediate family;
- (iv) A partnership, trust, business trust, corporation, or association of which the owner or a member of the owner's immediate family owns or controls directly or indirectly more than fifty per cent.

(c) The property served by the connection has been forfeited to this state for delinquent taxes, unless the owner of record redeems the property.

(3) Upon valid written notice to the county auditor by any owner possessing an ownership interest of record of the property or by an electing subdivision previously in the chain of title of the property that the unpaid water rents or charges together with any penalties have been certified for placement or placed upon the tax list and duplicate as a charge against the property in violation of division (A)(2) of this section, the county auditor shall promptly remove such charge from the tax duplicate. This written notice to the county auditor shall include all of the following:

- (a) The parcel number of the property;
- (b) The common address of the property;
- (c) The date of the recording of the transfer of the property to the owner or electing subdivision;
- (d) The charge allegedly placed in violation of division (A)(2) of this section.

(4) Each director or other official or body that assesses water rents or charges shall determine the actual amount of rents due based upon an actual reading of each customer's meter at least once in each three-month period, and at least quarterly the director or other official or body shall render a bill for the actual amount shown by the meter reading to be due, except estimated bills may be rendered if access to a customer's meter was unobtainable for a timely reading. Each director or other official or body that assesses water rents or charges shall establish procedures providing fair and reasonable opportunity for resolution of billing disputes.

(5) When property to which water service is provided is about to be sold, any party to the sale or the agent of any such party may request the director or other official or body to read the meter at that property and to render within ten days following the date on which the request is made, a final bill for all outstanding rents and charges for water service. Such a request shall be made at least fourteen days prior to the transfer of the title of such property.

(6) At any time prior to a certification under division (A)(1)(a) of this section, the director or other official or body shall accept any partial payment of unpaid water rents or charges, in the amount of ten dollars or more.

(B)

(1) When title to a parcel of land that is subject to any of the actions described in division (A)(1) of this section is transferred to a county land reutilization corporation, any lien placed on the parcel under division (A)(1)(a) of this section shall be extinguished, and the corporation shall not be held liable for unpaid rents or charges in any collection action brought under division (A)(1)(b) of this section, if the rents or charges certified under division (A)(1)(a) of this section or subject to collection under division (A)(1)(b) of this section were incurred before the date of the transfer to the corporation and if the corporation did not incur the rents or charges, regardless of whether the rents or charges were certified, the lien was attached, or the action was brought before the date of transfer. In such a case, the corporation and its successors in title shall take title to the property free and clear of any such lien and shall be immune from liability in any such collection action.

If a county land reutilization corporation takes title to property before any rents or charges have been certified or any lien has been placed with respect to the property under division (A)(1) of this section, the corporation shall be deemed a bona fide purchaser for value without knowledge of such rents, charges, or lien, regardless of whether the corporation had actual or constructive knowledge of the

743.04 Assessment and collection of water rents.

rents, charges, or lien, and any such lien shall be void and unenforceable against the corporation and its successors in title.

(2) If a lien placed on a parcel is extinguished as provided in division (B)(1) of this section, the municipal corporation may pursue the remedy available under division (A)(1)(b) of this section to recoup the rents and charges incurred with respect to the parcel from any owner, tenant, or other person liable to pay such rents and charges.

History

RS § 2411; Bates § 1536-522; 71 v 109, § 338; 84 v 10; 86 v 364; 90 v 198; 94 v 57; GC § 3958; Bureau of Code Revision, 10-1-53; 140 v S 118 (Eff 7-4-84); 141 v H 754. Eff 9-24-86; 2014 SB 172, § 1, eff. Sept. 4, 2014.

End of Document

State ex rel. Osborne v. City of N. Canton

Court of Appeals of Ohio, Fifth Appellate District, Stark County

May 6, 2019, Date of Judgment Entry

Case No. 2018CA00132

Reporter

2019-Ohio-1744 *; 135 N.E.3d 1155 **

STATE OF OHIO ex rel. CHARLES OSBORNE, Relator-Appellant -vs- CITY OF NORTH CANTON, Respondent-Appellee

Subsequent History: Discretionary appeal not allowed by State ex rel. Osborne v. Canton, 2019 Ohio 3505, 156 Ohio St. 3d 1498, 2019- Ohio 3505, 2019 Ohio LEXIS 1761, 130 N.E.3d 298 (Ohio, Sept. 3, 2019)

Prior History: CHARACTER OF PROCEEDINGS: Appeal from the Stark County Court of Common Pleas, Case No. 2018CV00837.

Disposition: Affirmed.

Counsel: For Respondent-Appellee: GREGORY A. BECK, TONYA J. ROGERS, Baker, Dublikar, Beck, Wiley & Matthews, North Canton, Ohio.

For Relator-Appellant: WARNER MENDENHALL, BRIAN UNGER, Law Offices of Warner Mendenhall, Inc., Akron, Ohio.

Judges: Hon. William B. Hoffman, P.J, Hon. Patricia A. Delaney, J., Hon. Earle E. Wise, Jr., J. Delaney, J. and Wise, Earle, J. concur.

Opinion by: William B. Hoffman

Opinion

[**1157] *Hoffman, P.J.*

[*P1] Relator-appellant Charles Osborne appeals the August 1, 2018 Judgment Entry entered by the Stark County Court of Common Pleas, which granted respondent-appellee City of North Canton's motion for judgment on the pleadings.

STATEMENT OF THE CASE AND FACTS

[*P2] The city of North Canton ("the City") is a chartered municipal corporation organized and operating pursuant to the laws of the state of Ohio and the Charter of the Municipality of North Canton ("the Charter").

[*P3] On February 28, 2011, the North Canton City Council ("City Council") enacted Ordinance 20-11, which amended Chapter 937 of its Codified Ordinances, to provide for the creation of a Board to govern water rates and water charges within the City. The Board created is commonly referred to as "the Water Board."

[*P4] On October 23, 2017, City Council enacted Ordinance 88-2017, which replaced Codified Ordinance 935.08, to increase public access to water and sanitary sewer services for non-residents. Ordinance 88-2017 permits the Water Board and the chair of the Water, Sewer and Rubbish Committee to negotiate water and sanitary service agreements for locations outside the City.

[*P5] Appellant is a North Canton property owner and taxpayer. On February 27, 2018, Attorney Warner Mendenhall, on behalf [**1158] of Appellant, sent a letter to Timothy Fox, the North Canton Law Director, asserting Ordinance 88-2017 violated R.C. 743.03, and demanding the Water Board cease operations immediately. The Law Director responded to Attorney Mendenhall via email on March 19, 2018. Therein, the Law Director advised Attorney Mendenhall the Charter grants City Council the authority to create boards. The Law Director asserted Ordinance 88-2017 did not violate the Ohio Revised Code and the Water Board was operating lawfully.

[*P6] On April 24, 2018, Appellant filed a complaint for declaratory judgment and injunctive relief. Specifically, Appellant sought a declaration Ordinances 20-11 and 88-2017 (collectively, "the Ordinances") violated the Ohio Revised Code and, additionally or alternatively, the Ordinances violated the Charter and Code; a declaration the continued operation of the Water Board was illegal; and an injunction to enjoin the continued operation of the Water Board. The City filed an answer on May 23, 2018. The trial court issued a scheduling order on May 30, 2018.

[*P7] On June 13, 2018, the City filed a motion for judgment on the pleadings. Appellant filed a response on July 2, 2018. The City filed a reply in support of its motion on July 12, 2018. Via Judgment Entry Granting Judgment on the Pleadings filed August 1, 2018, the trial court granted judgment in favor of the City.

[*P8] It is from this judgment entry Appellant appeals, raising the following assignments of error:

I. THE TRIAL COURT ERRED AS A MATTER OF LAW BY DECIDING A CRITICAL DISPUTED FACTUAL ISSUE IN FAVOR OF THE NONMOVING [SIC] PARTY.

II. THE TRIAL COURT ERRED IN FINDING LANGUAGE USED IN R.C. 743.04(A) INOPERATIVE OR SUPERFLUOUS.

III. THE TRIAL COURT ERRED IN FINDING THE WATER BOARD WAS ESTABLISHED BY ORDINANCE AND AUTHORIZED BY CHARTER.

Standard of Review

[*P9] Civ. R. 12(C) provides, "After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings." The standard of review of the grant of a motion for judgment on the pleadings is the same as the standard of review for a Civ. R. 12(B)(6) motion. As the reviewing court, our review of a dismissal of a complaint based upon a judgment on the pleadings requires us to independently review the complaint and determine if the dismissal was appropriate. *Rich v. Erie County Department of Human Resources*, 106 Ohio App.3d 88, 91, 665 N.E.2d 278 (1995). A reviewing court need not defer to the trial court's decision in such cases. *Id.*

[*P10] A motion for a judgment on the pleadings, pursuant to Civ. R. 12(C), presents only questions of law. *Peterson v. Teodosio*, 34 Ohio St.2d 161, 165-166, 297 N.E.2d 113 (1973). The determination of a motion under Civ. R. 12(C) is restricted solely to the allegations in the pleadings and the nonmoving party is entitled to have all material allegations in the complaint, with all reasonable inferences to be drawn therefrom, construed in its favor. *Id.* Evidence in any form cannot be considered. *Conant v. Johnson*, 1 Ohio App.2d 133, 135, 204 N.E.2d 100 (1964). In considering such a motion, one must look only to the face of the complaint. *Nelson v. Pleasant*, 73 Ohio App.3d 479, 597 N.E.2d 1137 (1991).

[**1159] II

[*P11] For ease of discussion, we shall address Appellant's second assignment of error first. In his second assignment of error, Appellant argues the trial court erred in finding language used in R.C. 743.04(A) to be inoperative or superfluous.

[*P12] R.C. 743.04(A) provides:

we by ord
add r n
someone
But have
not

(A) For the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation, including operating expenses and the costs of permanent improvements, the director of public service or **any other city official or body authorized by charter may assess and collect a water rent or charge of sufficient amount** and in such manner as the director, other official, or body determines to be most equitable from all tenements and premises supplied with water. (italic and bold emphasis added).

[*P13] In its August 1, 2018 Judgment Entry Granting Judgment on the Pleadings, the trial court found:

By its use of the word "may", the statute clearly provides *permission* for "the director of public service or any other city official or body authorized by charter" to assess water rents in such a manner as such person or body determines to be most equitable. This statute contains absolutely no prohibitive or proscriptive language, nor does it state that the permission granted therein is exclusive to those named or constitutes the *only* means by which a municipality may assess and collect water rents. *Id.* at 3.

[*P14] Appellant maintains the trial court, by so finding, ruled the "authorized by charter" language in R.C. 743.04(A) is superfluous. Appellant suggests if the "authorized by charter" language is to have any effect on the statute, then it must function to mandate a city official (other than the director of public service) or body draw its regulatory authority expressly from the city's charter." Brief of Appellant at 6. In other words, a city official or body's authority "to assess and collect water rents" must be "authorized by charter."

[*P15] We agree with the trial court and find the phrase "authorized by charter" modifies the noun "body". If the legislature intended the reading suggested by Appellant, the phrase "authorized by charter" would either follow the "may assess and collect a water rent or charge of sufficient amount" language and read "may assess and collect a water rent or charge. . . as authorized by charter", or read "authorized by charter to assess and collect". The legislature did not write the statute in either manner. "It is the duty of the court to give effect to the words used and not to insert words not used." *Trustees of Police & Firemen's Disability & Pension Fund*, 69 Ohio St.3d 409, 412, 1994- Ohio 126, 632 N.E.2d 1292 (1994). (Citation omitted). Accordingly, we find the trial court's finding did not render the language used in R.C. 743.04(A) inoperative or superfluous.

[*P16] Appellant's second assignment of error is overruled.

I, III

[*P17] Because Appellant's first and third assignments of error are interrelated, we shall address them together. In his first assignment of error, Appellant asserts the trial court erred as a matter of law in deciding a material disputed factual issue in favor of the movant. Specifically, Appellant contends the question of whether Ordinance 20-11 created the Water Board is a factual issue and the trial court's determination of such in favor of the City constitutes reversible error. In his **[**1160]** third assignment of error, Appellant submits the trial court erred in finding the Water Board was established by ordinance and authorized by the Charter.

[*P18] Section 3.03 of the Charter reads:

The Council shall by ordinance provide for a Finance Department, a Law Department, a Department of Service, a Department of Safety, a Civil Service Commission, a Planning Commission, a Zoning and Building Standards Board of Appeals, and such other departments, divisions, boards, commissions, officers and employees as it may deem necessary, and determine the organization and duties of each officer and employee, except as otherwise provided by this Charter. (Italic and bold emphasis added).

[*P19] Pursuant thereto, City Council enacted Ordinance 20-11. Section 937.03(d) of Ordinance 20-11 specifically provides:

In the event of any dispute as to charges or any dispute as failure to comply with rules and regulations concerning the use of the City's waterworks system shall upon written request by the party aggrieved be referred to a Board consisting of the Director of Law, Director of Finance and Director of Administration for

review. Said Board shall hear said dispute within thirty days receipt of said notice and shall make a written decision to the party aggrieved within a reasonable time thereafter.

[*P20] Interpretation of a statute or ordinance is a matter of law, and thus, the proper standard of review is de novo. *State v. Straley*, 139 Ohio St.3d 339, 2014-Ohio- 2139, ¶ 9, 11 N.E.3d 1175. The paramount concern is determining legislative intent in enacting the statute. *State ex rel. Steele v. Morrissey*, 103 Ohio St.3d 355, 2004-Ohio-4960, ¶ 21, 815 N.E.2d 1107. To discern this intent by looking at the language used in the statute itself, we must read words and phrases in context and construe them in accordance with rules of grammar and common usage. *State ex rel. Choices for S.W. City Schools v. Anthony*, 108 Ohio St.3d 1, 2005-Ohio-5362, ¶ 40, 840 N.E.2d 582. "[I]f such intent is clearly expressed therein, the statute may not be restricted, constricted, qualified, narrowed, enlarged or abridged." *State ex rel. McGraw v. Gorman*, 17 Ohio St.3d 147, 149, 17 Ohio B. 350, 478 N.E.2d 770 (1985). In other words, if the meaning is unambiguous and definite, then the statute is to be applied as written and needs no further interpretation. *State ex rel. Herman v. Klopfleisch*, 72 Ohio St.3d 581, 584, 651 N.E.2d 995 (1995).

[*P21] The plain language of Section 937.03(d) of Ordinance 20-11 creates a "Board consisting of the Director of Law, Director of Finance and Director of Administration" to hear "any dispute as to charges or any dispute as failure to comply with rules and regulations concerning the use of the City's waterworks system". Like the trial court, we find Ordinance 20-11 did, in fact, create the Water Board, and the creation of said Board was authorized by the Charter. The Charter allows for the creation of boards deemed necessary. The fact the Board was not expressly labeled "the Water Board" in Ordinance 20-11 does not alter its nature or purpose.

[*P22] As discussed in our analysis of Appellant's second assignment of error, supra, the Water Board is a "body authorized by charter" as used in R.C. 743.04(A); therefore, "may assess and collect a water rent or charge of sufficient amount". Further, under the Charter, City Council could add to the Water Board's authority as it did by enacting and implementing Ordinance 88-2017. Ordinance 88-2017 cloaks the Water Board and the chair of the Water, Sewer and Rubbish Committee with the authority to evaluate and negotiate **[**1161]** applications for water or sewer service for locations outside City boundaries.

[*P23] Alternatively, the trial court held the creation of the Water Board fell within the City's authority under the Home Rule Amendment of the Ohio Constitution. We agree. Appellant has not challenged the trial court's decision on this alternative, independent ground.

[*P24] "By reason of Sections 3 and 7 of Article XVIII of the Ohio Constitution, a charter city has all powers of local self-government except to the extent that those powers are taken from it or limited by other provisions of the Constitution or by statutory limitations on the powers of the municipality which the Constitution has authorized the General Assembly to impose." *State ex rel. Comm. for Charter Amendment, City Trash Collection v. Westlake*, 97 Ohio St. 3d 100, 2002-Ohio-5302, 776 N.E.2d 1041, ¶31 (Citations omitted). Thus, the City's power to enact legislation is conferred by the City Charter, not the Ohio Revised Code. *State ex rel. Phillips Supply Co. v. Cincinnati*, 2012-Ohio-6096, 985 N.E.2d 257, ¶ 53 (1st Dist.).

[*P25] We use a three-part test to evaluate claims a municipality has exceeded its powers under the Home Rule Amendment. "A state statute takes precedence over a local ordinance when (1) the ordinance is in conflict with the statute, (2) the ordinance is an exercise of the police power, rather than of local self-government, and (3) the statute is a general law." *Mendenhall v. City of Akron*, 117 Ohio St. 3d 33, 2008-Ohio-270, 881 N.E.2d 255, ¶17.

[*P26] Applying the factors set forth in the three-part test, we conclude the City has not exceeded its power in enacting the Ordinances. Assuming, arguendo, the Ordinances are an exercise of police power, we find the first and third factors are not satisfied. As discussed, supra, the Ordinances are not in conflict with R.C. 743.04(A). In addition, R.C. 743.04(A) is not a general law.

[*P27] To constitute a general law for purposes of Home Rule analysis, "a statute must (1) be part of a statewide and comprehensive legislative enactment, (2) apply to all parts of the state alike and operate uniformly throughout the state, (3) set forth police, sanitary, or similar regulations, rather than purport only to grant or limit legislative

power of a municipal corporation to set forth police, sanitary, or similar regulations, and (4) prescribe a rule of conduct upon citizens generally." *Canton v. State*, 95 Ohio St.3d 149, 2002-Ohio-2005, 766 N.E.2d 963, syllabus.

[*P28] We find R.C. 743.04 does not satisfy the aforementioned factors; therefore, is not a general law. As set forth, supra, R.C. 743.04 vests "the director of public service or any other city official or body authorized by charter" with the power to assess and collect water rent "[f]or the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation." R.C. 743.04, on its face, is not part of a statewide and comprehensive legislative enactment. Next, the statute is not applied to all parts of the state alike and does not operate uniformly throughout the state. R.C. 743.04 does not require every municipality within the state to assess and collect these rents in the same way, but rather the director, other official, or board may assess and collect water rents "in such manner. . . determine[d] to be most equitable." Further, the statute does not set forth police, sanitary, or similar regulations. Lastly, R.C. 743.04 does not prescribe a rule of conduct upon citizens generally.

[*P29] Based upon the foregoing, we find the creation of the Water Board did not [**1162] exceed the City's authority under the Home Rule Amendment.

[*P30] Based upon the foregoing, we find the trial court did not err in granting judgment on the pleadings in favor of the City.

[*P31] Appellant's first and third assignments of error are overruled.

[*P32] The judgment of the Stark County Court of Common Pleas is affirmed.

By: Hoffman, P.J.

Delaney, J. and

Wise, Earle, J. concur

End of Document



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

Rob Martin, BSN, MBA
Service-Safety Director

January 10, 2024

RE: Downtown Recreation Area Environmental Next Steps

Dear Honorable Council,

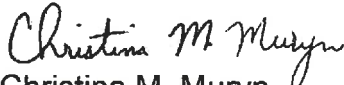
In follow up to the Appropriations Committee Meeting on December 19th, 2023, Mike Coonfare with Civil & Environmental Consultants, Inc. has prepared a quote to complete the Soil Waste Characterization work as was discussed.

There are not sufficient funds in the project #31933000 to pay for this work. Therefore, I am requesting legislation be prepared authorizing the Mayor to enter into an agreement for additional work for environmental review with Civil & Environmental Consultants and the following appropriation.

FROM: General Fund	\$5,000	
TO: Phase 2 Benching Environmental, Project No. 31933000		\$5,000

Thank you for your support in completing this work.

Sincerely,


Christina M. Muryn
Mayor



Findlay City Council
318 Dorney Plaza
Findlay, Ohio 45840

January 11, 2024

RE: Community Development Block Grant (CDBG) Fair Housing & Administration Update of Agreements

Honorable Members of Council:

Attached for your signature are two agreements in relation to the administration of the City of Findlay's current and future Community Development Block Grant (CDBG) programs.

The first is an updated agreement between the City of Findlay and Hancock Regional Planning Commission to continue to administer the City of Findlay's Community Development Block Grant (CDBG) programs through 2026. We have updated the rates for which our office charges the grant for administration; otherwise the agreement is identical to those that have been executed in the past.

The second agreement is an updated agreement between the City of Findlay and Findlay's Hope House for the Homeless to continue to administer the City of Findlay's Community Development Block Grant (CDBG) Fair Housing programs through 2026. This contract is identical to those that have been executed to the past.

City Council will please note that both administrative and fair housing costs related to CDBG programs are paid in full by grant funding.

Hancock Regional Planning Commission respectfully requests that the Findlay City Council pass a resolution authorizing the Mayor of the City of Findlay to execute an agreement with Hancock Regional Planning Commission and Findlay's Hope House for the Homeless to provide services related to CDBG projects for program years 2024 through 2026, dated retroactively January 1, 2024.

Thank you for your consideration in this matter. Please do not hesitate to reach out to our office with any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Kaysie Penzinski". The signature is written in a cursive, flowing style.

Kaysie Penzinski, Grant Administrator

Committee Members:

- Jeff Wobser, at large – Committee Chair
- Holly Frische, Ward 1
- Randy Greeno, at-Large
- Josh Palmer, Ward 7
- Beth Warnecke, Ward 3

Staff:

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

Meeting Start Time: 4:00 PM

Meeting End Time: 4:52 PM

Guests:

Dennis Hellman - Council
Josh Eberle - Fire Chief
Jeremy Kald - Engr.

Agenda:

Call to Order

Roll Call

Approval of Minutes

New Items

1. 6815 Interchange renovation
2. fire truck replacement

Adjournment



Jeff Wobser, Appropriations Committee Chair

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss 68/15 Interchange renovation.

We recommend Approval of \$650,000.00 of capital funds for the renovation of the SR 68/15 interchange. It is noted by the committee that this project is not inside the city limits but does offer safety service access to Spring Lake and the building of the dry basin for flood mitigation.

Aye Nay *Jeff Wobser*
Jeff Wobser, Chairman (2nd)

Aye Nay *Holly Frische*
Holly Frische

Aye Nay *Randy Greeno*
Randy Greeno

Aye Nay *Josh Palmer*
Josh Palmer (Motion)

Aye Nay *Beth Warnecke*
Beth Warnecke

APPROPRIATIONS COMMITTEE

DATE: January 9, 2024

LEGISLATION yes

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO


The **APPROPRIATIONS COMMITTEE** to whom was referred a request to discuss fire truck replacement.

We recommend The Administration continue to gather additional information for the purchase of a Truck. Also, The Auditor work on costs/prepayment options.

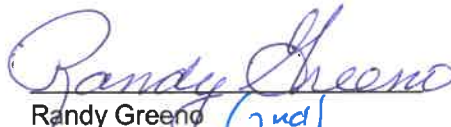
Aye Nay


Jeff Wobser, Chairman *(motion)*


Aye Nay


Holly Frische

Aye Nay


Randy Greeno *(2nd)*

Aye Nay


Josh Palmer

Aye Nay


Beth Warnecke

APPROPRIATIONS COMMITTEE

DATE: January 9, 2024

LEGISLATION _____

Committee Members:

- John Harrington, President of Council
- Brian Bauman, Ward 5
- Dan DeArment, Ward 4
- Holly Frische, Ward 1
- Randy Greeno, At-Large
- Dennis Hellmann, Ward 2
- Jim Niemeyer, Ward 6
- Josh Palmer, Ward 7
- Grant Russel, At-Large
- Beth Warnecke, Ward 3
- Jeff Wobser, At-Large

Staff:

- Christina Muryn, Mayor
- Donald Rasmussen, Law Director
- Rob Martin, Service-Safety Director
- Jeremy Kalb, City Engineer
- Jim Staschiak, City Auditor
-
-
-

Meeting Start Time: 4:30 PM

Meeting End Time: 5:38 PM

Guests: Nate Green - Mountaineer Group
Dan Sheaffer - Hancock E.D.
13 people in the audience.

Agenda:

Call to Order

Roll Call

Approval of Minutes

New Items

1. 2024 Economic Development strategies

Adjournment



Jeff Wobser

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A **COMMITTEE OF THE WHOLE** meeting was held on Wednesday, January 10, 2024 to discuss 2024 Economic Development strategies.



Jeff Wobser

COMMITTEE OF THE WHOLE

DATED: January 10, 2024

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
January 16, 2024**

RESOLUTION NO. 002-2024 *(advances on County tax settlements)* **requires three (3) readings** **second reading**
A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2024 PURSUANT TO OHIO REVISED CODE §321.34.

RESOLUTION NO. 003-2024 *(ODOT Aviation - Airport Improvement Program Grant SPY24)* **requires three (3) readings** **second reading**
A RESOLUTION AUTHORIZING THE CITY OF FINDLAY, OHIO TO MAKE AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION, FOR AN OHIO AIRPORT IMPROVEMENT GRANT FOR SFY 2024.

ORDINANCE NO. 2024-003 *(2023 annual sewer & manhole lining #35633600)* **requires three (3) readings** **second reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2024-004 **requires three (3) readings** **second reading**
(HAN-Greenway Trail Phase III, PID11709, Project No. 31931900, additional design services and right-of-way acquisitions)
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

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

JANUARY 16, 2024

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JANUARY 16, 2024 MEETING.

RESOLUTIONS

- 005-2024 A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS AND DECLARING AN EMERGENCY.
- 006-2024 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).
- 007-2024 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY RETROACTIVE TO JANUARY 1, 2024.

ORDINANCES

- 2024-006 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2024-007 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.
- 2024-008 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR GRANT FUNDS AND SIGN ANY APPLICABLE AGREEMENTS OR RELATED DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE HAN-BRIGHT ROAD AND MELROSE AVENUE MULTI-USE PATH 2024 TAP APPLICATION, AND DECLARING AN EMERGENCY.
- 2024-009 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.
- 2024-010 AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE MAUMEE WATERSHED CONSERVANCY DISTRICT AS SET FORTH IN THE MEMORANDUM OF AGREEMENT ATTACHED HERETO AS EXHIBIT A, APPROPRIATE AND TRANSFER FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2024-011 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. FOR ADDITIONAL WORK FOR ENVIRONMENTAL REVIEW OF THE DOWNTOWN RECREATION AREA, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.
- 2024-012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEARS 2024 AND 2025 RETROACTIVE TO JANUARY 1, 2024, AND DECLARING AN EMERGENCY.
- 2024-013 AN ORDINANCE CHANGING THE NAME OF TECHNOLOGY DRIVE, IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 005-2024

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:	City Income Tax Department.#27047000-other	\$ 12,000.00
TO:	City Income Tax Department #27047000-personal services	\$ 12,000.00

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason, it is immediately necessary to authorize said transfer of funds so that funds appropriated to the City of Findlay Income Tax Department Temporary Agency Services line item may be transferred to the City of Findlay Income Tax Department Seasonal Employees line item to be utilized for the hiring of a seasonal employee within the City of Findlay Income Tax Department.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 006-2024

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
ROHRBACHER TRIMBLE AND ZIMMERMAN CO LPA	263458	21005000-441400	LAW DIRECTOR	\$4,054.00	MATHIAS LEGUIRE LITIGATION	NO PURCHASE ORDER PREPARED
TREASURER, STATE OF OHIO, EPA	263317	25072000-441100 WATER FUND	UTILITY BILLING	\$22,257.40	NO PO	INVOICE RECEIVED PRIOR TO PO
HANCOCK COUNTY COMISSIONERS/HANCOCK COUNTY LANDFILL	263403	31934300-448800- 19343	BULK TRASH & TIRE DROPOFF (ARPA)	\$3,120.75	NO PO	NO PURCHASE ORDER PREPARED

RESOLUTION NO. 007-2024

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO EXECUTE AN AGREEMENT WITH FINDLAY HOPE HOUSE FOR THE HOMELESS, INC. TO PROVIDE FAIR HOUSING SERVICES FOR RESIDENTS OF THE CITY OF FINDLAY RETROACTIVE TO JANUARY 1, 2024.

WHEREAS, the City of Findlay receives Community Development Block Grant (CDBG) funds administered by the State of Ohio, Ohio Department of Development, Office of Housing and Community Partnerships, and;

WHEREAS, the Federal Government requires local government recipients of CDBG funds to provide certain fair housing services, and;

WHEREAS, Findlay's fiscal year 2024 CDBG Program includes the provision for Fair Housing Services for residents within the City of Findlay, and;

WHEREAS, the Findlay Hope House for the Homeless, Inc. has agreed to provide such services for an annual fee of up to one thousand five hundred dollars (\$1,500.00), and;

WHEREAS, an agreement outlining the scope of services has been prepared and is attached hereto as Exhibit A,

THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio, the majority of all members thereof concurring:

SECTION 1: That the Mayor of the City of Findlay, Ohio, be and she is hereby authorized to execute said agreement for Fair Housing Services on behalf of the City, and that such agreement shall retroactive to January 1, 2024.

SECTION 1: This Resolution 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 _____

AGREEMENT TO PROVIDE FAIR HOUSING SERVICES

This AGREEMENT is made and entered this 10th day of January 2024 by and between the City of Findlay at 318 Dorney Plaza in Findlay, Ohio 45840, hereinafter referred to as "City", and the Findlay Hope House for the Homeless, Inc., 1800 North Blanchard Street, Suite #106, Findlay, Ohio 45840, hereinafter referred to as "Provider".

Whereas, the City of Findlay receives Community Development Block Grant (CDBG) funds from the Ohio Department of Development; and

Whereas, the federal government requires that local government recipients of CDBG funds must provide certain Fair Housing services; and

Whereas, the purpose of the Fair Housing Program is to inform the area residents of Fair Housing laws and to provide area residents with a system for redress of complaints of illegal discrimination in the obtainment of housing;

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements contained herein, and other good and valuable consideration, the parties do hereby mutually covenant and agree as follows:

ARTICLE I: TERM

- 1.1 This Agreement shall be effective, retroactively, as of January 1, 202~~4~~ and shall continue in effect for a primary term of one (1) year from the date of execution.
- 1.2 Upon expiration of the primary one (1) year term of this Agreement (January 1, 2024), this Agreement will be automatically renewed for an additional one (1) year term (January 1, 2025), unless either party hereto has submitted written notice of termination to the other at least thirty (30) days prior to the expiration date of the primary term.
- 1.3 Notwithstanding Sections 1.1 and 1.2, after this Agreement has been in effect for thirty (30) days, either party may, for good cause shown, terminate this Agreement by first submitting a written notice of termination to the other, which provides at least thirty (30) days notice of intent to terminate this Agreement.
- 1.4 Notwithstanding this foregoing, this Agreement shall immediately terminate upon written notice to the Provider that the City CDBG contract with the Office of Housing and Community Partnerships, Ohio Department of Development has been terminated, or that the source of funds used by The City of Findlay to compensate Provider for services rendered as a result of this Agreement are no longer available.

ARTICLE II: SCOPE

All benefits and services rendered as a result of this contract shall apply to persons residing in The City of Findlay, OHIO.

ARTICLE III: FAIR HOUSING PROGRAM

- 3.1 Provider shall be responsible for providing fair housing services that meet or exceed the requirements of the State of Ohio.
- 3.2 At a minimum the Provider shall be responsible for the following:
- (A) Have a published phone number for residents to call when they have fair housing questions or complaints;
 - (B) Designate an employee who is available Monday through Friday during regular business hours to receive calls;
 - (C) Establish a system to record the nature of calls, the action taken, and the result of the action taken;
 - (D) Establish a method of intake of complaints, forwarding complaints to the Ohio Civil Rights Commission, and a method of follow-up on complaints;
 - (E) Conduct training and provide fair housing educational materials to residents of the CDBG target area or special populations, and at least three (3) additional groups. (This documentation should include an agenda, attendance sheet, meeting notices or advertisements, and handouts);
 - (F) Develop and distribute fair housing information and materials to at least ten (10) area agencies, organizations or public events. (File should contain distribution list, date of distribution and copy of materials);
 - (G) Adopt an Affirmative Fair Housing Marketing Plan if the City implements a rental rehabilitation program funded with CDBG or HOME funds; and
 - (H) Conduct and update the analysis of impediments to fair housing in the community.

ARTICLE IV: COMPENSATION

- 4.1 Compensation will be remitted to the Provider in four (4) quarterly payments. For the purpose of this Agreement, the calendar year will be from January 1 to December 31 of the preceding year.
- 4.2 Remittance of quarterly payments are to be made within ten (10) days of the beginning of each subsequent quarterly period for the preceding three month period. Provider shall submit an invoice for services rendered before payment is received.
- 4.3 If the Provider's expenses for services provided as a result of this Agreement should vary significantly from the payment schedule identified in Sections 4.1 and 4.2, the parties shall renegotiate a new payment schedule that more closely reflects actual costs.

ARTICLE V: REPORTING

5.1 Provider shall prepare and submit a written report to the City semiannually. This report will include a description of all of the services rendered as a result of this Agreement, and information on the status of any unresolved complaints at that time.


ARTICLE VI: ASSURANCES

- 6.1 Provider assures that all employees that are involved in the execution of services and activities identified in this Agreement shall be properly trained in Fair Housing laws and appropriate methods of complaint processing.
- 6.2 Provider agrees it shall indemnify and hold harmless the City, its directors, employees, and agents, from and against any and all claims of loss, damage, or liability arising from any act of commission or omission of Provider in connection with the performance of this Agreement.
- 6.3 Notwithstanding the foregoing, City shall be entitled, if it so elects, and at its own expense, to representation by attorneys of its own selection. City, at its option, shall be the sole judge of the acceptability of any compromise or settlement of any claims or actions for which City will be solely liable.
- 6.4 Provider assures that all services and activities performed in connection with this Agreement will be done so without regard to race, national origin, color, creed, sex, age, handicapping conditions, or political or religious affiliation.
- 6.5 This Agreement sets forth all understandings between parties respecting the subject matter of this transaction, and no modifications or amendments of this Agreement shall be binding on either party unless in writing and signed by all parties concerned.

IN WITNESS WHEREOF, the parties hereto have caused their names to be signed hereto as of the 10th day of Jan, 202~~4~~

ATTEST: (Print Name Under Signature)

Findlay Hope House for the Homeless, Inc.

Signature: 
Name/Title: Susan Lehman, CEO
Date: 1.10.2024

ATTEST: (Print Name Under Signature)

City of Findlay, Mayor Christina M. Muryn

Signature:
Name/Title:
Date:

ORDINANCE NO. 2024-006

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:	Community Foundation Grant	\$ 5,000.00
TO:	Police Department #21012000-other	\$ 5,000.00

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 said funds so that awarded grant funds may be utilized with the City of Findlay Police Department,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2024-007

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:	City of Findlay Revolving Loan Fund	\$ 658.02
TO:	General Expense #21010000-other	\$ 658.02

SECTION 2: That the Auditor of the City of Findlay, Ohio is hereby authorized to draw six hundred fifty-eight dollars and two cents (\$658.02) from the Revolving Loan Fund Account held at Fifth Third Bank.

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

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. 2023-008

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR GRANT FUNDS AND SIGN ANY APPLICABLE AGREEMENTS OR RELATED DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE HAN-BRIGHT ROAD AND MELROSE AVENUE MULTI-USE PATH 2024 TAP APPLICATION, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Mayor, Service-Safety Director and/or City Engineer of the City of Findlay, Ohio be and they are hereby authorized to apply for grant funds and sign any applicable agreements or related documents with the Ohio Department of Transportation for the HAN-Bright Road and Melrose Avenue multi-use path 2024 TAP application to extend a multi-use trail on Bright Road from Fostoria Avenue to Melrose Avenue, and from Melrose Avenue from Bright Road to Crystal Avenue.

SECTION 2: That if said grant funds are awarded, the Ohio Department of Transportation, through the use of Transportation Alternative Funds and Toll Credit Funds, will cover ninety-five percent (95%) of the construction cost. The City of Findlay's will be responsible for the engineering and design, as well as the five percent (5%) match for construction.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to authorize said application so that Ohio Department of Transportation funds may be utilized.

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. 2024-009

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

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

SECTION 1: That the Mayor, Service-Safety Director, and/or City Engineer of the City of Findlay be and they are hereby authorized to advertise for bids where necessary pursuant to law and enter into contracts for construction of various projects as set forth in the Capital Improvements Program for the year 2024.

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

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 2,000.00
TO:	2024 Annual Street Resurfacing/Curb Repairs <i>Project No. 32840100</i>	\$ 2,000.00
FROM:	Water Fund	\$ 4,000.00
TO:	Hemphill Waterline Replacement <i>Project No. 35740300</i>	\$ 2,000.00
TO:	S. West Street Waterline Replacement, <i>Project No. 35740400</i>	\$ 2,000.00

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2024-010

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO, TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE MAUMEE WATERSHED CONSERVANCY DISTRICT AS SET FORTH IN THE MEMORANDUM OF AGREEMENT ATTACHED HERETO AS EXHIBIT A, APPROPRIATE AND TRANSFER FUNDS THERETO, 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 City of Findlay is desirous to enter into a Memorandum of Agreement with the Ohio Department of Transportation and the Maumee Watershed Conservancy District for improvements to the US 68/SR 15 interchange that allows residents in the Spring Lake Subdivision to have an egress onto US 68 once the Eagle Creek basin is constructed, and;

SECTION 2: That the City of Findlay's local match of twenty percent (20%) not to exceed six hundred fifty thousand dollars (\$650,000.00) to help fund the construction and inspection of this project shall be delivered to the Maumee Watershed Conservancy District on or before February 16, 2024 and then transferred to the Ohio Department of Transportation, and;

SECTION 3: That the following sums be and the same are hereby appropriated and transferred:

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 650,000.00
TO:	HAN-US 68/ SR 15 Interchange Improvements PID112280	\$ 650,000.00
	<i>Project No. 32840200</i>	

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enter into said MOA so that the City of Findlay may move forward with a Memorandum of Agreement between the City of Findlay and the Maumee Watershed Conservancy District for the construction phase of the aforementioned effort.

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 _____

Preliminary Legislation

Resolution# _____

County/Route/Section: HAN US 68/SR 15 Interchange

The following is a Resolution enacted by the Maumee Watershed Conservancy District of Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

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

This project proposes to reconfigure the SR 15 and US 68 interchange in the following ways:

- This project involves 0.17 miles of improvements along US 68 including reconfiguring the intersection of US 68 and the SR 15 ramps to provide a single lane roundabout.
- A portion of the existing SR 15 southbound off ramp will be removed and relocated to tie into the reconfigured intersection while 0.38 miles of the existing southbound off ramp will be converted to a two-lane township road as part of this project.
- Work will also include installing roundabout lighting, drainage, and permanent traffic control.

NOW THEREFORE, be it resolved by the Maumee Watershed Conservancy District of Ohio.

SECTION II - Consent Statement

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

SECTION III - Cooperation Statement

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

The LPA hereby agrees to pay a 20% local match on all construction funds towards the project. ODOT and FHWA shall assume and bear 80% of the project cost. In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State to be not necessary for the project, the LPA shall contribute 100% of the cost of those items.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA

also understands that right-of-way costs include eligible utility costs.


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

SECTION VI - Authority to Sign

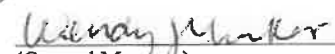
The Director of said Maumee Watershed Conservancy District is hereby empowered on behalf of the Maumee Watershed Conservancy District to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: November 15, 2023.
(Date)

Attested: 
(Clerk)


(Director)

Attested: _____


(General Manager)

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

**CERTIFICATE OF COPY
STATE OF OHIO**

Board of Directors of Maumee Watershed Conservancy District of Ohio

This is to certify that the foregoing is a true and correct copy of the resolution passed by said Board of Directors on the 15th day of November, 2023 and recorded in the Journal of said Board of Directors in Vol. at page , and under date of November 15, 2023.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 15th day of November, 2023.



Emilee Rankin
Notary Public, State of Ohio
My Commission Expires:
January 29, 2028

Emilee Rankin
Clerk (Maumee Watershed Conservancy District)

For the State of Ohio

Jack Marchbanks SAH Date 11/16/2023
Director, Ohio Department of Transportation

Attest: James DeWitt

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

I. BACKGROUND:

Several recent and severe floods in the Blanchard River Watershed have encouraged cooperative floodplain management efforts of local communities impacted by the events. The Hancock County Commissioners and the Maumee Watershed Conservancy District (MWCD) engaged Stantec Consulting Services, LLC to review a study prepared by the U.S. Army Corps of Engineers (USACE) to make recommendations for projects that would reduce the risk of damages during flood events. One of the recommendations is the construction of a flood storage basin along Eagle Creek south of the City of Findlay. The completed basin will require the closure of Township Roads 49 and 77 in Eagle Township necessitating an alternative method of ingress and egress to the impacted area.

MWCD, a watershed district formed pursuant to Chapter 6101 of the Ohio Revised Code, has tasked Stantec, in cooperation with the Ohio Department of Transportation (ODOT), to prepare an alternative plan for ingress and egress.

II. MWCD DUTIES AND REQUIREMENTS:

A. Alternative Ingress & Egress. MWCD has partnered with ODOT to modify the US 68/SR 15 interchange to connect Township Road 80 into said interchange that will provide ingress and egress to the area impacted by the closure of Township Roads 49 and 77. ODOT has secured a PROTECT grant that will provide 80% of the construction cost for the interchange modification. ODOT will also fund all construction engineering and inspection.

B. Representations, Warranties and Covenants. MWCD is a subdivision of the State of Ohio with all the requisite power and authority to construct, or provide for the construction of, the Eagle Creek Flood Basin under the laws of the State. MWCD has the power to enter into and perform its obligations under this Agreement and have been duly authorized to execute and deliver this Agreement. MWCD is not the subject of nor has it initiated any claim or cause of action that would give rise to any liability which would in any way inhibit the ability of MWCD and to carry out the performance of the terms of this Agreement.

III. CITY OF FINDLAY DUTIES AND REQUIREMENTS:

A. Local Funding. The City of Findlay hereby agrees to provide the 20% local match for the construction of the interchange modifications in the amount of \$ 650,000. Said amount shall be delivered to MWCD on or before February 16, 2024 to ensure timely submittal of said funds to ODOT.

IV. GENERAL TERMS

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

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

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

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

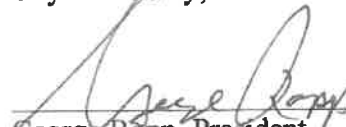
E. Assignment. Neither this Agreement nor any rights, duties or obligations described herein shall be assigned by any party hereto without the prior written consent of the other parties.

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

SIGNATORIES:

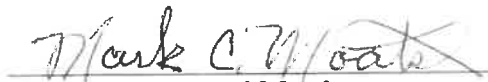
Christina Muryn, Mayor
City of Findlay, Ohio

Date




George Ropp, President
Maumee Watershed Conservancy District

12-12-23
Date



Mark Moats, Board Member
Maumee Watershed Conservancy District

12/12/23
Date



David Kuhn, Board Member
Maumee Watershed Conservancy District

12/12/23
Date

ORDINANCE NO. 2024-011

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO AN AGREEMENT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. FOR ADDITIONAL WORK FOR ENVIRONMENTAL REVIEW OF THE DOWNTOWN RECREATION AREA, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Mayor of the City of Findlay be and she is hereby authorized to enter into an agreement with Civil & Environmental Consultants, Inc. for additional work for environmental review of the Downtown Recreation Area.

SECTION 2: That to pay for the costs of said environmental review there is hereby appropriated the following sums:

FROM: General Fund	\$ 5,000.00
TO: Phase 2 Benching Environmental, <i>Project No. 31933000</i>	\$ 5,000.00

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enter into an agreement with Civil & Environmental Consultants, Inc., as well as, appropriate funds so that additional work for environmental review of the Downtown Recreation Area may be completed,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2024-012

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEARS 2024 AND 2025 RETROACTIVE TO JANUARY 1, 2024, 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 an agreement with HRPC for their facilitation and preparation of all activities involving the 2024 CDBG programs, retroactive to January 1, 2024.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to authorize said agreement so that current services provided by HRPC for the 2024 and 2025 CDBG programs, retroactive to January 1, 2024, may continue without interruption.

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 _____

AGREEMENT

THIS AGREEMENT entered into as of this _____ day of January 2024, by and between the CITY OF FINDLAY, OHIO (hereinafter referred to as the City) and the Hancock Regional Planning Commission (hereinafter referred to as the HRPC).

WITNESSETH:

WHEREAS, the City is eligible for funding under the Small Cities Community Development Block Grant Program (CDBG), and anticipates filing an application for such funding, and;

WHEREAS, in administration of such funds the City requires certain assistance, office space and other services in connection with such undertakings, and;

WHEREAS, the CDBG rules allow that administrative costs up to Thirty (30) percent of the grant amount may be charged to the program, and;

WHEREAS, the City wishes to use such administrative funds to pay the HRPC for assistance in CDBG administration:

NOW, THEREFORE, the parties hereto do mutually agree as follows:

I. Scope of Services

The HRPC shall perform and provide all the necessary services provided under this Agreement in connection with the City of Findlay Community Development Block Grant Program, (hereinafter referred to as "Program") and shall perform, provide, and carry out, in a satisfactory and proper manner, as determined by the City, the following:

- A. Provide Staff assistance to the City in implementing past Program activities, in executing the current Program, and in preparing applications for future programs.
- B. Provide sufficient office space for the operations of the City Community Development Department.
- C. Provide utility services, including electricity, natural gas, and water.
- D. Provide and make available secretarial, drafting and printing services.

II. Time of Performance

The services of the HRPC are to commence as of January 1, 2024 and include all CDBG applications for the 2024 and 2025 calendar years and shall continue until the Programs have been completed.

III. Compensation

Compensation for the specified services in Section I will be based upon the following schedule of fees for HRPC Staff members' time:

Director	\$54.78 per hour
Grant Administrator	\$48.27 per hour
Development Services Admin	\$45.98 per hour
Comm. Serv. Planner	\$44.51 per hour
Land Use Planner	\$44.51 per hour
Office Manager	\$28.90 per hour

IV. Method of Payment

Payment for staff services shall be made on a quarterly basis. On or about the first day of each quarter the City shall transmit to HRPC the agreed upon amount for the current fiscal year.

V. Designation of Development Coordinator

During the term of this Agreement, the Director of the Hancock Regional Planning Commission shall be designated as the Development Coordinator of the City of Findlay Community Development Department. As such, the Director shall assume the duties and responsibilities of the Coordinator, and shall be empowered to sign and/or execute such forms and documents as are necessary to carry out the activities of the Community Development Department.

VI. Equal Opportunity Employment

- (1) The HRPC will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The HRPC will take affirmative action to ensure that applicants are employed and the employees are treated during employment without regard to their race, color, religion, sex or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer; recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The HRPC agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- (2) The HRPC will, in all solicitations or advertisements for employees placed by or on behalf of the HRPC, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- (3) The HRPC will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicant for employment.
- (4) The HRPC will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.
- (5) The HRPC will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965 and by the rules, regulations and orders of the Secretary of Labor or pursuant thereto and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- (6) In the event of the HRPC's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965 or by rule, regulations or order of the Secretary of Labor or as otherwise provided by law.

- (7) The HRPC will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The HRPC will take such action with respect to any subcontract or purchase order as the County may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however that in the event the HRPC becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the County, the HRPC may request the United States to enter into such litigation to protect the interest of the United States.

IN WITNESS WHEREOF, the City of Findlay and the HRPC have executed this Agreement as of the date first above written.

CITY OF FINDLAY, OHIO

ATTEST:

Christina Muryn, Mayor

HANCOCK REGIONAL PLANNING COMMISSION

ATTEST:

Brett Gies, President

Matt Cordonnier, Director

ORDINANCE NO. 2024-013

AN ORDINANCE CHANGING THE NAME OF TECHNOLOGY DRIVE, IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Revised Code 723.04, the legislative authority, upon petition by a person owning property in the municipal corporation; and,

WHEREAS, Blanchard Valley Health System (BVHS) has purchased 3401 and 3411 Technology Drive and requests to change the name of their new campus. They are renovating both buildings at the aforementioned addresses to create a new multi-specialty clinic to bring primary care, rheumatology, endocrinology/diabetes, orthopedics, podiatry, imaging, outpatient labs, and both adult and pediatric rehabilitation (PT, OT, speech, etc.) to the north side of Findlay; and,

WHEREAS, Blanchard Valley Health System is requesting to change the name of Technology Drive to be renamed Wellness Park; and,

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

SECTION 1: That the name of Technology Drive be and the same is hereby changed to Wellness Park as requested by Blanchard Valley Health System.

SECTION 2: That this Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 002-2024

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2024 PURSUANT TO OHIO REVISED CODE §321.34.

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

SECTION 1: That the County Auditor be and he is hereby requested to draw from the County Treasurer to pay on such draft to the Treasurer of the City of Findlay, Ohio, such money as may be in the County Treasury from time to time during the year 2024, to the account of the City of Findlay, Ohio, and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payments to be made from time to time as the Auditor of City of Findlay, Ohio, may request.

SECTION 2: That the Clerk of Council be and she is hereby directed to transmit a certified copy of this Resolution to the Auditor of Hancock County, Ohio.

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. 003-2024

A RESOLUTION AUTHORIZING THE CITY OF FINDLAY, OHIO TO MAKE AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION, FOR AN OHIO AIRPORT IMPROVEMENT GRANT FOR SFY 2024.

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

WHEREAS, the Ohio Department of Transportation, Office of Aviation is administering funds to provide financial assistance to publicly owned airports in the State through the Ohio Airport Improvement Program, Matching Grant Application for General Aviation Airports and

WHEREAS, the City of Findlay Airport is eligible for funding for their FAA AIP Project 3-39-0034-034-2023 Rehabilitate Taxiway (Taxilane A1) and Rehabilitate Apron at the Findlay Airport – The final eligible funding breakdown for the project will be 90% FAA, 5% State and 5% Local.

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

SECTION 1: That Mayor Christina Muryn, Service-Safety Director Rob Martin, and City Engineer Jeremy Kalb of the City of Findlay Airport is hereby authorized to make application for said grant in accordance with the procedures prescribed by the Ohio Department of Transportation, Office of Aviation and sign all related documents and assurances.

SECTION 2: That Mayor Christina Muryn, or Service-Safety Director Rob Martin, and City Engineer Jeremy Kalb may enter into a grant contract with the Ohio Department of Transportation, Office of Aviation and may execute any documents to manage said grant inclusive of amendments and submissions of applications for payment as required by Ohio Department of Transportation, Office of Aviation.

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 _____

signed

printed name, title, and date

CERTIFICATION: Whereupon the resolution was declared adopted.

I, _____, as _____ of the _____ have compared the foregoing copy of the resolution with the original resolution now on file in this office which was duly passed by the _____ on the ____ day of _____ 2024, and that the same is correct and true copy of said resolution.

signed

printed name, title, and date

The Findlay City Council met on _____, 2024 with the following members present:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

The following resolution was presented by _____ who moved its adoption and seconded by _____:

ORDINANCE NO. 2024-003

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:	Sewer Fund	\$ 700,000.00
TO:	2023 Annual Sewer & Manhole Lining, <i>Project No. 35633600</i>	\$ 700,000.00

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 the aforementioned project may proceed expeditiously,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2024-004

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

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

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

FROM: CIT Fund – Capital Improvements Restricted Account \$ 120,000.00
TO: HAN-Greenway Trail Phase III, PID117097, *Project No. 31931900* \$ 120,000.00

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 aforementioned project may proceed,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____