

# FINDLAY CITY COUNCIL AGENDA

**REGULAR SESSION**

**JANUARY 2, 2018**

**COUNCIL CHAMBERS**

**ROLL CALL of 2016-2017 Councilmembers**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF PRAYER**

**PROCLAMATIONS:** – none.

**RECOGNITION/RETIREMENT RESOLUTIONS:** – none.

**ACCEPTANCE OR CHANGES OF MINUTES AND PUBLIC HEARINGS:**

- Acceptance or changes to the December 19, 2017 public hearing minutes for 826 Washington Street rezone (Ordinance No. 2017-114).
- Acceptance or changes to the December 19, 2017 City Council meeting minutes.

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

**RECOGNITION/RETIREMENT RESOLUTIONS:** – none.

**WRITTEN COMMUNICATIONS:** - none.

**ORAL COMMUNICATIONS:** - none.

**PETITIONS:** – none.

**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:** – none.

**COMMITTEE REPORTS:** – none.

**LEGISLATION:** – none.

**UNFINISHED BUSINESS:** – none.

**REGULAR SESSION**

**JANUARY 2, 2018**

**COUNCIL CHAMBERS**

**ROLL CALL of 2018-2019 Councilmembers**

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

**PROCLAMATIONS:** - none.

**RECOGNITION/RETIREMENT RESOLUTIONS:**

**RESOLUTION NO. 003-2018**

A RESOLUTION COMMENDING COUNCILMAN THOMAS KLEIN FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

**First reading**

**WRITTEN COMMUNICATIONS:** - none.

**ORAL COMMUNICATIONS:** - none.

**PETITIONS:** - none.

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

**Treasurer's Reconciliation Report** – November 30, 2017.

**N.E.A.T. Departmental Activity Report** – November 2017.

**Service Director/Acting City Engineer Brian Thomas – Hunter's Creek Emergency Storm Sewer Repair, Project No. 35577800**

Engineering was notified of a sink hole in the Hunter's Creek subdivision. It was determined that a sink hole was created by a collapsed sewer. Informal bids were requested from three (3) local firms to expose the sewer so the extent of the damage could be determined and the cost to fix the sewer could be established. Only one (1) contractor provided a price for the work. The Engineering Department reviewed the pricing and determined that it was reasonable. The sewer has been exposed and the extent of the sewer that needs to be replaced has been determined. At this time, an appropriation for construction, inspection, and contingency is needed to complete the project. Engineering is also requesting that the formal bidding process be waived and the project be allowed to move forward with the cost estimates supplied. Legislation to waive formal bidding and to appropriate and transfer funds is requested. Ordinance No. 2018-004 was created.

FROM:	Sewer Fund – Stormwater Restricted Account	\$ 85,000.00
TO:	Hunter's Creek Emergency Storm Sewer Repair <i>Project No. 35577800</i>	\$ 85,000.00

**Service Director/Acting City Engineer Brian Thomas – East St/Front St CSO Removal, Project No. 35675300 & 2017 Flap Gate Program Project No. 35675400**

By authorization of Ordinance No. 2017-006, a bid opening was held for these projects on December 13, 2017. Bids were received from four (4) potential contractors with bid amounts ranging from \$109,067.80 to \$178,200.00. Three (3) alternate bids ranging from \$42,900-55,814.81 were also received to place additional flap gates. The lowest and best bid was received from Degen Excavating Co., Inc. of Lima, OH. This project is included in the 2017 Capital Improvements Plan, and the total project estimate is within the budgeted amount. Previously, an amount of \$40,000 was appropriated to the projects for design and startup. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-005 was created.

FROM:	Sewer Fund	\$ 171,223.00
TO:	East St/Front St CSO Removal <i>Project No. 35675300</i>	\$ 62,738.00
TO:	2017 Flap Gate Program, <i>Project No. 35675400</i>	\$ 108,485.00

**Mayor Lydia Mihalik – Mayor appointments to various Boards or Commissions**

Mayor Mihalik is requesting the following appointments to the following Boards or Commissions:

Airport Advisory Board – *does not require Council confirmation*

Term will expire on December 31, 2020

Roy Alexander (renew)

Matt Rutter (renew)

Board of Zoning Appeals – *requires Council confirmation*

Term will expire on December 31, 2021

Kerry Trombly

Blane Wells

George McAfee-alternate (term ends 12/31/2020)

City Planning Commission – *does not require Council confirmation*

Term will expire on December 31, 2023

Dan DeArment (renew)

Civil Service Commission – *does not require Council confirmation*

Term will expire on December 31, 2023

Tom Kemp (renew)

Hancock Regional Planning Commission – *requires Council confirmation*

Term will expire on December 31, 2019

Brett Gies (renew)

Dennis McPheron (renew)

Bob Nichols (renew)

Local Board of Tax Review – *does not require Council confirmation*

Term will expire on December 31, 2019

John Pinski (renew)

Parks and Recreation Board – *does not require Council confirmation*

Term will expire on December 31, 2020

David Trisel (renew)

Shade Tree Commission – *does not require Council confirmation*

Term will expire on December 31, 2010

Ben Dolan

Thomas Mills (renew)

**City Planning Commission agenda** – January 11, 2018; **minutes** – December 14, 2017.

**COMMITTEE REPORTS:** - none.

**LEGISLATION:**

**RESOLUTIONS**

**RESOLUTION NO. 001-2018** (*Internet auctions - authorization to use*)

**first reading**

A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.

**RESOLUTION NO. 002-2018** *(allows Auditor to request advances on tax settlements at the County)*

**first reading**

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2018 PURSUANT TO OHIO REVISED CODE §321.34.

**RESOLUTION NO. 003-2018**

See page 1 (**RECOGNITION/RETIREMENT RESOLUTIONS** section).

**ORDINANCES**

**ORDINANCE NO. 2018-001** *(appropriations for current expenses & other expenditures for 2018)*

**first reading**

AN ORDINANCE TO MAKE APPROPRIATIONS AND TRANSFERS WHERE NECESSARY FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2018-002** *(sewer fund)*

**first reading**

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2018-003** *(2018 CDBG program)*

**first reading**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR REVOLVING LOAN FUND AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, EFFECTIVE JANUARY 1, 2018, EXPIRING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2018-004** *(Hunter's Creek Emergency Storm Sewer Repair, Project No. 35577800)*

**first reading**

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR/ACTING CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE REPLACEMENT OF THE HUNTER'S CREEK EMERGENCY STORM SEWER REPAIR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING A REAL AND PRESENT EMERGENCY.

**ORDINANCE NO. 2018-005** *(East St/Front St CSO Removal, Project No. 35675300 & 2017 Flap Gate Program Project No. 35675400)*

**first reading**

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2018-006** *(6<sup>th</sup> Street vacation)*

**first reading**

AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN STREET (HEREINAFTER REFERED TO AS SIXTH STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

**UNFINISHED BUSINESS:**

OLD BUSINESS  
NEW BUSINESS



# TREASURER'S OFFICE

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

SUSAN JO HITE  
CITY TREASURER

## Treasurer's Reconciliation for November 30, 2017

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### TREASURER

Fifth Third Initial Balance	5,779,929.00
- Withdrawals ()	(10,074,573.52)
+ Deposits	7,553,042.00
<b>Ending Balance</b>	<b>3,258,397.48</b>

- Outstanding checks ()	(157,812.01)
Deposit in transit	774,610.26

Treasurer's Checking Bal	<u>3,875,195.73</u>
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Investment Principal	55,890,836.87
Accrued Bond Interest	4,960.06

<b>Treasurer's Total Cash and Investments</b>	<b>59,770,992.66</b>
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### AUDITOR

Auditor's Checking Bal	<b>3,875,195.73</b>
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Auditor's Total Cash and Investments	<b>59,770,992.66</b>
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Respectfully submitted,



Susan Jo Hite  
Treasurer

# City of Findlay

Lydia Mihalik, Mayor

N.E.A.T. DEPARTMENT  
Neighborhood Enhancement and Abatement Team  
318 Dorney Plaza, Room 304 • Findlay, OH 45840  
Phone: 419-424-7466  
[www.findlayohio.com](http://www.findlayohio.com)

December 14, 2017

City Council  
City of Findlay, Ohio

RE: Departmental Activity

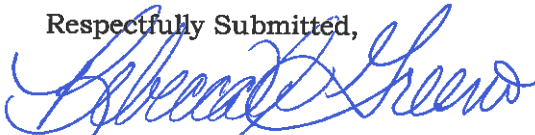
This report will serve as a summary of activities for the Neighborhood Enhancement and Abatement Team (NEAT) during the month of November 2017.

<b>NEW CASES RECEIVED</b>	<b>MONTH</b>	<b>YEAR TO DATE</b>
<b>Dilapidated Structures</b>	<b>2</b>	<b>21</b>
<b>Weeds</b>	<b>21</b>	<b>356</b>
<b>Junk on Premises</b>	<b>7</b>	<b>341</b>
<b>Junk Vehicles</b>	<b>36</b>	<b>333</b>
<b>Minor Maintenance</b>	<b>0</b>	<b>8</b>
<b>Miscellaneous</b>	<b>10</b>	<b>62</b>
<b>Overgrowth</b>	<b>4</b>	<b>37</b>
<b>Right of Way</b>	<b>0</b>	<b>1</b>
<b>Sidewalk</b>	<b>0</b>	<b>0</b>
<b>Trash</b>	<b>3</b>	<b>145</b>

The NEAT staff works diligently with property owners and tenants to achieve compliance on all cases reported. New complaints received in November totaled 55 of which 6 were invalid. Of the remaining 49 issues reported, 32 properties were involved with 9 of the owners being non-residents. NEAT personnel closed 61 cases during the month and continue to work diligently on the cases that remained open at the end of the month.

As always, the team appreciates the cooperative spirit of the administration and City Council, which aids in the betterment of our community. Your input and assistance are critical to the success of the program. Please contact NEAT personnel if there are any concerns.

Respectfully Submitted,



Rebecca A. Greeno  
N.E.A.T.

# City of Findlay

Lydia Mihalik, Mayor

## ENGINEERING DEPARTMENT

318 Dorney Plaza, Room 304 • Findlay, OH 45840  
Phone: 419-424-7121 • Fax: 419-424-7120  
www.findlayohio.com

Paul E. Schmelzer, P.E., P.S.  
Safety Director

Brian A. Thomas, P.E., P.S.  
Service Director

December 26, 2017

Honorable City Council  
Findlay, OH 45840

RE: Hunter's Creek Emergency Storm Sewer Repair, Project No. 35577800

Dear Council Members:

Engineering was notified of a sink hole in the Hunter's Creek subdivision. It was determined that a sink hole was created by a collapsed sewer. Informal bids were requested from three (3) local firms to expose the sewer so the extent of the damage could be determined and the cost to fix the sewer could be established. Only one contractor provided a price for the work. The Engineering department reviewed the pricing and determined that it was reasonable.

The sewer has been exposed and the extent of the sewer that needs to be replaced has been determined. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project. Engineering is also requesting that the formal bidding process be waived and the project be allowed to move forward with the cost estimates supplied.

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

FROM:	Sewer Fund – Stormwater Restricted Account	\$85,000
TO:	Hunter's Creek Emergency Storm Sewer Repair Project No. 35577800	\$ 85,000

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

Sincerely,



Brian Thomas  
Service Director/Acting City Engineer

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

# City of Findlay

Lydia Mihalik, Mayor

## ENGINEERING DEPARTMENT

318 Dorney Plaza, Room 304 • Findlay, OH 45840  
Phone: 419-424-7121 • Fax: 419-424-7120  
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Paul E. Schmelzer, P.E., P.S.  
Safety Director

Brian A. Thomas, P.E., P.S.  
Service Director

December 26, 2017

Honorable City Council  
Findlay, OH 45840

RE: East St./Front St. CSO Removal, Project No. 35675300 &  
2017 Flap Gate Program, Project No. 35675400

Dear Council Members:

By authorization of Ordinance No. 2017-006, a bid opening was held for the above-referenced projects on December 13, 2017. Bids were received from four (4) potential contractors with bid amounts ranging from \$109,067.80 to \$178,200.00. Three alternate bids ranging from \$42,900.00 to \$55,814.81 were also received to place additional flap gates. The lowest and best bid was received from Degen Excavating Co., Inc. of Lima, OH.

This project is included in the 2017 Capital Improvements Plan, and the total project estimate is within the budgeted amount. Previously, an amount of \$40,000 was appropriated to the projects for design and startup. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project.

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

FROM:	Sewer Fund	\$171,223
TO:	East St./Front St. CSO Removal, Project No. 35675300	\$ 62,738
	2017 Flap Gate Program, Project No. 35675400	\$108,485

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

Sincerely,



Brian Thomas  
Service Director/Acting City Engineer

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

# Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310

Findlay, OH 45840

Telephone: 419-424-7137 • Fax: 419-424-7245

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

Paul E. Schmelzer, P.E., P.S.  
Safety Director

Brian A. Thomas, P.E., P.S.  
Service Director

December 28, 2017

Honorable City Council  
City of Findlay, Ohio

Dear Council Members:

This letter will serve as my request for your confirmation of the following individuals to the respective Boards or Commissions:

Airport Advisory Board

*Does not require Council confirmation*

*Term will expire on December 31, 2020*

Roy Alexander (renew)

Matt Rutter (renew)

Board of Zoning Appeals

*Requires Council confirmation*

*Term will expire on December 31, 2021*

Kerry Trombly

Blane Wells

George McAfee-alternate (term ends 12/31/2020)

City Planning Commission

*Does not require Council confirmation*

*Term will expire on December 31, 2023*

Dan DeArment (renew)

Civil Service Commission

*Does not require Council confirmation*

*Term will expire on December 31, 2023*

Tom Kemp (renew)

Hancock Regional Planning Commission

*Requires Council confirmation*

*Term will expire on December 31, 2019*

Brett Gies (renew)

Dennis McPheron (renew)

Bob Nichols (renew)



Honorable City Council  
Page 2  
December 28, 2017

Local Board of Tax Review

*Does not require Council confirmation*  
*Term will expire on December 31, 2019*  
John Pinski (renew)

Parks and Recreation Board

*Does not require Council confirmation*  
*Term will expire on December 31, 2020*  
David Trisel (renew)

Shade Tree Commission

*Does not require Council confirmation*  
*Term will expire on December 31, 2020*  
Ben Dolan  
Thomas Mills (renew)

I trust that you will concur with my choices and confirm my appointments. Thank you for your consideration.

Sincerely,



Lydia L. Mihalik  
Mayor

**City of Findlay**  
**City Planning Commission**  
City Council Chambers, 1<sup>st</sup> floor of Municipal Building  
Thursday, January 11, 2018 - 9:00 AM

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SWEARING IN**

**APPROVAL OF MINUTES**

**ITEMS TABLED AT THE DECEMBER 14, 2017 MEETING**

1. PETITION FOR ZONING AMENDMENT #ZA-07-2017 filed by Roger D Altman, 632 Davis St., Findlay to rezone Lots 7937, 7936 and 7935 in the Swing Addition from R-2 Single Family Medium Density to R-4 Duplex/Triplex.

**NEW ITEMS**

1. PRELIMINARY PLAT APPLICATION #PP-01-2018 for Somerset Park 4<sup>th</sup> Addition.
2. APPLICATION FOR SITE PLAN REVIEW #SP-01-2018 filed by Blanchard Valley Center, 1700 E. Sandusky Street, Findlay OH for an addition to a maintenance building and two parking lot expansions.

**ADMINISTRATIVE APPROVALS**

**ADJOURNMENT**

# City of Findlay City Planning Commission

Thursday, December 14, 2017 - 9:00 AM

## Minutes

(Staff Report Comments from the meeting are incorporated into the minutes in lighter text. Actual minutes begin with the DISCUSSION Section for each item)

**MEMBERS PRESENT:** Mayor Lydia Mihalik  
Brian Thomas  
Jackie Schroeder  
Dan Clinger  
Dan DeArment

**STAFF ATTENDING:** Matt Cordonnier, HRPC Director  
Judy Scrimshaw, Development Planner  
Erik Adkins, Zoning Inspector  
Don Rassmussen, Law Director  
Matt Pickett, Fire Inspector  
Jeremy Kalb, Engineering Project Manager

**GUESTS:** Doug Jenkins, Reid Ponx, Dan Stone, Bill Alge, Leah Wilson, Jodi Mathias, Brian Greve, Amy Koontz, Hardy Hartzell, Chelsea Lowe, Lou Wilin, Brad Brogan

## CALL TO ORDER

### ROLL CALL

The following members were present:

Mayor Mihalik  
Brian Thomas  
Jackie Schroeder  
Dan Clinger  
Dan DeArment

### SWEARING IN

All those planning to give testimony were sworn in by Judy Scrimshaw.

### APPROVAL OF MINUTES

Dan Clinger made a motion to approve the minutes of November 9, 2017. Dan DeArment seconded. Motion carried 5-0-0.

## NEW ITEMS

**1. APPLICATION FOR SPECIAL USE/HOME OCCUPATION #CU-04-2017 filed by Chelsea Lowe, 100 Northcliff Drive, Findlay for a dog grooming shop.**

### HRPC

#### **General Information**

This request is located on the northwest corner of Northcliff Drive and North Main Street, Findlay OH. It is zoned R-1 Single Family Low Density Residential. Parcels to the north, south, and west are also zoned R-1. To the east is zoned R-1 and I-1 Light Industrial. It is not located in the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Large Lot.

#### **Parcel History**

This is the site of a single-family home.

#### **Staff Analysis**

The applicant is requesting to operate a pet grooming business from her residence. Home Occupations are a Conditional Use in the R-1 District requiring City Planning Commission Approval.

The City Zoning Code defines a Home Occupation as: Any use conducted entirely within a dwelling and participated in solely by members of the family residing therein, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no commodity sold upon the premises except that which is produced thereon, and provided, however, in no event shall an animal hospital be construed as a home occupation.

Section 1161.15 C under CONDITIONAL USE REQUIREMENTS has conditions, which may be imposed by CPC for approval of Home Occupations. #3 states that the garage is not considered as part of the home to be used for home occupations. #4 states that there are to be no additional or separate exterior entrances to the dwelling specifically used for the purpose of conducting business or to accommodate the home occupation. The plan submitted is using the garage as the site of the business and it appears that one garage door is being eliminated and an entry door is being added in its place specifically for the business.

While Staff does not have issue with the use of the attached garage we do feel that it is a change in the character of the residential appearance once a garage door is removed and a new entry door is installed and sets that section apart as something different. The intent of Home Occupations is to remain virtually invisible in the overall residential aesthetics of the neighborhood.

#### **Staff Recommendation**

HRPC Staff recommends **denial** of **APPLICATION FOR SPECIAL USE/HOME OCCUPATION #CU-04-2017 filed by Chelsea Lowe, 100 Northcliff Drive, Findlay for a dog grooming shop.**

## **ENGINEERING**

Would like a little bit more information on sanitary sewer for the shop. Will dogs be washed in the shop; how will the feces be taken care of? If dogs are washed in the shop, is the drain tied into the sanitary sewer, and how is dog hair being kept out of the sanitary sewer?

Dog feces break down different than human, so dog feces cannot be released into the sanitary sewers.

Recommendations: Denial without additional information given for sanitary outlets and containing dog hair and feces.

## **FIRE PREVENTION**

No Comment

## **STAFF RECOMMENDATION.**

Staff recommends **denial of APPLICATION FOR SPECIAL USE/HOME OCCUPATION #CU-04-2017 filed by Chelsea Lowe, 100 Northcliff Drive, Findlay for a dog grooming shop due to:**

- **Potential change of character of the residence. (HRPC)**
- **Lack of necessary information regarding sanitary outlets and containing dog hair and feces (ENG)**

## **DISCUSSION**

Jeremy Kalb asked how the fur and feces will be contained. Chelsea Lowe stated that there was a drain to catch the fur to dispose of in the trash and that dog feces would be picked up and also disposed of in the trash. Mr. Kalb asked how many tubs would be on site. Ms. Lowe stated that there would be a single tub and she would be the only employee grooming the dogs, and there would only be five to six dogs coming in per day for grooming. Mr. Kalb asked is the outlet to the garage going to the sanitary sewer and Ms. Lowe responded that it was connected to the same one as the washer and dryer. He also stated that they would perform a dye test to determine if the outlet was going into the sanitary sewer before approving the application.

Dan Clinger asked how the dogs would be contained. Ms. Lowe stated she has crates for the dogs and there would only be up to two dogs there at one time.

Dan DeArment mentioned a concern about parking. Ms. Lowe said there are four spots in her driveway along with on-street parking. Mr. Clinger brought up that if four cars were there at once, the sidewalk would be blocked. Ms. Lowe said it would only be blocked during quick drop-offs and people would not be staying there to wait for their dogs.

Mr. Clinger noted that the yard is fenced in and asked if there would be dog runs. Ms. Lowe said no, the fence is strictly for their personal use.

Mr. DeArment asked how the access to the garage would work. Ms. Lowe stated that the garage would be converted to a one-car garage and there would be a door next to the garage door for access to the grooming shop. The garage would house their motorcycles. Judy Scrimshaw asked if both cars would have to be outside. Ms. Lowe said yes, however, her husband would not be parked there most of the time as he works from 3:30 AM until 6 PM and she grooms from 8 AM until around 4 PM.

Mr. Clinger stated that there are no signs on the street prohibiting parking. So there is availability there.

Mr. DeArment asked if she would have a sign to advertise. Ms. Lowe stated that it would be a window cling on the door. Ms. Scrimshaw stated that signs are not permitted for home occupations. There cannot be anything in the yard.

Mayor Mihalik arrived late and asked Ms. Lowe to tell her about her business.

Ms. Scrimshaw mentioned that the neighbor at 101 Northcliff Dr. was concerned about this development, the land value, parking, and taxes. The neighbor had spoken to several others in the neighborhood that were displeased about the potential grooming shop developing. Matt Cordonnier shared concern about changing the character of the neighborhood by removing the garage door and adding a door. Mr. Cordonnier asked if it would be possible to not remove the garage door and to still conduct business. Ms. Lowe said she believed she could. Mayor Mihalik suggested putting a door on the side of the garage and to keep the current garage door in place. Mr. DeArment asked how she would indicate the entrance to the shop. Ms. Lowe said they would put a window cling on the door next to the garage.

Mr. Cordonnier pointed out that there is a nuisance determination in the city zoning code – any activity or home occupation deemed a nuisance can result in the property being restored to just a single family home without a home occupation. Mr. Cordonnier stated that if they received a lot of complaints, this may not be a permanent occupation for the home. Ms. Lowe stated that she didn't intend to make this a permanent space – only until she can afford a better space.

Mr. Clinger asked about Engineering's concerns and what will be done about them. Mr. Kalb said he will arrange for testing to be done with the client. He is okay with her means of controlling feces removal.

### **MOTION**

Mayor Mihalik made a motion to **approve the APPLICATION FOR SPECIAL USE/HOME OCCUPATION #CU-04-2017 filed by Chelsea Lowe, 100 Northcliff Drive, Findlay for a dog grooming shop**, subject to the following conditions:

- The door is placed on the side of the garage.
- No other exterior modifications are made to the front of the home.

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

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

**2. ALLEY/STREET VACATION PETITION #AV-08-2017 filed to vacate the unimproved portion of 6<sup>th</sup> Street east of Strong Avenue and west of old Dunham Avenue.**

**HRPC**

**General Information**

This request is located east of the intersection of 6<sup>th</sup> Street and Blanchard Avenue. The area is zoned R-2 Single Family Medium Density. It is not located within the 100-year flood plain. The City Land Use Plan designates the area as Single Family Medium Lot.

**Parcel History**

None

**Staff Analysis**

The applicant is requesting to vacate the 60' wide unimproved right-of-way of 6<sup>th</sup> Street between Strong Avenue and the unimproved right-of-way of Dunham Avenue.

All abutting owners have signed the petition.

**Staff Recommendation**

HRPC Staff recommends **that FCPC recommend approval to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-08-2017 filed to vacate the unimproved portion of 6<sup>th</sup> Street east of Strong Avenue and west of old Dunham Avenue.**

**ENGINEERING**

No Comment

**FIRE PREVENTION**

No Comment

**STAFF RECOMMENDATION**

Staff recommends **that FCPC recommend approval to Findlay City Council of ALLEY/STREET VACATION PETITION #AV-08-2017 filed to vacate the unimproved portion of 6<sup>th</sup> Street east of Strong Avenue and west of old Dunham Avenue.**

**DISCUSSION**

Mr. Clinger mentioned that it is difficult to find where the right-of-way is because there are two major power lines running through that are 30 feet apart and it is a 60 foot right-of-way. He said he thought it would be very expensive to ever develop that area, and there wouldn't be room for the street without relocating the power.

Bill Alge, the guardian for Opal Hartley, mentioned that he is trying to liquidate her assets and that part of this property falls within this un-vacated right-of-way. They have been searching through titles and have not found that this portion of the street was ever vacated.

## **MOTION**

Dan Clinger made a motion **to approve ALLEY/STREET VACATION PETITION #AV-08-2017 filed to vacate the unimproved portion of 6<sup>th</sup> Street east of Strong Avenue and west of old Dunham Avenue.**

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

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

**3. PETITION FOR ZONING AMENDMENT #ZA-07-2017 filed by Roger D Altman, 632 Davis St., Findlay to rezone Lots 7937, 7936 and 7935 in the Swing Addition from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

### **General Information**

This request is located on the north side of Davis St. east of Fox Street. It is zoned R-2 Single Family Medium Density. All surrounding properties are also zoned R-2. It is not located within the 100-year flood plain. The City Land Use Plan designates the area as Single Family Small Lot.

### **Parcel History**

A house and garage sit on two of the lots and the third is vacant.

### **Staff Analysis**

The applicant is requesting to rezone these three (3) lots to R-4 Duplex/Triplex. The potential buyer would like to be able to construct a duplex on each of the individual lots.

The majority of the homes in this general area are owner occupied. There are a few rentals but these appear to still be single-family residences.

Because the Land Use Plan designates Single Family and the homes surrounding are still single family uses, HRPC Staff does not see a good reason to recommend changing a few lots to R-4 Duplex/Triplex.

### **Staff Recommendation**

**HRPC Staff recommends that FCPC recommend denial of PETITION FOR ZONING AMENDMENT #ZA-07-2017 to rezone Lots 7937, 7936 and 7935 in the Swing Addition from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

## **ENGINEERING**

If a new duplex is developed, how is storm water being contained? Swing Ave. currently does not have storm sewer running through that area. If hard pavement is placed, how is water going to be kept off nearby properties?

Recommendations: Denial of the zoning amendment, due to lack of information on how storm water will be managed if a new duplex and parking lots are developed.

## **FIRE PREVENTION**

No Comment



### **STAFF RECOMMENDATION**

Staff recommends that FCPC recommend denial of PETITION FOR ZONING AMENDMENT #ZA-07-2017 to rezone Lots 7937, 7936 and 7935 in the Swing Addition from R-2 Single Family Medium Density to R-4 Duplex/Triplex due to:

- Incompatibility with Land Use Plan and the existing character of the area (HRPC)
- Potential storm water management issues if duplex units are constructed. (ENG)

### **DISCUSSION**

Mr. Clinger questioned how access to the properties would work and stated that there wasn't much information to make a decision on. He also suggested that the area was not the most desirable location to place duplexes as the rest in the neighborhood is single-family residences.

Mr. DeArment asked what the potential buyer had envisioned for the site. Brad Brogan mentioned that the sites are 50 feet by 200 feet each and he intends to put a 40 feet by 35 feet duplex with a garage for each unit on each lot. They would be like a townhouse. Driveways would be split so there could be a car in garage, one outside the door and another spot to the side. If there are three residents in each there would be enough room for a vehicle in each one. Mr. Brogan said he has various plans he was considering. He would like to do the vacant lot first, and finish it and then continue to the others. He could not provide many more details beyond that. Mr. Cordonnier suggested the buyer come up with specific plans to detail how the duplexes will fit on the property. We don't want to approve the zoning and then have to through the BZA for multiple variances. Mayor Mihalik mentioned that drainage concerns need to be worked through as well.

Mayor Mihalik asked if the Commission would be interested in tabling the request and allow the developer to provide more information that would make us more comfortable. Mayor Mihalik stated that this is a part of the city where they would like to see reinvestment. Mr. DeArment said that he was encouraged in seeing some interest here after seeing the state of the parcel.

### **MOTION**

Mayor Mihalik made a motion to **table the PETITION FOR ZONING AMENDMENT #ZA-07-2017 filed by Roger D Altman, 632 Davis St., Findlay to rezone Lots 7937, 7036 and 7935 in the Swing Addition from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

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

**4. APPLICATION FOR SITE PLAN REVIEW # SP-23-2017 filed by Brian Greve, 756 W Ervin Rd., VanWert, OH for proposed automotive sales to be located at 1501 W. Main Cross Street, Findlay OH**

### **HRPC**

#### **General Information**

This site is located on the south side of W. Main Cross Street east of the intersection with Emma Street. The lot in is zoned C-2 General Commercial. All surrounding parcels are also zoned C-2. The site is not within the 100-year flood plain. The City Land Use Plan designates the area as Neighborhood Commercial.

## **Parcel History**

Former site of a carry out store. Has been vacant for many years.

## **Staff Analysis**

The applicant is proposing to demolish the front portion of the existing building leaving a 56' x 55' structure and repave the majority of the lot in order to use as a used car dealership.

Setbacks in the C-2 district are 30' front, 15' side and 30' rear. The west side encroaches into the setback, but it is an existing condition and therefore grandfathered.

The building is well below the 60' maximum permitted in the C-2 district. Elevation drawings show the height at approximately 16'-8"

The easternmost drive entry is being relocated east of the existing one. It currently sits directly behind the building.

There are nine (9) parking spaces shown on the plan around the building. C-2 requires one space per 375 square feet of building. The building is 3080 square feet and the nine (9) parking spaces meets the minimum requirement.

Light poles are located around the perimeter of the site. The plan states that the poles will be at the maximum of 25' in height. Because the poles are located so close to the property lines, the foot candle readings are higher there. Because all the abutting uses are also commercial, we do not see an issue with these. The only potential adverse effect might be for the motel clients to the south. The readings do not go to that property, but from the readings indicated on the plan it would make sense that the intensity should dissipate by the time it gets to the motel.

Foundation plantings are shown on the plans. The front page of the packet has some language related to the general landscaping standards in C-2. Parking lot landscaping (1161.06.3) will also apply to this site. This planting is permitted in the setback areas.

There is an existing sign location indicated. The comments stated that they would use the existing poles for their sign. The applicant has been in contact with Todd Richard on the repurposing of the poles to bring it in to compliance with the sign standards.

## **Staff Recommendation**

HRPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW # SP-23-2017 for proposed automotive sales to be located at 1501 W. Main Cross Street, Findlay OH subject to the following conditions:**

- **A suitable landscaping plan for the perimeter of the lot submitted and approved by Staff (HRPC)**
- **Sign details approved by Zoning (HRPC)**

## **ENGINEERING**

**Access** – Access to the site will be from a new drive coming off the north side of Emma St. The existing drive will be removed and new full height curb will be placed in the previous drop location. A new drive will be installed to the east of the removed drive, with new curb and asphalt.

**Storm water Management** – Working with consultant.

**Waterline** - There are no proposed waterlines shown on the plans, the existing tap will be reused.

**Storm Sewer** - There is no proposed storm shown on the plans.

**Sanitary Sewer** - There are no proposed sanitary sewer shown on the plans, the existing lateral will be utilized. It is recommended that the existing lateral be video inspected, before making any final connections. The line has been sitting idle for a couple years, and should be checked before proceeding.

**MS4 Requirements** – The amount of erodible material that will be disturbed will be less than one acre so the site will not be required to comply with the City of Findlay’s Erosion & Sediment Control Ordinance.

**General Comments** –

- The new portion of curb will need to have the forms inspected before concrete is placed.
- Backfill in front of the proposed curb must be 3000# concrete, and topped with 1.5-2 inches of hot mix asphalt.

**Recommendations:** Approval of the Site Plan subject to storm water details being approved by City Engineer.

The following permits may be required prior to construction:

- Water Reconnect-1 total
- Sewer Reconnect- 1 total
- Curb Cut Permit- 2 total

### **FIRE PREVENTION**

Apply for all necessary permits with Wood County Building Dept.

### **STAFF RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-23-2017 for proposed automotive sales to be located at 1501 W. Main Cross Street, Findlay OH subject to the following conditions:**

- **A suitable landscaping plan for the perimeter of the lot submitted and approved by Staff (HRPC)**
- **Sign details approved by Zoning (HRPC)**
- **Approval of storm water details (ENG)**
- **Apply for all necessary permits with Wood County Building Dept. (FIRE)**
- **No sidewalks required (CPC)**

### **DISCUSSION**

Mr. Clinger asked if all environmental issues have been resolved on the site, since it was a former gas station. The applicant, Brian Greve, stated they had a detailed disclosure from the EPA, prior to the purchase of the property, stating that things were all taken care of and all the tanks are gone.

Mr. Clinger asked how pylons would be repurposed for signage. Mr. Greve stated he intends to take down all sign posts except one and put up a smaller sign that faces east/west. Mr. Cordonnier stated that the applicant has been working with the zoning department to meet standards and that the intention is to remodel the current infrastructure to meet today's standards.

Mr. DeArment asked if cars were going to be washed on-site. Mr. Greve stated they would not be and have worked out an agreement with a car wash to clean the cars.

Mr. Clinger asked about the site plan's new approach involving asphalt. He asked if it should be concrete all the way back to the property line. Mr. Kalb said there are no requirements stating that it has to be concrete going to the property line, however if they do end up using concrete, it does have to be eight inches.

Mr. Clinger asked if there were any requirements that any sidewalks needed to meet. Mr. Kalb stated there were no sidewalks there to even meet standards, nor does he expect any sidewalks to be going through the property in the near future. Mr. Clinger stated that if zoning requires sidewalks on the property that this should be considered an exclusion stating they are not going to require them. Mr. Kalb agreed. Mayor Mihalik asked what was done with the lot across the street with sidewalks. Judy Scrimshaw said the lot is similar to the current lot – they were not required to have sidewalks on this side of the interstate.

Mr. Clinger asked how drainage was going to work on the property, how sheet runoff will be handled. Mr. Greve stated that those are some of the details that are still being worked out with engineering, including storm water runoff.

### **MOTION**

Dan Clinger made a motion to **approve APPLICATION FOR SITE PLAN REVIEW # SP-23-2017 filed by Brian Greve, 756 W Ervin Rd., VanWert, OH for proposed automotive sales to be located at 1501 W. Main Cross Street, Findlay OH** subject to the following conditions:

- A suitable landscaping plan for the perimeter of the lot submitted and approved by Staff (HRPC)
- Sign details approved by Zoning (HRPC)
- Approval of storm water details (ENG)
- Apply for all necessary permits with Wood County Building Dept. (FIRE)
- No sidewalks required (CPC)

2<sup>nd</sup>: Mayor Mihalik

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

**5. APPLICATION FOR SITE PLAN REVIEW #SP-24-2017 filed by C. Randolph Strauch, 780 S Sun Coast Blvd, Homosassa, FL for a proposed apartment complex to be located on E Melrose Avenue east of Crystal Glen apartments.**

**HRPC**

**General Information**

This project is located on the north side of E. Melrose Avenue just east of the intersection of Deer Ridge Drive. It is zoned R-3 Multiple Family in Marion Township. Land to the north is zoned M-1 Restricted Industrial in Marion Township. To the west is zoned M-2 Multiple Family in the City of Findlay. To the south is zoned MH Mobile Home district and to the east is zoned R-3 Multiple Family in Marion Township. It is not located within the 100-year flood plain. The City Land Use Plan designates the area as Multi Family.

**Parcel History**

Currently a vacant field.

**Staff Analysis**

The applicant is proposing to construct 12 apartment buildings with a total of 46 units and a community building on a 12 acre site. The parcel is currently 24+ acres. A lot split will be required to create the proposed parcel. There are seven (7) 4-unit buildings, three (3) 2-unit buildings and two (2) 6-unit buildings. Sixteen units are 2 bedroom, two units are 4 bedroom and twenty eight units are 3 bedrooms. All buildings are single story.

The applicant has shown both the City of Findlay and Marion Township setback lines. The applicant intends to annex the property to the City, but depending on when they would start the project they could have to obtain their permits from the Township. We will review based on the City of Findlay zoning ordinance. Setbacks in M-2 in the City are 40' front on a Secondary Thoroughfare, 25' sides and 30' rear. All setbacks are met. The 20' minimum spacing between buildings is also met.

The M-2 Multiple Family District requires that no more than 40% of the site be impervious surface. The developer has calculated the impervious area at 39.9%. The district also had a density requirement of 3500 square feet of lot area per unit. The 46 units proposed is well under the maximum density allowed which could be as high as 149 units.

Parking for multiple family developments is calculated at 2.5 spaces per unit. 46 units require 115 parking places. The proposal shows a total of 160 parking spaces. There are 48 parking spaces inside garages, another 48 in the driveways and various small parking rows scattered through the site with another 64 parking spaces in them.

There are a few wetland areas on the site. The main grass areas are located around these. There are other smaller pockets of green areas around each building. A playground and community garden is located on the north side of the community building. An asphalt walking path is provided in the large greenspace area on the east side of the site.

The landscaping plan submitted shows considerable foundation plantings around all structures and adequate perimeter landscaping. Additional trees are planted in the "park" areas.

The building facades are a combination of vinyl siding and cultured stone veneers. Heights in the M-2 district can be up to 50'. Since all units are single story, they are well below that maximum.

Identification signage is shown in the grass area between the two drive entrances for the complex. It is located 10' from the right-of-way line as required. Details of the sign must be submitted to the zoning department for approval and a permit.

The photometric plan submitted for the site shows foot-candle readings at zero at all property lines. Lighting specifications submitted show lantern type fixtures to be pole mounted. There are specifications for various pole heights in the specs and all would be under the 25' maximum height. We would like the developer to provide the specific height they intend to install.

### **Staff Recommendation**

HRPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-24-2017 for a proposed apartment complex to be located on E Melrose Avenue east of Crystal Glen apartments.**

### **ENGINEERING**

**Access** – Access to the site will be from two concrete approaches off the north side of E. Melrose. These new drives will be 75 LF wide each with sidewalk going through them. The driveways are roughly 317 LF apart

**Sanitary Sewer** – The plans propose a sanitary sewer to be run from an existing manhole on the east side of the site. The 8-inch sewer will run within the right of way towards Crawford Station for about 550 LF. There are no easements shown on the plans, so it is assumed that the 8-inch sewer running within the ROW will be a public line and all sanitary sewer outside of ROW will be private.

**Waterline** – The plans propose a waterline to be tapped onto the existing 12-inch line that is located on the south side of Melrose. An existing 24-inch concrete pipe will be utilized as a carrier pipe for the new waterline. There are no easements shown on the plans, so it is assumed that the 8-inch waterline will be all private.

**Storm water Management** – Detention for the development will be provided by the existing regional retention pond in the Deer Meadows Subdivision. The site will drain to an existing storm sewer located along E. Melrose Avenue.

**MS4 Requirements** – The amount of erodible material that will be disturbed will be more than one acre so the site is will be required to comply with the City of Findlay's MS4 and Erosion & Sediment Control Ordinance.

**Recommendations:** Approval of the site plan.

The following permits may be required prior to construction:

- Storm Sewer Tap- 2 total
- Sanitary Sewer Tap-1 total
- Waterline Tap-1 total
- Driveway/ Curb Cut- 2 each
- Sidewalk Permit-1 total (700 LF)

### **FIRE PREVENTION**

Apply for all necessary permits with Wood County Building Dept.

### **STAFF RECOMMENDATION**

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-24-2017 for a proposed apartment complex to be located on E Melrose Avenue east of Crystal Glen apartments.**

### **DISCUSSION**

Matt Pickett stated that addresses should be posted on the building. Mr. DeArment asked who pays for the regional pond. Mr. Thomas stated that the original developer paid for the pond. The consulting engineer for the project, Dan Stone, said that for the agreement for the other areas to be developed, other developers pitched in. Mr. DeArment asked if the design of the retention pond still meets current standards. Mr. Stone stated that the design has been reevaluated over the past five or six years to test if the current design is still up to current standards and it still does indeed meet those standards. Mr. DeArment asked how close to capacity the pond is currently. Mr. Stone said that he believes there is still plenty of room. Mr. Thomas stated that there is a lot of impervious area being added and a lot of grass left with the wetlands areas and garden areas. He said that when the pond was designed, it was assumed a certain runoff coefficient for the site and the site will be under that because of the greenspace. Mr. Stone said the AutoLiv project was supposed to go in there un-detained, and they have now installed two large ponds with small pipe diameter and the amount of water going in there will be less than it was designed for.

Mr. Clinger asked about the storm drainage and if it would eventually end up running over since there is no detention on-site. Mr. Stone said that they are restricted on-site so any extra water will start backing up in the catch basins and will pond on site, and by virtue of the pipes size, there will be storm water detention on-site. Mr. Stone also stated that it is a “camelback situation” – there are low points in the drive aisles so there will be ponding there, and the wetlands are low areas as well and the grass areas will go to those areas and will infiltrate into the ground because those areas cannot be drained and cannot add more water either so the three large areas will act as detention for those areas.

Mr. Clinger asked about the buffer zones in the wetlands and how that will work. Mr. Stone stated that those are “over-requirements” and is part of the housing. The two on the west side are maintained and are left wide open and the one on the east side has a walking path. He says they have to do with credits and the state process. Mr. Clinger asked if the vegetation was being removed from the northwest corner. Mr. Stone said they may do select clearing, however, it must stay natural. Mr. Clinger asked about screening on the north side near the industrial zone. Mr. Stone said that there is a natural row of pine trees along the section and additional landscaping will be added, and the apartment developers were okay with that.

Mr. Clinger asked if any units are handicap accessible. Mr. Stone stated that some of the units must be per code.

Mr. DeArment asked if the gravel drive shown in the plan was preexisting. Mr. Stone stated that it would be added and would be an emergency drive. Mr. Clinger stated that according to engineering, the drives are 75 lineal feet wide and asked if that was truly the case. Mr. Stone stated that it was the curb cut and said the driveway is about 24 or 25 feet. He also stated that they worked with the fire department to ensure that there were ample turning radii there. Mr. Clinger asked if there was a way to remove one of the two access points because of potential development on the south side of the property. Mr. Stone stated that the city told him they need to have two access points for safety. Mr. Pickett stated that an earlier plan had one access and the way it was configured made the drive access to some of the buildings extremely tight for some of their apparatus. The actual access to the site and the internal access are much better now. Mr. Clinger stated that road is now heavily traveled and was concerned about the number of access points along that particular stretch. Mr. Stone said that there would not be any access points along the south side near the mobile home park. Ms. Scrimshaw asked if the developer had eyes on the rest of the property. Mr. Stone said there is nothing currently in the works going east. Mr. Thomas said that with this layout, if there is a phase two to the east, the drives can be extended over. He said he wasn't too concerned about the two drives being there for now, unless other development occurs.

### **MOTION**

Dan Clinger made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-24-2017 filed by C. Randolph Strauch, 780 S Sun Coast Blvd, Homosassa, FL for a proposed apartment complex to be located on E Melrose Avenue east of Crystal Glen apartments** subject to the following conditions:

- Post address on the building (FIRE)

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

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

### **ADJOURNMENT**

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Lydia L. Mihalik  
Mayor

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Brian Thomas, P.E., P.S.  
Service Director



# 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 2, 2018

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JANUARY 2, 2018 MEETING.

### **RESOLUTIONS**

- 001-2018 A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.
- 002-2018 A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2018 PURSUANT TO OHIO REVISED CODE §321.34.
- 003-2018 A RESOLUTION COMMENDING COUNCILMAN THOMAS KLEIN FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

### **ORDINANCES**

- 2018-001 AN ORDINANCE TO MAKE APPROPRIATIONS AND TRANSFERS WHERE NECESSARY FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.
- 2018-002 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2018-003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR REVOLVING LOAN FUND AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, EFFECTIVE JANUARY 1, 2018, EXPIRING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.
- 2018-004 AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR/ACTING CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE REPLACEMENT OF THE HUNTER'S CREEK EMERGENCY STORM SEWER REPAIR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING A REAL AND PRESENT EMERGENCY.
- 2018-005 AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.
- 2018-006 AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN STREET (HEREINAFTER REFERED TO AS SIXTH STREET VACATION) IN THE CITY OF FINDLAY, OHIO.

**RESOLUTION NO. 001-2018**

**A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.**

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

SECTION 1: The internet auction of property which is not needed for public use, or is obsolete or unfit for the use for which it was acquired will be conducted in accordance with the policy and procedures established for such online internet auctions as set forth in in "Exhibit A" as amended from time to time, a copy of which is attached hereto and incorporated herein as if fully rewritten herein.

SECTION 2: All items offered for sale through online internet auction shall be offered for sale for a period of time to be determined by the administration but which period shall be not less than ten (10) days, including Saturdays, Sundays and all legal holidays.

SECTION 3: The City of Findlay will contract with a representative(s) to conduct the auction, however the general terms and conditions of sale shall be established by the city. The administration, in consultation with the auditor, shall determine and select authorized representatives to conduct the online internet auctions which representatives may change from time to time.

SECTION 4: The Clerk of Council is directed to publish, in a newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the Revised Code, notice of the City of Findlay's intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction all in accordance with R.C. 721.15(D).

SECTION 5: Notice of the City of Findlay's intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction shall be posted continually throughout the calendar year in a conspicuous place in the office of the city auditor, in the office of the mayor and on the city web site.

SECTION 6: The City of Findlay retains the right to establish a minimum price and may establish other terms and conditions of any particular sale, including requirements for pick-up or delivery, method of payment, and sales tax. Such information shall be provided on the internet at the time of the auction and may be provided before that time upon request after the terms and conditions have been determined by the legislative authority.

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. 002-2018**

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2018 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 2018, 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. 003-2018**

**A RESOLUTION COMMENDING COUNCILMAN THOMAS KLEIN FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.**

WHEREAS, Tom Klein, who served the City of Findlay, Ohio as Fourth Ward Councilman from January 1, 2014 to December 31, 2017, has left City Council after serving two (2) consecutive terms as a Councilmember, and;

WHEREAS, during his term on City Council, Tom served on numerous City Council Committees. He served on various Ad-Hoc Committees, the Appropriations Committee, the Downtown Findlay Improvements Committee, the Flood Mitigation Committee, and also the Parking Authority Committee. He served as Chair of the Inter-Government Relations and Legislation Review Committee. He has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

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

SECTION 1: That the said Thomas Klein be and he is hereby commended for his loyal services to his City, and his fellow Councilmembers join in extending their best wishes to him upon the occasion of his Council Career coming to an end.

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 \_\_\_\_\_

## ORDINANCE 2018-001

**AN ORDINANCE TO MAKE APPROPRIATIONS AND TRANSFERS WHERE NECESSARY FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2018, 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 to provide for the current expenses and other expenditures of the City of Findlay, Ohio, during the fiscal year ending December 31, 2018, the following sums be and they are hereby set aside and appropriated and transferred where necessary as follows:

SECTION 2: That there hereby be appropriated and transferred where necessary from the General Fund the following:

Council	21001000 – personal services	\$	137,785.00
	21001000 – other		46,796.00
Mayor's Office	21002000 – personal services		258,075.00
	21002000 – other		65,465.00
Auditor's Office	21003000 – personal services		516,791.00
	21003000 – other		124,515.00
Treasurer's Office	21004000 – personal services		10,067.00
	21004000 – other		10,231.00
Law Director	21005000 – personal services		459,724.00
	21005000 – other		159,873.00
Municipal Court	21006000 – personal services		1,703,671.00
	21006000 – other		473,765.00
Civil Service Office	21007000 – personal services		89,317.00
	21007000 – other		43,689.00
Planning & Zoning	21008000 – other		148,075.00
Computer Services	21009000 – personal services		231,950.00
	21009000 – other		149,180.00
General Expense	21010000 – other		3,448,500.00
Police Department	21012000 – personal services		6,813,298.00
	21012000 – other		592,794.00
Disaster Services	21013000 – other		51,705.00
Fire Department	21014000 – personal services		7,258,597.00
	21014000 – other		411,138.00
Dispatch Center	21015000 – personal services		906,031.00
	21015000 – other		279,879.00
N.E.A.T.	21016000 – personal services		73,107.00
	21016000 – other		33,238.00
Safety Director	21017000 – personal services		115,329.00
	21017000 - other		34,268.00

Human Resources	21018000 – personal services	110,650.00
	21018000 – other	42,100.00
Service Director	21020000 – personal services	66,345.00
	21020000 – other	47,991.00
Engineering Department	21021000 – personal services	599,636.00
	21021000 – other	171,625.00
Public Building	21022000 – personal services	65,110.00
	21022000 – other	347,665.00
Zoning	21032000 – personal services	255,864.00
	21032000 – other	24,913.00
Parks Maintenance	21034000 – personal services	437,732.00
	21034000 – other	340,605.00
Reservoir Recreation	21035000 – other	5,272.00
Recreation Maintenance	21042000 – other	109,700.00
Recreation Functions	21041000 – personal services	452,610.00
	21041000 – other	377,943.00
Cemetery Department	21046000 – personal services	259,888.00
	21046000 – other	140,092.00

GENERAL FUND TOTAL \$ 28,502,594.00

It is the understanding of this Council that as part of this appropriation amount shown in the General Expense line, included are subsidies from the General Fund to SCM&R Fund (\$970,000), Swimming Pool Fund (\$72,000), Airport Fund (\$175,000), and Parking Fund (\$45,000) as were discussed as part of the budget review meeting held December 14, 2017.

SECTION 3: There hereby be appropriated and transferred where necessary from the Special Revenue Funds the following:

SCM&R Streets	22040000 – personal services	\$ 2,003,482.00
	22040000 – other	682,034.00
Traffic Signals	22043200 – personal services	188,167.00
	22043200 – other	124,871.00
SCM&R Hiways	22045000 – other	112,827.00
Law Enforcement Trust	22060000 – other	589.00
Drug Law Enforc Trust	22065000 – other	36.00
I. D. Alcohol Treatment	22070000 – other	258,000.00
Enforcement/Education	22075000 – other	59,012.00
Court Special Projects	22079000 – personal services	305,115.00
	22079000 – other	260,885.00
Court Computerization	22080000 – other	99,000.00
METRICH Drug Law Enf	22081000 – other	3,609.00
Alcohol Monitoring	22082000 – other	100,000.00
Mediation Services	22083000 – other	107,000.00
Electronic Imaging	22084000 – personal services	49,994.00
	22084000 – other	140,006.00

CIT Administration	27047000 – personal services	243,304.00
	27047000 – other	19,637,479.00
Police Pension	27078000 – other	235,500.00
Fire Pension	27079000 – other	235,500.00

SPECIAL REVENUE

FUND TOTAL \$ 24,846,410.00

SECTION 4: There hereby be appropriated and transferred or advanced where necessary from the CIT Capital Improvement Restricted Account and/or the Debt Service Fund the following:

Crystal/Melrose DS	23035000 – other	\$ 7,200.00
Energy Bonds Ser A DS	23056000 – other	73,668.94
Energy Bonds Ser B DS	23056100 – other	27,972.28
2016 HRC Rehab DS	23060110 – other	116,600.00
2016 CR236 Land DS	23060210 – other	35,869.00
2016 CR236 Widening DS	23060310 – other	144,479.00
2016 5Plex DS	23060410 – other	227,700.00
Howard St Improv DS	23065000 – other	7,483.12

DEBT SERVICE FUND

TOTAL \$ 640,972.34

It is the intent of this Council to treat the appropriation to Energy Bonds Series A, Energy Bonds Series B, 2016 HRC Rehab, 2016 CR236 Land, and 2016 CR236 Widening initially as a transfer and/or advance of funds from the CIT Fund – Capital Improvements Restricted Account until such time during the year 2018 actual funds are received and amounts can be determined for certain from Federal subsidies, pledged donations, CR236 TIF receipts, County Permissive Fees and excess advances can be returned to the CIT Fund – Capital Improvements Restricted Account.

SECTION 5: There hereby be appropriated from the Capital Improvement Funds the following:

Muni Court Improvement	24020000 – other	\$ 400,000.00
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CAPITAL

IMPROVEMENT FUND

TOTAL \$ 400,000.00

SECTION 6: There hereby be appropriated from the enterprise funds the following:

Airport Operations	25010000 – personal services	\$	370,508.00
	25010000 – other		740,690.00
Sanitary Sewer Maint	25048000 – personal services		839,133.00
	25048000 – other		183,540.00
Stormwater Maintenance	25049500 – personal services		155,195.00
	25049500 – other		107,050.00
Water Treatment	25050000 – personal services		1,194,231.00
	25050000 – other		1,268,027.00
Main Street W/L DS	25050200 – other		6,961.32
Sherman Park W/L DS	25050600 – other		10,000.00
CR 144 W/L DS	25050700 – other		9,242.96
Broad Ave W/L DS	25050800 – other		10,000.00
W Melrose W/L DS	25050900 – other		9,679.50
Center Street W/L DS	25051000 – other		7,925.00
'14 Wtr Ref of 03 DS	25051510 – other		318,024.00
1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> W/L DS	25051700 – other		1,529.88
'11 Wtr Refunding DS	25052400 – other		249,777.50
OWDA WTP Improvemnt	25052600 – other		270,371.38
'14 WTP Clearwell Issue	25052800 – other		407,776.00
Water Distribution	25053000 – personal services		1,130,203.00
	25053000 – other		546,608.00
2001 EPA Loan DS	25060200 – other		213,556.18
2000 EPA Loan DS	25060300 – other		2,335,438.43
Water Pollution Control	25061000 – personal services		1,351,137.00
	25061000 – other		1,707,644.00
'14 WPC Bar Screen DS	25061200 – other		280,280.00
Utility Billing	25072000 – personal services		755,417.00
	25072000 – other		423,029.00
Supply Reservoir	25073000 – personal services		100,122.00
	25073000 – other		416,499.00
Parking Facilities	25075000 – personal services		82,950.00
	25075000 – other		18,682.00
Swimming Pool	25076000 – other		87,074.00
ENTERPRISE FUND			
TOTAL		\$	15,608,301.15



SECTION 7: There hereby be appropriated and transferred where necessary from the Internal Service Funds the following:

Int Serv – Central Stores	26063000 – other	\$	26,200.00
Self Insurance	26066000 – other		173,000.00

INTERNAL SERVICE FUND TOTAL		\$	199,200.00
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SECTION 8: There hereby be appropriated and transferred from the Trust and Agency Funds the following:

Cemetery Trusts	27086000 – other	\$	11,000.00
Private Trusts	27087000 – other		2,500.00

TRUST AND AGENCY FUND TOTAL		\$	13,500.00
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SECTION 9: There hereby be appropriated from the Special Assessments Funds the following:

Spec Assmt Storm Sewer	28030000 – other	\$	22,873.70
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SPECIAL ASSESSMENT FUNDS TOTAL		\$	22,873.70
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TOTAL OPERATING FUNDS		\$	70,233,851.19
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SECTION 10: That the City Auditor is hereby authorized to draw warrants on the City Treasurer for payment from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore or an ordinance or resolution of the Council to make the expenditures provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

SECTION 11: This ordinance is subject to review and amendments by the City Council if and when it becomes apparent the expenditures for 2018 may exceed the certificate of resources.

SECTION 12: The City Auditor is hereby authorized to debit various accounts within a particular department for charges incurred by said department up to the amount appropriated to that department without the necessity of transferring funds within an appropriated fund.

SECTION 13: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason that it is immediately necessary to appropriate said money to insure the continued operation of essential City functions;

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. 2018-002**

**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 (Stormwater restricted account)	\$ 262,245.00
TO:	Sewer Fund	\$ 262,245.00

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 storm water funds to support the operating budget of Stormwater Maintenance may be utilized.

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. 2018-003**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR REVOLVING LOAN FUND AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, EFFECTIVE JANUARY 1, 2018, EXPIRING DECEMBER 31, 2020, 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 be and he is hereby authorized to sign said Revolving Loan Fund agreement with the State of Ohio, Department of Development., which shall be effective January 1, 2018, and run through December 31, 2020.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, so that said new agreement with the State of Ohio, Department of Development will be in place by January 1, 2018,

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. 2018-004**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR/ACTING CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE REPLACEMENT OF THE HUNTER'S CREEK EMERGENCY STORM SEWER REPAIR, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING A REAL AND PRESENT EMERGENCY.**

WHEREAS, due to the serious disrepair of said storm sewers in the Hunter's Creek area, it is the desire of this Council to authorize the Service Director/Acting City Engineer of the City of Findlay, Ohio to waive formal advertising and bidding requirements, hire a contractor or contractors to replace said storm sewers, and appropriate and transfer funds for said replacement.

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

SECTION 1: That the Service Director/Acting City Engineer of the City of Findlay, Ohio be and he is hereby authorized to waive formal advertising and bidding requirements and enter into a contract or contracts for the repair of said sewer.

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

FROM:	Sewer Fund – Stormwater Restricted Account	\$ 85,000.00
TO:	Hunter's Creek Emergency Storm Sewer Repair <i>Project No. 35577800</i>	\$ 85,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer funds so that storm sewers for the above location may be repaired,

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. 2018-005**

**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: Sewer Fund	\$ 171,223.00
TO: East St/Front St CSO Removal, <i>Project No. 35675300</i>	\$ 62,738.00
TO: 2017 Flat Gate Program <i>Project No. 35675400</i>	\$ 108,485.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer funds so that construction, inspection and contingency fees may be paid for the above mentioned project,

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. 2018-006**

**AN ORDINANCE VACATING A CERTAIN PORTION OF A CERTAIN STREET (HEREINAFTER REFERED TO AS SIXTH STREET VACATION) IN THE CITY OF FINDLAY, OHIO.**

WHEREAS, a petition has been presented to Council requesting that a portion of a street to be vacated as set forth herein, and;

WHEREAS, Council upon approval and recommendation of such vacation by the Planning Commission of the City of Findlay, Ohio, is satisfied that it will not be detrimental to the general interest and ought to be made.

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

SECTION 1: That the following described street be and the same is hereby vacated:

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

Being an abandoned portion of Sixth (6<sup>th</sup>) Street located east of Strong Avenue and west of Dunham Avenue in the M.C. Whiteley Addition, also north of Millstream Woodcarvers Club In., Parcel No. 330001008164 being north of Hartley, Parcel No. 330000083440, and south of Chiow, Parcel No. 610001008335 and Parcel No. 610001008450 in the Whiteley Addition.

SECTION 2: That the aforesaid vacation is hereby made subject to the preservation of the public utilities right-of-way, in accordance with the provisions of Ohio Revised Code Section 723.041 including an easement is reserved for all sanitary and/or storm sewer lines in said vacated right-of-way.

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