

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

October 2, 2018

COUNCIL CHAMBERS

ROLL CALL of 2018-2019 Councilmembers

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Acceptance or changes to the September 18, 2018 Public Hearing to rezone 716 Franklin Street via Ordinance No. 2018-082.
- Acceptance or changes to the September 18, 2018 Public Hearing to rezone 310 Frazer Street via Ordinance No. 2018-083.
- Acceptance or changes to the September 18, 2018 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS: - none.

WRITTEN COMMUNICATIONS: - none.

ORAL COMMUNICATIONS:

Judge Hackenberg/Judge Miller – Issue 1

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Director of Public Service Thomas – annual Community Park Improvement Program Grant

The City of Findlay Public Works Department is applying for the annual Community Park Improvement Program Grant through the Hancock Park District. Six thousand dollars (\$6,000) is requested for restroom restoration and to replace several grills within the City parks system. The restroom is near the newly built Pickleball Courts at Riverside Park. The restoration work includes: concrete repair, replacement of all sinks, toilets, stalls, flooring and lighting in both men's and women's restrooms. The Public Works Department will be performing all the labor on the project. There is an alternate request of five thousand dollars (\$5,000) for tree replacement in several City parks. The Hancock Parks grant is offered each year to communities within Hancock County to improve their park systems. This grant is then divided among the communities that request the available funds. These funds are at no cost to the community and do not require matching funds. The City has completed many projects in our parks using these grant dollars. One of the requirements of the grant is to obtain project approval during a public meeting from its governing body. Legislation authorizing the Director of Public Service to apply for grant funds is requested. Ordinance No. 2018-098 was created.

Service Director/Acting City Engineer Thomas – 2018 annual sewer & manhole lining program project no. 35680200

By authorization of Ordinance No. 2018-019, a bid opening was held for this project on September 21, 2018. Bids were received from three (3) potential contractors with bid amounts ranging from #320,986.00 to \$322,582.50. Bids were also received for five (5) alternates ranging from \$48,519.00 to \$53,044.85. The lowest and best bid was received from Inland Waters Pollution Control, Inc. of Detroit, MI. This project is included in the 2018 Capital Improvement Plan and the total project estimate is within the budgeted amount. \$20,000 was previously appropriated to this project for design and startup. At this time, an appropriation for construction, inspection and contingency is needed to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2018-099 was created.

FROM: Sewer Fund	\$ 365,900.00
TO: 2018 Annual Sewer & Manhole Lining Program <i>Project No. 35680200</i>	\$ 365,900.00

Service Director/Acting City Engineer Thomas – WTP underground utility capacity increase project no. 35776100

By authorization of Ordinance No. 2017-006, a bid opening was held for this project on September 13, 2018. Bids were received from six (6) potential contractors with bid amounts ranging from \$79,499.00 to \$98,690.00. The lowest and best bid was received from Brenneman Excavating of Elida, Ohio. This project is included in the 2018 Capital Improvements Plan and the total project estimate is within the budgeted amount. \$20,000 was previously appropriated to this project for design and startup. At this time, an appropriation for construction, inspection and contingency is needed to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2018-100 was created.

FROM: Water Fund	\$ 80,000.00
TO: WTP Underground Capacity Increase <i>Project No. 35776100</i>	\$ 80,000.00

Service Director/Acting City Engineer Thomas – Park Street rehabilitation project no. 32875900

This project is now complete. During construction, additional costs were incurred due to extra undercutting to correct soft spots in the roadway and unplanned catch basin work because of the poor condition of existing structures. \$20,000 and \$238,000 were previously appropriated to this project for design, startup, and construction. At this time, an additional \$20,217.46 is now needed to cover these increased costs. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-101 was created.

FROM: CIT Fund – Capital Improvement Restricted Account	\$ 15,117.46
FROM: Sewer Fund – Stormwater Restricted Account	\$ 5,100.00
TO: Park Street Rehabilitation <i>Project No. 32875900</i>	\$ 20,217.46

City Planning Commission agenda – October 11, 2018; minutes – September 13, 2018.

Service Director/Acting City Engineer Thomas – ODOT Aviation Grant Airport Beacon and Windssock, Project No 35284600

The City of Findlay was awarded the ODOT Aviation Grant to replace the damaged beacon and move the existing windssock at the airport. Due to the tight timeframe with the grant, engineering on the project needs to start as soon as possible. There are funds available in the Airport’s operating budget to cover the design fees. Legislation to transfer funds is requested. Resolution No. 023-2018 was created.

FROM: Airport Operations #25010000-other \$ 23,000.00
TO: ODOT Aviation Grant Airport Beacon and Windssock Project No. 35284600 \$ 23,000.00

Service Director/Acting City Engineer Thomas – aviation fuel

The average cost per gallon for aviation fuel for 2018 was \$.16 per gallon more than what was budgeted for. The sale of aviation fuel has been strong this year and the year to date volume sold is up thirteen percent (13%). While the increase in sales is good for operations, when combined with the increased cost, a shortfall in the budgeted amount is projected for the fuel loads that will need to be purchased through the end of 2018. Legislation to appropriate and transfer funds is requested. Ordinance No. 2018-102 was created.

FROM: General Fund \$75,000.00
TO: Airport Fund \$ 75,000.00
FROM: Airport Fund \$ 75,000.00
TO: Airport Operations #25010000-other \$ 75,000.00

Service Director/Acting City Engineer Thomas – ODOT Safety Grant for Blanchard Street/Lincoln Street project

The selected design consultant for this project mentioned the possibility of applying for a safety grant with the Ohio Department of Transportation (ODOT) for Blanchard Street. The Consultant prepared a corridor and safety study for Blanchard Street from Tiffin Avenue to Sixth Street. The purpose of the study was to determine if any operational or safety deficiencies exist and what improvements are necessary to correct any deficiencies identified. Based upon the results from the corridor and safety study, the City would be able to apply for a safety fund grant from the ODOT. Based upon the findings, the recommended amount for the grant is \$2,750,000. The preliminary total estimated construction cost for the multi-use trail on Lincoln Street and all of the work on Blanchard Street is \$4,659,388. The City has already been granted a TAP grant for \$1,200,000 and if awarded, the safety grant would be \$2,750,000. The City’s share of the construction costs would be the remaining \$709,388 or just over fifteen percent (15%) of the total estimated construction cost of the project. Attached are highlights from the corridor and safety study. Legislation in support of the submittal of a safety funding application to ODOT for the Blanchard Street project PID 104247 is requested. Resolution No. 024-2018 was created.

Service Director/Acting City Engineer Thomas – Ohio Public Works Commission grant application Howard Street waterline replacement

Engineering is preparing to submit a grant application for funding from the Ohio Public Works Commission (OPWC). The application will cover the replacement of an old transit waterline on Howard Street from Broad Avenue to Wal-Mart, and the replacement of a four inch (4”) waterline with a twelve inch (12”) waterline from Main Street to Morey Street. Legislation authorizing City representatives to execute the necessary grant application(s) and/or agreement(s) to receive the grant funds is requested. Ordinance No. 2018-103 was created.

Judge Miller/Judge Hackenberg – Municipal Court credit card policy

Recently, the Ohio General Assembly passed H.B. 312 to establish additional safeguards concerning governmental use of credit cards. This legislation instituted Section 717.31 of the Revised Code relating to municipal corporations that utilize credit cards. This legislation is effective on November 2, 2018 and affords cities ninety (90) days to adopt a written policy on the use of credit card accounts. As a result of this legislation, the Judges of the Findlay Municipal Court have determined it best to also develop a credit card policy specifically for the Court. A copy of the Court’s policy and related documents are attached. Findlay City Council is considering legislating a policy for the use of credit cards by City officials and employees. The City’s desire is to implement a policy that will cover all City offices. The Court is not a City office or department. A municipal court is an arm of the State of Ohio and ultimately answers to the Supreme Court of Ohio. Ohio Cons. Art. 4, §4(A) and §5 (the Supreme Court has “general superintendence over all courts in the state . . . [which is] exercised by the Chief Justice in accordance with rules promulgated by the Supreme Court.”). Simply stated, the Court is a separate, independent and equal branch of government. Ohio Cons. Art. 4, §1. The Court acknowledges that the City of Findlay is a funding authority for the Findlay Municipal Court (along with Hancock County), however, counties and municipalities are creatures of statute and have only those powers expressly conferred by statute. As a matter of law, the City is not the operator of the Court, its Judges, or its employees, but rather the Court’s appointees serve exclusively at the discretion and pleasure of the Judges, and the Court has autonomy over its fiscal policies. The “administration of justice by the judicial branch of the government cannot be impeded by the other branches of the government in the exercise of their respective powers.” *State ex rel. Johnston v. Taulbee*, 66 Ohio St.2d 417 (1981). Further, a Court’s authority to effectuate the orderly and efficient administration of justice without monetary or procedural limitations by the legislature is said to be within the inherent powers of the courts. *State, ex rel. Johnston, v. Taulbee*, 66 Ohio St.2d 417, at 420-422 (1981). The Ohio Supreme Court has held: “We recognize that the power to control what a court spends, or to totally regulate the process of obtaining funds, ultimately becomes the power to control what the court does. Such a principle is an anathema to an independent judiciary.” *State, ex rel. Musser, v. Massillon*, 12 Ohio St.3d 42 (1984); *State, ex rel. Durkin, v. Youngstown City Council*, 9 Ohio St. 3d 132, 134-135 (1984). The determination of necessary administrative expenses rests solely with the court, and another branch of government may not substitute its judgment for that of the court. See generally *State ex rel. Foster v. Lucas Cty. Bd. Of Commrs.*, 16 Ohio St.2d 89, 242 N.E.2d 884 (1968). The purpose of this letter is to inform Council that the Court will be utilizing a Credit Card Policy adopted by the Municipal Court Judges. Please be aware the Court’s Credit Card Policy was designed to comply with H.B. 312 even though the statute, by its own express terms, does not apply to the Court. In addition, the Court’s policy adopts the Ten Best Practices as described by the State Auditor. Also, the policy duplicates much of the City’s current policy and practices. This policy was previously submitted to the City Law Director and City Auditor for any suggestions prior to its implementation. Judge Miller and Judge Hackenberg are willing to meet with City officials to discuss matters of mutual concern. H.B. 312 affords Council ample time before a final policy must be adopted and allows other elected officials and department heads to work collaboratively so uniformity in policies can be achieved.

COMMITTEE REPORTS:

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service Director/Acting City Engineer to discuss the purchase of a vactor truck for hydro excavating to replace the Water Distribution Department's existing trailer vactor.

FROM: Vincent Street Waterline Replacement *Project No. 35774000* \$ 79,000.00
TO: Water Distribution #25053000-other \$ 79,000.00

We recommend approval of transfer as requested.

Resolution No. 019-2018 was tabled after the 3rd reading during the 9/18/18 City Council meeting.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service Director/Acting City Engineer to discuss CUBE Department code updates, project no. 31984100.

FROM: CIT Fund – Capital Improvement Restricted Account \$ 595,000.00
TO: 2018 CUBE Code Updates *Project No. 31984100* \$ 595,000.00

We recommend appropriate funds as requested.

Ordinance No. 2018-091 received it's 2nd reading during the 9/18/18 City Council meeting.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service Director/Acting City Engineer to discuss the 2019 CIT Fund.

We discussed the 2019 CIT Fund.

LEGISLATION:

RESOLUTIONS

RESOLUTION NO. 019-2018 (*Water Distribution vactor truck*) **requires three (3) readings** **tabled after third reading on 9/18/18**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 021-2018 (*mid-year budget transfer*) **requires three (3) readings** **third reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 022-2018 (*over PO amount*) **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. 023-2018 (*ODOT aviation grant Airport beacon and windsock*) **requires three (3) readings** **first reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 024-2018 (*ODOT safety grant funds for Blanchard Street/Lincoln St*) **requires three (3) readings** **first reading**
A RESOLUTION SUPPORTING THE SUBMITTAL OF A SAFETY FUNDING APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A MULTI-USE TRAIL ON LINCOLN STREET, AND VARIOUS UPGRADES TO BLANCHARD STREET WITHIN THE CITY OF FINDLAY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCES

ORDINANCE NO. 2018-068 (*Zoning personnel enforcement rights in right-of-way*) **requires three (3) readings** **tabled after third reading on 8/7/18**
AN ORDINANCE ENABLING THE CITY OF FINDLAY ZONING DEPARTMENT PERSONNEL ENFORCEMENT RIGHTS WITHIN RIGHT-OF-WAY AREAS WITHIN CITY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-090 (*Airport jet refueling truck*) **requires three (3) readings** **third reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT WITH SKYMARK FOR THE PURCHASE OF A REPLACEMENT JET REFUELING TRUCK FOR THE CITY OF FINDLAY AIRPORT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-091 (*2018 Cube Code Updates, project no. 31984100*) **requires three (3) readings** **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-092 (*parking in right-of-way*) requires three (3) readings **third reading**
AN ORDINANCE AMENDING SECTION 351.03(a)(21) OF CHAPTER 351 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2018-093 (*mid-year budget appropriations*) requires three (3) readings **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-094 (*High Street Sewer Replacement*) requires three (3) readings **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-097 (*credit card policy*) requires three (3) readings **second reading**
AN ORDINANCE APPROVING THE BANK CREDIT CARD POLICY ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A.

ORDINANCE NO. 2018-098 (*HPD annual Community Park Improvement Program grant*) requires three (3) readings **first reading**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR A COMMUNITY PARK IMPROVEMENT PROGRAM GRANT THROUGH THE HANCOCK PARK DISTRICT FOR RESTROOM RESTORATION AND REPLACEMENT OF OUTDOOR GRILLS WITHIN THE CITY PARK SYSTEM, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-099 (*2018 annual sewer & manhole lining program project no. 35680200*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-100 (*WTP underground utility capacity increase project no. 35776100*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-101 (*Park Street rehabilitation project no. 32875900*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-102 (*aviation fuel*) requires three (3) readings **first reading**
AN ORDINANCE APPROPRIATING AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-103 (*OPWC grant application – Howard St waterline replacement*) requires three (3) readings **first reading**
AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE HOWARD STREET WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-104 (*bicycle ordinance*) requires three (3) readings **first reading**
AN ORDINANCE AMENDING SECTION 373.11 AND REPEALING SECTION 373.13 OF CHAPTER 373 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

UNFINISHED BUSINESS:

OLD BUSINESS
NEW BUSINESS

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

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

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

September 17, 2018

Honorable City Council
City of Findlay, Ohio

Dear Honorable Council Members:

The City of Findlay Public Works Department once again is applying for the annual Community Park Improvement Program Grant through the Hancock Park District. They are requesting \$6,000.00 for restroom restoration and to replace several grills within the City parks system. The restroom is near the newly built Pickleball Courts at Riverside Park. The restoration work includes: concrete repair; and replacing all sinks, toilets, stalls, flooring and lighting in both men's and women's restrooms. The Public Works Department will be performing all the labor on the project.

An alternate request is \$5,000.00 for tree replacement in several City parks.

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

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

Thank you for your consideration of this matter.

Sincerely,



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

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

Office of the Mayor

Lydia L. Mihalik

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

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

Honorable City Council
Findlay, OH 45840

September 26, 2018

RE: 2018 Annual Sewer & Manhole Lining Program, Project No. 35680200

Dear Council Members:

By authorization of Ordinance No. 2018-019, a bid opening was held for the above-referenced project on September 21, 2018. Bids were received from three (3) potential contractors with bid amounts ranging from \$320,986.00 to \$322,582.50. Bids were also received for five alternates and ranged from \$48,519.00 to \$53,044.85. The lowest and best bid was received from Inland Waters Pollution Control, Inc. of Detroit, MI.

This project is included in the 2018 Capital Improvements Plan, and the total project estimate is within the budgeted amount. Previously, an amount of \$20,000 was appropriated to the project 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 funds as follows:

FROM:	Sewer Fund	\$365,900
TO:	2018 Annual Sewer & Manhole Lining Program, Project No. 35680200	\$365,900

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

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

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

Honorable City Council
Findlay, OH 45840

September 26, 2018

RE: WTP Underground Utility Capacity Increase, Project # 35776100

Dear Council Members:

By authorization of Ordinance No. 2017-006, a bid opening was held for the above-referenced project on September 13, 2018. Bids were received from six (6) potential contractors with bid amounts ranging from \$79,499.00 to \$98,690.00. The lowest and best bid was received from Brenneman Excavating of Elida, Ohio.

This project is included in the 2018 Capital Improvements Plan, and the total project estimate is within the budgeted amount. Previously, an amount of \$20,000 was appropriated to the project 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 funds as follows:

FROM:	Water Fund	\$80,000
TO:	WTP Underground Capacity Increase, Project # 35776100	\$80,000

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

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

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

Honorable City Council
Findlay, OH 45840

September 26, 2018

RE: Park Street Rehabilitation, Project No. 32875900

Dear Council Members:

As you are aware, the above mentioned project is now complete. During construction, additional costs were incurred due to extra undercutting to correct soft spots in the roadway and unplanned catch basin work because of the poor condition of existing structures.

Previously, an amounts of \$20,000 and \$238,000 were appropriated to the project for design, startup, and construction. At this time, an additional appropriation of \$20,217.46 is now needed to cover these increased costs.

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

FROM:	CIT Fund- Capital Improvement Restricted Account	\$15,117.46
	Sewer Fund – Stormwater Restricted Account	\$ 5,100.00
TO:	Park Street Rehabilitation, Project No. 32875900	\$20,217.46

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
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday, October 11, 2018 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

1. **PETITION FOR ZONING AMENDMENT #ZA-12-2018 filed to rezone 2475 Crystal Avenue from C-1 Local Commercial to M-2 Multiple Family High Density.**
2. **APPLICATION FOR FINAL PLAT #FP-08-2018 filed for the Dedication of right-of-way for Production Drive west of Bright Road.**
3. **APPLICATION FOR PRELIMINARY PLAT #PP-05-2018 filed for Hickory Lake 2nd Addition located in Marion Township.**
4. **APPLICATION FOR SITE PLAN REVIEW #SP-17-2018 filed by Service Leaders, LLC, 8146 W. US 224, New Riegel, OH for industrial building to be located at 1744 Romick Pkwy.**
5. **APPLICATION FOR SITE PLAN REVIEW #SP-18-2018 filed by Dr. Brad Gregory, 13059 TR 108, Findlay for an office building to be located at 3510 N. Main Street, Findlay.**
6. **SPECIAL REVIEW #SP-01-2018 filed by Dan Stone, Van Horn, Hoover & Associates, 3200 N. Main Street, Findlay for a proposed commercial lot split and review of access points.**

ADMIMISTRATIVE APPROVALS

APPLICATION FOR SITE PLAN REVIEW #SP-19-2018 filed by Karrington of Findlay, 401 Lake Cascades Pkwy, Findlay for a parking lot expansion at 401 Lake Cascades Pkwy.

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, September 13, 2018 – 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: Dan Clinger
Jackie Schroeder
Brian Thomas

STAFF ATTENDING: Todd Richard, Zoning Inspector
Jeremy Kalb, Engineering Project Manager
Matt Cordonnier, HRPC Director
Leah Fox, HRPC Staff
Jodi Mathias, Zoning Inspector

GUESTS: Tom Shindledecker, Tony Scanlon, Lou Wilin, Ryan
Sendelbach, Dan Stone, Brett Gies, Jim Koehler, Greg
Burks, Jonathon Wilkins

CALL TO ORDER

ROLL CALL

The following members were present:

Dan Clinger
Jackie Schroeder
Brian Thomas

SWEARING IN

All those planning to give testimony were sworn in by Matt Cordonnier.

APPROVAL OF MINUTES

Dan Clinger made a motion to approve the minutes of August 9, 2018. Jackie Schroeder seconded. Motion carried 3-0-0.

NEW ITEMS

Matt Cordonnier noted that item 6 has been withdrawn from the agenda. If the ordinance were to go forward, it would need to go back to City Council and start anew.

1. APPLICATION FOR FINAL PLAT #FP-06-2018 filed for Glenmar Subdivision Second Addition Plat 2.

General Information

This request is located on the west side of CR 140 north of CR 95 in Liberty Township. It is zoned R-1 One Family. All surrounding parcels are also zoned R-1. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as Single Family Large Lot.

Parcel History

The Preliminary Plat for this phase of the Subdivision was reviewed and approved by FCPC on March 8, 2018 and by HRPC on July 27, 2018.

Staff Analysis

This phase consists of 8 single family lots. Smokies Way is extended west and will curve south. A stub of Glenmar Parkway comes off of Smokies Way.

The Subdivision is zoned R-1 One Family in Liberty Township. All lots meet and exceed the minimum size required in their zoning resolution. The subdivision is served by City of Findlay water and sewer.

The layout is consistent with the approved Preliminary Plat.

Staff Recommendation

HRPC Staff recommends approval of **APPLICATION FOR FINAL PLAT #FP-06-2018 filed for Glenmar Subdivision Second Addition Plat 2.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends approval of **APPLICATION FOR FINAL PLAT #FP-06-2018 filed for Glenmar Subdivision Second Addition Plat 2.**

DISCUSSION

Dan Clinger asked about a timeframe that Tony Scanlon would foresee for Glenmar Parkway to be connected to another a submission. Mr. Scanlon said hopefully that wouldn't be too long from now. He said it would be a pretty simple phase and that several lots have already potentially been spoken for. One factor that plays into the second phase is installing a second bridge. Mr. Clinger asked if the lots have already been preliminarily platted for the next phase. Mr. Scanlon said yes. He said it's pretty much just an extension to connect the two pieces.

MOTION

Dan Clinger made a motion to **approve APPLICATION FOR FINAL PLAT #FP-06-2018 filed for Glenmar Subdivision Second Addition Plat 2.**

2nd: Jackie Schroeder

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

2. APPLICATION FOR FINAL PLAT #FP-07-2018 filed for Woods at Hillcrest 9th Addition.

HRPC

General Information

This request is located off the east side of CR 140 in Allen Township. Allen Township is not zoned. All surrounding land is also in Allen Township and not zoned. It is not located within the 100-year flood plain. The City of Findlay Land Use Map designates the area as Single Family Large Lot.

Parcel History

The Preliminary Plat of Woods at Hillcrest 9th – 11th was reviewed and approved by FCPC on June 14, 2018 and by HRPC on May 16, 2018.

Staff Analysis

This phase consists of 20 residential lots and the extensions of Bushwillow and Bearcat Way and a new street labelled as Down by the Seaside Drive.

Because there is no zoning, there are no minimum lot sizes required by the Township. The lots are consistent with the previous phases of the subdivision. The subdivision is served by City of Findlay water and sewer.

The layout is consistent with the approved Preliminary Plat.

Staff Recommendation

HRPC Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-07-2018 filed for Woods at Hillcrest 9th Addition.**

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends **approval of APPLICATION FOR FINAL PLAT #FP-07-2018 filed for Woods at Hillcrest 9th Addition.**

DISCUSSION

Mr. Clinger mentioned that based on what he could tell, there's enough space to do another similar layout near CR 99, but asked if they would take Bush Willow off of CR 99. Dan Stone said they wouldn't be taking it off CR 99. He said the road would be extended up CR 99 to Bearcat Way. Bearcat Way will be extended up north to CR 99. Mr. Clinger asked if all the detention was taken into account previously. Mr. Stone said yes, there are two ponds at the bottom of the drawing that were constructed as part of the cul-de-sac that handles that development.

Mr. Clinger asked what the extension is for Bearcat Way to the south and asked if there was anything there. Mr. Stone said there is currently nothing there. He pointed out where Bearcat Way would go and where it would cross the ditch to serve the development to the south. Jim Koehler said there is about 40 acres there to develop to the south. Mr. Stone said it would all tie into the other Woods at Hillcrest to the east.

MOTION

Jackie Schroeder made a motion to **approve APPLICATION FOR FINAL PLAT #FP-07-2018 filed for Woods at Hillcrest 9th Addition.**

2nd: Dan Clinger

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

3. APPLICATION FOR CONDITIONAL USE CU-06-2018 filed by Kathie Hamilton, 2140 Blanchard Avenue to establish a retail operation run by the owner and family for crafts, second hand items and bait & tackle in a detached garage on the premises.

HRPC

General Information

This parcel is located on the north side of Blanchard Avenue and is zoned R-2 Single Family Medium Density. Land to the north, east and west is also zoned R-2. To the south is zoned B-3 General Business in Marion Township. It is not within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Medium Lot.

Parcel History

This is the site of a single family home.

Staff Analysis

The applicant wishes to operate a Home Business out of a detached garage at the north end of the property. The application states that they wish to sell bait and tackle, craft wood items, miscellaneous second-hand items and have a painting art gallery. A Home Business, according to the City of Findlay Zoning Ordinance, is defined as: Any occupational activity carried on exclusively by a member of an immediate family residing on the premises and conducted entirely on the premises. No commodity shall be sold on the premises except that which is produced thereon, nor mechanical equipment used in fabrication or alteration of product, tools, gear, etc. from which external effects may adversely affect adjacent property. Home Businesses shall be clearly incidental and secondary to the use of the premises for dwelling purposes, and shall not change the structural character thereof.

On a visit to the site, we found large “tent-like” structures in the east side of the driveway and on the west side of the garage. A neighbor had stated that there are outdoor sales conducted on the property at least every other week. It appears that the property has already taken on a commercial type character.

A key point in this assessment is conducting this much business out of a garage and keeping that business “incidental and secondary” to the residential character of the property. Outdoor storage or sales are not permitted for a Home Business. No signs are permitted for Home Occupations. The opinion is that they should not have signs in order to maintain the character of the residential neighborhood. A neighbor or anyone driving by should not be able to tell there is a business being conducted on the premises.

According to the Auditor’s website, the garage is 24’ x 30’ in size. That is 720 square feet. Parking for commercial business is one space per 375 square feet. In this instance, only two (2) parking spaces would be required. There is another garage attached to the house to provide two (2) additional parking spaces for the residence itself. Parking is not permitted in front yards in residential areas and any commercial operation is required to have parking areas paved. There is no indication on the application as to how much traffic they may anticipate or if they will maintain any regular hours of operation.

Staff Recommendation

HRPC Staff recommends denial of APPLICATION FOR CONDITIONAL USE CU-06-2018 for a retail operation for crafts, second hand items and bait & tackle in a detached garage on the premises at 2140 Blanchard Avenue because it does not seem to fall into the intent and character of a Home Business as permitted in residential areas.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends **denial of APPLICATION FOR CONDITIONAL USE CU-06-2018 for a retail operation for crafts, second hand items and bait & tackle in a detached garage on the premises at 2140 Blanchard Avenue because it does not appear to fall into the intent and character of a Home Business as permitted in residential areas.**

DISCUSSION

Mr. Clinger said because there is no representative here to speak about this item, we should go ahead and go with HRPC's recommendation of denial and also see to it that the tent structures are removed based upon zoning requirements.

MOTION

Dan Clinger made a motion to **deny APPLICATION FOR CONDITIONAL USE CU-06-2018 filed by Kathie Hamilton, 2140 Blanchard Avenue to establish a retail operation run by the owner and family for crafts, second hand items and bait & tackle in a detached garage on the premises.**

2nd: Brian Thomas

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

4. APPLICATION FOR SITE PLAN REVIEW #SP-15-2018 filed by Judson Palmer House, 2911 N. Main Street, Findlay for a 17,511 square foot building addition.

HRPC

General Information

This request is located at the corner of N Main Street and Bell Avenue. It is zoned O-1 Institutions and Offices. To the north, south, and east is zoned R-1 Single Family Low Density. To the west across Main Street is zoned R-2 Single Family Medium Density and M-2 Multiple Family. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Civic.

Parcel History

This is the site of an existing assisted living facility for women.

Staff Analysis

The applicant is proposing to construct a 17,511 square foot addition on the north side of the existing building. The addition will provide new living quarters, kitchen, dining, activity center and lounge area.

Access to the site will not be changed. Traffic currently enters from the Bell Avenue side. A new parking lot will added to the front (west side) of the building providing an additional 18 spaces. The existing parking lot at the rear (east side) will remain and will be milled and repaved. The rear lot will be designated for staff parking and service/delivery vehicles. Parking for an assisted living facility is based on one space per each employee on the largest shift and one space per every three (3) rooms. The second floor of the existing building shows some rooms, but the architect has said that all clients will be moved to the 16 rooms in the new addition and those rooms will then be converted for storage. The assisted living calculations would only require 16 spaces. On the plans, they used the retirement community calculations, which work out to 28 spaces, which is the exact number shown.

There is an existing garage on the east side of the parking lot that will remain. A dumpster will be placed south of the garage. The architect stated that this would be enclosed with a 6' tall vinyl fence.

A gazebo on the north end of the site will be moved to make way for the building addition. It will be relocated east toward the rear of the site.

All required building setbacks are exceeded with the location of the new addition.

The photometric plan submitted shows that the foot candle levels are at zero in most areas and only go as high as .1 in spots. This is well below the maximum permitted.

A new sign is proposed about midway between the front sidewalk and the north property line. This will replace the existing sign currently south of the sidewalk area which is in disrepair. It will be double sided and mimic the design of the old sign. The architect did not have designed details yet. He also stated that they no longer will replicate any signage at the corner of N Main Street and Bell Avenue. There is a directional sign indicated on the Bell Avenue side where the driveway splits. The design for that is not yet available either, but the locations appear to meet standards. The signs are on a separate permit and the details will have to be submitted to the Zoning office and approved.

The site has many mature trees that create a park-like setting. A few will be removed for constructions purposes, but the majority will remain. The landscape plan submitted shows shrubs and trees along the west (front) side of the parking lot. Island areas in the new parking lot have trees and plantings. The new addition will be lined with foundation plantings. There are proposed rose garden areas indicated on the east side and new plantings will be added around the gazebo when it is relocated. A walkway will connect the gazebo area with another proposed garden/seating area.

The elevation drawing shows that the new addition will be designed to blend in with the existing architecture. The pillars, window styles and trim details will mimic the old building.

Staff Recommendation

HRPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-15-2018 filed by Judson Palmer House at 2911 N. Main Street.**

ENGINEERING

Access –

Will be using the existing drive off of Bell Avenue.

Sanitary Sewer –

The sanitary sewer on site is all private. The sanitary sewer on site is proposed as a gravity sewer being drained into a lift station that will be pumped to the City Sewer at the SE corner of the property. The Engineering Department would like to see information on the lift station prior to approval.

Waterline –

An existing 4-inch WL is located on the south side of the site. Will the new building be using the existing WL or will a new service be needed?

Stormwater Management –

Stormwater will be contained by the proposed onsite detention pond. Detention calculations were submitted with the construction drawings. All onsite water will be routed to the detention pond and the outlet to the existing storm sewer on Main Street.

MS4 Requirements –

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

Recommendations:

- Conditional Approval of the Site Plan
 - Submit Additional Lift Station information
 - Will a new WL service be needed.

Following Permits are Needed Before Construction Can Start:

Storm Sewer Permit-	1 total
Sanitary Sewer Permit-	1 total
Sidewalk Permit-	1 total
Drive/ Curb Cut Permit-	1 total
Possible WL Reconnect-	1 total

FIRE PREVENTION

Plans do not show the location of the UG fire line for the new addition.
Apply for all necessary permits with Wood County Building Department.

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-15-2018 filed by Judson Palmer House at 2911 N. Main Street subject to the following conditions:

- Submit Additional Lift Station information (ENG)
- Will a new WL service be needed? (ENG)
- Plans do not show the location of the UG fire line for the new addition. (FIRE)
- Apply for all necessary permits with Wood County Building Department. (FIRE)

DISCUSSION

Jeremy Kalb asked if there were going to be utilizing the existing water line or if a new service would be needed. Greg Burks said they are going to use a 4 inch spire.

Jackie Schroeder asked if the detention pond would maintain a water level. Mr. Burks said it would be a dry basin. Brett Gies said that they are proposing wetland and wildflower seeding for the bottom of the detention area.

Jonathan Wilkins, a resident at a neighboring property on the corner of Bell and Main St., mentioned that the streets are very narrow there and he's had construction vehicles park in front of his driveway which makes it hard to get in and out of the driveway. Mr. Gies asked Mr. Wilkins which property he was in, and Mr. Wilkins replied that he's on the corner of Bell and Main. Mr. Gies stated that all construction equipment must be on-site. It does depend on the order of operations but they will have to do a lot with the storm water grading and drainage first to dig out the pond but they should have adequate space in the rear of the site to store a lot of the construction equipment and construction materials. Mr. Wilkins asked if there were specific hours of operation and stated he was just curious because he has four children. Mr. Gies said that hours of construction are typically during the day, on weekends as needed, but they're so early in the process that they don't have a contractor under contract at this time so that will be worked out once they have that settled.

MOTION

Dan Clinger made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-15-2018 filed by Judson Palmer House, 2911 N. Main Street, Findlay for a 17,511 square foot building addition subject to the following conditions:**

- **Submit Additional Lift Station information (ENG)**
- **Water line service (ENG)**
- **Plans do not show the location of the UG fire line for the new addition. (FIRE)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**

2nd: Jackie Schroeder

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

5. APPLICATION FOR SITE PLAN REVIEW #SP-16-2018 filed by Terrapin Acquisitions, 320 S. Main Street, for a proposed 6,000 square foot retail building to be located at 233 Stanford Pkwy.

HRPC

General Information

This request is located on the east side of a private drive running off Stanford Parkway. It is zoned I-1 Light Industrial. To the north, south, and west is also zoned I-1. To the east is Interstate 75. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Industrial.

Parcel History

This is a vacant lot. The applicant came before City Planning Commission in August 2018 with a request for Conditional Use in order to construct a retail business in the Industrial zoning. The request was granted at the August 9 meeting.

Staff Analysis

The applicant is proposing to construct a 60' x 100' (6000 square foot) building. The location of the lot meets the required setbacks for the I-1 District.

One access point is proposed from the private drive. This will lead to the parking lot at the front of the building. The plan indicates 17 parking spaces. The requirement for 6000 square feet of building is 16 spaces.

There is no proposed accessory signage. Wall signage is not regulated if the owners wish to mount something on the building itself.

There are no parking lot light poles. The only lighting will be mounted on the building and they have indicated that it will not shine off the property. There are no requirements for photometrics in the Industrial areas unless it would abut residential.

There are foundation plantings shown on the front of the building. Because it is one of the last lots in an industrial area on a private drive, Staff does not see good reason to spend a lot on landscaping around a parking lot. None of the other parcels were required to do so.

The elevation drawings show split face block and metal siding construction. The front will have a heavy timber entry structure over the doorway. There are no architectural standards for the Industrial zoning.

Staff Recommendation

HRPC Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-16-2018 for a proposed 6,000 square foot retail building to be located at 233 Stanford Pkwy.

ENGINEERING

Access –

Will be from a new drive off the private street that is located in front of the property.

Sanitary Sewer –

The sanitary sewer lateral is proposed to come out of the south side of the building, and connect to the existing lateral on the southwest corner of the property.

Waterline –

A new 1-inch waterline is proposed to come out of the south side of the building and connect to the existing waterline service at the southwest side of the private street.

Stormwater Management –

A detention pond is proposed on the east side of the site. Detention calculations were submitted as part of the plans. The detention calculations show that the site drainage area is 0.82 Acres, but the whole property is 1.448 acres. Will need to verify the drainage.

As part of the project the contractor/ consultant will need to make sure that the area just west of the parking lot is all graded to the proposed swale.

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 Erosion & Sediment Control Ordinance.

Recommendations:

- Conditional Approval of the Site Plan
 - Finalize the detention calculations

Following Permits are Needed Before Construction Can Start:

Sanitary Sewer Reconnect- 1 total

Waterline Reconnect- 1 total

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department.

STAFF RECOMMENDATION

Staff recommends approval of APPLICATION FOR SITE PLAN REVIEW #SP-16-2018 for a proposed 6,000 square foot retail building to be located at 233 Stanford Pkwy subject to the following conditions:

- Finalize the detention calculations (ENG)
- Apply for all necessary permits with Wood County Building Department. (FIRE)

DISCUSSION

Mr. Clinger said he assumed that the detention is going to be dry. Dan Stone said that is correct. Mr. Clinger said there's no pole lighting just lighting on the building but he's assuming that there's no lighting on the north, south or east sides of the building which could interfere with traffic on the interstate. Mr. Stone said if there is anything back there, it will be so low voltage and low foot candles that it shouldn't have an impact. Ms. Schroeder asked if the owner was planning for any signage on the building. Mr. Stone said he assumes if they do, they'll likely have to back through with permits through the City. He said right now, they are only talking about building signage.

MOTION

Dan Clinger made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-16-2018 filed by Terrapin Acquisitions, 320 S. Main Street, for a proposed 6,000 square foot retail building to be located at 233 Stanford Pkwy subject to the following conditions:**

- **Finalize the detention calculations (ENG)**
- **Apply for all necessary permits with Wood County Building Department. (FIRE)**

2nd: Jackie Schroeder

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

ADJOURNMENT

Lydia L. Mihalik
Mayor

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

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

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

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

Honorable City Council
Findlay, OH 45840

September 27, 2018

RE: ODOT Aviation Grant Airport Beacon and Windsock, Project Number 35284600

Dear Council Members:

We have received notice that the City of Findlay was awarded the ODOT Aviation Grant to replace the damaged beacon and move the existing windsock at the airport. Due to the tight timeframe with the grant, we need to get started with the engineering on the project as soon as possible.

There are funds available in the airport's operating budget to cover the design fees so I am asking that the funds be transferred to the project.

By copy of this letter, the Law Director is requested to prepare a resolution of transfer to transfer funds as follows:

FROM:	Airport Operations (25010000-Other)	\$23,000
TO:	ODOT Aviation Grant Airport Beacon and Windsock Project Number 35284600	\$23,000

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

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

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

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

Honorable City Council
Findlay, OH 45840

September 26, 2018

RE: Aviation Fuel

Dear Council Members:

Year to date, we are seeing an average \$0.16 cost per gallon more than what was budgeted for aviation fuel for 2018. The sale of aviation fuel has been strong this year and the year to date volume sold is up thirteen (13) percent. While the increase in sales is good for operations, when combined with the increased cost, we are projecting a shortfall in the budgeted amount for the fuel loads that will need to be purchased through the end of 2018.

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

FROM:	General Fund	\$75,000
TO:	Airport Fund	\$75,000
FROM:	Airport Fund	\$75,000
TO:	Airport Operations (25010000-other)	\$75,000

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

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

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

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

Honorable City Council
Findlay, OH 45840

September 26, 2018

RE: ODOT Safety Grant Funds for Blanchard Street/Lincoln Street Project

Dear Council Members:

When talking with the selected design consultant for the project, they had mentioned the possibility of submitting to ODOT for a safety grant for the Blanchard Street. As part of the project, the consultant prepared a corridor and safety study for Blanchard Street from Tiffin Avenue to Sixth Street. The purpose of the study was to determine if any operational or safety deficiencies exist and what improvements are necessary to correct any deficiencies identified.

Based upon the results from the corridor and safety study, the City would be able to submit for a safety fund grant from the Ohio Department of Transportation. Based upon the findings, the recommended amount for the grant that would be justified is \$2,750,000.

The preliminary total estimated construction cost for the multi-use trail on Lincoln Street and all of the work on Blanchard Street is \$4,659,388. The City has already been granted a TAP grant for \$1,200,000 and if awarded, the safety grant would be \$2,750,000. The City's share of the construction would be the remaining \$709,388 (or just over 15% of the total estimated construction cost of the project).

For informational purposes, I have attached some highlights from the corridor and safety study for you to review.

By copy of this letter, the Law Director is requested to prepare a resolution supporting the submittal of a safety funding application to the Ohio Department of Transportation for Blanchard Street (PID 104247).

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

Highlights from the Corridor Safety Study

Looking at the calendar years of 2015 to 2017, there were 138 crashes reported along this corridor. Forty-five (45) of the crashes were rear end crashes occurring due to the lack of turn lanes versus the high number of side streets, alleys and driveways. Twelve (12) of the accidents were sideswipe-passing accidents caused by drivers trying to switch lanes to go around vehicles waiting to turn left. Twenty-five (25) of the accidents were left turn crashes caused when vehicles wanting to turn left cause a visibility issue for vehicles going in the opposite direction, who also want to turn left. There were also six (6) reported accidents that involved vehicles and bicycles. Eighty (80) percent of the accidents were property damage only while the remaining twenty (20) percent were injury crashes with no fatal crashes reported in those years.

Using ODOT's Economic Crash Analyst Tool (ECAT) the expected crash frequency for the existing lane configuration and traffic volumes is 39.26 crashes per year. The actual observed crashes (using the data listed above) is 46 crashes per year. Using the proposed improvements, the predicted crash frequency (using ECAT and the proposed conditions) will be reduced to 31.05 crashes per year.

The proposed improvements will include traffic signal upgrades, pedestrian ramp replacement (if the existing ramps do not meet current standards), repaving, new pavement markings and the reconfiguration of the existing lanes so that left turn lanes can be added at Sandusky Street and Lincoln Street (without additional right of way being needed) and the addition of bike lanes on each side of the pavement. I have attached a rendering of the proposed lane reconfiguration so that you can get an idea of what the corridor could look like when the project is completed.



LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL

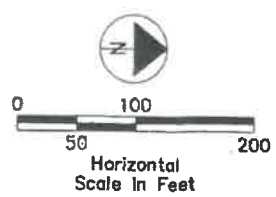
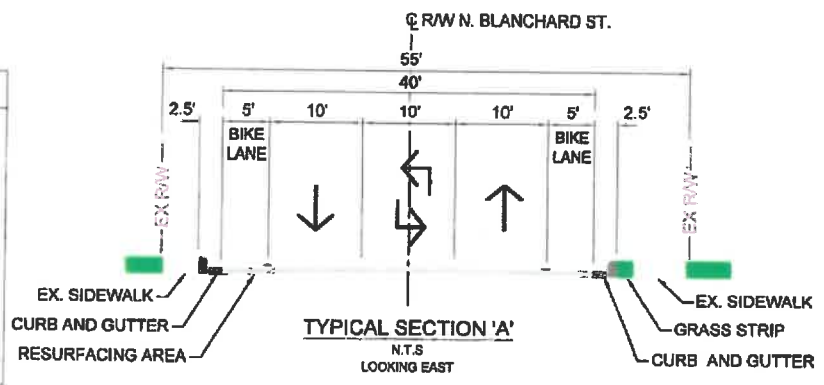


FIGURE 6

PROPOSED IMPROVEMENT RENDERING
SHEET 1 OF 6







AUGUST 2018

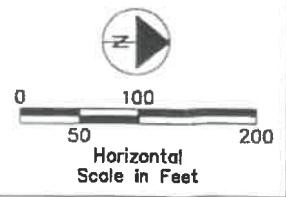
Date: 08/01/18
 Project: 18-001
 Sheet: 1 of 6



MATCH LINE 'A'

MATCH LINE 'B'

LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL





GPD GROUP
Glaus, Pyle, Schorn, Bates & DeBever, Inc.
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FIGURE 6

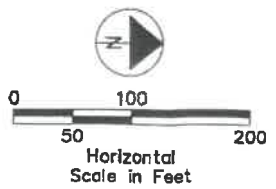
**PROPOSED IMPROVEMENT RENDERING
 SHEET 2 OF 6**

AUGUST 2018

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LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL





GPD GROUP
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FIGURE 6

**PROPOSED IMPROVEMENT RENDERING
 SHEET 3 OF 8**

AUGUST 2018

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LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL

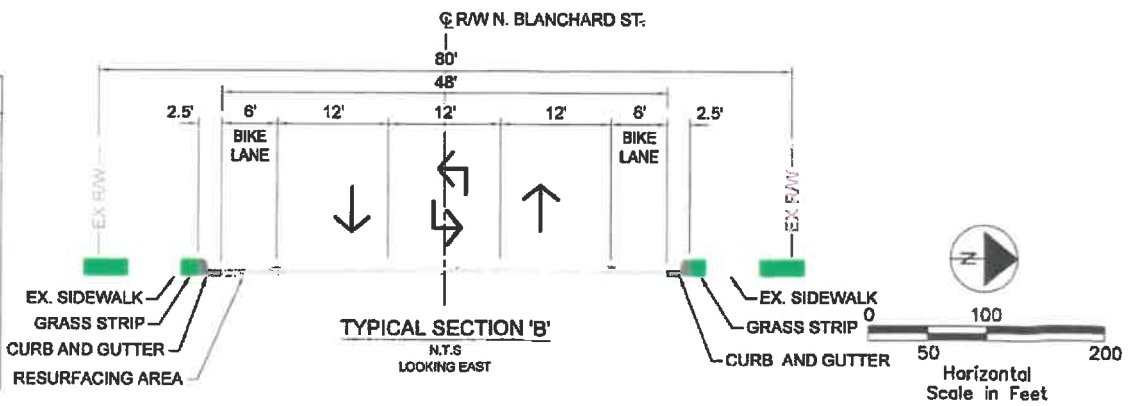


FIGURE 6

PROPOSED IMPROVEMENT RENDERING
SHEET 5 OF 8

AUGUST 2018

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

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

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

Honorable City Council
Findlay, OH 45840

September 26, 2018

RE: Ohio Public Works Commission Grant Application
Howard Street Waterline Replacement

Dear Council Members:

Engineering is preparing to submit a grant application for funding from the Ohio Public Works Commission (OPWC). The application will cover the replacement of an old transite waterline on Howard Street (from Broad Avenue to Walmart) and the replacement of a four (4) inch waterline with a twelve (12) inch waterline (from Main Street to Morey Street).

By copy of this letter, the Law Director is requested to prepare the necessary legislation that will authorize City Representatives to execute the necessary grant application(s) and/or agreement(s) to receive the grant funds.

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

FINDLAY MUNICIPAL COURT

Municipal Building, Room 206 and 208
318 Dorney Plaza
Findlay, OH 45840-3346

JUDGE MARK C. MILLER

JUDGE ALAN D. HACKENBERG

DAVID C. SPRIDGEON
CLERK OF COURTS

DAVID D. BEACH
DIRECTOR OF COURT SERVICES

PHONE AND FAX NUMBERS:

Criminal/Traffic 419-424-7141
Civil 419-424-7143
Judges' Offices 419-424-7144
Assignments 419-424-7495
Fax 419-424-7803

September 28, 2018

Findlay City Council
318 Dorney Plaza
Findlay, Ohio 45840

Dear Council:

Recently the Ohio General Assembly passed H.B. 312 to establish additional safeguards concerning governmental use of credit cards. This legislation instituted Section 717.31 of the Revised Code relating to municipal corporations that utilize credit cards. This legislation is effective on November 2, 2018 and affords cities ninety days to adopt a written policy on the use of credit card accounts. As a result of this legislation, the judges of the Findlay Municipal Court have determined it best to also develop a credit card policy specifically for the Court. A copy of the Court's policy and related documents are attached for your information.

We have been advised Findlay City Council is considering legislating a policy for the use of credit cards by City officials and employees. Although we understand the City's desire to implement a policy that will cover all City offices, you are no doubt aware that the Court is not a City office or department. To the contrary, a municipal court is an arm of the State of Ohio and ultimately answers to the Supreme Court of Ohio. Ohio Cons. Art. 4, §4(A) and § 5 (the Supreme Court has "general superintendence over all courts in the state...[which is] exercised by the chief justice in accordance with rules promulgated by the Supreme Court.")¹ Simply stated, the Court is a separate, independent and equal branch of government. Ohio Cons. Art. 4, §1.

¹ Ohio courts have been repeatedly designated as arms of the state, not their political subdivision. *See, e.g., Lott v. Marietta Municipal Court*, No. 2:13 CV 00377 (Dec. 17, 2013, S.D. Ohio); *S.J. v. Hamilton Cnty., Ohio*, 374 F.3d 416 (6th Cir. 2004); *Meyers v. Franklin Cnty. Ct. Com. Pl.*, 81 F. App'x 49, at 56 (6th Cir. 2003); *Mumford v. Basinski*, 105 F.3d 264, 269 (6th Cir 1997); *Tanner v. Muskingum Cnty. Ct. Com. Pl.*, No. 2:07-CV-711, 2008 WL 114359, at *1 (S.D. Ohio Jan. 9, 2008); *Central Ohio Alternate Program v. Ballinger*, No. 3:06-CV-01083, 2007 WL 846506, at *4 (N.D. Ohio Mar. 20, 2007) (Marion Municipal

The Court acknowledges that the City of Findlay is a funding authority for the Findlay Municipal Court (along with Hancock County). However, counties and municipalities are creatures of statute and have only those powers expressly conferred by statute. As a matter of law, the City is not the operator of the Court, its judges, or its employees—rather, the Court’s appointees serve exclusively at the discretion and pleasure of the Judges, and the Court has autonomy over its fiscal policies.

The “administration of justice by the judicial branch of the government cannot be impeded by the other branches of the government in the exercise of their respective powers.” *State ex rel. Johnston v. Taulbee*, 66 Ohio St.2d 417 (1981). Further, a court’s authority to effectuate the orderly and efficient administration of justice without monetary or procedural limitations by the legislature is said to be within the inherent powers of the courts. *State, ex rel. Johnston, v. Taulbee*, 66 Ohio St.2d 417, at 420-422 (1981).

The Ohio Supreme Court has held: “We recognize that the power to control what a court spends, or to totally regulate the process of obtaining funds, ultimately becomes the power to control what the court does. Such a principle is an anathema to an independent judiciary.” *State, ex rel. Musser, v. Massillon*, 12 Ohio St. 3d 42 (1984); *State, ex rel. Durkin, v. Youngstown City Council*, 9 Ohio St. 3d 132, 134-135 (1984). The determination of necessary administrative expenses rests solely with the court, and another branch of government may not substitute its judgment for that of the court. See generally *State ex rel. Foster v. Lucas Cty. Bd. of Commrs.*, 16 Ohio St.2d 89, 242 N.E.2d 884 (1968).

Our purpose in providing this letter is to inform Council the Court will be utilizing a Credit Card Policy adopted by the Municipal Court Judges. Please be aware the Court’s Credit Card Policy was designed to comply with H.B. 312 even though the statute, by its own express terms, does not apply to the Court. In addition, the Court’s policy adopts the Ten Best Practices as described by the State Auditor. Also, the policy duplicates much of the City’s current policy and practices.

We previously submitted this policy to the City Law Director and City Auditor for any suggestions prior to its implementation. As always, we are willing to meet with City officials to discuss matters of mutual concern. Fortunately, H.B. 312 affords Council ample time before a final policy must be adopted. This will allow the other elected officials and department heads to work collaboratively so uniformity can be achieved, where possible, in policies.

Sincerely,



Judge Mark C. Miller



Judge Alan D. Hackenberg

**Findlay Municipal Court
Bank Credit Card Policy**

The Court recognizes the value of an efficient method of payment and recordkeeping for certain expenses. In order to do so, the Court's formal policy will follow the 10 best practices as described by State Auditor David Yost in December 2017:

- Designation of the person(s) empowered to authorize and approve credit card transactions.
- The names and job titles of officers and employees authorized to use cards.
- Spending limits for each card user.
- A clear directive that the credit card may be used only for official business and for the benefit of the public entity.
- Requiring an itemized receipt for each credit card purchase.
- Outlining disciplinary action that may be taken for misuse of a credit card.
- A list of the documents that are to be maintained to create an appropriate audit trail.
- A statement signed by each card user acknowledging that he/she has read the credit card policy and will abide by it.
- A list of expenditures that are strictly prohibited (e.g. entertainment, alcoholic beverages, personal services, and cash advances).
- A system for recovery of costs associated with an improper use of the credit card.

In addition, this policy incorporates Sub. H.B. No. 312 as passed by the 132nd General Assembly of the State of Ohio and signed by the Governor. The following directives are in addition to the above as per the Bill:

- The types of expenses for which a credit card account may be used.
- The procedure for acquisition, use, and management of a credit card account and presentation instruments related to the account.
- The procedure for submitting itemized receipts to the fiscal officer or designee.
- The procedure for credit card issuance, credit card reissuance, credit card cancellation, and the process for reporting lost or stolen credit cards.

The Court's policy (in descending order addressing each of the above) shall be:

The persons empowered to authorize and approve credit card transactions are the elected Judges and the Director of Court Services. In the absence of the Director, the Clerk of Courts is his designee.

The names and titles of employees authorized to use cards are Judge Mark Miller, Judge Alan Hackenberg, Director of Court Services David Beach, Clerk of Courts David Spridgeon, Chief Deputy Clerk Heather Eigel, and Probation Officers David Claflin, Candace Griffith and Morgan Huber.

The spending limits for the Probation Officers and Chief Deputy Clerk is \$1000. The Judges, Director of Court Services and Clerk of Courts is \$2,500. Spending limits for a card user may be increased for limited purposes. (ex; extended travel or an exceptional purchase for the Court.)

It is the directive of the Court that the credit card may be used ONLY for official business and for the benefit of the Findlay Municipal Court as determined by the Judges of the Court.

It is the directive of the Court that each credit card purchase be accompanied by an itemized receipt.

A cardholder who makes an unauthorized purchase with the card or uses the card in an inappropriate manner will be subject to disciplinary action which will include restitution to the City of Findlay. Discipline will be pursuant to the employee handbook and may include possible termination of employment with the Court and criminal prosecution. Investigation of any alleged wrongdoing lies solely with the Director of Court Services.

The system for recovery of costs associated with an improper use of the card will include the Court having a prior lien against and a right to withhold any and all funds payable or to become payable to the employee up to an amount of the disallowed charges and interest at the same rate as charged by the credit card company. The repayment must be done prior to the bill being due.

All itemized receipts are to be approved by the Judges, Director of Court Services and in his absence the Clerk of Courts. The receipts will be submitted to the City Auditor for payment of the card charges.

Expenditures that are strictly prohibited when using the credit card are:

- Items for personal use.
- Items for non-Court use.
- Cash or cash advances.
- Alcoholic beverages.
- Weapons of any kind or explosives (except authorized purchases for Court personnel whose job duties require them to be armed).
- Entertainment (including hotel pay per view movie charges) or recreation.

A purchase made with a credit card may be made in-store, by telephone, fax or internet. The bank credit card may be used for Court employee travel expenses; a purchase order is required prior to use of the card. The purchase order must include the name and address of the vendor accepting the credit card.

Expenditures that are permitted when using the credit card are:

- Fuel for Court vehicles while away on Court related travel.
- Online training sessions.

- Travel expenses including items such as meals, hotels, parking fees, toll fees, airline tickets and other travel related expenses.
- Rental cars.
- Other purchases deemed appropriate for purchase with the use of the bank credit card by the Judges, Director of Court Services and in his absence, the Clerk of Courts.

The procedure for acquisition, use and management of the Court credit cards is as follows: The Clerk of Courts is the Court's Fiscal Officer who will keep the cards in the Court safe when not used. The Clerk will administer and keep record of the employee's cardholder agreements, order cards through the City Auditor's Office, prepare requisitions that require the Director of Court Services approval to become purchase orders, collect itemized receipts and provide the City Auditor's Office proper documentation so that the bill may be paid.

The Clerk of Courts shall maintain a record of when and who uses the cards as issued and requested. Quarterly, the Director of Court Services or his designee shall review the number of cards issued, the number of active cards, the cards expiration dates and credit limits as prescribed in Sub H.B. No 312, which creates ORC section 9.21 (D).

All itemized receipts must be submitted to the Clerk of Courts within 3 days of returning to work after the credit card use. Receipts will be signed by the employee and his/her supervisor prior to submission to the City Auditor's Office.

The Judges, Director of Court Services or in his absence the Clerk of Courts, will contact the City Auditor's Office when a card needs issued, reissued, cancelled or lost/stolen.

It is the responsibility of each individual cardholder to:

- Safeguard the credit card, the card number and PIN at all times; lost or stolen cards must be immediately reported to Court management.
- Carry additional picture ID as all cards are marked "Request ID" on the back.
- Keep cards in the provided RFID sleeves as issued.
- Not allow anyone to use the card except for the employee.
- Obtain and retain original itemized receipts for goods and services purchased. Copies are not permitted and must be submitted with the credit Card Transaction Log.

The cardholder is required to detail each purchase (non-travel purchases):

- Cardholders name and employee number.
- Date of transaction.
- Merchant name.
- Complete item description.
- Acknowledgment sales tax has not been charged.
- Total amount of the transaction.
- The purchase order number.
- A returned item's credit slip.

- The employee signature and date.
- The supervisor's signature and date.

A card may be cancelled by the issuer or Court for any of the following:

- Card is lost/stolen.
- Card information has been hacked/ used fraudulently.
- Employee resigns, retires, or is terminated.
- Cardholder requests cancellation.
- Cardholder misused/ abused privileges.
- Cardholder fails to comply with this policy.

When making a telephone or internet order, each and every purchase is to be supported by documentation. Print all screens in the order process to ensure there is some sort of documentation of the purchase price. When the order arrives, packing slips should be retained and submitted with the Credit Card Use Transaction Log.

Internet orders should only be placed with reputable merchants who provide a secure ordering site. Users should ensure the site utilizes industry recognized encryption transmission tools. (padlock symbol, URL that begins with https, etc) The card number shall not be stored on a vendor's system, uncheck the option if present. The cardholder shall ensure the purchase is sales tax exempt before finalizing the order.

Findlay Municipal Court

Bank Credit Card Cardholder Agreement

- I acknowledge I am a person permitted to use a City of Findlay MasterCard credit card.
- I acknowledge receipt of the Findlay Municipal Court's Bank Credit card Policy, I have read, understand and will conform to it.
- The card may be revoked at any time.
- The card is not an entitlement and is not reflective of title or position.
- All charges are billed directly to and paid by the City of Findlay Auditor's Office through the bank credit card statement.
- Any personal charges could be considered a misappropriation of City funds since the cardholder cannot pay the bank directly.
- Cardholders are to comply with control procedures including keeping receipts, completing appropriate expense reports, transaction log upon use of card. Proper card security measures are paramount. Court Management, City Auditor's Office and/ State Auditor's Office will audit the use of this card, reporting any discrepancies.
- Prior to receipt submission, the cardholder and their Supervisor will sign the applicable Credit Card Use Transaction Log or Travel Expense Report with the receipts attached. The cardholder is responsible to provide itemized receipts for all bank card transactions.
- A lost or stolen card is to be immediately reported to Court Management and to the bank. 24 hours, 7 days a week: 1-800-375-1747
- The card is to be returned to the Clerk of Courts upon return from travel or once the purchase is completed.

The bank credit card is for business related purchases only. Personal charges are not to be made to the bank credit card. IN accepting this card, I understand I am the only person to use the card and am responsible for all charges made against the card. Improper use of the card can be considered a misappropriation of City funds which will result in disciplinary action. In addition, should I fail to use the card properly and make repayment when required, I understand the Court may deduct from my wages that amount equal to the total of the discrepancy. Improper use of the card may also result in revocation of credit card privileges. I also understand the Court may elect to collect such amount including legal fees, even if I am no longer employed by the Court.

Printed Name on card

Last 4 digits of card

Signature

Emp. #

Date

Findlay Municipal Court
Credit Card Use Transaction Log
(non-travel purchase)

Employee Name Employee #

Date of transaction Merchant Name

Complete item description

Sales tax has not been charged _____
Total amount of the transaction

Purchase Order # Returned credit slip attached? YES or NO

Employee Signature

Supervisor Signature

Original to Auditor's Office

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The APPROPRIATIONS COMMITTEE to whom was referred a request from the Service Director/Acting City Engineer to discuss the purchase of a vactor truck for hydro excavating to replace the Water Distribution Department's existing trailer vactor.

FROM: Vincent Street Waterline Replacement Project No. 35774000 \$ 79,000.00
TO: Water Distribution #25053000-other \$ 79,000.00

We recommend

approval of transfer as requested

Aye Nay *Grant Russel*
Grant Russel, Chairman

Aye Nay *[Signature]* *motion*
John Harrington

Aye Nay *Absent*
Dina Ostrander

Aye Nay *[Signature]*
Tom Shindlecker

Aye Nay *[Signature]* *second*
Jeff Wobser

APPROPRIATIONS COMMITTEE

DATE: September 18, 2018

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service Director/Acting City Engineer to discuss CUBE Department code updates, project no. 31984100.

FROM: CIT Fund – Capital Improvement Restricted Account \$ 595,000.00
TO: 2018 CUBE Code Updates *Project No. 31984100* \$ 595,000.00

We recommend

appropriate funds as requested

Aye Nay *Grant Russel*
Grant Russel, Chairman

Aye Nay *[Signature]*
John Harrington

Aye Nay *ABSENT*
Dina Ostrander

Aye Nay *[Signature]*
Tom Shindledecker

Aye Nay *[Signature]*
Jeff Wobser

APPROPRIATIONS COMMITTEE

SECOND
DATE: September 18, 2018

LEGISLATION _____

MOTION

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service Director/Acting City Engineer to discuss 2019 CIT Fund.

We recommend discussed 2019 CIT FUND.

Aye Nay *G-T Russel* *MOTION*
Grant Russel, Chairman

Aye Nay *[Signature]*
John Harrington

Aye Nay *Absent*
Dina Ostrander

APPROPRIATIONS COMMITTEE

Aye Nay *[Signature]* *SECOND*
Tom Shindledecker

DATE: September 18, 2018

Aye Nay *[Signature]*
Jeff Wobser

LEGISLATION _____

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
October 2, 2018**

RESOLUTION NO. 019-2018 (*Water Distribution vector truck*) requires three (3) readings **tabled after third reading on 9/18/18**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 021-2018 (*mid-year budget transfer*) requires three (3) readings **third reading**
A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-068 (*Zoning personnel enforcement rights in right-of-way*) requires three (3) readings **tabled after third reading on 8/7/18**
AN ORDINANCE ENABLING THE CITY OF FINDLAY ZONING DEPARTMENT PERSONNEL ENFORCEMENT RIGHTS WITHIN RIGHT-OF-WAY AREAS WITHIN CITY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-090 (*Airport jet refueling truck*) requires three (3) readings **third reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT WITH SKYMARK FOR THE PURCHASE OF A REPLACEMENT JET REFUELING TRUCK FOR THE CITY OF FINDLAY AIRPORT, APPROPRIATING AND TRANSFERRING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-091 (*2018 Cube Code Updates, project no. 31984100*) requires three (3) readings **third reading**
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-092 (*parking in right-of-way*) requires three (3) readings **third reading**
AN ORDINANCE AMENDING SECTION 351.03(a)(21) OF CHAPTER 351 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2018-093 (*mid-year budget appropriations*) requires three (3) readings **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-094 (*High Street Sewer Replacement*) requires three (3) readings **third reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-097 (*credit card policy*) requires three (3) readings **second reading**
AN ORDINANCE APPROVING THE BANK CREDIT CARD POLICY ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A.

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

OCTOBER 2, 2018

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

RESOLUTIONS:

- 022-2018 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).
- 023-2018 A RESOLUTION TRANSFERRING FUNDS WITHIN APPROPRIATED FUNDS, AND DECLARING AN EMERGENCY.
- 024-2018 A RESOLUTION SUPPORTING THE SUBMITTAL OF A SAFETY FUNDING APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A MULTI-USE TRAIL ON LINCOLN STREET, AND VARIOUS UPGRADES TO BLANCHARD STREET WITHIN THE CITY OF FINDLAY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCES:

- 2018-098 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR A COMMUNITY PARK IMPROVEMENT PROGRAM GRANT THROUGH THE HANCOCK PARK DISTRICT FOR RESTROOM RESTORATION AND REPLACEMENT OF OUTDOOR GRILLS WITHIN THE CITY PARK SYSTEM, AND DECLARING AN EMERGENCY.
- 2018-099 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2018-100 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2018-101 AN ORDINANCE APPROPRIATING AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.
- 2018-102 AN ORDINANCE APPROPRIATING AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.
- 2018-103 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE HOWARD STREET WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.
- 2018-104 AN ORDINANCE AMENDING SECTION 373.11 AND REPEALING SECTION 373.13 OF CHAPTER 373 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 022-2018

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
WC FELTON AGENCY INC. DBA UNITED INSURANCE	190096	VARIOUS	VARIOUS	5,531.35	VEHICLE, PROPERTY AND INLAND MARINE INSURANCE	OVER PO AMOUNT
STONECO INC	190109	32880800-551400-28808	SCM&R PROJECT	10,470.63	ASPHALT	OVER PO AMOUNT

RESOLUTION NO. 023-2018

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

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:

SECTION 1: That the Auditor is authorized to transfer the following sums to the following accounts and/or projects:

FROM:	Airport Operations #25010000-other	\$ 23,000.00
TO:	ODOT Aviation Grant Airport Beacon and Windssock <i>Project No. 35284600</i>	\$ 23,000.00

SECTION 2: 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 make said transfer so that a damaged beacon may be replaced and an existing windssock may be moved at the City of Findlay Airport,

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. 024-2018

A RESOLUTION SUPPORTING THE SUBMITTAL OF A SAFETY FUNDING APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A MULTI-USE TRAIL ON LINCOLN STREET, AND VARIOUS UPGRADES TO BLANCHARD STREET WITHIN THE CITY OF FINDLAY LIMITS, AND DECLARING AN EMERGENCY.

WHEREAS, the results of a corridor and safety study conducted on Blanchard Street from Tiffin Avenue to Sixth Street enabled the City of Findlay to submit for a safety fund grant through the Ohio Department of Transportation (ODOT); and,

WHEREAS, preliminary construction costs for a multi-use trail on Lincoln Street and all of the recommended work listed in Exhibit A attached hereto is estimated at four million six hundred fifty-nine thousand three hundred eighty-eight dollars and no cents (\$4,659,388.00). The City has already been granted TAP grant funds totaling one million two hundred thousand dollars and no cents (\$1,200,000.00). If awarded, this safety grant would total two million seven hundred fifty thousand dollars and no cents (\$2,750,000.00) with the City's share of construction be the remaining seven hundred nine thousand dollars three hundred eighty-eight dollars and no cents (\$709,388.00) or just over fifteen percent (15%) of the total estimated construction cost of the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, Ohio supports the submittal of a safety funding application with the Ohio Department of Transportation for a multi-use trail on Lincoln Street, as well as various upgrades to Blanchard Street, both within the City of Findlay limits.

SECTION 1: 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 the submittal of said application to secure safety grant funds for the aforementioned projects.

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 _____

Highlights from the Corridor Safety Study

Looking at the calendar years of 2015 to 2017, there were 138 crashes reported along this corridor. Forty-five (45) of the crashes were rear end crashes occurring due to the lack of turn lanes versus the high number of side streets, alleys and driveways. Twelve (12) of the accidents were sideswipe-passing accidents caused by drivers trying to switch lanes to go around vehicles waiting to turn left. Twenty-five (25) of the accidents were left turn crashes caused when vehicles wanting to turn left cause a visibility issue for vehicles going in the opposite direction, who also want to turn left. There were also six (6) reported accidents that involved vehicles and bicycles. Eighty (80) percent of the accidents were property damage only while the remaining twenty (20) percent were injury crashes with no fatal crashes reported in those years.

Using ODOT's Economic Crash Analyst Tool (ECAT) the expected crash frequency for the existing lane configuration and traffic volumes is 39.26 crashes per year. The actual observed crashes (using the data listed above) is 46 crashes per year. Using the proposed improvements, the predicted crash frequency (using ECAT and the proposed conditions) will be reduced to 31.05 crashes per year.

The proposed improvements will include traffic signal upgrades, pedestrian ramp replacement (if the existing ramps do not meet current standards), repaving, new pavement markings and the reconfiguration of the existing lanes so that left turn lanes can be added at Sandusky Street and Lincoln Street (without additional right of way being needed) and the addition of bike lanes on each side of the pavement. I have attached a rendering of the proposed lane reconfiguration so that you can get an idea of what the corridor could look like when the project is completed.



LEGEND

- RESURFACING AREA
- EXISTING CURB AND GUTTER
- EXISTING RAISED PAVEMENT
- EXISTING BRIDGE
- EXISTING RIGHT OF WAY
- EXISTING SIGNAL

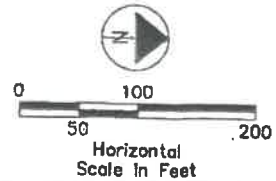
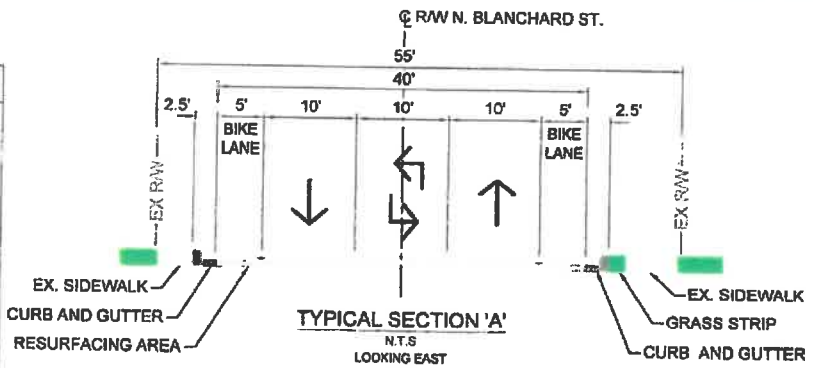


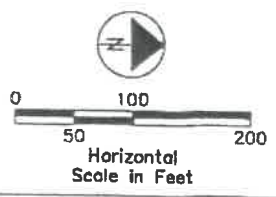
FIGURE 8

PROPOSED IMPROVEMENT RENDERING
SHEET 1 OF 6

AUGUST 2018



LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL



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FIGURE 6

**PROPOSED IMPROVEMENT RENDERING
 SHEET 2 OF 6**

AUGUST 2018







1. 11/15/18, 11/16/18, 11/17/18, 11/18/18, 11/19/18, 11/20/18, 11/21/18, 11/22/18, 11/23/18, 11/24/18, 11/25/18, 11/26/18, 11/27/18, 11/28/18, 11/29/18, 11/30/18, 12/1/18, 12/2/18, 12/3/18, 12/4/18, 12/5/18, 12/6/18, 12/7/18, 12/8/18, 12/9/18, 12/10/18, 12/11/18, 12/12/18, 12/13/18, 12/14/18, 12/15/18, 12/16/18, 12/17/18, 12/18/18, 12/19/18, 12/20/18, 12/21/18, 12/22/18, 12/23/18, 12/24/18, 12/25/18, 12/26/18, 12/27/18, 12/28/18, 12/29/18, 12/30/18, 12/31/18, 1/1/19, 1/2/19, 1/3/19, 1/4/19, 1/5/19, 1/6/19, 1/7/19, 1/8/19, 1/9/19, 1/10/19, 1/11/19, 1/12/19, 1/13/19, 1/14/19, 1/15/19, 1/16/19, 1/17/19, 1/18/19, 1/19/19, 1/20/19, 1/21/19, 1/22/19, 1/23/19, 1/24/19, 1/25/19, 1/26/19, 1/27/19, 1/28/19, 1/29/19, 1/30/19, 1/31/19, 2/1/19, 2/2/19, 2/3/19, 2/4/19, 2/5/19, 2/6/19, 2/7/19, 2/8/19, 2/9/19, 2/10/19, 2/11/19, 2/12/19, 2/13/19, 2/14/19, 2/15/19, 2/16/19, 2/17/19, 2/18/19, 2/19/19, 2/20/19, 2/21/19, 2/22/19, 2/23/19, 2/24/19, 2/25/19, 2/26/19, 2/27/19, 2/28/19, 2/29/19, 2/30/19, 3/1/19, 3/2/19, 3/3/19, 3/4/19, 3/5/19, 3/6/19, 3/7/19, 3/8/19, 3/9/19, 3/10/19, 3/11/19, 3/12/19, 3/13/19, 3/14/19, 3/15/19, 3/16/19, 3/17/19, 3/18/19, 3/19/19, 3/20/19, 3/21/19, 3/22/19, 3/23/19, 3/24/19, 3/25/19, 3/26/19, 3/27/19, 3/28/19, 3/29/19, 3/30/19, 3/31/19, 4/1/19, 4/2/19, 4/3/19, 4/4/19, 4/5/19, 4/6/19, 4/7/19, 4/8/19, 4/9/19, 4/10/19, 4/11/19, 4/12/19, 4/13/19, 4/14/19, 4/15/19, 4/16/19, 4/17/19, 4/18/19, 4/19/19, 4/20/19, 4/21/19, 4/22/19, 4/23/19, 4/24/19, 4/25/19, 4/26/19, 4/27/19, 4/28/19, 4/29/19, 4/30/19, 5/1/19, 5/2/19, 5/3/19, 5/4/19, 5/5/19, 5/6/19, 5/7/19, 5/8/19, 5/9/19, 5/10/19, 5/11/19, 5/12/19, 5/13/19, 5/14/19, 5/15/19, 5/16/19, 5/17/19, 5/18/19, 5/19/19, 5/20/19, 5/21/19, 5/22/19, 5/23/19, 5/24/19, 5/25/19, 5/26/19, 5/27/19, 5/28/19, 5/29/19, 5/30/19, 5/31/19, 6/1/19, 6/2/19, 6/3/19, 6/4/19, 6/5/19, 6/6/19, 6/7/19, 6/8/19, 6/9/19, 6/10/19, 6/11/19, 6/12/19, 6/13/19, 6/14/19, 6/15/19, 6/16/19, 6/17/19, 6/18/19, 6/19/19, 6/20/19, 6/21/19, 6/22/19, 6/23/19, 6/24/19, 6/25/19, 6/26/19, 6/27/19, 6/28/19, 6/29/19, 6/30/19, 7/1/19, 7/2/19, 7/3/19, 7/4/19, 7/5/19, 7/6/19, 7/7/19, 7/8/19, 7/9/19, 7/10/19, 7/11/19, 7/12/19, 7/13/19, 7/14/19, 7/15/19, 7/16/19, 7/17/19, 7/18/19, 7/19/19, 7/20/19, 7/21/19, 7/22/19, 7/23/19, 7/24/19, 7/25/19, 7/26/19, 7/27/19, 7/28/19, 7/29/19, 7/30/19, 7/31/19, 8/1/19, 8/2/19, 8/3/19, 8/4/19, 8/5/19, 8/6/19, 8/7/19, 8/8/19, 8/9/19, 8/10/19, 8/11/19, 8/12/19, 8/13/19, 8/14/19, 8/15/19, 8/16/19, 8/17/19, 8/18/19, 8/19/19, 8/20/19, 8/21/19, 8/22/19, 8/23/19, 8/24/19, 8/25/19, 8/26/19, 8/27/19, 8/28/19, 8/29/19, 8/30/19, 8/31/19, 9/1/19, 9/2/19, 9/3/19, 9/4/19, 9/5/19, 9/6/19, 9/7/19, 9/8/19, 9/9/19, 9/10/19, 9/11/19, 9/12/19, 9/13/19, 9/14/19, 9/15/19, 9/16/19, 9/17/19, 9/18/19, 9/19/19, 9/20/19, 9/21/19, 9/22/19, 9/23/19, 9/24/19, 9/25/19, 9/26/19, 9/27/19, 9/28/19, 9/29/19, 9/30/19, 10/1/19, 10/2/19, 10/3/19, 10/4/19, 10/5/19, 10/6/19, 10/7/19, 10/8/19, 10/9/19, 10/10/19, 10/11/19, 10/12/19, 10/13/19, 10/14/19, 10/15/19, 10/16/19, 10/17/19, 10/18/19, 10/19/19, 10/20/19, 10/21/19, 10/22/19, 10/23/19, 10/24/19, 10/25/19, 10/26/19, 10/27/19, 10/28/19, 10/29/19, 10/30/19, 10/31/19, 11/1/19, 11/2/19, 11/3/19, 11/4/19, 11/5/19, 11/6/19, 11/7/19, 11/8/19, 11/9/19, 11/10/19, 11/11/19, 11/12/19, 11/13/19, 11/14/19, 11/15/19, 11/16/19, 11/17/19, 11/18/19, 11/19/19, 11/20/19, 11/21/19, 11/22/19, 11/23/19, 11/24/19, 11/25/19, 11/26/19, 11/27/19, 11/28/19, 11/29/19, 11/30/19, 12/1/19, 12/2/19, 12/3/19, 12/4/19, 12/5/19, 12/6/19, 12/7/19, 12/8/19, 12/9/19, 12/10/19, 12/11/19, 12/12/19, 12/13/19, 12/14/19, 12/15/19, 12/16/19, 12/17/19, 12/18/19, 12/19/19, 12/20/19, 12/21/19, 12/22/19, 12/23/19, 12/24/19, 12/25/19, 12/26/19, 12/27/19, 12/28/19, 12/29/19, 12/30/19, 12/31/19, 2019



MATCH LINE 'B'

MATCH LINE 'C'

LEGEND

-  RESURFACING AREA
-  EXISTING CURB AND GUTTER
-  EXISTING RAISED PAVEMENT
-  EXISTING BRIDGE
-  EXISTING RIGHT OF WAY
-  EXISTING SIGNAL



GPD GROUP
Clark, Pyke, Schoner, Burns & DeLoraine, Inc.
 Civil/PE/CLAU, PE/ELMER, BURNS & DELORAIN, INC. 2011

FIGURE 6

**PROPOSED IMPROVEMENT RENDERING
 SHEET 3 OF 8**







AUGUST 2018

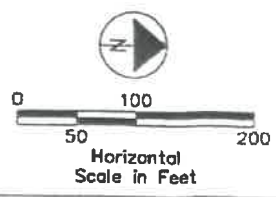
Scale: 1" = 50'-0" (Horizontal) / 1" = 10'-0" (Vertical)
 August 2018



MATCH LINE 'C'

MATCH LINE 'D'

LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL




GPD GROUP
Group, Plan, Build, Operate, Maintain, Finance
10000 E. Lincoln St., Sandusky, MI 49888

FIGURE 6

PROPOSED IMPROVEMENT RENDERING
SHEET 4 OF 6

AUGUST 2018

Project: 10000 E. Lincoln St., Sandusky, MI 49888
 Date: 8/1/18
 Scale: 1" = 100'
 Legend: 4 of 6



LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL

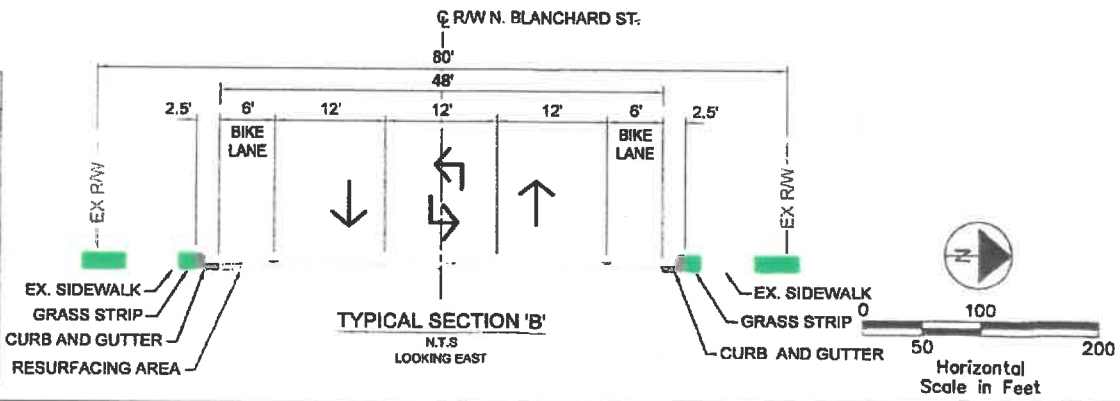








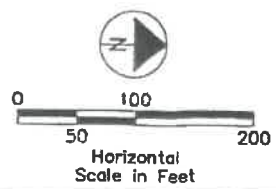
FIGURE 6


PROPOSED IMPROVEMENT RENDERING
SHEET 5 OF 6

AUGUST 2018



LEGEND	
	RESURFACING AREA
	EXISTING CURB AND GUTTER
	EXISTING RAISED PAVEMENT
	EXISTING BRIDGE
	EXISTING RIGHT OF WAY
	EXISTING SIGNAL





GPD GROUP.
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FIGURE 6

PROPOSED IMPROVEMENT RENDERING
 SHEET 6 OF 6

AUGUST 2018

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ORDINANCE NO. 2018-098

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO, TO APPLY FOR A COMMUNITY PARK IMPROVEMENT PROGRAM GRANT THROUGH THE HANCOCK PARK DISTRICT FOR RESTROOM RESTORATION AND REPLACEMENT OF OUTDOOR GRILLS WITHIN THE CITY PARK SYSTEM, 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 Director of Public Service of the City of Findlay, Ohio be and he is hereby authorized to apply for a Community Park Improvement Program grant through the Hancock Park District for restroom restoration to include concrete repair, sink, toilet, stalls, flooring and lighting replacement in both the men's and women's restrooms and to replace several outdoor grills within the City parks system, and;

SECTION 2: That all labor for the aforementioned project will be performed by the Public Works Department, and;

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 apply for said grant funds so that they may be utilized within the City park system.

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. 2018-099

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	Sewer Fund	\$ 365,900.00
TO:	2018 Annual Sewer & Manhole Lining Program <i>Project No. 35680200</i>	\$ 365,900.00

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 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. 2018-100

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:	Water Fund	\$ 80,000.00
TO:	WTP Underground Capacity Increase, <i>Project No. 35776100</i>	\$ 80,000.00

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 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. 2018-101

AN ORDINANCE APPROPRIATING AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	CIT Fund – Capital Improvement Restricted Account	\$ 15,117.46
FROM:	Sewer Fund – Stormwater Restricted Account	\$ 5,100.00
TO:	Park Street Rehabilitation <i>Project No. 32875900</i>	\$ 20,217.46

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 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. 2018-102

AN ORDINANCE APPROPRIATING AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	General Fund	\$ 75,000.00
TO:	Airport Operations #25010000-other	\$ 75,000.00

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 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. 2018-103

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE HOWARD STREET WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to authorize the Mayor and/or the Service Director of the City of Findlay, Ohio to sign and execute the aforementioned grant application(s) and agreement(s) to receive grant funds from the Ohio Public Works Commission (OPWC) for the Howard Street Waterline Replacement Project.

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

SECTION 1: That the Mayor and/or the Service Director of the City of Findlay be and they are hereby authorized to sign the necessary grant applications and agreements for Howard Street Waterline Replacement Project.

SECTION 2: That the Auditor of the City of Findlay be and he is hereby authorized to execute any and all documents necessary and requisite to obtain and comply with the OPWC grant, Project.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to apply for aforementioned grant and sign all necessary agreements so that this project may proceed on an expedited basis.

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. 2018-104

AN ORDINANCE AMENDING SECTION 373.11 AND REPEALING SECTION 373.13 OF CHAPTER 373 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

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 Section 373.11 of the Codified Ordinances of the City of Findlay, Ohio which reads as follows:

RIDING ON SIDEWALKS.

- (a) It shall be permissible for any person to ride a bicycle on the sidewalks in the City.
 - (1) When riding on sidewalks within a residential district, bicycle riders shall use the right side of the sidewalk insofar as practical.
 - (2) When riding on sidewalks within a business district, bicycle riders shall use the right side of the sidewalk insofar as adjacent to the street, and shall turn corners slowly and in such a manner as will prevent collision with pedestrians legally using the intercepting sidewalk.
 - (3) On all heavily traveled thoroughfares and sidewalks, it shall be the duty of all persons operating bicycles to ride in single file. (1979 Code 75.08).
- (b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

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

RIDING ON SIDEWALKS.

- (a) It shall be permissible for any person to ride a vehicle on the sidewalks in the City except as otherwise prohibited or restricted herein.
 - (1) When riding on sidewalks, bicycle riders shall use the right side of the sidewalk insofar as practical.
 - (2) While riding on sidewalks, bicycle riders shall obey all street signs and/or sidewalk markings as set forth therein.
- (b) No person shall ride a bicycle or operate any other vehicle in a designated Dismount Zones within the Downtown District.
 - (1) Persons shall dismount and shall walk their bicycles or other vehicles, in the designated Dismount Zones within the Downtown District.
 - (2) For purposes of this section, the
 - a. "Downtown District" is generally defined as being bordered on the north by the south side of the Blanchard River; on the south by Lincoln Street; on the east by East Street; and, on the west by Cory Street.
 - b. "Dismount Zones" within the Downtown District is further and specifically set forth in the Downtown District map attached hereto and incorporated herein and as updated from time to time with adequate notice to the public. Dismount Zones may include sidewalks, alleys and public places.

- c. "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.
- d. "Vehicle" means every device in, upon, or by which any person may be transported or moved. For purposes of this section, roller blades, roller skates, skateboards, hoverboards, electric (or motorized) scooters, electric (or motorized) skateboards, toy vehicles and any other such wheeled vehicles or devices intended to transport persons are vehicles. "Vehicles" does not include any powered or unpowered personal assistive mobility device or strollers intended to convey children.

(c) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

SECTION 2: That Section 373.13 of the Codified Ordinances of the City of Findlay titled Bicycle Licenses be and the same as repealed.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

