

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

February 5, 2013

COUNCIL CHAMBERS

ROLL CALL of 2012-2013 Councilmembers
PLEDGE OF ALLEGIANCE
MOMENT OF PRAYER

ACCEPTANCE OR CHANGES OF MINUTES AND PUBLIC HEARINGS:

Acceptance or changes to the January 15, 2013 public hearing minutes.

Acceptance or changes to the January 15, 2013 Regular Session City Council meeting minutes.

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

PROCLAMATION – none.

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS – none.

PETITIONS:

Zoning amendment request – 123 Cherry Street

Joseph Edinger has requested a zoning change for 123 Cherry Street from R3 Single Family to be rezoned to C3 Downtown District. This is to re-establish zoning that was approved by the City Planning Commission in November 2009. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Precipitation and Reservoir levels report – October-December 2012.

Mayor Lydia Mihalik – City's insurance policies

The City's insurance policies expire in July of this year. The City is desirous to re-bid these policies for the renewal period of July 2013-July 2016. Emergency legislation to accept bids and enter into a contract for this is requested. Ordinance No. 2013-006 was created.

Zoning/Floodplain Administrator Todd Richard – Flood Damage Reduction Ordinance

A draft of the updated Flood Damage Reduction Ordinance is now available via the City's website (Councilmembers were supplied with a CD). After our recent flood events, several gaps in the current code were discovered. The update clarifies some of our standards and prepares us for any future mitigation measures that may occur. The Ohio Department of Natural Resources has reviewed and approved this draft. All language with a ~~strike-through~~ symbol is old, and any **bold** type is new.

Special attention has been paid to the definitions. Many of them are for clarification purposes and make the code more complete.

- Page 7: "Critical Facility" has been defined. These types of uses will now be prohibited from the floodplain, regardless of the zoning district in which they are permitted. Critical facilities must be kept out of high risk areas.
- Page 8: engineered vents have been defined and will be mandated. Contractors will not have to install as many of the traditional vents as they did in the past to meet the venting standard.
- Page 28: above ground fuel tanks will be permitted within the 100 year flood zone, provided they are anchored on elevated structures. Underground fuel storage tanks will still be prohibited within the floodplain. This exceeds FEMA's minimum standard.
- Page 37: the prohibition of fill within the floodplain has been slightly relaxed by specifying some types of activity that will be permitted. FEMA does not prohibit fill within the 100 year floodplain, only within the regulated floodway.
- Page 38: a sandbagging standard has been created. Sandbags are considered fill, however, by keeping them within three feet (3') of a foundation wall, the impact should be minimized but also allow protection to the property during a flood event.
- Page 39: Activities within the regulated floodway are clearly specified, as specified by FEMA.
- Page 50: a falsification section has been added. Most of this wording is derived from our General Offenses Code. It has been modified for this ordinance and a violation is considered a first degree misdemeanor.

These changes will ensure continued sound floodplain management and meet or surpass the minimum National Flood Insurance Program (NFIP) standards. Findlay is still one of the top five (5) communities with the most policyholders in the state of Ohio.

A request to review all proposed changes during the review and adoption process, and that this be referred to the City Planning Commission and the Planning and Zoning Commission for a review and recommendation to Council for eventual adoption is requested.

Treasurer's Reconciliation Report – December 31, 2012

Service-Safety Director – Trenton Avenue/Blanchard Street traffic signal upgrade, project 32810300

By authorization of Ordinance No. 2011-009, bids were opened for this project on December 5, 2012. Six (6) potential contractors submitted bids with the contact being awarded to Perram Electric of Wadsworth, Ohio. The project was included in the 2012 Capital Improvements Plan with funding from ODOT. Legislation to appropriate funds is requested. Ordinance No. 2013-007 was created.

FROM: ODOT	\$ 100,000.00
FROM: Capital Improvements – CIT	\$ 5,000.00
TO: Trenton Ave/Blanchard St Traffic Signal Upgrade <i>project #32810300</i>	\$ 105,000.00

City Auditor Jim Staschiak – long term budget forecasting

Long term budget forecasting is critical to make informed decisions on the long term impact of any operational changes or new capital expenditure. Per the Government Finance Officers Association (GFOA), a proper long term plan is an invaluable tool to public officials who want to ensure the financial sustainability of their communities while providing vital public services to maintain the health, safety and welfare of citizens. The City Auditor has spoken with a specialist at the State Auditor's Office in evaluating five (5) year plans where it was made clear that a proper plan requires collaboration between the City Auditor's Office forecasting revenue projections and the Mayor's Office projecting expenses. The framework for presenting the General Fund portion of this plan will be complete in the next few weeks and will be ready for the data to be filled in by our respective offices. A forecast can be completed first quarter this year which will allow the City to comply with many of the planning recommendations in the performance audit. The City Auditor will be prepared to discuss this framework at the next Appropriations Committee meeting on February 12, 2013.

City Auditor Jim Staschiak – Cash & Investments 2012 year-end report

A Cash & Investments report for 2012 year end is enclosed. The Auditor's Office is in the final stages of closing the 2012 fiscal year and the City Auditor will be prepared to discuss the available cash balances for enterprise funds and the transfer of the one million dollars (\$1,000,000.00) to the capital improvements account, per the last Appropriations Committee meeting in 2012. Cash balances are cash in the account which is different from the unappropriated balance of each respective fund.

Service-Safety Director Paul Schmelzer – CDBG FY2012

The Ohio Department of Development has notified the City that the Community Development Block Grant (CDBG) funds for the fiscal year 2012 (construction year 2013) are now available. A portion of the funds will be used for the on-going infrastructure improvements in the West Park area. The following is a breakdown of how the grant funds will be used:

- \$75,000 = Byal Avenue (Phase II) project construction
- \$ 4,600 = Fair Housing Program
- \$22,200 = HRPC grant administration
- \$46,200 = Senior Center Equipment

Legislation to appropriate funds is requested as following:

FROM: CDBG Grant Funds	\$ 148,000.00
TO: Byal Avenue, Phase II (CDBG FY2012) , <i>Project #32523000</i>	\$101,800.00
TO: Senior Center Equipment, <i>Project #31930500</i>	\$ 46,200.00

Ordinance No. 2013-008 was created.

City Planning Commission Minutes – January 10, 2013.

Traffic Commission Minutes – January 22, 2013.

Findlay City Board of Health Minutes – December 19, 2012.

City Income Tax Monthly Collection Report – January 2013.

N.E.A.T. Departmental Activity Report – January 2013.

COMMITTEE REPORTS – none.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 044-2012 (CRA #1)

Tabled

first reading on 9/4/12 – requires Council motion to be lifted from table

A RESOLUTION AMENDING RESOLUTION NO. 33-1987, AS AMENDED BY RESOLUTION NO. 37-1988, BY INCLUDING AN ADDITIONAL AREA WHICH IS CONTIGUOUS TO THE AREA ALREADY DEFINED IN SAID REINVESTMENT AREA.

RESOLUTION NO. 045-2012 (CRA #2)

Tabled

first reading on 9/4/12 – requires Council motion to be lifted from table

A RESOLUTION AMENDING RESOLUTION NO. 38-1988, AS AMENDED BY RESOLUTION NO. 23-1990, AS AMENDED BY RESOLUTION NO. 38-1990 (TO CORRECT ERRORS IN THE LEGAL DESCRIPTION) BY INCLUDING AN ADDITIONAL AREA WHICH IS CONTIGUOUS TO THE AREA ALREADY DEFINED IN SAID REINVESTMENT AREA.

RESOLUTION NO. 006-2013

First reading

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

ORDINANCES

ORDINANCE NO. 2012-100

Tabled

Mayor referred this to the 1/8/13 Appropriations Committee meeting during the 12/18/2012 City Council meeting

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH HANCOCK COUNTY EMERGENCY MANAGEMENT AGENCY TO DEVELOP AN EMERGENCY OPERATION PLAN THAT WILL ENCOMPASS ALL POLITICAL SUBDIVISIONS OF HANCOCK COUNTY, DEVELOP A TRAINING PROGRAM, AND COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF ALL THE POLITICAL SUBDIVISIONS ACCORDING TO THE DUTIES AND REQUIREMENTS OF SECTION 5502.27 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-004

Third reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH CONGRESSMAN LATTA'S OFFICE TO LEASE APPROXIMATELY THREE HUNDRED SEVENTY SQUARE FEET OF OFFICE SPACE IN THE CITY OF FINDLAY'S MUNICIPAL BUILDING.

ORDINANCE NO. 2013-006

First reading

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO TO TAKE BIDS AND ENTER INTO CONTRACTS FOR INSURANCE COVERAGE FOR AIRPORT LIABILITY, AUTOMOBILE, BOILER MACHINERY, CONTRACTOR'S EQUIPMENT, CRIME INSURANCE, POLICE PROFESSIONAL LIABILITY, PUBLIC OFFICIAL'S ERRORS AND OMISSION LIABILITY, REAL AND PERSONAL PROPERTY, AND HEALTH INSURANCE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-007

First reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-008

First reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS

PETITION FOR ZONING AMENDMENT

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

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

ADDRESS 123 Cherry St SUBDIVISION N. Findlay Addition

LOT No.(s) 963 + 964 w. 52 feet

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

SIGNATURE SUBDIVISION LOT NO. STREET FRONTAGE

N/A - Only one lot

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE Commercial - Since 1920

PRESENT ZONING DISTRICT R-3 Single family

PROPOSED ZONING DISTRICT C-3 Down Town Dist

ATTACH:

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

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

- c. A statement of how the proposed rezoning relates to the Findlay Comprehensive Land Use Plan. *Re-establish zoning approved by Planning Commission in Nov 2009 -*
- d. Application for Planned Unit Development, City Planning Commission, City of Findlay, Ohio, if applying for a PUD. *n/a*

Name of Contact Person Joseph F Edinger

Mailing Address 820 Third St - Findlay,

Phone No. (Home) (419) 424-1359 (Business) None

1-25-2013
Date

Joseph F Edinger
Signature of contact Person

OFFICE USE ONLY

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

Date Petition Submitted to City Council

Referral to Planning Commission Referral to Planning & Zoning

Planning Commission Disposition

Planning & Zoning Disposition

Public Hearing Date Set By Council

Date of Newspaper Notice
(Must be mailed at least 30 days prior to Hearing)

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

Referred for Legislation:

Date of Readings by Council:

First _____ Second _____ Third _____

Action by Council: _____ Ordinance No. _____

PETITION FOR ZONING AMENDMENT
123 Cherry St. Findlay, Ohio

This request is made to correct an error made when the new zoning map was printed. In November 2009, the City of Findlay approved C-3 zoning for this commercial building & lot. When the map was printed in January 2012 the entire area was placed in single family zoning category R-3. Please note there are few if any single family residences in the area which consists of numerous multi-family homes, commercial property to the West and a church one block East.

This petition affects a commercial property built in 1920 that has been used exclusively and continuously as a commercial site since 1920.

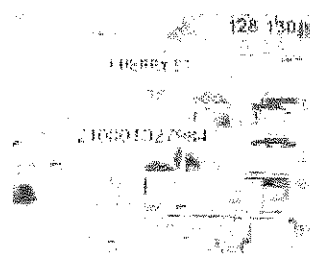
Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Base Data

Parcel: 210001027984
Owner: EDINGER LINDA TRUST, EDINGER JOSEPH TRUST, EDINGER LINDA TRUSTEE, EDINGER JOSEPH TRUSTEE
Address: 123 CHERRY ST FINDLAY OH 45840



[+] Map this property.

Mailing Address

Mailing Name: EDINGER JOSEPH & LINDA
Address: 830 3RD ST
City State Zip: FINDLAY OH 45840

Geographic

City: FINDLAY CORPORATION
Township: COEXTENSIVE
School District: FINDLAY CSD

Legal

Legal Description Line 1:	NORTH FINDLAY ADD	Low Topography:	NO	Public Water Utilities:	YES
Legal Description Line 2:	LOT 963 & 964 W52FT	Rolling Topography:	NO	Public Sewer Utilities:	YES
Legal Description Line 3:		Standard Topography:	NO	Public Gas Utilities:	YES
Land Use Code:	455 COMMERCIAL GARAGES	Paved Roads:	YES	Public Electric Utilities:	YES
Map Number:	101118219003000	Gravel Roads:	NO	Private Water Utilities:	NO
Market Area:	21350245 NORTH FINDLAY ADD	Dirt Roads:	NO	Private Sewer Utilities:	NO
Acres:	0	Sidewalks:	NO	Private Gas Utilities:	NO
Level Topography:	YES	Curbs:	NO	Private Electric Utilities:	NO
High Topography:	NO	Standard Roads:	NO	Standard Utilities:	NO

Comments

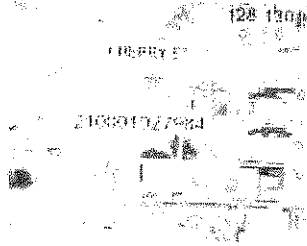
Type	Description
Back of Card	07 NC RMV VOR PER REVIEW 5/17/07, 11 N/C RMV 12x4' ADDITION TO GARAGE PER DS 3/24/11
Transfer	TRADE TRANSFER
Front of Card	1/15/09 COMB FROM 59-262000(L964 W51x50FT) & 21-1027982(L963 W52FT) PER V2350/2741

GIS parcel shapefile last updated 1/25/2013 2:23:22 AM.
 CAMA database last updated 1/24/2013 11:51:59 PM.

Data For Parcel 210001027984

Commercial Data

Parcel: 210001027984
Owner: EDINGER LINDA TRUST, EDINGER JOSEPH TRUST, EDINGER LINDA TRUSTEE, EDINGER JOSEPH TRUSTEE
Address: 123 CHERRY ST FINDLAY OH 45840



[+] Map this property.

Card 1 of 1

Commercial

Business Name:		Grade:	F
Description:	COMM GAR	Condition:	F
Construction:		HVAC:	SPACE WALL FURNACE
Number Of Floors:	1	Exterior Wall:	CONCRETE BLOCK
Price Code:	455.000	Framing:	CB/MASON
Height:	11	Roofing:	ASPHALT
Length:	50	Window:	CASEMENT DBLH
Width:	24	Foundation:	SLAB
Area:	1200	Canopy:	
Year Built:	1920	Doors:	WOOD
Value:	6260	Plumbing:	

Commercial Detail

No data found for this parcel.

Yard Items

No data found for this parcel.

*GIS parcel shapefile last updated 1/25/2013 2:23:22 AM.
 CAMA database last updated 1/24/2013 11:51:59 PM.*



City of Findlay

Lydia L. Mihalik, Mayor

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

JANUARY 14, 2013

NEWS RELEASE

PRECIPITATION & RESERVOIR LEVELS

Total precipitation recorded at the City of Findlay Water Pollution Control Center was 7.86 inches of rain and 8.10 inches of snow for the fourth quarter (Oct-Dec) of 2012.

At the end of December, the Findlay reservoirs stood at 80% of capacity. This reservoir level represents a 903 day water supply at the city's current use.

Water treated at the plant totaled 519.6 million gallons for the fourth quarter (Oct-Dec) of 2012. Water treated per day at the City of Findlay Water Treatment Plant averaged 5.65 million gallons (MG).

Thank you,

A handwritten signature in black ink, appearing to read 'Jeff Newcomer'. The signature is stylized and cursive.

Jeff Newcomer
Superintendent
Water Treatment Plant

EC: City Council
Department Supervisors
File

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

January 24, 2013

Honorable City Council
City of Findlay, Ohio

Dear Honorable Council Members:

The City's insurance policies expire in July of this year. The City is desirous to re-bid these policies for the renewal period of July 2013-July 2016.

By copy of this letter, I have requested the Director of Law to prepare legislation for your consideration to authorize the taking of bids and contracting for the above item. This legislation would need to be adopted on an emergency basis so that ample time is given for advertisement of this bid opening.

Thank you for your consideration of this matter.

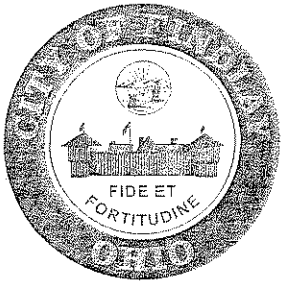
Sincerely,



Lydia L. Mihalik

Mayor

cc: Donald J. Rasmussen, Director of Law
Jim Staschiak II, City Auditor
File



City of Findlay

Lydia Mihalik, Mayor

ZONING DEPARTMENT

318 Dorney Plaza, Room 304 • Findlay, OH 45840

Phone: 419-424-7108 • Fax: 419-424-7120

www.findlayohio.com

January 18, 2013

Honorable City Council Members
318 Dorney Plaza
Findlay, Ohio 45840

Dear Council Members:

I have finalized a draft of the updated Flood Damage Reduction Ordinance. After our recent flood events, several gaps in the current code were discovered. The update clarifies some of our standards and prepares us for any future mitigation measures that may occur. The Ohio Department of Natural Resources has reviewed and approved this draft. Please note, all language with a ~~strike-through~~ symbol is old, and any **bold** type is new. I would like to highlight the following items in this summary:

-Special attention has been paid to the definitions. Many of them are for clarification purposes and make the code more complete.

-PAGE 7- "Critical Facility" has been defined. These types of uses will now be prohibited from the floodplain, regardless of the zoning district in which they are permitted. Critical facilities must be kept out of high-risk areas.

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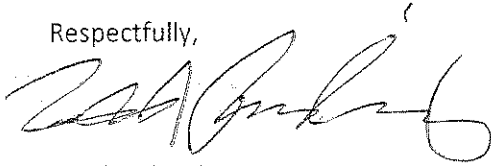
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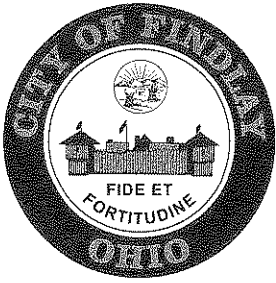
These changes will ensure continued sound floodplain management and meet or surpass the minimum National Flood Insurance Program (NFIP) standards. Findlay is still one of the top five communities with the most policyholders in the state of Ohio.

Please review all of the proposed changes carefully during the review and adoption process. I am requesting the updated Flood Damage Reduction Ordinance to be referred to the City Planning Commission and the Planning and Zoning Committee for a review and recommendation to Council for eventual adoption. If you have any questions, please contact me at 419-424-7110.

Respectfully,

A handwritten signature in black ink, appearing to read "Todd Richard", written in a cursive style.

Todd Richard, CFM
Zoning/Floodplain Administrator



TREASURER'S OFFICE

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

SUSAN JO HITE
CITY TREASURER

Treasurer's Reconciliation for December 31

2012

TREASURER

Fifth Third Initial Balance	1,938,300.11
- Withdrawals ()	(3,744,134.65)
+ Deposits	6,431,875.69
Ending Balance	4,626,041.15
- Outstanding checks ()	(307,551.57)
Bank Adjustment	0.00
- Outstanding error	
Treasurer's Checking Bal	4,318,489.58
Investment Principal	34,200,723.75
Accrued Bond Interest	
Treasurer's Total Cash and Investments	38,519,213.33

AUDITOR

Auditor's Checking Bal	4,318,489.58
Auditor's Total Cash and Investments	38,519,213.33

Respectfully submitted,



Susan Jo Hite
Treasurer

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.
Service-Safety Director

January 29, 2013

Honorable City Council
Findlay, Ohio

RE: Trenton Avenue/Blanchard Street Traffic Signal Upgrade, Project No. 32810300

Dear Council Members:

By authorization of Ordinance 2011-9, bids were opened for the above-referenced project on December 5, 2012. Bids were received from six potential contractors, and the contract has been awarded to Perram Electric of Wadsworth, Ohio. The project was included in the 2012 Capital Improvements Plan with funding from ODOT.

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

FROM:	ODOT	\$100,000
	Capital Improvements – CIT	\$5,000
TO:	Trenton Ave/Blanchard St Traffic Signal Upgrade, Project #32810300	\$105,000

Thank you for consideration in this matter.

Sincerely,



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

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

Flag City, USA



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

Tuesday, January 29, 2013

The Honorable Council
Findlay, Ohio

Dear Council Members,

As you are all aware, long term budget forecasting is critical for you as council members to make informed decisions on the long term impact of any operational changes or new capital expenditure. Per the Government Finance Officers Association (GFOA) a proper long term plan is 'an invaluable tool to public officials who want to ensure the financial sustainability of their communities while providing vital public services to maintain the health, safety and welfare of citizens'.

I have spoken at length with the specialist at the Auditor of State's Office in evaluating 5 year plans and he has made it clear that a proper plan requires collaboration between the City Auditor's Office forecasting revenue projections and the Mayor's Office projecting expenses.

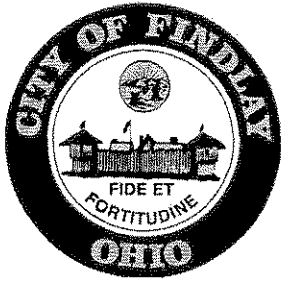
I am pleased to report the framework for presenting the General Fund portion of this plan will be complete in the next few weeks and will be ready for the data to be filled in by our respective offices. Should it be council's pleasure, I believe a forecast can be completed this 1st quarter. This will allow us to comply with many of the planning recommendations in the performance audit.

I will be prepared to discuss this framework at your appropriations meeting and the importance of moving forward in completing this key decision evaluation tool for your use.

Sincerely,

Jim Staschiak II
City Auditor

CC: Mayor Mihalik



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

Tuesday, January 29, 2013

The Honorable Council
Findlay, Ohio

Dear Council Members,

I have submitted for your review the Cash & Investments' report for 2012 year end. My office is in the final stages of closing the 2012 fiscal year and I will be prepared to discuss the available cash balances with respect to your enterprise funds and the transfer of the \$1,000,000 to capital improvements account per your last appropriations meeting in 2012.

I note here for clarification these cash balances are just that, cash in the account which is different from the un-appropriated balance of each respective fund.

Sincerely,

Jim Staschiak II
City Auditor

CITY OF FINDLAY
CASH & INVESTMENTS AS OF DECEMBER 31, 2012

<u>AMOUNT</u>	<u>DESCRIPTION AND RATE</u>	<u>BANK/FIRM</u>
\$ 900.00	STAR OHIO* @ 0.09%	
100.00	STAR OHIO* @ 0.09%	
3,500.00	STAR OHIO* @ 0.09%	
55,950.00	STAR OHIO* @ 0.09%	
20,505,000.00	SAVINGS ACCOUNT	FIFTH THIRD BANK
850,000.00	SAVINGS ACCOUNT	CHASE BANK
120,247.00	SAVINGS ACCOUNT	CHASE BANK
1,175,026.75	SAVINGS ACCOUNT	CHASE BANK
500,000.00	SAVINGS ACCOUNT	CHASE BANK
5,500,000.00	SAVINGS ACCOUNT	CHASE BANK
5,000,000.00	SAVINGS ACCOUNT	CHASE BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 0.750%	TRI STATE BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 0.550%	WATERFORD BANK
<hr/>		
\$ 34,200,723.75	INVESTMENT TOTAL	
4,318,489.58	5/3 BANK ACCOUNT BALANCE	
<hr/>		
\$ 38,519,213.33	TOTAL CASH & INVESTMENTS	

* Denotes State Treasury Asset Reserve of Ohio, managed through State Treasurer's Office

CITY OF FINDLAY

BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF DECEMBER 31, 2012

\$ 11,385,751.93	General Fund
1,000,000.00	General Fund Restricted Rainy Day
596,475.98	General Fund Projects
655,510.85	SCM&R Fund
173,942.04	SCM&R Fund Projects
-	County Permissive License Fund
143,292.08	State Highway Fund
714.57	Law Enforcement Trust Fund
1,182.28	Drug Law Enforcement Trust Fund
240,950.87	ID Alcohol Treatment Fund
56,640.28	Enforcement & Education Fund
211,499.47	Court Special Projects Fund
85,630.00	Court Computerization Fund
2,863.35	METRICH Drug Law Enforcement Trust Fund
49,783.54	Alcohol Monitoring Fund
25,034.83	Mediation Fund
58,647.69	Electronic Imaging Fund
20,198.89	Legal Research Fund
661,450.48	Severance Payout Fund
-	Debt Service Fund
-	CR 236 TIF Fund
523,724.67	Municipal Court Improvement Fund
378,749.09	Airport Fund
10,001.93	Airport Fund Projects
5,688,315.38	Water Fund
726,431.07	Water Fund Restricted
197,359.67	Water Fund Projects
3,485,097.29	Sewer Fund
5,257,160.93	Sewer Fund Restricted
422,234.41	Sewer Fund Projects
18,436.21	Parking Fund
4,530.72	Parking Fund Projects
21,342.42	Swimming Pool Fund
8,589.92	Swimming Pool Fund Projects
25,600.44	Internal Service Central Stores Fund
873,149.99	Internal Service Workers Comp Fund
867,787.12	Internal Service Self Insurance Fund
728,164.04	CIT Fund
2,406,925.29	CIT Fund- Restricted Capital Improvements
-	CIT Fund-Restricted Flood Mitigation
-	Police Pension Fund
-	Fire Pension Fund
5,944.60	Tax Collection Agency Fund
1,233,376.75	Cemetery Trust Fund
163,150.06	Private Trust Fund
93,505.69	Guaranteed Deposits Fund
5,982.53	Special Assessments Pavements Fund
2,265.96	Special Assessments Sidewalks Fund
82.82	Special Assessments Sidewalks Fund Projects
1,735.20	Special Assessments Storm Fund
-	Special Assessments Storm Fund Projects
<u>\$ 38,519,213.33</u>	TOTAL CASH & INVESTMENTS

CITY OF FINDLAY
SUMMARY OF YEAR-TO-DATE INFORMATION AS OF DECEMBER 31, 2012

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
COUNCIL	143,180	138,418		1,050	738	
MAYOR'S OFFICE	266,893	247,479		3,700	2,596	
AUDITOR'S OFFICE	607,876	573,211		355,081	362,631	
TREASURER'S OFFICE	11,413	11,049		-	-	
LAW DIRECTOR	614,839	575,338		116,280	115,054	
MUNICIPAL COURT	1,438,277	1,373,789		1,237,200	1,305,455	
CIVIL SERVICE OFFICE	95,305	81,861		23,600	23,646	
PLANNING & ZONING	136,137	135,893		-	-	
COMPUTER SERVICES	406,540	366,382		406,541	406,657	
GENERAL EXPENSE	5,636,222	5,483,579		-	-	
GENERAL REVENUE	-	-		25,616,487	26,123,303	
POLICE DEPARTMENT	7,408,787	6,927,070		470,292	491,201	
DISASTER SERVICES	102,122	100,635		50,000	50,000	
FIRE DEPARTMENT	7,232,685	6,868,058		311,237	376,025	
DISPATCH CENTER	1,024,767	929,372		36,617	36,814	
N.E.A.T.	107,771	93,715		2,744	4,153	
HUMAN RESOURCES	83,189	68,500		-	-	
W.O.R.C.	363,622	347,325		130,000	131,725	
SERVICE SAFETY DIRECTOR	201,341	185,884		-	-	
ENGINEERING OFFICE	761,078	710,589		142,506	144,727	
PUBLIC BUILDING	398,893	281,246		52,740	51,079	
HEALTH DEPARTMENT	1,220,051	1,194,652		683,031	748,622	
ZONING	180,967	169,580		38,745	41,664	
PARK MAINTENANCE	739,349	588,029		180,681	189,834	
RESERVOIR RECREATION	5,545	4,439		-	-	
RECREATION FUNCTIONS	1,064,436	934,318		793,778	824,605	
CEMETERY DEPARTMENT	272,423	244,391		85,099	99,878	
TOTAL GENERAL FUND	30,523,708	28,634,802	93.8%	30,737,409	31,530,405	102.6%

CONTINUED ON REVERSE

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
SCM&R STREETS	2,645,809	2,447,722		2,824,119	2,860,746	
TRAFFIC-SIGNALS	365,248	271,700		55,958	59,798	
TOTAL SCM&R FUND	3,011,057	2,719,421	90.3%	2,880,077	2,920,544	101.4%
SCM&R HIWAYS	120,812	63,467		141,700	142,590	
TOTAL SCM&R HIWAYS FUND	120,812	63,467	52.5%	141,700	142,590	100.6%
AIRPORT OPERATIONS	1,208,038	1,151,107		1,358,565	1,475,730	
TOTAL AIRPORT FUND	1,208,038	1,151,107	95.3%	1,358,565	1,475,730	108.6%
WATER TREATMENT	2,439,674	2,233,091		11,700	27,815	
WATER DISTRIBUTION	1,585,556	1,443,664		71,331	79,722	
UTILITY BILLING	1,285,510	1,121,449		7,853,685	8,469,648	
SUPPLY RESERVOIR	538,702	459,697		17,290	20,366	
TOTAL WATER FUND	5,849,442	5,257,902	89.9%	7,954,006	8,597,550	108.1%
SANITARY SEWER MAINT	1,145,632	969,987		2,877	2,509	
STORMWATER MAINT	222,997	183,443		757,000	764,528	
WATER POLLUTION CONTROL	3,203,498	2,826,735		8,510,080	8,739,941	
TOTAL SEWER FUND	4,572,127	3,980,164	87.1%	9,269,957	9,506,979	102.6%
PARKING	94,361	92,748		87,300	88,028	
TOTAL PARKING FUND	94,361	92,748	98.3%	87,300	88,028	100.8%
SWIMMING POOL	29,741	20,104		20,000	20,000	
TOTAL SWIMMING POOL FUND	29,741	20,104	67.6%	20,000	20,000	100.0%
CIT ADMINISTRATION	18,800,273	18,786,898		21,490,789	22,057,969	
TOTAL CIT FUND	18,800,273	18,786,898	99.9%	21,490,789	22,057,969	102.6%

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.
Service-Safety Director

January 29, 2013

Honorable City Council
Findlay, Ohio

RE: CDBG – FY2012

Dear Council Members:

The Ohio Department of Development has notified the City that the Community Development Block Grant (CDBG) funds for the fiscal year 2012 (construction year 2013) are now available. A portion of the funds will be used for the on-going infrastructure improvements in the West Park area.

The following is a breakdown of how the grant funds will be used:

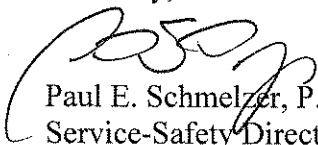
- \$75,000 – Byal Avenue (Phase II) project construction
- \$4,600 – Fair Housing Program
- \$22,200 – HRPC grant administration
- \$46,200 – Senior Center Equipment

At this time, legislation is needed to appropriate the CDBG funds as follows:

FROM: CDBG Grant Funds	\$148,000	
TO: Byal Avenue, Phase II (CDBG FY2012)		\$101,800
Project #32523000		
Senior Center Equipment, Project #31930500		\$46,200

If you have any questions, please do not hesitate to contact me.

Sincerely,



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

pc: Donald J. Rasmussen, Director of Law
Jim Staschiak II, City Auditor
Hancock Regional Planning Commission
Project File

Flag City, USA

City of Findlay City Planning Commission

DRAFT

Thursday, January 10, 2013 - 9:08 AM
Municipal Building, Council Chambers

Minutes

MEMBERS PRESENT:

Mayor Lydia Mihalik
Director Paul Schmelzer
Joe Opperman
Thom Hershey
Grant Russel

STAFF ATTENDING:

Todd Richard, Zoning Inspector
Matt Cordonnier, HRPC Staff
Matt Pickett, FFD
Don Rasmussen, Law Director

GUESTS:

Dan Stone, Joe Bayliff

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Lydia Mihalik
Director Paul Schmelzer
Thom Hershey
Joe Opperman
Grant Russel

SWEARING IN

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

APPROVAL OF MINUTES

The December minutes were not included in the January 2013 Planning Commission Packet. Matt Cordonnier apologized for this oversight and the minutes will be presented at the February Planning Commission Meeting.

NEW ITEMS

1. **APPLICATION FOR SITE PLAN REVIEW #SP-01-2013** filed by Roman Zarazua & Ana Banales, 806 N. Main Street, Findlay, OH for reconfiguration of access and parking lot for El Restaurante Mexicano, 806 N. Main Street, Findlay, OH.

HRPC

General Information

Site is located on West side of North Main St. and between Howard St and Filmore St. Currently zoned C-2 General Commercial and located in the university Overly District. The properties to the West are zoned R-3 and the properties to the North, South, East, and West are zoned C-2. This site is not located with the 100 year flood plan. The applicant is proposing to reconfigure the existing parking lot to allow for all parking and access to be on site. The proposed new layout will eliminate access to the site from the adjoining lot to the North. The landscaping buffer will be installed to prevent access between the appendix lot and the adjoining property to the North. Ingress/ egress are provided by drive cut on Main Street and at the alley on the Western side of the lot. The proposed layout creates a dead- end parking situation which is currently not allowed by the zoning code. To remedy this situation HRPC recommends the parking lot be altered to allow for a turn-around point at the end of the parking lot.

Parcel History

This site has been home to several restaurants over the years. A parking lot agreement to the North has been in existence dating back to the 1980's when the site was a Hardy's fast food establishment.

Staff Analysis

The applicant is proposing to reconfigure the existing parking lot to allow for all parking and access to be on site. The proposed new layout will eliminate access to the site from the adjoining lot to the North. The applicant shall work with the Engineering Department to insure there is space available for a car to perform a three-point turnaround exit at the dead-end parking area.

ENGINEERING

We will work with applicant to make sure that the three-point turn-around is proper in the parking area. As far as water and sewer, there are no proposed changes to the existing facilities. Storm-water management, there is a slight change in the amount impervious area that is not significant enough to require detention calculations or storm water detention. Sidewalks are currently in place along North Main Street and they will remain in place.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends approval of **Site Plan Application #SP-01-2013**

DISCUSSION

Thom Hershey asked if this will affect the number of parking spots required by the code.

Matt Cordonnier stated that currently the code would require 10 spaces. The applicant is providing 30.

Joe Opperman asked how the parking spots to the North would be accessed.

Paul Schmelzer stated they would be accessed from the same drive but they are not required in the parking count. It is assumed that if the property owner to the north decided that he/she did not want that parking accessed they could do something to modify the access on his own property which would then cause the client to take some action on his own.

Dan Stone stated that the client is aware his site and parking spots could be blocked off. He intends to make that a patio area if this occurred.

Paul Schmelzer questioned if they are not blocked off; will it just continue to function as it does?

Dan Stone replied "correct".

Thom Hershey asked what the reasoning was for altering the parking.

Dan Stone replied that he wants to make this a between property owners and the existing patio space. Designated access. He is essentially making the South access self sufficient.

MOTION: Thom Hershey made a motion to approve **SITE PLAN REVIEW #SP-23-2012 with the following conditions:**

Contingent upon working with the engineering department to get the proper three point turn around

2nd: Paul Schmelzer seconded the motion.

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

2. SITE PLAN APPLICATION #SP-02-2013 filed by Lewis Real Properties, 1560 Brookview Trail, Findlay, OH for an industrial building for Partitions Plus, 12515 CR 99, Findlay, OH.

HRPC

General Information

The applicant is submitting a site plan for a 40,000 square foot light industrial building located on 6.382 acres in Allen Township. The property is not zoned but is subject to the City of Findlay design standards because they are hooking into Findlay water and sanitary sewer. The properties surrounding the site are not zoned. The property will be accessed via a private roadway that is shared with the adjacent property owner. The project is not located in the 100 year flood plain.

Parcel History

The parcel has been used for agricultural purposes for many years.

Staff Analysis

The applicant is proposing to construct a 40,000 square foot light industrial building. The proposed project would be considered light industrial if it was located in the City of Findlay, so the I-1 standards have been applied to this project.

The proposed building meets the required setbacks of the I-1 district. The dry detention basin serves both the dentist office located on the northern portion of the property and the proposed building. The basin is designed to accommodate a 100 year storm event.

The project is not required to provide a landscaping buffer but the onsite landscaping standards do apply. Parking lots with six or more spaces shall have one shrub planted per five lineal feet around the perimeter of the parking lot. A minimum of fifty percent of these planting must be evergreen and 24 inches in height at planting. (Page 148 – 1161.06.3) The proposed building is not subject to the foundation planting regulations. (Page 147 – 1161.06.02)

The proposed property is subject to outdoor storage regulations (page 160 – 1161.11.1) “All storage of raw, processed or finished materials shall be enclosed by a combination of landscaping, wall, fence, or mounding.....One shrub shall be installed for every ten feet of fence and one tree shall be installed for every fifty feet of fence”. The zoning code does not specify the type of fence but a fencing design that blocks the view of the storage would be preferred, use of a chain link fence would be discouraged. The outdoor storage surface in the I-1 district is not subject to regulations. (Page 159 – 1161.10.4 B.)

The I-1 district requires 1.1 parking spaces per employee on the largest shift. (Page 168 – 1161.11.6) The applicant has stated that 10 employees will be present at the largest shift. They are providing sixteen parking spaces which meet the required eleven parking spaces. The proposed layout creates a “dead end” parking situation, which is not currently allowed by the zoning code. (Page 166 – 1161.11.4 E.4.) To remedy this situation HRPC recommends that the parking be altered to allow for a turnaround point at the end of the parking lot. Applicant shall work with engineering department to ensure there is space available for a car to perform a three-point turn to exit the dead-end parking area.

There are no architectural standards for the I-1 district.

The proposed development is not adjacent to a residential use so the lighting standards of (Page 154 – 1161.09.4 B) do not apply. However all outdoor lighting in all zoning districts shall be shielded or arranged to reduce glare as not to interfere with the vision of neighboring properties. (Page 154 – 1161.09.4 A) Due to the isolated nature of the project one would anticipate that this would not be an issue.

ENGINEERING

Access – Access is proposed to be through an existing drive at the West side of the property. This is currently a private drive and would need to have the easement secured as shown on the proposed plans. Recommend the easement width be increased to 80’ to provide sufficient R/W in the event North Blanchard Street is extended to connect to CR 99. The additional 20’ of

easement width required shall be set aside now so there is no need for condemnation or acquisition required for future R/W dedication.

Water – An 8” public waterline is proposed to follow the east and south property lines within a 15’ dedicated easement. We recommend the following additions and corrections: 1) the waterline be extended north from the southwest corner of the property 100’ +/- with a hydrant at the end of the line; 2) the proposed services for the building shall be connected on the west side of the building into the recommended line extension; and 3) the existing detention basin be reconfigured/re-graded so the entirety of the basin is outside the limits of the 15’ dedicated waterline easement. 4) If grant dollars are able to be used off-site, the waterline shall be looped back to the west to provide a redundant supply for fire protection.

Sanitary Sewer – Sanitary sewer is proposed to connect to an 8” line constructed to serve the Lewis Dental office.

Storm water Management – Detention calculations were previously submitted for the entire 6 acre parcel and will use the detention basin constructed along the east edge of the property.

Sidewalks – Currently in the county, no sidewalks required.

Recommendation: Conditional Approval of the Plan pending changes recommended for the waterline.

The following permits will be needed prior to construction of the site plan:

- Sanitary Sewer Permit
- Waterline Permit

FIRE PREVENTION

- Advised to place proposed water line on east side of access road with evenly spaced hydrants. One hydrant shall be at least 100 feet from FDC (NFPA 1141). No fire hydrants exist on the property or on the south side of County Rd. 99/ County Rd. 212. Hydrants shall be installed and supplied with water prior to construction. A minimum of 2 hydrants shall be installed and once the fire resistance type rating is established, additional hydrants may need to be added (NFPA 1, 220 & 1141). The preferred method would be to loop the water line with a minimum of a 6” water main. If a dead end water line is installed, a 10” minimum shall be used due to the length of the main (NFPA 1141).
- FDC to be 2 ½ inch Siamese to accommodate Allen Twp FD. FDC head shall be changed to 5 inch Stortz w/30 degree angle if annexed into City of Findlay. Fire line supplying sprinkler system shall be a dedicated line.
- Outside notification to be a horn/strobe device working on water flow only and placed over FDC
- Area in front of FDC shall be kept clear and within an acceptable driving surface/path.
- Driving surfaces shall be capable of handling fire trucks before construction begins.
- Any electric or gas meters within driving area shall have crash protection.
- Knox box will be required if annexed into City of Findlay.

- Business shall have street address on sign (4 inch minimum size) or on building front, large enough to be visible from the road.
- Any additional plans and any variances from the submitted site plan shall be provided to Findlay Fire Prevention office in a timely fashion for review and approval.

STAFF RECOMMENDATION

Staff recommends approval of **Site Plan Application #SP-02-2013**

DISCUSSION

Paul Schmelzer questioned if the applicant stored raw processed or finished products outside?"

Dan Stone responded "No".

Paul Schmelzer stated he was ok with the water line being on the east side of the property as long as some of the other issues mentioned by Fire Prevention are taken care of. Does the applicant have an issue with this?

Dan Stone replied "No".

Joe Opperman asked if there is a requirement for sub-division.

Paul Schmelzer stated he was not aware of any requirements for sub-division.

Dan Stone stated that the applicant's wife Katie Lewis owns the dentist office and Mike will own the light industrial proposed.

Lydia Mihalik asked if the applicant had any questions.

Phil Rooney stated that the first comment deals with the access requirement. The applicant has a problem with the 20 foot additional easement requirement or the right away Obviously that puts a 20 foot public right-a-way in the middle of nowhere. This could be a title issue down the road not to mention you are taking property without paying for it.

Paul Schmelzer replied "It is a right of way easement. We are not taking any property. He will retain ownership until such time that the roadway would be extended and at that time it would be dedicated".

Phil Rooney asked how that would be recorded.

Paul Schmelzer replied "It will be recorded as a right-of-way easement".

Phil Rooney asked if the right-of-way would be made to the city.

Mr. Schmelzer responded that is correct.

Phil Rooney asked if the road is here we would be giving the property away, is that what you are saying?

Mr. Schmelzer stated the city is trying take into account some long range planning.

Phil Rooney stated that the railroad museum owns sixty feet of the proposed right-of-way and the City of Findlay will be required to pay them for that right-of-way in the future.

Paul Schmelzer stated "that it may be that we are not going to pay the railroad museum anything that is just conjecture. He also stated that if we end up having to pay for it the road may not go there. At that point the impact of the 20 foot becomes irrelevant".

Mike Lewis asked why this issue of the easement was not brought up the first time the plans went to the Planning Commission?

Paul Schmelzer stated, "we never finished the discussion about the building in the back. What we focused on was the dentist office and that you would bring back a site plan for the manufacturing facility".

Mike Lewis asked why this issue did not arise until they wanted to use grant funds to pay for the water line.

Paul Schmelzer stated "I don't know anything about the timing of the grant. All I can tell you is that when I started to examine the use of the property for the manufacturing facility and how the utilities were going to be extended to it we looked at a plan that had a water line on it. And when I examined that plan, that waterline needed to be an easement so I recommended that the 20 foot easement be placed on the West line. You subsequently had a meeting with me and indicated that you did not want the water line there because of a concern that if anything happened to the water line, your business would be interrupted. So I worked with you to relocate the waterline to the east side of the property. At that point there was no mention of the 20 foot easement going away. When I saw this plan I thought it was a mistake that the 20 foot easement was eliminated from the property".

Mike Lewis stated that was his understanding that the easement was only needed for the waterline.

Paul Schmelzer stated, "It is just a misunderstanding between us – I thought I was being clear with the intent of the easement being put there to allow for the waterline, future utilities, and roadway extension which would ultimately benefit your property. I cannot explain why you did not interpret it that way, it was my intent the whole time to look at this long-term, to make sure you didn't put anything in an area that maybe you needed at some point in future time for right-away, to make sure your utilities were located appropriately off that easement, in case that area was extended for roadway. That was the whole purpose for where I was coming from with it."

Matt Cordonnier commented that if the City of Findlay has a documented plan showing the future expansion of a roadway thru there, an official document of a transportation plan, then he thinks it would be perfectly normal and normal practice for anyone developing along that proposed corridor to provide easement. If the city does not have it a documented long-term plan showing planned expansion of a street through there, then he thinks it would be somewhat

difficult to ask for an easement. So part of it hinges upon what document does the city have in place for long-term plans for this.

Paul Schmelzer stated "There is a long-range plan for this showing roadway extension. Understanding Mr. Lewis's concern I will modify my recommendations to say this, "That the site plan shall reflect the 20 foot future right-of-way on the plan. At minimum that will provide an indication to people in the planning department as well as Mr. Lewis and other property owners that may own this in the future that there could be the possibility that that road is extended thru there and they will make provisions to avoid infrastructure in those areas which would make it more difficult for a roadway to be constructed. Does that meet with your approval, Mr. Rooney?"

Mr. Rooney replied "Yes that will be acceptable".

Thom Hershey asked "With regard to the right of way easement between the two properties, if plan shows the property line from the property to the west and from your property with a sixty foot gap in between, who currently owns that? "

Dan Stone stated that the Railroad Museum currently owns the 60 foot space and that it is a shared drive.

Thom Hershey replied "OK, that explains it."

Matt Pickett questioned "That the discussion is that the waterline is going to be on the east side of the property, right? Why is it not going to be on the West side of the property? "

Mike Lewis explained that he has concerned about his business being disrupted if the water line needs to be serviced and that the water line on the east portion of the site was proposed to him while working with the city. The water line on the eastern side of the property could help service the adjacent area.

Matt Pickett asked "In that proposal there would be two fire hydrants on that line you are referring to, is that correct?"

Paul Schmelzer replied "That is correct. One would be placed on the South side of 212 after they cross. I think Eric's concern was that with the hydrant even though it is within close proximity of the property, they would still have to extend hoses across 212. So they wanted to have a hydrant on the south side and then a hydrant within 100 feet of the connection."

Matt Pickett replied "That is correct, those hydrants are fine, but we still need hydrants within 500 feet, of each other, so that if you are between them you have 250 feet. But this proposal is a dead-end line, is that correct?"

Paul Schmelzer replied "Correct."

Dan Stone stated "One thing we are going to be looking at possibly having grant money to support this. If we have enough available funds to make a connection to the west of this property because to the west of this property within 600 – 700 feet is a 60 foot waterline we are looking at the possibility of connecting this whole line to a secondary loop. We have not had a chance to

see where the line is going to be located - that dictates the final cost, what is available, and how far we can take it.”

Matt Pickett replied “If the line is on the East side of the property, and it is a dead end line then the line will need to be a ten inch line. It still does not resolve the issue that there are no hydrants down that road for the dentist office. If you want the line to run on the east side of your property, you will have to bring some of it up along that access road to make hydrants available.

Paul Schmelzer stated, “you will have to extend that waterline North along the west property line where it is basically adjacent to that drive and within 100 feet of the connection which should be shown on the west side of the building.”

Matt Pickett stated, “I am only taking into account the proposed 40,000 square foot structure. I am not taking into account the dentist office. That is another square footage I am not accounting for, there may be another hydrant that has to be placed there. I don’t know what the square footage is for the dentist office. “

Dan Stone replied that is 4,700 square feet.

Paul Schmelzer asked “So you are saying that you potentially will need another hydrant closer to the west side of the property?”

Matt Pickett replied “Correct. Not only within 100 feet of the connection of the proposed building, but also within the dentist office. I am surprised there is not even one there now. There is nothing on that side of the road.”

Paul Schmelzer replied “Correct. That would have been probably due to the fact that there is one right across the street and there was not one recommended at the time the dentist office was planned.”

MOTION:

Paul Schmelzer made a motion to approve the site plan subject to these conditions:

1. That the waterline configuration be finalized with the Engineering Department
2. That a 20 foot future right away note designation be placed along the west line of the property to the point that it meets the right away that shows 80 foot existing
3. That the fire department recommendations are met.
4. That the 3 point turn around be met in the dead end parking lot.

2nd: Joe Opperman

Further Discussion: Phil Rooney commented that the current site plan shows asphalt from just past the intersection at 99 south all the way back to the parking lot under construction. Phil Rooney wanted to go on record that the applicant objects to having to pave the entire area, as this was not brought up before.

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

3. APPLICATION TO RE-ESTABLISH AN INDUSTRIAL USE filed by Ron King, King Environmental Group, 1525 Lima Avenue, Findlay, OH. The business will be building and fitting aircraft refueling equipment on commercial truck chassis.

HRPC

General Information

The applicant is requesting to re-establish an industrial use at 1525 Lima Avenue. The property is zoned C-2 and is surrounded by parcels also zoned C-2.

Parcel History

The parcels in this area have been rezoned several times in the last 20 years. At one time the West Park corridor was zoned both B2 and I1. The I1 properties were set away from Lima Avenue but did not follow property lines. In an effort to eliminate the split zoning the area was rezoned all to B2. Since the zoning code rewrite the property was given the zoning of C-2, the zoning most similar to B2.

Staff Analysis

The applicant is asking to re-establish a light industrial use that is non-conforming to the C-2 zoning. From 1980 to 2009 Dukes Transportation Services assembled airplane refueling trucks. The proposed new company would be conducting the same or very similar business. They would operate from 7:00am to 5:30pm Monday through Friday and periodically on Saturdays. The applicant states that there would be no excess noise levels generated.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends approval of the **Application to Re-establish an Industrial Use**

DISCUSSION

Thom Hershey asked, "Is this going to be a conditional use now, or are we rezoning it?"

Paul Schmelzer stated, "No, it is a conditional use. There was some minor misunderstanding of the appropriate language in the applicant's letter. Not requesting a rezone.

Matt Cordonnier stated "that the zoning code specifically has a section that outlines the reestablishment of a non-conforming use."

MOTION: :

Thom Hershey made the motion to re-establish a non-conforming use.

2nd: Paul Schmelzer

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

4. APPLICATION FOR CONDITIONAL USE #CU-01-2013 filed by Joseph Edinger, 123 Cherry Street to be used as a pet crematorium

HRPC

General Information

The applicant is applying for a conditional use permit to allow for the operation of a pet cremation facility. Proposed site is located at 123 Cherry Street. The property is zoned C-1.

Parcel History

The parcel has been used by various commercial service companies and storage.

Staff Analysis

The property is zoned C-1 with R-3 to the east/west, C-2 to the north, and Downtown Commercial to the west. The proposed use of a crematorium is a conditional use thus requiring review and approval by the Planning Commission. (Page 82 – 1133.03 F.) The conditional use of a crematorium states, "Crematoriums shall be located no closer than one hundred feet to any residential area." (Page 214 – 1161.15 J.2) The following residential structures are located near the proposed site: 125 Cherry Street is 37 feet from the proposed building, 328 Clinton Street is 105 feet from the proposed building, 324 Clinton Street is 107 feet from the proposed building, 322 Clinton Street is 110 feet from the proposed building, 128 Cherry Street is 120 feet from the proposed building.

The proposed use is required to provide parking at a rate of 1 space per 325 feet. (Page 168 – 1161.11.5 E) At the time of the review I was not sure of the exact amount of square footage that would be used but we would calculate that for whatever space he is using. The entire building is 1200 square feet with a minimum requirement of 4 parking spaces. This requirement may be lessened if the entirety of the structure is not intended to be used.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends denial of **Conditional Use #CU-01-2013**

DISCUSSION

Paul Schmelzer stated, "I have a couple of questions, the most important being does this body even have the power to grant this conditional use given that all the conditions required given to granting of the conditional use are not met?"

Don Rasmussen stated, "That is correct if you are talking about the distances."

Paul Schmelzer asked, "If we do not have the ability, what is his recourse.? To go to BZA?"

Don Rasmussen replied, "Yes"

Paul Schmelzer asked the applicant, "Have you had a chance to talk to any of your neighbors about your proposed use?"

Joseph Edinger stated that he had spoke with Tom Gibson who is the owner of 125 and 127 Cherry Street. He wrote me an email giving his approval to have my business there. He stated also that he had spoken with adjacent property owners.

Mr. Schmelzer stated, "I appreciate your getting in touch with them. I was also looking at your application shows that there is a section in there that talks about the proposed use or possible use and it lists human and pet remains."

Joseph Edinger stated that was just the category on the application and that he would only be cremating pet remains.

Paul Schmelzer stated, "There is also an indication on there that is marked continuous monitoring, and that is checked "no" Can you explain that, what the continuous monitoring would or would not do?"

Joseph Edinger explained that the EPA would have to approve the application and will be continuously monitoring and audit the inspections of the machinery. They are primarily monitoring the omissions from the activity. This kind of machinery has a secondary burn chamber which will return the pet remains.

Grant Russel asked, "So if 125 and 127 Cherry Street do not exist, then this is a permitted conditional use?"

Lydia Mihalik replied "Right. Are there any other comments, or comments from the Audience?"

Mr. Johnson of 322 Cherry Street, a member of the audience, voiced a concern. He lives across the street. He mentioned that there are big yellow vans in the back of the building. Over the years the building has had various uses that have not been beneficial to the neighborhood. He has some concerns that the proposed use may create a smell or odor in the neighborhood.

Lydia Mihalik asked Todd if we have an issue with the storage facilities out back.

Todd Richard stated "No, part of issue is that this property was actually zoned B-3 several years ago. With the new mapping that did not go along with what the downtown area was I think in error. So it actually, formally, is on the current map as R-3 even though we have an ordinance that changed the zoning at the time to B-3 there just was not that change over when the mapping was done. That is what appears to be. I have always treated this property as a C-3 or B-3 with the anticipation that the mapping would be corrected in some way, which at this point would have to be a consideration for BZA, which would be the position we are in today."

Lydia Mihalik replied "OK".

Paul Schmelzer stated, "I believe the BZA would be involved in the interpretation of the zoning district."

Todd Richard responded, "Yes"

Matt Cordonnier stated that on our map we currently show it as R-3 which is residential.

Thom Hershey questioned "whether or not the BZA would have any say in this or not. He stated that the BZA cannot rule on any use variations. This commission is the one that rules on conditional use. Stated in the zoning codes part of that conditional is a set back or distance requirement, so if we were to say he could go to the BZA to change the requirement, then in effect they would be changing the use requirement. I would question if that was proper."

Lydia Mihalik replied "I think you are right. I do not think the BZA can grant a use variance."

Matt Cordonnier stated "If he would go to BZA he would be asking for relief from the 100 foot setback. He would not be asking if the conditional use of a crematorium in the R-3 district is allowed. He is not asking for a use that is not allowed in R-3, he is asking for a use that is allowed in R-3 conditionally with provision that it meets the 100 foot set-back. So I think he would only be asking for relief from the 100 foot setback not an actual use. A use variance would be if there was no provision for that to be allowed in R-3 and he was asking for that to be an allowed in a district that in no way allows for it."

Thom Hershey responded, "I don't think you can go to the BZA and ask for a variance from something that you don't have to begin with. I think the only way it would work would be if this commission would grant the conditional use on the condition that the BZA reduced the distance requirement. This commission would have to act first, otherwise there is nothing for the BZA to act on."

Don Rasmussen replied, "I think the biggest issue is "what is the property zoned" and they do have the right to look at that and they would make the determination of the proper district because as I understand it there is no 100 foot setback in C3."

Lydia Mihalik commented that she thought the conditional use was the same for both B3 and C3.

Don Rasmussen responded, "But without the 100 foot requirement."

Matt Cordonnier stated that, "as a conditional use, this type of service is a conditional use in many different zoning districts, and those all refer back to the same article that states. If you are in I1 or R3, a crematorium has a requirement of 100 foot no matter what zoning district you are in."

Todd Richards stated, "In the C-3 district it is not mentioned as a use in any form. If you look at the uses listed in the C3 district, there is a section in there called "other uses". It is up to planning commission to determine if the proposed use is similar or is it compatible with the downtown area. I think this was the avenue this was going to take originally and that is why it was brought to the Planning Commission."

Matt Cordonnier noted that there is a crematorium located downtown at Coldren-Crates.

Todd Richard directed a response to Thom Hershey, " Thom 's question regarding the conditional uses and if the board had the ability to hear a variance on it. He stated that if we take a different type of conditional use, let's say a drive thru and we have a ten car stacking requirement and let us say we have a hardship that prevents ten cars from stacking into a new drive thru I think they have every right to go to the Board of Zoning Appeals to ask for some relief on that requirement without it changing the zoning map or allowing a use that in otherwise would not be allowed there. That is the difference that I see."

Paul Schmelzer stated, "But I think Thom's point is not that that ability exists, it is that this body has to take action to give them a condition that they have to apply a decision to. Do I understand you correctly?"

Thom Hershey stated "That is correct. I will also point out that it says it has to be 100 feet away from a residential area. And then you go on to tell us the distance from each structure. I would assume that the property line would begin the residential area. "

Matt Cordonnier stated, " that a legal determination may be needed, I think there could be arguments made for and against, if it said zoning district then I would definitely measure from the property line when they talk about a residential use there could be arguments made both whether you measure from property line to property line or from structure to structure."

Mayor Mihalik asked again if individual at 125 Cherry St. has been spoken to.

Grant Russel states, "Where is the relevance if 125 Cherry St agrees, that is fine and dandy, but the next person that buys 125 Cherry St. Where is their consideration in this? I don't know that the approval of that individual has bearing. If it was 99 feet, that would be one thing, but we are talking 37 feet."

Lydia Mihalik responded that that the individual, if we were to approve it, if BZA grants relief from that requirement, then that individual would be notified that it is going to BZA and they could come to BZA and then BZA would make that determination.

Grant Russel asked, "You had mentioned that Coldren-Crates has a crematorium. Is it located in their facility? I was just wondering about the 100 foot radius. I am trying to run through my mind if there is a residential at 100 feet, and how did that come about?"

Matt Cordonnier stated that the research was conducted was just to determine if there were similar crematoriums located within the city of Findlay. He did not do any measurements from the other crematoriums because he did not know the history, how long had they been there, if they were grandfathered in or were they newly adopted and , what codes were in effect when they were created

Mayor Mihalik stated that she did not think we get any complaints about the crematorium at Coldren-Crates, if that is your question, Grant.

Grant Russel stated that he was just concerned that someone might bring up the issue that Coldren Crates has a crematorium.

Paul Schmelzer stated, "Given the fact that there is one residence that does not meet the 100 foot requirement, I am inclined to recommend approval of the conditional use subject to the Board of Zoning Appeals granting a variance from the 100 foot rule, and the applicant will have to provide evidence to that body regarding surrounding property owners supporting your endeavor."

Mr. Johnson asked if the Planning Commission was approving the project?

Paul Schmelzer stated, "No sir, I am saying that this body does not necessarily object to the use but he needs to go to the Board of Zoning Appeals, which is a separate entity that would have to grant him a variance from the 100 foot requirement. We just have to deal with rules that are in place. He will have to, rather than just verbally tell me that the next door neighbor supports him, that evidence will have to be proven to the Board of Zoning Appeals before they will grant him the variance. That would also be an opportunity for you to go to that same meeting and talk about your issues. Your comments are more related to the questions that I was asking with regards to the permit and what the EPA's involvement is. Looking at that application, it appears to be very thorough, I don't know that it is something that we are going to be involved with from a permitting standpoint as to the omissions so I understand your concern. I just have to deal with the rules that are in place."

MOTION: A motion was made by Thom Hershey to approve the conditional use application subject to the Board of Zoning Appeals granting relief of the distance requirement within the code.

2nd: Joe Opperman

Discussion on the Motion:

Grant Russel asked, "Where in the code is the 100 foot defined? I was looking for it and could not find it."

Todd Richards stated that it is under the Conditional Use Section

Don Rasmussen stated, "It actually doesn't say district or use; it says residential area which is even less clear."

Todd Richards read the following, "Crematoriums shall be located no closer than 100 feet to any residential area."

Grant Russel stated, "It specifically says, crematorium, so funeral home which is on Lima Ave. is fine if it does not have a crematorium. If someone wanted to establish where that Lima Ave. funeral home is right now and they wanted to come in and say, "I want to have a funeral home there" and that would be the end result we would not have a concern if they did not have the crematorium. This would not apply."

Matt Cordonnier stated "Yes, you are correct, that is specifically for crematoriums. "

Grant Russel stated, "That's what I wanted to hear, thank you, I appreciate it."

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

ADJOURNMENT

With no further business the meeting was adjourned at 10:35 am.

Lydia L. Mihalik
Mayor

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

TRAFFIC COMMISSION

City of Findlay

January 22, 2013

MINUTES

ATTENDANCE:

MEMBERS PRESENT: Service-Safety Director Paul Schmelzer, Police Captain Sean Young, Fire Chief Tom Lonyo, Councilman Ron Monday.

STAFF PRESENT: Mayor Lydia Mihalik; Don Rasmussen, Director of Law; Matt Stoffel, Public Works Superintendent; Kathy Launder, City Clerk.

GUESTS PRESENT: Ryan Shoemaker and John Gilgenbach, Blanchard Valley Health System; Dennis McPheron, Findlay City Schools.

OLD BUSINESS

1. Request of Jim Brooks, Blanchard Valley Health System, to install a pedestrian crossing on Highland Drive from the hospital employee parking lot to the main hospital campus buildings.

12/18/2012

Jim Brooks stated that Blanchard Valley Health System would like a pedestrian crossing across Highland Drive identical to the one on the north side of the hospital on Chapel Drive. He requested signage and pavement markings. He stated that there is a fair amount of vehicle traffic that runs along Highland Drive. The crosswalk would be from the employee parking lot on the south side of Highland Drive to the hospital on the north side of Highland Drive.

Chief Lonyo stated that historically the Traffic Commission has turned down requests for mid-block crosswalks.

Director Schmelzer stated that a mid-block crosswalk is unsafe because traffic does not stop. If the Traffic Commission agrees to the request, the crosswalk would have to be signalized.

Motion to table request by Chief Lonyo, second by Director Schmelzer. Motion passed 4-0.

01/22/2013

Director Schmelzer stated that he researched the qualifications of an application of pedestrian hybrid beacon at crosswalks from the Manual for Uniform Traffic Control Devices. Based on the width of the crosswalk, the pedestrian traffic that would use the crosswalk, and the vehicle traffic, this location does not warrant a crosswalk with a pedestrian hybrid beacon. Director Schmelzer stated that he is not in favor of approving a crosswalk midblock without signalization.

Motion to lift request from table by Chief Lonyo, second by Director Schmelzer. Motion passed 4-0.

Councilman Monday stated that a crosswalk gives the pedestrian a false sense of security and does not support the midblock crosswalk.

Director Schmelzer stated that there are two ways to look at the request...Look at request scenario to determine if required then allow or if it is not required do not allow. Director Schmelzer does not agree with this. He also does not support a midblock crosswalk without some type of signalization.

Councilman Monday is okay with a signalized crosswalk if Blanchard Valley Health System funds the installation and equipment for the crosswalk.

Chief Lonyo stated that moving forward when a company submits a plan for a parking lot or other development to City Planning Commission that a review should be made if a midblock crosswalk is needed and then referred to Traffic Commission at that time.

Chief Lonyo made a request for the standard for mid block crosswalks without signals.

Motion to table request until standard for mid block crosswalk without signals is received, by Chief Lonyo, second by Councilman Monday. Motion passed 4-0.

NEW BUSINESS

1. Request of Matt Stoffel, Street Department, to review the necessity for school zone signage at Central Middle School.

McPheron stated that the Celebrating Central Committee will know by March 1 if they have funding to purchase Central Middle School building. If they do not, Findlay City Schools will advertise sale at auction.

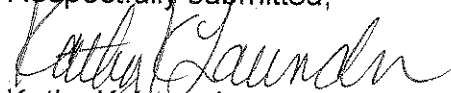
The signs at Central Middle School can be relocated to 18th Street for Glenwood Middle School and Lime Street for Donnell Middle School.

The old Glenwood Middle School is scheduled for demolition in March.

Motion to remove school zone signage at Central Middle School due to not being enforceable and reposting the signs at 18th Street for Glenwood Middle School and Lime Street for Donnell Middle School if needed, by Chief Lonyo, second by Captain Young. Motion passed 4-0.

With no further business to discuss, the meeting adjourned. The next meeting of the City of Findlay Traffic Commission will be held on February 19, 2013, at 2:30 p.m. in the third floor conference room of the Municipal Building.

Respectfully submitted,



Kathy K. Launder
City Clerk

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

December 19, 2012

HEALTH DEPT. CONFERENCE ROOM

Members Attendance:

- X Mayor Lydia Mihalik, *President Ex Officio*
- X Dr. Stephen Mills, Health Commissioner/Board Secretary
- X Mr. Gregory Cline, *President Pro Tempore*
- A Mr. William Alge
- X Dr. Robert McEvoy
- X Mrs. Joan Work
- X Mr. James Niemeyer

Staff Attendance:

- X Mrs. Barbara Wilhelm, Deputy Health Commissioner
- X Mr. Craig Niese, Environmental Health Director
- X Mrs. Taya Hyde, Nursing Director
- X Mr. Eric Helms, Plumbing Inspector
- X Mr. Chad Masters, Emergency Response

*Board meetings are recorded and transcribed to written minutes at a later time frame. The quality of the audio tape was extremely poor for this month's meeting thus the minutes were transcribed to the best of our ability.

Call to Order: Mayor Lydia Mihalik called the meeting to order at 7:36 A.M.

Minutes: Mayor Mihalik called for a motion to approve the minutes of the November 21, 2012, Board Meeting. Mr. Cline moved to accept the minutes of the November 21, 2012, Board of Health meeting as circulated. Seconded by Dr. McEvoy. **Motion carried 3-0. Filed.**

Mrs. Work arrived after vote.

HEALTH COMMISSIONER REPORT

1. Dr. Mills reminded everyone that although we have been focusing a lot of energy on childhood obesity he continues to monitor tobacco use. Tobacco use is the leading cause of preventable death in the United States. Smoking costs the United States approximately \$96 billion each year in direct medical costs. National statistics reveal that in 2009 8.2% of middle school students and 23.9% of high school students reported current use of tobacco. Our recent health assessment reveals that we are doing better with 8% of all students in 6th through 12th grade being current smokers. We need to remain diligent in tracking and addressing tobacco use.

DEPUTY HEALTH COMMISSIONER REPORT

1. Last month discussion was held on possible candidates for the Public Health Champion of the Year without a decision being made. An excellent choice for an individual who has promoted public health values is Stephanie Parsons from the Findlay YMCA. She has been actively involved in the diabetes education program, Be Healthy Now program and the Childhood Obesity Task Force. She is currently partnering with the Findlay City Health Department to bring an evidence based activity program called Recharge to the schools at recess. Also discussed was Marathon Petroleum, who as a company, has worked with the Findlay City Health Department to develop and test plans to become a Closed Point of Dispensing for emergency prophylaxis. In addition to promoting wellness among their own employees Marathon has lent the expertise of its wellness coordinator to participate in the community's Be Healthy Now program. Marathon has a strong history of community

involvement and has been a past supporter of childhood safety events as well as the community health assessment. Marathon currently provides ongoing support for the Feed A Child program, providing nutritious food to children each weekend. After some discussion it was decided it would be appropriate to recognize both an individual as well as an organization. **Dr. McEvoy moved to name Stephanie Parsons as Individual Public Health Champion for 2012 and Marathon Petroleum as Public Health Champion as an Organization.** Mr. Cline seconded. **Motion carried 4-0.**

2. City Council held its 2013 budget meeting on Thursday Dec. 13. Mrs. Wilhelm shared that just prior to that meeting she discovered that the auditor's office had missed \$50,000 of revenue in his projections for the health department for 2013. In an effort to help with next year's budget the Board of Health had decided in November that if additional cuts were necessary that the best course of action would be to decrease health department hours by ½ hour per day. This cost cutting measure would save the city approximately \$46,000. Mrs. Wilhelm did send an email to board members regarding this and did hear back from Mr. Cline and Mr. Alge. Since the unaccounted for revenue of \$50,000 would offset the \$46,000 cost of maintaining health department hours Mrs. Wilhelm requested that City Council allow the health department to maintain a 40 hour work week to which Council was agreeable.
3. Mrs. Wilhelm attended a recent Northwest Ohio Association of Ohio Health Commissioners (AOHC) meeting in Bowling Green and she advised the Board that the overwhelming consensus among health commissioners in attendance was that accreditation would be a necessity within the next three years. Although it is still being touted as "voluntary" it was felt that all grant dollars would be reserved for accredited health departments. In addition because many of our revenue producing programs such as vital statistics, food service operations, pools and spas etc are overseen by the Ohio Dept. of Health they could begin to deny unaccredited health departments the ability to run those programs. Included in the Board packet was an overview of the accreditation process with the abbreviated Domains for accreditation. A website was provided for the full document outlining all Standards and Measures which is over 250 pages. It might be helpful to look at accreditation as a three year process. The first year would be spent assessing our readiness and preparing our internal team, the second year would be utilized to prepare and gather necessary documentation and the final year would be used to actually apply for accreditation and complete a site visit. Some of the documents/process that need to be completed are a Community Wide Health Assessment and Community Health Improvement Plan which have already been completed. The next document is an internal Strategic Improvement Plan. Mrs. Wilhelm has been researching the strategic planning process and has gathered examples from several Ohio health departments who have already completed the process. The health department administration has met to discuss the process and a survey for community partners is being developed. Mrs. Wilhelm has also been looking for grant dollars to assist with the planning process. The process will be time consuming and will require a great deal of commitment but Mrs. Wilhelm felt it would not be prudent to put it off. Mr. Cline asked if the health department would need to provide additional services to which Mrs. Wilhelm felt that she didn't think that would be necessary. Accreditation is more

about quality improvement processes and being able to demonstrate/document a certain standard. Dr. McEvoy moved to begin the process of pursuing public health accreditation with the support of the Board of Health. Mrs. Work seconded. Motion carried 4-0. Filed

NURSING REPORT

1. An invoice has been received and a check issued for payment to the state for HPV vaccine that was used for insured patients. A Memorandum of Understanding for participation in the ODH pilot program for billing insurance companies for ODH supplied vaccine has been received. After being reviewed by the law director the M.O.U. was signed and returned to ODH. The project is set to start in January. Once the project begins the state will supply us with a separate pot of vaccine for use with insured patients. We will then reimburse the state when that vaccine is used.
2. The nursing department was recently informed that we have been selected for a random site visit from CLIA surveyors to review our policies for CLIA waived tests performed at the health department. The visit is scheduled for January 10, 2013.
3. Money has once again become available for the Adult Hepatitis B Project. Previously with this project the health department was able to receive Adult Hepatitis B vaccine from the state to provide Hepatitis B vaccine for individuals engaged in certain high risk behaviors. With this round of vaccine the program has been expanded to those adults who are uninsured or underinsured and would include students in medical programs as well as diabetics.

ENVIRONMENTAL HEALTH REPORT

1. The second reading to establish Retail Food and Food Service Operation Fees for 2013 was given with no further discussion.
2. Mr. Niese shared that the Ohio Dept. of Health has hired a contractor to develop a software package for the Environmental Health Program. They are hoping to have the program available by May for use with the pool and food service programs. The state will cover the initial startup cost for the program but local health departments may be expected to cover some maintenance costs later. There will be a field component allowing for the use of laptops during inspections. The health department already has 4 notebook computers for this use.

EMERGENCY RESPONSE / EPI REPORT

1. Mr. Masters updated the Board on the status of seasonal influenza cases observed in the Blanchard Valley Health System (BVH and Bluffton). BVHS had observed 30 confirmed

cases (25 type A and 5 type B) with 7 hospitalizations since November 19th. There have been no pediatric deaths due to influenza so far. BVHS did activate their "outbreak protocol" around Thanksgiving when a significant number of individuals presented with influenza-like illness, and 6 tested positive for influenza A. As part of the protocol, employees at both BVH and Bluffton Hospital, who did not receive their seasonal influenza vaccine, were required to wear masks while treating all patients to prevent possible exposure.

2. Mr. Masters informed the Board that on December 18th, the health department received a call from the nursing director at the Sterling House of Findlay stating that 4 residents and 1 non-food service employee were experiencing gastrointestinal symptoms of vomiting and diarrhea. The facility self-quarantined and posted signage at the entrances of the facility to alert visitors of the situation. Mr. Masters explained that he provided stool collection kits the same day to the facility and that the samples would be sent to the Ohio Department of Health Lab for analysis.

Mrs. Work left the meeting.

PLUMBING REPORT

1. No updates from the plumbing inspector.

MEETING REQUESTS

Dr. McEvoy moved to to approve the meeting requests as submitted:

1. January 16, 2013. Barb Wilhelm to Performance Management Training, Wood County Health Department. No cost.
2. Monthly AOHC Northwest District meetings. Barb Wilhelm to attend monthly AOHC district meetings when able in 2013. Meetings normally held at the Wood County Health Department, Bowling Green. No Charge.

Mr. Cline seconded. **Motion carried 3-0.** Filed

OLD/UNFINISHED BUSINESS

Mr. Cline inquired about the progress on the Dawn Thompson case. Mr. Niese shared that it appears the owner of the apartment complex is preparing to sell the property and should this occur it would be possible to approach the new owner/s about allowing Ms. Thompson to tap into the apartment complex's sewer line. He will check into this and report back to the Board.

NEW BUSINESS

Mrs. Wilhelm reported to the Board that three health department staff members have met all requirements to advance to the next level within the health department's job descriptions. Dawn

Laberdee was hired as a Clerk I and over the last year has obtained Medical Coding and Medical Billing Certification at her own time and expense. She has implemented insurance billing for private insurance companies. In 2012 the nursing department realized over \$190,000 in new revenue as a result. It was recommended she move to a Clerk II. Becky Bern RN has taken on increased oversight of the BCMH program expanding its reach in the community and has taken additional training in order to take on the new Help Me Grow Home Visiting Program. It is proposed to move her from a Public Health Nurse II to a Public Health Nurse III. Finally Kurt Schroeder is a Sanitarian with the Environmental Health Program. Mrs. Wilhelm shared that because he was hired after the budget was set last January he was given no credit for experience and was started at the lowest pay grade for a sanitarian despite having previously served as Environmental Health Director at another health department. All employees have received excellent evaluations from their supervisors. Mrs. Wilhelm recommended that these advancements be given. Mr. Cline inquired as to whether these promotions were in the budget and Mrs. Wilhelm replied they were.

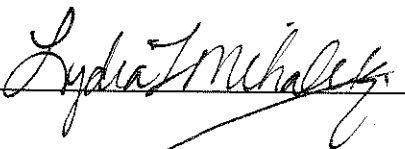
Mayor Mihalik reminded the Board that some departments were experiencing layoffs and it was not that she did not recognize the value of good employees but she could not support this move at this time. Mrs. Wilhelm pointed out to the Board that several years ago the rest of the city reevaluated pay levels for professionals but our nurses and sanitarians remained on the original pay grades. She reminded the Board of the cost and time spent on training and testing for new employees when you have turnover and feels it is important to take care of good employees. This sentiment was reiterated by the Health Commissioner, Nursing Director and Environmental Health Director. Mayor Mihalik again wished to register her hesitation to make increases at this time. With all due respect to the Mayor, Dr. McEvoy felt the costs of employee turnover outweighed the cost of promoting these valuable employees and Dr. McEvoy motioned to approve making the recommended changes in pay grade for the Dawn Laberdee, Becky Bern and Kurt Schroeder. Mr. Cline seconded. Motion carried 3-0. Filed.

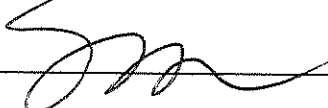
EXPENSES

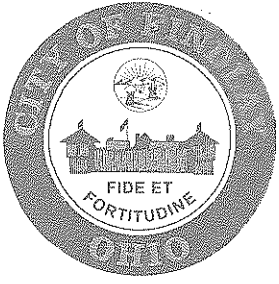
Dr. McEvoy moved to approve the expenses, as circulated, for payment by the City Auditor.

Seconded by Mr. Niemeyer Motion carried 3 – 0. Filed.

The meeting was adjourned at 8:42 A.M.

 _____, President

 _____ Secretary (Health Commissioner)



City of Findlay

Lydia Mihalik, Mayor

N.E.A.T. DEPARTMENT

Neighborhood Enhancement and Abatement Team

318 Dorney Plaza, Room 304 • Findlay, OH 45840

Phone: 419-424-7466

www.findlayohio.com

February 1, 2013

City Council
City of Findlay, Ohio

RE: Departmental Activity

This report will serve as a summary of activities for the Neighborhood Enhancement and Abatement Team (NEAT) during the month of January, 2013.

Dilapidated Structures

2 cases year to date

15 cases pending

Weeds

2 cases year to date

14 cases pending

Junk on Premises

7 cases year to date

52 cases pending

Junk Vehicles

6 cases year to date

64 cases pending

Minor Maintenance

0 cases year to date

2 cases pending

Miscellaneous

4 cases year to date

7 cases pending

Overgrowth

0 cases year to date

1 case pending

Right of Way Issues

0 cases year to date

0 cases pending

Sidewalks

2 cases year to date

0 cases pending

Trash

6 cases year to date

1 case pending

The Neighborhood Enhancement and Abatement Team received 29 new cases and closed 40 cases during the month of January. NEAT personnel continue to work diligently on the 156 cases that remained active at the end of the month.

Please contact NEAT personnel at any time if there are any questions or concerns. The staff remains dedicated to prompt response to issues that are brought to the attention of the department and works conscientiously with property owners to obtain compliance. The team appreciates the spirit of cooperation from the administration and City Council who continue to assist with the betterment of the community.

Respectfully Submitted,

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

City of Findlay Income Tax Department

Post Office Box 862 Findlay, Ohio 45839-0862
318 Dorney Plaza, Municipal Building Room 115
Telephone: 419-424-7133 • Fax: 419-424-7410
www.findlaytaxforms.com

Lydia L. Mihalik
Mayor

Monthly Collection Report to Findlay Council

January 2013

Total collections for January 2013: \$2,032,220.12

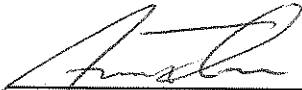
	2013	2012	Variance
	<u>Year-to-date</u>	<u>Year-to-date</u>	
Withholders	1,774,235.86	1,773,155.21	1,080.65
Individuals	200,942.42	207,922.02	-6,979.60
Businesses	<u>57,041.84</u>	<u>32,105.97</u>	<u>24,935.87</u>
Totals	2,032,220.12	2,013,183.20	19,036.92
			0.95%

Actual & Estimated Past Due Taxes

Withholders	409,144.80
Individuals	866,381.35
Businesses	<u>28,711.20</u>
Total	1,304,237.35

Refunds Paid

<u>Monthly</u>	<u>Year-to-date</u>
47	47
32,507.64	32,507.64



 Andrew Thomas, Administrator

2-1-13

Date

Findlay Income Tax Department

Monthly Collections Report

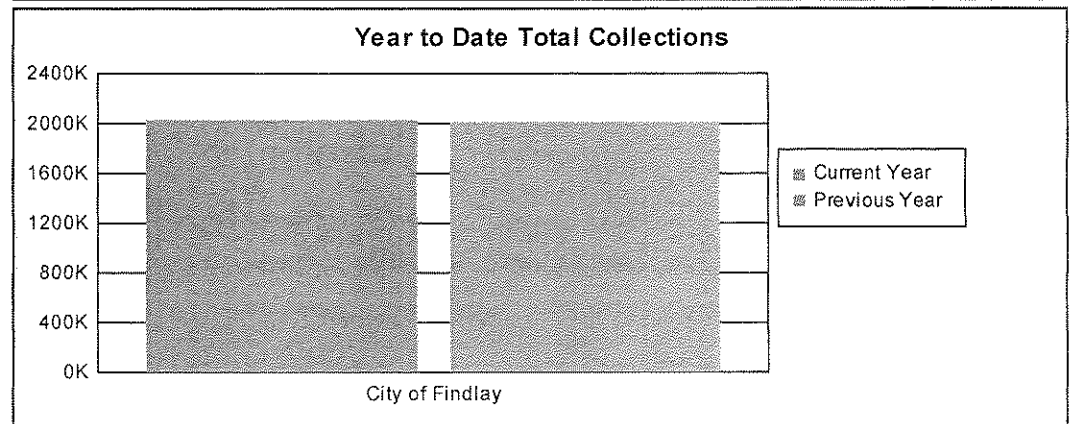
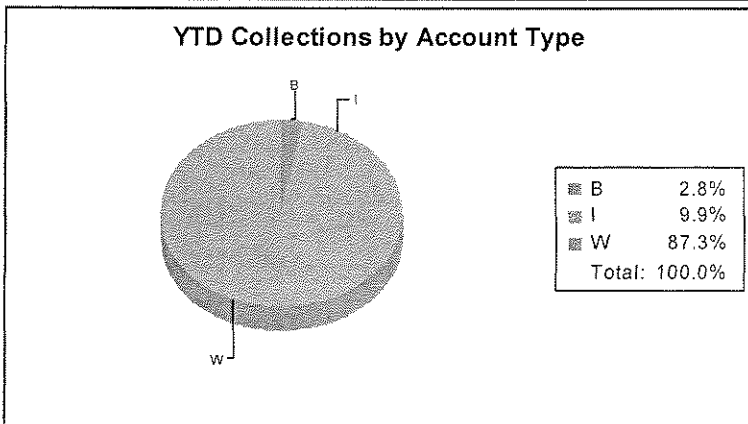
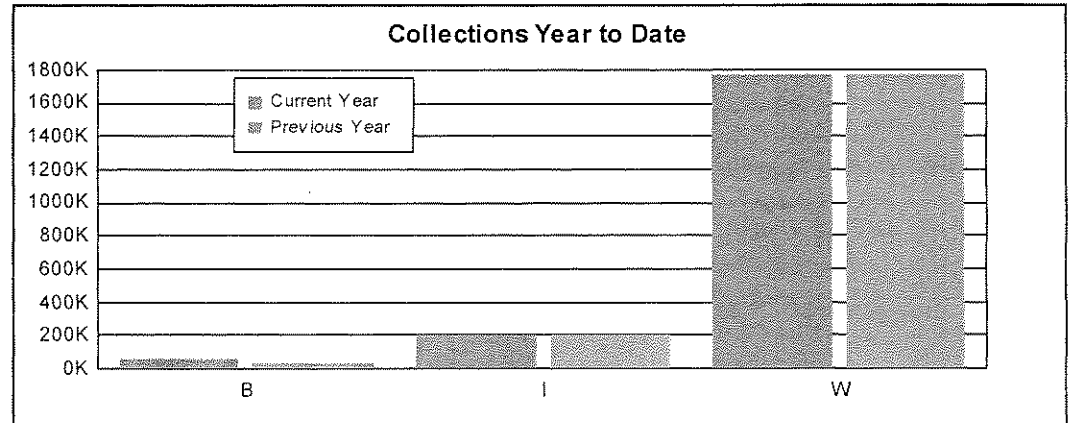
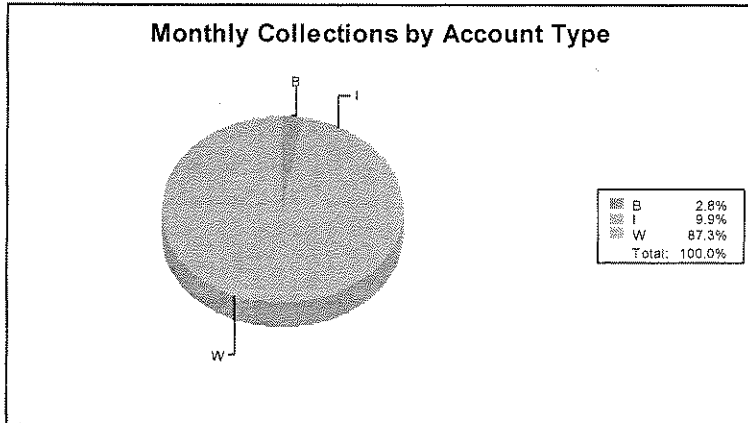
Friday, February 1, 2013

8:04:45AM

For Period January 1, 2013 through January 31, 2013

City of Findlay

Account Type	Monthly Total	2013 Year to Date	2012 Year to Date	Increase (Decrease)	% Change	2013 Month to Date	Previous Year(s) Month to Date
W	1,774,235.86	1,774,235.86	1,773,155.21	1,080.65	0.06	49,146.82	1,725,089.04
I	200,942.42	200,942.42	207,922.02	-6,979.60	-3.36	508.32	200,434.10
B	57,041.84	57,041.84	32,105.97	24,935.87	77.67	0.00	57,041.84
Totals:	2,032,220.12	2,032,220.12	2,013,183.20	19,036.92	0.95	49,655.14	1,982,564.98



**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
February 5, 2013**

RESOLUTION NO. 044-2012 (CRA #1)
*tabled at 9/4/12 City Council meeting after 1st reading
requires Council motion to be lifted from table*

A RESOLUTION AMENDING RESOLUTION NO. 33-1987, AS AMENDED BY RESOLUTION NO. 37-1988, BY INCLUDING AN ADDITIONAL AREA WHICH IS CONTIGUOUS TO THE AREA ALREADY DEFINED IN SAID REINVESTMENT AREA.

RESOLUTION NO. 045-2012 (CRA #2)
*tabled at 9/4/12 City Council meeting after 1st reading
requires Council motion to be lifted from table*

A RESOLUTION AMENDING RESOLUTION NO. 38-1988, AS AMENDED BY RESOLUTION NO. 23-1990, AS AMENDED BY RESOLUTION NO. 38-1990 (TO CORRECT ERRORS IN THE LEGAL DESCRIPTION) BY INCLUDING AN ADDITIONAL AREA WHICH IS CONTIGUOUS TO THE AREA ALREADY DEFINED IN SAID REINVESTMENT AREA.

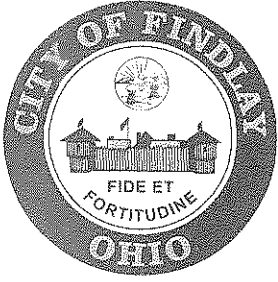
ORDINANCE NO. 2012-100
Mayor referred this to the 1/8/13 Appropriations Committee mtg

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH HANCOCK COUNTY EMERGENCY MANAGEMENT AGENCY TO DEVELOP AN EMERGENCY OPERATION PLAN THAT WILL ENCOMPASS ALL POLITICAL SUBDIVISIONS OF HANCOCK COUNTY, DEVELOP A TRAINING PROGRAM, AND COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF ALL THE POLITICAL SUBDIVISIONS ACCORDING TO THE DUTIES AND REQUIREMENTS OF SECTION 5502.27 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-004

third reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH CONGRESSMAN LATTA'S OFFICE TO LEASE APPROXIMATELY THREE HUNDRED SEVENTY SQUARE FEET OF OFFICE SPACE IN THE CITY OF FINDLAY'S MUNICIPAL BUILDING.



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

FEBRUARY 5, 2013

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, FEBRUARY 5, 2013 MEETING.

RESOLUTIONS

006-2013 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

ORDINANCES

- 2013-006 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO TO TAKE BIDS AND ENTER INTO CONTRACTS FOR INSURANCE COVERAGE FOR AIRPORT LIABILITY, AUTOMOBILE, BOILER MACHINERY, CONTRACTOR'S EQUIPMENT, CRIME INSURANCE, POLICE PROFESSIONAL LIABILITY, PUBLIC OFFICIAL'S ERRORS AND OMISSION LIABILITY, REAL AND PERSONAL PROPERTY, AND HEALTH INSURANCE, AND DECLARING AN EMERGENCY.
- 2013-007 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2013-008 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 006-2013

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 _____

OVER PURCHASE ORDER/NO PURCHASE ORDER- COUNCIL AUTHORIZATION

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
COMMERCIAL FUEL DEPOTS	109322	22040000- 321401	STREETS	9094.15	FUEL FOR VEHICLES	NO FUNDS LEFT ON PURCHASE ORDER 1411 FOR DECEMBER FUEL NEEDS.
BUCKEYE PUMPS	109295, 109296, 109298	25076000- 331300	SWIMMING POOL	5262.00	REPAIR OF MULTIPLE PUMPS	NO PURCHASE ORDER WRITTEN

ORDINANCE NO. 2013-006

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF FINDLAY, OHIO TO TAKE BIDS AND ENTER INTO CONTRACTS FOR INSURANCE COVERAGE FOR AIRPORT LIABILITY, AUTOMOBILE, BOILER MACHINERY, CONTRACTOR'S EQUIPMENT, CRIME INSURANCE, POLICE PROFESSIONAL LIABILITY, PUBLIC OFFICIAL'S ERRORS AND OMISSION LIABILITY, REAL AND PERSONAL PROPERTY, AND HEALTH INSURANCE, AND DECLARING AN EMERGENCY.

WHEREAS, the aforementioned insurance policies expire during the calendar year 2013, and it is necessary to take bids so that new policies may be in effect upon the expiration of the old policies.

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 take bids and enter into contracts for insurance policies for airport liability, automobile, boiler machinery, contractor's equipment, crime insurance, police professional liability, public official's errors and omission liability, real and personal property for the renewal period of July 2013 up to July 2016.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason that it is immediately necessary to secure bids on all of the afore described insurance coverages so that new policies may be acquired and in place upon expiration of the current policy.

WHEREFORE, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PRESIDENT OF COUNCIL

MAYOR

PASSED: _____

ATTEST _____
CLERK OF COUNCIL

APPROVED: _____

ORDINANCE NO. 2013-007

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: ODOT	\$ 100,000.00
FROM: Capital Improvements – CIT	\$ 5,000.00
TO: Trenton Ave/Blanchard St Traffic Signal Upgrade, <i>Project #32810300</i>	\$ 105,000.00

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 said project may proceed,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-008

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: CDBG Grant Funds	\$ 148,000.00
TO: Byal Avenue, Phase II (CDBG FY2012), <i>Project #32523000</i>	\$ 101,800.00
TO: Senior Center Equipment, <i>Project #31930500</i>	\$ 46,200.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that on-going improvements to the infrastructure in the West Park area may continue,

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 _____