

# FINDLAY CITY COUNCIL AGENDA

**REGULAR SESSION**

**March 19, 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 March 5, 2013 Regular Session City Council meeting minutes.

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

**PROCLAMATION** – none.

**RECOGNITION/RETIREMENT RESOLUTIONS** – none.

**WRITTEN COMMUNICATIONS:**

**Bill Lydick – wildlife crossing sign on South River Road**

Mr. Lydick attending a City Council meeting approximately two to three (2-3) years ago requesting a sign be posted on South River Road to help protect the large number of geese that nest directly across the river in that area. His request was denied and he is now asking City Council for their assistance in posting a "wildlife crossing" sign similar to the one posted on East Melrose just past Crystal Avenue which has a lot less wildlife in that area than on South River Road.

**ORAL COMMUNICATIONS** – none.

**PETITIONS** – none.

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

Findlay Police Department Activities Report – February 2013.

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

City Planning Commission agenda – March 14, 2013; minutes – December 13, 2012; minutes – January 10, 2013; staff report – March 14, 2013

**Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Diaz Investments, Inc. dba El Tequila, located at 2411 Tiffin Avenue, Findlay, Ohio for a D1, D2, and D3 liquor permits. This requires a vote of Council.**

Gregory R. Home, Chief of Police – Diaz Investments, Inc. dba El Tequila, located at 2411 Tiffin Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Felipe Diaz Cruz

**Service-Safety Director Paul Schmelzer – ODOT resurfacing SR 568/SR 330-0.20/0.15, PID #76823**

Preliminary legislation has been received from the Ohio Department of Transportation (ODOT) regarding this project. This legislation verifies the City's consent to proceed with the project and proposes a commitment to pay twenty percent (20%) of the resurfacing costs for the areas of State Route 568 from Main Street to Bright Road that are within the City limits. In order to put the project on the books for 2014, ODOT has requested the approved legislation be returned to them no later than April 10, 2013. The work is planned for the spring of 2014 and will be contracted by ODOT. The City's estimated share for the project is ninety thousand dollars (\$90,000.00). This project is currently included in the 2013 Capital Improvements Plan which will soon be available for review. This project qualifies for both County Permissive and State Highway as funding sources. An appropriation of funds is requested. The City's matching funds were already discussed at the March 12, 2013 Appropriations Committee. An appropriation of funds will be requested at a later time once ODOT formalizes the numbers. ODOT preliminary Ordinance No. 2013-015 was created.

**Service-Safety Director – City-owned Hardin Street Parking Lot**

The Hancock County Commissioners are moving forward with plans to renovate space on Main Street. The County will soon be relocating additional County offices into the 514 South Main Street building currently housing Café Marie and the Hancock County Adult Probation Office. As a result of this move, a considerable number of County employees will be in need of parking in that immediate area. The County is interested in purchasing the Hardin Street lot from the City. As part of the purchase agreement, the County is willing to increase the number of City employees able to park in the lot on the north side of the municipal building. Council's permission to enter into an agreement with the County Commissioners to craft an agreement is requested. Ordinance No. 2013-017 was created.

**Hancock Regional Planning Commission Interim Director Matt Cordonnier – HRPC status of revolving loan fund billing**

Attached is the Hancock Regional Planning Commission's (HRPC) Revolving Loan Fund (RLF) for the period of December 2012-January 2013 in the amount of one thousand two hundred fifty-nine and fifty-two cents (\$1,259.52). Details were provided to the City Auditor and will be available when the invoice is presented for approval. HRPC has accrued three hundred two dollars and eighty cents (\$302.80) for administration of the City RLF for the month of February. HRPC will hold the February invoice and will present a combined invoice for February and March in early April. HRPC is not currently processing any new loans, but anticipates several new applications in the near future. Several telephone calls and meetings with potential RLF applicants have taken place.

**City Auditor Jim Staschiak – HB5**

The City Income Tax Administrator Andrew Thomas has been working hard to keep the City Income Tax Board apprised of the progress of HB5 and our Income Tax Collections. If the bill passes as written, we have narrowed down concerns to the following two points:

1. Findlay would lose its ability to file its nearly 600 annual small claims cases through Findlay Municipal Court. This would divert \$35,000 to \$50,000 in fees away from Findlay Municipal Court, add up to \$10,000 in additional costs to the process, and jeopardize the City's collection of nearly \$450,000 in past due taxes. The City collected \$1,121,985 of these past due taxes over the past three (3) years.
2. By establishing the Municipal Tax Policy Board and requiring local ordinance and rule changes to be submitted to that board and then to the Joint Committee on Agency Rule Review, HB5 puts municipalities in a position where they would be surrendering their local rule-making authority.

HB5 represents municipal tax reform by an entire rewrite of ORC 718. Many municipalities around the State are now joining together to oppose this bill in its entirety until such time that the issues can be resolved. Both the City Auditor and the City Income Tax Administrator encourage Council to take a serious look at this issue.

**City Auditor Jim Staschiak – 5 year forecast plan**

At the February Appropriations Committee meeting, the framework for a five (5) year forecast planning tool and its importance for showing the financial impact of operational and/or funding changes across City departments as well as the impact on capital monies available for important projects such as streets and equipment was discussed. The framework for presenting the General Fund portion of this plan is complete and ready for the expense data to be completed by the Administration, as well as the revenue data by the City Auditor's Office. There has never been a decision making tool available to this Council that provides a view of the real long term impact of potential changes to the funding across the City's operations and capital plans. According to 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. Collaboration between the City Auditor's Office forecasting revenue projections and the Mayor's Office projecting expenses to complete this document will allow us to comply with many of the planning recommendations in the performance audit.

**City Auditor Jim Staschiak – financial analysis of costs for FFD layoffs**

Attached is the financial analysis of the costs associated with twenty (20) staff members of the Findlay Fire Department that are scheduled for layoff:

- Budgeted cost for 2013 of the twenty (20) Firefighters with one time cost of layoff = \$942,185.00
- Cost of retaining twenty (20) Firefighters from January 1, 2013 – December 31, 2013 = \$1,590,948.00
- Cost to retain twenty (20) Firefighters from January 1, 2014 – December 31, 2013 = \$1,804,175.00

The decision is more than a financial one. The reality of municipal budgeting throughout the State is one of balancing both operational cost including staffing levels with vital capital and equipment needs including deferred maintenance with the limited resources available.

**Mayor Lydia Mihalik – renewal of Dog Warden 2013 contract**

The agreement for Dog Warden services between the City of Findlay and the Board of Hancock County Commissioners expired December 31, 2012. The City of Findlay is interested in renewing the contract for said services for the period of January 1, 2013 through December 31, 2013 for the amount of twenty thousand dollars (\$20,000.00). Funds are budgeted for these services for 2013. Authorization to enter into an agreement with the Board of Hancock County Commissioners for Dog Warden services for the period of January 1, 2013 through December 31, 2013 is requested. Ordinance No. 2012-016 was created.

**Parks and Recreation Board Agenda – March 18, 2013.**

**City Auditor Jim Staschiak – Revolving Loan Fund Administration**

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for December 2012 through January 2013 (copy attached). This is now a routine request, and you have approved requesting the appropriation without going to committee each time. Authorization to draw from the Revolving Loan Fund account and appropriate funds is requested. Ordinance No. 2013-018 was created.

FROM:	Revolving Loan Fund	\$ 1,259.52
TO:	General Expense #21010000-449400	\$ 1,259.52

**Budget Summary of Year-To-Date Information Report Cash & Investments as of February 28, 2013**

**COMMITTEE REPORTS:**

The APPROPRIATIONS COMMITTEE to whom it was referred a request from the Service-Safety Director to discuss Ohio Department of Transportation (ODOT) resurfacing of State Route 568/State Route 330-0.20/0.15, PID #76823:

*We recommend approval of the above request.*

Ordinance No. 2013-015 was created.

## 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. 009-2013 (DFID)

Second reading

A RESOLUTION APPROVING THE RENEWAL PETITION, SERVICES PLAN AND BUDGET OF THE DOWNTOWN FINDLAY IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

### ORDINANCES

#### ORDINANCE NO. 2012-100 (EMA)

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. 2013-010

Third reading

- 2012 carry-over
- CDOT manhole adjustments project #32821600
- OPWC Byal Ave improvements (Phase I) project #32513200

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-011 (YMCA – swimming pool)

Second reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT (CONTRACT) WITH THE YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2013 SEASON, AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-012 (CUBE & 5-Plex baseball fields)

Second reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO DEVELOP A SCOPE OF WORK, ADVERTISE FOR BIDS FOR LANDSCAPING, MOWING, AND FIELD MAINTENANCE SERVICES FOR THE CITY OF FINDLAY'S CUBE AND 5-PLEX BASEBALL FIELDS, AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-013 (WPC Bar Screen project #35620900)

Second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-014 (Health Dept – MRC grants)

Second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-015 (ODOT preliminary legislation)

First reading

AN ORDINANCE COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RESURFACING OF ASPHALT CONCRETE IN ORDER TO MEET AMERICAN DISABILITY ACT (ADA) REQUIREMENTS (i.e. CENTERLINES, EDGELINES, STOP BARS, RAILROAD MARKINGS, CROSS WALKS, PARKING STALL PAINTING, AND PAVEMENT MARKINGS) ON STATE ROUTE (SR) 568 FROM MAIN STREET TO THE EASTERN CORPORATION LIMITS, PID #76823, A PORTION OF WHICH IS IN THE CITY OF FINDLAY, WHICH NECESSITATES THE COOPERATION OF THE CITY OF FINDLAY FOR CERTAIN WORK TO BE PERFORMED BY THE CITY ON THE PORTION LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-016 (2013 renewal Dog Warden services)

First reading

AN ORDINANCE AUTHORIZING SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, FOR DOG WARDEN SERVICES IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

#### ORDINANCE NO. 2013-017 (County purchase City-owned Hardin St parking lot; County)

First reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO NEGOTIATE WITH THE HANCOCK COUNTY COMMISSIONERS FOR THE POTENTIAL SALE OF THE CITY OF FINDLAY'S HARDIN STREET PARKING LOT, AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 2013-018**

*(RLF expenses/staff time for RLF administration for December 2013 & January 2013)*

**AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.**

**First reading**

***UNFINISHED BUSINESS***

OLD BUSINESS

NEW BUSINESS

Monday, March 04, 2013

Dear Findlay City Council;

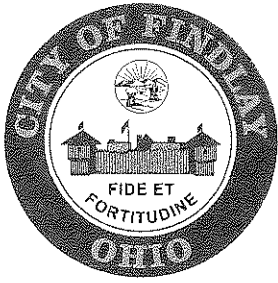
Approximately 2-3 years ago I attended a council meeting in order to have a sign posted on S. River Rd. to help protect the large number of geese that nest directly across the river in that area. My request was denied! Once again, I ask you folks for a sign that states: "Wildlife Crossing", like the one posted on E. Melrose just past Crystal Ave. There are a lot less "Wildlife" in that area than on S. River Rd. So again I ask PLEASE help me in helping these geese and other wildlife.

Thank you,

*Bill Lydick*

Bill Lydick

*2105 Knottwood DR.  
Findlay, Ohio  
43840*



# City of Findlay

Lydia Mihalik, Mayor

## POLICE DEPARTMENT

Gregory R. Horne, Chief of Police  
318 Dorney Plaza, Room 207 • Findlay, OH 45840  
Phone: 419-424-7194 • Fax: 419-424-7296  
[www.findlayohio.com](http://www.findlayohio.com)

March 1, 2013

Honorable Council:

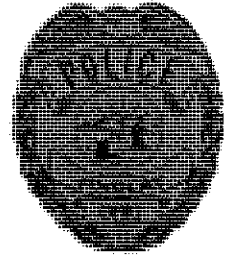
Attached are the Findlay Police Department activity stats for February 2013.

Sincerely,

Gregory R. Horne  
Chief of Police



**CITY OF FINDLAY  
POLICE DEPARTMENT  
FINDLAY, OH 45840**



Phone: 419-424-7163  
Fax: 419-424-7296

**Patrol Division  
Monthly Activity Report  
Month of: February 2013**

	<u>Month</u>	<u>Year to Date</u>
Traffic Stops:	791	1505
Citations:	283	534
Operating Vehicle while Intoxicated:	25	38
Accidents (non injury):	80	126
Injury Accidents:	7	20
Accident Waivers:	20	37
Property Damage Complaints:	13	43
Theft Complaints:	78	166
Unlawful Entry Complaints:	12	29
Domestic Dispute Complaints:	44	98
Assault Complaints:	17	34
Sex Offense Complaints:	4	7
Alcohol/Drug Complaints:	29	51
Warrants Served:	56	113
Arrests:	164	289
Total Reports Generated:	1172	2370

## Detective Division

### February, 2013 Activity

#### Cases Submitted for Prosecution

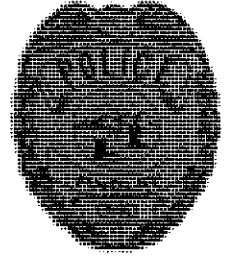
	Month	Year to Date
Law Director:	90	166
County Prosecutor:	21	47
Juvenile Prosecutor:	22	42

There were a total of 11 new cases assigned for investigation during the month of February.





**CITY of FINDLAY  
POLICE DEPARTMENT  
FINDLAY, OH 45840**



Phone: 419-424-7194  
Fax: 419-424-7891

**Vice Narcotics Unit/METRICH Unit**

**Activity Report**

February 2013

The following is the activity report for the Vice Narcotics Unit/METRICH Unit for the month of February 2013:

Narcotics Investigations: 24

Felony Arrests: 6 (10 charges)

Misdemeanor Arrests: 2

Drug Talks: 0

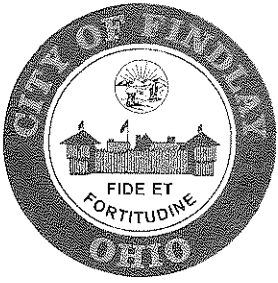
Sgt. Justin Hendren 818

MONTHLY COURT OFFICER ACTIVITY REPORT

MONTH: FEBRUARY YEAR 2013

TOTAL PAPERS PROCESSED	<u>182</u>
TOTAL PAPER SERVICE HOURS	<u>99</u>
TOTAL COURT SECURITY HOURS	<u>56.5</u>
TOTAL PRISONERS TO/FROM COURT	<u>4</u>
TOTAL MILES DRIVEN	<u>978</u>
TOTAL SUMMONS	<u>78</u>
TOTAL OVERTIME HOURS	<u>.50</u>

Clerk Bailey #12110  
COURT OFFICER



# City of Findlay

Lydia Mihalik, Mayor

## N.E.A.T. DEPARTMENT

Neighborhood Enhancement and Abatement Team

318 Dorney Plaza, Room 304 • Findlay, OH 45840

Phone: 419-424-7466

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

March 5, 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 February, 2013.

### **Dilapidated Structures**

3 cases year to date  
16 cases pending

### **Weeds**

3 cases year to date  
15 cases pending

### **Junk on Premises**

15 cases year to date  
58 cases pending

### **Junk Vehicles**

13 cases year to date  
69 cases pending

### **Minor Maintenance**

0 cases year to date  
2 cases pending

### **Miscellaneous**

9 cases year to date  
9 cases pending

### **Overgrowth**

1 case year to date  
2 cases pending

### **Right of Way Issues**

0 cases year to date  
0 cases pending

### **Sidewalks**

7 cases year to date  
0 cases pending

### **Trash**

13 cases year to date  
1 case pending

The Neighborhood Enhancement and Abatement Team received 35 new cases and closed 19 cases during the month of February. NEAT personnel continue to work diligently on the 172 cases that remained active at the end of the month. Additionally, the Backyard Mission Trip is being coordinated by the Findlay Ministerial Association in conjunction with NEAT and Habitat for Humanity. This annual event is scheduled for April 27<sup>th</sup> in the community and has a goal of 100 projects utilizing 1000 volunteers this year.

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 City Planning Commission

Thursday, March 14, 2013 - 9:00 AM

## AGENDA

### CALL TO ORDER

### ROLL CALL

### SWEARING IN

### APPROVAL OF MINUTES

### NEW ITEMS

1. **PETITION FOR ZONING AMENDMENT #ZA-01-2013** filed by Joseph Edinger to rezone 123 Cherry Street from C-1 Local Commercial to C-3 Downtown Commercial.
2. **PETITION FOR ZONING AMENDMENT #ZA-02-2013** filed by Leonard Gilbert, 14478 Dutch Cross Rd., Centerburg OH 43011 to rezone 147 Garfield Avenue from R-2 Single Family Residential to R-4 Two Family, High Density.
3. **ALLEY VACATION PETITION #AV-01-2013** filed by RJT Properties, LLC, 400 W. Main Cross Street, Findlay to vacate an east/west alley extending west from Liberty Street behind Dietsch Brothers.
4. **SITE PLAN APPLICATION #SP-03-2013** filed by George M. Whitson, 1706 Imperial Lane, Findlay, OH for a proposed Hilton Garden Inn to be located at 1050 Interstate Drive West, Findlay.
5. **SITE PLAN APPLICATION #SP-04-2013** filed by Hutton Growth One LLC, 736 Cherry Street, Chattanooga, TN for proposed Family Dollar store to be located at 820 Tiffin Avenue, Findlay.
6. **DISCUSSION OF AN UPDATE TO THE CITY OF FINDLAY FLOOD DAMAGE REDUCTION ORDINANCE** filed by Todd Richard, Zoning/Floodplain Administrator.

### ADMINISTRATIVE APPROVALS

### ADJOURNMENT

# City of Findlay City Planning Commission

Thursday, December 13, 2012 - 9:00 AM  
Municipal Building, Council Chambers

## Minutes

**MEMBERS PRESENT:** Mayor Lydia Mihalik  
Director Paul Schmelzer  
Joe Opperman  
Grant Russel

**STAFF ATTENDING:** Judy Scrimshaw, HRPC Staff  
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  
Joe Opperman  
Grant Russel

### SWEARING IN

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

### APPROVAL OF MINUTES

G. Russel moved to approve the minutes of the November 8, 2012 meeting. J. Opperman seconded the motion. Motion carried 4-0.

### TABLED ITEM FROM THE JANUARY 12, 2012 MEETING

**PRELIMINARY PLAT APPLICATION #48806-PP** filed by John Best and Roger Best, 15491 Brookview Trail, Findlay, OH 45840, for Deer Landing - 1st Addition, part of SW 1/4 Sec. 29 in Marion Township, Hancock County, Ohio.

P. Schmelzer moved to lift Preliminary Plat Application #48806-PP from the table. G. Russell

seconded motion. Motion passed 4-0-0.

**DISCUSSION**

P. Schmelzer stated that this item had been tabled due to waterline issues and nothing has been resolved at this time. Conditions were put on property prior to current owner.

**MOTION:** P. Schmelzer made a **motion to deny PRELIMINARY PLAT APPLICATION #48806-PP .**

**2<sup>nd</sup>:** J. Opperman seconded the motion.

**VOTE:** Yay (4) Nay (0) Abstain (0)

**TABLED ITEM FROM THE NOVEMBER 8, 2012 MEETING**

**REQUEST FOR VACATION OF STREET RIGHT OF WAY #SV-01-2012** filed by The City of Findlay to vacate a portion of E. Main Cross Street right of way adjacent to the Findlay Inn and Conference Center, 200 E. Main Cross Street.

P. Schmelzer made a **motion to take Request for vacation of Street Right of Way #SV-01-2012 off the table.** G. Russell seconded the motion. Motion Passed 4-0-0.

**DISCUSSION**

P. Schmelzer asked D. Rasmussen to explain what had occurred with this agenda item through City Council.

D. Rasmussen explained that this request had come to Council and was referred to CPC and Planning & Zoning. For some reason it did not get to HRPC before it was on Planning & Zoning Committee agenda. Planning & Zoning was aware it had not been to CPC but decided to act on anyway.

It came to Council for a 3<sup>rd</sup> reading and was passed 8-0. At this time FCPC can act on the matter but is technically has been passed.

P. Schmelzer asked if then procedurally what CPC does here would be irrelevant.

D. Rasmussen replied that Council had enough votes that night to override a negative recommendation from CPC.

P. Schmelzer asked what could be done procedurally in the future to avoid this happening again.

D. Rasmussen replied that he still is not sure why this did not get to HRPC to be on the CPC agenda sooner. He had had discussion with Council about tabling.

J. Scrimshaw stated that there was no actual application for this item. The City was the applicant for some reason and the Law Director started the process with an Ordinance. If there is an actual application it may help the Council Clerk recognize that it needs to be sent to City Planning Commission.

D. Rasmussen stated that the City doesn't need to make an application to itself. Will need to make a better effort to get things to HRPC in a timely manner.

G. Russel asked why the planning commission is here. We often just provide a rubber stamp for items. This was one time that the members had issues with an application and Council proceeded without any recommendation.

D. Rasmussen stated that he doesn't feel that Council thinks Planning Commission is just a rubber stamp.

G. Russel replied that he thinks that when Council has our recommendation and overrides it it is more of a difference of opinion than not giving any value to our recommendations. In this case, however, what we thought had no bearing on this case. Is Planning Commission only here because it is required per code? Why not send this back through the process? Let Council hear our concerns.

J. Scrimshaw stated that she does feel that P & Z looks at what we say. It may not sway the vote but it sometimes makes them think about something they had not considered. Council does need a  $\frac{3}{4}$  vote to override a recommendation of CPC and perhaps it does change someone's mind on occasion. J. Scrimshaw commented that if someone would file against the decision because they did not agree with it for some reason could this possibly be overturned if it went to court on a procedural issue?

D. Rasmussen stated that he is not here to tell the Commission to not take any action on the case. He does not think this body is irrelevant.

G. Russel replied that they should vote on the issue. Unfortunately, one of the strongest proponents against this is not here today and neither is anyone representing the applicant. He still thinks we should act.

P. Schmelzer stated that he thought at the last meeting that we had discussed possibly using the City's al fresco dining ordinance to address the applicant's case.

D. Rasmussen stated that they actually want to construct a structure so it is not sidewalk dining.

G. Russel asked how this conformed to right of way setbacks.

J. Scrimshaw replied that this is in the C-3 Downtown zoning district which has no required setback.

**Motion: P. Schmelzer moved to approve the REQUEST FOR VACATION OF STREET RIGHT OF WAY #SV-01-2012 to vacate a portion of E. Main Cross Street right of way adjacent to the Findlay Inn and Conference Center, 200 E. Main Cross Street.**  
**2<sup>nd</sup>: L. Mihalik**

P. Schmelzer stated that there is no effect on pedestrian area with this request. He doesn't see the City needing the amount of right of way they have here and would like to work to help the downtown businesses which already are confined in the spaces they occupy.

**VOTE:** Yay (2) Nay (2) Abstain (0)  
**Tie Vote. Request denied**

At this time Mayor Mihalik left the meeting.

### **NEW ITEMS**

**1. APPLICATION FOR SITE PLAN REVIEW #SP-23-2012** filed by Michael Stearns, 8269 Clearbrook Circle, Findlay, OH 45840 for a **self-storage facility** to be located at **3640 Marathon Way**.

### **HRPC**

#### **General Information**

The site is located on the west side of Marathon Way on Lot 18 in the North End Commercial Park. It is currently zoned I-1 Light Industrial. Land to the east and south is also zoned I-1. To the west and north is zoned C-2 General Commercial. The site is not located within the 100 year flood plain. The land use plan designates the area as Regional Commercial.

#### **Parcel History**

This is a vacant platted lot.

#### **Staff Analysis**

The applicant is proposing to construct two (2) storage unit buildings on the south half of the lot. One building is 30' x 150' and the other is 40' x 150'. The larger of the two buildings has an office/shop area designated on the east end.

Ingress/egress will be via a single drive cut onto Marathon Way at the southeast corner of the lot. Circulation through the site will be on the asphalt driving/parking lanes surrounding the buildings.

Setbacks for this district are 50' front, and 30' side and rear yards. The buildings meet all the setbacks requirements. Maximum height in the I-1 district is 60'. The office portion of the building is the tallest at 15' in height.

Landscaping is required along the west property line. The code requires an industrial zone/use to have landscaping if it abuts an area zoned C-2 General Commercial. We did not require the planting to follow all the way up the west side and across the north end due to the 50' AEP easement through the lot in those locations.

### **ENGINEERING**

Stormwater Management –No detention provided on site. All detention will be handled in the existing pond located east of the site.

Sidewalks – No sidewalks were proposed for this site.

### **FIRE PREVENTION**

- Any natural gas or electric meter within driving area must have crash protection.



- Address to be posted on street side of office in 4 inch minimum numerals.
- Dumpsters must be 10 ft. from buildings.
- Driving surface must be capable of handling fire trucks before building begins.
- Any additional plans and any variances from the submitted site plan must be submitted to Findlay Fire Prevention office in a timely fashion for review and approval.

### STAFF RECOMMENDATION

Staff recommends approval of Site Plan Application #SP-23-2012 for a self storage facility on Lot 18 (3640 Marathon Way) of the North End Commercial Park.

### DISCUSSION

P. Schmelzer asked what we would propose for sidewalk in this area. It is a mixed use development.

J. Scrimshaw stated that there are two (2) industrial uses on the south end of the subdivision that do not have sidewalks. There are the ball diamonds to the east without sidewalks abutting them and they are also industrially zoned. Sidewalks along Speedway Drive stop along the bubble in front of the hotel. Have normally not required sidewalks in industrial zoning.

P. Schmelzer asked if the detention pond was on an industrial lot as well.

J. Scrimshaw stated yes. There are no sidewalks on those parcels either.

P. Schmelzer commented that there will be no connectivity to commercial areas if we follow this pattern. There are no walks along the roadways. Do we want people to be able to walk to the hotel where they may be staying for a tournament? Sidewalks would definitely be a good idea here. He then asked if the storage area of the site needed to be paved under the new code.

J. Scrimshaw replied that this is not well defined in the outdoor storage section of the code. The language is very loose. It does not really discuss pavement in the industrially zoned areas for storage. This needs to be addressed in our amendments.

A question was asking regarding the fact that no screening was required on the north end of the lot.

D. Stone stated that there is the large AEP easement for high tension lines here. AEP may permit some screening and he would have to verify with them what they would permit.

M. Cordonnier asked what type of fence was to be installed. D. Stone stated that it would be chain link with barb wire on top.

M. Cordonnier stated that required landscaping should be installed along the fence line on the north end also. The purpose of the landscape screening is to hide the industrial use from full view of the Commercial areas.

J. Scrimshaw stated she agreed with Mr. Cordonnier. The planting could be inside the fencing in this case and not encroach into the power easement.

M. Cordonnier stated that the code requires different intensities in the screening between

different abutting districts. The easement should not necessarily relieve the applicant of the requirement. Tall growing arborvitae and trees can help obscure the view of RVs and boats being stored on the site.

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

- Sidewalks provided along the perimeter of the lot
- Screening provided along the north line of the fence
- Water meter be set in the right of way

2<sup>nd</sup>: G. Russel seconded the motion.

J. Scrimshaw noted that the Fire Department had not been given an opportunity to give their comments.

M. Pickett read the Fire comments into the record.

- Any natural gas or electric meter within driving area must have crash protection.
- Address to be posted on street side of office in 4 inch minimum numerals.
- Dumpsters must be 10 ft. from buildings.
- Driving surface must be capable of handling fire trucks before building begins.
- Any additional plans and any variances from the submitted site plan must be submitted to Findlay Fire Prevention office in a timely fashion for review and approval.

J. Opperman stated he had some concerns about the easement area on the north end of the lot. Who will take care of that area?

J. Scrimshaw stated that it would be up to the owner as it is a part of his parcel. The area will remain grassed. J. Scrimshaw then asked if there would be any lighting on the site. She did not see any indication of pole lighting on the plan.

D. Stone stated that all lighting would be wall packs on the buildings.

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

## **2. REVIEW OF AMENDMENTS TO FINDLAY ZONING CODE**

P. Schmelzer stated that he has been reviewing the document and would like to follow up with HRPC and T. Richard on the proposed changes. Would like to keep this item tabled for now.

### **ADJOURNMENT**

With no further business the meeting was adjourned.

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Lydia L. Mihalik  
Mayor

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



# City of Findlay City Planning Commission

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

**2<sup>nd</sup>:** 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 Schmeltzer 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 Schmeltzer 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 Schmeltzer 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 Schmeltzer 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.

2<sup>nd</sup>: 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.

2<sup>nd</sup>: 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 reburn 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 it 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 individuals 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 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.

2<sup>nd</sup>: 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.

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Lydia L. Mihalik  
Mayor

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

# FINDLAY CITY PLANNING COMMISSION



## STAFF REPORT March 14, 2013

### CITY PLANNING COMMISSION MEMBERS

Mayor Lydia L. Mihalik, Chairman  
Service-Safety Director, Paul E. Schmelzer, P.E., P.S.  
Thom Hershey  
Joseph Opperman  
Grant Russel

Judy Scrimshaw, HRPC Staff  
Matt Pickett, Fire Inspector  
Steven C. Wilson, P.E., P.S., Engineer  
Don Rasmussen, Law Director

# City of Findlay City Planning Commission

Thursday, March 14, 2013 - 9:00 AM

## COMMENTS

### NEW ITEMS

**1. PETITION FOR ZONING AMENDMENT #ZA-01-2013** filed by Joseph F Edinger, 820 Third Street, Findlay to rezone **123 Cherry Street**, Findlay, Oh from R-3 Single Family High Density to C-3 Downtown Commercial.

### HRPC

#### **General Information**

The site is located on the south side of Cherry Street just east of the Norfolk and Southern Railroad tracks. The application stated the zoning as R-3 but in zooming in on the map it was discovered that it is actually zoned C-1 Local Commercial. The properties to the west are zoned C-3 Downtown Commercial and the properties to the north, south and east are zoned R-3 Single Family High Density. The site is not located within the 100 year flood plain.

#### **Parcel History**

This site has been home to various commercial uses over the years.

#### **Staff Analysis**

At the September 10, 2009 meeting of FCPC a request was made to rezone this parcel from C Residential to B-3 Central Business (same as C-3 Downtown Commercial in current code). The same garage type building existed on the parcel at that time and had been used for an auto repair business prior to that time. Council passed the ordinance in November, 2009.

I assume that this is a case of map error in the conversion from the old code to new last year. Staff has no issue with returning the property to its prior designation.

### ENGINEERING

No Comment

### FIRE PREVENTION

No Comment

### STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval of **PETITION FOR ZONING AMENDMENT #ZA-01-2013** to Findlay City Council.

PETITION FOR ZONING AMENDMENT

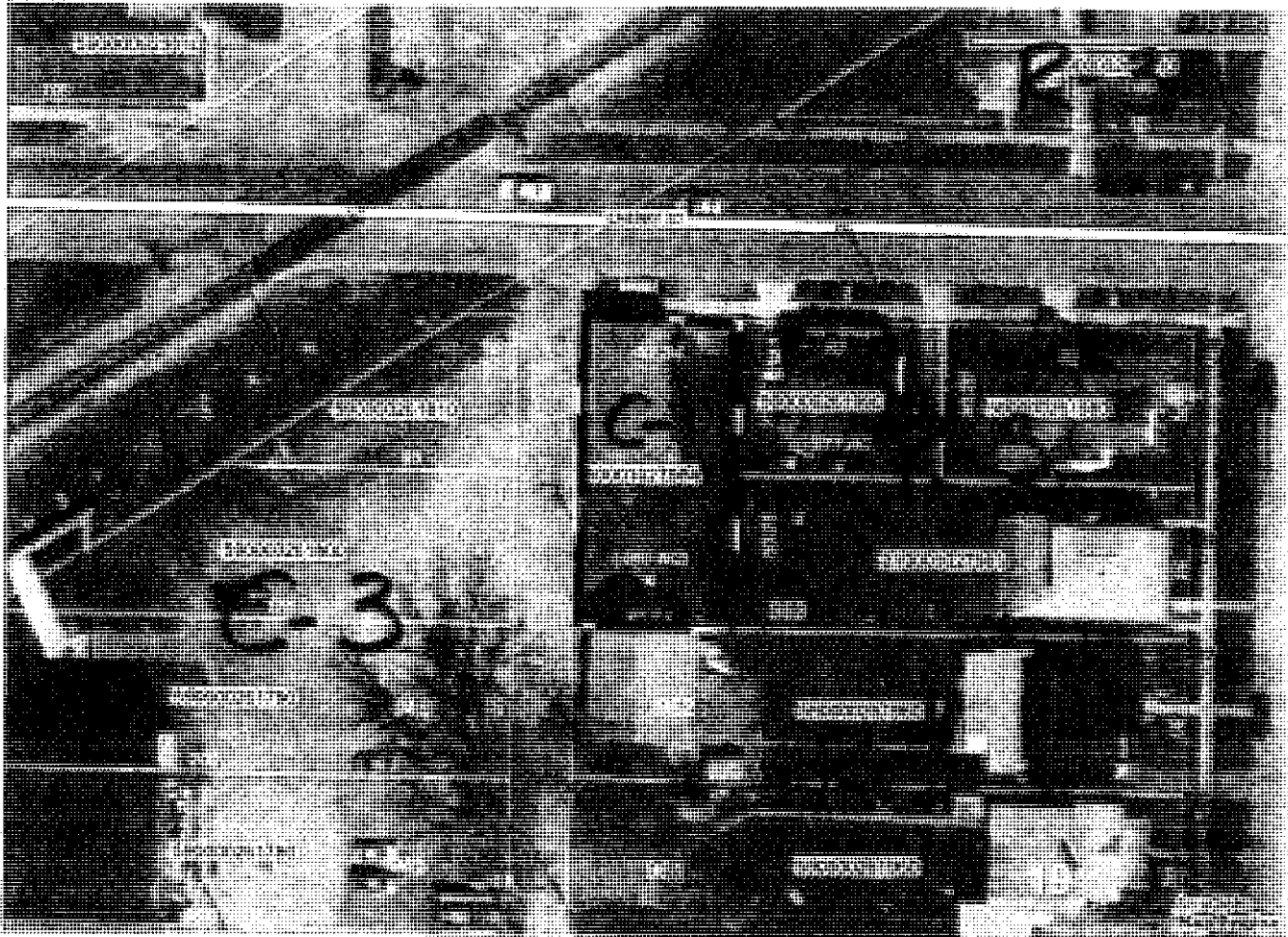
123 Cherry St. Findlay, Ohio

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.

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### Hancock County GIS



#### Notes

PETITION FOR ZONING AMENDMENT #ZA-01-2013  
123 CHERRY STREET  
REZONE FROM C-1 LOCAL COMMERCIAL TO C-3 DOWNTOWN  
COMMERCIAL

**2. PETITION FOR ZONING AMENDMENT #ZA-02-2013** filed by Leonard Gilbert, 14478 Dutch Cross Rd, Centerburg OH 43011 to rezone **147 Garfield Avenue** from R-2 Single Family Residential to R-4 Two Family High Density.

### **HRPC**

#### **General Information**

The parcel in this request is located on the south side of Garfield Avenue just west of the intersection of Myrtle Avenue. It is zoned R-2 Single Family Medium Density and all surrounding parcels are also zoned R-2. The parcel is not located in the 100 year flood plain.

#### **Staff Analysis**

The applicant is requesting to change the zoning to R-4 Two Family High Density because it currently exists as a duplex.

According to Todd Richard, Zoning Inspector for the City, this home was never legally changed to a duplex. It only came to his attention when he received a call from an appraiser regarding the property.

When the City was in the process of adopting the new zoning code, it was proposed at one time to try to locate all duplexes in the neighborhoods and zone each of them as such. The idea was abandoned because it was felt that too many illegal and nonconforming duplexes would potentially be legitimized by this. Currently any duplexes in a single family zoning district are considered as nonconforming uses.

The property proposed for rezoning in this application can continue as a duplex but Staff does not feel it warrants a zoning change because it was changed illegally to a two family dwelling.

### **ENGINEERING**

**No comment**

### **FIRE PREVENTION**

**No Comment**

### **STAFF RECOMMENDATION**

Staff recommends that FCPC recommend denial of **PETITION FOR ZONING AMENDMENT #ZA-02-2013** to Findlay City Council.



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**Leonard J. Gilbert**  
**14478 Dutch Cross Road**  
**Centerburg, OH 43011**  
**(614) 530-3218**

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February 20, 2013

City of Findlay Zoning Dept.  
Attn: Mr. Todd Richard  
318 Dorney Plaza, Room 304  
Findlay, OH 45840

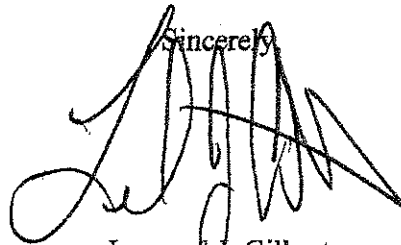
**Re: 147 Garfield Avenue, Findlay, OH**  
**Petition for Zoning Amendment**

Dear Mr. Richard:

Pursuant to your letter dated January 11, 2013, I have enclosed a completed Petition for Zoning Amendment along with applicable attachments for said petition. In addition, I am enclosing a check made payable to the City of Findlay in an amount of \$250.00 for the filing fee in this matter.

I will appreciate your office processing the enclosed petition at your earliest opportunity and advising what further requirements are necessary to resolve the zoning issue for 147 Garfield Avenue, Findlay, Ohio 45840. Thank you for your attention to the foregoing.

Sincerely,



Leonard J. Gilbert,  
Property Owner

LJG:s  
Enclosures

## Petition for Zoning Amendment

Attachment C – Statement of how proposed rezoning relates to City Planning Comprehensive Land Use Plan.

The undersigned owner purchased the real property located at 147 Garfield Avenue, Findlay, Ohio 45840 on or about July 1, 2003 from William and Linda Douglas. Said structure was listed for sale and fully marketed as a multifamily dwelling (aka Duplex rental property). It was not until January 11, 2013 that undersigned owner was contacted by Mr. Todd Richard with City of Findlay Zoning/Floodplain Administrator and further advised that 147 Garfield Avenue, Findlay, Ohio real property was rezoned to reflect a single family dwelling.

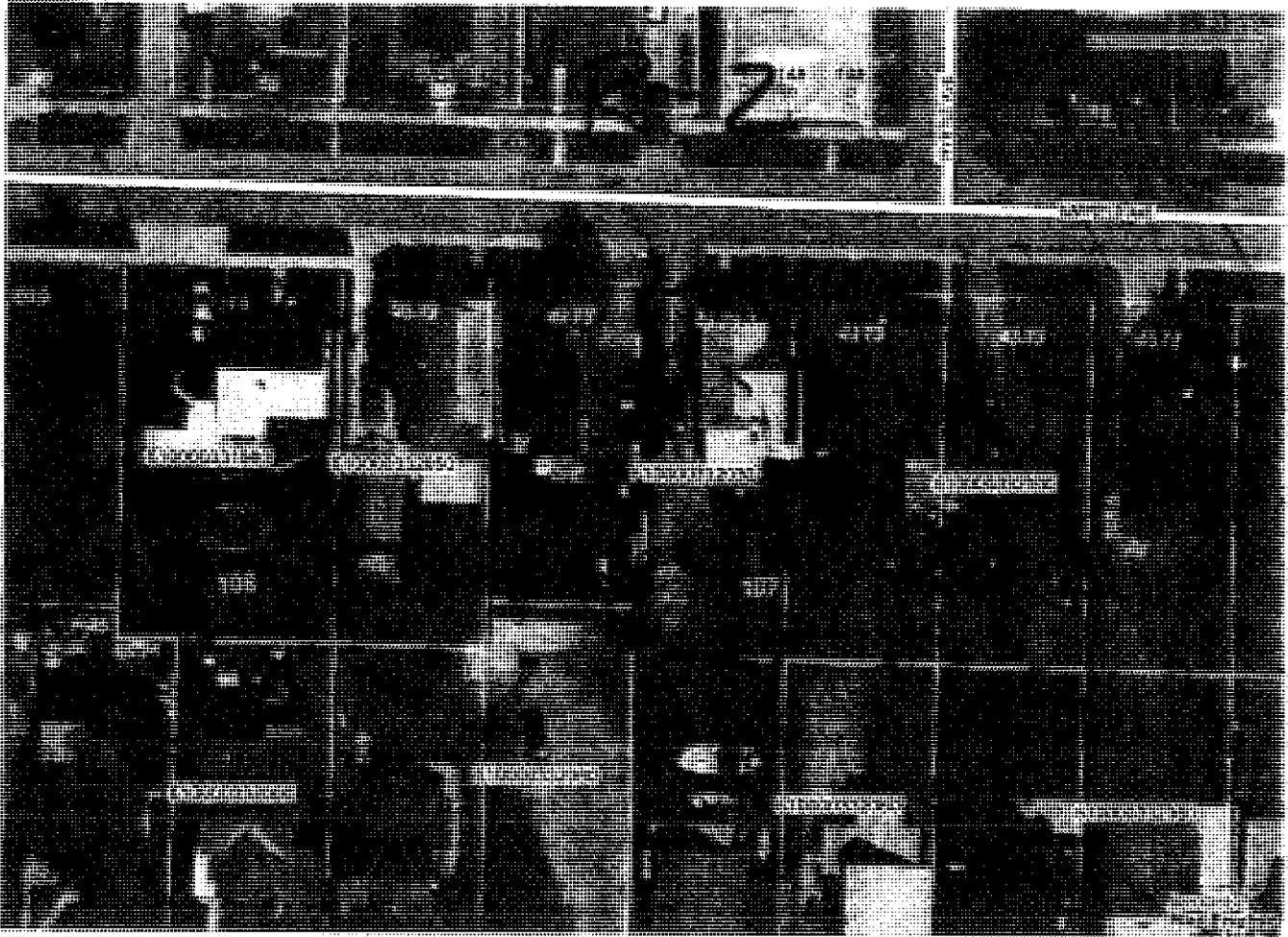
However, pursuant to 1162.02 of the new zoning code, section A contains a "Grandfather" Clause that should be applied to the real property located at 147 Garfield Avenue, Findlay, Ohio 45840 since the structure was lawful prior to new zoning changes that were made effective January 5, 2012. The undersigned owner has invested a significant amount of time and money to update and improve the interior and exterior conditions of the property since July of 2003. Although the undersigned owner no longer resides in the Findlay area, the undersigned continues to actively manage the premises to ensure that the property does adhere to all rules and ordinances.

The undersigned owner continually strives to make the structure desirable for adult students attending Findlay area colleges along with young families conserving their funds in anticipation of purchasing a home of their own in the vicinity. The undersigned owner firmly believes that by appealing to certain types of tenants and providing housing for young responsible adults, that the neighborhood's future growth will positively impact the City's Planning Comprehensive Land Use Plan as it was introduced in 2007.

If the lawful structure known as 147 Garfield Avenue, Findlay, Ohio 45840 is not covered by the "Grandfather" Clause in accordance with 1162.02 of the January 5, 2012 zoning code, the undersigned owner respectfully requests that the City of Findlay amend the current zoning for the property to allow for multifamily dwelling occupancy.

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### Hancock County GIS



#### Notes

PETITION FOR ZONING AMENDMENT #ZA-02-2013  
147 GARFIELD AVENUE  
REZONE FROM R-2 SINGLE FAMILY MEDIUM DENSITY TO  
R-4 TWO FAMILY HIGH DENSITY

3. **ALLEY VACATION PETITION #AV-01-2013** filed by RJT Properties, LLC, 400 W. Main Cross Street, Findlay to vacate an east/west alley extending west from Liberty Street behind Dietsch Brothers Ice Cream.

**HRPC**

**General Information**

The alley runs west from Liberty Street just north of W. Main Cross and dead ends into a parcel owned by the City of Findlay. (former Hochstetler Old Mill)

**Parcel History**

None

**Staff Analysis**

The alley in this petition is 16.5' wide and runs for approximately 162.5' west from Liberty Street. It dead ends into City owned land and is not used for access to that land.

The applicant owns all parcels on the north and south sides of this alleyway.

Staff recommends approval of the request to vacate the alley right of way if the Engineering and Fire departments have no objections.

**ENGINEERING**

No comment

**FIRE PREVENTION**

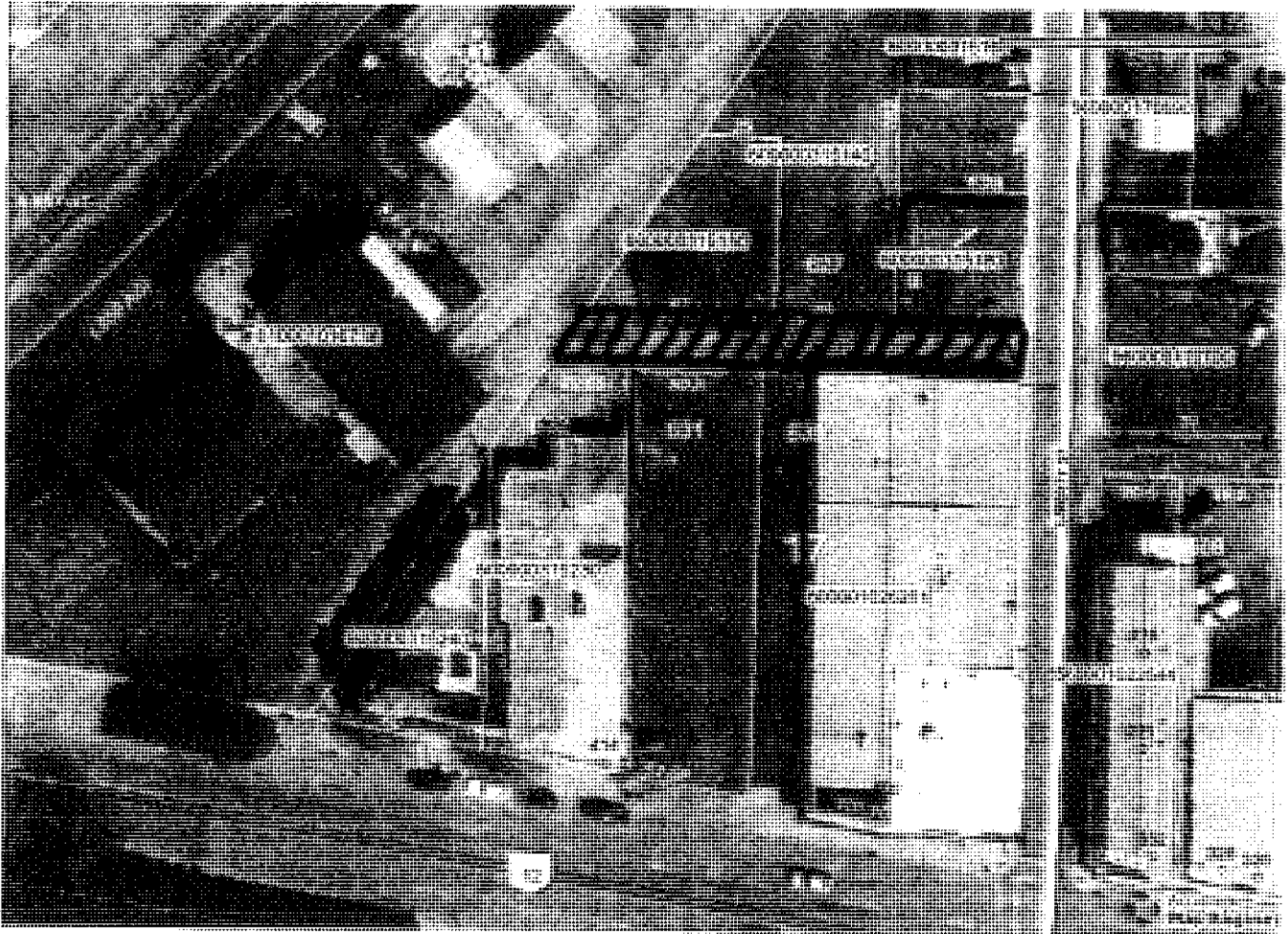
No Comment

**STAFF RECOMMENDATION**

Staff recommends approval of **ALLEY VACATION PETITION #AV-01-2013**.

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### Hancock County GIS



#### Notes

ALLEY VACATION PETITION #AV-01-13

4. **SITE PLAN APPLICATION #SP-03-13** filed by George M. Whitson, 1706 Imperial Lane, Findlay, OH for a proposed Hilton Garden Inn to be located at 1050 Interstate Drive West, Findlay, OH.

## **HRPC**

### **General Information**

This project is located on the eastern part of Lot 2 of the Interstate West Subdivision at the northwest corner of CR 300 (Northridge Rd.) and Interstate Drive West. It is zoned C-2 General Commercial. Land to the south and east is also zoned C-2. Land to the north is zoned R-1 One Family in Liberty Township and to the west is zoned R-2 One Family in Liberty Township. The City of Findlay Land Use Plan designates the area as Commercial. The property is not located within the 100 year flood plain.

### **Parcel History**

This is a vacant parcel. The final plat was recorded and it was rezoned to C-2 General Commercial in January, 2013.

### **Staff Analysis**

The applicant is proposing to construct a 5 story, 108 room Hilton Garden Inn and a park area. Motels are a permitted use in the C-2 General Commercial district.

The proposed use is required to provide parking at a rate of 1 space per 375 square feet. (Chapter 1161.11.6) The entire building is 81,605 square feet with a minimum requirement of 218 parking spaces. The plan shows 219 spaces in the lot. Parking is laid out in a 90 degree pattern and all spaces are 9' wide and either 18' or 20' deep. All aisle widths are 24'. There are four access points shown for the hotel. Three are on Interstate Drive West and one is proposed onto CR 300 (Northridge Rd.). Staff feels that the three (3) access points onto Interstate Drive West provide ample ingress/egress to the site. Beer Barrel Pizza on the east side of CR 300 requested an access onto CR 300/Northridge Rd. last year and was denied that access also. It was noted then that this is a secondary thoroughfare on the City and County Thoroughfare plans and it carries a significant amount of traffic. The traffic has increased considerably in recent time with the addition of the cinema and other businesses south of this site. The traffic moves at a good clip through here also. We feel that this subdivision was developed with public right of way intended to serve the development and therefore no access is needed directly onto CR 300.

Setbacks required are 45' front yard, 50' for east side yard and 60' west side yard as it abuts a residential zoning, and 60' rear yard abutting residential zoning also. (page 84 – Chapter 1135) Using the full size of Lot 2 as reference, all setbacks are exceeded. There are “proposed” property lines shown on the plan that would separate the east 503.5' of the parcel from the full Lot 2 and also split that piece into two separate parcels, one for the hotel and the other for the park area. A replat of Lot 2 will be required if this split is desired.

The exterior elevation plans show a four sided architecture design with various articulations on each façade. The building consists of 5 stories. A height of 50'-8" is indicated at the start of the attic level. The maximum height permitted in the C-2 district is 60'. It would appear that considering the roof peaks above that line, the building will exceed the maximum by 6 or 7 feet. A variance on the height could be granted by the BZA. **Spoke with the Engineer for the developer on Friday. Says the plan submitted is a prototype drawing and they are working**

**on the roof line to remedy the height issue.**

The attached landscaping plan meets and exceeds the requirements of the zoning code. The only residential uses near the development are located on the north side of TR 94. A mixed deciduous and evergreen screen planting area is shown on the north property line. A park like open space with pond, fountain, putting greens, sport practice areas and walking path is provided here also.

Sidewalks are shown along the three street sides of the development area.

#### **Staff Recommendation**

HRPC Staff recommends approval of the site plan for Hilton Garden Inn subject to the following:

- Elimination of the access proposed onto CR 300/Northridge Road
- Variance for the building height which exceeds the 60' maximum

#### **ENGINEERING**

**Access** – To remain consistent with previous decisions regarding access on North Ridge Road, we recommend the proposed entrance at the east side of the property be eliminated. Access locations on Interstate Drive are acceptable.

**Water** – Line sizes for domestic and fire protection were not shown on the submitted plan. Fire hydrant on Interstate Drive will need to be relocated if drive entrance location cannot be changed. Site plan should show existing waterline and hydrants on the east side of North Ridge Road.

**Sanitary Sewer** – May be desirable to connect 8” service line into nearby manhole instead of direct connection to 12” main sewer.

**Stormwater Management** – Proposed on-site drainage system is acceptable. Detention will be provided by a regional pond at the southwest corner of the subdivision. Existing pond has capacity to handle 100 year storm conveyed from HGI; future development in the subdivision may require expansion of the detention volume. If the underlying property ownership changes hands, recommend an easement be recorded for the drainage swale along the north side of Interstate Drive.

**Sidewalks** – Shown on the plan.

**Recommendation:**        **Conditional approval of the plan, subject to recommended changes.**

The following permits will be needed prior to construction:

- Sanitary Sewer Permit
- Waterline Permit
- Storm Sewer Permit
- Approved Stormwater Pollution Prevention Plan

## **FIRE PREVENTION**

- Move existing hydrant(s) located on Interstate Dr. within 6' to the edge of the pavement at entrance(s).
- Provide fire hydrant within 100' of Fire Department Connection (FDC). Hydrant shall not be placed on fire line and be supplied by a minimum of a 6" water main if looped. Water main shall be at least 8" if the water main is not looped (dead end).
- FDC area shall be kept clear of planting material, landscaping, parking spaces, utilities, etc. Outside notification shall be a horn/strobe working on water flow only and placed above the FDC. FDC shall be 5 inch Stortz fitting with 30 degree angled elbow.
- Any natural gas or electric meter within driving area shall have crash protection.
- Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.
- There are no existing hydrants on the west side of North Ridge Rd. If the proposed entrance/exit is approved, provide a hydrant within 6' to the edge of the pavement.

## **STAFF RECOMMENDATION**

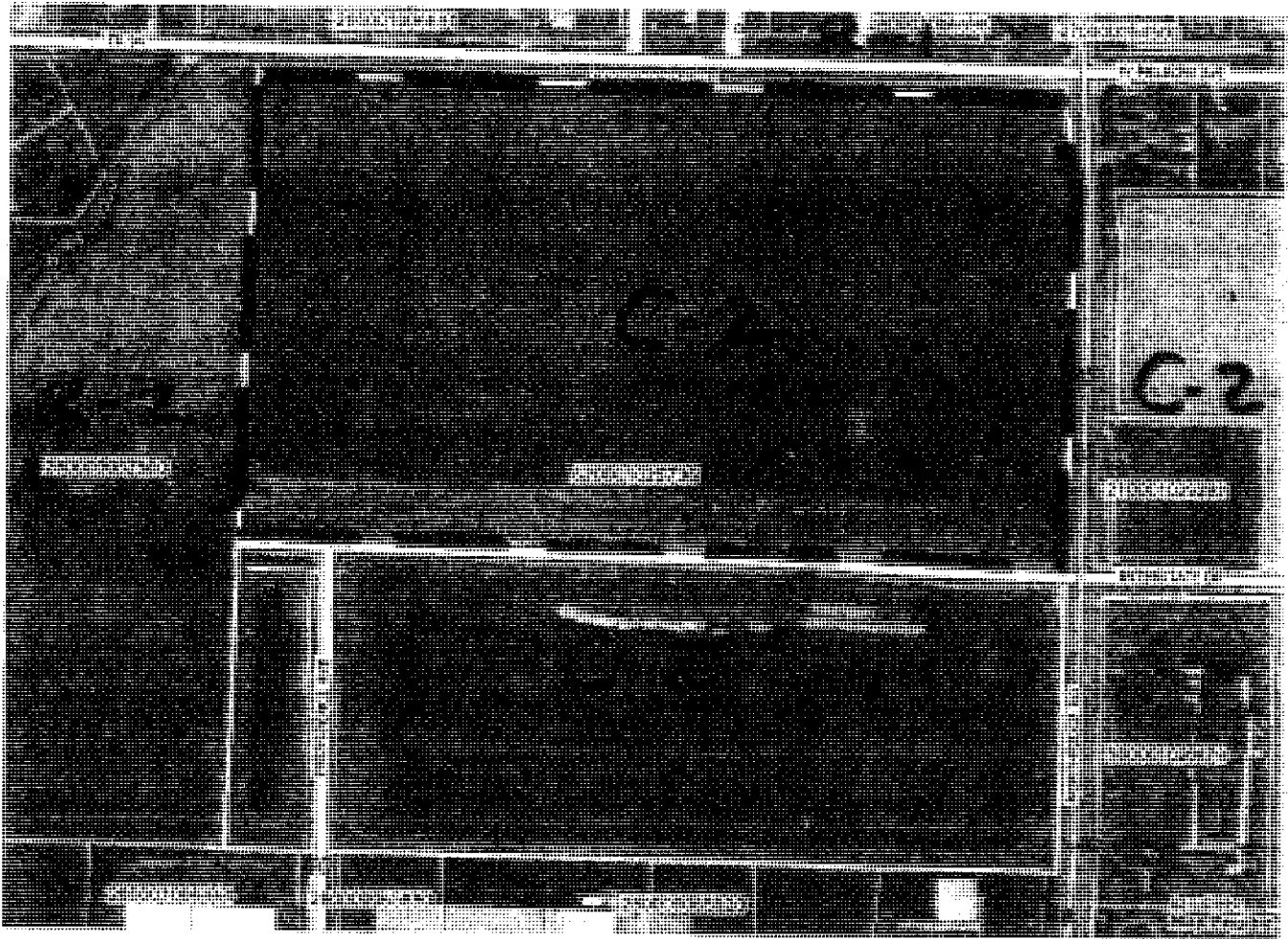
Staff recommends Approval of **SITE PLAN #SP-03-2013 for the Hilton Garden Inn** subject to the following conditions:

1. Elimination of the access proposed onto CR 300/Northridge Road (HRPC & ENG)
2. Variance for the building height which exceeds the 60' maximum if necessary (HRPC)
3. Show water line sizes for domestic and fire (ENG)
4. Relocate fire hydrant from drive entrance. Move within 6' to edge of the pavement at entrance. (ENG) (FIRE)
5. Show existing waterline and hydrants on east side of Northridge Rd. (ENG)
6. Connect 8" sanitary service line into nearby manhole instead of direct connection to 12" main (ENG)
7. If property ownership changes, recommend a recorded easement for drainage swale on north side of Interstate Drive. (ENG)
8. Provide fire hydrant within 100' of Fire Department Connection (FDC). Hydrant shall not be placed on fire line and be supplied by a minimum of a 6" water main if looped. Water main shall be at least 8" if the water main is not looped (dead end).
9. FDC area shall be kept clear of planting material, landscaping, parking spaces, utilities, etc. Outside notification shall be a horn/strobe working on water flow only and placed above the FDC. FDC shall be 5 inch Stortz fitting with 30 degree angled elbow.
10. Any natural gas or electric meter within driving area shall have crash protection.
11. Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.
12. There are no existing hydrants on the west side of North Ridge Rd. If the proposed entrance/exit is approved, provide a hydrant within 6' to the edge of the pavement.



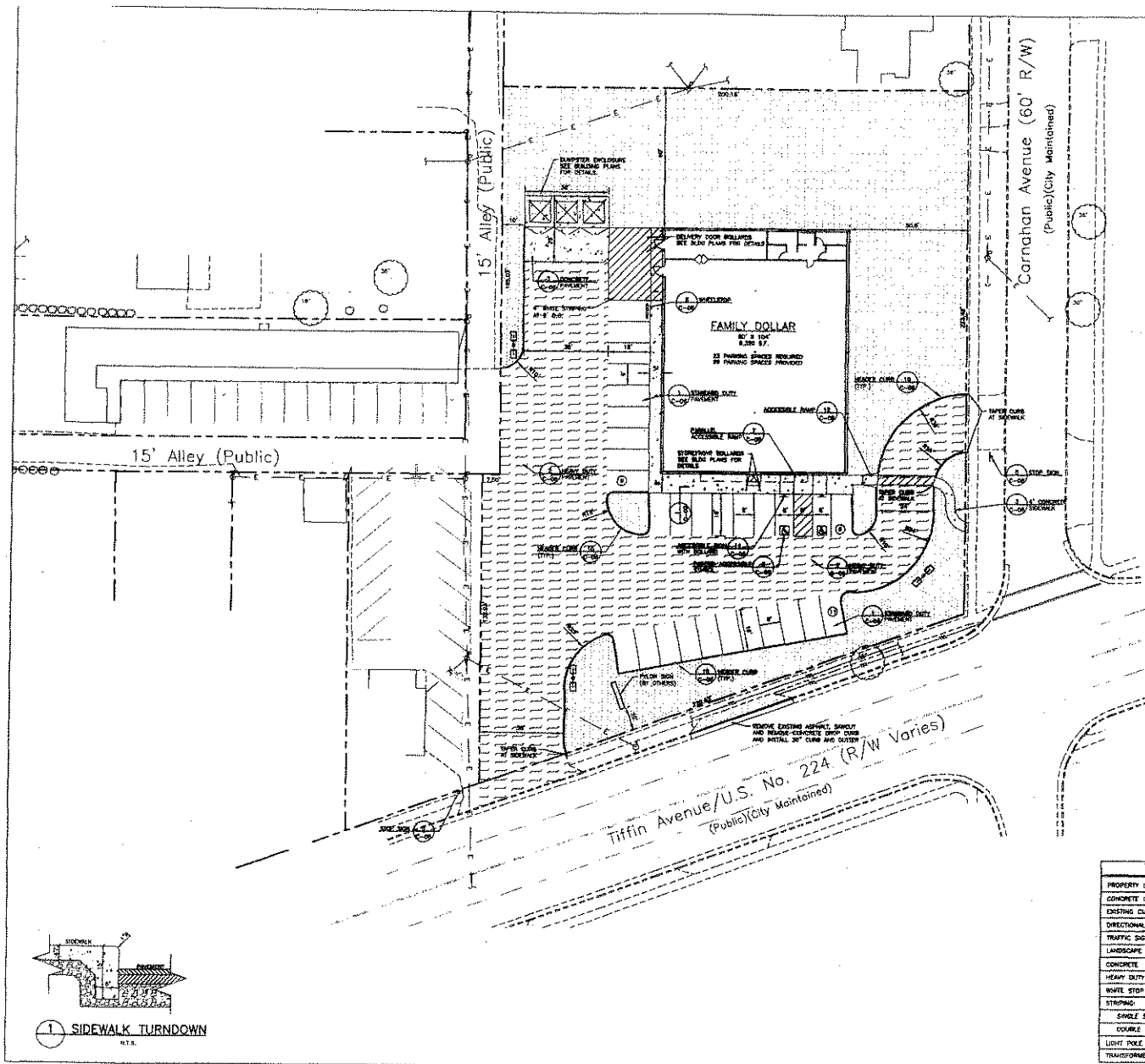
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### Hancock County GIS



#### Notes

SITE PLAN APPLICATION #SP-03-13  
HILTON GARDEN INN  
1050 INTERSTATE DRIVE WEST



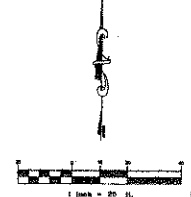
- ### PARKING AND PAVING NOTES
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, REGULATIONS, AND/OR LOCAL STANDARDS IMPOSED BY LOCAL UTILITY, CITY, COUNTY, AND STATE. IT IS THE CONTRACTOR'S RESPONSIBILITY THAT ALL THE CONSTRUCTION BE IN ACCORDANCE WITH THE CITY OF FINDLAY AND ODOT STANDARD DETAILS AND SPECIFICATIONS.
  - CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE "MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION" ISSUED BY AGC OF AMERICA, INC. AND THE SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.
  - CONTRACTOR SHALL PROVIDE ALL NECESSARY SURROUNDS, SUFFICIENT LIGHTS, SIGNS AND OTHER TRAFFIC CONTROL METHODS AS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC AND SHALL BE PROVIDED AND MAINTAINED THROUGHOUT ALL CONSTRUCTION ADJACENT TO AND WITHIN ALL ROADWAYS. CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLAN TO CITY AND STATE FOR APPROVAL.
  - THE CONTRACTOR SHALL TAKE NECESSARY MEASURES TO SEPARATE WORK AREAS FROM PEDESTRIAN TRAFFIC AND TO INSURE SAFE PEDESTRIAN PASSAGE AT ALL TIMES.
  - ALL SIGN, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. A MINIMUM CLEARANCE OF TWO FEET SHALL BE MAINTAINED BETWEEN THE FACE OF CURB AND ANY PART OF A TRAFFIC SIGN OR LIGHT POLE. CONTRACTOR SHALL COORDINATE INSTALLATION OF ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES WITH OTHER CONTRACTORS' SIGN OR LIGHT POLES.
  - CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS AS SHOWN. ALL PAVEMENT MARKINGS SHALL BE FOUR (4) INCH SOLID WHITE UNLESS INDICATED OTHERWISE ON THE DRAWINGS. PAINT SHALL BE APPLIED IN TWO COATS FOR A MINIMUM DRY FILM THICKNESS OF 15 MIL. THERMOPLASTIC STRIPING, IF REQUIRED, SHALL BE SPRAY TYPE, APPLIED IN ACCORDANCE WITH DOT STANDARDS. CONTRACTOR SHALL RE-STRIP ALL PAVEMENT MARKINGS SIX MONTHS AFTER GRAND OPENING.
  - CONTRACTOR SHALL SAW-CUT TO PROVIDE SMOOTH TRANSITIONS AT RE-USE TO EXISTING EDGES OF PAVEMENT AND AT COLD JOINTS OF RECENTLY PAVED APPROACH. JOINTS OR SCORE MARKS ARE TO BE SHARP AND CLEAN WITHOUT STRONG EDGES OF JOINTING TOOL.
  - CONTRACTOR SHALL SAW-CUT TIE-INS AT EXISTING CURBS AS NECESSARY TO ENSURE SMOOTH TRANSITIONS. CONTRACTOR SHALL SAW-CUT AND TRANSFER TO MEET EXISTING PAVEMENT AS NECESSARY AND AS DIRECTED BY INSPECTOR TO INSURE POSITIVE DRAINAGE. (TYPICAL @ ALL INTERSECTIONS)
  - PAVING CONTRACTOR SHALL INSTALL PAPER BREAKAWAY EDGES AT COLD JOINTS OR SAWCUT AS REQUIRED TO INSURE A STRAIGHT, FULL-DEPTH JOINT FACE IMMEDIATELY PRIOR TO INSTALLING ANYTHING HOT ASPHALT.
  - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS INDICATED OTHERWISE.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR COST OF PAVEMENT REPLACEMENT WHERE VARIETY LINES ARE EXTENDED ACROSS EXISTING ASPHALT.
  - ASPHALT SURFACE COURSE SHALL BE LAID WITH THE DIRECTION OF TRAFFIC IN ALL DRIVE Lanes WITH PAVING WHEELS.
  - BASE AND ASPHALT THICKNESSES ARE MINIMUM REQUIRED. REFER TO SPECIFICATIONS FOR TYPE OF PAVING AND BASE TO BE USED.
  - ALL CONCRETE SHALL BE CLASS # 4000 P.S.I. UNLESS NOTED OTHERWISE. DO NOT POUR ANY CONCRETE BEFORE FORMS ARE INSPECTED AND APPROVED BY THE INSPECTOR.
  - ALL RAMP'S CONSTRUCTED ARE NOT TO EXCEED A SLOPE OF 1:12. ALL SIDEWALKS SHALL NOT HAVE A CROSS-SLOPE GREATER THAN 1:50.
  - CONCRETE DISTRIBUTION PANS TO BE FLESH WITH PAVEMENT UNLESS INDICATED OTHERWISE.
  - SEE SHEET C-08 FOR ADDITIONAL DETAILS ON STRIPING, SIGNS, ETC.



R. WAYNE MCCOY, P.E.  
916 CHEEKY STREET  
CHATTANOOGA, TN 37406

THE HUTTON COMPANY  
150 CHERRY STREET  
CHATTANOOGA, TN 37402

**FAMILY DOLLAR**  
a family of stores  
820 TIFFIN AVENUE  
FINDLAY, OHIO



### PARKING & PAVING LEGEND

PROPERTY LINE	---
CONCRETE CURB & GUTTER (6" x 6")	=====
EXISTING CURB & GUTTER	-----
DIRECTIONAL ARROW, PAINTED WHITE	→
TRAFFIC SIGN	○
LANDSCAPE AREA/ SOGGED AREAS (SEE LANDSCAPE PLANS)	▨
CONCRETE	▤
HEAVY DUTY PAVEMENT	▥
WHITE STOP LINE (MSL) (24" WIDE)	▬
STRIPING	▧
SINGLE SOLID WHITE (SSW)	▩
DOUBLE SOLID YELLOW (DSY)	▪
LIGHT POLE (SEE SITE ELECTRICAL PLANS)	○
TRANSFORMER (SEE SITE ELECTRICAL PLANS)	⊕

### REVISIONS

NO.	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

SHEET NAME:  
**SITE LAYOUT AND PAVING PLAN**

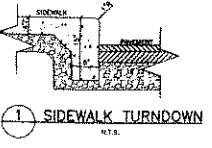
DATE: 02/13/2013

DRAWN BY: SML

CHECKED BY: BMB

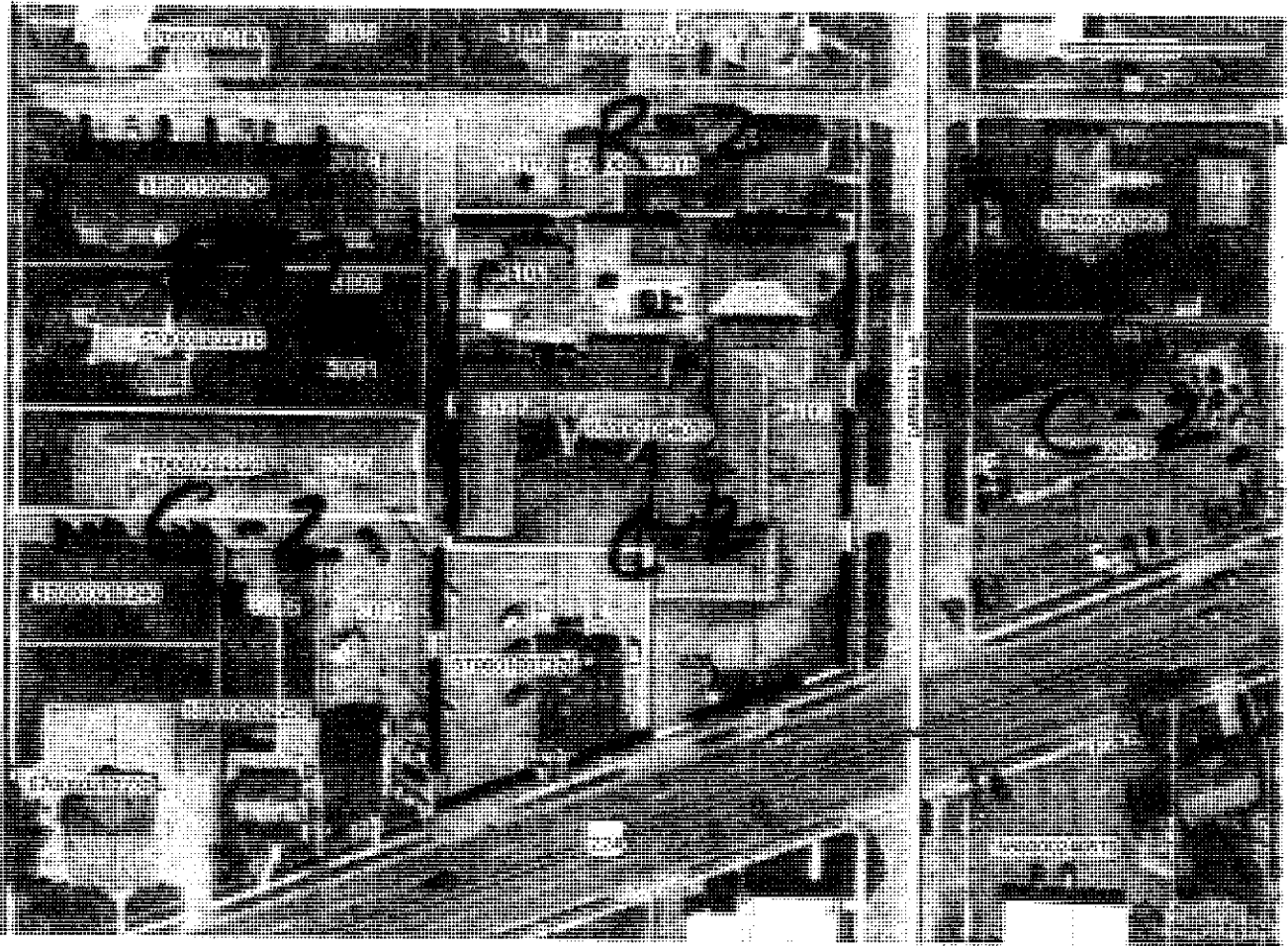
PROJECT NO.: 13005

SHEET NUMBER:  
**C-02**



[Print](#) | [Back](#)

### Hancock County GIS



Notes

SITE PLAN APPLICATION #SP-04-2013  
FAMILY DOLLAR  
820 TIFFIN AVENUE

**5. SITE PLAN APPLICATION #SP-04-2013** filed by Hutton Growth One LLC, 736 Cherry Street, Chattanooga, TN for proposed Family Dollar store to be located at 820 Tiffin Avenue, Findlay.

## **HRPC**

### **General Information**

This project is located on the northwest corner of Tiffin Avenue (US 224) and Carnahan Avenue. The site is zoned C-2 General Commercial. Land to the south and east is also zoned C-2. To the west is zoned C-2 and R-2 Single Family. To the north is zoned R-2 Single Family. The City of Findlay Land Use Plan designates the area as Regional Commercial. It is not located within the 100 year flood plain.

### **Parcel History**

This development is proposed on the sites of the former Findlay Motel and Flag City Diner.

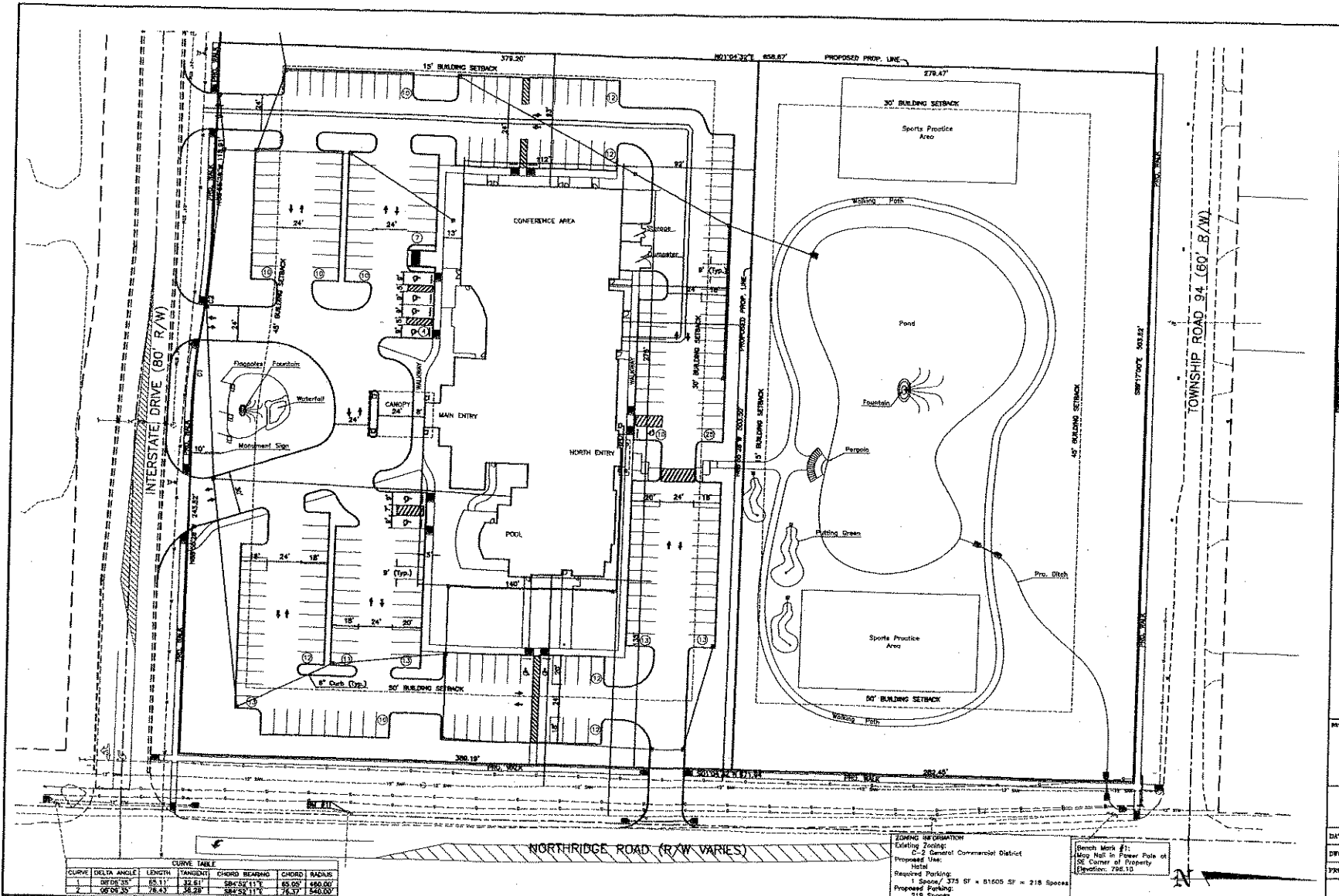
### **Staff Analysis**

The applicant is proposing to demolish the former motel and restaurant buildings and construct a Family Dollar Store on the premises. There are multiple lots involved in the development and the applicant needs to combine all parcels into one. This can be done by simple language being added to the deeds when being transferred. HRPC Staff can provide acceptable language to accomplish this.

The store has an 8,389 square foot building footprint with a 7,952 square foot interior finished area. The proposed use is required to provide parking at a rate of 1 space per 375 square feet. (Chapter 1161.11.6) If using the entire footprint of the building, this will require 23 parking spaces. The plan shows 29 spaces.

Setbacks for the C-2 district (Chapter 1135) are 50' for a front yard on a major thoroughfare, 60' for the rear and west side as they abut residential uses and 45' on the east side abutting a minor street (Carnahan). All of the setbacks are exceeded according to the plan. The proposed sign location and parking areas are required to be a minimum of 10' from the property lines and that requirement is met in the plans also.

There are two access points shown on the plans. One will be in the southwest corner of the parcel on Tiffin Avenue and another will be on the east side onto Carnahan Avenue. This will eliminate one of the existing curb cuts onto Tiffin Avenue. The cut to be closed does show new curb and gutter in that location. There is an existing parking lot at the rear of the home at 816 Tiffin Avenue located on the west side of the site. Traffic enters this lot via an alley in the rear. This was extra parking for the restaurant. (The Gilley's are current owners of the restaurant parcel and this home). The only means of exiting that parking lot is currently along the west side of the proposed parcel out onto Tiffin Avenue. It appears that there is only about an 8' width of pavement from the property line of the proposed Family Dollar to remain as the driving path for that lot. There are also a few spaces that abut the house that would only be able (due to the angle) to pull in from Tiffin Avenue and have to back out into the entry drive of the new store and then drive north to the rear alley to exit. These spaces should be eliminated as they present potential for conflict with traffic entering the proposed store site. If the parking to the rear of the home is to remain, the current owners and the Family Dollar store should enter into a cross access agreement. It appears that there will not be any division between the pavement of the



CURVE TABLE					
CURVE	DELTA ANGLE	LENGTH	TANGENT	CHORD BEARING	CHORD RADIUS
1	90°00'00"	45.11'	32.61'	S89°00'00"W	45.00'
2	05°00'00"	78.43'	38.50'	S82°28'11"W	78.37'

**ZONING INFORMATION**  
 Existing Zoning: C-2 General Commercial District  
 Proposed Use: Hotel  
 Required Parking: 1 Space / 375 SF = 61,605 SF = 218 Spaces  
 Proposed Parking: 218 Spaces

Bench Mark #1:  
 Iron Nail in Power Pole at  
 SE Corner of Property  
 Elevation: 786.10'

NO SUBCONTRACTOR SHALL BE PROVIDED WITH A PARTIAL SET OF PLANS FOR THEIR RECORD OR CONSTRUCTION PURPOSES WITHOUT FIRST TAKING CARE TO REVIEW A COMPLETE SET IN ORDER TO DETERMINE FOR PROGRESSIVE THE DISCREPANCIES AND DOCUMENTATION THAT NEED TO BE CORRECTED. THERE ARE MANY CROSS-REFERNCES IN A SET OF CONSTRUCTION DOCUMENTS. ANY DISCREPANCY SHALL BE REPORTED TO THE ATTENTION OF THE DESIGN PROFESSIONAL FOR FINAL CLARIFICATION. SUBCONTRACTORS ARE RESPONSIBLE FOR REVISION AND CONSTRUCTION OF ACCORDANCE WITH THE COMPLETE CONSTRUCTION DOCUMENTS, NOT SPECIFIC SHEETS. PRINTS ONLY HAVING A PARTIAL SET OF DRAWINGS SHALL NOT BE ACCEPTED AS AN EXCUSE FOR DELAY OR INCOMPLETE WORK.

**PETERMAN ASSOCIATES, INC.**  
 ARCHITECTS - ENGINEERS - PLANNERS - SURVEYORS  
 10000 W. 12th Street, Suite 100  
 Overland Park, KS 66211  
 Phone: (913) 241-1100  
 Fax: (913) 241-1101

**WHITSON PROPERTIES**  
**Hilton Garden Inn**

**WHITSON PROPERTIES**  
**HILTON GARDEN INN**  
 Being Lot 2 of Interstate West Subdivision  
 City of Independence, Missouri  
 Independence, Missouri, Ohio

**SITE PLAN**  
**WHITSON PROPERTIES**  
**HILTON GARDEN INN**  
 Being Lot 2 of Interstate West Subdivision  
 City of Independence, Missouri  
 Independence, Missouri, Ohio

DATE: 2/14/10  
 DWG BY: RFD  
 PROJECT NO.: 10-0478  
 SHEET NO.: SP5

store and the private home. It looks like delivery and refuse trucks will be entering from Tiffin Avenue and heading north to the far northwest corner of the building. The pavement is completely open to the alleys in this area. No large trucks, such as semis, should be using the alley to exit unless Family Dollar intends to improve these alleys with heavy duty pavement.

The sign location for the pylon type sign proposed meets the 10' setback requirement. Details show the structure to be 20' in total height with a sign face of slightly under 54 square feet. The maximum height permitted in C-2 is 30' and with 200+ feet of frontage the sign face is well within limits also.

The plan shows light poles at various locations on the lot. According to the City Zoning Code lighting standards (Chapter 1169.09.4 – (B) 2.) “The level of lighting shall not exceed 0.5 foot candles at any residential property line or 1.0 foot candles at any non-residential property line.” It appears from the photometric plan that the lighting slightly exceeds this at the property line on the south west side by the home at 812 Tiffin Avenue. Numbers range from .2 to .8 in this area.

A landscaping plan has been provided per code requirement. The existing site is totally covered in asphalt and buildings. The new development will have grass areas along Tiffin Avenue, at the rear of the site and along most of the Carnahan Avenue frontage. Foundation plantings are shown on the east and north sides of the buildings. Shrubbery and trees are indicated along the south side of the parking lot. Trees are also planted in the bumped out island areas in the parking lot. Multiple trees are provided in the grass areas at the north end of the lot. Because of the homes abutting the north and west side of the parcel, Staff would apply Level 2 Screening as in Chapter 1161.07.3 in the City zoning code. C. Option 3 was used for the store on N. Main Street. This scenario provided fencing as well as landscaping with trees and shrubs. Staff would like to see a 6' privacy fence along the full north property line, the west line from the northwest corner down to the opening onto the alleyway and on the east side approximately 50' from the northeast corner as it aligns with the property line of the home located at 609 Carnahan.

Elevation drawings of all four sides of the building were provided with the plans. The primary façade (front of building) has a change in height in the center portion. The entry is covered with a canopy. A brick veneer covers all four sides of the structure. The brick veneer is broken up in the upper third of the walls with 2 small stucco finish “stripes”.

#### **Staff Recommendation**

- Combination of all lots into one parcel.
- Eliminate angled parking spaces along east side of home at 816 Tiffin Avenue
- Record an easement of access between 816 Tiffin Avenue and Family Dollar site for driveway from Tiffin Avenue
- No truck traffic onto alleyways at the northwest corner of site unless developer improves to heavy duty pavement per City standards.
- Install privacy fencing along north, east and west property lines as specified in narrative
- Rectify lighting issues along west side

#### **ENGINEERING**

**Access** – Physical access to the site would remain unchanged. Access easement will be required for property to the west if underlying property ownership changes hands.

**Water** – New services will be connected to existing taps.

**Sanitary Sewer** – Will be connected to existing service.

**Stormwater Management** – Proposed on-site pipe sizes may need to be reduced to match capacity of existing outlet. No on-site detention will be required as impervious area is being reduced.

**Sidewalks** – Existing sidewalks will remain.

**Recommendation:**      **Approval of the plan, subject to review of internal drainage.**

The following permits will be needed prior to construction:

- Sanitary Sewer Permit
- Waterline Permit
- Storm Sewer Permit

### **FIRE PREVENTION**

- Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.

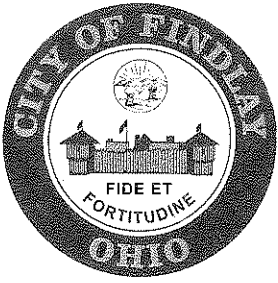
-FDC location shall be located within acceptable distance of hydrants. FDC shall be 5 inch Stortz fitting with 30 degree angled elbow. Outside notification shall be a horn/strobe working on water flow only and placed above the FDC. Area in front of FDC shall be kept clear.

-Any natural gas or electric meter within the driving area shall have crash protection.

### **STAFF RECOMMENDATION**

Staff recommends Approval of **SITE PLAN #SP-04-2013 for Family Dollar, 820 Tiffin Avenue subject to the following conditions:**

1. Eliminate angled parking spaces along east side of home at 816 Tiffin Avenue (HRPC)
2. Record an easement of access between 816 Tiffin Avenue and Family Dollar site for driveway from Tiffin Avenue (HPRC & ENG)
3. No truck traffic onto alleyways at the northwest corner of site unless developer improves to heavy duty pavement per City standards. (HRPC)
4. Install privacy fencing along north, east and west property lines as specified in narrative (HRPC)
5. Rectify lighting issues along west side (HRPC)
6. Proposed on site pipe sizes may need to be reduced to match capacity of existing outlet (ENG)
7. Combination of all lots in the development area into one parcel. (HRPC)
9. Internal drainage plan approved per Engineer (ENG)
10. Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.
11. FDC location shall be located within acceptable distance of hydrants. FDC shall be 5 inch Stortz fitting with 30 degree angled elbow. Outside notification shall be a horn/strobe working on water flow only and placed above the FDC. Area in front of FDC shall be kept clear.
12. Any natural gas or electric meter within the driving area shall have crash protection.



# City of Findlay

Lydia Mihalik, Mayor

## POLICE DEPARTMENT

Gregory R. Horne, Chief of Police

318 Dorney Plaza, Room 207 • Findlay, OH 45840

Phone: 419-424-7194 • Fax: 419-424-7296

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

March 7, 2013

The Honorable Council:

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

Felipe Diaz Cruz

Diaz Investments Incorporated, DBA El Tequila, 2411  
Tiffin Avenue, Findlay, Ohio 45840

Sincerely,

A handwritten signature in black ink that reads 'Gregory R. Horne'. The signature is written in a cursive style with a large initial 'G'.

Gregory R. Horne  
Chief of Police



**NOTICE TO LEGISLATIVE  
AUTHORITY**

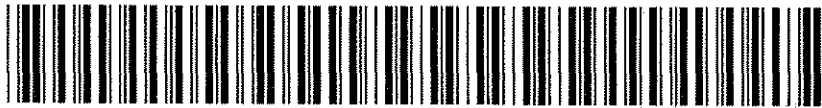
**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

2124745		NEW		DIAZ INVESTMENTS INC	
PERMIT NUMBER		TYPE		DBA EL TEQUILA	
ISSUE DATE		03 04 2013		2411 TIFFIN AV	
FILING DATE		D1 02 03		FINDLAY OH 45840	
PERMIT CLASSES		32 044 A		A03140	
TAX DISTRICT		RECEIPT NO.			

FROM 03/06/2013

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



MAILED 03/06/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN.

04/08/2013

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 2124745**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title) -  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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

<b>FOR OFFICE USE ONLY</b>	
NEW	TRANSFER
PERMIT # <u>2124745</u>	

OHIO DEPARTMENT OF COMMERCE  
 DIVISION OF LIQUOR CONTROL  
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
 Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr



**OFFICER/ SHAREHOLDERS DISCLOSURE FORM**

SECTION A. (This form must accompany all applications of a corporate business entity)

Name of Corporation <u>Diaz Investment, Inc.</u>	DBA Name <u>El Tequila</u>	
Permit Premises Address <u>2144 Tiffin Avenue</u>	City, State <u>Findlay, Ohio</u>	Zip Code <u>45840</u>
Township, if in Unincorporated Area	Tax Identification No. (TIN)	

SECTION B.

1. Is stock publicly traded?  YES  NO  
 If "YES", indicate exchange \_\_\_\_\_ & Do NOT complete SECTION D.

2. Does any stockholder own 5% or more shares? If YES, complete SECTION D.  YES  NO

3. Total Number of shares issued 500

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

SECTION C. List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BUREAU AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DL 6491

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO		
2) President <u>Felipe Diaz Cruz</u>		<u>6/22/66</u>
3) Vice-President		
4) Secretary		
5) Treasurer		

SECTION D. Stockholders holding 5% or more outstanding shares. Note: If you answered Question 1 YES, do not complete this section.

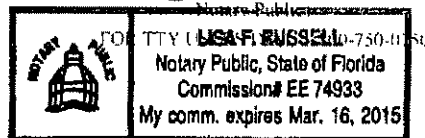
1) Stockholder's Name	Social Security No. (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE)
<u>Felipe Diaz Cruz</u>		<u>500</u>
Residence Address <u>415 Country Circle Dr. East</u>	Tax Identification No. (if applicable)	
City and State <u>Port Orange, Florida</u>	Zip Code <u>32128</u>	
Telephone No <u>386-341-2378</u>	Date of Birth <u>6/22/66</u>	
2) Stockholder's Name	Social Security No. (if Individual)	
Residence Address	Tax Identification No. (if applicable)	<u>0</u>
City and State	Zip Code	
Telephone No	Date of Birth	

STATE OF OHIO (PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)  
 COUNTY of Delaware

I, Felipe Diaz Cruz being first duly sworn, according to law, deposes and says that he/she is (Title) President of the Diaz Investment, Inc., a corporation duly authorized by law to do business in the State of Ohio, and that the statements made by the foregoing affidavit are true.

(Signature) [Signature] (Print Name and Corporate Title) OWNER PRESIDENT  
 Sworn to and subscribed in my presence this 26 day of Dec 2012

Jessie F Russell 5/16/2015  
 (Notary Expiration)



OHIO DEPARTMENT OF COMMERCE  
 DIVISION OF LIQUOR CONTROL  
 LICENSING & REGISTRATION



## 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

March 12, 2013

Honorable City Council  
Findlay, Ohio 45840

RE: ODOT Resurfacing SR 568/SR 330-0.20/0.15, PID #76823

Dear Council Members:

Preliminary legislation has been received from the Ohio Department of Transportation (ODOT) regarding the above-referenced project. This legislation verifies the City's consent to proceed with the project and proposes a commitment to pay 20 percent of the resurfacing costs for the areas of State Route 568 that are within the City limits. This project will resurface State Route 568 from Main Street to Bright Road. In order to put the project on the books for 2014, ODOT has requested the approved legislation be returned to them no later than April 10, 2013.

The work is planned for the spring of 2014 and will be contracted by ODOT. The City's estimated share for the project is \$ 90,000. This project is currently included in the 2013 Capital Improvements Plan, that I will have for your review shortly. This matter was reviewed by the Appropriations Committee on March 12<sup>th</sup> for consideration of the matching funds. There is no actual appropriation that needs to take place until later in 2013. Only the legislation agreeing to the project is required. We will look for an appropriation once the numbers are formalized by ODOT.

Thank you for your consideration in this matter.

Sincerely,

Paul Schmelzer, PE, PS  
Service-Safety Director

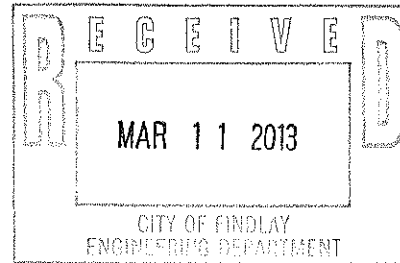


# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 1 • 1885 NORTH McCULLOUGH ST. • LIMA, OHIO 45801 • (419) 222-9055  
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • KIRK SLUSHER, P.E., DISTRICT DEPUTY DIRECTOR

March 8, 2013

Mr. Steven C. Wilson, P.E., P.S.  
Acting Findlay City Engineer  
318 Dorney Plaza, Room 310  
Findlay, OH 45840



Re: HAN/WYA-330/568-0.20/0.15; PID 76823  
Preliminary Participatory Legislation

Dear Mr. Wilson:

Enclosed are two sets of preliminary legislation for the project referenced above, which is scheduled for construction next spring, 2014. The project proposes to resurface with asphalt concrete on following State Routes:

This project proposes to pave 1 ¾" of asphalt concrete on the following routes:

- SR 330: from top of the EB Ramps at SR 15 interchange to NCL of Vanlue
- SR 568: from Main Street in Findlay to the ECL of Findlay

For roadway sections that are curbed, it is proposed to grind 1 ½" and pave 1 ½" of asphalt concrete. Handicap curb ramps will be installed where necessary to meet ADA requirements. Longitudinal (centerlines and edge lines) and auxiliary (stop bars, railroad markings, cross walks, parking stall painting etc.) pavement markings will also be included with this project. Any necessary manhole adjustments will not be included in this project and will be the responsibility of the City after ODOT's project is complete.

For the portions of the project located within the city corporation limits, the city will be responsible to pay 20% of the costs associated with grinding, resurfacing with asphalt, maintenance of traffic, mobilization, painting of longitudinal pavement markings (centerline, edge lines and lane lines) and construction engineering costs. In addition, the city will be responsible for 100% of the construction costs for the following items, if they are deemed necessary for the completion of the project: auxiliary pavement markings (stop bars, railroad markings, cross walks, parking stall marking, etc.), curbs, handicap curb ramps, sidewalks and partial and/or full depth pavement repairs.

ODOT will be responsible for the remaining 80% of these construction costs inside the corporation limits and for 100% of the project costs outside the city corporation limits.

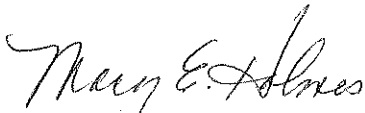
The enclosed legislation verifies the City's consent to proceed with the project and commitment to pay for the project costs as noted above and detailed in the attached estimate. Based on the current estimate, the City's share for the project will be approximately **\$90,000**. The actual amount the city will be responsible for will be determined by the State's official estimate, which should be calculated in September, 2013. At that time, ODOT will ask the City to complete final legislation and return a check for the estimated amount due. The project is currently scheduled for sale in late-October, 2013.

Please ask your city council to enact this legislation and return it to me **by April 10, 2013**. All places on the legislation that require your attention have been shaded grey. Remember to place the city's seal on both sets of legislation. If the city does not have a seal, include a letter stating this. Please return **both original signed sets of legislation** to me for further processing. You will receive one completed original set of the legislation when it has been approved by the Director of Transportation.

Should you have any questions, please contact me at (419) 999-6862.

Respectfully,

Kirk M. Slusher, P.E.  
District One Deputy Director

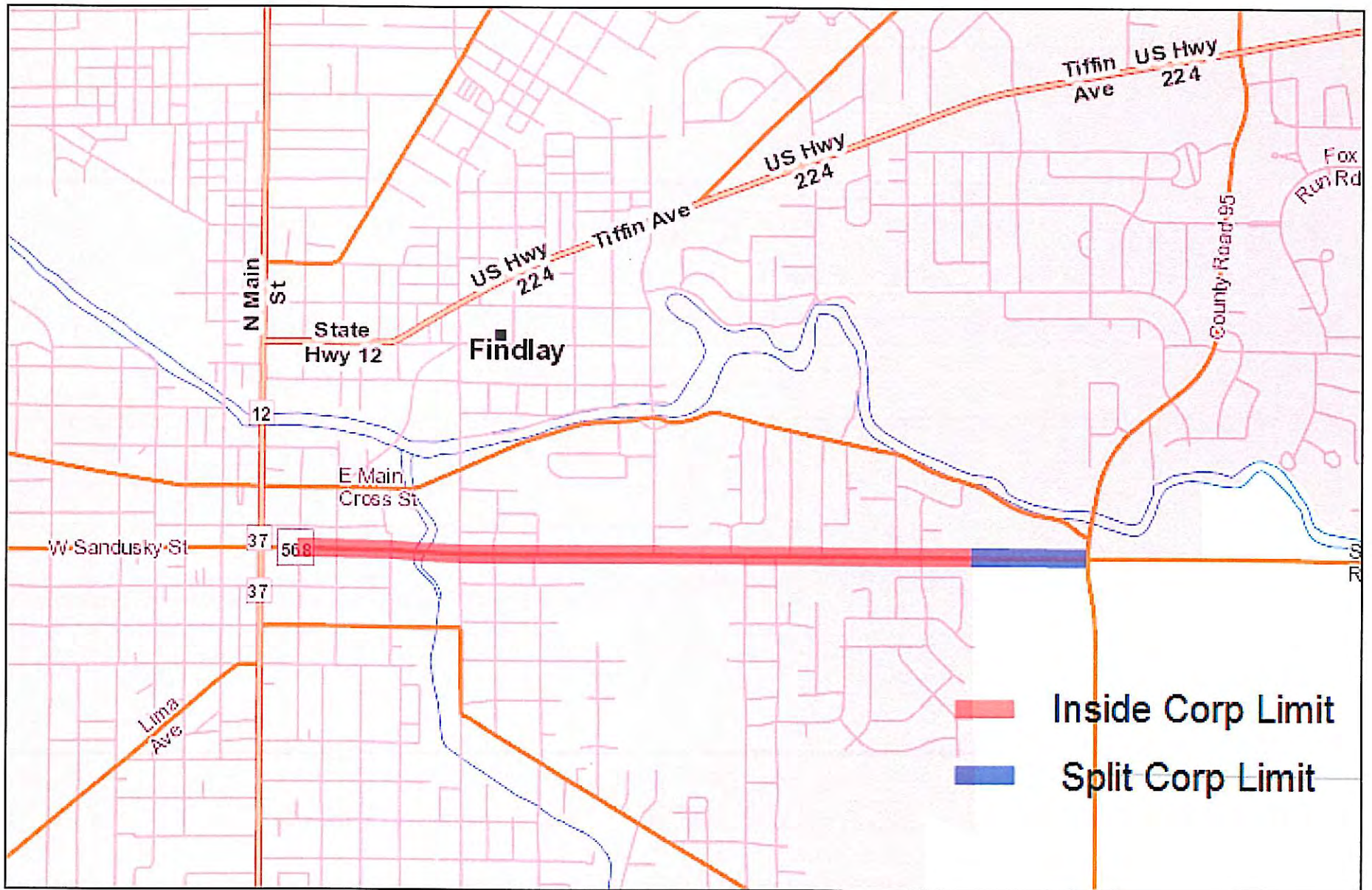


Mary E. Holmes  
P&E Administrative Assistant

KMS:DMK:MEH:meh

Enclosure

c: Russ Slonecker, District Design Engineer  
Rod Maas, District Planning Engineer, w/enc.  
Project file, w/enclosure



### SR568 Resurfacing Project Limits



## 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

March 13, 2013

Honorable City Council  
Findlay, Ohio 45840

RE: City owned Hardin Street Parking Lot

Dear Council Members:

As I am sure you are aware, the County Commissioners are moving ahead with plans to renovate space on Main Street. The County will soon be relocating additional County offices into the 514 S. Main Street building currently housing Café Marie and the Hancock County Adult Probation office. As a result of this move, a considerable number of County employees will be in need of parking in that immediate area.

The County is interested in purchasing the Hardin Street Lot from the City. As part of the purchase agreement, the County is willing to increase the number of City employees able to park in the lot on the north side of the municipal building.

I would like Council's permission to work with the County Commissioners to craft an agreement for Council to consider.

Thank you for your consideration in this matter.

Sincerely,



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



# Hancock County Commissioners

300 South Main Street, Findlay OH 45840 ~ Phone 419-424-7044 Fax 419-424-7828

*Mark D. Gazarek*

*Phillip A. Riegler*

*Brian J. Robertson*

*Cheryl K. Snyder, Clerk*

March 12, 2013

City of Findlay  
James P. Slough, Council President  
318 Dorney Plaza, Room 114  
Findlay, Ohio 45840

Re: Hardin Street Parking Lot

Dear President Slough:

The Board of County Commissioners wishes to extend an offer to purchase a parking lot located on W. Hardin Street owned by the City. The County will soon be relocating additional County offices into the 514 S. Main Street building currently housing Café Marie and the Hancock County Adult Probation office. As a result of this move, a considerable number of County employees will be in need of parking in that immediate area.

At this time the Board is willing to offer Two Hundred Thirty Thousand and 00/100 Dollars (\$230,000.00) for the purchase of the entire parcel, free and clear of all current uses and occupancies if there are any. We have arrived at this sum and consider it a fair offer by looking at 2 widely accepted ways to value property. Using an income based approach and separately a capitalization value approach the value of the lot is between \$203,000 and \$243,000. We believe our offer is a fair middle ground and will also allow the city to avoid additional maintenance costs on the property. As part of our offer, the county will also work with the city to provide some number of additional county parking tags for city employees to park in county owned lots which also brings significant value.

We look forward to your response. If you wish to discuss this further, please do not hesitate to contact this office.

**Hancock County Board of Commissioners**

  
Phillip A. Riegler, President





March 11, 2013

TO: Findlay City Council – Appropriations Committee  
FROM: Matt Cordonnier, Interim Director *MC*  
RE: HRPC Status of Revolving Loan Fund Billing

I would like to submit this update to the Appropriations Committee in an effort to improve the Hancock Regional Planning Commission's (HRPC) communication with the Appropriations Committee regarding the status of the City of Findlay Revolving Loan Fund (RLF).

HRPC recently submitted a bill for administration of the RLF for the period covering December 2012 and January 2013. This invoice was in the amount of \$1,259.52. Details were provided to the City Auditor and will be available when the invoice is presented for approval. In addition, HRPC would like to report that we have accrued \$302.80 for administration of the City RLF for the month of February. We will be holding the invoice for February and send a combined invoice for February and March in early April.

We are currently not processing any new loans, but anticipate several new applications in the near future. There have been several phone calls and meetings with potential RLF applicants.

If you have any questions regarding the status of the RLF, please contact me at 419-424-7094.

# TRAFFIC COMMISSION

City of Findlay

February 19, 2013

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## MINUTES

### **ATTENDANCE:**

**MEMBERS PRESENT:** Service-Safety Director Paul Schmelzer, Police Chief Greg Horne, 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:** Jim Brooks, Ryan Shoemaker, and John Gilgenbach, Blanchard Valley Health System.

### **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.

02/19/2013

Director Schmelzer stated that per the request of the Traffic Commission members, he has done additional research on mid block crosswalks. He reviewed documents from the Manual of Uniform Traffic Control Device standards, Federal Highway Administration (FHA) standards, Institute of Traffic Engineers, and other municipal standards that have included research on midblock crossings. The documents largely share a common perspective that midblock crossings are in many cases desired and needed, but should also be discouraged. When placed, they must have adequate traffic devices in place to make traffic aware that a crossing exists. Based on his research, Director Schmelzer makes the following recommendation regarding midblock crossing requests:

*Traffic Commission shall consider a midblock crossing request at an initial meeting and determine whether the request should be denied or whether additional study is needed for consideration. If additional study is required, the applicant shall engage a traffic engineer to determine whether a midblock crossing is warranted, along with a list of traffic control devices necessary to make the crossing safe. The warrant analysis shall then be presented to the Commission for approval or denial.*

Director Schmelzer further stated that one of the more interesting FHA studies he reviewed based conclusions on 2,000 marked and unmarked crosswalk locations. It concluded that marking alone did not alter motorist (stopping) or pedestrian (crossing without looking) actions. It recommended that markings should be enhanced with additional pedestrian treatments.

Director Schmelzer recommends that the City engage a traffic engineer to examine the existing conditions at Broadway and Main Cross to determine if there are additional countermeasures that can increase pedestrian safety while maintaining adequate traffic flow at that location. This could be done through the Engineering Department.

Motion to recommend that Council approve the City engaging a traffic engineer to examine existing conditions at Broadway and Main Cross to determine if there are additional countermeasures that can increase pedestrian safety while maintaining adequate traffic flow at that location, by Director Schmelzer, second by Chief Lonyo. Motion passed 4-0.

## **NEW BUSINESS**

1. Request of Matt Stoffel, Street Department, to install chevron signs at the curves along Country Club Drive to warn motorists.

Stoffel reported that there used to be chevron signs at the requested location, but over the years with accidents and other incidents, these signs have been removed and never replaced.

Motion to place chevron signs as needed to indicate curves on Country Club Drive, by Director Schmelzer, second by Chief Horne. Motion passed 4-0.


2. Request of Matt Stoffel, Street Department, to install a "Dead End" sign and mark with red triangles indicating the road ends at the north end of Jennifer Lane.

Stoffel reported that this area used to have a dirt mound that clearly marked the end of the street. Water Distribution removed this dirt mound when they installed a waterline recently.

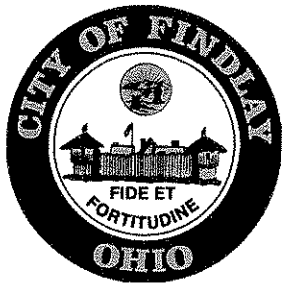
Motion to install the appropriate signage for a dead end street at the north end of Jennifer Lane by Director Schmelzer, second by Chief Horne. Motion passed 4-0.

With no further business to discuss, the meeting adjourned. The next meeting of the City of Findlay Traffic Commission will be held on March 18, 2013, at 2:30 p.m. in the third floor conference room of the Municipal Building.

Respectfully submitted,



Kathy K. Launder  
City Clerk



# 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

Thursday, March 14, 2013

The Honorable Council  
Findlay, Ohio

Dear Council Members,

City Income Tax Administrator Andrew Thomas has been working hard to keep the City Income Tax Board appraised of the progress of HB5 and our Income Tax Collections. If the bill passes as written we have narrowed down concerns to the following two points:

1. Findlay would lose its ability to file its nearly 600 annual small claims cases through Findlay Municipal Court. Mr. Thomas states this would divert \$35,000 to \$50,000 in fees away from FMC, add up to \$10,000 in additional costs to the process, and jeopardize the City's collection of nearly \$450,000 in past-due taxes. To put this in perspective the city collected \$1,121,985 of these past-due taxes over the past 3 years.
2. By establishing the Municipal Tax Policy Board and requiring local ordinance and rule changes to be submitted to that board and then to the Joint Committee on Agency Rule Review, HB5 puts municipalities in a position where they would be surrendering their local rule-making authority.

As it turns out HB 5 represents municipal tax *reform* by an entire rewrite of ORC 718 versus municipal tax *uniformity* by amendments to ORC 718. Many Municipalities around the State are now joining together to oppose this bill in its entirety until such time that the issues can be resolved.

Mr. Thomas and I encourage you all to take a serious look at this issue.

Sincerely,

Jim Staschiak II  
City Auditor

CC: Mayor Mihalik  
Mr. Thomas



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**JIM STASCHIAK II**  
CITY AUDITOR

Thursday, March 14, 2013

The Honorable Council  
Findlay, Ohio

Dear Council Members,

At your February Appropriations meeting we discussed the framework for a '5 Year Forecast' planning tool and its importance for showing the financial impact of operational and/or funding changes across your departments as well as impact on capital monies available for important projects such as streets and equipment.

I am pleased to report the framework for presenting the General Fund portion of this plan is complete and ready for the expense data to be completed by the Administration, as well as, the revenue data by my office.

To my knowledge, there has never been a decision making tool available to this Council that provides a view of the real long term impact of potential changes to the funding across this City's operations and capital plans.

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'.

To be of value to this Council we must move on to the next step. Collaboration between the City Auditor's Office forecasting revenue projections and the Mayor's Office projecting expenses to complete this document will allow us to comply with many of the planning recommendations in the performance audit.

Sincerely,

Jim Staschiak II  
City Auditor

CC: Mayor Mihalik



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**JIM STASCHIAK II**  
CITY AUDITOR

Thursday, March 14, 2013

The Honorable Council  
Findlay, Ohio

Dear Council Members,

At the request of your members I am providing the attached financial analysis of the costs associated with 20 staff members of the Fire Department that are scheduled for layoff. The report can be summarized as follows:

Budgeted Cost for 2013 of the 20 firefighters with one time cost of layoff:	\$942,185.00
Cost of retaining 20 firefighters January 1, 2013 – December 31, 2013:	\$1,590,948.00
Cost to retain 20 firefighters January 1, 2014 – December 31, 2014:	\$1,804,175.00

I understand that the decision is more than a financial one and I have deep respect for all of our staff members that have endured multiple challenges over the last several years. The reality of municipal budgeting throughout the State is one of balancing both operational cost including staffing levels with vital capital and equipment needs including deferred maintenance with the limited resources you have. It is a challenge that is difficult at best.

This has never been clearer for the City of Findlay.

Sincerely,

Jim Staschiak II  
City Auditor

CC: Mayor Mihalik

ESTIMATED COST FOR 2013 FROM 5/12/13 THROUGH 12/31/13 RETAINING 20 FIREFIGHTERS

DEPT	HRLY	TOTAL	GROSS	PENSION	MED TX	W/C	HEALTH	LIFE	TOTAL	
	RATE	LONG	WAGE				INS	INS	COST	
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	14,853.68	102.90	61,528.32	
FIRE	21.58	0.00	36,326.91	8,718.46	526.74	998.99	16,306.46	102.90	62,980.46	
FIRE	17.98	0.00	30,266.81	7,264.04	438.87	832.34	5,597.76	102.90	44,502.71	
FIRE	18.82	0.00	31,685.89	7,604.61	459.45	871.36	18,588.50	102.90	59,312.70	
FIRE	17.98	0.00	30,266.81	7,264.04	438.87	832.34	5,597.76	102.90	44,502.71	
FIRE	18.82	0.00	15,176.45	3,642.35	220.06	417.35	18,588.50	102.90	38,147.61	
FIRE	19.67	0.00	17,250.42	4,140.10	250.13	474.39			22,115.03	
FIRE	18.82	0.00	31,680.84	7,603.40	459.37	871.22	11,195.66	102.90	51,913.39	
FIRE	18.82	0.00	31,680.84	7,603.40	459.37	871.22	5,497.99	102.90	46,215.72	
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	18,588.50	102.90	65,263.14	
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	16,306.46	102.90	62,981.10	
FIRE	18.82	0.00	31,680.84	7,603.40	459.37	871.22	11,195.66	102.90	51,913.39	
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	12,392.38	102.90	59,067.02	
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	16,793.42	102.90	63,468.06	
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	12,392.38	102.90	59,067.02	
FIRE	18.82	0.00	31,680.84	7,603.40	459.37	871.22	16,306.46	102.90	57,024.19	
FIRE	20.71	0.00	20,875.68	5,010.16	302.70	574.08	18,588.50	102.90	45,454.02	
FIRE	21.58	0.00	14,574.47	3,497.87	211.33	400.80			18,684.47	
FIRE	17.98	0.00	30,266.81	7,264.04	438.87	832.34	0.00	102.90	38,904.95	ADDITIONAL
FIRE	18.82	0.00	31,680.84	7,603.40	459.37	871.22	5,597.76	102.90	46,315.49	COST TO RETAIN
FIRE	20.71	0.00	20,875.68	5,010.16	302.70	574.08	17,918.42	102.90	44,783.94	STAFF
FIRE	21.58	0.00	14,574.47	3,497.87	211.33	400.80			18,684.47	THROUGH
FIRE	21.58	0.00	36,327.41	8,718.58	526.75	999.00	6,196.12	102.90	52,870.76	12/31/13
S/12/13 THROUGH 12/31/13 COST		0.00	674,836	161,961	9,785	18,558	248,502	2,058		\$ 1,115,701

Names Withheld at request of Service-Safety Director

ADDITIONAL COST TO RETAIN STAFF THROUGH 12/31/13 \$ 1,115,701

ESTIMATED ONE TIME COST OF 20 FIRE DEPARTMENT LAY-OFFS AS OF 5/12/2013

DEPT	HRLY RATE	TOTAL LONG	HOLIVAC & COMP PAY-OFF	PENSION	MED TAX	W/C	ESTIMATED UNEMPLOYMENT*	TOTAL ONE TIME COST	
FIRE	21.58	0.00	26,661.60	1,118.72	386.59	733.19	10,000.00	38,900.11	
FIRE	21.58	0.00	22,252.74	1,118.72	322.66	611.95	10,000.00	34,306.08	
FIRE	17.98	0.00	1,396.15	335.08	20.24	38.39	10,000.00	11,789.86	
FIRE	18.82	0.00	7,870.65	975.78	114.12	216.44	10,000.00	19,177.00	
FIRE	17.98	0.00	2,555.86	613.41	37.06	70.29	10,000.00	13,276.61	
FIRE	18.82	0.00	6,921.06	975.63	100.36	190.33	10,000.00	18,187.37	
FIRE	18.82	0.00	5,733.49	975.78	83.14	157.67	10,000.00	16,950.08	
FIRE	18.82	0.00	5,742.71	975.78	83.27	157.92	10,000.00	16,959.69	
FIRE	21.58	0.00	20,040.76	1,118.72	290.59	551.12	10,000.00	32,001.20	
FIRE	21.58	0.00	12,794.10	1,118.72	185.51	351.84	10,000.00	24,450.17	2013/2014 ONE
FIRE	18.82	0.00	6,063.64	975.78	87.92	166.75	10,000.00	17,294.10	TIME COST OF
FIRE	21.58	0.00	12,070.51	1,118.72	175.02	331.94	10,000.00	23,696.19	LAY-OFF
FIRE	21.58	0.00	14,110.28	1,118.72	204.60	388.03	10,000.00	25,821.63	(Note: Portion
FIRE	21.58	0.00	14,444.13	1,118.72	209.44	397.21	10,000.00	26,169.50	of cost could be
FIRE	18.82	0.00	9,846.12	975.78	142.77	270.77	10,000.00	21,235.44	experienced in
FIRE	20.71	0.00	14,939.16	1,073.61	216.62	410.83	10,000.00	26,640.21	2014, if holivac
FIRE	17.98	0.00	2,983.24	715.98	43.26	82.04	10,000.00	13,824.52	pay-off waiver
FIRE	18.82	0.00	8,322.40	975.78	120.67	228.87	10,000.00	19,647.73	elected by some
FIRE	20.71	0.00	18,180.07	1,073.61	263.61	499.95	10,000.00	30,017.24	employees.)
FIRE	21.58	0.00	24,447.03	1,118.72	354.48	672.29	10,000.00	36,592.52	
2013 ONE TIME COST OF LAY-OFF		0.00	237,376	19,592	3,442	6,528	200,000		\$ 466,937

Names Withheld at request of Service-Safety Director

2013/2014 ONE TIME COST OF LAY-OFF (Note: Portion of cost could be experienced in 2014, if holivac pay-off waiver elected by some employees.) \$ 466,937

\*Estimated unemployment is based on average of last 10 full-time employees granted benefit by State

COST OF FIREFIGHTERS FROM 1/1/13 THROUGH 5/11/13

LAST NAME	FIRST NAME	DEPT	HRLY RATE	TOTAL LONG	GROSS WAGE	PENSION	MED TX	W/C	HEALTH INS	LIFE INS	TOTAL COST	
FIRE GRANT MONIES WILL BE USED FROM 1/1-5/11/13												
		FGNT	18.82	0.00	1,897.36	455.37	27.51	52.18	13,277.50	73.50	15,783.41	
		FGNT	17.99	0.00	15,230.38	3,655.29	220.84	418.84	0.00	73.50	19,598.84	
		FGNT	18.82	0.00	9,485.28	2,276.47	137.54	260.85	7,996.90	73.50	20,230.53	
		FGNT	17.99	0.00	7,977.82	1,914.68	115.68	219.39	0.00	0.00	10,227.56	
		FGNT	18.82	0.00	9,485.28	2,276.47	137.54	260.85	3,877.05	73.50	16,110.68	
		FGNT	17.99	0.00	7,977.82	1,914.68	115.68	219.39	0.00	73.50	10,301.06	
		FGNT	18.82	0.00	1,897.06	455.29	27.51	52.17	7,996.90	73.50	10,502.43	
		FGNT	17.99	0.00	15,230.38	3,655.29	220.84	418.84	0.00	0.00	19,525.34	
		FGNT	18.82	0.00	9,485.28	2,276.47	137.54	260.85	11,518.90	73.50	23,752.53	
		FGNT	17.99	0.00	7,977.82	1,914.68	115.68	219.39	0.00	0.00	10,227.56	REIMBURSED
		FGNT	18.82	0.00	1,897.06	455.29	27.51	52.17	3,175.20	73.50	5,680.73	COST
		FGNT	17.99	0.00	15,230.38	3,655.29	220.84	418.84	0.00	0.00	19,525.34	1/1/13-5/11/13
SAFER GRANT MONIES TO BE USED FROM 1/1-5/11/13				0.00	103,772	24,905	1,505	2,854	47,842	588		\$ 181,466
GENERAL FUND BUDGET MONIES WILL BE USED FROM 1/1-5/11/13												
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	10,481.20	73.50	36,768.74	
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	11,518.90	73.50	37,806.44	
		FIRE	17.19	0.00	9,355.66	2,245.36	135.66	257.28	3,998.40	73.50	16,065.86	
		FIRE	17.98	0.00	7,249.54	1,739.89	105.12	199.36		0.00	9,293.91	
		FIRE	17.19	0.00	9,355.66	2,245.36	135.66	257.28	3,998.40	73.50	16,065.86	
		FIRE	17.98	0.00	7,249.54	1,739.89	105.12	199.36	0.00	0.00	9,293.91	
		FIRE	18.82	0.00	17,832.33	4,279.76	258.57	490.39	13,277.50	73.50	36,212.04	
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	13,277.50	73.50	39,565.04	
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	10,843.90	73.50	37,131.44	
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	8,851.70	73.50	35,139.24	
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	11,995.30	73.50	38,282.84	
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	8,851.70	73.50	35,139.24	
		FIRE	20.71	0.00	19,623.14	4,709.55	284.54	539.64	13,277.50	73.50	38,507.86	
		FIRE	17.98	0.00	7,249.54	1,739.89	105.12	199.36	0.00	73.50	9,367.41	UN-
		FIRE	17.19	0.00	9,355.66	2,245.36	135.66	257.28	0.00	0.00	11,993.96	REIMBURSED
		FIRE	20.71	0.00	19,623.14	4,709.55	284.54	539.64	12,670.30	73.50	37,900.66	COST
		FIRE	21.58	0.00	20,447.77	4,907.46	296.49	562.31	4,425.80	73.50	30,713.34	1/1/13-5/11/13
GENERAL FUND MONIES TO BE USED FROM 1/1-5/11/13				0.00	270,476	64,914	3,922	7,438	127,468	1,029		\$ 475,248

Names Withheld at request of Service-Safety Director

REIMBURSED COST 1/1/13-5/11/13 \$ 181,466

Names Withheld at request of Service-Safety Director

UN-REIMBURSED COST 1/1/13-5/11/13 \$ 475,248

SUMMARY

CITY TOTAL COST OF 20 FIREFIGHTERS FROM 1/1/13 - 5/11/13	\$ 475,248
CITY TOTAL COST OF 20 FIREFIGHTERS FROM 1/1/13 - 12/31/13	\$ 1,590,948
CITY TOTAL 2013 COST OF 20 FIREFIGHTERS THROUGH 5/11/13 AND ONE-TIME COST OF LAY-OFF (Portion of lay-off expense could be seen in 2014 if holivac pay-offs waived for one year.)	\$ 942,185
CITY CONTINUED EMPLOYMENT COST TO RETAIN 20 FIREFIGHTERS 1/1/14 - 12/31/14 (Estimate based on benefit costs remaining at current levels. Additional costs due to step increases and longevity changes.)	\$ 1,804,175



# 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

March 14, 2013

Honorable City Council  
City of Findlay, Ohio

Dear Honorable Council Members:

The agreement for Dog Warden services between the City and the Board of Hancock County Commissioners expired on December 31, 2012. The City is interested in renewing the contract for said services for the period of January 1, 2013, through December 31, 2013, for the amount of \$20,000. Funds are budgeted for these services for 2013.

I respectfully request authorization to enter into an agreement with the Board of Hancock County Commissioners for Dog Warden services for the period of January 1, 2013, through December 31, 2013.

By copy of this letter, I am requesting the Director of Law to prepare the necessary legislation to authorize me to enter into an agreement for Dog Warden services for 2013.

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

## AGREEMENT

**THIS AGREEMENT**, made and entered into this 28<sup>th</sup> day of February, 2013, by and between the City of Findlay, Ohio, a municipal corporation organized and existing under the laws for the State of Ohio, by its duly elected qualified and acting Board of Hancock County Commissioners, hereinafter referred to as the "County".

### WITNESSETH:

**WHEREAS**, the Council of the City of Findlay, Ohio, has enacted certain ordinances relating to the control of dogs within said City for the protection of the public health, safety and welfare; and,

**WHEREAS**, the said Council wished to continue said protection for the citizens of the City of Findlay, Ohio by enforcement of said ordinances while eliminating costly duplication of efforts between said City and County, and:

**WHEREAS**, the Board of Hancock County Commissioners, Hancock County, Ohio, has agreed and indicated their willingness to cooperate with the City of Findlay, Ohio, to contract with said City to provide the County Dog Warden's services in enforcing the aforesaid dog ordinances of said City of Findlay, Ohio.

**NOW, THEREFORE**, pursuant to Ordinance No. \_\_\_\_\_ adopted by the council of The City of Findlay, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 and Resolution No. 129-13 adopted by the Board of Hancock County Commissioners, Hancock County, Ohio, on the 28<sup>th</sup> day of February, 2013.

**BE IT AGREED** by and between the City and County as follows:

1. That the County, for a period not to exceed one (1) year, commencing retroactively on January 1, 2013, shall, by its agents and employees, enforce the Codified Ordinances of the City of Findlay, Ohio, as they pertain to the control of dogs within the purview of the authority of the Dog Warden, within said City.
2. That the County, for said period shall assume full responsibility for said enforcement, including all of the functions of the dog warden of said City, including care and disposal of dogs, prosecution of actions, disposition of dogs, maintenance of records, collection of costs and all functions enumerated in the aforesaid sections of said Code of Ordinances at no cost or expense to the City except as hereinafter granted in consideration for the promises of the County herein contained.
3. That the County consents and agrees to diligently enforce said Sections of the Codified Ordinances of the City of Findlay, Ohio, holding the City harmless from any damages or claims of third parties arising out of said County's enforcement activities.
4. In consideration for the services to be rendered by the County under this agreement, the City covenants and agrees to pay to the Board of Hancock County Commissioners, for said County the sum of Twenty Thousand and 00/100

**Hancock County/City of Findlay  
Dog Warden Agreement  
Page 2 of 2**

Dollars (\$20,000.00) for the period from January 1, 2013 through and including December 31, 2013.

5. As further consideration for the services to be rendered by the County hereunder, said City agrees that all fees and fines levied under Chapter 505 of the Codified Ordinances of the City of Findlay, Ohio, with the exception of those otherwise payable into Court, shall be collected by and payable to said County.
6. That this agreement is further made for the purpose of enforcing the statute set forth in Chapter 955 of the Revised Code of Ohio.

**IN WITNESS WHEREOF**, the City of Findlay and the County of Hancock, State of Ohio, acting by and through its Board of County Commissioners, have cause these presents to be signed as of the day and year first mentioned hereinabove.


**Approved as to Form:**

**City of Findlay, Ohio**

\_\_\_\_\_  
Don Rasmussen  
City Law Director

\_\_\_\_\_  
Lydia Mihalik  
Mayor

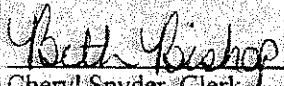
\_\_\_\_\_  
Lucinda M. Land  
Prosecutor

County of Hancock  
  
\_\_\_\_\_  
Phillip A. Riegle, President Assistant County

  
\_\_\_\_\_  
Mark D. Gazarek, Vice-President

  
\_\_\_\_\_  
Brian J. Robertson, Commissioner

Attest:

  
\_\_\_\_\_  
Cheryl Snyder, Clerk  
Board of Hancock County Commissioners,

Date: Feb. 28, 2013



**PARKS AND RECREATION BOARD**  
Monday, March 18, 2013 ♦ 4:00 p.m.  
Municipal Building, Third Floor Conference Room

---

## **Agenda**

### **APPROVAL OF MINUTES**

1. February 19, 2013

Paul Schmelzer

### **OLD BUSINESS**

### **NEW BUSINESS**

1. Pool Feasibility Study Update

Paul Schmelzer

### **DEPARTMENT REPORTS**

1. Recreation Department/The Cube Report

Lu Draper

2. Parks Maintenance Department Report

Matt Stoffel

### **OTHER REPORTS**

1. Hancock Park District's Report

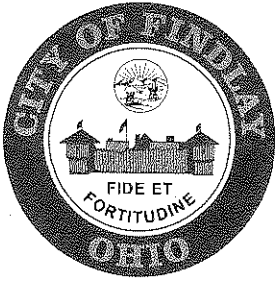
Gary Pruitt

2. Sports Organizations in attendance

### **ADJOURN**

#### Next Meeting:

Monday, April 15, 2013 • 4:00 PM • Municipal Building, Third Floor Conference Room



## AUDITOR'S OFFICE

318 Dorney Plaza, Room 313  
Findlay, OH 45840-3346  
Telephone: 419-424-7101 • Fax: 419-424-7866  
[www.findlayohio.com](http://www.findlayohio.com)

**JIM STASCHIAK II**  
CITY AUDITOR

March 15, 2013

The Honorable Council  
Findlay, Ohio 45840

RE: Revolving Loan Fund Administration

Dear Council Members:

The Hancock Regional Planning Commission has submitted an invoice for their expenses/staff time for RLF administration for December 2012 through January 2013. I have attached a copy for your reference.

This is now a routine request, and you have approved requesting the appropriation without going to committee each time. I have therefore asked the Director of Law to place legislation on your agenda to authorize a draw from the Revolving Loan Fund account and appropriate \$1,259.52 from the RLF to General Expense #21010000-449400 to pay the invoice.

Respectfully submitted,

Jim Staschiak II  
City Auditor

Cc: Don Rasmussen  
File



Hancock Regional Planning Commission  
 318 Dorney Plaza  
 Suite 304  
 Findlay, OH 45840  
 (419)424-7094

Invoice

Date	Invoice #
03/05/2013	397

Bill To
City of Findlay RLF City of Findlay Revolving Loan, Fund

RECEIVED  
 MAR 06 2013  
 AUDITOR

Quantity	Item Code	Description	Price Each	Amount
5	Cordonnier	<b>Charges</b>		
36.5	Leary	• Professional Services December 2012 and January 2013	30.40	152.00
		• Professional Services - Hourly Rate	30.28	1,105.22
		• Professional Services - Hourly Rate		
		<b>Billable Expenses</b>		
		• Mail Beer Barrel closing binder		2.30
			<b>Total</b>	<b>\$1,259.52</b>

RECEIVED  
 MAR 05 2013  
 AUDITOR

Date	Employee	Project	Activity	Task	Hours	Comment
4-Jan-13	Leary, Sherri	200-206-08 - FINDLAY RLF			5.0	Update loan balances and reconciliation.
17-Jan-13	Cordonnier, Matthew	200-206-08 - FINDLAY RLF	SUPPORT - SUPPORT		4.0	Sherri and I met with two potential RLF applicants. The first was for machinery and equipment, the second was for working capital.
14-Jan-13	Leary, Sherri	200-206-08 - FINDLAY RLF			3.5	Telephone call with Potential RLF client (New Firearms Business). Answered questions and outlined RLF program requirements. Emailed application and brochure.
17-Jan-13	Leary, Sherri	200-206-08 - FINDLAY RLF			4.0	Met with two potential RLF applicants and Matt Cordonnier. The first was for machinery and equipment, the second was for working capital.
22-Jan-13	Leary, Sherri	200-206-08 - FINDLAY RLF			2.0	Phone calls with potential RLF clients.

18.5

Date	Employee	Project	Activity	Task	Hours	Comment
5-Dec-12	Cordonnier, Matthew	200-206-08 - FINDLAY RLF			1.0	Mtg after Beer Barrel closing.
3-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			3.0	Coordination efforts with Legal Counsel, Mayor's office and Beer Barrel reps regarding loan docs and closing.
5-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			4.0	Beer Barrel - finalize loan docs, attend loan closing.
10-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			2.0	Beer Barrel.
11-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			1.0	Phone calls with potential RLF clients.
12-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			1.0	Phone calls with potential RLF clients.
13-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			2.0	Review information from potential loan applicant. PPhone calls with the State.
17-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			4.0	Prepared closing binder notebooks. Filing.
21-Dec-12	Leary, Sherri	200-206-08 - FINDLAY RLF			5.0	Update loan balances and reconcile.

23.0



**CITY OF FINDLAY**

**SUMMARY OF YEAR-TO-DATE INFORMATION AS OF FEBRUARY 28, 2013**

	<b>EXPENDITURE BUDGET</b>	<b>Y-T-D EXPENSED</b>	<b>Y-T-D %</b>	<b>ANNUAL REVENUE BUDGET</b>	<b>Y-T-D RECEIVED</b>	<b>Y-T-D %</b>
COUNCIL	136,333	28,350		1,100	598	
MAYOR'S OFFICE	218,005	33,599		1,200	327	
AUDITOR'S OFFICE	543,185	79,835		344,733	129	
TREASURER'S OFFICE	10,596	1,187		-	-	
LAW DIRECTOR	608,295	89,352		120,000	66,521	
MUNICIPAL COURT	1,507,800	208,738		1,249,380	320,168	
CIVIL SERVICE OFFICE	88,015	10,894		25,000	-	
PLANNING & ZONING	102,640	45,938		-	-	
COMPUTER SERVICES	340,385	57,997		314,267	-	
GENERAL EXPENSE	1,976,387	182,827		-	-	
GENERAL REVENUE	-	-		19,100,921	2,137,504	
POLICE DEPARTMENT	6,888,558	987,171		403,887	19,620	
DISASTER SERVICES	38,904	498		-	-	
FIRE DEPARTMENT	6,789,608	1,016,518		307,287	6,610	
DISPATCH CENTER	956,970	171,359		36,617	-	
N.E.A.T.	105,391	13,713		2,750	-	
HUMAN RESOURCES	177,963	2,046		-	-	
W.O.R.C.	331,553	38,726		130,000	11,094	
SERVICE SAFETY DIRECTOR	210,890	22,960		-	-	
ENGINEERING OFFICE	821,331	92,614		124,800	9,103	
PUBLIC BUILDING	340,747	30,383		4,150	-	
HEALTH DEPARTMENT	1,401,376	185,054		782,300	178,325	
ZONING	116,778	14,904		43,350	2,475	
PARK MAINTENANCE	374,306	53,273		10,300	1,766	
RESERVOIR RECREATION	3,911	175		-	-	
RECREATION FUNCTIONS	813,401	71,065		673,550	162,534	
CEMETERY DEPARTMENT	265,837	30,114		80,850	15,735	
<b>TOTAL GENERAL FUND</b>	<b>25,169,165</b>	<b>3,469,291</b>	<b>13.8%</b>	<b>23,756,442</b>	<b>2,932,510</b>	<b>12.3%</b>

CONTINUED ON REVERSE

	<b>EXPENDITURE BUDGET</b>	<b>Y-T-D EXPENSED</b>	<b>Y-T-D %</b>	<b>ANNUAL REVENUE BUDGET</b>	<b>Y-T-D RECEIVED</b>	<b>Y-T-D %</b>
SCM&R STREETS	2,279,718	343,287		2,084,459	290,351	
TRAFFIC-SIGNALS	223,415	24,519		-	-	
<b>TOTAL SCM&amp;R FUND</b>	<b>2,503,133</b>	<b>367,806</b>	<b>14.7%</b>	<b>2,084,459</b>	<b>290,351</b>	<b>13.9%</b>
SCM&R HIWAYS	92,520	1,329		141,700	22,746	
<b>TOTAL SCM&amp;R HIWAYS FUND</b>	<b>92,520</b>	<b>1,329</b>	<b>1.4%</b>	<b>141,700</b>	<b>22,746</b>	<b>16.1%</b>
AIRPORT OPERATIONS	1,198,254	129,866		1,024,986	135,220	
<b>TOTAL AIRPORT FUND</b>	<b>1,198,254</b>	<b>129,866</b>	<b>10.8%</b>	<b>1,024,986</b>	<b>135,220</b>	<b>13.2%</b>
WATER TREATMENT	2,159,008	253,405		17,000	103,858	
WATER DISTRIBUTION	1,466,007	193,510		60,000	29,615	
UTILITY BILLING	1,184,711	145,114		8,018,621	1,145,057	
SUPPLY RESERVOIR	598,013	54,015		17,664	1,300	
<b>TOTAL WATER FUND</b>	<b>5,407,739</b>	<b>646,045</b>	<b>11.9%</b>	<b>8,113,285</b>	<b>1,279,830</b>	<b>15.8%</b>
SANITARY SEWER MAINT	1,031,440	140,206		2,000	3,323	
STORMWATER MAINT	257,489	24,144		765,350	126,474	
WATER POLLUTION CONTROL	3,034,867	332,985		8,577,716	1,386,604	
<b>TOTAL SEWER FUND</b>	<b>4,323,796</b>	<b>497,335</b>	<b>11.5%</b>	<b>9,345,066</b>	<b>1,516,401</b>	<b>16.2%</b>
PARKING	101,741	20,385		94,600	11,142	
<b>TOTAL PARKING FUND</b>	<b>101,741</b>	<b>20,385</b>	<b>20.0%</b>	<b>94,600</b>	<b>11,142</b>	<b>11.8%</b>
SWIMMING POOL	47,008	586		35,000	-	
<b>TOTAL SWIMMING POOL FUND</b>	<b>47,008</b>	<b>586</b>	<b>1.2%</b>	<b>35,000</b>	<b>-</b>	<b>0.0%</b>
CIT ADMINISTRATION	15,720,641	1,955,983		18,653,500	3,560,752	
<b>TOTAL CIT FUND</b>	<b>15,720,641</b>	<b>1,955,983</b>	<b>12.4%</b>	<b>18,653,500</b>	<b>3,560,752</b>	<b>19.1%</b>

CITY OF FINDLAY  
CASH & INVESTMENTS AS OF FEBRUARY 28, 2013

<u>AMOUNT</u>	<u>DESCRIPTION AND RATE</u>	<u>BANK/FIRM</u>
\$ 900.00	STAR OHIO* @ 0.07%	
300.00	STAR OHIO* @ 0.07%	
3,500.00	STAR OHIO* @ 0.07%	
55,950.00	STAR OHIO* @ 0.07%	
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
<u>\$34,200,923.75</u>	INVESTMENT TOTAL	
<u>4,991,413.68</u>	5/3 BANK ACCOUNT BALANCE	
<u><b>\$39,192,337.43</b></u>	<b>TOTAL CASH &amp; INVESTMENTS</b>	

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

**UNAPPROPRIATED FUND BALANCES**

GENERAL	\$ 6,818,173
SCM&R	8,278
SCM&R HIWAY	191,092
SEVERANCE PAYOUT RESERVE	521,330
AIRPORT	154,268
WATER	6,288,364
SEWER	4,211,678
STORMWATER	2,677,106
PARKING	4,562
CIT ADMINISTRATION	568,443
CIT CAPITAL IMPROVEMENT	5,221,285
CIT FLOOD IMPROVEMENT	-

\*Only major funds listed

CITY OF FINDLAY  
**BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF FEBRUARY 28, 2013**

\$10,900,704.53	General Fund
1,000,000.00	General Fund Restricted Rainy Day
763,028.43	General Fund Projects
585,256.29	SCM&R Fund
212,543.19	SCM&R Fund Projects
-	County Permissive License Fund
163,299.78	State Highway Fund
714.57	Law Enforcement Trust Fund
1,182.28	Drug Law Enforcement Trust Fund
242,768.57	ID Alcohol Treatment Fund
57,461.78	Enforcement & Education Fund
215,284.89	Court Special Projects Fund
82,761.00	Court Computerization Fund
2,863.35	METRICH Drug Law Enforcement Trust Fund
53,870.61	Alcohol Monitoring Fund
27,725.83	Mediation Fund
61,441.00	Electronic Imaging Fund
20,207.89	Legal Research Fund
571,321.35	Severance Payout Fund
795,980.27	Debt Service Fund
-	CR 236 TIF Fund
519,323.95	Municipal Court Improvement Fund
337,623.84	Airport Fund
-	Airport Fund Projects
6,145,481.29	Water Fund
727,707.07	Water Fund Restricted
179,363.56	Water Fund Projects
3,128,950.31	Sewer Fund
5,135,116.40	Sewer Fund Restricted
297,468.29	Sewer Fund Projects
10,590.69	Parking Fund
4,530.72	Parking Fund Projects
15,454.71	Swimming Pool Fund
8,589.92	Swimming Pool Fund Projects
25,802.92	Internal Service Central Stores Fund
750,228.24	Internal Service Workers Comp Fund
867,787.12	Internal Service Self Insurance Fund
2,004,070.82	CIT Fund
1,761,494.12	CIT Fund- Restricted Capital Improvements
-	CIT Fund-Restricted Flood Mitigation
-	Police Pension Fund
-	Fire Pension Fund
18,370.00	Tax Collection Agency Fund
1,235,626.75	Cemetery Trust Fund
163,350.06	Private Trust Fund
86,924.53	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
<b><u>\$39,192,337.43</u></b>	<b>TOTAL CASH &amp; INVESTMENTS</b>

**COMMITTEE REPORT**

**THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO**

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to discuss Ohio Department of Transportation (ODOT) resurfacing of State Route 568/State Route 330-0.20/0.15, PID #76823.

We recommend *approval of the above request -*

Aye  Nay *Randy C. Ward*  
Randy C. Ward, Chairman

Aye  Nay *Robert J. Nichols*  
Robert Nichols

Aye  Nay *J. Michael Slough*  
J. Michael Slough

Aye  Nay *Absent*  
William J. Schedel, Jr.

Aye  Nay *Absent*  
R. Ronald Monday

Aye  Nay *W. Jerry Murray*  
W. Jerry Murray

**APPROPRIATIONS COMMITTEE**

**DATE: March 12, 2013**

**LEGISLATION** *✓*

**FINDLAY CITY COUNCIL  
CARRY-OVER LEGISLATION  
March 19, 2013**

RESOLUTION NO. 044-2012 (CRA #1)  
*tabled at 9/4/12 City Council meeting after 1<sup>st</sup> 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 1<sup>st</sup> 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.

RESOLUTION NO. 009-2013 (DFID)                      Second reading

A RESOLUTION APPROVING THE RENEWAL PETITION, SERVICES PLAN AND BUDGET OF THE DOWNTOWN FINDLAY IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2012-100 (EMA)  
*Mayor referred this to the 1/8/13 Appropriations Committee mtg where it was tabled*

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. 2013-010                              Third reading  
*(2012 carry-over, ODOT manhole adjustments, OPWC Byal Ave improvements (Phase I))*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-011                              Second reading  
*(YMCA – swimming pool)*

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT (CONTRACT) WITH THE YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2013 SEASON, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-012                              Second reading  
*(CUBE & 5-Plex baseball fields)*

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO DEVELOP A SCOPE OF WORK, ADVERTISE FOR BIDS FOR LANDSCAPING, MOWING, AND FIELD MAINTENANCE SERVICES FOR THE CITY OF FINDLAY'S CUBE AND 5-PLEX BASEBALL FIELDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-013                              Second reading  
*(WPC Bar Screen project #35620900)*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-014                              Second reading  
*(Health Dept – MRC grants)*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

# City of Findlay

## Office of the Director of Law

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

Donald J. Rasmussen  
Director of Law

MARCH 19, 2013

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, MARCH 19, 2013 MEETING.

### ORDINANCES

- 2013-015 AN ORDINANCE COOPERATING WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RESURFACING OF ASPHALT CONCRETE IN ORDER TO MEET AMERICAN DISABILITY ACT (ADA) REQUIREMENTS (i.e. CENTERLINES, EDGELINES, STOP BARS, RAILROAD MARKINGS, CROSS WALKS, PARKING STALL PAINTING, AND PAVEMENT MARKINGS) ON STATE ROUTE (SR) 568 FROM MAIN STREET TO THE EASTERN CORPORATION LIMITS, PID #76823, A PORTION OF WHICH IS IN THE CITY OF FINDLAY, WHICH NECESSITATES THE COOPERATION OF THE CITY OF FINDLAY FOR CERTAIN WORK TO BE PERFORMED BY THE CITY ON THE PORTION LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.
- 2013-016 AN ORDINANCE AUTHORIZING SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, FOR DOG WARDEN SERVICES IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.
- 2013-017 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO NEGOTIATE WITH THE HANCOCK COUNTY COMMISSIONERS FOR THE POTENTIAL SALE OF THE CITY OF FINDLAY'S HARDIN STREET PARKING LOT, AND DECLARING AN EMERGENCY.
- 2013-018 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

**Preliminary Consent Legislation**Ordinance # 2013-015County/Route/Section: **HAN/WYA-330/568-0.20/0.15**

The following is an ordinance enacted by the City of Findlay, Hancock County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**SECTION I - Project Description**

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

This project proposes to pave 1 ¾" of asphalt concrete on the following routes:

- SR 330: from top of the EB Ramps at SR 15 interchange to NCL of Vanlue
- SR 568: from Main Street in Findlay to the ECL of Findlay

For roadway sections that are curbed, it is proposed to grind 1 ½" and pave 1 ½" of asphalt concrete. Handicap curb ramps will be installed where necessary to meet ADA requirements. Longitudinal (centerlines and edgelines) and auxiliary (stop bars, railroad markings, cross walks, parking stall painting etc.) pavement markings will also be included with this project. Any necessary manhole adjustments will not be included in this project and will be the responsibility of the village after ODOT's project is complete.

WHEREAS, a portion of described project is within the City corporation limits.

NOW THEREFORE, be it ordained by the City of Findlay of Hancock County, Ohio.

**SECTION II - Consent Statement**

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

**SECTION III - Cooperation Statement**

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

ODOT and FHWA shall assume and bear 100% of the necessary costs of the State's highway improvement project except for the areas inside city corporation limits, where ODOT will be responsible for 80% of the costs associated with the paving of asphalt, maintenance of traffic, mobilization, painting of longitudinal pavement markings (centerline and edge lines) and construction engineering costs. The City will be responsible for the matching 20% of the costs for these construction items, as well as, 100% of the construction costs for the following items, if



they are deemed necessary: auxiliary pavement markings (stop bars, railroad markings, cross walks, parking stall marking, etc.), handicap curb ramps, curbs, sidewalks, partial and/or full depth pavement repairs or other appurtenances that are located inside the city corporation limits. In the event that the LPA requests certain features or appurtenances to be included within the State highway improvement project's design and/or construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's project, the LPA shall contribute 100% of the cost of those items.

**SECTION IV - Utilities and Right-of-Way Statement**

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

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

**SECTION V - Maintenance**

Maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

**SECTION VI - Authority to Sign**

The Mayor of said City of Findlay is hereby empowered on behalf of the City of Findlay to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: \_\_\_\_\_, 20\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Mayor)

Attested: \_\_\_\_\_

\_\_\_\_\_  
(President of Council)

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

CERTIFICATE OF COPY  
STATE OF OHIO

City of Findlay of Hancock County, Ohio

I, \_\_\_\_\_, as Clerk of the City of Findlay of Hancock County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City of Findlay on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that the publication of such ordinance has been made and certified of record according to law: that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance certified of publication thereof are of record in \_\_\_\_\_, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Clerk

(SEAL)  
(If Applicable)

City of Findlay of Hancock County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of Findlay of Hancock County, Ohio

\_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer (Mayor)

Attest: \_\_\_\_\_

\*\*\*\*\*

**For the State of Ohio**

\_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation

Attest: \_\_\_\_\_

**ORDINANCE NO. 2013-016**

**AN ORDINANCE AUTHORIZING SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, OHIO, FOR DOG WARDEN SERVICES IN THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.**

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

SECTION 1: That the Service-Safety Director of the City of Findlay, Ohio be and he is hereby authorized to enter into a contract with the Board of Commissioners for Hancock County, Ohio, for dog warden services for the City of Findlay, Ohio, for calendar year 2013 retroactive to January 1, 2013.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason that it is immediately necessary to authorize said contract so that this contract may be in force for the calendar year 2013.

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. 2013-017**

**AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO NEGOTIATE WITH THE HANCOCK COUNTY COMMISSIONERS FOR THE POTENTIAL SALE OF THE CITY OF FINDLAY'S HARDIN STREET PARKING LOT, AND DECLARING AN EMERGENCY.**

WHEREAS, the Hancock County Commissioners will be renovating and eventually relocating offices to 514 South Main Street resulting in the need for increased parking of County employees in that area. They are desirous of purchasing the City-owned Hardin Street parking lot, and;

WHEREAS, as part of aforementioned agreement, the Hancock County Commissioners will increase the number of parking spaces in the their parking lot on the north side of the Municipal Building for City of Findlay employees to utilize.

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

SECTION 1: That the Service-Safety Director of the City of Findlay, Ohio, be and he is hereby authorized to negotiate with the Hancock County Commissioners for the potential sale of the City of Findlay's Hardin Street parking lot.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to negotiate with that the Hancock County Commissioners for the potential sale of the City's Hardin Street parking lot and allow City of Findlay employees additional parking in the County's parking lot on the north side of the Municipal Building,

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

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
MAYOR

PASSED \_\_\_\_\_

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED \_\_\_\_\_

**ORDINANCE NO. 2013-018**

**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: Revolving Loan Fund	\$ 1,259.52
TO: General Expense #21010000-449400	\$ 1,259.52

SECTION 2: That the Auditor of the City of Findlay, Ohio is hereby authorized to draw one thousand two hundred fifty-nine dollars and fifty-two cents (\$1,259.52) from the Revolving Loan Fund Account held at Fifth Third Bank.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that the Hancock Regional Planning Commission may be paid for their expenses/staff time for RLF Administration for December 2012 through January 2013.

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 \_\_\_\_\_