

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

May 7, 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 April 16, 2013 Regular Session City Council meeting minutes.

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

PROCLAMATION – none.

RECOGNITION/RETIREMENT RESOLUTIONS – none.

WRITTEN COMMUNICATIONS – none.

ORAL COMMUNICATIONS – none.

PETITIONS:

Alley vacation request – Morrical Avenue

Mary Houtz has requested an alley vacation for the east 19.5" of Morrical Avenue between Lima Avenue and Olney Avenue. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

Zoning amendment request – 201 West Hardin Street, 610 South Cory Street, 614 South Cory Street

Kyle Reichenbach has requested a zoning change for 201 West Hardin Street, 610 South Cory Street, and 614 South Cory Street from C2 General Commercial District to C3 Downtown Commercial District. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Service-Safety Director Paul Schmelzer – Employment agreement for Patricia Wright

The City of Findlay has reached a final agreement with Patricia Wright. It has taken some work with her legal counsel and the Auditor, but is not at the point where Council's approval is needed to continue her temporary employment. Her position is a Clerk II. She is temporarily appointed by the Service-Safety Director. Her duties are to work on the conversion of engineering plans, wastewater and water treatment documents, contracts, and other documents from hard copy to electronic copy. These records take up considerable amounts of storage space and are not archived in a searchable format. The goal is to convert as much as possible and modify the Engineering Department retention schedule to allow for electronic storage of documents. It would be ideal to have the public be able to search old plans and records from a kiosk in the Engineering Department or online, but that is only the first step. Ms. Wright approached the Service-Safety Director shortly after the layoff notices were issued and indicated that she was very close to retirement, and that the layoff would have an impact on her ability to retire. Her inability to retire after twenty-five (25) years would have caused her significant financial distress. She also reiterated her position to many Council members.

The Service-Safety Director was in the process of getting quotes for a document service company to scan and archive the documents in storage when he approached Ms. Wright and indicated that she could work temporarily getting the scanning done for the City and then she could retire when eligible.

The City's labor legal counsel, Clemans Nelson indicated that public sector layoffs are unusual. Most of the time, furloughs are used, but the Service-Safety Director does not feel that the City's goals for streamlining would be accomplished with furloughs as entire departments are affected by furloughs and many times the cuts are short lived. The cuts in many departments will be in place for the long term, which is why the City decided on layoffs. The decision to pursue layoffs has a larger impact on senior staff, but the focus was not a layoff based on seniority, it was based on a thorough examination of staff levels by department along with budgetary constraints. The employment agreement is in lieu of a layoff. The City's ability to come to an agreement with Ms. Wright is a win for her and the City accomplishes a needed task and long term personnel cost savings. It is also a more beneficial arrangement than a traditional early retirement buyout agreement.

Ms. Wright has agreed to come back on temporary assignment at a significantly lower rate of pay. This was needed in order to get closer to the cost of outsourcing the scanning. As with any agreement, there are concessions and stipulations. Unique circumstances surrounding any employment agreement, especially one involving an employee with as many years as Ms. Wright has, should be considered by Council.

Along with Ms. Wright's hourly rate reduction and pending retirement, layoffs in the Recreation, Engineering, and Zoning Departments are now complete. Reductions have occurred as planned through attrition in the Police Department, and a planned reduction resulting from two (2) retirements in the Street Department have already taken place. The pending retirement in Computer Services and the much discussed layoffs in the Fire Department will complete the list of cuts outlined at the end of 2012.

The employment agreement attached covers the terms already mentioned above. Her legal counsel has reviewed the structure of the agreement and the Auditor has worked with the Law Director to finalize needed changes to the original agreement. Now that all parties have reviewed this agreement, Council's approval is needed. This will move us closer to getting the documents scanned in Engineering, allowing Ms. Wright to get to retirement and avoid a drawn out layoff process. Resolution No. 014-2013 was created.

City Planning Commission minutes – March 14, 2013 and April 11, 2013; staff report – April 11, 2013; agenda – May 9, 2013.

Findlay City Board of Health Minutes – March 20, 2013.

City of Findlay Board of Zoning Appeals Minutes – March 14, 2013.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Kevin Rettig, located at 1101 West Main Cross Street, Findlay, Ohio for a D5 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Kevin Rettig, located at 1101 West Main Cross Street, Findlay, Ohio. A check of the records shows no criminal record on the following:

Kevin E. Rettig

Auditor Jim Staschiak – FPD and FFD pension fund new employee contribution rate

On the agenda are two (2) resolutions concerning the pre-tax status of employee contributions to the Ohio Police and Fire Pension Fund. One addresses the Fire Department employees; the other is for the employees of the Police Department. The employee contribution for the Police and Fire Pension Fund is increasing to ten and three-quarter per cent (10.75%) in July. The pension system has notified my office that the City will need to update the previous resolutions, if we would like to maintain the pre-tax status of the entire deduction. Earlier legislation would only allow for the ten per cent (10%) deduction to have a pre-tax status. The updated resolutions must be approved by June 6, 2013 or earlier and must be filed timely with the Ohio Police and Fire Pension fund. Council's approval of the resolutions in order to maintain this benefit for Findlay's Police and Fire Departments is requested. Resolutions 016-2013 and 017-2013 were created.

Auditor Jim Staschiak – report summary of City's debt

As part of the continuing effort to fully disclose the current status of the City of Findlay's finances, the Auditor's Office is in the process of completing a report summarizing the debt of the City. This report is instrumental in maintaining the favorable bond rating of the City. A presentation of this report by the City Auditor at the next Appropriations Committee meeting is requested.

Service-Safety Director Paul Schmelzer – Fostoria Avenue Drainage (Phase II), Project No. 32593600

This project is included in the 2013 Capital Improvements Plan. An original appropriation of ten thousand dollars (\$10,000.00) was approved in January 2010. At this time, an additional appropriation of fifteen thousand dollars (\$15,000.00) is needed in order to continue with project design. Legislation to appropriate funds is requested. Ordinance No. 2013-027 was created.

FROM: Sewer Fund (Sewer Fund (Stormwater Restricted Account)	\$ 15,000.00
TO: Fostoria Avenue Drainage (Phase II) Project #32593600	\$ 15,000.00

Service-Safety Director Paul Schmelzer – Adopt-A-Tree Program

Due to previous budget cuts in 2013, the Public Works Department had eliminated funding in its budget for the Adopt-A-Tree program for the purchase of trees. The funding for the purchase of trees was planned to be included in the 2013 Capital Plan, but subsequently learned that the purchase of trees is not an allowable capital expense. The Adopt-A-Tree program is a requirement of the Tree City USA program. Maintaining the program has allowed the City to maintain its Tree City USA status for thirty-two (32) consecutive years. An appropriation of funds is requested. Needs to be referred to the Appropriations Committee.

FROM: General Fund	\$ 4,500.00
TO: Parks Maintenance #21034000-other	\$ 4,500.00

City Income Tax Monthly Collection Report – April 2013.

Findlay W.O.R.C. Program Charge Statistics – 01/1/2013 through 4/30/2013; Findlay Work Release Program Monthly Payment Statistics Summary – 01/01/2013 through 4/30/2013; Findlay W.O.R.C. Program Monthly Tally Sheet – 01/01/2013 through 4/30/2013; Findlay W.O.R.C. Financial Analysis – 01/1/2013 through 4/30/2013.

Findlay Police Department Activities Report – April 2013.

Service-Safety Director Paul Schmelzer – annual bids and contracts

Each year, the City formally bids a number of chemicals, materials, and services. Contracts for these items run for a calendar year with option(s) to renew in one (1) year increments. In July, a review and evaluation of the current contracts and contracted vendors will be conducted. The City would like to advertise and received bids in October for contracts that will not be renewed. Items to be bid this year include several chemicals used by the Water Treatment Plant and Water Pollution Control Center, uniforms, services, and supplies. Legislation to authorize bidding and contracting of these items is requested. Ordinance No. 2013-029 was created.

Cash & Investments Report/Budget Summary of Year-To-Date Information Report as of April 30, 2013.

Service-Safety Director Paul Schmelzer – HAN-Findlay Street Improvements, ODOT PI# 93050

By authorization of Ordinance No. 2012-092, bids were opened for this project on April 29, 2013. Bids were received from five (5) potential contractors. The lowest and best bid was received from M&B Asphalt of Old Fort, Ohio in the amount of three hundred sixty-six thousand six hundred ninety-five dollars (\$366,695). This project is included in the 2013 Capital Improvements Plan with eighty percent (80%) funding from ODOT. Streets to be resurfaced are:

- W Sandusky St (Glessner St to Emma St)
- E Bigelow Ave (Crystal Ave to Bright Rd)
- Western Ave (Lima Ave to Lima St)
- E Main Cross St (Main St to East St)

Legislation to appropriate funds is requested (bid amount of \$366,695, contingency and inspection time). Ordinance No. 2013-027 was created.

FROM: ODOT	\$ 352,880.00
FROM: County Permissive License Fund	\$ 88,220.00
TO: ODOT Resurfacing/Street Improvements <i>Project #32821500</i>	\$ 441,100.00

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

Traffic Commission Minutes – March 18, 2013.

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to discuss Community Reinvestment Areas #1 and #2. *We recommend that the expansion of the Community Reinvestment Area as proposed by Hancock Regional Planning Commission be presented to a Committee of the Whole for full review prior to consideration of legislation.*

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Van Horn, Hoover and Associates on behalf of RJT Properties LLC to rezone 400, 414, and 418 West Main Cross Street, as well as 208 and 214 Liberty Street from I1 Light Industrial to C3 Downtown Commercial. *We recommend approval of the rezone. Ordinance No. 2013-026 was created.*

A **COMMITTEE OF THE WHOLE** was held on April 30, 2013 to discuss Community Reinvestment Areas (CRAs).

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 014-2013 *(ratify Memorandum of Understand & Addendum)* **First reading**
A RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDING AND ADDENDUM THERETO BETWEEN THE CITY OF FINDLAY AND PATRICIA WRIGHT, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 015-2013 *(no PO written)* **First reading**
A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

RESOLUTION NO. 016-2013 *(FFD new ee contribution)* **First reading**
A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 017-2013 *(FFD new ee contribution)* **First reading**
A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, 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. 2013-019 *(Dietsch Brothers alley vacation)* **Third reading**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS DIETSCH BROTHERS ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2013-020 *(123 Cherry St rezone)*

Third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 123 CHERRY STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C1 LOCAL COMMERCIAL" TO "C3 DOWNTOWN DISTRICT".

ORDINANCE NO. 2013-024 *(flood damage reduction ordinance)*

Second reading

AN ORDINANCE REPEALING CURRENT CHAPTER 1351 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AND IN ITS PLACE, ENACTING A NEW CHAPTER 1351 TO BE KNOWN AS THE FLOOD DAMAGE REDUCTION ORDINANCE.

ORDINANCE NO. 2013-025 *(5-Plex field maintenance agreement)*

Second reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MAINTENANCE AGREEMENT WITH DB SOLUTIONS 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. 2013-026 *(Dietsch Brothers rezone)*

First reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS DIETSCH BROTHERS REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "C3 DOWNTOWN COMMERCIAL".

ORDINANCE NO. 2013-027 *(appropriation of funds)*

First reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-028 *(2014 chemicals, materials and svcs)*

First reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2014, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS

APPLICATION REQUIREMENTS

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

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

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

FEE

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

ASSESSMENTS

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

PLANNING COMMISSION ACTION

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

COMMITTEE ACTION

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

CITY COUNCIL ACTION

Once the petition is placed on Council's agenda, it will be referred to the City Planning Commission and the Committee with all documentation submitted. Both the City Planning

Commission and the Planning & Zoning Committee shall review the request. Upon their findings, Council will request legislation and give it three (3) separate readings if the vacation is to proceed.

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

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

Revised 12-05

Name of Contact Person Mary Houtz
Mailing Address 1650 Lima Ave Findlay, OH 45840
Phone No. (Home) _____ (Business) 419-288-1350
4/12/13 _____ Mary Houtz
(date) (Signature of Contact Person)

OFFICE USE ONLY

PLAT OF MORTGAGE LOCATION SURVEY

TO: MID AM TITLE

ORDER NO. 11199

DATE: 3/04/11

DESCRIPTION INFORMATION

LENDER: Concord Mortgage Group

LOT(S) NO.: PT LOTS 1 & 2 BLOCK 27

BUYER: Mary L Houtz

ALLOTMENT: Thorpe & Andrews West Park

OWNER: Fannie Mae

CITY OR VILLAGE: Findlay

ADDRESS: 1650 Lima Ave

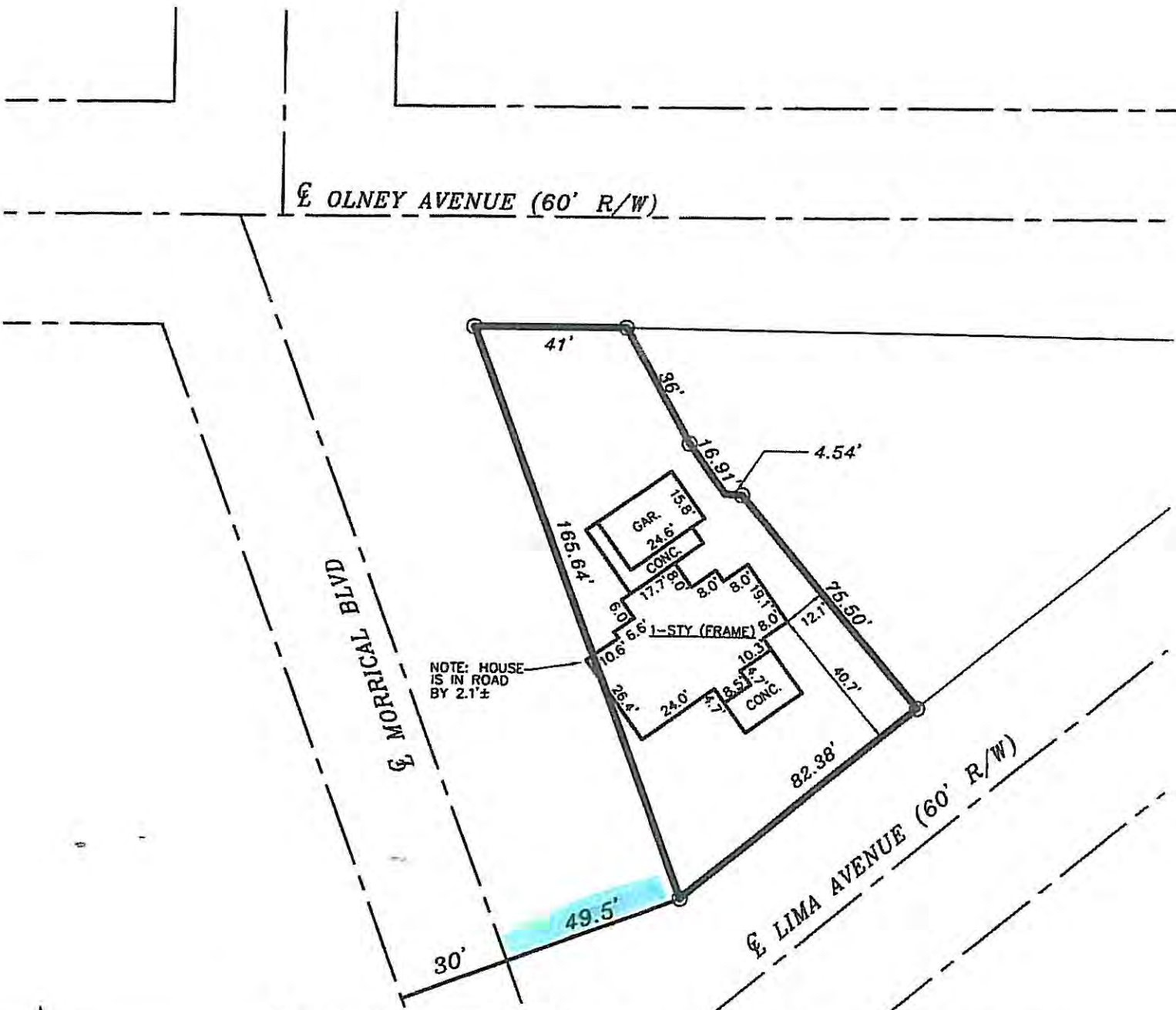
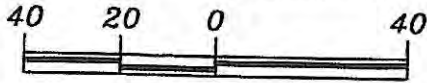
COUNTY: Hancock

PLAT BOOK: PAGE:

TOWNSHIP: RANGE:

SCALE: 1" = 40'

SECTION: 1/4 ('s)



PETITION FOR ZONING AMENDMENT

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

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

ADDRESS 201 W. HARDIN ST, 610 S CORY ST, 614 S CORY ST
SUBDIVISION VANCE + CORYS ADD

LOT NO.(s) 241 N 110 FT, 241 S 50 FT N 160 FT, 241 S 40 FT

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

SIGNATURE _____ SUBDIVISION _____ LOT NO. _____ STREET FRONTAGE _____

→ KE. Peto, Margaret Reichenbach ~~VANCE + CORYS ADD, LOT 239, 50~~ VANCE + CORYS ADD, LOT 239, 50

James Heck VANCE + CORYS ADD, PU (830) LOT 237-238, 100

W.E. W. [Signature] VANCE + CORYS ADD, LOT 240, 50

W.E. W. [Signature] VANCE + CORYS ADD, LOT 242, 50

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE RESIDENTIAL

PRESENT ZONING DISTRICT C-2

PROPOSED ZONING DISTRICT C-3

- a. Vicinity map showing property lines, streets, and existing and proposed zoning.
- b. List of all property owners within, contiguous to, and directly across the street from the proposed rezoning.
NOTE: COMPLIANCE WITH THIS REQUIREMENT IS EXTREMELY IMPORTANT. FAILURE TO NOTIFY ANY PROPERTY OWNER FALLING WITHIN THIS CRITERIA WILL POSSIBLY INVALIDATE THE REZONING ORDINANCE PASSED AS A RESULT OF THIS PETITION.
- c. A statement of how the proposed rezoning relates to the Findlay Comprehensive Land Use Plan.
- d. Application for Planned Unit Development, City Planning Commission, City of Findlay, Ohio, if applying for a PUD.

Name of Contact Person Kyle Reichenbach

Mailing Address 127 W. HARDIN ST.

Phone No. (Home) 419-788- (Business) 6439

4/29/13
(date)

[Signature]
(Signature of Contact Person)

OFFICE USE ONLY

\$250.00 Fee Paid _____ \$100.00 Fee Paid PUD approval _____

Applicable Advertising and Filing Fees Paid _____

Date Petition Submitted to City Council _____

Referral to Planning Commission ___ Referral to Planning & Zoning _____

Planning Commission _____ Disposition _____

Planning & Zoning _____ Disposition _____

Public Hearing Date Set By Council _____

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

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

Referred for Legislation _____

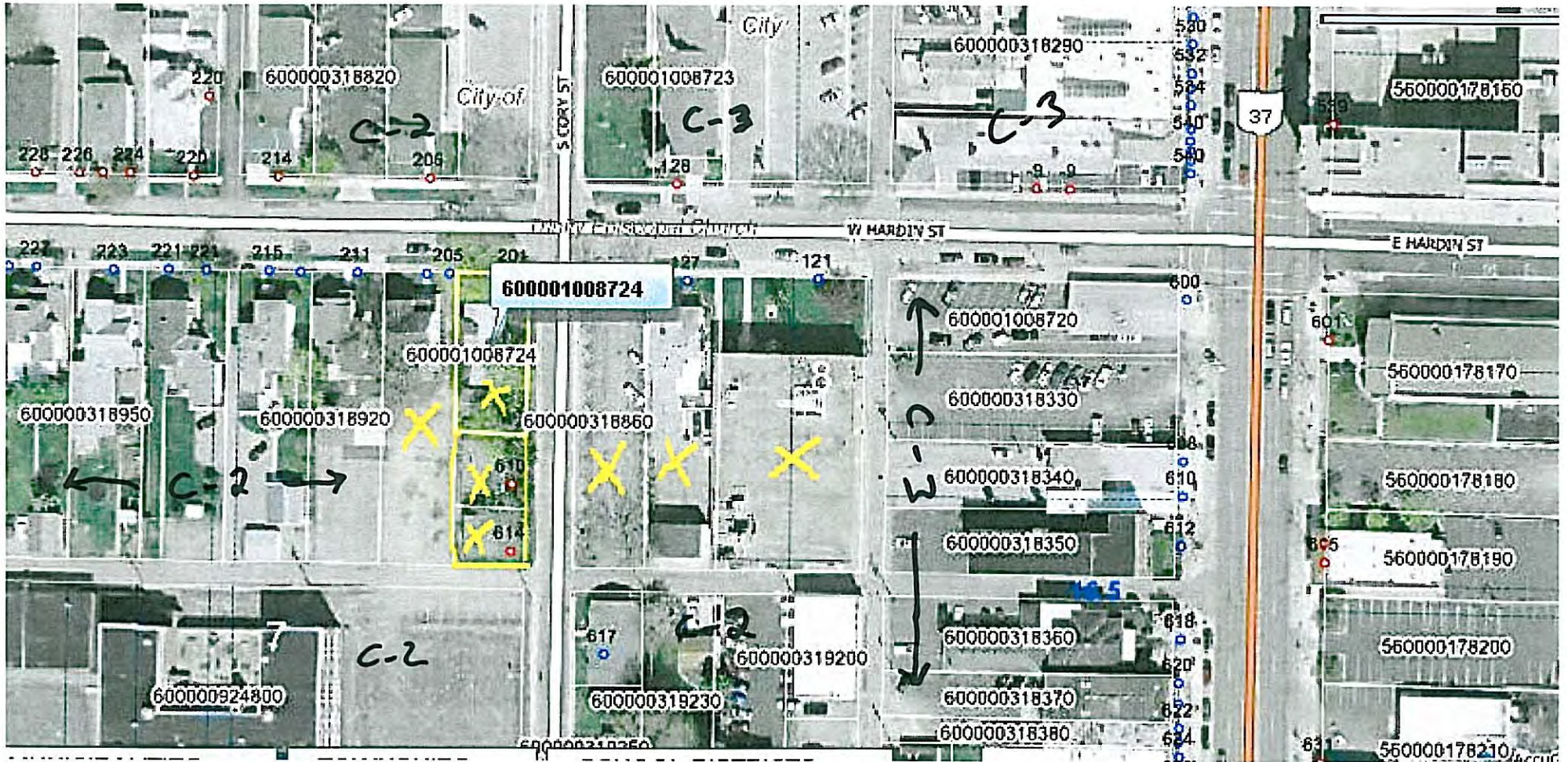
Date of Readings by Council: _____

First _____ Second _____ Third _____



Action by Council: _____ Ordinance No. _____

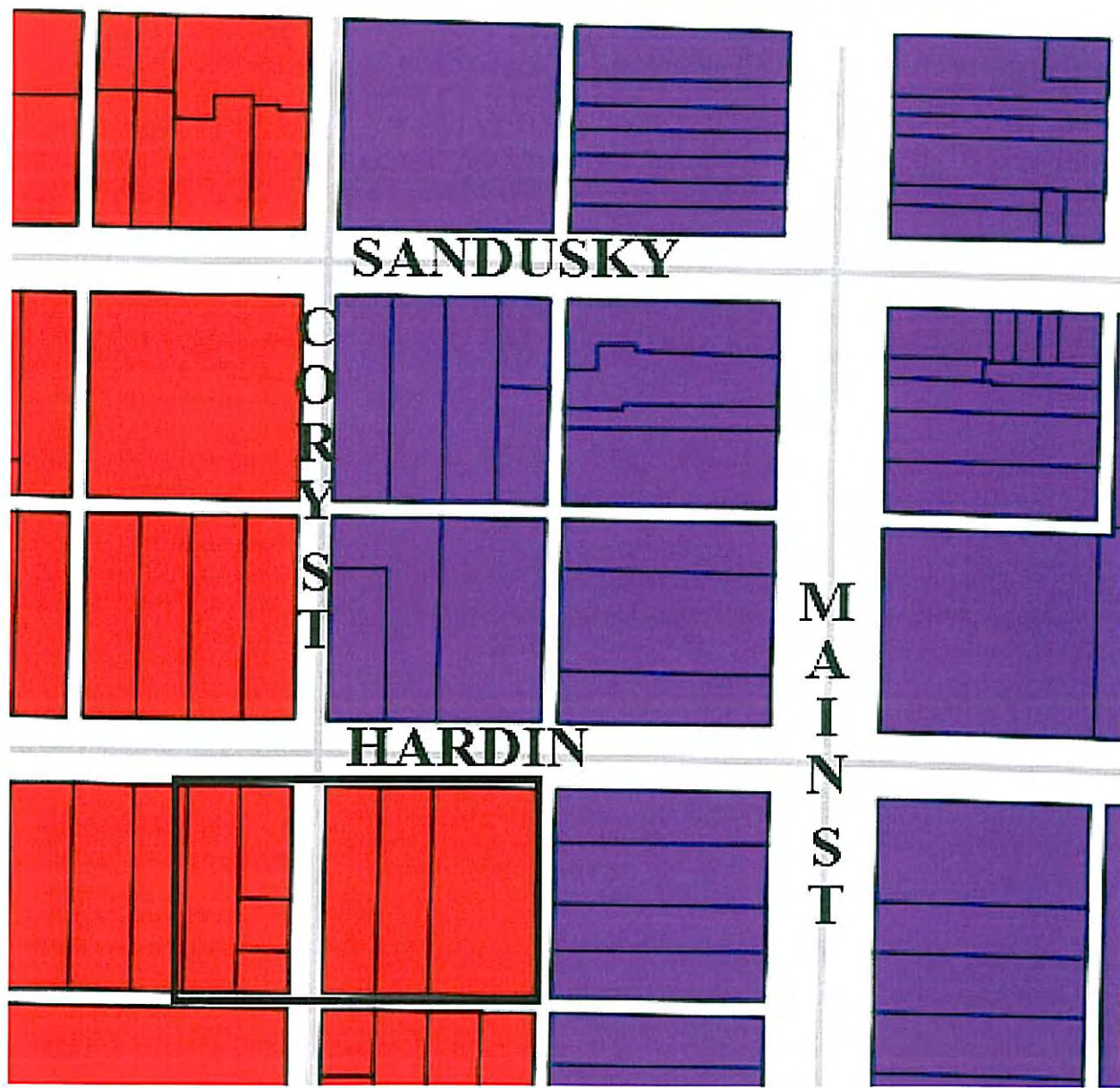
Vicinity Map:

201 W. Hardin St., 610 S. Cory St., 614 S. Cory St. outlined in yellow.
Additional properties to be included in the rezoning marked with a yellow X:



Existing Zoning

-  C2 - General Commercial District
-  C3 - Downtown Commercial District



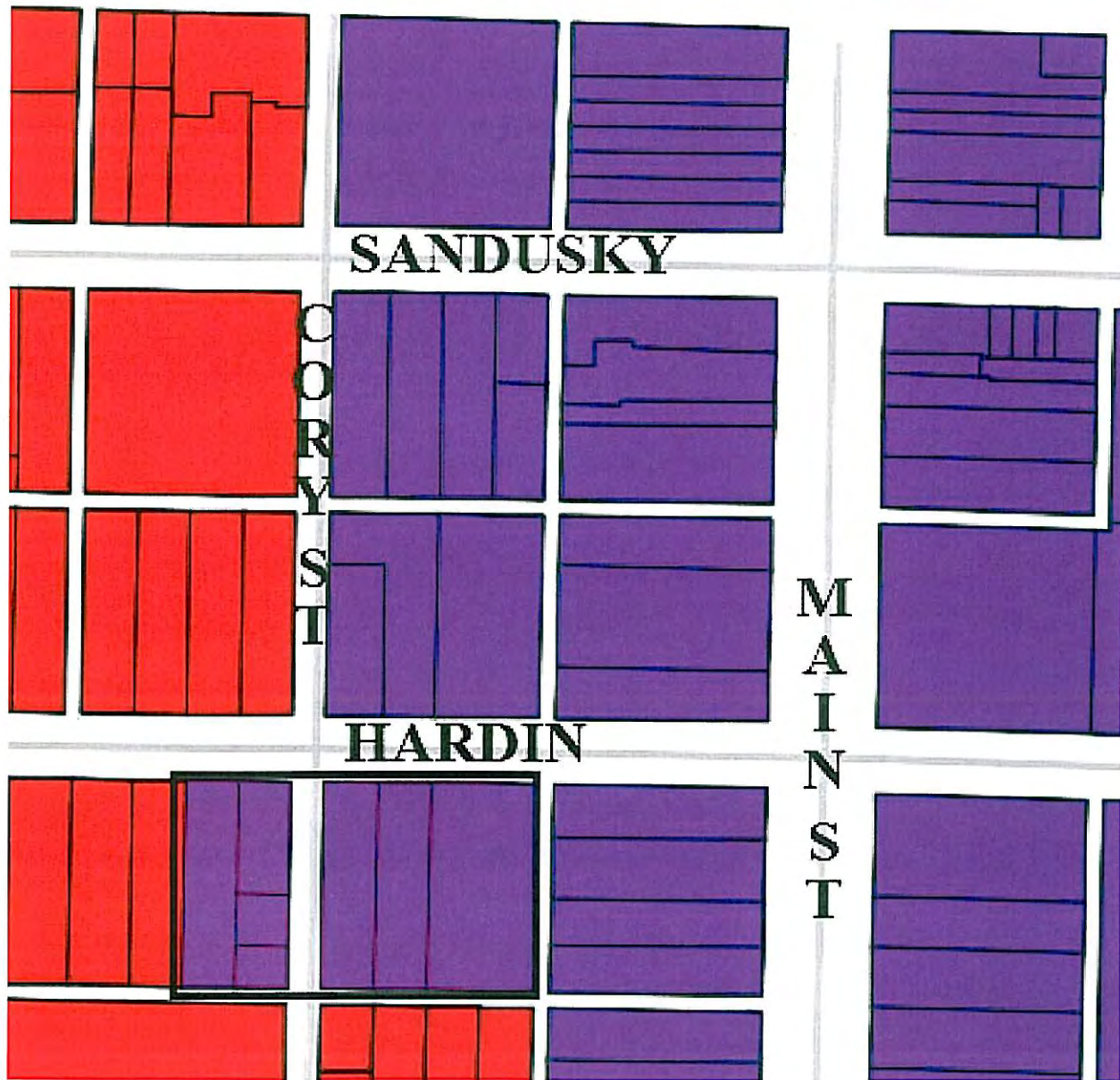
Proposed Zoning



C2 - General Commercial District



C3 - Downtown Commercial District



B: Property Owner Listing

121 W. Hardin St.:

SBC Communications Inc.
1 Bell CTR
St. Louis, MO 63101

600 S. Main St.:

Wilson's Inc. of Findlay
600 S. Main St.
Findlay, OH 45840

0 S. Main St.:

Wilson's Inc. of Findlay
600 S. Main St.
Findlay, OH 45840

610 S. Main St.:

S&A Real Properties LLC
10818 CR 180
Findlay, OH 45840

612 S. Main St.:

James Heck
101 W. Sandusky St.
Findlay, OH 45840

618 S. Main St.:

James Heck
101 W. Sandusky St.
Findlay, OH 45840

128 W. Hardin St.:

Trinity Episcopal Church
128 W. Hardin St.
Findlay, OH 45840

0 W. Hardin St.:

Trinity Parish of Findlay
128 W. Hardin St.
Findlay, OH 45840

127 W. Hardin St.:

Kyle & Megan Reichenbach
127 W. Hardin St.
Findlay, OH 45840

0 W. Hardin St.:

James Heck
101 W. Sandusky St.
Findlay, OH 45840

206 W. Hardin St.:

Coldren Funeral Home Inc.
205 W Sandusky St.
Findlay, OH 45840

201 W. Hardin St., 610 S Cory St., 614 S Cory St.:

Kyle & Megan Reichenbach
127 W. Hardin St.
Findlay, OH 45840

205 W. Hardin St.:

Walter Wittlinger
501 Bright Rd.
Findlay, OH 45840

211 W. Hardin St.:

David Clinger
211 W. Hardin St.
Findlay, OH 45840

0 W. Hardin St.:

Crates Brothers Memorials
205 W Sandusky St.
Findlay, OH 45840

118 W. Lincoln St.:

Wilson's Inc. of Findlay
600 S. Main St.
Findlay, OH 45840

124 W. Lincoln St.:

Natalie Knickel
124 W. Lincoln St.
Findlay, OH 45840

128 W. Lincoln St.:

David & Kimberly Groh
128 W. Lincoln St.
Findlay, OH 45840

617 S. Cory St.:

Patricia Schmidt
617 S. Cory St.
Findlay, OH 45840

200 W. Lincoln St.:

Findlay Board of Education
227 S. West St.
Findlay, OH 45840

C: How does the proposed rezoning relate to the Findlay Comprehensive Land Use Plan?

The proposed rezoning is part of the Findlay Land Use Plan's future rezoning vision as understood from discussions with the Hancock Regional Planning Commission. It relates to the land use goal outlined in Section 6 "Land Use Goals and Objectives: Commercial" by converting dilapidated residential housing near the downtown district into a parking lot which is consistent with similar surrounding property use. Rezoning the property from C2 to C3 will also enhance the ability of existing and future businesses by providing additional parking options which are lacking currently downtown.

The goal of this rezoning request is to turn the three dilapidated houses located at 201 W. Hardin St., 610 & 614 S. Cory St. into a parking lot that will provide parking for downtown businesses such as Journey Salon & Day Spa located at 127 W. Hardin St. Rezoning to C3 allows for the parking lot to maximize the property and provide the greatest amount of parking spaces for the financial investment required. Approval of this rezoning request will also improve the condition and image of this section of downtown Findlay which is in close proximity to Lincoln Elementary school and downtown businesses. The additional parking for business employees will free up street parking for downtown customers. The request includes the additional properties outlined in the petition to maintain consistent and flowing zoning boundaries between the existing C2 and C3 zoned properties in the area.



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

April 11, 2013

Honorable City Council
Findlay, OH 45840

RE: Employment Agreement for Patricia Wright

Council Members:

We have reached a final agreement with Pat Wright. It has taken a bit of work with Pat's legal Counsel and the Auditor, but we are now at the point where we need your approval to continue her temporary employment.

Her position is a clerk II. She is temporarily appointed by the Safety Service Director. Her duty is to work on the conversion of engineering plans, wastewater and water treatment documents, contracts, and other documents from hard copy to electronic copy. These records take up a considerable amount of storage space and are not archived in a searchable format. It is a goal to convert as much as possible and modify the engineering department retention schedule to allow for electronic storage of documents. Ultimately, it would be ideal to have the public be able to search old plans and records from a kiosk in the engineering department or online, but this is only the first step.

Mrs. Wright approached me shortly after the layoff notices were issued. She indicated that she was very close to retirement, and that the layoff would have an impact on her ability to retire. Her inability to retire after 25 years would have caused her significant financial distress. I know that she reiterated her position to many Council members as well.

I was in the process of getting quotes for a document service company to scan and archive the documents in storage. At that point I approached Mrs. Wright and indicated that I could put her to work temporarily to get the scanning done for the City and then she could retire when eligible.

Our labor Legal Counsel, Clemons Nelson has indicated to us that public sector layoffs are unusual today. Most of the time furloughs are used. It is my opinion that our goals for streamlining would not be accomplished with furloughs. Entire departments are affected by furloughs, and many times the cuts are short-lived. The cuts in many departments will be in place for the long term, hence our decision for layoffs. The decision to pursue layoffs obviously has a larger impact on senior staff, but our focus was not a layoff based on seniority, it was based on a thorough examination of staff levels by department along with budgetary constraints. This employment agreement is in lieu of a layoff. Our ability to come to agreement with Pat Wright is a win for her, and the City accomplishes a needed task and long term personnel cost savings. It is also a more beneficial arrangement than a traditional early retirement buy-out agreement.

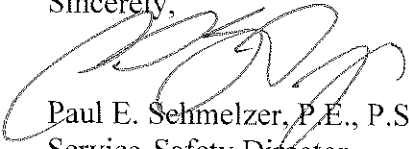
You will note that Pat has agreed to come back on temporary assignment at a significantly lower rate of pay. This was needed in order to get closer to the cost of outsourcing the scanning. In any agreement, there are concessions and stipulations. Unique circumstances surrounding any employment agreement, especially one involving an employee with as many years as Pat has, should be considered by Council.

Along with the Pat Wrights hourly rate reduction, and pending retirement, the layoffs in recreation, engineering and zoning are now complete. Reductions have occurred as planned through attrition in the Police department, and a planned reduction resulting from two retirements in the street department, have already taken place. The pending retirement in computer services and the much discussed layoffs in the Fire Department will complete the list of cuts we outlined at the end of 2012.

I have attached a copy of the employment agreement which covers the terms I outlined above. Her legal counsel has reviewed the structure of the agreement and the Auditor has worked with the Law Director to finalize needed changes to the original agreement. Now that all parties have reviewed this agreement, I ask for your consideration of approval. I believe doing so will move us closer to getting the documents scanned in engineering, allow Pat to get to retirement, and avoid a drawn out layoff process.

Thank you for your consideration, and please feel free to contact me with any questions.

Sincerely,



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

pc:
Don Rasmussen
Jim Staschiak

MEMORANDUM OF UNDERSTANDING

This agreement is entered into this ^{21st} day of February, 2013, by and between the City of Findlay, 318 Dorney Plaza, Findlay, Hancock County, Ohio (hereinafter referred to as CITY) and Patricia Wright, Findlay, Ohio (hereinafter referred to as EMPLOYEE).

Whereas, CITY is experiencing a "lack of funds" as well as a projected "lack of funds" necessitating current as well as future layoffs; and,

Whereas, CITY issued EMPLOYEE a layoff notice dated December 5, 2012, effective December 22, 2012; and,

Whereas, EMPLOYEE has duly filed her notice of appeal to the Findlay Civil Service Commission contesting the grounds and justification for her layoff; and,

Whereas, on December 28, 2012, EMPLOYEE requested and received a draft in the amount of Nine Thousand Four Hundred Fourteen and 31/100 Dollars (\$9,414.31) representing her accrued but unused vacation time; and,

Whereas, EMPLOYEE is a long time employee of CITY and is eligible to retire under the Ohio Public Employee Retirement System (OPERS) on or about April 30, 2013 or until such other date that she is first eligible to retire under the Ohio Public Employees Retirement System (OPERS) with twenty-five (25) years of service whichever date is later.

Now, therefore, based upon the mutual covenants and promises contained herein the parties stipulate, understand and agree to be bound by the terms set forth herein as follows:

1. EMPLOYEE shall irrevocably withdraw her Notice of Appeal filed with the Findlay Civil Service Commission.
2. EMPLOYEE shall be paid through December 31, 2012 at her Assistant Recreation Supervisor rate of pay.
3. EMPLOYEE shall be reclassified to the position of Clerk II, pay range (110), and shall hereafter perform the duties assigned her in her position of Clerk II and shall hereafter be compensated at the rate of \$21.17/hour, which includes the applicable longevity. EMPLOYEE shall not receive a separate longevity payment. Said position shall be full-time, forty (40) hours per week, and shall continue, during good behavior, at least until April 30, 2013 or until such other date that she is first eligible to retire under the Ohio Public Employees Retirement System (OPERS) with twenty-five (25) years of service whichever date is later. Compensation shall commence upon EMPLOYEE reporting for work. EMPLOYEE shall not be compensated for any period of time which she did not work for EMPLOYER from January 1, 2013 through the first date of her employment in her reclassified position as a Clerk II.
4. EMPLOYEE shall agree to irrevocably retire from employment with CITY effective April 30, 2013 or on such other date that she is first eligible to retire under the Ohio Public Employees Retirement System (OPERS) with twenty-five (25) years of service. EMPLOYEE shall perform all acts requisite and necessary in order that she may retire on April 30, 2013 or until such other date that she is first eligible to retire under the Ohio Public Employees Retirement System (OPERS) with twenty-five (25) years of service whichever date is later. EMPLOYEE understands

that her employment as a Clerk II, appointed position, with CITY will terminate on said retirement date unless she is assigned additional duties or said appointment is otherwise extended by CITY.

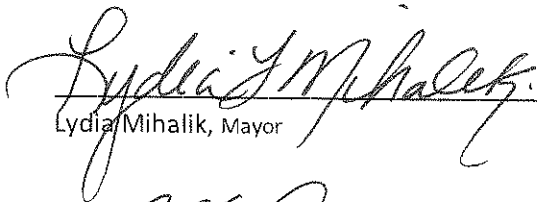
5. EMPLOYEE shall continue to be subject to all rules and policies of employment as set forth by CITY in its ordinances and policies of employment.
6. CITY shall agree to withdraw its Notice of Layoff issued December 5, 2012.
7. CITY shall pay to EMPLOYEE, upon her retirement, any accrued but unused vacation leave earned from the start of her employment outlined herein, through the end of her employment at the rate of \$21.17 per hour. EMPLOYEE's vacation leave accumulated but unused prior to December 22, 2012 has already been paid and EMPLOYEE acknowledges receipt thereof.
8. CITY shall pay to EMPLOYEE, upon her retirement, any and all accrued but unused sick leave per the Ordinance's and employment policies of CITY. Sick leave accrued but unused by EMPLOYEE prior to December 22, 2012 shall be paid at her previous rate of \$30.56 per hour. Sick leave accrued but unused by EMPLOYEE after December 22, 2012 shall be paid at the rate of \$21.17 per hour. All in accordance with the Ordinance's and employment policies of CITY
9. EMPLOYEE shall not discuss, comment upon, disparage, or disclose any information, in any manner or form, directly or indirectly, to any person or entity, about:
 - (a) CITY;
 - (b) CITY'S officers, elected officials, supervisors, agents, other employees, or other representatives;
 - (c) Any aspect of EMPLOYEE'S employment with CITY;
 - (d) EMPLOYEE shall not assist, or cooperate with, any other person or entity in committing any act which, if committed by EMPLOYEE, would constitute a violation of this section.
 - (e) Any violation of this section shall be deemed a material breach of this Agreement by EMPLOYEE.
10. EMPLOYEE, being of legal age and of sound mind, on behalf of herself, her heirs, successors, assigns and personal representatives, hereby irrevocably and unconditionally release, remise and forever discharge the City of Findlay (CITY) from any and all liabilities, actions, causes of action, contracts, agreements, promises, claims and demands of any kind whatsoever, in law or equity, whether known or unknown, suspected or unsuspected, fixed or contingent, apparent or concealed, which EMPLOYEE, her heirs, executors, administrators, successors or assigns ever had, now have or hereafter can, shall or may have for, upon, or by reason of any matter, cause or thing whatsoever, from the commencement of EMPLOYEE's employment with CITY up until the date of this agreement, including, without limitation, any and all claims arising out of or relating to your employment, compensation and benefits with the City of Findlay (CITY) and/or the termination thereof including, without limitation, contract claims, benefit claims, tort claims, harassment, defamation and other personal injury claims, fraud claims, whistleblower claims, unjust, wrongful or constructive dismissal claims and any claims under any municipal, state or federal wage payment, discrimination or fair employment practices law, statute or regulation, and claims for costs, expenses and attorneys' fees with respect thereto.

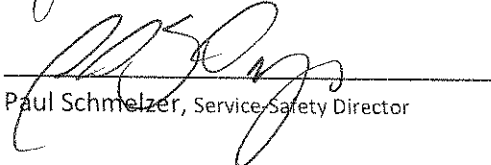
EMPLOYEE agrees, based upon the mutual promises and covenants contained herein and other valuable consideration set forth above, which is in addition to anything of value to which EMPLOYEE is or might otherwise be entitled, shall constitute a complete and final settlement of any and all causes of actions or claims you have had, now have or may have up to the date of this agreement including, without limitation, those arising out of or in connection with your employment and/or termination by the City of Findlay (CITY) pursuant to any federal, state, or local employment laws, statutes, public policies, orders or regulations. By signing this Agreement and Release and by acceptance of the compensation and benefits provided for herein, you hereby waive, release and covenant not to sue the City of Findlay (CITY) with respect to any matter relating to or arising out of your employment, compensation and benefits with the City of Findlay (CITY) and/or the termination thereof. And, except for any claims, actions, lawsuits, complaints or causes of action filed prior to commencement of her employment herein at her reclassified rate, you agree that neither you nor any person organization or entity acting on your behalf will (i) file or participate or join in, encourage, except as compelled by legal process to testify under oath at any judicial or administrative proceeding assist, facilitate or permit the bringing or maintenance of any claim or cause of action against the City of Findlay (CITY), whether in the form of a federal, state or municipal court lawsuit or administrative agency action or otherwise, on the basis of any claim arising out of or relating to your employment, compensation, and benefits with the City of Findlay(CITY) and/or the termination thereof or (ii) seek reinstatement, reemployment or any other relief from the City of Findlay (CITY), however that relief might be called, whether back pay, compensatory damages, punitive damages, claims for pain and suffering, claims for attorneys' fees, reimbursement of expenses or otherwise, on the basis of any such claim, except for claims for a breach of this Agreement and Release. Nothing contained in subparagraph (10)(ii) shall be interpreted or construed to prohibit EMPLOYEE from applying for any other position with City.

- 11. EMPLOYEE and CITY agree that in the event that any provision of this Agreement and Release should be held to be void, voidable, or unlawful, or for any reason unenforceable, the remaining portions hereof shall remain in full force and effect.

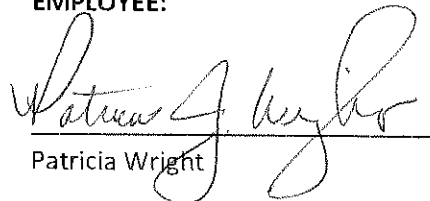
In witness of the mutual promises and covenants of the parties to this Memorandum of Agreement, the parties have caused this agreement to be duly executed this 27th day of February, 2013.

CITY:


 Lydia Mihalik, Mayor


 Paul Schmelzer, Service Safety Director

EMPLOYEE:


 Patricia Wright

 Kevin Greenfield
 Attorney for Patricia Wright

City of Findlay City Planning Commission

Thursday, March 14, 2013 - 9:00 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
Judy Scrimshaw, HRPC Staff
Matt Pickett, FFD
Steve Wilson, City Engineer

GUESTS:

Ben Berry, Joe Edinger, Todd Jenkins, John Whitson,
Shawn Garmong, Lou Wilin, Jeff Betts

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 Judy Scrimshaw.

APPROVAL OF MINUTES

P. Schmelzer moved to approve the minutes of the December 13, 2012 meeting. The December minutes were not in the packet at the January, 2013 meeting. J. Opperman seconded the motion. Motion carried 5-0.

The January minutes were also presented for approval. P. Schmelzer made a motion to approve the January 10, 2013 minutes. Thom Hershey stated that he wished to make a correction. On item CU-01-2013, he was listed as having made the motion, but he had not. P. Schmelzer had been the one to make the motion. P. Schmelzer moved to correct that item in the minutes. T. Hershey seconded. Minutes approved with correction 5-0.

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.

DISCUSSION

J. Edinger asked to speak. He was not aware until today that the existing zoning of his parcel was different than what he had thought when he applied. He would like to know the difference

between C-1 and C-3. He would like to get the least restrictive classification he can to preserve the economic viability of the property. He has already obtained the variance necessary for the pet crematorium.

T. Richard explained that the C-3 district has no setbacks and no parking requirements. That would probably be the biggest difference in the districts.

J. Edinger asked what he could do in a C-1 and not in the C-3 district. P. Schmelzer asked if perhaps we should table this item to give Mr. Edinger time to consider the ramifications of the different zoning districts.

J. Edinger stated that he would just like some clarification on the differences. J. Scrimshaw replied that due to the size of the site she would see the lack of setbacks and parking requirements in the C-3 district as having the most impact on his parcel. If he is in C-1 and perhaps wants to expand the building, he will have to work within the confines of the setbacks. If a use needs more parking than there is room on the site, there would be another issue. He can easily run out of room here.

J. Edinger stated that he would go with the C-3 Downtown Commercial as the best course at this time.

P. Schmelzer asked if we should amend the request to correct the current zoning stated. J. Scrimshaw stated that Mr. Edinger is not changed the classification that he is asking for and she will be sure when the case goes to Planning & Zoning that they note the correction before Council takes any action.

T. Hershey asked about the large metal containers on the property. J. Edinger responded that they were there when he purchased and he has been working on having them removed. Two of them are sold and he is trying to get them moved out. One is still under lease, but he intends to remove all at some point. He has been working with T. Richard on this.

MOTION: P. Schmelzer made a motion to recommend approval of **PETITION FOR ZONING AMENDMENT #ZA-01-2013 to rezone 123 Cherry Street from C-1 Local Commercial to C-3 Downtown Commercial** to Findlay City Council.

2nd: G. Russel seconded.

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

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.

DISCUSSION

T. Richard commented that the property doesn't meet frontage requirements and therefore is a non-conforming lot. The home was converted in the mid 70's without permit. The owner's options were to request a zone change or convert back to single family.

T. Hershey questioned how we can require someone to convert such a use back after 40 years. T. Richard replied that when an appraiser asks him if something is legal, he can't say that it is in such cases. He doesn't like trying to go back on these, but he can't tell someone it is a legal use.

G. Russel quoted the part of the comments regarding consideration of finding these duplexes and rezoning them individually. If we had gone this route, would this have been rezoned?

J. Scrimshaw stated that if it was not legal, we would not rezone. T. Richard commented that this area was B Residential when this was done and it was a permitted use. We have always had in our code that a conversion from single family to multiple family required a permit.

T. Hershey asked if we could just go back to the owner and have them buy a permit for double fee or whatever the code states. That seems more logical given it was a legal use at the time.

P. Schmelzer stated that if we try to make someone convert a property back to a legal use we could be rendering the property value less. He could then see the property falling into disrepair if a bank won't finance.

T. Hershey feels that we can make them pay for the permit and allow to continue as a non-conforming use.

P. Schmelzer asked if the owner was in attendance. Anyone representing the owner? No answer.

MOTION:

P. Schmelzer made a **motion to table PETITION FOR ZONING AMENDMENT #ZA-02-2013** to rezone **147 Garfield Avenue** from R-2 Single Family Residential to R-4 Two Family High Density.

2nd: Thom Hershey

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

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**.

DISCUSSION

S. Wilson stated that there are no City utilities in the alleyway. AEP has some power lines there and they are working with the owner on those.

S. Garmong, representing the owner, stated that the reason for the request is to expand the building north.

MOTION: :

Thom Hershey made the motion to **recommend approval to City Council of ALLEY VACATION PETITION #AV-01-2013**.

2nd: Paul Schmelzer

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

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.

DISCUSSION

T. Jenkins stated that the main reason for requesting an access onto CR 300 was that it might be helpful for fire/emergency vehicles as well as general maintenance traffic. If it is denied, they have no problem with that decision.

P. Schmelzer commented that the extensive landscaping plans are appreciated. The developer has put a lot of effort in creating an attractive area for the abutting property owners to view.

T. Richard asked that the clients be sure to follow the maximum standards for directional signage.

P. Schmelzer stated that the provided parking is only one space over the minimum and that depending on the location of the fire department connection that space could be lost. M. Pickett commented that depending on the location of a hydrant at the north end of the building, they may need to stripe a spot in front of that as well.

G. Russel said that he is very interested in the intent of the park/recreational area. Who will be using the practice fields?

T. Jenkins responded that the intent is to leave large flat open areas. Often there are travelling soccer tournaments and they may be hotel patrons. They would be able to use the areas when at the hotel. There is no intent to permit scheduling of the fields for organized team practices. The patrons will have use and if neighbors want to walk over and enjoy the park they can also.

P. Schmelzer stated that he thought the concept was a great idea. Local tournaments fill the hotels in town and he can see this as an asset to those staying at this location.

MOTION: P. Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-03-13 for a proposed Hilton Garden Inn** to be located at 1050 Interstate Drive West, Findlay, OH **subject to the following conditions:**

1. Elimination of the access proposed onto CR 300/Northridge Road (HRPC & ENG)
2. Show water line sizes for domestic and fire (ENG)
3. Relocate fire hydrant from drive entrance. Move within 6' to edge of the pavement at entrance. (ENG) (FIRE)
4. Show existing waterline and hydrants on east side of Northridge Rd. (ENG)
5. Connect 8" sanitary service line into nearby manhole instead of direct connection to 12" main (ENG)

6. If property ownership changes, recommend a recorded easement for drainage swale on north side of Interstate Drive. (ENG)
7. 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).
8. 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.
9. Any natural gas or electric meter within driving area shall have crash protection.
10. Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.
11. SWP3 plan prepared by licensed individual (ENG)

2nd: T. Hershey

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

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 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 Storz 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.
13. Review of internal drainage by City Engineer (ENG)

DISCUSSION

B. Berry stated that he believes that the house to the west of the site is an office use. He based the lighting on that being commercial instead of residential. It is zoned commercial. J. Scrimshaw responded that if the use is commercial then the lighting plan does comply.

Mr. Berry commented that he did agree with us on the three (3) parking spots along the home. Shared access will not be a problem.

In regard to the trucking, B. Berry stated that the vehicles will enter from Tiffin and swing into the front of store then back into the rear area. This will leave them nose out to Tiffin Avenue to exit. Does not see any reason for their delivery trucks to ever have to use the alley. P. Schmelzer added that this will also be relevant to the demolition process. He does not want any heavily loaded trucks on the alley or Carnahan Avenue during demo.

B. Berry stated that the store will not be sprinkled so those items related in the fire comments will not be applicable.

P. Schmelzer noted that on the Alta Survey that they are also in ownership of Parcel 2. This parcel should also be included in any access agreement. Mr. Berry stated that yes they had to purchase the entire site. They have no use for that building now and are not sure what they will do with it in the near future. They will be sure it has access.

Mr. Schmelzer also stated that they will need to analyze the drainage for the site and provide details to the engineer. An SWP3 plan which complies with the Ohio EPA needs to be prepared. The EPA is cracking down on this now and the City wants to be sure everything is in compliance.

T. Hershey asked how far from Tiffin Avenue the drive onto Carnahan is located. S. Wilson stated that it is 100 feet.

P. Schmelzer moved to **approve SITE PLAN APPLICATION #SP-04-2013** for the proposed **Family Dollar store to be located at 820 Tiffin Avenue, Findlay** 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, the remaining motel building located at the corner of Central Avenue and the east/west alley and the 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)
8. Internal drainage plan approved per Engineer (ENG)
9. 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.
10. Any natural gas or electric meter within the driving area shall have crash protection.
11. Submittal of a certified SWP3 plan (ENG)

2nd: T. Hershey

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

6. DISCUSSION OF AN UPDATE TO THE CITY OF FINDLAY FLOOD DAMAGE REDUCTION ORDINANCE filed by Todd Richard, Zoning/Floodplain Administrator.

T. Richard presented the amendments to the Flood Damage Reduction Ordinance. He stated that ODNR had reviewed and approved and there were other in-house reviews. He has beefed up the definitions. Hopes the new Ordinance will be more user-friendly and enforceable.

P. Schmelzer commented the Todd had done a good job with the document.

T. Richard added that something he would also like to include in the ordinance is a requirement that streets have a crown at or above BFE (Base Flood Elevation). The County added this to their Subdivision Regulations after the 2007 flood. P. Schmelzer responded that he would recommend including that language in the ordinance.

J. Opperman asked for an explanation. P. Schmelzer replied that basically the center of the streets would be high enough to provide for a dry area during a flood so that vehicles could travel down the streets. J. Scrimshaw explained that the County Subdivision Regulations require a 10' wide area of dry passage through the center of the street. T. Richard commented that FEMA had allowed subdivisions to use the roadways as flood storage for many years, but he doesn't think that this is permitted any longer.

MOTION: P. Schmelzer made a motion to recommend approval of the amendments to the Flood Damage Reduction Ordinance with the addition of the dry passage through the center of the streets included to Findlay City Council.

2nd: T. Hershey

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

ADJOURNMENT

With no further business the meeting was adjourned.

Lydia L. Mihalik
Mayor

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

City of Findlay City Planning Commission

Thursday, April 11, 2013 - 9:00 AM
Municipal Building, Council Chambers

Minutes

MEMBERS PRESENT:

Director Paul Schmelzer
Thom Hershey
Grant Russel

STAFF ATTENDING:

Todd Richard, Zoning Inspector
Judy Scrimshaw, HRPC Staff
Matt Pickett, FFD
Steve Wilson, City Engineer

GUESTS:

Todd Jenkins, Tom Shindledecker, Dan Stone, Lou Wilin,
Holly Frische, Dennis Bash, various others

CALL TO ORDER

ROLL CALL

The following members were present:

Director Paul Schmelzer
Thom Hershey
Grant Russel

SWEARING IN

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

APPROVAL OF MINUTES

T. Hershey moved to approve the minutes of the March 14, 2013 meeting. G. Russell seconded the motion. J. Scrimshaw stated that she had a correction to make. She noticed just prior to the meeting that she had mistyped an address in Item #5 SP-04-2013. She has corrected and will submit corrected copy to Mayor's office for official record. Motion to accept with correction carried 3-0.

NEW ITEMS

1. **FINAL PLAT #FP-01-2013** filed by Birchaven Estates at Eastern Woods, Ltd., 15100 Birchaven Lane, Findlay, OH to replat Lot 3 in the Eastern Woods Subdivision.

HRPC

General Information

This plat is located at the north end of Eastern Woods Drive. The land is zoned M-2 Multiple Family High Density. The properties to the west are zoned CD Condominium District and O1 Institutions and Offices. The property to the north is also M-2 Multiple Family High Density. To the south is zoned C-1 Local Commercial and to the east is zoned A-1 Agriculture in Marion Township. The City Land Use Plan designates the land as PMUD (Planned Mixed Use Development). The site is not located within the 100 year flood plain.

Parcel History

This site is currently vacant land. In April, 2012 this area was brought to CPC for a request to rezone from Single Family to CD Condominium and M-2 Multiple Family High Density.

Staff Analysis

Item #3 on today's agenda is a site plan for an apartment complex to be constructed on the proposed Lot 14 of this replat. In the review process for the site plan, we noted that the lot coverage for impervious surface in the M-2 district is exceeded. A suggestion at this point would be the possible reconfiguring of Lot 14 to include more acreage to make the site plan work

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve the Replat of Lot 3 in the Eastern Woods Subdivision.

DISCUSSION

P. Schmelzer asked if we should consider this item along with the Site Plan.

MOTION:

P. Schmelzer made a **motion to approve FINAL PLAT #FP-01-2013** to replat Lot #3 in the Eastern Woods Subdivision.

2nd. Thom Hershey

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

2. FINAL PLAT #FP-02-2013 filed by George M Whitson, 1706 Imperial Lane, Findlay, OH to replat Lot 2 in the Interstate West Subdivision.

HRPC

General Information

This property is located in the Interstate West Subdivision on the north side of 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 Subdivision was recorded in January, 2013. Original Lot 2 was rezoned to C-2 General Commercial in January, 2013.

Staff Analysis

Proposed Lot #3 will be the site of the Hilton Garden Inn as approved at the March 14, 2013 CPC meeting. At the time of the site plan review for the hotel, it was noted that there was the likelihood of this lot being split for that project.

Today's Replat shows a Lot #3 at the corner of CR 300 and Interstate Drive containing 7.701 acres and Lot #4 immediately west with 10.754 acres. All streets are constructed.

ENGINEERING

Drainage easement along south side of Lot 4 is shown as temporary. Spoke with T. Jenkins of Peterman Associates regarding this. He stated that the drainage easement is listed as temporary because the intent is that the large swale area would go away once the parcels are developed and that a more defined easement over a storm sewer would be provided.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve the Replat of Lot #2 of Interstate West Subdivision.

DISCUSSION

None

MOTION:

T. Hershey made a **motion to approve FINAL PLAT #FP-02-2013** to replat Lot #2 in the Interstate West Subdivision.

2nd: G. Russell

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

3. SITE PLAN APPLICATION #SP-07-2013 filed by Birchaven Estates at Eastern Woods, Ltd., 15100 Birchaven Lane, Findlay for apartment buildings to be located at 7113 Eastern Woods Parkway, Findlay.

HRPC

General Information

This project is to be located on proposed Lot 14 of the replat of Lot 3 in the Eastern Woods Subdivision. It is on the east side of Eastern Woods Parkway and is zoned M-2 Multiple Family High Density. Land to the north is also zoned M-2 and west is zoned CD Condominium and OI Institutions and Offices. To the east is zoned A-1 Agriculture in Marion Township. To the south is zoned C-1 Local Commercial. The Land Use Plan designates the area as PMUD (Planned Mixed Use Development). It is not located within the 100 year flood plain.

Parcel History

This project is a part of the Birchaven Community which has a mixture of condominiums, apartments, a nursing home facility and various doctor offices.

Staff Analysis

The applicant is proposing to develop a 100 unit apartment complex on 12.658 acres. All units are single story and are in either a 4 unit or 6 unit configuration. The M-2 Multi-Family Residential district requires 3500 square feet of lot not including roadways per each unit. The site could support up to 148 units per this formula.

While the number of units is below the maximum number permitted, it appears that the regulation stating that no more than 40% of the site can be covered with impervious surface may be a problem. According to our calculations there is approximately 247,961 square feet of impervious area on the site. This would include all buildings, street, sidewalks, paved parking areas, driveways, and swimming pool. For the 12.685 acres in the site (552,558.6 square feet) this would calculate to 44.8% impervious coverage.

Parking is required on the basis of 2.5 spaces per dwelling unit plus one per every 2 units for visitors. With the garages provided accounting for 130 vehicles and the areas outside those garages providing space for an additional 130 vehicles, there are 260 spaces for the 100 dwelling units. This exceeds the 250 required. There are an additional 61 spaces on the site in other parking areas to provide for visitor parking. Visitor parking required for 100 units is 50 spaces.

All setback requirements are met. There is a sign location shown at the entry to the complex. Location is correct, but we would like to see a sign detail.

Elevation drawings were submitted. All buildings are single story with a combination of brick and vinyl siding exterior walls. All buildings have covered porch areas and varied roof lines.

The foundation planting drawings were also submitted. The number of shrubs exceeds the requirement of one per every 12 lineal feet of the building circumference. An overall landscaping plan submitted shows a mix of evergreens, ornamental and shade trees which also exceeds the minimum requirements.

Fencing is required around the in-ground pool. We will need detail of the height and type of fence proposed.

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-07-2013** for apartment buildings to be located at 7113 Eastern Woods Parkway subject to the following conditions:

- Correction of lot size to bring the impervious surface percentage to 40% or less
- Details of sign and pool fencing provided and approved

ENGINEERING

Access – Single point of entry onto Eastern Woods Parkway

Water – Recommend the proposed waterline be looped south to the existing water line on Medical Drive South. Line is in a platted easement, assuming they will want public maintenance.

Sanitary Sewer – Connecting to an existing sewer on Eastern Woods Parkway. Line is in a platted easement, assuming they will want public maintenance.

Stormwater Management – On-site drainage system is acceptable. Detention will be provided by regional ponds south of the development. The catch basin in the compactor area shall be connected to the sanitary sewer.

Sidewalks – Eastern Woods Parkway is a private street at this location, thus sidewalks are not required.

Recommendation: Conditional approval of the plan, subject to looped waterline and catch basin modification.

The following permits will be needed prior to construction:

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

FIRE PREVENTION

Plan shows 24' wide access road. Must be 26' (OFC)

Plan shows 80' diameter cul-de-sac. Must be 96' (OFC)

8" dead end water main is over 600'. Main shall be 10" (NFPA) unless the line is looped into the existing 8" line to the south.

Place 1 hydrant at road entrance, 1 halfway and 1 at the cul-de-sac (3 total)

Driving surface (road) shall be installed and hydrants turned on before construction begins.

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-07-2013** for apartment buildings to be located at 7113 Eastern Woods Parkway subject to the following conditions:

1. Correction of lot size to bring the impervious surface percentage to 40% or less (HRPC)

2. Details of sign and pool fencing provided and approved (HRPC)
3. Recommend the proposed waterline be looped south to the existing water line on Medical Drive South. Line is in a platted easement, assuming they will want public maintenance. (ENG)
4. The catch basin in the compactor area shall be connected to the sanitary sewer. (ENG)
5. Plan shows 24' wide access road. Must be 26' (OFC)
6. Plan shows 80' diameter cul-de-sac. Must be 96' (OFC)
7. 8" dead end water main is over 600'. Main shall be 10" (NFPA) unless the line is looped into the existing 8" line to the south.
8. Place 1 hydrant at road entrance, 1 halfway and 1 at the cul-de-sac (3 total)
9. Driving surface (road) shall be installed and hydrants turned on before construction begins.

DISCUSSION

T. Jenkins stated that the fire hydrants can be shifted where needed. He asked if the water line could be extended to the southeast corner of the land to plan for a future loop connection when that develops and leave it as an 8" line. P. Schmelzer asked if there is a timeline for developing that area. D. Bash replied that it is being actively marketed. They hope that the addition of the new apartments will facilitate more development. P. Schmelzer replied that he would leave the conditions as presented and have more discussion later as development occurs. He stated that the intent is to try and get closer to the NFPA standards.

T. Jenkins asked if the stone surface construction road will suffice for the Fire Dept. driving surface requirement. M. Pickett replied yes.

G. Russel asked what the extra width of pavement required by the Fire Dept. would do to the calculations of impervious surface. J. Scrimshaw replied that she had used the larger standard when calculating the percentage of impervious surface. T. Jenkins noted that they are contemplating moving the property line north in order to make that 40%.

MOTION:

T. Hershey made a **motion to approve SITE PLAN APPLICATION #SP-07-2013** for apartment buildings at 7113 Eastern Woods Parkway subject to the conditions listed in the Staff report.

1. Correction of lot size to bring the impervious surface percentage to 40% or less (HRPC)
2. Details of sign and pool fencing provided and approved (HRPC)
3. Recommend the proposed waterline be looped south to the existing water line on Medical Drive South. Line is in a platted easement, assuming they will want public maintenance. (ENG)
4. The catch basin in the compactor area shall be connected to the sanitary sewer. (ENG)
5. Plan shows 24' wide access road. Must be 26' (OFC)
6. Plan shows 80' diameter cul-de-sac. Must be 96' (OFC)
7. 8" dead end water main is over 600'. Main shall be 10" (NFPA) unless the line is looped into the existing 8" line to the south.
8. Place 1 hydrant at road entrance, 1 halfway and 1 at the cul-de-sac (3 total)
9. Driving surface (road) shall be installed and hydrants turned on before construction begins.

2nd: G. Russell

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

4. PETITION FOR ZONING AMENDMENT #ZA-03-2013 filed by RJT Properties, 400 W. Main Cross Street, Findlay, OH to rezone 400,414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial.

HRPC

General Information

The lots in this request are located on the north side of W. Main Cross just west of the intersection of Liberty Street. Land to the west is also zoned I-1 Light Industrial, to the south is C-3 Downtown Commercial and I-1 Light Industrial, and to the east is C-2 General Commercial. An existing home to the north is also zoned I-1 Light industrial. Parts of the land are within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

The lots in this request are the Dietsch Brothers store, parking lot, and residential building which are all owned by RJT Properties.

Staff Analysis

There is a companion site plan next on the agenda for a proposed expansion of the Dietsch Brothers business. The request is in conformance with the City Land Use Plan.

Staff Recommendation

HRPC Staff recommends that FCPC recommend approval to City Council of the **PETITION FOR ZONING AMENDMENT #ZA-03-2013** to rezone 400, 414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-03-2013** to rezone 400, 414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial.

DISCUSSION

G. Russel asked why we would not include the home in the northeast corner in the request. What can they possibly do with being zoned I-1? He believes that in other requests we have included such parcels or told them to get their neighbors. J. Scrimshaw stated that they could possibly be included. G. Russel asked if it hurt anything for them to change to C-3 also.

P. Schmelzer asked if we can recommend to Council that they include this lot and asked T. Richard if he sees any benefit to the homeowner.

T. Richard replied that there is not much benefit. He is still a residential use in a commercial or industrially zoned area. He is nonconforming either way. He would think the owner should be

notified is they are going to do anything with his parcel. J. Scrimshaw stated that the property owner did receive notification of today's meeting and should be aware of what is happening. D. Stone commented that the Dietsch owners would be talking with the owner of the home.

P. Schmelzer stated that if we make the recommendation to Council to include this parcel also, they don't have to follow our recommendation and can keep it the same. J. Scrimshaw replied that they may have to have the "super majority" to pass it if they go against CPC recommendation.

MOTION: P. Schmelzer made a **motion to recommend approval of PETITION FOR ZONING AMENDMENT #ZA-03-2013** to rezone 400,414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial with the comment that Council examine including 403 W. Front Street.

2nd: T. Hershey

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

5. SITE PLAN APPLICATION #SP-05-2013 filed by RJT Properties, LLC, 400 W. Main Cross Street, Findlay for proposed 7,242 square foot addition to existing building and additional parking lot pavement.

HRPC

General Information

This request is located on the north side of W. Main Cross just west of Liberty Street. It is currently zoned I-1 Light Industrial, but is requesting to be changed to C-3 Downtown Commercial. Land to the west is zoned I-1 Light Industrial, to the south is C-3 Downtown Commercial and I-1 Light Industrial, and to the east is C-2 General Commercial. Parts of the land are within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

The Dietsch Brothers have been in business at this location since 1955. They have acquired the former Capital Tire site and the parcels north of a soon to be vacated alleyway.

Staff Analysis

The plan will be reviewed using C-3 Downtown Commercial standards.

The applicant is requesting to construct a 7,242 square foot addition on the north end of the existing building. No additional retail/dining space will be added in the addition. The owner will be reconfiguring the working areas and adding some additional production space.

The addition will follow the existing building lines and will extend to within 10' of a remaining home lot which fronts onto W. Front Street. There are no setback requirements in the C-3 district. The plans indicate that the applicant will negotiate with the abutting homeowner to replace their existing chain link fence with a 6' privacy fence.

There is a proposed curb cut on the east (Liberty Street) side of the existing building. A new

overhead door is to be installed here. There are two dropped curb areas on this side of the building now going to standard doors. Not sure if this is in the same location as one of these.

Much of the lot is impervious surface now. There will be a slight increase with the new construction. T. Richard has been working with the applicants to obtain any balancing for the flood plain areas.

The plan calls for a second phase of paving the existing gravel lot where Capital Tire had once been. Vehicles park randomly in this area now when the store is busy. Pavement will match with the existing and proper striping will be completed.

ENGINEERING

Access – Access to the site will be restricted to the West Main Cross entrance since the alley off of Liberty Street is being vacated. Access is still sufficient.

Water – New service will be connected to existing tap. (Existing line on Liberty is a dead-end).

Sanitary Sewer – New service will be connected to existing lateral.

Stormwater Management – Current site is 100% impervious so stormwater detention is not required.

Sidewalks – Existing sidewalks will remain.

Recommendation: Approval of the plan

Since all utility connections are being made to existing services, no permits will be required.

FIRE PREVENTION

Any Gas/Electric meters within driving surface shall have crash protection.

Dumpster shall be at least 10' from building.

STAFF RECOMMENDATION

Staff recommends Approval of **SITE PLAN APPLICATION #SP-05-2013** for proposed 7,242 square foot **addition to Dietsch Brothers existing building and additional parking** lot pavement at 400 W. Main Cross Street subject to the following:

1. Any Gas/Electric meters within driving surface shall have crash protection. (FIRE)
2. Dumpster shall be at least 10' from building. (FIRE)

DISCUSSION

J. Scrimshaw asked if the new overhead door and curb cut would be in the same location as one of the existing drop curb areas on Liberty Street. D. Stone stated that it is not and part of the project will be to close and replace the curb in those areas.

T. Richard stated that he and D. Stone have discussed the submission of a LOMA (Letter of Map Amendment). He doesn't see any issue because the new building is being constructed above BFE (Base Flood Elevation) and much of the grade of the site is already above.

MOTION: T. Hershey made a **motion to recommend approval of SITE PLAN APPLICATION #SP-05-2013** for proposed 7,242 square foot addition to existing building and additional parking lot pavement for Dietsch Brothers, 400 W. Main Cross Street.

2nd: G. Russel

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

6. SITE PLAN APPLICATION #SP-06-2013 filed by C Jay's LLC, 15590 Brookfield Heights, Findlay, OH for proposed 100,000 square foot manufacturing facility and associated parking to be located at 5409 Hamlet Drive, Findlay, OH.

HRPC

General Information

This project is located on Lot 5 in the Invision Place Subdivision just south of Hamlet Protein. It is zoned I-1 Light Industrial and all abutting parcels are also zoned I-1. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Industrial.

Parcel History

This is a vacant lot. The Invision Place Subdivision was platted in 2010.

Staff Analysis

The applicant is proposing to construct a 100,000 square foot industrial building with associated parking and truck maneuverability area.

Setbacks in the I-1 District are 50' front, 30' side and 30' rear. All setbacks are exceeded on the site plan.

There are two (2) access points from Hamlet Drive proposed for the site. This street would be classified as a minor road serving the subdivision. We have no issue with 2 cuts in this instance. A 26' wide roadway with heavy duty pavement will circle around the building. Truck docks are located on the north and south sides of the building.

Entry to the parking lot comes off the northern entry point which is on the bulb from the former cul-de-sac. Parking in the I-1 district is calculated as 1.1 space per employee on the largest shift. The plans indicate that there will be 85 employees. This computes to 94 required spaces. The plan shows 95 spaces in the lot.

There is a row of shrubs indicated along the street side of the parking lot as required in the landscape standards of the code. One tree and low shrubs are located within the double size islands at each end of the parking lot. The islands will also have light poles. An existing tree line follows the south and east property lines of the site.

Elevation views provided show the building height at 33'4". This is well within the 60' maximum permitted per the code. There are no architectural standards for industrial buildings.

Staff Recommendation

HRPC Staff recommends approval of the Site Plan for TH Plastics.

ENGINEERING

Access – Two (2) entrances onto Hamlet Drive are proposed. I personally don't have a problem with this, not sure about access management rules.

Water – 2" domestic and 8" fire line will be connected to existing 20" line.

Sanitary Sewer – Will be connected to manhole northeast of Hamlet Protein. Sanitary shall be private upstream of MH 4A.

Stormwater Management – Existing pond on Hamlet site was sized to accept drainage from this parcel. Catch basin inlet protection shall be installed in the truck dock to meet EPA NPDES post construction practices.

Sidewalks – Not required in Industrial zone.

Recommendation: Approval of the plan, subject to private sewer notation and catch basin inlet protection.

The following permits will be needed prior to construction:

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

FIRE PREVENTION

FFD is assuming a fire pump is not being specified for this facility. A 6" looped water line is preferred around the building with 1 hydrant at each drive (2) and 1 additional hydrant in the northeast corner. In addition, a hydrant shall be placed at least 100' from the fire department connection (FDC). This hydrant shall not be located on the designated fire line. Water line shall be 8" if a dead end is utilized and 10" if the dead end main is over 600'.

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. The FDC shall be a 5 inch Stortz fitting with 30 degree angled elbow.

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

Any fire hydrants located in the driving area shall have crash protection no closer than 3'.

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

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-06-2013** for proposed 100,000 square foot manufacturing facility and associated parking for TH Plastics subject to the following conditions:

1. Private sewer notation and catch basin inlet protection provided. (ENG)
2. FFD is assuming a fire pump is not being specified for this facility. A 6" looped water

line is preferred around the building with 1 hydrant at each drive (2) and 1 additional hydrant in the northeast corner. In addition, a hydrant shall be placed at least 100' from the fire department connection (FDC). This hydrant shall not be located on the designated fire line. Water line shall be 8" if a dead end is utilized and 10" if the dead end main is over 600'. (FIRE)

3. 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. The FDC shall be a 5 inch Stortz fitting with 30 degree angled elbow. (FIRE)

4. Any natural gas or electric meter within driving area shall have crash protection. (FIRE)

5. Any fire hydrants located in the driving area shall have crash protection no closer than 3'. (FIRE)

6. A Knox Box shall be required for buildings with sprinkler and/or fire alarm systems. (FIRE)

DISCUSSION

D. Stone stated he is still working on the options of the sewer connection.

M. Pickett stated that it was not yet determined if a fire pump will be required.

MOTION: T. Hershey made a **motion to recommend approval of SITE PLAN**

APPLICATION #SP-06-2013 for proposed 100,000 square foot manufacturing facility and associated parking to be located at 5409 Hamlet Drive, Findlay, OH.

2nd: G. Russel

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

7. SITE PLAN APPLICATION #SP-08-2013 filed by MFB Findlay LLC/RD Management, LLC. 810 Seventh Avenue, New York, NY for proposed sporting goods store to be located at 1960 Tiffin Avenue, Findlay, OH.

HRPC

General Information

This project is located on the north side of Tiffin Avenue on the east side of the existing Hobby Lobby store. The parcel is zoned C-2 General Commercial and all parcels to the east, west and south are also zoned C-2. The land to the north is zoned MH Mobile Home District. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the site as Regional Commercial.

Parcel History

This location is the site of the former Aldi Grocery Store.

Staff Analysis

The applicant is proposing to demolish the existing building on the site and construct a 35,000 square foot Dicks' Sporting Goods store in its place. The new building will abut the east wall of the existing Hobby Lobby store.

The front line of the new store will follow the front line of the Hobby Lobby. The west side will be connected to that store. The east side of the building is shown at only 12.75 feet from the

property line. The minimum side yard is 15'. If the 15' cannot be achieved, a variance will need to be sought from the BZA. The tight spacing here may also be detrimental to access for safety services. The other stores in the strip access the rear of their buildings from the west side so perhaps an access agreement from those properties would work.

Parking in the General Commercial district is based on one space per 375 square feet. The 35,000 square foot store would require 94 spaces. Since this is a strip mall arrangement with shared access, using all the square footage of the buildings would require 290 parking spaces. There are 390 across the site. There are no changes shown for the parking lot. There is no new access requested for the new development.

Two sign locations are indicated on the plan. The location indicated as the "10' x 10' Aldi Sign Easement" may have an existing pole still in place. However, once the sign cabinet was removed, the location was no longer legal for a new sign. If the old cabinet was still in place the face could have been changed out for a new user. Since that is gone, the use of that non-conforming sign is gone. A site such as this that has multiple tenants sharing access and parking is permitted one pylon sign. The second location indicated on the plan for a sign is the existing Hobby Lobby/Planet Fitness pylon. The new business can co-locate a sign on this pole. The size permitted will be determined by the square footage already in use by the other businesses. The code allows for lots with more than 100' of road frontage to have ½ square foot of sign face per lineal feet of frontage. In this case the frontage is 395 which allows for a total of 197.5 square feet of total sign face.

The maximum height in the C-2 district is 60 feet. The plans show the height of the building to be 43'-4". Because the north end of the building abuts a residential use (Chateau East mobile home park), screening will be required on this border. The lot for the Dick's store is about 200' wide in the rear and directly abuts the pond area of the mobile home park site. Staff is comfortable with permitting a lower level of screening per the options in the code. 1161.07.3 Level 2 screening Option 1 provides for 4 canopy and 4 evergreens per 100 lineal feet of boundary.

Architecturally, the front façade has incorporated elements of vertical and horizontal articulation. The entry way is clearly pronounced. The rear view of the building has a line of view of the front parapet wall. The east side wall has the side of the parapet wall and demarcation by color striping.

Landscaping for this site is a challenge. The parking lot is not being changed and there is very little existing green space on this preexisting site. The plan shows two islands in the sidewalk area flanking the main entry indicating 2 trees and 4 shrubs in each. There is a triangular green area on the east side of the building showing 3 shade trees and indicating foundation planting of shrubbery along that wall also. If this area is needed for access there may not be room for as much foundation planting as shown. Staff is willing to work with the developer on flexibility in the landscaping standards due to the nature of the site.

Staff Recommendation

HRPC Staff recommends approval of the site plan subject to:

- Rectification of the east setback either by reduction in building or variance obtained from BZA

- Screening along north side of property
- Approval of a landscaping plan

ENGINEERING

Access – Access to the site would remain unchanged. Access around the building will be impeded. Recommend easement of access acquired from adjacent property or building width reduced to allow for emergency vehicle and truck circulation and eliminate need for side yard variance.

Water – New service will be connected to existing tap. The site plan does not identify if a separate line for fire protection will be installed.

Sanitary Sewer – New service will be connected to existing lateral.

Stormwater Management – Detention calculations will be required due to increase in impervious area.

Sidewalks – Existing sidewalks will remain.

Recommendation: Approval of the plan subject to access agreement or reduced building width and approved detention calculations.

Since all utility connections are being made to existing services, no permits will be required, unless a new line for fire protection is required.

The following permits will be needed prior to construction:

- Approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

-Provide access drive on the east side of the structure for deliveries and FFD trucks.

-Provide fire hydrant within 100' of the Fire Department Connection (FDC). Hydrant shall not be placed on the designated 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 location shall be approved by FFD

-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.

-Any fire hydrants located in the driving area shall have crash protection no closer than 3'.

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

-Hobby Lobby has 2 existing emergency exit doors on the eastern wall for direct exterior access.

If adjoining this existing structure, how will the emergency exits be addressed?

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-08-2013** for proposed Dick's Sporting Goods store at 1960 Tiffin Avenue subject to the following conditions:

1. Rectification of the east setback either by reduction in building or variance obtained from BZA (HRPC & ENG)
2. Screening along north side of property (HRPC)
3. Elimination of second sign as indicated (HRPC)
4. Approval of a landscaping plan (HRPC)
5. Approval of detention calculations due to increase in impervious area. (ENG)
6. Approved Stormwater Pollution Prevention Plan (ENG)
7. Provide access drive on the east side of the structure for deliveries and FFD trucks. (FIRE)
8. Provide fire hydrant within 100' of the Fire Department Connection (FDC). Hydrant shall not be placed on the designated 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). (FIRE)
9. FDC location shall be approved by FFD (FIRE)
10. 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. (FIRE)
11. Any natural gas or electric meter within driving area shall have crash protection. (FIRE)
12. Any fire hydrants located in the driving area shall have crash protection no closer than 3'(FIRE).
13. A Knox Box shall be required for buildings with sprinkler and/or fire alarm systems. (FIRE)
14. Hobby Lobby has 2 existing emergency exit doors on the eastern wall for direct exterior access. If adjoining this existing structure, how will the emergency exits be addressed? (FIRE)

DISCUSSION

J. Scrimshaw showed a revised drawing of the Dick's Sporting Goods Store. The developer has decreased the size to 34,759 square feet and allowed for a 25' driving aisle along the east side.

P. Schmelzer asked if the landscaping plan comes close to the requirements. J. Scrimshaw stated that it would normally be more, but we would prefer to work with them to modify since this is not a clean site but a retrofit with an existing parking lot. They will be the only shop in that area with any landscaping.

T. Richard asked if they have a formal withdrawal for the BZA regarding the side setback. D. Stone stated yes.

P. Schmelzer moved to **approve SITE PLAN APPLICATION #SP-08-2013** for the proposed **Dick's Sporting Goods store at 1960 Tiffin Avenue** subject to the following conditions:

1. Screening along north side of property (HRPC)
2. Elimination of second sign as indicated (HRPC)
3. Approval of a landscaping plan (HRPC)
4. Approval of detention calculations due to increase in impervious area. (ENG)
5. Approved Stormwater Pollution Prevention Plan (ENG)
6. A fire prevention plan approved by the fire marshal and the Engineering Department.

(FIRE)

2nd: T. Hershey

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

ADJOURNMENT

With no further business the meeting was adjourned.

Lydia L. Mihalik
Mayor

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

FINDLAY CITY PLANNING COMMISSION



STAFF REPORT April 11, 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, April 11, 2013 - 9:00 AM

COMMENTS

NEW ITEMS

1. **FINAL PLAT #FP-01-2013** filed by Birchaven Estates at Eastern Woods, Ltd., 15100 Birchaven Lane, Findlay, OH to replat Lot 3 in the Eastern Woods Subdivision.

HRPC

General Information

This plat is located at the north end of Eastern Wood Drive. The land is zoned M-2 Multiple Family High Density. The properties to the west are zoned CD Condominium District and O1 Institutions and Offices. The property to the north is also M-2 Multiple Family High Density. To the south is zoned C-1 Local Commercial and to the east is zoned A-1 Agriculture in Marion Township. The City Land Use Plan designates the land as PMUD (Planned Mixed Use Development). The site is not located within the 100 year flood plain.

Parcel History

This site is currently vacant land. In April, 2012 this area was brought to CPC for a request to rezone from Single Family to CD Condominium and M-2 Multiple Family High Density.

Staff Analysis

Item #3 on today's agenda is a site plan for an apartment complex to be constructed on the proposed Lot 14 of this replat. In the review process for the site plan, we noted that the lot coverage for impervious surface in the M-2 district is exceeded. A suggestion at this point would be the possible reconfiguring of Lot 14 to include more acreage to make the site plan work

ENGINEERING

No Comment

FIRE PREVENTION

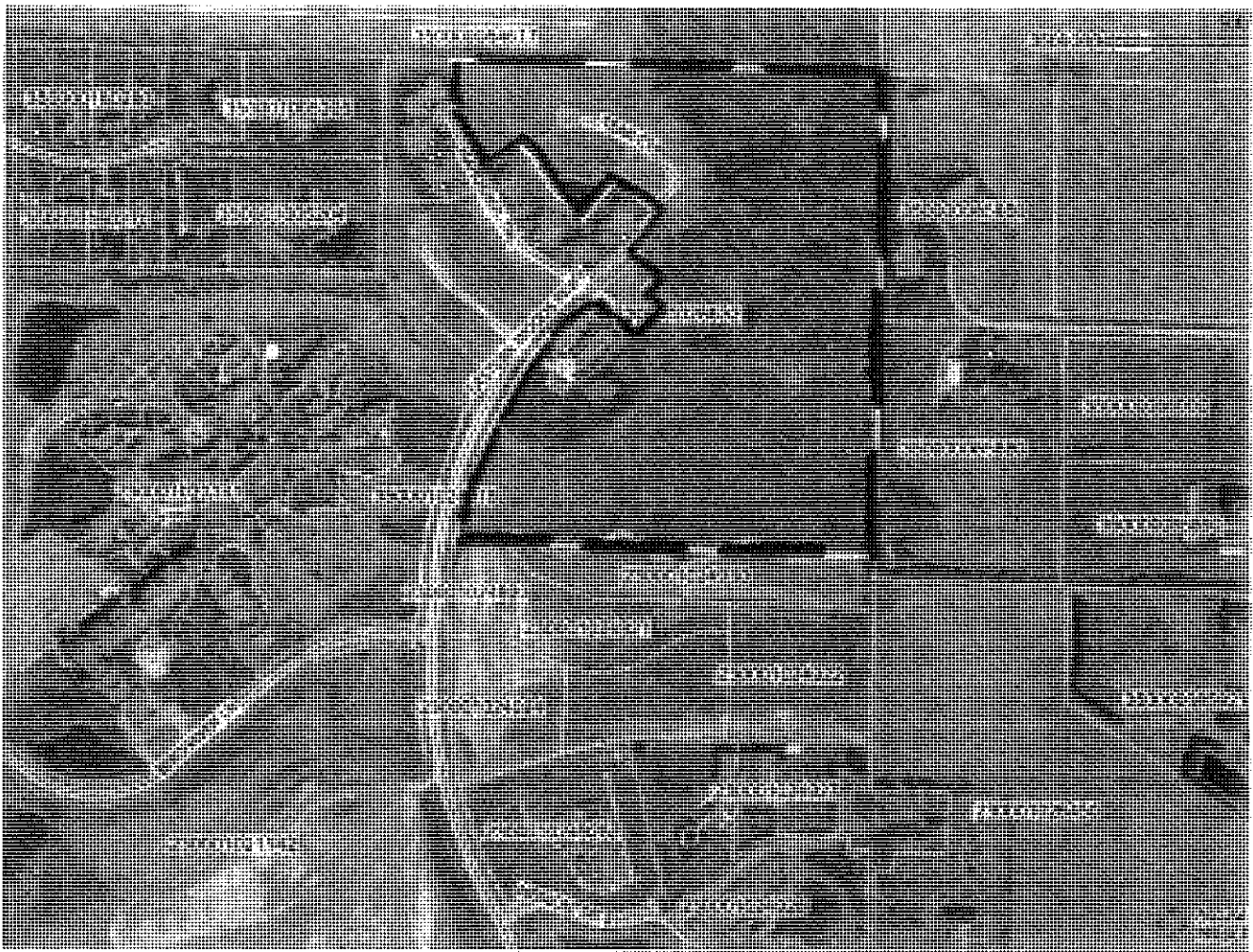
No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve the Replat of Lot 3 in the Eastern Woods Subdivision.

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Hancock County GIS



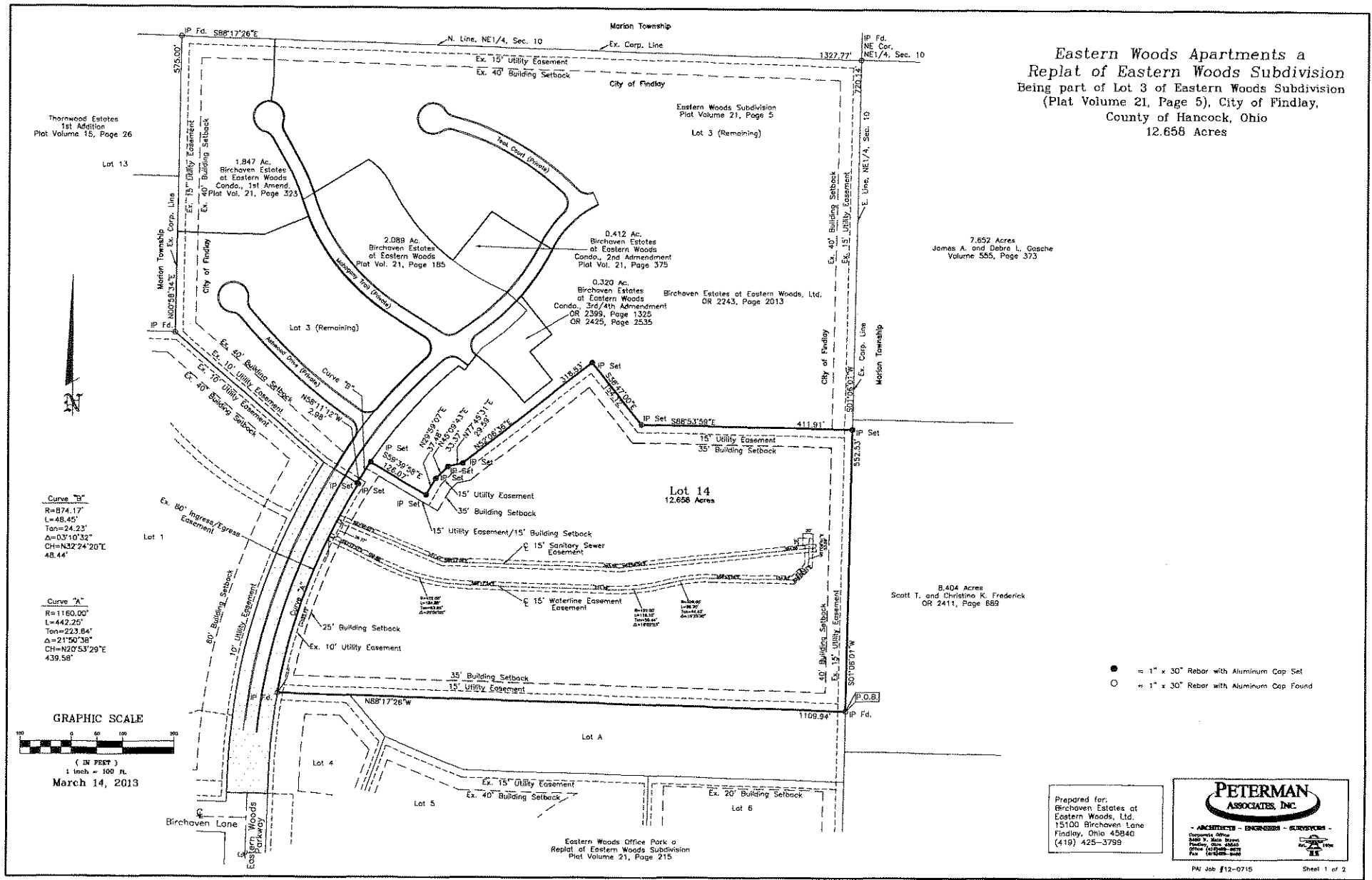
Notes

FINAL PLAT #FP-01-2013	*
REPLAT OF LOT 3 EASTERN WOODS SUBDIVISION	*

**Eastern Woods Apartments a
Replat of Eastern Woods Subdivision**
Being part of Lot 3 of Eastern Woods Subdivision
(Plat Volume 21, Page 5), City of Findlay,
County of Hancock, Ohio
12.658 Acres

7.652 Acres
James A. and Debra L. Gosche
Volume 555, Page 373

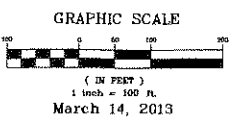
8.404 Acres
Scott T. and Christina K. Frederick
OR 2411, Page 689



Thornwood Estates
1st Addition
Plat Volume 15, Page 26

Curve "B"
R=874.17'
L=48.45'
Tan=24.23°
Δ=03°10'32"
CH=N32°24'20"E
48.44'

Curve "A"
R=1160.00'
L=442.25'
Tan=223.84°
Δ=21°50'38"
CH=N20°53'29"E
439.58'



Prepared for:
Birchoven Estates at
Eastern Woods, Ltd.
15100 Birchoven Lane
Findlay, Ohio 43840
(419) 425-3799

**PETERMAN
ASSOCIATES, INC.**

ARCHITECTS - ENGINEERS - SURVEYORS

Surveying Office
15100 Birchoven Lane
Findlay, Ohio 43840
Phone (419) 425-3799
Fax (419) 425-3844

2. **FINAL PLAT #FP-02-2013** filed by George M Whitson, 1706 Imperial Lane, Findlay, OH to replat Lot 2 in the Interstate West Subdivision.

HRPC

General Information

This property is located in the Interstate West Subdivision on the north side of 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 Subdivision was recorded in January, 2013. Original Lot 2 was rezoned to C-2 General Commercial in January, 2013.

Staff Analysis

Proposed Lot #3 will be the site of the Hilton Garden Inn as approved at the March 14, 2013 CPC meeting. At the time of the site plan review for the hotel, it was noted that there was the likelihood of this lot being split for that project.

Today's Replat shows a Lot #3 at the corner of CR 300 and Interstate Drive containing 7.701 acres and Lot #4 immediately west with 10.754 acres. All streets are constructed.

ENGINEERING

Drainage easement along south side of Lot 4 is shown as temporary. Spoke with T. Jenkins of Peterman Associates regarding this. He stated that the drainage easement is listed as temporary because the intent is that the large swale area would go away once the parcels are developed and that a more defined easement over a storm sewer would be provided.

FIRE PREVENTION

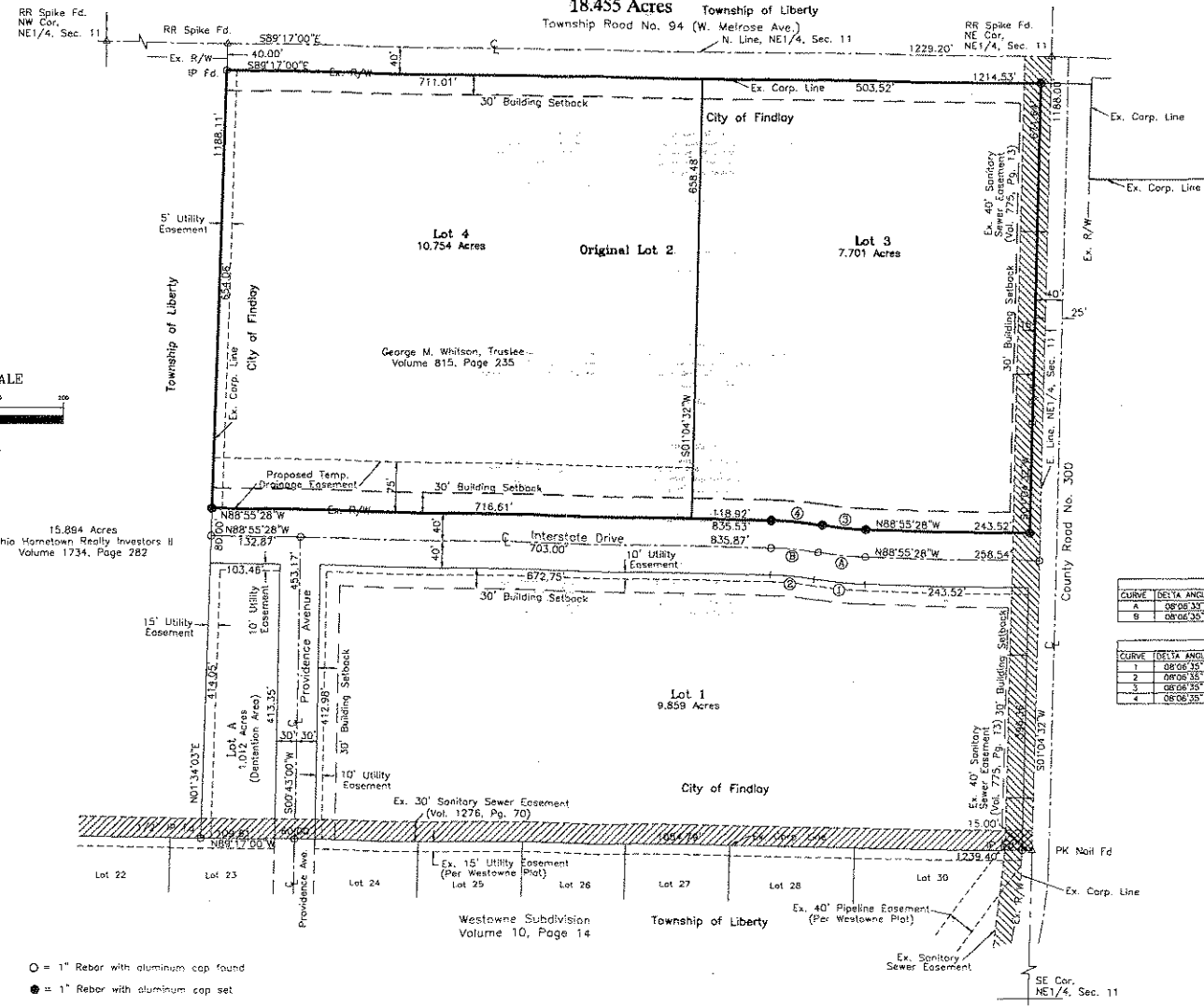
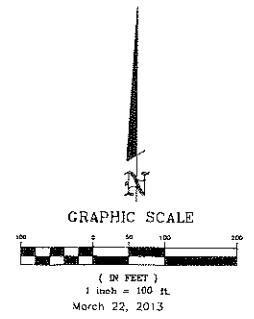
No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC **approve the Replat of Lot #2 of Interstate West Subdivision.**

Replat of Lot No. 2 of Interstate West

Being Lot No. 2 of Interstate West (Plat Volume 21, Page 481),
City of Findlay, County of Hancock, Ohio
18.455 Acres Township of Liberty
Township Road No. 94 (W. Melrose Ave.)
N. Line, NE1/4, Sec. 11



CENTERLINE CURVE TABLE						
CURVE	DELTA ANGLE	LENGTH	TANGENT	CHORD BEARING	CHORD	RADIUS
A	08°06'35"	70.77	35.44	N84°52'11"W	70.71	500.00'
B	08°06'35"	70.77	35.44	N84°52'11"W	70.71	500.00'

CURVE TABLE						
CURVE	DELTA ANGLE	LENGTH	TANGENT	CHORD BEARING	CHORD	RADIUS
1	08°06'35"	70.77	35.44	N84°52'11"W	70.71	500.00'
2	08°06'35"	70.77	35.44	N84°52'11"W	70.71	500.00'
3	08°06'35"	70.77	35.44	N84°52'11"W	70.71	500.00'
4	08°06'35"	70.77	35.44	N84°52'11"W	70.71	500.00'

Prepared For:
Whitson Properties
1706 Imperial Lane
Findlay, Ohio 45840

- = 1" Rebar with aluminum cap set
- = 1" Rebar with aluminum cap set

**PETERMAN
ASSOCIATES, INC.**

- ARCHITECTS - ENGINEERS - SURVEYORS -

Corporate Office
3480 N. Main Street
Findlay, Ohio 45840
Office (419)422-8892
Fax (419)422-9444

3. SITE PLAN APPLICATION #SP-07-2013 filed by Birchaven Estates at Eastern Woods, Ltd., 15100 Birchaven Lane, Findlay for apartment buildings to be located at 7113 Eastern Woods Parkway, Findlay.

HRPC

General Information

This project is to be located on proposed Lot 14 of the replat of Lot 3 in the Eastern Woods Subdivision. It is on the east side of Eastern Woods Parkway and is zoned M-2 Multiple Family High Density. Land to the north is also zoned M-2 and west is zoned CD Condominium and O1 Institutions and Offices. To the east is zoned A-1 Agriculture in Marion Township. To the south is zoned C-1 Local Commercial. The Land Use Plan designates the area as PMUD (Planned Mixed Use Development). It is not located within the 100 year flood plain.

Parcel History

This project is a part of the Birchaven Community which has a mixture of condominiums, apartments, a nursing home facility and various doctor offices.

Staff Analysis

The applicant is proposing to develop a 100 unit apartment complex on 12.658 acres. All units are single story and are in either a 4 unit or 6 unit configuration. The M-2 Multi-Family Residential district requires 3500 square feet of lot not including roadways per each unit. The site could support up to 148 units per this formula.

While the number of units is below the maximum number permitted, it appears that the regulation stating that no more than 40% of the site can be covered with impervious surface may be a problem. According to our calculations there is approximately 247,961 square feet of impervious area on the site. This would include all buildings, street, sidewalks, paved parking areas, driveways, and swimming pool. For the 12.685 acres in the site (552,558.6 square feet) this would calculate to 44.8% impervious coverage.

Parking is required on the basis of 2.5 spaces per dwelling unit plus one per every 2 units for visitors. With the garages provided accounting for 130 vehicles and the areas outside those garages providing space for an additional 130 vehicles, there are 260 spaces for the 100 dwelling units. This exceeds the 250 required. There are an additional 61 spaces on the site in other parking areas to provide for visitor parking. Visitor parking required for 100 units is 50 spaces.

All setback requirements are met. There is a sign location shown at the entry to the complex. Location is correct, but we would like to see a sign detail.

Elevation drawings were submitted. All buildings are single story with a combination of brick and vinyl siding exterior walls. All buildings have covered porch areas and varied roof lines.

The foundation planting drawings were also submitted. The number of shrubs exceeds the requirement of one per every 12 lineal feet of the building circumference. An overall landscaping plan submitted shows a mix of evergreens, ornamental and shade trees which also exceeds the minimum requirements.

Fencing is required around the in-ground pool. We will need detail of the height and type of

fence proposed.

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-07-2013** for apartment buildings to be located at 7113 Eastern Woods Parkway subject to the following conditions:

- Correction of lot size to bring the impervious surface percentage to 40% or less
- Details of sign and pool fencing provided and approved

ENGINEERING

Access – Single point of entry onto Eastern Woods Parkway

Water – Recommend the proposed waterline be looped south to the existing water line on Medical Drive South. Line is in a platted easement, assuming they will want public maintenance.

Sanitary Sewer – Connecting to an existing sewer on Eastern Woods Parkway. Line is in a platted easement, assuming they will want public maintenance.

Stormwater Management – On-site drainage system is acceptable. Detention will be provided by regional ponds south of the development. The catch basin in the compactor area shall be connected to the sanitary sewer.

Sidewalks – Eastern Woods Parkway is a private street at this location, thus sidewalks are not required.

Recommendation: Conditional approval of the plan, subject to looped waterline and catch basin modification.

The following permits will be needed prior to construction:

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

FIRE PREVENTION

Plan shows 24' wide access road. Must be 26' (OFC)

Plan shows 80' diameter cul-de-sac. Must be 96' (OFC)

8" dead end water main is over 600'. Main shall be 10" (NFPA) unless the line is looped into the existing 8" line to the south.

Place 1 hydrant at road entrance, 1 halfway and 1 at the cul-de-sac (3 total)

Driving surface (road) shall be installed and hydrants turned on before construction begins.

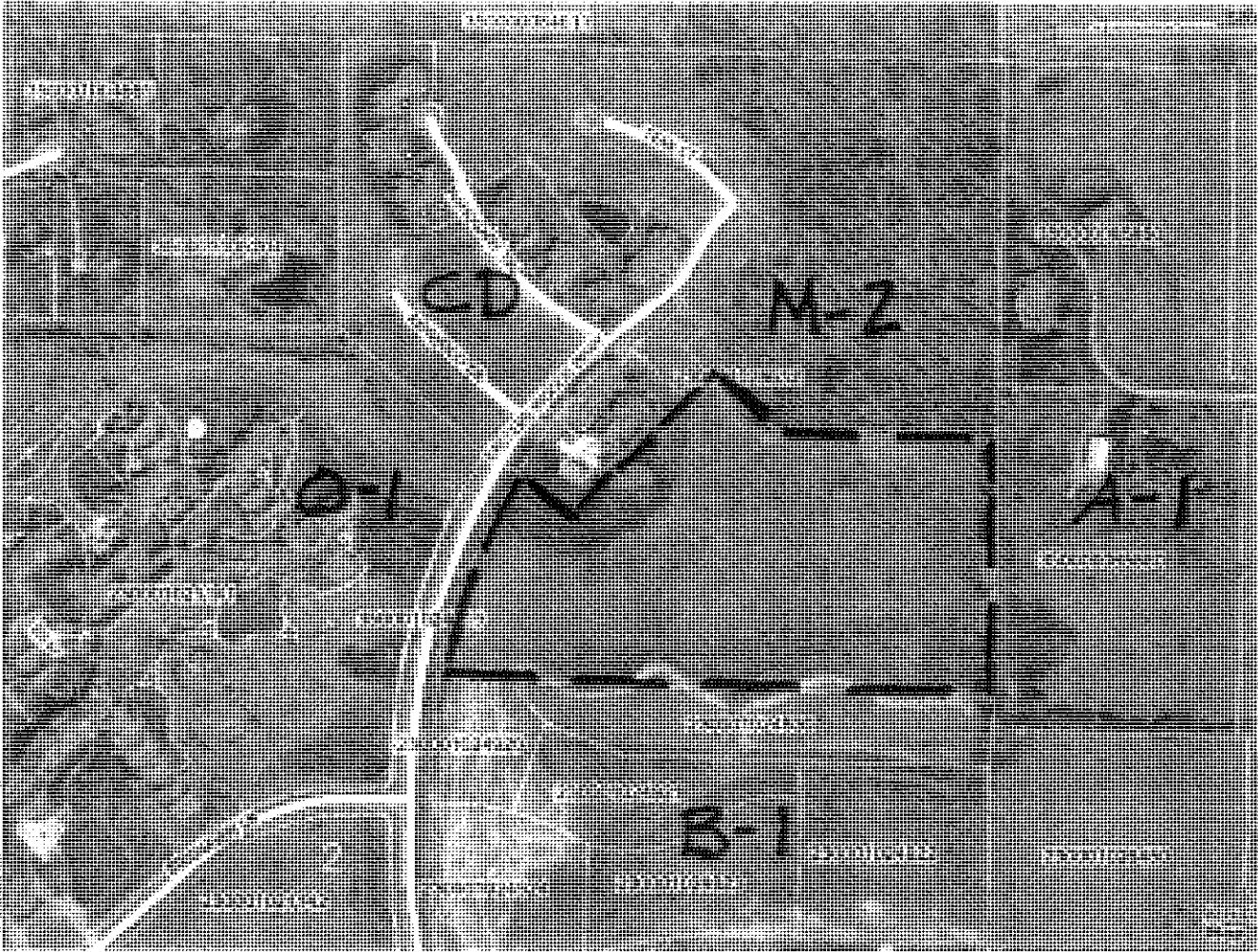
STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-07-2013** for apartment buildings to be located at 7113 Eastern Woods Parkway subject to the following conditions:

1. Correction of lot size to bring the impervious surface percentage to 40% or less (HRPC)
2. Details of sign and pool fencing provided and approved (HRPC)
3. Recommend the proposed waterline be looped south to the existing water line on Medical Drive South. Line is in a platted easement, assuming they will want public maintenance. (ENG)
4. The catch basin in the compactor area shall be connected to the sanitary sewer. (ENG)
5. Plan shows 24' wide access road. Must be 26' (OFC)
6. Plan shows 80' diameter cul-de-sac. Must be 96' (OFC)
7. 8" dead end water main is over 600'. Main shall be 10" (NFPA) unless the line is looped into the existing 8" line to the south.
8. Place 1 hydrant at road entrance, 1 halfway and 1 at the cul-de-sac (3 total)
9. Driving surface (road) shall be installed and hydrants turned on before construction begins.

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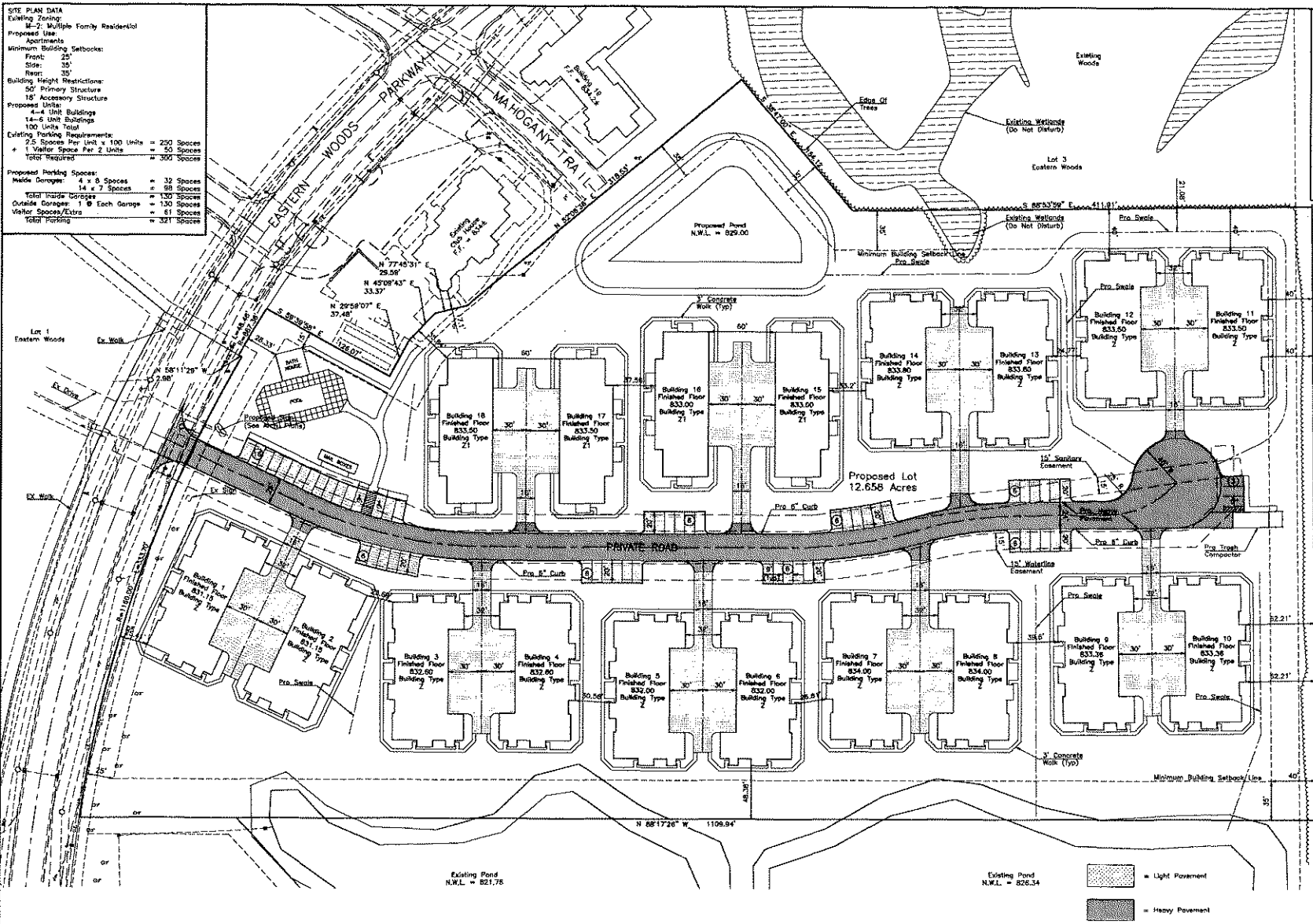
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Notes

SITE PLAN APPLICATION #SP-07-2013 APARTMENTS AT 7113 EASTERN WOODS PKWY.

SITE PLAN DATA
 Existing Zoning: M-2: Multiple Family Residential
 Proposed Use: Apartments
 Minimum Building Setbacks:
 Front: 25'
 Side: 35'
 Rear: 35'
 Building Height Restrictions:
 50' Primary Structure
 15' Accessory Structure
 Proposed Units:
 4-4 Unit Buildings
 14-6 Unit Buildings
 100 Units Total
 Existing Parking Requirements:
 2.5 Spaces Per Unit x 100 Units = 250 Spaces
 + 1 Visitor Space Per 2 Units = 50 Spaces
 Total Required = 300 Spaces
 Proposed Parking Spaces:
 Inside Garages: 4 x 8 Spaces = 32 Spaces
 14 x 7 Spaces = 98 Spaces
 Total Inside Garages = 130 Spaces
 Outside Garages: 1 @ Each Garage = 130 Spaces
 Visitor Spaces/Extra = 61 Spaces
 Total Parking = 321 Spaces



PETERMAN ASSOCIATES, INC.
 12000 Highway 100, Suite 200
 Houston, Texas 77033
 Date: 02/25/2011
 Checked by: [Signature]
 Drawn by: [Signature]
 Project No: 12-07-15

SITE PLAN
PROPOSED APARTMENTS

PROPOSED APARTMENTS
 EASTERN WOODS SUBDIVISION
 CITY OF PRINCETON, OHIO
 Project No: 12-07-15
 4/20

NO SUBCONTRACTOR SHOULD BE PROVIDED WITH A PARTIAL SET OF PLANS FOR REVIEW BEFORE OR CONSTRUCTION PURPOSES WITHOUT YOUR WRITTEN CONSENT. YOU TO REVIEW A COMPLETE SET OF UNDER IS YOUR RESPONSIBILITY. THE INFORMATION AND DOCUMENTATION THEY WANT TO HAVE COPIES. THESE ARE MANY THESE REPRESENTED IN A SET OF CONSTRUCTION DOCUMENTS. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE DESIGN PROFESSIONAL FOR FORMAL CLARIFICATION. SUBCONTRACTORS ARE RESPONSIBLE FOR REVIEWING AND CONSTRUCTION IS ACCORDANCE WITH THE COMPLETE CONSTRUCTION DOCUMENTS, NOT SPECIFIC SHEETS. ONLY HAVING A PARTIAL SET OF DRAWINGS SHALL NOT BE ACCEPTED AS AN EXCUSE FOR DELAYS OR INCOMPLETE WORK.

4. PETITION FOR ZONING AMENDMENT #ZA-03-2013 filed by RJT Properties, 400 W. Main Cross Street, Findlay, OH to rezone 400,414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial.

HRPC

General Information

The lots in this request are located on the north side of W. Main Cross just west of the intersection of Liberty Street. Land to the west is also zoned I-1 Light Industrial, to the south is C-3 Downtown Commercial and I-1 Light Industrial, and to the east is C-2 General Commercial. An existing home to the north is also zoned I-1 Light industrial. Parts of the land are within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

The lots in this request are the Dietsch Brothers store, parking lot, and residential building which are all owned by RJT Properties.

Staff Analysis

There is a companion site plan next on the agenda for a proposed expansion of the Dietsch Brothers business. The request is in conformance with the City Land Use Plan.

Staff Recommendation

HRPC Staff recommends that FCPC recommend approval to City Council of the **PETITION FOR ZONING AMENDMENT #ZA-03-2013** to rezone 400, 414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial.

ENGINEERING

No Comment

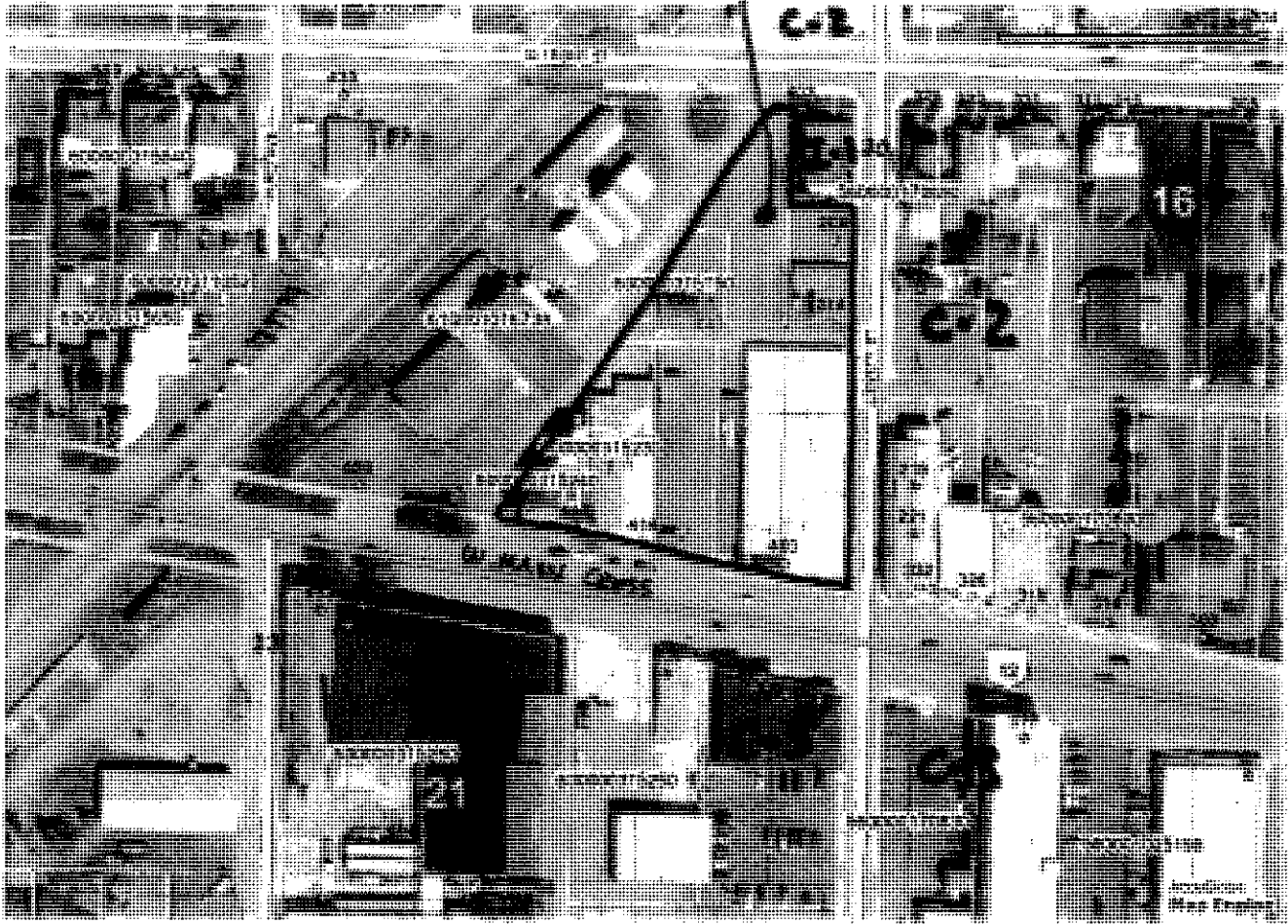
FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-03-2013** to rezone 400, 414, & 418 W. Main Cross St., 208 & 214 Liberty Street, Findlay, OH from I-1 Light Industrial to C-3 Downtown Commercial.

AREA TO BE REZONED
Hancock County GIS FROM I-1 TO C-2



Notes

Rezoning Exhibit for
Dietsch Brothers
400 W. Main Cross

5. SITE PLAN APPLICATION #SP-05-2013 filed by RJT Properties, LLC, 400 W. Main Cross Street, Findlay for proposed 7,242 square foot addition to existing building and additional parking lot pavement.

HRPC

General Information

This request is located on the north side of W. Main Cross just west of Liberty Street. It is currently zoned I-1 Light Industrial, but is requesting to be changed to C-3 Downtown Commercial. Land to the west is zoned I-1 Light Industrial, to the south is C-3 Downtown Commercial and I-1 Light Industrial, and to the east is C-2 General Commercial. Parts of the land are within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

The Dietsch Brothers have been in business at this location since 1955. They have acquired the former Capital Tire site and the parcels north of a soon to be vacated alleyway.

Staff Analysis

The plan will be reviewed using C-3 Downtown Commercial standards.

The applicant is requesting to construct a 7,242 square foot addition on the north end of the existing building. No additional retail/dining space will be added in the addition. The owner will be reconfiguring the working areas and adding some additional production space.

The addition will follow the existing building lines and will extend to within 10' of a remaining home lot which fronts onto W. Front Street. There are no setback requirements in the C-3 district. The plans indicate that the applicant will negotiate with the abutting homeowner to replace their existing chain link fence with a 6' privacy fence.

There is a proposed curb cut on the east (Liberty Street) side of the existing building. A new overhead door is to be installed here. There are two dropped curb areas on this side of the building now going to standard doors. Not sure if this is in the same location as one of these.

Much of the lot is impervious surface now. There will be a slight increase with the new construction. T. Richard has been working with the applicants to obtain any balancing for the flood plain areas.

The plan calls for a second phase of paving the existing gravel lot where Capital Tire had once been. Vehicles park randomly in this area now when the store is busy. Pavement will match with the existing and proper striping will be completed.

ENGINEERING

Access – Access to the site will be restricted to the West Main Cross entrance since the alley off of Liberty Street is being vacated. Access is still sufficient.

Water – New service will be connected to existing tap. (Existing line on Liberty is a dead-end).

Sanitary Sewer – New service will be connected to existing lateral.

Stormwater Management – Current site is 100% impervious so stormwater detention is not required.

Sidewalks – Existing sidewalks will remain.

Recommendation: Approval of the plan

Since all utility connections are being made to existing services, no permits will be required.

FIRE PREVENTION

Any Gas/Electric meters within driving surface shall have crash protection.

Dumpster shall be at least 10' from building.

STAFF RECOMMENDATION

Staff recommends Approval of **SITE PLAN APPLICATION #SP-05-2013** for proposed 7,242 square foot **addition to Dietsch Brothers existing building and additional parking** lot pavement at 400 W. Main Cross Street subject to the following:

1. Any Gas/Electric meters within driving surface shall have crash protection. (FIRE)
2. Dumpster shall be at least 10' from building. (FIRE)

6. SITE PLAN APPLICATION #SP-06-2013 filed by C Jay's LLC, 15590 Brookfield Heights, Findlay, OH for proposed 100,000 square foot manufacturing facility and associated parking to be located at 5409 Hamlet Drive, Findlay, OH.

HRPC

General Information

This project is located on Lot 5 in the Invision Place Subdivision just south of Hamlet Protein. It is zoned I-1 Light Industrial and all abutting parcels are also zoned I-1. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Industrial.

Parcel History

This is a vacant lot. The Invision Place Subdivision was platted in 2010.

Staff Analysis

The applicant is proposing to construct a 100,000 square foot industrial building with associated parking and truck maneuverability area.

Setbacks in the I-1 District are 50' front, 30' side and 30' rear. All setbacks are exceeded on the site plan.

There are two (2) access points from Hamlet Drive proposed for the site. This street would be classified as a minor road serving the subdivision. We have no issue with 2 cuts in this instance. A 26' wide roadway with heavy duty pavement will circle around the building. Truck docks are located on the north and south sides of the building.

Entry to the parking lot comes off the northern entry point which is on the bulb from the former cul-de-sac. Parking in the I-1 district is calculated as 1.1 space per employee on the largest shift. The plans indicate that there will be 85 employees. This computes to 94 required spaces. The plan shows 95 spaces in the lot.

There is a row of shrubs indicated along the street side of the parking lot as required in the landscape standards of the code. One tree and low shrubs are located within the double size islands at each end of the parking lot. The islands will also have light poles. An existing tree line follows the south and east property lines of the site.

Elevation views provided show the building height at 33'4". This is well within the 60' maximum permitted per the code. There are no architectural standards for industrial buildings.

Staff Recommendation

HRPC Staff recommends approval of the Site Plan for TH Plastics.

ENGINEERING

Access – Two (2) entrances onto Hamlet Drive are proposed. I personally don't have a problem with this, not sure about access management rules.

Water – 2" domestic and 8" fire line will be connected to existing 20" line.

Sanitary Sewer – Will be connected to manhole northeast of Hamlet Protein. Sanitary shall be

private upstream of MH 4A.

Stormwater Management – Existing pond on Hamlet site was sized to accept drainage from this parcel. Catch basin inlet protection shall be installed in the truck dock to meet EPA NPDES post construction practices.

Sidewalks – Not required in Industrial zone.

Recommendation: Approval of the plan, subject to private sewer notation and catch basin inlet protection.

The following permits will be needed prior to construction:

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

FIRE PREVENTION

FFD is assuming a fire pump is not being specified for this facility. A 6” looped water line is preferred around the building with 1 hydrant at each drive (2) and 1 additional hydrant in the northeast corner. In addition, a hydrant shall be placed at least 100’ from the fire department connection (FDC). This hydrant shall not be located on the designated fire line. Water line shall be 8” if a dead end is utilized and 10” if the dead end main is over 600’.

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. The FDC shall be a 5 inch Stortz fitting with 30 degree angled elbow.

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

Any fire hydrants located in the driving area shall have crash protection no closer than 3’.

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

STAFF RECOMMENDATION

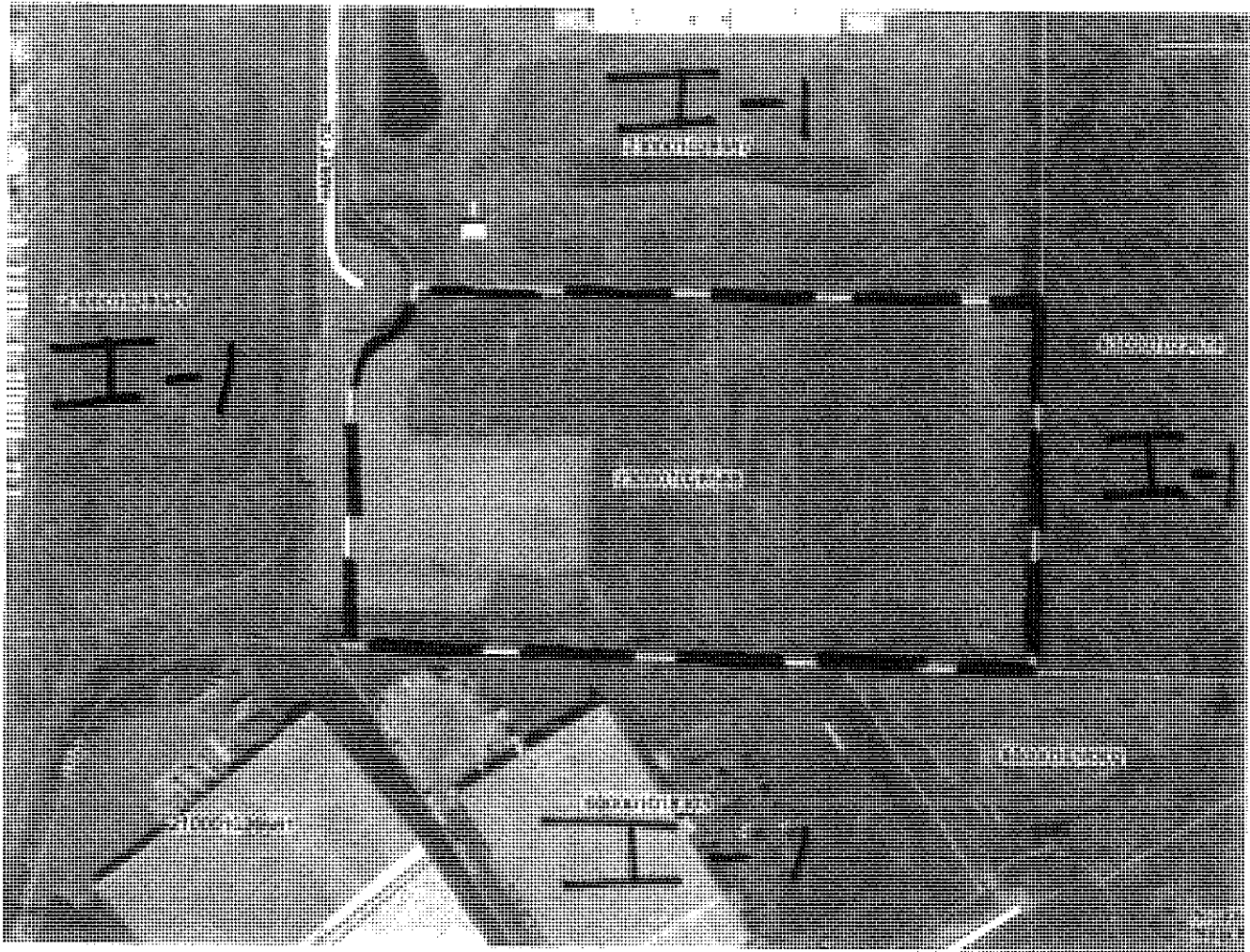
Staff recommends approval of **SITE PLAN APPLICATION #SP-06-2013** for proposed 100,000 square foot manufacturing facility and associated parking for TH Plastics subject to the following conditions:

1. Private sewer notation and catch basin inlet protection. (ENG)
2. FFD is assuming a fire pump is not being specified for this facility. A 6” looped water line is preferred around the building with 1 hydrant at each drive (2) and 1 additional hydrant in the northeast corner. In addition, a hydrant shall be placed at least 100’ from the fire department connection (FDC). This hydrant shall not be located on the designated fire line. Water line shall be 8” if a dead end is utilized and 10” if the dead end main is over 600’. (FIRE)
3. 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. The FDC shall be a 5 inch Stortz fitting with 30 degree angled elbow. (FIRE)

4. Any natural gas or electric meter within driving area shall have crash protection. (FIRE)
5. Any fire hydrants located in the driving area shall have crash protection no closer than 3'.
(FIRE)
6. A Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.
(FIRE)

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Notes

SP-06-2013 TH PLASTICS 5409 HAMLET DRIVE
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7. **SITE PLAN APPLICATION #SP-08-2013** filed by MFB Findlay LLC/RD Management, LLC. 810 Seventh Avenue, New York, NY for proposed sporting goods store to be located at 1960 Tiffin Avenue, Findlay, OH.

HRPC

General Information

This project is located on the north side of Tiffin Avenue on the east side of the existing Hobby Lobby store. The parcel is zoned C-2 General Commercial and all parcels to the east, west and south are also zoned C-2. The land to the north is zoned MH Mobile Home District. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the site as Regional Commercial.

Parcel History

This location is the site of the former Aldi Grocery Store.

Staff Analysis

The applicant is proposing to demolish the existing building on the site and construct a 35,000 square foot Dicks' Sporting Goods store in its place. The new building will abut the east wall of the existing Hobby Lobby store.

The front line of the new store will follow the front line of the Hobby Lobby. The west side will be connected to that store. The east side of the building is shown at only 12.75 feet from the property line. The minimum side yard is 15'. If the 15' cannot be achieved, a variance will need to be sought from the BZA. The tight spacing here may also be detrimental to access for safety services. The other stores in the strip access the rear of their buildings from the west side so perhaps an access agreement from those properties would work.

Parking in the General Commercial district is based on one space per 375 square feet. The 35,000 square foot store would require 94 spaces. Since this is a strip mall arrangement with shared access, using all the square footage of the buildings would require 290 parking spaces. There are 390 across the site. There are no changes shown for the parking lot. There is no new access requested for the new development.

Two sign locations are indicated on the plan. The location indicated as the "10' x 10' Aldi Sign Easement" may have an existing pole still in place. However, once the sign cabinet was removed, the location was no longer legal for a new sign. If the old cabinet was still in place the face could have been changed out for a new user. Since that is gone, the use of that non-conforming sign is gone. A site such as this that has multiple tenants sharing access and parking is permitted one pylon sign. The second location indicated on the plan for a sign is the existing Hobby Lobby/Planet Fitness pylon. The new business can co-locate a sign on this pole. The size permitted will be determined by the square footage already in use by the other businesses. The code allows for lots with more than 100' of road frontage to have ½ square foot of sign face per lineal feet of frontage. In this case the frontage is 395 which allows for a total of 197.5 square feet of total sign face.

The maximum height in the C-2 district is 60 feet. The plans show the height of the building to be 43'- 4". Because the north end of the building abuts a residential use (Chateau East mobile home park), screening will be required on this border. The lot for the Dick's store is about 200'

wide in the rear and directly abuts the pond area of the mobile home park site. Staff is comfortable with permitting a lower level of screening per the options in the code. 1161.07.3 Level 2 screening Option 1 provides for 4 canopy and 4 evergreens per 100 lineal feet of boundary.

Architecturally, the front façade has incorporated elements of vertical and horizontal articulation. The entry way is clearly pronounced. The rear view of the building has a line of view of the front parapet wall. The east side wall has the side of the parapet wall and demarcation by color striping.

Landscaping for this site is a challenge. The parking lot is not being changed and there is very little existing green space on this preexisting site. The plan shows two islands in the sidewalk area flanking the main entry indicating 2 trees and 4 shrubs in each. There is a triangular green area on the east side of the building showing 3 shade trees and indicating foundation planting of shrubbery along that wall also. If this area is needed for access there may not be room for as much foundation planting as shown. Staff is willing to work with the developer on flexibility in the landscaping standards due to the nature of the site.

Staff Recommendation

HRPC Staff recommends approval of the site plan subject to:

- Rectification of the east setback either by reduction in building or variance obtained from BZA
- Screening along north side of property
- Approval of a landscaping plan

ENGINEERING

Access – Access to the site would remain unchanged. Access around the building will be impeded. Recommend easement of access acquired from adjacent property or building width reduced to allow for emergency vehicle and truck circulation and eliminate need for side yard variance.

Water – New service will be connected to existing tap. The site plan does not identify if a separate line for fire protection will be installed.

Sanitary Sewer – New service will be connected to existing lateral.

Stormwater Management – Detention calculations will be required due to increase in impervious area.

Sidewalks – Existing sidewalks will remain.

Recommendation: Approval of the plan subject to access agreement or reduced building width and approved detention calculations.

Since all utility connections are being made to existing services, no permits will be required, unless a new line for fire protection is required.

The following permits will be needed prior to construction:

- Approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

- Provide access drive on the east side of the structure for deliveries and FFD trucks.
- Provide fire hydrant within 100' of the Fire Department Connection (FDC). Hydrant shall not be placed on the designated 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 location shall be approved by FFD
- 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.
- Any fire hydrants located in the driving area shall have crash protection no closer than 3'.
- A Knox Box shall be required for buildings with sprinkler and/or fire alarm systems.
- Hobby Lobby has 2 existing emergency exit doors on the eastern wall for direct exterior access. If adjoining this existing structure, how will the emergency exits be addressed?

STAFF RECOMMENDATION

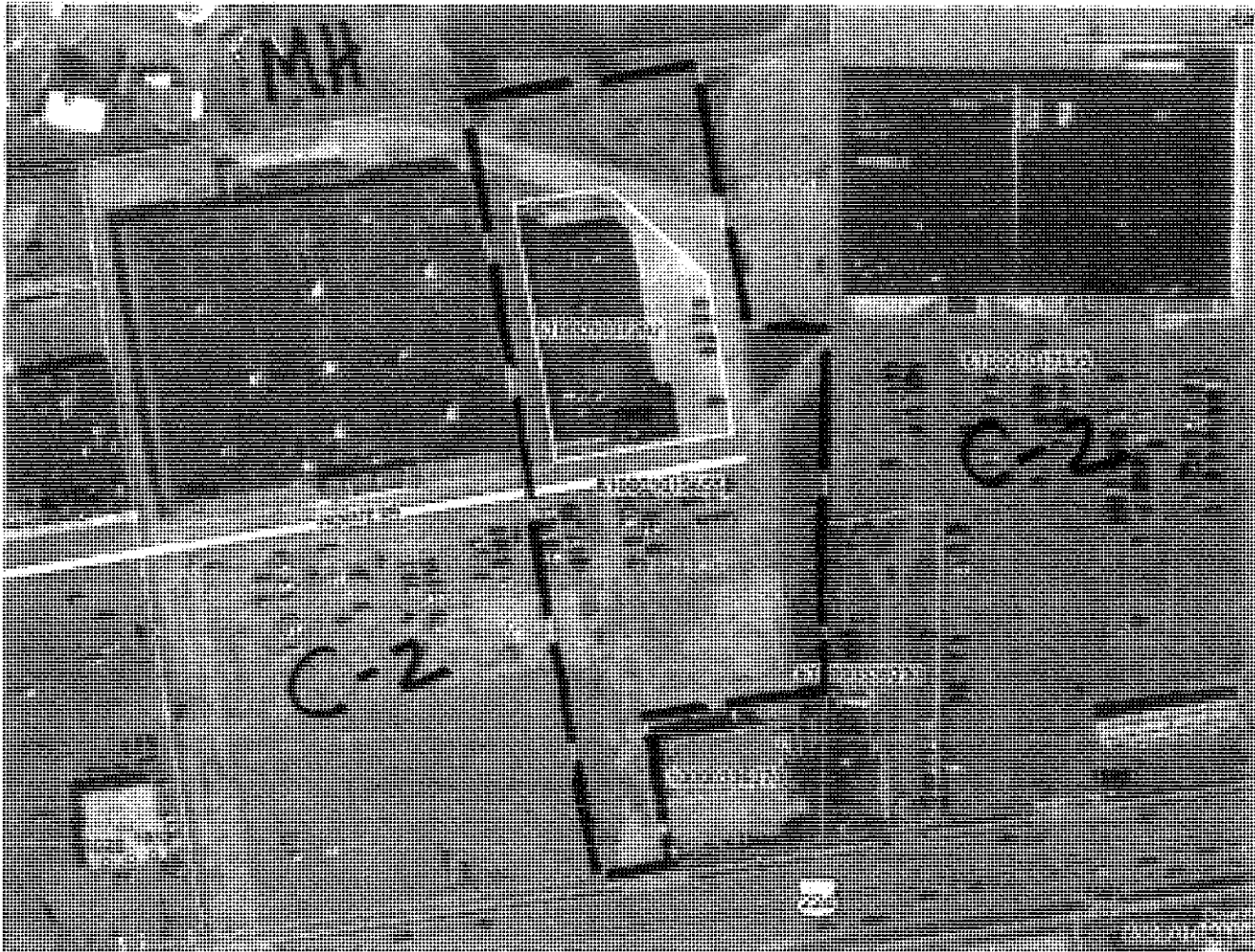
Staff recommends approval of **SITE PLAN APPLICATION #SP-08-2013** for proposed Dick's Sporting Goods store at 1960 Tiffin Avenue subject to the following conditions:

1. Rectification of the east setback either by reduction in building or variance obtained from BZA (HRPC & ENG)
2. Screening along north side of property (HRPC)
3. Elimination of second sign as indicated (HRPC)
4. Approval of a landscaping plan (HRPC)
5. Approval of detention calculations due to increase in impervious area. (ENG)
6. Approved Stormwater Pollution Prevention Plan (ENG)
7. Provide access drive on the east side of the structure for deliveries and FFD trucks. (FIRE)
8. Provide fire hydrant within 100' of the Fire Department Connection (FDC). Hydrant shall not be placed on the designated 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). (FIRE)
9. FDC location shall be approved by FFD (FIRE)
10. 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. (FIRE)
11. Any natural gas or electric meter within driving area shall have crash protection. (FIRE)
12. Any fire hydrants located in the driving area shall have crash protection no closer than 3'(FIRE).
13. A Knox Box shall be required for buildings with sprinkler and/or fire alarm systems. (FIRE)

14. Hobby Lobby has 2 existing emergency exit doors on the eastern wall for direct exterior access. If adjoining this existing structure, how will the emergency exits be addressed? (FIRE)

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Notes

SP-08-2013
DICK'S SPORTING GOODS
1960 TIFFIN AVENUE

City of Findlay City Planning Commission

Thursday, May 9, 2013 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

1. **ALLEY/STREET VACATION PETITION #AV-02-2013** filed by Robert and Kathy Wagner, 509 5th Street, Findlay, OH to vacate an unimproved alley running south from 5th Street.
2. **ALLEY/STREET VACATION PETITION #AV-03-2013** filed by Mary Houtz, 1650 Lima Avenue, Findlay, OH to vacate the east 19.5' of Morrical Boulevard between Lima Avenue and Olney Avenue.
3. **PETITION FOR ZONING AMENDMENT #ZA-04-2013** filed by Kyle Reichenbach, 127 W. Hardin Street, Findlay, OH to rezone 121, 127, 201, & 205 W. Hardin Street, 610 & 614 S. Cory Street, and Lot 240 in the Vance & Cory's Addition from C-2 General Commercial to C-3 Downtown Commercial.
3. **DISCUSSION OF PROPOSED AMENDMENTS TO CITY OF FINDLAY ZONING CODE.**

ADMINISTRATIVE APPROVALS

SITE PLAN APPLICATION #SP-09-2013 filed by University of Findlay, 1000 N. Main Street, Findlay for proposed elevator addition to Egner Center for the Performing Arts, 1030 N. Cory Street.

SITE PLAN APPLICATION #SP-10-2013 filed by Fresh Dirt, LLC, 5867 Graystone Dr., Sylvania, OH for an outdoor patio and reconfigured parking on the west side of City BBQ located at 15033 Flag City Drive, Findlay, OH. Original plan approved in July, 2011 had expired.

ADJOURNMENT

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

March 20, 2013

MUNICIPAL BUILDING CONFERENCE ROOM

Members Attendance:

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

Staff Attendance:

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

Guests

- X Paul Schmelzer

Call to Order: In the absence of Mayor Lydia Mihalik, Board President Gregory Cline, called the meeting to order at 7:36 A.M.

Minutes: Mr. Cline called for a motion to approve the minutes of the February 20, 2013 Board Meeting. Mrs. Work moved to accept the minutes of the February 20, 2013 Board of Health meeting as circulated. Seconded by Mr. Alge. **Motion carried 4-0.** Filed.

Dr. McEvoy and Mayor Mihalik arrived after the vote.

HEALTH COMMISSIONER REPORT

1. Dr. Mills shared a plan for signage he is proposing be added to Emory Adams park. This signage would outline walking trails and list the distance to encourage people to engage in walking as a physical activity. He spoke with the city sign department as well as the Sign Shack about the best type of sign and it was recommended that a sturdy frame that would allow for signs to be removed and updated would be a good choice. The cost is approximately \$500 and Dr. Mills is looking for financial support. Once the sign is up Dr. Mills suggest that he and/or the Mayor could lead a walk around the trail. Paul Schmelzer questioned whether we could also add the soccer field (and ball diamond) numbers to help identify those for the public. He also offered to connect with someone from engineering to help graph the map. Dr. Mills will work with the Sign Shack on this. Dr. Mills felt it would be appropriate to mimic the signage already in place downtown.
2. A recent CME attended by Dr. Mills talked about the issue of sepsis which the presenter described as a hidden public health disaster. Sepsis kills 258,000 people per year. Sepsis is a life threatening response to infection when the body's response injures its own tissues and organs. There is a Global Sepsis Alliance that would like us to get the word out on sepsis. Mr. Cline inquired as to whether this Alliance might have a prepared press release that could be utilized to get the word out. Dr. Mills will be looking into this.

DEPUTY HEALTH COMMISSIONER REPORT

1. Mrs. Wilhelm shared that our health department was awarded one of the accreditation readiness grants that she had spoken to the board about several months ago. There was some delay in awarding the grants because they had more applications than anticipated. Thirty four departments applied for the grant while only 17 were awarded. The amount awarded was \$7850. The majority of the money will be used to pay the Hospital Council of Northwest Ohio to facilitate the completion of a Community Health Improvement Plan (CHIP). This plan is required documentation for accreditation. The Hospital Council worked with our county in the development of a strategic plan after our health assessment but we were still missing some pieces for a CHIP. Those pieces include identifying community themes and strengths, completing a Forces of Change assessment, and doing a local public health system assessment. The money will allow us to bring the Hospital Council back in to help us complete those pieces and tie them all together with our assessment into a comprehensive plan.

In conjunction with this Mrs. Wilhelm shared that the County Health Rankings, put together by the University of Wisconsin and the Robert Wood Johnson Foundation will be released later today. She has been able to review an advance copy of the rankings and informed the board that Hancock County went from an 8th place ranking last year to 12th this year. In reviewing the various data points used Mrs. Wilhelm shared that the number of sexually transmitted diseases was up as well as adult smoking over last year. Hancock County did improve in clinical care over last year going from number 8 to number 4 in the state. Our overall social factors declined slightly. Mrs. Wilhelm did say that overall there were no big changes in our data, however the Rankings did make some changes in how they looked at some of the determining factors which may have played a role in our lower ranking. *Note the County Health Rankings often uses data that is compiled over several years and is not reflective of the immediate past year. Greg Cline asked for clarification on whether this reflects city data to which Mrs. Wilhelm clarified that it is county wide data. Mrs. Wilhelm shared that the community partners who have been involved in the local assessment have had some discussion regarding these rankings and how to utilize them as we look at our own community improvement plans. Along with these rankings the Robert Wood Johnson Foundation has been awarding \$25,000 prizes to communities who have been implementing strategies to improve their community health. Mrs. Wilhelm feels that we have been doing a lot of this work in our community and hopes to apply for this prize at some point to help advance our efforts.

2. Sheryl Yoder has submitted her letter of retirement and her last official day will be May 31, 2013. The Registrar position must be recognized by the state and in speaking with ODH we will need to have someone in place to take over for her on June 1. Cheryl Klakamp has been the Deputy Registrar for several years and has been training under Sheryl Yoder. She is a Notary so she is already able to complete affidavits as necessary. In speaking with ODH they recommended that the Board officially name a Registrar to be effective on June 1 so there is no gap. They also need time to order new name plates for the certifier machine so that we can change them out on June 1.

In the past the Registrar's position has been a 130 on the pay scale. This position does not require higher education or special licensing. In light of recent budget issues Mrs. Wilhelm suggested that now might be the time to look at this pay grade. It was noted during the performance audit that we should look at making sure pay grades matched job descriptions. Mrs. Klakamp is currently at a 110 pay grade. **Mr. Alge moved to name Cheryl Klakamp as Registrar effective June 1, 2013 at a 120 pay grade.** Seconded by Dr. McEvoy.
Motion Carried 5-0. Filed

3. Our local Healthy Kids Day is a cooperative effort between the University of Findlay's College of Medical Professionals, Findlay YMCA and the Findlay City Health Department. Healthy Kids Day is a nationwide YMCA campaign. Our local event will be held Friday April 12 from 5 to 8 pm at the Koehler Center. We will be offering health screenings for kids which will include heights, weights, BMI's, blood pressures, glucose and cholesterol tests. Dr. Ritz will be available to discuss these results and the implications of unhealthy weights with parents. Dr. McEvoy offered to assist when he is available at the end of the day. There will also be plenty of opportunities for kids to participate in physical activity during the event. Mrs. Wilhelm feels that this is just the type of activity that would be included in an application for the Robert Wood Johnson foundation prize and she feels that we have developed some great partnerships with both the University and the YMCA.

NURSING REPORT

1. The Help Me Grow Home Visiting Program has received official approval and a "start date" which is Monday March 18, 2013. There are still a few glitches with the state still not giving us access to the computerized documentation system but we are working on correcting this.
2. The pilot program that we are participating in to bill insurance companies for vaccine has been extended to July of 2014. There is currently not enough data to evaluate the pilot. We are one of the only health departments that are up and running and giving them data at this point. ODH has indicated that as of July the state's GRF will no longer have money to provide those districts not participating in the pilot with vaccine to supplement vaccination for non VFC participants. Mrs. Bern also shared that it is also likely that vaccine prices will be rising significantly. Although it would be hoped that we could recoup those higher costs by billing insurance Mrs. Bern also reported that there has been some discussion regarding our ability to use certain billing codes since we do not have a doctor on site during vaccine clinics. Dr. McEvoy expressed concern that health departments would not be able to get vaccine at state rates and questioned how this decision is made. Mrs. Bern felt it is probably being driven by the manufactures themselves. Dr. McEvoy felt strongly that the government should be using its buying power to keep the prices low. Paul Schmelzer asked about the cost of this increase but Mrs. Bern shared that it is highly variable as some vaccines may cost \$23 while others cost \$150 now. Also some vaccines are made by more than one company while others are exclusive to one company and thus less competitive. Mrs. Bern recently received a chart outlining possible contracts for pricing and will need to look closely

at the various contract options to make the best decision. Again Dr. McEvoy felt the state should be evaluating these contracts and using their considerable leverage to get the best prices. Every other country in the world does this. Mrs. Wilhelm also felt the state should be lobbying to change coding so that health departments can be adequately reimbursed for services. Mr. Alge asked if this might be something for Representative Robert Sprague. Mrs. Wilhelm thinks this is a valid point as she has spoken to Robert before and he is very open to listening to concerns. She also pointed out that we will soon have an office for Robert Latta opening in the Municipal Building and we need to be willing to talk to our legislators to let them know how we feel about issues and their impact on us. Mr. Alge asked if we should write Robert a letter. Mayor Mihalik stated she is willing to carry the torch for us but questioned whether this was a state issue or federal issue. Mrs. Bern was not clear on this herself. We will keep the board informed as we learn more. Mr. Cline suggested we prepare a spread sheet to outline what we are using now and cost and where it is going to go so we can outline impact. Dr. McEvoy also suggested that as an example many manufacturers are based in foreign countries and we look at where the manufacturer is located and what their own countries are paying for the vaccines. Mrs. Bern also shared that new Medicaid Managed Care providers will be coming on board and there are many unanswered questions in relationship to their reimbursements which will play into this. Paul Schmelzer indicated this could be good since it indicated things are set and there may still be opportunity to get out in front of the issue. He inquired about contacts in other states who may have had some success. Mrs. Work suggested contacting a national organization such as NALBOH. In the meantime it would still be important to assemble the spreadsheet indicating our usage and cost. Dr. McEvoy stated there is nothing more important in terms of preventative care than making sure everyone gets immunized.

ENVIRONMENTAL HEALTH REPORT

1. **Dr. McEvoy moved to approve the plans and specifications for Family Dollar, 820 Tiffin Ave.** Seconded by Mr. Niemeyer. **Motion Carried 5-0. Filed.**
2. Mr. Niese received a phone call from Matt Stoffel of the Parks/Streets Dept. regarding the ADA requirements for making public swimming pools handicapped accessible. Mr. Niese has tried to help him sort through the requirements although this is not something that health departments will enforce through their regular inspection process. Mr. Niese feels enforcement will likely be handled through building departments and will likely be complaint driven. There will be different requirements for public entities versus private pools such as those in hotels. At a minimum the city will likely need a self-operating lift. He will continue to share with Mr. Stoffel any information that comes across his desk on this matter.

EMERGENCY RESPONSE / EPI REPORT

1. There was no emergency response/epi report as Mr. Masters is in Anniston, Alabama attending a FEMA training.

PLUMBING REPORT

1. Mr. Helms informed the board that he had been out on a residential inspection recently and based on some observations that he had made, he questioned whether the remodel was truly going to be for residential use. The permit filed was for residential use and the job done does meet residential code but would not meet commercial code. Mr. Helms shared his concern with the Wood County Building Department who would need to be involved if it was a commercial construction and they will send a letter of inquiry to the owner. He also had some concerns because there was water to the house although no meter had been set. Apparently the owner was pulling water from a nearby property they also owned. Mr. Helms discussed this with the water department as there will need to be a separate meter set.
2. Mr. Helms also reported that he will soon be working on putting some plumbing classes together for contractors.

MEETING REQUESTS

Mrs. Wilhelm requested a meeting be added to the meeting request. She has been working with the ADAMHS Board on a large grant that they have in conjunction with prescription drug abuse. As part of the grant a community team was formed and this team is asked to attend these trainings.

Mrs. Work moved to approve the meeting requests as submitted:

1. April 9-10, 2013, Barb Wilhelm to attend Strategic Prevention Framework Training Newark, OH. Cost covered by ADAMHS Grant.

Mr. Alge seconded. **Motion carried 5-0.** Filed

OLD/UNFINISHED BUSINESS

Dr. McEvoy inquired as to any updates regarding merger with the county health department. Dr. Mills shared that he, along with Mrs. Wilhelm, Mr. Schmelzer and Councilwoman Spence were in attendance at the county's District Advisory Committee meeting held on March 4, 2013.

Dr. Mills began by stating that the city has pushed the idea of merger for some years and now the county is proposing the same. He still feels that merger makes sense from his standpoint but he believes that a combined entity should have a full time health commissioner. Mr. Cline agreed that with accreditation a full time commissioner will be needed. Dr. Mills also stated that there was a vote, which was unanimous, that a county team should meet with a team from the

city to discuss putting this merger together. Mr. Schmelzer shared that he feels the reason there even was a plan was because of accreditation. The next step will be for Mr. Schmelzer to pull together a team for the city to hammer through the process. He would like to include a board member as well as representative from the hospital since they may well be an important player to help achieve accreditation and a member of council. Mr. Cline expressed some concern that we had been through this process where the county agreed to look at merger yet failed to carry it through. Mr. Schmelzer feels the accreditation process is a game changer to which Dr. Mills added the county stated they could not achieve accreditation themselves.

Mrs. Wilhelm asked that this process be expeditious. She has been working on pieces for accreditation that are county wide requirements such as the community health assessment and the community health improvement plan but we will soon need to work on plans that are more health department specific like our own strategic improvement plan, workforce development plan, quality improvement plan which will need to be specific to our health department. If we are going to make these specific plans she would like to do it once for the entity that will be here in 5 years so the process will not need to be repeated for the new entity that would exist in a combined department. Mr. Schmelzer asked if Mrs. Wilhelm could put together some sort of time line for accreditation since he was not familiar with everything involved in the process. She agreed to work on this but did point out that as an example it will take some time to put together a quality improvement plan and then we will need to provide documentation of at least two instances of how we used the quality improvement process to identify a weakness, plan corrective action and then implement the plan to show measurable improvement. Each time we develop a plan and then have to show how we implement the plan will take significant time. She feels the clock is ticking on accreditation now and we will need all the time we can get to put things in place. Given the unanimous vote and the lack of discussion Mr. Schmelzer was still encouraged by the DAC meeting. Mrs. Wilhelm did caution that there were two things included in the presentation that still raised a red flag for her and that was an organizational chart that included a part time health commissioner and a board makeup that eventually led to the DAC appointing all board members which were sticking points before. Dr. Mills and Mrs. Wilhelm agreed that should the state continue to consolidate health services that we should position ourselves to be in the center of a regional health district as opposed to being on the fringe of the district. Mr. Schmelzer noted that we need to look at this from the townships point of view because to say regional district may sound to them like bigger and more expensive and they need to see how it would be of benefit to them. This is why we either need to have someone from the board on the committee or at least receive a lot of feedback from the board to bring these things to the discussion.

NEW BUSINESS

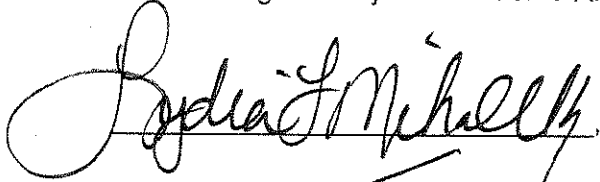
None


EXPENSES

Mrs. Work moved to approve the expenses, as circulated, for payment by the City Auditor.

Seconded by Mr. Alge **Motion carried 5 – 0.** Filed.

The meeting was adjourned at 8:40 A.M.

 _____, President

 _____, Secretary (Health Commissioner)

Board of Zoning Appeals

March 14, 2013

Members present: Doug Warren, Vice-Chairman; David Russell, Secretary; Sharon Rooney.

The meeting was called to order at 6:04 p.m. by Mr. Warren. The members were introduced and the rules of the proceedings were explained.

Case # 50307-BA-13, 1700 E. Sandusky Street, was reviewed by Todd Richard, Zoning/Floodplain Administrator:

Filed by Hancock County Board Of Developmental Disabilities on behalf of the Hancock County Commissioners. The applicant is seeking a variance from sections 1161.12.13A5 and 1161.12.13A6 of the City of Findlay Zoning Ordinance. The applicant has proposed to replace the current sign face with an electronic message center. This sign type will be within 300 feet of a residential district, which is prohibited. This property is zoned R-1, single family residential and type of sign is prohibited.

Electronic message centers flash, blink, and can have animation. This type of sign is only permitted in the commercial and industrial zones for good reason. Since the code prescribes a 300 foot separation from a residential district, this should tell us they are not appropriate within a residential district.

The applicant is limited to replacing the face with the present type, or they could have an LED message board that is fixed and constant for at least two hours at a time. Several business have chosen the fixed message LED method to advertise their product.

A hardship in this case is not evident and granting the variance would set a precedent for other entities in residential districts to expect the same consideration.

Mr. Greg Wehr, business manager for the Hancock County Board of Developmental Disabilities at 1700 E. Sandusky Street, was sworn in to testify in favor of the request. Mr. Wehr said they want the sign to better educate the public about their students and how they can be recognized. They want to acknowledge the successes of the students and the businesses that employ them. The taxpayers deserve the right to know what the center does.

They have the ability to dim and turn off the sign at certain times of the day. Most of the property around the center is part of the campus.

Mr. Russell asked the applicant why a scrolling message center was necessary. Mr. Wehr replied that it is labor intensive to change the sign board every day. Mr. Russell's point was that a fixed message LED would achieve the same thing they have now, but the message would stay the same for a long period of time and no variance would be needed.

There was discussion regarding the ability of the motorists to view the whole message. Mrs. Rooney thinks these signs are a traffic hazard and having the message fixed would be more effective and safe since it is a busy area.

There was no other testimony or correspondence presented.

Mr. Warren did not see any special circumstances to grant this variance. He also did not believe this was in harmony with the locality. The new zoning code takes a lot of care in assuring there is no impact to neighboring residential areas. Finally, he believes there are alternatives. He is sensitive to the request, however, the conditions for the sign need to be met.

Mr. Russell added that a fixed message LED would be the most appropriate. The whole message could be viewed rather than part of it.

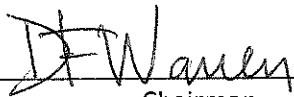
Mr. Warren made a motion to deny the request based of the three factors he stated earlier.

The motion was seconded by Mrs. Rooney.

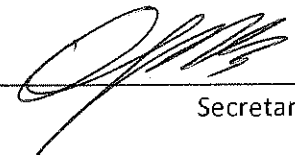
A voice vote was taken and the motion to deny the request was approved 3-0.

The minutes from the February 14, 2013 meeting were reviewed. Mrs. Rooney made a motion to approve those minutes and Mr. Russell seconded the motion. A voice vote was taken and the February 14, 2013 minutes were approved 3-0.

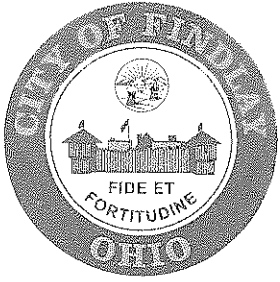
Mr. Russell made a motion to adjourn the meeting, which was seconded by Mrs. Rooney. The meeting was adjourned at approximately 6:35 p.m.



Acting Chairman



Secretary



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

April 22, 2013

The Honorable Council:

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

Kevin E. Rettig

1101 W. Main Cross Street, Findlay, Ohio 45840

Sincerely,

Gregory R. Horne
Chief of Police

**NOTICE TO LEGISLATIVE
AUTHORITY**

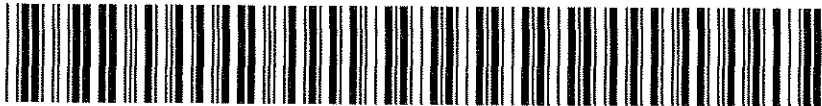
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)844-2360 FAX(614)644-3166

TO

7312395 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	KEVIN RETTIG 1101 W MAIN CROSS FINDLAY OH 45840	
<small>ISSUE DATE</small>				
04 18 2013 <small>FILING DATE</small>				
D5 <small>PERMIT CLASSES</small>				
32 <small>TAX DISTRICT</small>	044 <small>PERMIT CLASS</small>	A <small>PERMIT CLASS</small>	A04708 <small>RECEIPT NO.</small>	

FROM 04/22/2013

<small>PERMIT NUMBER</small>		<small>TYPE</small>		
<small>ISSUE DATE</small>				
<small>FILING DATE</small>				
<small>PERMIT CLASSES</small>				
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>	



MAILED 04/22/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/23/2013

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 7312395**

(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)

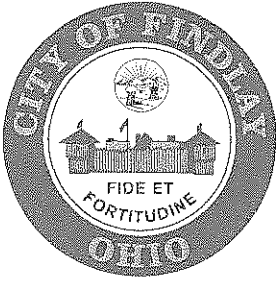
(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

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



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

April 24, 2013

Honorable City Council
Findlay, OH 45840

Dear Members of Council:

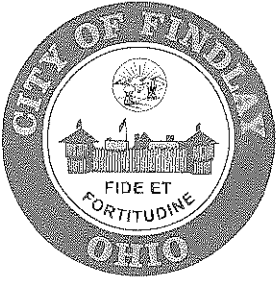
On your agenda are two resolutions concerning the pre-tax status of employee contributions to the Ohio Police and Fire Pension Fund. One addresses the Fire Department employees; the other is for the employees of the Police Department.

The EMPLOYEE contribution for the Police and Fire Pension Fund is increasing to 10.75% in July. The pension system has notified my office that the City will need to update the previous resolutions, if we would like to maintain the pre-tax status of the entire deduction. Earlier legislation would only allow for the 10% deduction to have a pre-tax status.

The updated resolutions must be approved by June 6, 2013 or earlier and must be filed timely with the Ohio Police and Fire Pension Fund. I would request that Council approve these resolutions in order to maintain this benefit for our Police Department and Fire Department employees. The Law Director has added an emergency clause in order for this legislation to take effect as soon as approved by Council.

Respectfully,

Jim Staschiak II
City Auditor



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

Wednesday, April 24, 2013

The Honorable Council
Findlay, Ohio

Dear Council Members,

As part of the continuing effort to fully disclose the current status of the City of Findlay's finances, my office is in the process of completing a report summarizing the debt of the City. This report to Council is instrumental in maintaining the favorable bond rating of the City.

I respectfully request the opportunity to present this report to you at your next Appropriations Committee or Committee of the Whole meeting.

I thank you in advance for the opportunity to update you on this important information.

Respectfully,



Jim Staschiak II
City Auditor

CC: Donald Rasmussen
Lydia Mihalik

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

April 26, 2013

Honorable City Council
Findlay, OH 45840

RE: Fostoria Avenue Drainage (Phase II), Project No. 32593600

Dear Council Members:

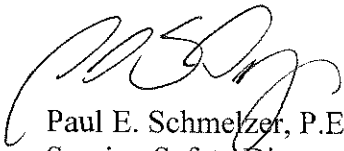
The above-referenced project is included in the 2013 Capital Improvements Plan. An original appropriation of \$10,000 was approved in January 2010. At this time, an additional appropriation of \$15,000 is needed in order to continue with project design.

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

FROM:	Stormwater Fund	\$15,000
TO:	Fostoria Ave Drainage (Phase II) Project No. 32593600	\$15,000

Thank you for your consideration in this matter.

Sincerely,



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

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

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

April 26, 2013

Honorable City Council
City of Findlay, Ohio

Dear Honorable Council Members:

Due to previous budget cuts in 2013, the Public Works Department had eliminated funding in its budget for the Adopt-A-Tree program for the purchase of trees. The funding for the purchase of trees was planned to be included in the 2013 Capital Plan, but subsequently learned that the purchase of trees is not an allowable capital expense.

The Adopt-A-Tree program is a requirement of the Tree City USA program. Maintaining the Adopt-A-Tree program has allowed the City of Findlay to maintain our Tree City USA status for 32 consecutive years.

An appropriation is respectfully requested as follows:

FROM:	General Fund	\$4,500.00
TO:	Parks Maintenance 21034000-other	\$4,500.00

I respectfully request that this be forwarded to the Appropriations Committee of City Council.

Thank you for your consideration.

Sincerely,



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

pc: Donald J. Rasmussen, Director of Law
Jim Staschiak II, City Auditor
Matt Stoffel, Public Works Superintendent
File

Flag City, USA

City of Findlay Income Tax Department

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

Lydia L. Mihalik
Mayor

Monthly Collection Report to Findlay Council

April 2013

Total collections for April 2013: \$3,463,846.40

	2013	2012	Variance
	<u>Year-to-date</u>	<u>Year-to-date</u>	
Withholders	5,926,569.57	5,990,310.32	-63,740.75
Individuals	1,573,397.75	1,544,740.57	28,657.18
Businesses	<u>910,636.30</u>	<u>790,169.51</u>	<u>120,466.79</u>
Totals	8,410,603.62	8,325,220.40	85,383.22
			1.03%

Actual & Estimated Past-due Taxes

Withholders	439,049.73
Individuals	813,629.60
Businesses	<u>28,616.22</u>
Total	1,281,295.55

Refunds Paid

<u>Monthly</u>	<u>Year-to-date</u>
170	681
43,063.26	193,649.25



Andrew Thomas, Administrator

5-1-13

Date

Findlay Income Tax Department

Monthly Collections Report

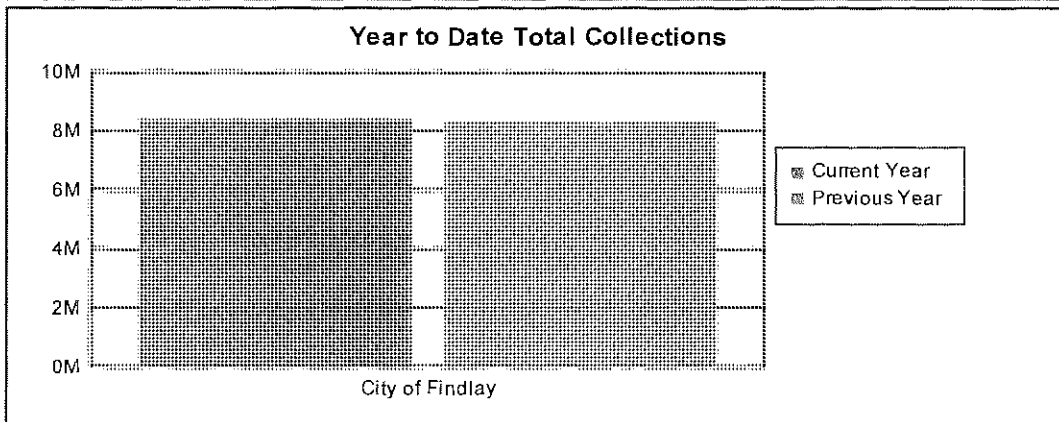
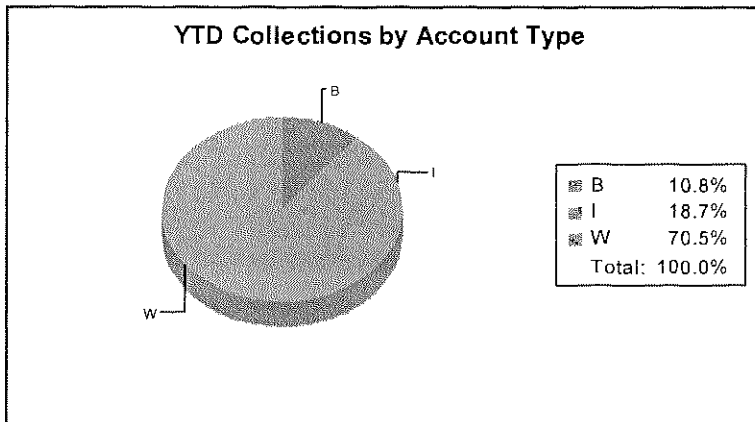
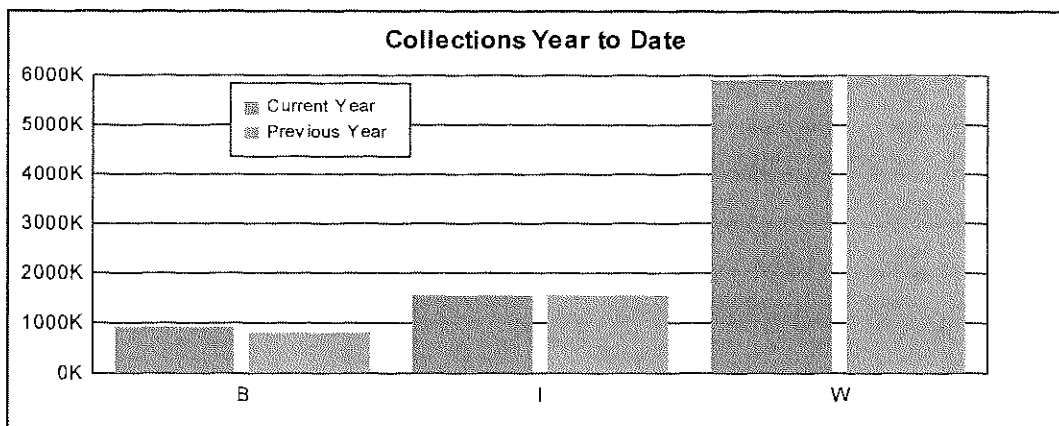
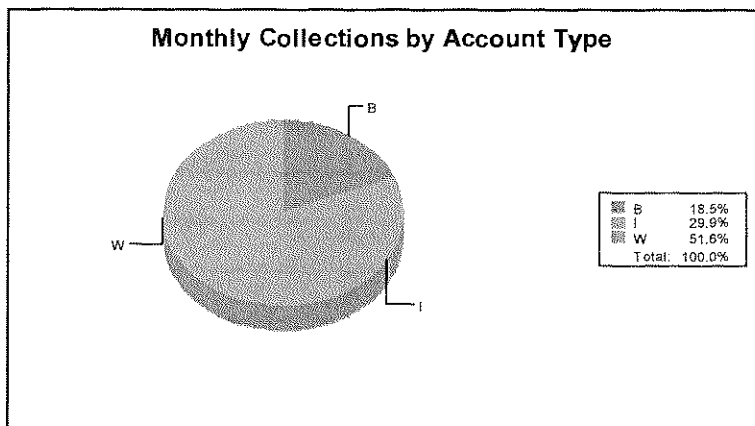
Wednesday, May 1, 2013

10:04:33AM

For Period April 1, 2013 through April 30, 2013

City of Findlay

Account Type	Monthly Total	2013 Year to Date	2012 Year to Date	Increase (Decrease)	% Change	2013 Month to Date	Previous Year(s) Month to Date
W	1,787,694.63	5,926,569.57	5,990,310.32	-63,740.75	-1.06	1,782,764.94	4,929.69
I	1,036,221.67	1,573,397.75	1,544,740.57	28,657.18	1.86	216,671.69	819,549.98
B	639,930.10	910,636.30	790,169.51	120,466.79	15.25	206,531.33	433,398.77
Totals:	3,463,846.40	8,410,603.62	8,325,220.40	85,383.22	1.03	2,205,967.96	1,257,878.44





Findlay WORC Program Charge Statistics 01/01/2013-04/30/2013

05/01/2013

Month	Amount Billed
January 2013	1,355.00
February 2013	2,453.00
March 2013	8,040.00
April 2013	9,750.00

Total: 21,598.00



Findlay Work Release Program Monthly Payment Statistics - Summary 01/01/2013-04/30/2013

	Day Charge A1	Replacement Charges	Drug Test Charges	Sub Total	Write-Off Amount	Net Total
Tuesday, March 26, 2013	75.00	0.00	0.00	75.00	0.00	75.00
Wednesday, March 27, 2013	170.00	0.00	0.00	170.00	0.00	170.00
Thursday, March 28, 2013	75.00	0.00	0.00	75.00	0.00	75.00
Friday, March 29, 2013	75.00	0.00	0.00	75.00	0.00	75.00
Monday, April 1, 2013	1,440.00	0.00	0.00	1,475.00	0.00	1,475.00
Tuesday, April 2, 2013	2,445.00	0.00	0.00	2,445.00	0.00	2,445.00
Wednesday, April 3, 2013	175.00	0.00	0.00	175.00	0.00	175.00
Thursday, April 4, 2013	600.00	0.00	0.00	600.00	0.00	600.00
Friday, April 5, 2013	200.00	0.00	0.00	200.00	0.00	200.00
Monday, April 8, 2013	1,650.00	0.00	0.00	1,650.00	0.00	1,650.00
Tuesday, April 9, 2013	1,195.00	0.00	0.00	1,195.00	0.00	1,195.00
Wednesday, April 10, 2013	745.00	0.00	0.00	745.00	0.00	745.00
Friday, April 12, 2013	100.00	0.00	5.00	105.00	0.00	105.00
Monday, April 15, 2013	1,490.00	5.00	0.00	1,495.00	0.00	1,495.00
Tuesday, April 16, 2013	1,150.00	0.00	0.00	1,150.00	0.00	1,150.00
Wednesday, April 17, 2013	125.00	0.00	0.00	125.00	0.00	125.00
Thursday, April 18, 2013	25.00	0.00	0.00	25.00	0.00	25.00
Friday, April 19, 2013	200.00	0.00	0.00	200.00	0.00	200.00
Monday, April 22, 2013	650.00	0.00	0.00	650.00	0.00	650.00
Tuesday, April 23, 2013	200.00	0.00	0.00	200.00	0.00	200.00

Summary:

Cash	28,365.00	8.00	5.00	28,413.00	0.00	28,413.00
Money Orders	600.00	0.00	0.00	635.00	0.00	635.00
Credit Cards	2,975.00	0.00	0.00	2,975.00	0.00	2,975.00
Total	31,940.00	8.00	5.00	32,023.00	0.00	32,023.00



Findlay WORC Program Monthly Tally Sheet 01/01/2013-04/30/2013

	# of Residents	Days		Case Completion Status				Reschedules
		Sentenced	Served	Successful	Unsuccessful	No Show	Denied Entry	
January 2013	17	407	218	10	2	3	2	3
February 2013	16	211	114	10	0	3	1	2
March 2013	39	590	343	19	1	12	6	5
April 2013	45	911	452	21	5	5	3	6
Total	117	2119	1127	60	8	23	12	16

FINDLAY WORC FINANCIAL ANALYSIS

JANUARY 01, 2013 THRU APRIL 30, 2013

PLEASE NOTE: THE WORC WAS CLOSED FROM 2-22 THRU 2-28 = 7 DAYS & 4-24 THRU 4-30 = 7 DAYS

FIMC cases	Findlay City Ordinance cases, days served=	580
FIMC cases	State Code cases, days served =	468
FIMC cases	Total days served (combined City and State) =	1048

<u>Other Courts using WORC</u>	<u>Days Served</u>	<u>Additional Income to date</u>
Fostoria Municipal Court	0	\$0.00
Hancock County Common Pleas Court	74	\$1,850.00
Hancock County Juvenile Court	0	\$0.00
Upper Sandusky Municipal Court	5	\$125.00
Henry County Common Pleas Court	0	\$0.00
Lima Municipal Court	0	\$0.00
Other Courts Usage Total Days:		79
		Total Additional Income: \$1,975.00

Hancock Co. Justice Center Cost: 580 City Ordinance case days served x \$55 / day saved by
not serving time at the Justice Center = ~~\$31,900.00~~

Total fees collected at \$25 / day from all residents = \$28,175.00

Outstanding fees = \$948.00 (11 accounts)

Expenses = \$101,422.21

Charge Statistics = \$21,598.00 (charged upon entry for full stay)

Payment Statistics = \$32,023.00 (this amount may be larger than the Charge Statistics at times, due to the fact that residents are charged upon entry for their full stay - i.e.: charged in May but made payments in following months). (This also includes Reimbursables).

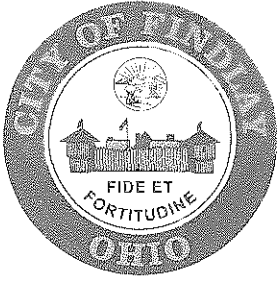
Net Expense = \$69,399.21
(Expenses - Payments)

Program Savings: Net vs. Justice Center cost = (\$37,499.21) *

Commissions Received from Securus Pay Phones = \$2.10

*** All information in this document was pulled from the WORC records.

* Programs savings does not account for factors associated with continued employment of participants.



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

May 1, 2013

Honorable Council:

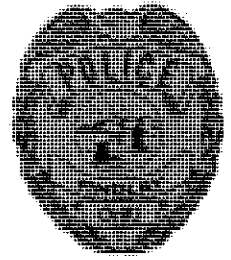
Attached are the Findlay Police Department activity stats for April 2013.

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: April 2013**

	<u>Month</u>	<u>Year to Date</u>
Traffic Stops:	531	2921
Citations:	193	1069
Operating Vehicle while Intoxicated:	13	72
Accidents (non injury):	59	245
Injury Accidents:	11	40
Accident Waivers:	27	81
Property Damage Complaints:	24	92
Theft Complaints:	102	351
Unlawful Entry Complaints:	25	71
Domestic Dispute Complaints:	58	213
Assault Complaints:	15	67
Sex Offense Complaints:	6	21
Alcohol/Drug Complaints:	36	115
Warrants Served:	76	259
Arrests:	180	619
Total Reports Generated:	1059	4659

Detective Division

April, 2013 Activity

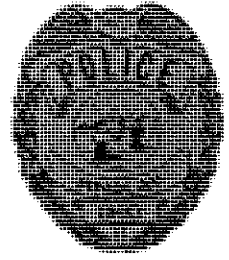
Cases Submitted for Prosecution

	Month	Year to Date
Law Director:	121	353
County Prosecutor:	35	99
Juvenile Prosecutor:	14	76

There were a total of 15 new cases assigned for investigation during the month of April.



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



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

Vice Narcotics Unit/METRICH Unit

Activity Report

April 2013

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

Narcotics Investigations: 25

Felony Arrests: 4 (6 charges)

Misdemeanor Arrests: 0

Drug Talks: 1

Sgt. Justin Hendren 818

MONTHLY COURT OFFICER ACTIVITY REPORT

MONTH: April YEAR 2013

TOTAL PAPERS PROCESSED	<u>178</u>
TOTAL PAPER SERVICE HOURS	<u>81</u>
TOTAL COURT SECURITY HOURS	<u>95</u>
TOTAL PRISONERS TO/FROM COURT	<u>4</u>
TOTAL MILES DRIVEN	<u>678</u>
TOTAL SUMMONS	<u>139</u>
TOTAL OVERTIME HOURS	<u>0</u>

Ch. Sweeney #1612
COURT OFFICER

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

May 2, 2013

Honorable City Council
Findlay, OH 45840

RE: Annual Bids and Contracts

Dear Council Members:

Each year, the City formally bids a number of chemicals, materials, and services. The contracts for these items run for a calendar year, with option(s) to renew the contracts in one-year increments. In July, a review and evaluation of the current contracts and contracted vendors will be conducted.

For those contracts that will not be renewed, the City would like to advertise and receive bids in October. Items to be bid this year include several chemicals used by the Water Treatment Plant and Water Pollution Control Center, uniforms, services, and supplies.

By copy of this letter, the Director of Law is requested to prepare the necessary legislation to authorize the bidding and contracting of these items.

Thank you for your consideration in this matter.

Sincerely,



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

cc: Donald Rasmussen, Director of Law
Donna Corbin, Engineering Department

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

May 2, 2013

Honorable City Council
Findlay, Ohio

RE: HAN-Findlay Street Improvements, ODOT PID#93050
Project #32821500

Dear Council Members:

By authorization of Ordinance 2012-92, bids were opened for the above-referenced project on April 29, 2013. Bids were received from five potential contractors. The lowest and best bid was received from M&B Asphalt of Old Fort, Ohio, in the amount of \$366,695. An appropriation of this amount along with contingency and inspection time is needed.

The project is included in the 2013 Capital Improvements Plan with 80 percent funding from ODOT. It includes resurfacing the following streets:

- W Sandusky St (Glessner St to Emma St)
- E Bigelow Ave (Crystal Ave to Bright Rd)
- Western Ave (Lima Ave to Lima St)
- E Main Cross St (Main St to East St)

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

FROM:	ODOT	\$352,880	
	County Permissive License Fund	\$88,220	
TO:	ODOT Resurfacing/Street Improvements		\$441,100
	Project #32821500		

Thank you for consideration in this matter.

Sincerely,



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

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

Flag City, USA

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

May 2, 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 April, 2013.

Dilapidated Structures

4 cases year to date

14 cases pending

Weeds

7 cases year to date

15 cases pending

Junk on Premises

37 cases year to date

56 cases pending

Junk Vehicles

24 cases year to date

61 cases pending

Minor Maintenance

2 cases year to date

4 cases pending

Miscellaneous

13 cases year to date

9 cases pending

Overgrowth

2 case year to date

1 case pending

Right of Way Issues

0 cases year to date

0 cases pending

Sidewalks

7 cases year to date

0 cases pending

Trash

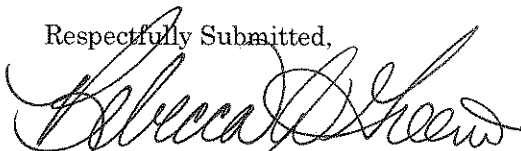
29 cases year to date

9 cases pending

The Neighborhood Enhancement and Abatement Team received 37 new cases and closed 29 cases during the month of April. NEAT personnel continue to work diligently on the 169 cases that remained active at the end of the month. Additionally, the Backyard Mission Trip that was coordinated by the Findlay Ministerial Association in conjunction with NEAT and Habitat for Humanity was a huge success! This annual event utilized over 1100 volunteers who assisted 123 homeowners on April 27th in completing various tasks around their property. Several of the projects were on properties where NEAT had open cases and worked in conjunction with the volunteers and property owners for compliance.

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.

TRAFFIC COMMISSION

City of Findlay
March 18, 2013

MINUTES

ATTENDANCE:

MEMBERS PRESENT: Service-Safety Director Paul Schmelzer, Police Chief Greg Horne, Councilman Ron Monday.

STAFF PRESENT: Mayor Lydia Mihalik; Matt Stoffel, Public Works Superintendent; Kathy Launder, City Clerk.

GUESTS PRESENT: Don Williams, Findlay City Schools.

OLD BUSINESS

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

12/18/2012

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

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

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

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

01/22/2013

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

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

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

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

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

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

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

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

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.

3/18/2013

Director Schmelzer stated that DGL is reviewing the mid block crossing at the intersection of Main Cross and Broadway and will make a presentation to the Traffic Commission at the April 15 meeting of their findings.

NEW BUSINESS


1. Request of Dennis McPheron, Findlay City Schools, for permission to install in the right-of-way 1 to 2 signs on Baldwin and 1 to 2 signs on Lime Street at Donnell Middle School alerting drivers to the fact there are a number of deaf students attending classes at Donnell Middle School.

Don Williams stated that Donnell Middle School offers a program designed specifically for hearing impaired students. Stoffel reported that the Street Department has made these signs in the past for schools and that the Street Department will install the signs if approved.

Motion to install one hearing impaired sign at the beginning of the school zone on Lime Street and two hearing impaired signs at the beginning of the school zone on Baldwin Street (one in each direction), by Director Schmelzer, second by Councilman Monday. Motion passed 3-0.

With no further business to discuss, the meeting adjourned. The next meeting of the City of Findlay Traffic Commission will be held on April 15, 2013, at 2:30 p.m. in the third floor conference room of the Municipal Building.

Respectfully submitted,


Kathy K. Launder
City Clerk

CITY OF FINDLAY
CASH & INVESTMENTS AS OF APRIL 30, 2013

<u>AMOUNT</u>	<u>DESCRIPTION AND RATE</u>	<u>BANK/FIRM</u>
\$ 300,900.00	STAR OHIO* @ 0.05%	
300.00	STAR OHIO* @ 0.05%	
3,500.00	STAR OHIO* @ 0.05%	
60,600.00	STAR OHIO* @ 0.05%	
15,010,000.00	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 @ 0.470%	TRI STATE BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 0.500%	WATERFORD BANK
250,607.00	FHLMC @ 0.210%	MORGAN STANLEY
250,195.00	FFCB @ 0.260%	MORGAN STANLEY
253,272.00	FFCB @ 0.190%	MORGAN STANLEY
254,236.34	FHLB @ 0.230%	FIFTH THIRD BANK
250,397.42	FNMA @ 0.295%	FIFTH THIRD BANK
506,940.00	FHLB @ 0.200%	MORGAN STANLEY
504,254.37	FNMA @ 0.260%	FIFTH THIRD BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 0.300%	FIRST FEDERAL
10,000,000.00	SAVINGS ACCOUNT	KEY BANK
500,050.00	FHLMC @ 0.320%	HUNTINGTON BANK
<u>\$42,025,525.88</u>	INVESTMENT TOTAL	
2,187,320.70	5/3 BANK ACCOUNT BALANCE	
3,256.77	ACCRUED INVESTMENT INTEREST	
<u><u>\$44,216,103.35</u></u>	TOTAL CASH & INVESTMENTS	

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

UNAPPROPRIATED FUND BALANCES

GENERAL	\$ 4,718,173
SCM&R	8,278
SCM&R HIWAY	145,892
SEVERANCE PAYOUT RESERVE	721,330
AIRPORT	154,268
WATER	5,875,364
SEWER	3,988,977
STORMWATER	2,637,105
PARKING	4,562
CIT ADMINISTRATION	568,443
CIT CAPITAL IMPROVEMENT	5,145,285
CIT FLOOD IMPROVEMENT	-

*Only major funds listed

CITY OF FINDLAY
BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF APRIL 30, 2013

\$ 9,827,870.51	General Fund
1,000,000.00	General Fund Restricted Rainy Day
1,206,432.05	General Fund Projects
954,521.43	SCM&R Fund
699,249.96	SCM&R Fund Projects
-	County Permissive License Fund
138,325.32	State Highway Fund
714.57	Law Enforcement Trust Fund
581.28	Drug Law Enforcement Trust Fund
252,671.55	ID Alcohol Treatment Fund
58,284.13	Enforcement & Education Fund
210,422.04	Court Special Projects Fund
55,146.50	Court Computerization Fund
2,718.37	METRICH Drug Law Enforcement Trust Fund
55,164.91	Alcohol Monitoring Fund
30,325.41	Mediation Fund
64,464.07	Electronic Imaging Fund
20,217.89	Legal Research Fund
771,321.35	Severance Payout Fund
810,980.27	Debt Service Fund
36,470.71	CR 236 TIF Fund
524,852.83	Municipal Court Improvement Fund
444,544.55	Airport Fund
923.10	Airport Fund Projects
6,842,904.16	Water Fund
729,907.07	Water Fund Restricted
401,505.31	Water Fund Projects
3,531,825.69	Sewer Fund
5,082,281.87	Sewer Fund Restricted
462,618.83	Sewer Fund Projects
38,305.58	Parking Fund
4,530.72	Parking Fund Projects
73,760.53	Swimming Pool Fund
8,589.92	Swimming Pool Fund Projects
27,433.36	Internal Service Central Stores Fund
728,252.80	Internal Service Workers Comp Fund
1,267,026.17	Internal Service Self Insurance Fund
3,946,687.12	CIT Fund
2,120,437.66	CIT Fund- Restricted Capital Improvements
-	CIT Fund-Restricted Flood Mitigation
111,836.56	Police Pension Fund
111,836.56	Fire Pension Fund
48,888.07	Tax Collection Agency Fund
1,241,828.77	Cemetery Trust Fund
163,370.72	Private Trust Fund
78,044.53	Guaranteed Deposits
7,723.45	Special Assessments Pavements Fund
4,794.74	Special Assessments Sidewalks Fund
82.82	Special Assessments Sidewalks Fund Projects
15,427.54	Special Assessments Storm Fund
<u>\$44,216,103.35</u>	TOTAL CASH & INVESTMENTS

CITY OF FINDLAY
SUMMARY OF YEAR-TO-DATE INFORMATION AS OF APRIL 30, 2013

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
COUNCIL	136,333	49,743		1,100	998	
MAYOR'S OFFICE	218,005	69,437		1,200	612	
AUDITOR'S OFFICE	543,185	176,371		344,733	251	
TREASURER'S OFFICE	10,596	4,766		-	-	
LAW DIRECTOR	608,295	193,197		120,000	66,563	
MUNICIPAL COURT	1,507,800	462,678		1,249,380	505,703	
CIVIL SERVICE OFFICE	88,015	24,143		25,000	24,357	
PLANNING & ZONING	102,640	102,429		-	-	
COMPUTER SERVICES	375,385	113,966		349,267	349,493	
GENERAL EXPENSE	4,077,646	2,851,419		-	-	
GENERAL REVENUE	-	-		19,102,181	6,166,892	
POLICE DEPARTMENT	7,066,558	2,046,261		581,887	228,807	
DISASTER SERVICES	38,904	1,364		-	-	
FIRE DEPARTMENT	6,802,608	2,144,223		320,287	26,173	
DISPATCH CENTER	956,970	307,627		36,617	36,617	
N.E.A.T.	108,391	30,837		5,750	3,305	
HUMAN RESOURCES	177,963	37,688		-	-	
W.O.R.C.	331,553	101,422		130,000	31,600	
SERVICE SAFETY DIRECTOR	210,890	59,891		-	-	
ENGINEERING OFFICE	821,331	200,978		124,800	38,597	
PUBLIC BUILDING	365,747	89,138		29,150	25,168	
HEALTH DEPARTMENT	1,401,376	409,590		782,300	360,159	
ZONING	116,778	38,749		43,350	9,140	
PARK MAINTENANCE	434,306	154,967		70,300	63,603	
RESERVOIR RECREATION	3,911	991		-	-	
RECREATION FUNCTIONS	912,401	181,518		772,550	342,420	
CEMETERY DEPARTMENT	290,837	68,338		105,850	56,643	
TOTAL GENERAL FUND	27,708,424	9,921,731	35.8%	24,195,702	8,337,102	34.5%

CONTINUED ON REVERSE

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
SCM&R STREETS	2,429,718	657,669		2,234,459	904,710	
TRAFFIC-SIGNALS	293,415	60,038		70,000	70,409	
TOTAL SCM&R FUND	2,723,133	717,707	26.4%	2,304,459	975,119	42.3%
SCM&R HIWAYS	92,520	3,815		141,700	45,438	
TOTAL SCM&R HIWAYS FUND	92,520	3,815	4.1%	141,700	45,438	32.1%
AIRPORT OPERATIONS	1,208,254	370,093		1,034,986	417,633	
TOTAL AIRPORT FUND	1,208,254	370,093	30.6%	1,034,986	417,633	40.4%
WATER TREATMENT	2,159,008	538,796		17,000	105,082	
WATER DISTRIBUTION	1,496,007	452,543		60,000	51,760	
UTILITY BILLING	1,272,711	315,340		8,018,621	2,776,437	
SUPPLY RESERVOIR	598,013	106,854		17,664	2,864	
TOTAL WATER FUND	5,525,739	1,413,533	25.6%	8,113,285	2,936,141	36.2%
SANITARY SEWER MAINT	1,069,440	283,847		2,000	3,379	
STORMWATER MAINT	257,489	58,264		765,350	253,159	
WATER POLLUTION CONTROL	3,114,867	1,081,625		8,577,716	2,773,939	
TOTAL SEWER FUND	4,441,796	1,423,736	32.1%	9,345,066	3,030,476	32.4%
PARKING	101,741	33,567		94,600	50,578	
TOTAL PARKING FUND	101,741	33,567	33.0%	94,600	50,578	53.5%
SWIMMING POOL	72,008	2,280		60,000	60,000	
TOTAL SWIMMING POOL FUND	72,008	2,280	3.2%	60,000	60,000	100.0%
CIT ADMINISTRATION	15,720,641	4,437,478		18,653,500	8,424,053	
TOTAL CIT FUND	15,720,641	4,437,478	28.2%	18,653,500	8,424,053	45.2%


COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to discuss Community Reinvestment Areas #1 and #2.

We recommend that the expansion of the Community Reinvestment Area as proposed by Hancock Regional Planning Commission be presented to a Committee of the Whole for full review prior to consideration of legislation.

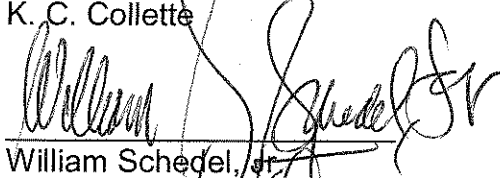
Aye Nay


W. Jerry Murray, Chairman

Aye Nay

ABSENT
K. C. Collette

Aye Nay


William Schedel, Jr.

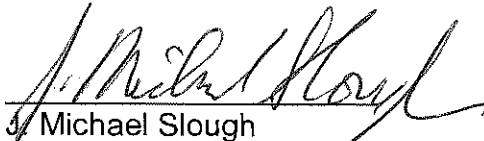
PLANNING & ZONING COMMITTEE

Aye Nay


Anne Spence

DATE: April 16, 2013

Aye Nay


Michael Slough

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Van Horn, Hoover and Associates on behalf of RJT Properties LLC to rezone 400, 414, and 418 West Main Cross Street, as well as 208 and 214 Liberty Street from I1 Light Industrial to C3 Downtown Commercial.

We recommend APPROVAL OF THE RE-ZONE.

Aye Nay W. Jerry Murray
W. Jerry Murray, Chairman

Aye Nay ABSENT
K. C. Collette

Aye Nay William Schedel, Jr.
William Schedel, Jr.

Aye Nay Anne Spence
Anne Spence

Aye Nay . Michael Slough
. Michael Slough

PLANNING & ZONING COMMITTEE

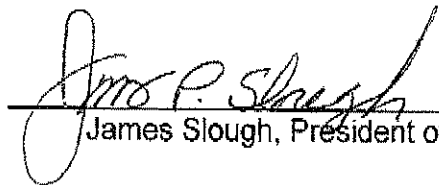
DATE: April 16, 2013

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A **COMMITTEE OF THE WHOLE** was held on April 30, 2013 to discuss Community Reinvestment Areas (CRAs).


James Slough, President of Council

COMMITTEE OF THE WHOLE

DATED: April 30, 2013

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
May 7, 2013**

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.

2013-019

(400, 414 & 418 W Main Cross, 208 & 214 Liberty St alley vacation)

Third reading

AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS DIETSCH BROTHERS ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

2013-020

(123 Cherry St rezone)

Third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 123 CHERRY STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C1 LOCAL COMMERCIAL" TO "C3 DOWNTOWN DISTRICT".

2013-024

(flood damage reduction ordinance)

Second reading

AN ORDINANCE REPEALING CURRENT CHAPTER 1351 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO AND IN ITS PLACE, ENACTING A NEW CHAPTER 1351 TO BE KNOWN AS THE FLOOD DAMAGE REDUCTION ORDINANCE.

2013-025

(maintenance agreement for 5-Plex)

Second reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A MAINTENANCE AGREEMENT WITH DB SOLUTONS FOR LANDSCAPING, MOWING, AND FIELD MAINTENANCE SERVICES FOR THE CITY OF FINDLAY'S CUBE AND 5-PLEX BASEBALL FIELDS, 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

MAY 7, 2013

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, MAY 7, 2013 MEETING.

RESOLUTIONS

- 014-2013 A RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDING AND ADDENDUM THERETO BETWEEN THE CITY OF FINDLAY AND PATRICIA WRIGHT, AND DECLARING AN EMERGENCY.
- 015-2013 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).
- 016-2013 A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
- 017-2013 A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCES

- 2013-026 AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS DIETSCH BROTHERS REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "C3 DOWNTOWN COMMERCIAL".
- 2013-027 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2013-028 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2014, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 014-2013

A RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDING AND ADDENDUM THERETO BETWEEN THE CITY OF FINDLAY AND PATRICIA WRIGHT, AND DECLARING AN EMERGENCY.

WHEREAS, Council is desirous of ratifying the Memorandum of Understanding and Addendum thereto executed by and between the City of Findlay and Patricia Wright.

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

SECTION 1: That the Memorandum of Understanding executed on February 27, 2013 and the Addendum thereto executed on April 15, 2013 between the City of Findlay and Patricia Wright be and the same are hereby ratified.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 015-2013

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

WHEREAS, Ohio Revised Code 5705.41(D) provides that if expenditures are incurred by a municipality without a purchase order, within thirty (30) days, the municipality must approve said expenditures.

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

SECTION 1: That the expenditures set forth on the attached list identified as "Exhibit A" which are identified by the appropriate voucher on previously appropriated funds be and the same are hereby approved, all in accordance with Ohio Revised Code 5705.41(D)

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

OVER PURCHASE ORDER/NO PURCHASE ORDER- COUNCIL AUTHORIZATION

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
TREASURER, STATE OF OHIO OHIO EPA	112847	25061000- 441000	WATER POLLUTION CONTROL	4563.37	OHIO EPA ANNUAL SEWAGE SLUDGE FEE	NO PURCHASE ORDER WRITTEN BECAUSE IT WAS DIFFICULT TO ESTIMATE THE AMOUNT DUE

RESOLUTION NO. 016-2013

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the eligible employees of the Findlay Fire Department participate in the Ohio Police & Fire Pension Fund, and;

WHEREAS, the Council of the City of Findlay, State of Ohio, has previously adopted pick-up of all of the ten percent (10%) of the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Fire Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund, and;

WHEREAS, Ohio Police and Fire pension Fund has adopted new procedures for reporting pick-up contributions in order to properly prepare 1099-R forms for its members, and;

WHEREAS, effective July 7, 2013, the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Fire Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund shall be ten and three-quarter per cent (10.75%).

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

SECTION 1: That all resolutions in conflict herewith be and the same hereby are repealed.

SECTION 2: That effective as of July 7, 2013, Council of the City of Findlay, State of Ohio, has determined to continue to pick-up all of the ten and three-quarter per cent (10.75%) of the mandatory contributions by the employees of the Fire Department who are members of the Ohio Police and Fire Pension Fund.

SECTION 3: That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the City of Findlay in lieu of said contributions by the employee.

SECTION 4: That said pick up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund.

SECTION 5: That said employees shall not be entitled to any option of choosing to receive the contribution amounts directly instead of having them paid by the City of Findlay, State of Ohio, to the Police and Fire Pension Fund.

SECTION 6: That this Resolution hereby is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary in order to be in compliance with Section 742.31 of the Ohio Revised Code.

SECTION 7: This resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 017-2013

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the eligible employees of the Findlay Police Department participate in the Ohio Police & Fire Pension Fund, and;

WHEREAS, the Council of the City of Findlay, State of Ohio, has previously adopted pick-up of all of the ten percent (10%) of the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Police Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund, and;

WHEREAS, Ohio Police and Fire Pension Fund has adopted new procedures for reporting pick-up contributions in order to properly prepare 1099-R forms for its members, and;

WHEREAS, effective July 7, 2013, the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Police Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund shall be ten and three-quarter per cent (10.75%).

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

SECTION 1: That all resolutions in conflict herewith be and the same hereby are repealed.

SECTION 2: That effective as of July 7, 2013, Council of the City of Findlay, State of Ohio, has determined to continue to pick-up all of the ten and three-quarter percent (10.75%) of the mandatory contributions by the employees of the Police Department who are members of the Ohio Police and Fire Pension Fund.

SECTION 3: That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the City of Findlay in lieu of said contributions by the employee.

SECTION 4: That said pick up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund.

SECTION 5: That said employees shall not be entitled to any option of choosing to receive the contribution amounts directly instead of having them paid by the City of Findlay, State of Ohio, to the Police and Fire Pension Fund.

SECTION 6: That this Resolution hereby is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary in order to be in compliance with Section 742.31 of the Ohio Revised Code.

SECTION 7: This resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-026

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS DIETSCH BROTHERS REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "C3 DOWNTOWN COMMERCIAL".

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

SECTION 1: That the following described property:

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

Being Lots 627, 629, 630, 631 and 632, together with the south eighty-eight feet (88') of Lot 628, and all adjacent vacated alleys as platted in the Vance Addition to the City of Findlay, Ohio.

SECTION 2: That said property above described herein be and the same is hereby rezoned from I1 Light Industrial to C3 Downtown Commercial.

SECTION 3: That from and after the effective date of this ordinance, said property above described herein shall be subject to C3 Downtown Commercial regulations.

SECTION 4: This Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-027

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

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

FROM:	Sewer Fund (<i>Stormwater Restricted Account</i>)	\$ 15,000.00
TO:	Fostoria Ave Drainage (Phase II) #32593600	\$ 15,000.00
FROM:	ODOT	\$ 352,880.00
FROM:	County Permissive Fund	\$ 88,220.00
TO:	ODOT Resurfacing/Street Improvements <i>Project #32821500</i>	\$ 441,100.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that the Fostoria Avenue Drainage Phase II project may continue with project design, and so that the HAN-Findlay Street Improvements Project may proceed,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-028

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, WITH OPTION YEARS, FOR THE PURCHASE OF THE MATERIALS, CHEMICALS, AND SERVICE AGREEMENTS NEEDED BY THE VARIOUS DEPARTMENTS OF THE CITY OF FINDLAY, OHIO COMMENCING JANUARY 1, 2014, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Findlay, 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 advertise for bids and enter into contracts with two (2) option years for the purchase of the materials, chemicals and service agreements needed by the various departments of the City of Findlay, Ohio, commencing January 1, 2014.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio and for the further reason that it is immediately necessary to furnish new materials, chemicals and service agreements for the various operating departments of the City of Findlay to continue their various essential services to its inhabitants;

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 _____