

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

August 6, 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 July 26, 2013 Regular Session City Council meeting minutes.

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

PROCLAMATION – none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTIONS NO. 026-2013 (*Cynthia Kimmert retirement*)

First reading

A RESOLUTION COMMENDING CYNTHIA KIMMET FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 027-2013 (*Carmen Bremer retirement*)

First reading

A RESOLUTION COMMENDING CARMEN BREMER FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 028-2013 (*Sheryl Yoder retirement*)

First reading

A RESOLUTION COMMENDING SHERYL YODER FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

WRITTEN COMMUNICATIONS:

Hancock County Board of Alcohol, Drug Addiction and Mental Health Services Executive Director Precia Stuby – waive water and sewer fees for special housing at 2627 Crystal Avenue

The Hancock County Board of Alcohol, Drug Addiction and Mental Health Services Board in collaboration with Century Health is in the process of applying for a Federal Home Loan Grant to assist with the development of special needs housing for individuals struggling with substance abuse. The grant they are submitting is graded on a point system. They are eligible to receive one additional point if they can obtain a commitment from the City to waive fees associated with water and sewer for the project (i.e. impact fees, capacity fees, tapping fees, rotary fees, etc. as applicable to the project). Mayor Mihalik suggested this request be brought to City Council for consideration. In order for the grant to be considered, they must receive a written commitment by August 7, 2013. Resolution No. 029-2013 was created.

ORAL COMMUNICATIONS – none.

PETITIONS - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay Shade Tree Commission – 2013 update.

Findlay City Board of Health minutes – June 19, 2013.

City Planning Commission agenda – August 8, 2013; minutes – July 11, 2013.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Defend Family LLC dba Thunderbird Drive Thru, located at 514 North Main Street, Findlay, Ohio for a C1 and C2 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Darlene A Kujawa DBA Thunderbird I, located at 514 North Main Street, Findlay, Ohio. A check of the records shows no criminal record on the following:
Ann M. Defend

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Shiv Baba Inc. dba 5K Carryout, located at 1790 East Melrose Avenue, Findlay, Ohio for a C1 and C2 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Shiv Baba Inc. dba 5K Carryout, located at 1790 East Melrose Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:
Ashish A. Patel

Service-Safety Director Paul Schmelzer – Wal-Mart Foundation grant

The Findlay Police Department received a non-matching grant donation in the amount of one thousand dollars (\$1,000.00) from the Wal-Mart Foundation for the Crime Prevention Bureau. In the past, the appropriation of funds from these grants was not referred to the Appropriations Committee. Legislation to appropriate funds is requested. Ordinance No. 2013-045 was created.

FROM: General Fund

\$ 1,000.00

TO: Police Department #21012000-other

\$ 1,000.00

Service-Safety Director Paul Schmelzer – Fire Department Appropriation

The 2013 Capital Improvements Plan includes twenty-two thousand dollars (\$22,000.00) for Fire Department apparatus maintenance. Thirteen thousand dollars (\$13,000.00) was appropriated earlier in the year for replacing the transmission on Engine 1, and an additional nine thousand dollars (\$9,000.00) is now needed to complete the necessary maintenance on Engine 2. Legislation to appropriate funds is requested. Ordinance No. 2013-045 was created.

FROM:	CIT – Capital Improvements	\$ 9,000.00
TO:	Fire Department #21014000-other	\$ 9,000.00

Mayor Lydia Mihalik – appointment to City Planning Commission

Request for confirmation for appointment of Dan Clinger to the City Planning Commission to fill the unexpired term of Grant Russel through July 6, 2015. This appointment does not require Council confirmation.

City Income Tax Monthly Collection Report – July 2013.

Service-Safety Director Paul Schmelzer – swimming pool umbrellas

In May of 2013, the Parks and Recreation Board met and reported to Council the decision to move forward with the purchase of two (2) umbrellas for the swimming pool. The umbrellas were chosen as a way to provide shade in lieu of relocating fencing to encompass a shelter house. The cost for fencing was originally included in the capital plan. Matt Stoffel collaborated on research with Will Welsh from the YMCA. These umbrellas are much more cost effective than the fence relocation. Cost of the umbrellas is three thousand four hundred five dollars (\$3,405.00) each. Due to the lower cost, the items do not meet the capital threshold of five thousand dollars (\$5,000.00), so they cannot be purchased with capital improvement funds. Legislation to appropriate funds is requested. Ordinance No. 2013-045 was created.

FROM:	General Fund	\$ 6,810.00
TO:	Swimming Pool #25076000-other	\$ 6,810.00

Findlay Police Department Activities Report – July 2013.

Service-Safety Director Paul Schmelzer – lease of Municipal Building parking spaces

Parking in the downtown area is a continuing discussion. The Service-Safety Director recently received a letter from FD Main Street, Ltd. requesting to lease twenty (20) parking spaces in the Municipal Building parking lot to be utilized by the properties at 320-326 South Main Street and 316 Dorney Plaza. Last year, the City moved reserved parking spaces in the Municipal Building lot to the Crawford Street parking lot to create more parking spaces for downtown businesses and their employee to utilize. This move has been well received. When examining the redevelopment momentum that the downtown area has, it seems obvious that the City should collaborate with the private sector and our economic development arm to further develop a strategy to address parking in the downtown area. Forwarding this request to the Parking Authority for an informal meeting is requested. Those requesting to lease parking spaces have been asked to attend the August 6, 2013 City Council meeting to provide more insight into the project.

City Auditor Jim Staschiak – appropriation/transfer of funds as discussed during the mid-year review meeting

As mentioned during the mid-year review, there are several appropriations/transfers to be addressed during the August 6, 2013 meeting. Due to the present need for the fund, legislation to appropriate and transfer funds is requested on an emergency basis. Ordinance No. 2013-045 was created.

COMMITTEE REPORTS:

The **WATER AND SEWER COMMITTEE** to whom was referred a request from the Service-Safety Director to discuss the MS4 permit. *We recommend continued effort to improve the compliance and enforcement of the MS4 permit.*

The **PLANNING & ZONING COMMITTEE** to whom it was referred a request from Philip Rooney to rezone 721 Rockwell Avenue in the Wyoming Place Addition from I1 Light Industrial to R3 Single Family. *We recommend rezone of 721 Rockwell Avenue to R3 Single Family and the P&Z Committee recommends that adjacent residences do the same. Ordinance No. 2013-046 was created.*

The **PLANNING & ZONING COMMITTEE** to whom it was referred a request from Philip Rooney to rezone 133 Hillcrest Avenue in the Brown Addition from R1 Single Family Low Density to O1 Institutions & Offices. *We recommend acceptance of the request to rezone from R1 to O1 Institutions and Offices. Ordinance No. 2013-047 was created.*

The **PLANNING & ZONING COMMITTEE** to whom it was referred a request from Harrison Griffith to vacate part of north of Fifth Street and being adjacent to lots 5543, 5544, 5545, 5485, 5486, and 5487 in the Leiser Addition. *We recommend vacation of said right-of-way. Ordinance No. 2013-048 was created.*

The **PLANNING & ZONING COMMITTEE** to whom it was referred a request from Philip Rooney to annex the real property described in the Darway annexation petition, and that upon annexation to the City, that the property be zoned as C2 General Commercial District. *We recommend annexation of said property into the city of Findlay.*

The **APPROPRIATIONS COMMITTEE** to whom it was referred a request from the Service-Safety Director to appropriate funds for Byal Avenue improvements (Phase II) CDBG FY2012 and OPWC project #32523000.

FROM: OPWC	\$ 250,000.00
FROM: CIT – Capital Improvements	\$ 1,000.00
TO: Byal Avenue Improvements (Phase II) project #32523000	\$ 251,000.00

We recommend approval of above request. Ordinance No. 2013-045 was created.

The **APPROPRIATIONS COMMITTEE** to whom it was referred a request from the Service-Safety Director to discuss Health Care Plan Wellness. We recommend continued progress in obtaining a vendor. Ordinance No. 2013-049 was created.

The **APPROPRIATIONS COMMITTEE** to whom it was referred a request from the Service-Safety Director to appropriate funds from CIT Capital Improvements to Water Treatment Plant project #357111 for the repair of the 24" water line. Request for \$400,000.00 per the Capital Improvement Plan. We recommend approval of the above request. Ordinance No. 2013-045 was created.

A **COMMITTEE OF THE WHOLE** to whom it was referred a request from the City Auditor for a mid-year budget review.

LEGISLATION: RESOLUTIONS

RESOLUTION NO. 026-2013 - See page 1
RESOLUTION NO. 027-2013 - See page 1
RESOLUTION NO. 028-2013 - See page 1

RESOLUTION NO. 029-2013 (waiving fees – special needs housing 2627 Crystal Ave) **First reading**
A RESOLUTION AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO WAIVE ZONING PERMIT FEES THROUGH THE CITY'S ENGINEERING DEPARTMENT, AS WELL AS WATER AND SEWER FEES FOR THE VACANT PROPERTY LOCATED AT 2627 CRYSTAL AVENUE DESIGNATED AS A SPECIAL NEEDS HOUSE, AND DECLARING AN EMERGENCY.

ORDINANCES

ORDINANCE NO. 2013-037 (Read alley vacation) **Third reading**
AN ORDINANCE VACATING A CERTAIN ALLEY (HEREINAFTER REFERED TO AS READ ALLEY VACATION) IN THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2013-044 (gas aggregation renewal) **First reading**
AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE MAYOR TO EXECUTE A SUPPLY AGREEMENT WITH CONSTELLATION ENERGY GAS CHOICE, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND NOVEMBER 2013 WHEN THE CURRENT SUPPLY AGREEMENT ENDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-045 **First reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-046 (Rockwell 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 ROCKWELL REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "R3 SINGLE FAMILY".

ORDINANCE NO. 2013-047 (Hillicrest 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 HILLCREST REZONE) WHICH PREVIOUSLY WAS ZONED "R1 SINGLE FAMILY LOW DENSITY" TO "O1 INSTITUTIONS AND OFFICES.

ORDINANCE NO. 2013-048 (Griffith ROW vacation) **First reading**
AN ORDINANCE VACATING A PORTION OF FIFTH STREET RIGHT-OF-WAY (HEREINAFTER REFERED TO AS GRIFFITH RIGHT-OF-WAY VACATION) IN THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2013-049 (Health Care Plan Wellness) **First reading**
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS WITH BRAVO WELLNESS, LLC FOR THE IMPLEMENTATION OF A HEALTH MANAGEMENT PLAN, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS

July 31, 2013

President, Findlay City Council
James Slough
Municipal Building
318 Dorney Plaza, Room 310
Findlay, Ohio 45840

Dear Mr. Slough,

I am writing for your help with an immediate request. Our Board, in collaboration with Century Health, is in the process of applying for a Federal Home Loan Grant to assist with the development of special needs housing for individuals struggling with substance abuse. We have a currently vacant property under contract (contingent on approval of the grant) located at 2627 Crystal Ave. in Findlay, Ohio. The grant we are submitting is graded on a point system. We are eligible to receive one additional point if we can obtain a commitment from the city to waive fees associated with water and sewer for the project (examples of fees include impact fees, capacity fees, tapping fees, rotary fees etc. as applicable to the project).

I have discussed this request with Mayor Lydia Mihalik and she is in support of having this item brought to City Council for consideration and asked that I submit the request directly to you. In order to be considered with the grant, we must receive a written commitment by August 7th.

On behalf of the Hancock County Board of Alcohol, Drug Addiction and Mental Health Services and Century Health, we appreciate your consideration of this request. Please let me know if any additional information is needed.

Respectfully submitted,

Precia Stuby, LISW-S
Executive Director

Cc: Mayor Lydia Mihalik

July 15, 2013

Findlay City Council
c/o Denise DeVore, Clerk
318 Dorney Plaza, Room 114
Findlay Ohio 45840

Re: Findlay Shade Tree Commission 2013 Update

Dear City Council Members,

Findlay has been designated a Tree City USA Community for the 31st year by the National Arbor Day Foundation. Mayor Lydia Mihalik represented the City at the state's presentation in May to receive this well-deserved achievement. It is no doubt due to the collective efforts of the City Departments, City Council's support and our citizen / volunteers who have kept Findlay's urban forest improving.

The Findlay Shade Tree Commission thanks City Council for the \$4500 allocation to have a fall Adopt-A-Tree Program. Plans and promotions are in place for accepting applications by September, with distribution of an estimated 50 trees set for Saturday October 5.

Our community is suffering a severe loss of trees due to the Emerald Ash Borer disease, recent storms and an aging tree population. We are looking to partner with various groups to restore many lost trees, whose removal and replanting have already begun. But there is so much more to do. We hope to leverage money to stretch public funds from such grants as The Community Foundation and public-private partnerships.

An on-going challenge grant opportunity for "NeighborWoods" Adopt-A-Tree Program is being developed with The Community Foundation, which can be matched with donations from selected neighborhoods and City Funds, to work with neighborhoods to plant trees on a larger scale. These neighborhood projects can occur each spring near Arbor Day, while the Tree Commission keeps the annual Adopt-A-Tree Program in the fall.

For 2014, we request to be included in the City Budget process, earmarking funds to include various tree planting projects like "NeighborWoods" and the Downtown, in addition to the Adopt-A-Tree Program. This flexibility will increase the Tree Commission opportunities to better utilize whatever funds City Council can allocate. Thank you.

For the Findlay Shade Tree Commission

Sincerely,


Tim Brugeman
Chair

c. Mihalik, Schmelzer, Stoffel, Tree Commission

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

June 19, 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*
- A Mr. William Alge
- X Dr. Robert McEvoy
- X Mrs. Joan Work
- X Mr. James Niemeyer

Staff Attendance:

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

Guests

Call to Order: Mayor Lydia Mihalik, called the meeting to order at 7:31 A.M.

Minutes: Mayor Mihalik called for a motion to approve the minutes of the May 15, 2013 Board Meeting. Mr. Cline moved to accept the minutes of the May 15, 2013 Board of Health meeting as circulated. Seconded by Mr. Dr. McEvoy. **Motion carried 4-0.**
Filed.

HEALTH COMMISSIONER REPORT

1. Dr. Mills reported on his recent attendance at the Public Health Combined Conference held in Columbus. He shared a couple of messages he took home which included the need to focus on total health. The Ohio Department of Health has identified several focus areas for 2013-2014 which include infant mortality, tobacco initiatives, obesity efforts and electronic medical records and connectivity. ODH Director Dr. Ted Wymyslo addressed the group and stressed combining clinical medicine with public health. Dr. Mills also noted the importance of prevention which was highlighted by a keynote speaker from the Robert Wood Johnson Foundation.
2. Dr. Mills has been invited to a meeting on July 15th at the Community Foundation to discuss the Master Trails Plan and how the Community Foundation can help.
3. A June 4, 2013 Sustainability Coalition meeting was attended by Dr. Mills and because of recent newspaper coverage there was discussion regarding the perceived connection to Agenda 21. Dr. Mills admitted that he was not familiar with Agenda 21 and had to do some research himself. The local group is involved with watershed projects, community gardens and bike and walking trails which are all projects he is interested in and supports from a public health perspective.
4. August 10, 2013 will be the dedication for the new walking signage at Emory Adams park. After a meeting with Brian Robertson it was decided that it would be beneficial to hold the dedication after the 5K run held during the Balloonfest. This would ensure we reach a large audience.

DEPUTY HEALTH COMMISSIONER REPORT

1. The new Clerk/Deputy Registrar, Christine Carrigan, was introduced to the Board of Health. Her first day was Wednesday June 12. Mrs. Carrigan has an Associate's Degree in Applied Business and has most recently been serving as the Administrator of Something Special Day Care. She has been spending the last week getting oriented to her new roles.
2. Mrs. Wilhelm reminded the Board of Health of a conversation several months ago regarding the city's plan to limit part time employees to less than 25 hours per week due to anticipated changes with the Affordable Care Act. This would prove a hardship to the nursing department as Public Health Nurse Cassie Van Horn works 28 hours per week and the loss of a half day would be difficult. Since that time Mrs. Wilhelm and Mrs. Bern have been evaluating the nursing programs. Several charts were distributed to the Board demonstrating nursing total revenues and revenues and expenses per nursing program as well as hours spent per program. Time studies reveal that the most time consuming program is immunizations. It is also the highest revenue producer. The second most time consuming program is communicable disease investigation and control. This is a mandated function of the health department and carries no revenue. The nurses have been spending increased amounts of time on BCMH, Help Me Grow and MAC, all of which have helped to spur the increase in revenue seen in the nursing program. Help Me Grow is a new program and has a lot of potential for growth. Mrs. Wilhelm feels that with careful oversight Help Me Grow can be a break even program and can provide huge benefits in terms of improving public health for the community. We have not done anything in terms of "marketing" the program and have not reached out to young veterans with families at this point. Children of veterans would automatically qualify for the program but at this point we don't have enough manpower to expand. There is a lot of evidence that these types of home visiting programs produce long term positive results and Mrs. Wilhelm believes we should be investing more hours into this program and not cutting any nursing hours. Mrs. Wilhelm also pointed out that in the time study the nurses actually reported more hours than should have been available during the time period studied. Upon investigation it was revealed that this is because the two full time nurses were working over 40 hours in a week. These nurses are overtime exempt so they are not being paid overtime and because of the amount of work it is difficult for them to flex their time to make up for these hours. Mrs. Wilhelm also pointed out that because the Nursing Director is spending so much of her time performing public health nursing duties such as home visits, immunization clinics etc she is not spending enough time on policy updates, staff and program development and other management responsibilities. This will prove to be detrimental in the long run and especially as we continue to work toward accreditation. Mrs. Wilhelm stated she has tried to be as creative with staffing and programming as she could over the last 10 years but is no longer sure how to proceed. She fully recognizes that asking for increased staffing is not well received and asked the Board for guidance. Mrs. Work stated we need to remember that we have a responsibility for the health of the community. She inquired as to how much additional help is needed. Mrs. Wilhelm replied that if we are going to ask for additional staff we need to start preparing the case for that now so that when

budget time arrives we will be able to justify the request. Mayor Mihalik asked about the time frame for such a request to which Mrs. Wilhelm replied there is no money in the budget right now so she would be willing to prepare a case now and present it as we prepare budgets for 2014. Mayor Mihalik advised that it would be important to watch revenues over the rest of the year to see where we are at the end of the year. Mr. Cline agreed that it makes sense to "put our ducks in a row" to make a case for changing staffing levels. Dr. McEvoy inquired as to whether programs such as immunizations are making money. Mrs. Wilhelm responded that for the first time that she is aware nursing revenue is outpacing nursing expense for the first half of the year. Dr. McEvoy felt this is certainly an important consideration in whether we expand programs or staff. Mr. Cline is willing to work with Mrs. Wilhelm on this.

3. The department has had some discussion on improving communications with the public. We have identified that texting is a good method of contacting clients regarding Help Me Grow visits as young moms seem to prefer this method. Mrs. Wilhelm and Mrs. Rathburn have also been working on a Facebook page for the health department as a more "instant" way to communicate with the public. City Administration is also looking at updating the website so it is hoped the health department can benefit from that. Mrs. Wilhelm added that with development of a facebook page we will need to look at putting together policies for the management and oversight of the page.

NURSING REPORT

1. Mrs. Bern explained the process and requirements for the nursing department to handle communicable disease reports. Different reportable diseases take a differing amount of follow-up and can vary from days to weeks to months. An active TB case, for example, can take months from the time of first report to the time the follow-up is complete. She also explained that we are also seeing higher numbers of reports in the various disease categories. In particular she noted that we have had several reports of TB as well as a jump in Hepatitis C reports among younger adults. A common risk factor for these reported Hep C cases is drug involvement. Mayor Mihalik inquired as to the total cases so far this year to which Mrs. Bern replied 24. We had a total of 50 cases reported last year with 21 being reported in the third quarter and 25 being reported in the fourth quarter. Hepatitis C is another disease that can be quite time consuming to follow as these younger individuals may not have doctors or resources to seek treatment. Part of the nurse's investigation is to educate and link individuals to services. It can also be quite challenging to even track down these individuals and may require phone calls, letters and visits. This has helped account for an increase in staff time needed to complete these investigations. Chlamydia was also identified as a disease that is increasing in reporting frequency and Mrs. Bern feels this indicates a need for more education. Mr. Cline questioned whether the increase in numbers could just be coming from better surveillance. Mrs. Bern acknowledged that the state is seeing some of these same increases and they are also looking at this more closely. Mrs. Wilhelm added that she felt that perhaps increased blood screening at Biolife may be identifying more cases. Mr. Cline asked if the nursing department is working with the

epidemiologist on this. Chad Masters has been asked to take a closer look at this but some limitations on what can be pulled from the state's reporting system have been identified. Mr. Masters has a call in to the state to see if they will work with him to set up a query to extract additional information. He will try to put something together for the next meeting. He added that in his conversation with the state he was notified that they are trying to put someone in charge of overseeing Hepatitis C cases that are being reported at the state level. More discussion was held regarding the issues associated with drug abuse and other reasons for increased time spent on communicable disease such as unusual tests, the at risk vaccine program and HIV and Hep C testing offered at the health department.

ENVIRONMENTAL HEALTH REPORT

1. The Swimming Pool survey with ODH has been scheduled for July 25, 2013. A representative from the state will be here at that time to review our program. The review shouldn't last more than a day.
2. The annual Safety Town sessions have been going on. Craig Niese presented at the first session and Sanitarian Kurt Schroeder will be presenting tomorrow.

EMERGENCY RESPONSE / EPI REPORT

1. Mr. Masters informed the Board that a meeting with the Hancock County Commissioners will be held on June 20th to discuss the responsibilities of the county for indigent individuals with suspected or confirmed tuberculosis (TB). The intent of the meeting is to ensure that logistically, all the pieces are in place for this type of event. Attendees will include: Maureen Murphy-Weiss, TB control officer at the Ohio Department of Health (she will also be presenting); members of the Findlay City and Hancock County Health Departments; Colleen Abrams, Infectious Disease Preventionist at Blanchard Valley Hospital; Dr. Nate Ratnasamy, Infectious Disease Practitioner; Mayor Lydia Mihalik. Mayor Mihalik announced that Denise Grant from The Courier newspaper will also be present for the meeting. Mr. Masters will provide an update to the Board at the July meeting.

PLUMBING REPORT

1. Mr. Helms inquired as to whether the Board wished to waive the plumbing fees for the latest Habitat House being constructed at 112 McKinley St. **Dr. McEvoy moved to waive the fees for the Habitat House at 112 McKinley St.** Seconded by Mr. Cline. **Motion carried 3-0.** Filed (Mrs. Work had to leave the meeting early.)

MEETING REQUESTS

No travel requests were submitted.

OLD/UNFINISHED BUSINESS

None

NEW BUSINESS

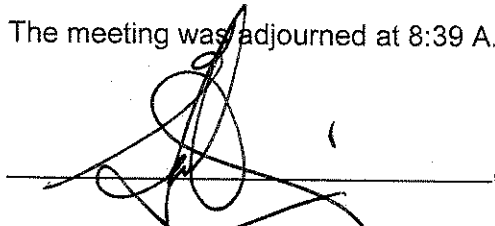
None

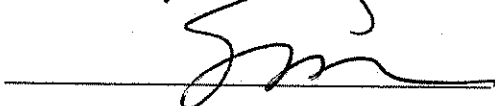
EXPENSES

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

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

The meeting was adjourned at 8:39 A.M.


_____, President


_____, Secretary (Health Commissioner)

City of Findlay City Planning Commission

Thursday, August 8, 2013 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

- 1. PETITION FOR ZONING AMENDMENT #ZA-07-2013** filed by Philip L. Rooney, as agent for the Darway Annexation to zone approximately 3.83 acres on US 224 (Trenton Avenue) to C-2 General Commercial upon its annexation to the City of Findlay.
- 2. SITE PLAN APPLICATION #SP-14-2013** filed by Ohio Logistics Ltd. for the expansion of a warehouse building and an addition warehouse building at 12560 Distribution Drive.
- 3. FINAL PLAT APPLICATION #FP-07-2013** filed by Affordable Mike's LLC, 115 ½ 21st Street, Findlay, OH 45840 for a Replat of Lots 17 and 18 of the North End Commercial Park 1st Addition.
- 4. SITE PLAN APPLICATION #SP-15-2013** filed by Northend Properties, 1100 W. Main Cross Street, Findlay, OH for storage units to be located at 3640 Marathon Way, Findlay.

ADMINISTRATIVE APPROVALS

ADJOURNMENT

City of Findlay City Planning Commission

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

Minutes

MEMBERS PRESENT:

Mayor Lydia Mihalik
Director Paul Schmelzer
Thom Hershey
Joe Opperman

STAFF ATTENDING:

Judy Scrimshaw, HRPC Staff
Matt Pickett, FFD
Steve Wilson, City Engineer
Matt Cordonnier, HRPC Director

GUESTS:

Dan Stone, Phil Rooney, Dave Moore, Brian Thomas, Dr.
Mutchler, Harrison Griffith, Bob Williams

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Lydia Mihalik
Director Paul Schmelzer
Thom Hershey
Joe Opperman

SWEARING IN

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

APPROVAL OF MINUTES

J. Opperman moved to approve the minutes of the June 13, 2013 meeting. T. Hershey seconded.
Motion to accept carried 4-0.

NEW ITEMS

1. **FINAL PLAT #FP-05-2013** filed by Brookview Homes, Inc., 401 Scarlet Oak Drive, Findlay, OH for **Somerset Park 1st Addition**.

HRPC

General Information

This is a residential subdivision located off the south side of CR 95 in Section 2 of Liberty Township. It is zoned R-1 One Family in the Township. All abutting land is also zoned R-1 One Family in Liberty Township. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Large Lot.

Parcel History

A new Preliminary Plat was reviewed and approved by FCPC at the June 13, 2013 meeting.

Staff Analysis

This phase of the subdivision contains four (4) lots off the south end of Silver Lake Drive.

The Final Plat is consistent with the Preliminary Plat approved last month.

HRPC Staff recommends approval of the Final Plat of Somerset Park 1st Addition.

ENGINEERING

Construction plans are being reviewed.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve the Final Plat of Somerset Park 1st Addition.

DISCUSSION

J. Scrimshaw stated she wished to add a condition to the staff report that a temporary turnaround be placed on the end of Silver Lake Drive. S. Wilson commented that the construction plans are for the project are ready to go.

D. Stone stated that the turnaround is shown on the construction plans submitted.

MOTION:

T. Hershey made a **motion to approve FINAL PLAT #FP-05-2013 for Somerset Park 1st Addition** subject to the conditions noted:

2nd. J. Opperman

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

2. **FINAL PLAT #FP-06-2013** filed by Brookview Homes, Inc., 401 Scarlet Oak Drive, Findlay, OH for **Somerset Park 2nd Addition**.

HRPC

General Information

This is a residential subdivision located off the south side of CR 95 in Section 2 of Liberty Township. It is zoned R-1 One Family in the Township. All abutting land is also zoned R-1 One Family in Liberty Township. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Large Lot.

Parcel History

A new Preliminary Plat was reviewed and approved by FCPC at the June 13, 2013 meeting.

Staff Analysis

This phase of the subdivision consists of nine (9) new lots off the south end of Still Waters Drive.

The Final Plat is consistent with the Preliminary Plat approved last month.

HRPC Staff recommends approval of the Final Plat of Somerset Park 1st Addition.

ENGINEERING

Construction plans are being reviewed.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve Final Plat #FP-06-2013 of Somerset Park 2nd Addition.

DISCUSSION

J. Scrimshaw stated that once again she wished to add a condition that a temporary turnaround be placed on the end of Coldwater Creek Drive. S. Wilson stated that the construction plans are fine. D. Stone commented that the temporary turnaround is included on those plans as well.

MOTION:

T. Hershey made a **motion to approve FINAL PLAT #FP-06-2013** of Somerset Park 2nd Addition with the addition of the temporary turnaround on the end of Coldwater Creek Drive.

2nd: J. Opperman

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

3. SITE PLAN APPLICATION #SP-13-2013 filed by Stanford 101, LTD, 101 Stanford Pkwy., Findlay for **storage units** at 101 Stanford Pkwy., Findlay, OH.

HRPC

General Information

This parcel in this request is zoned I-1 Light Industrial. It is bounded by other parcels that are also zoned I-1, the Blanchard River and I-75. The City Land Use Plan designates the area as Industrial. Portions of the parcel are in the 100 year flood plain.

Parcel History

The site is occupied by the Advanced Novelty company and some existing storage unit buildings.

Staff Analysis

The applicant is proposing to add a 65' x 120' storage building along the I-75 side of the lot. The business is currently on two separate parcels. This building crosses a property line at its southwest corner. The two parcels need to be combined or it fails to meet setback requirements. If the parcels are combined, the project will meet the building separation required of 25'. The combination can be done by a simple deed process.

This approval of this site plan does not include the area labeled "future expansion".

An elevation view of the building was submitted. The tallest portion of the building is 18 feet. This is well below the maximum permitted height of 40 feet.

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-13-2013** for **warehousing and mini warehouse units** at 101 Stanford Pkwy. subject to the combination of the two parcels into one parcel.

ENGINEERING

Applicant is only seeking approval for the proposed building. They are aware that a full interior sprinkling system will be required if the future building is constructed as shown.

Access – Current access will not change and is sufficient for the proposed use.

Water & Sanitary Sewer – No extension of these services to the building is proposed.

Stormwater Management – Existing site currently uses an adjacent drainage ditch for detention. Detention capacity is adequate for the proposed building. Applicant shall agree to maintain the ditch by keeping it clean to the planned grades and elevations. A drainage easement to the City shall be recorded giving the City the right to enter the property for maintenance in the event the property owner does not comply with the maintenance agreement in the future.

Sidewalks – Existing sidewalks will remain in place. No new walks are required.

Recommendation: Approval of the plan subject to agreement on ditch maintenance requirement.

The following permits will be needed prior to construction:

- Approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

If structure is determined to fall under the OBC S-1 Use Group (Moderate Hazard Storage), joining the proposed building with a future expansion will require a sprinkler system, unless separated with a firewall. Apply for proper permits with WCBD.

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-13-2013** for warehousing and mini warehouse units at 101 Stanford Parkway subject to the following conditions:

1. Combination of the two parcels into one (HRPC)
2. Apply for proper permits with Wood County Building Dept. (WCBD). (FIRE)
3. Applicant shall agree to maintain the ditch by keeping it clean to the planned grades and elevations. A drainage easement to the City shall be recorded giving the City the right to enter the property for maintenance in the event the property owner does not comply with the maintenance agreement in the future. (ENG)

DISCUSSION

S. Wilson stated that there had been issues with this ditch previously. The City had removed a small dam put in place in the 1990's. He is working with ODOT on the I-75 widening project. There may be an adjustment in the location of the limited access easement. He does not think it will impact the existing drainage ditch. He also noted that the site is above the 100 year flood plain.

M. Pickett noted that he understands there may be an increase in the proposed size of the building. If the dimensions he has are true, it still will fall under the square footage to require sprinklers.

B. Thomas replied that the applicant hopes to do a 150' building instead of the 120' as shown on the plans. They would be adding to the north side. J. Scrimshaw stated that she had spoken to Brian about this yesterday and had forwarded the potential change on to Matt Pickett and Steve Wilson to let them have a chance to review and make any comment today if needed.

J. Opperman asked if requiring a bond to cover the ditch maintenance would be possible. P. Schmelzer replied that a bond for this situation would be difficult to administer. The maintenance required here is similar to that for a swale. There was never any easement in place giving the City the right to enter and take care of it if necessary. Getting the easement would permit that access and then they City could assess the owner the costs of them doing the maintenance.

P. Schmelzer stated he has no problem with approving the expansion for an additional 30' on the building.

MOTION:

T. Hershey made a **motion to approve SITE PLAN APPLICATION #SP-13-2013** for **warehousing and mini warehouse units** at 101 Stanford Parkway with the additional 30' of building subject to the following conditions:

1. Combination of the two parcels into one (HRPC)
2. Apply for proper permits with Wood County Building Dept. (WCBD). (FIRE)
3. Applicant shall agree to maintain the ditch by keeping it clean to the planned grades and elevations. A drainage easement to the City shall be recorded giving the City the right to enter the property for maintenance in the event the property owner does not comply with the maintenance agreement in the future. (ENG)

2nd. P. Schmelzer

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

4. CONDITIONAL USE APPLICATION #CU-02-2013 filed by Amanda Crates, 23535 TR 68, Dunkirk, OH for a Reception facility incidental to Funeral Services at 219 W. Sandusky Street, Findlay, OH.

HRPC

General Information

This site is located on the south side of W. Sandusky Street east of S. West Street. The property is currently zoned C-2 General Commercial. All surrounding parcels are also zoned C-2. The building is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Downtown.

Parcel History

None

Staff Analysis

This site was a single family home built in the late 1800's. The residence sat vacant for several years. It has recently gone through a major renovation.

The applicant is proposing to use the building in conjunction with the Coldren Crates Funeral Home. Funeral Service is a conditional use in the C-2 General Commercial district. This will be an expansion of the current conditional use to another building/lot.

The building will be used as reception area for families to use. Currently if there are multiple viewings/services space for relatives to congregate gets tight. This will provide additional space to alleviate that congestion. Only the first floor is available for use. There are kitchen facilities provided also.

Parking will be handled with the existing lots that the funeral home owns.

Staff Recommendation

HRPC Staff recommends approval of **CONDITIONAL USE APPLICATION #CU-02-2013** for a Reception facility incidental to Funeral Services at 219 W. Sandusky Street, Findlay, OH.

ENGINEERING

No Comment

FIRE PREVENTION

Apply for proper permits with WCBD

STAFF RECOMMENDATION

Staff recommends approval of **CONDITIONAL USE APPLICATION #CU-02-2013** for a Reception facility incidental to Funeral Services at 219 W. Sandusky Street **subject to the following conditions:**

- Apply for proper permits with WCBD (FIRE)

DISCUSSION

M. Pickett commented that this is currently under building code and fire code violation. They do not have the proper permits in place at this time. Not sure where they are in the process.

Dave Moore commented that if the proper permits have not been pulled he felt that the request should be denied.

P. Schmelzer stated that not having the permits could result in occupancy being denied. We are deciding if the use should be approved. He feels that the request makes sense as an extension of the funeral home business.

MOTION: P. Schmelzer made a **motion to approve CONDITIONAL USE APPLICATION #CU-02-2013** for a Reception facility incidental to Funeral Services at 219 W. Sandusky Street, Findlay, OH.

2nd: T. Hershey

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

5. ALLEY/STREET VACATION PETITION #AV-05-2013 filed by Harrison Griffith, 800 5th Street, Findlay to vacate the unimproved right of way of Leiser Avenue north of 5th Street.

HRPC

General Information

This request is located off the north side of 5th Street.

Parcel History

None

Staff Analysis

The applicant is requesting to vacate an unimproved 60' right of way for Leiser Avenue running north from 5th Street. Both owners abutting the right of way have signed the petition.

A portion of the Leiser Street right of way was replatted into a newer subdivision with a cul-de-sac street running south from 3rd Street. This newer subdivision ended at the north property lines of the parcels in this request. The remainder of the old right of way falls between 734 and 800 5th Street. It appears that there is a driveway being used by Mr. Griffith that is in the right of way and possibly a structure at the north end.

The Auditor will divide the right of way down the center with 30' going to each owner. If the Auditor's mapping is close to accurate the drive may encroach into the 30' that will go to the owner of 734 5th Street. It will be the property owners' responsibility to handle that potential issue.

Staff Recommendation

HRPC Staff recommends approval of the vacation.

ENGINEERING

No objection, however, we recommend language be placed in the Vacation Ordinance adopted by Council that reflects the existence of a 6" waterline within this vacated right of way and that the abutting property owners will accept responsibility for damages to any fences or any other appurtenances caused by maintenance of the waterline.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends Approval of **ALLEY/STREET VACATION PETITION #AV-05-2013** to vacate the unimproved right of way of Leiser Avenue north of 5th Street subject to:

- language being placed in the Vacation Ordinance adopted by Council that reflects the existence of a 6" waterline within this vacated right of way and that the abutting property owners will accept responsibility for damages to any fences or any other appurtenances caused by maintenance of the waterline.

DISCUSSION

T. Hershey asked if the waterline is in the center of the right of way. S. Wilson explained that the waterline was placed here to serve the replatted Leiser Addition north of these lots and it runs at an angle. It may have been placed in that manner to avoid some of the existing obstacles when it was built.

T. Hershey asked why we did not require that subdivision to have a stub street connecting is out to 5th Street. J. Scrimshaw explained that it is fine as a cul-de- sac. It meets all the requirements of the subdivision regulations. The land to the south was already platted.

MOTION: T. Hershey made a **motion to recommend approval of ALLEY/STREET VACATION PETITION #AV-05-2013** to vacate the unimproved right of way of Leiser Avenue north of 5th Street to Findlay City Council.

2nd: P. Schmelzer

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

6. PETITION FOR ZONING AMENDMENT #ZA-05-2013 filed by Huntington National Bank to rezone 721 Rockwell Avenue from I-1 Light Industrial to R-3 Single Family Small Lot.

HRPC

General Information

This parcel is located on the south side of Rockwell Avenue between Broad Avenue and Fox Street. It is currently zoned I-1 Light Industrial. Abutting land on the south, east and west of the proposal are also zoned I-1. To the north is zoned C-2 General Commercial. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Industrial.

Parcel History

This lot has been a residential site since the home was built in 1958.

Staff Analysis

The applicant is requesting to change the zoning to R-3 Single Family Small Lot. This has always been a strip of residential uses. It has always been in an Industrial zoning classification as well.

Although the land use map also agrees that it should be industrial, Staff feels this has been a long time error in mapping. We would have no issue with changing all nine (9) of the homes in this stretch to R-3. There are also homes along the east side of Fox Street that need to be changed to a residential classification. Staff does not see this area as having much potential for industrial development.

This will be an area that will undergo a change of mapping when we begin that process. The Land Use Plan map can also be updated at that time.

Staff Recommendation

HRPC Staff recommends that FCPC recommend approval to Findlay City Council to rezone 721 Rockwell Avenue from I-1 Light Industrial to R-3 Single Family Small Lot.

ENGINEERING

No Comments

FIRE PREVENTION

No Comments

STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of PETITION FOR ZONING AMENDMENT #ZA-05-2013 to rezone 721 Rockwell Avenue from I-1 Light Industrial to R-3 Single Family Small Lot.

DISCUSSION

J. Scrimshaw stated that this parcel is owned by the Bank and is guessing that the zoning is creating difficulty for the sale of the home.

P. Schmelzer asked P. Rooney if that is the reason for the request. P. Rooney stated that yes, the home has been vacant for quite some time and its legal nonconformity may have expired now. They would have liked to have done the entire strip at once but no one would have paid for the extra work to do that now. There are also some businesses nearby like the Super 8 Motel that are probably zoned industrial as well that need changed.

MOTION: P. Schmelzer made a **motion to recommend approval of PETITION FOR ZONING AMENDMENT #ZA-05-2013** to rezone 721 Rockwell Avenue from I-1 Light Industrial to R-3 Single Family Small Lot to Findlay City Council.

2nd: T. Hershey

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

7. PETITION FOR ZONING AMENDMENT #ZA-06-2013 filed by Catherine A. Mutchler to rezone 133 Hillcrest Avenue from R-1 Single Family Low Density to O-1 Institutions & Offices.

HRPC

General Information

This request is located on the south side of Hillcrest Avenue. It is zoned R-1 Single Family Large Lot. Abutting land on all sides of the proposal are also zoned R-1. It is not within the 100 year flood plain. The City Land Use Plan designates the area as Single Family Medium Lot.

Parcel History

Originally constructed as a duplex in the early 1970's this site is currently a vacant former dental office.

Staff Analysis

The applicant is requesting to change the zoning of this parcel to O-1 Institutions & Offices to legitimize it for a potential new buyer. Staff researched the property history to find out how this use came to be in this residential neighborhood.

This was originally a duplex constructed in 1974 according to building permits in the zoning office. The area was zoned B Residential at the time which did permit 2 family units.

It appears that initially Dr. Warnock resided in half of the duplex and had his offices in the other half. This may have been granted as a home occupation. In August, 1976 he went before the BZA to request that he be able to convert the entire building into his dental practice and move his residence elsewhere.

The BZA granted his "variance". The conditions detailed were:

- The variance is granted as personal to Dr. Warnock. If he moves his dental practice to a different location, the property at 133 would revert to B Residential.
- That the practice be limited to Dr. Warnock and his staff.
- That the application for variance in Case 407 be granted pursuant to the above conditions.

In May, 1986 Dr. Warnock again went to the BZA wishing to sell his building to another dentist, Dr. Mutchler. He requested that the already existing "variance" be given to Dr. Mutchler. He stated that the only change would be in the names, everything else would remain the same. A motion was made to permit one dentist and his staff to operate from the present building as of July 1, 1986. This variance was granted.

Because the dentists have moved their practice to another location the building is now reverted to its residential status.

Staff does not feel that a change in the zoning to O-1 is warranted. It does not follow the land use plan or is it compatible with any zoning in the area. The site cannot meet any of the O-1 setbacks. Zoning to O-1 provides for more use types other than a dentist. This is the sole "commercial" use in the entire neighborhood and we feel that it was done so in error from the beginning. The BZA is not permitted to grant use variances. R-1 is probably not the best zoning for this area. The Land Use Plan designates it as R-2 which would make more sense based on most of the lot sizes. There are multiple duplexes in the area also because of the prior B Residential zoning. If they can comply with the standards of R-4 Two Family, we will eventually recommend that zoning. Potentially, this lot could also revert to its two-family status.

HRPC Staff recommends that FCPC recommend denial of the request to rezone 133 Hillcrest Avenue from R-1 to O-1 Institutions and Offices.

Staff Recommendation

HRPC Staff recommends that FCPC recommend denial to Findlay City Council of the request to rezone 133 Hillcrest Avenue from R-1 to O-1 Institutions and Offices.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends that FCPC recommend denial of the request to rezone 133 Hillcrest Avenue from R-1 to O-1 Institutions and Offices to Findlay City Council.

DISCUSSION

P. Rooney explained that this property had been a dental office for nearly 40 years. His opinion is that it has done no harm to anyone by being there. The building has been retrofitted for office and can't be anything but an office. The back yard has been blacktopped and the building would have to be gutted and redone to convert back to a home.

P. Rooney further stated that this could have been an office under the old zoning code. The property is 100 yards off of Main Street, so you can't say it is a completely residential neighborhood. Dr. Mutchler got signatures from neighbors who don't mind having the use in the neighborhood. They stated they don't have a problem with the current use staying. We are asking for economic relief. To put money into turning this back into a home is not feasible with the price of homes in that neighborhood. They will lose money in the deal.

L. Mihalik asked to see the petition that Dr. Mutchler had circulated. J. Scrimshaw asked if they are asking for it to stay a "specific" use only. You are not able to do that. P. Rooney replied that that is why they are requesting the zone change. J. Scrimshaw stated that you cannot specify a type of office if you give it that zoning classification either. P. Rooney replied that he understood that. They just want it to be professional offices. That's why we are asking for that zoning.

L. Mihalik said she had a question relative to off street parking. If the zoning is changed, an office use would be required to have off street parking.

J. Scrimshaw replied that there is off street parking in the rear. There is also some rather illegal parking in the front. Cars pull in from the street and park across the sidewalk. This should never have been there and we would like to see it removed. The rear yard is paved and there is some striping with possibly 6 or 8 spaces. Not sure how they can maneuver if the lot is full. As far as parking that would be required, there would be a minimum of 4 spaces based on the square footage of the building. Dr. Mutchler stated that there are 8 spaces in the rear yard. J. Scrimshaw stated that with the layout if all spaces were full she is not sure how anyone could get out easily.

T. Hershey spoke next. He stated that he lives near the neighborhood and he doesn't approve of this and knows several neighbors that don't approve as well. This is a small residential street. During daytime hours with quite a bit of traffic it is a dangerous situation with the 4 parking spaces that completely block the sidewalk all day long. This use never should have been allowed to be here. It was stated that BZA is not permitted to grant use variances. At that time they may have been allowed to and this type of situation is one of the reasons the code was changed. He certainly does not support this and thinks it does need to revert to residential which is what the entire area is.

T. Hershey made a motion to deny. J. Opperman seconded.

J. Opperman directed a question to the applicant. The BZA got you into this trouble is there any way they can get you out? P. Rooney said that he is caught in the middle of that one. He is the Chairman of BZA. He can't vote on this one.

P. Schmelzer asked if he understands that the code as it exists today does not have a vehicle for us to grant a specific use. J. Scrimshaw stated that is correct. This is not a conditional use which could be permitted to continue. It is neither a permitted or conditional use in this district.

J. Opperman stated that it should have been done as a conditional use in the beginning. J. Scrimshaw stated that it was zoned B Residential and offices were not a conditional use then either. Offices were not allowed until C Residential.

P. Rooney stated that most of the homes are duplexes near here. J Scrimshaw agreed because B-Residential permitted those. There were a couple of letters HRPC received from neighbors in opposition to the change. Part of the issue is the school is right down the street and the street is very busy at times with parents picking up and dropping off kids. There are already traffic issues and they were worried if something else goes in here it could contribute to that problem.

P. Schmelzer stated that he understands that the BZA should not have done something like this in the past. The issue he has is that they were permitted to do it and did so for nearly 40 years. They've invested in that property. Now because we have a zoning code change and the use hasn't been continued we are going to tell them that they can no longer do that. He tends to agree more with Mr. Rooney's argument.

Lydia said she was wondering if it was possible if this was allowed to be changed, if the new code would provide some relief to the neighbors to improve the condition of the situation that is there. If you're trying to pull out of a drive and can't see because there are three cars parked across the sidewalk or there's some increased traffic that there could be a problem. Is there anything in the code that would help provide some relief to the situation?

P. Rooney stated that the way he looks at it, if a new user goes in, they would have to get a change of use permit and show a site plan that had to meet requirements. Todd Richard does have to issue a change of use permit. Will he look at whether it meets O-1 standards? P. Schmelzer stated that a person would have purchased the property with the understanding that he could use it.

M. Cordonnier commented that the variances were given to a specific person –“John Smith” - and it could only be used for that purpose for “John Smith”. As he improved and invested in the property he had to understand the risk of doing those improvements was attached only to “John Smith”. Is this an ideal situation or process? No. But at the same time they knew that going in to it.

P. Rooney stated that the new zoning code has tied your hands. In the past he would have come in and said to make it C Residential. It's still residential but I can have an office too. With the new code rewrite so specific to use and there is no pyramiding anymore you have to spot zone now.

M. Cordonnier said that he viewed the new code as an improvement. We ideally don't want to place office districts in the middle of a subdivision. He called it a good preventative measure.

P. Rooney said it is hardly in the middle of a subdivision. A couple lots down is a large apartment complex, and then you hit N. Main Street. J. Scrimshaw said yes, but it's still residential. P. Rooney stated it's not like it's buried in the middle of the subdivision. L. Mihalik said, Well it's not in the middle of Lakeview, but it's still a residential subdivision.

T. Hershey commented that the property was purchased with a very specific condition on it. The purchaser knew at some point in the future if he vacated the property that it could revert to the residential use. As far as the code changing and not giving an “out”, that was one of the reasons the code was changed. To eliminate situations like this, to correct them. This is a prime case where we can correct a situation by following the code as it is written.

L. Mihalik commented that this is tough because if left alone it may remain vacant.

MOTION

T. Hershey moved to **recommend denial of PETITION FOR ZONING AMENDMENT #ZA-06-2013** to rezone 133 Hillcrest Avenue from R-1 Single Family Low Density to O-1 Institutions & Offices

2nd: J. Opperman

VOTE: Yay (2) Nay (2) Abstain (0) Tie vote means the request is denied.

8. APPLICATION FOR EXPANSION OF A CONDITIONAL USE #CU-03-2013 filed by Findlay Entertainers Club, 2511 Oakmont Drive, Findlay for expansion of a building located at 1545 Payne Avenue.

HRPC

General Information

This project is located on the southeast corner of Payne Avenue and Tappan Street. The land is zoned R-2 Single Family Medium Lot. Parcels to the south, north and west are also zoned R-2. To the east is zoned C-2 General Commercial. The parcel is not within the 100 year flood plain. The Land Use Plan designates the area as Single Family Small Lot.

Parcel History

This building has been the Shriner's meeting hall and storage facility for many years.

Staff Analysis

The applicant is proposing to construct an addition on the south end of the existing building. The zoning office classified this structure as a non-commercial recreational facility. This is a conditional use in the R-2 zoning district.

The new addition will be 14' x 14' and will serve to extend the building far enough that they can pull in their long trailer without having to remove it from the truck. The addition will put the rear of the building at 40' from the property line. The required rear yard is only 30 feet.

Staff Recommendation

HRPC Staff recommends approval of the plan.

ENGINEERING

No Comment

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends approval of **APPLICATION FOR EXPANSION OF A CONDITIONAL USE #CU-03-2013** filed by for expansion of a building located at 1545 Payne Avenue.

DISCUSSION

Bob Williams spoke and explained that he is representing the "Clowns". Findlay Entertainers Club owns the building and was formed so they don't have to okay everything through the Zenobia office.

P. Schmelzer stated that he had had many conversations with T. Richard regarding this project and certainly supports the Shriners group does and is in support of this project.

MOTION

T. Hershey moved to **approve APPLICATION FOR EXPANSION OF A CONDITIONAL USE #CU-03-2013** for expansion of the building located at 1545 Payne Avenue.

2nd: P. Schmelzer

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

ADJOURNMENT

With no further business the meeting was adjourned at 9:53 a.m.

Lydia L. Mihalik
Mayor

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



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

July 22, 2013

The Honorable Council:

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

Ann M. Defend

Defend Family LLC, DBA Thunderbird Drive Thru, 514
North Main Street, Findlay, OH 45840

Sincerely,

Gregory R. Horne
Chief of Police

NOTICE TO LEGISLATIVE
AUTHORITY

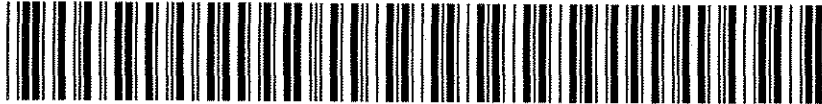
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

2014835		TRFO	DEFEND FAMILY LLC	
PERMIT NUMBER		TYPE	DBA THUNDERBIRD DRIVE THRU	
06	01	2013		
ISSUE DATE		514 N MAIN ST		
07	12	2013		
FILING DATE		FINDLAY OH 45840		
C1 C2		PERMIT CLASSES		
32	044	A	F10145	
TAX DISTRICT		RECEIPT NO.		

FROM 07/16/2013

4919031			DARLENE A KUJAWA	
PERMIT NUMBER		TYPE	DBA THUNDERBIRD I	
06	01	2013		
ISSUE DATE		514 N MAIN ST		
07	12	2013		
FILING DATE		FINDLAY OHIO 45840		
C1 C2		PERMIT CLASSES		
32	044			
TAX DISTRICT		RECEIPT NO.		



MAILED 07/16/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/16/2013

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 TRFO 2014835

(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

LLC / PARTNERSHIP CROSS REFERENCE
DISPLAY

PGECG

2014835 PERMIT NBR
DEFEND FAMILY LLC
DBA THUNDERBIRD DRIVE THRU
514 N MAIN ST
FINDLAY OH 45840

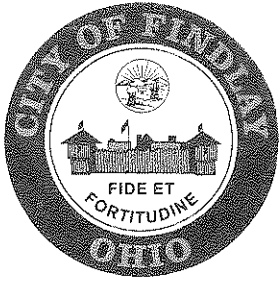
ANN MARIE DEFEND

07/12/2013 ACTIVE

CEO

MAN-MBR

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE



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

July 22, 2013

The Honorable Council:

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

Ashish A. Patel

Shiv Baba Incorporated, DBA 5K Carryout, 1790 East Melrose Avenue, Findlay, OH 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)644-2360 FAX(614)644-3166

TO

8093934		STCK		SHIV BABA INC	
PERMIT NUMBER		TYPE		DBA 5K CARRYOUT	
ISSUE DATE					
05		07		2013	
FILING DATE					
C1 C2					
PERMIT CLASSES					
32		044		A	
TAX DISTRICT		RECEIPT NO.		F10127	

FROM 07/12/2013

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



MAILED 07/12/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/12/2013

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 STCK 8093934

(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**

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
http://www.com.ohio.gov/liqr

**APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP
PROCESSING FEE \$100.00**

CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name SHIV BABA INC.	Permit Premises Address 1790 E MELROSE AVE, FINDLAY, OH 45840
Liquor Permit Number(s) 8093934/F010127	FTI Number 20-3390593
Attorney's Name, Address and Telephone Number (If represented)	
Is Stock Traded on a National Exchange? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If YES, give Name of Exchange and Symbol

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

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS			
Name	DATE OF BIRTH	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) ASHISH PATEL			50
2) KISHAN PATEL			50
3)			
4)			
5)			

SECTION B: REVISED 5% OR MORE STOCKHOLDERS			
Name	DATE OF BIRTH	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) ASHISH PATEL			100
2)			
3)			
4)			
5) ok to buy in OH, send Pd, cc, rpt.			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.	TOTAL NUMBER OF SHARES ISSUED 100
--	---

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Date Of Birth
1) CEO/President ASHISH PATEL		
2) Vice-President ASHISH PATEL		
3) Secretary ASHISH PATEL		
4) Treasurer ASHISH PATEL		

no visit, pend. ren, 1 permit issued.

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

July 18, 2013

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The Findlay Police Department received a non-matching grant donation in the amount of \$1,000.00 from the Wal-Mart Foundation for the Crime Prevention Bureau. In the past, the appropriation of funds from these grants was not referred to the Appropriations Committee.

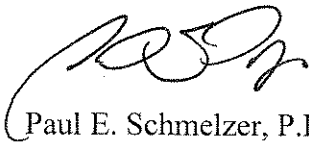
An appropriation is respectfully requested as follows:

FROM:	General Fund	\$1,000.00
TO:	Police Department 21012000-other	\$1,000.00

By copy of this letter, I am requesting the Director of Law prepare the necessary legislation.

Thank you for your consideration.

Sincerely,



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

cc: Donald J. Rasmussen, Director of Law
Jim Staschiak II, City Auditor
Chief Greg Horne, Fire Department
File

TRAFFIC COMMISSION

City of Findlay
July 15, 2013

MINUTES

ATTENDANCE:

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

STAFF PRESENT: Matt Stoffel, Public Works Department; Kathy Launder, City Clerk.

GUESTS PRESENT: Nancy DePuy, Cary Cox, and Joe Edinger.

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.

ITEM TABLED UNTIL FURTHER NOTICE

07/15/2013

Motion to lift item from table by Councilman Monday, second by Chief Lonyo. Motion passed 4-0. Director Schmelzer reported that Blanchard Valley Health System has formally pulled their request for a midblock pedestrian crossing on Highland Drive. They don't meet the criteria in the policy that is being developed by the City.

2. Presentation by DGL Consulting Engineers of findings for mid block crossing at the intersection of West Main Cross Street and Broadway.

05/20/2013

Barb Jones, P.E., PTOE, and Tom Brown of DGL Consulting Engineers presented their findings for improved safety at the mid block crossing at the intersection of West Main Cross Street and Broadway.

There are two types of crosswalk alert systems that are available. The pedestrian activated Rectangular Rapid Flashing Beacons (RRFB) is a flashing signal as well as the crosswalk sign. This device draws driver's eye. It is very popular due to its effectiveness and cost. It has good compliance rates. The Hawk operates similar to a traffic signal. It is a flashing light mounted to a traffic signal arm with appropriate signage. The signal flashes yellow then solid red. This is generally used in high speed and high volume areas.

Jones reported that a tree is obstructing the crosswalk signs both eastbound and westbound on West Main Cross Street. It is suggested to replace the current signs with RRFB signs.

Also they presented a draft policy for the City of Findlay to put into place when requests are made for mid block crossings. The proposed policy requires an application to be completed. The applicant must meet detailed specifications for the request to be considered. If the applicant meets the specifications, a complete evaluation will then need completed by a Professional Engineer at the expense of the applicant. Discussion ensued regarding if overlay districts should be exempt from policy. A timeframe of one year between requests is suggested for repetitive requests unless something substantial occurs.

06/17/2013

Discussion regarding exempting schools, parks, university overlay, hospital overlay.

The following are Director Schmelzer's comments by email:

Limit marked crosswalks to streets posted at 30 mph or higher, except in the CBD; exception if there is a very large pedestrian generator during a peak time; put in a caveat for schools.

Suggest a two year time period between applications for reconsideration for the same crossing unless there has been a significant change to traffic patterns.

The applicant has six months to complete the study after preapproval, and one year to complete construction.

Will you require any application fee or construction permit fee? Do not charge a permit fee, but if they move ahead with the project, a bond should be placed for any work in the right of way. This should be able to be handled in the Engineering Department.

Motion to continue discussion on the mid-block crossing policy at the next Traffic Commission meeting by Chief Lonyo, second by Captain Young. Motion passed 4-0.

Motion to accept report of the Pedestrian Crossing Treatment for West Main Cross and Broadway/Dorney Plaza submitted by DGL Consulting Engineers; implementing the "Quick-Hit Improvements" by having the Street Department remove the tree, relocate signs, upgrade signs, and upgrade crosswalk markings on street; and request Service-Safety Director contact DGL Consulting Engineers to obtain quotes for "Short-Term Improvements" including installation of two Rectangular Rapid Flashing Beacons (RRFB) and thermoplastic or heat tape materials to mark the crosswalks on the street; by Chief Lonyo, second by Councilman Monday. Motion passed 4-0.

07/15/2013

Director Schmelzer stated that a final review of the proposed mid-block crossing policy to include information regarding schools will be done prior to the next meeting. A final approval will be requested at the August Traffic Commission meeting.

NEW BUSINESS

1. Request of John and Nancy DePuy, 3430 Crosshill Drive, to make Crosshill Drive from Hillshafer to dead end No Parking Any Time.

Mrs. DePuy stated that recently cars have been parking on both sides of the street on Crosshill Drive north of Hillshafer. Mrs. DePuy is concerned that emergency vehicles will not be able to get down the street with cars on both sides.

Motion to make the west side of Crosshill Drive from Hillshafer Drive north to the dead end No Parking Any Time by Chief Lonyo, second by Councilman Monday. Motion passed 4-0.

2. Request of Gary Rice, 201 West McPherson, to move "No Parking Any Time" sign posted on Douglas Parkway north or south.

Motion to remove one No Parking Any Time sign on Douglas Parkway near 201 West McPherson and move the other sign to the center of the block by Chief Horne, second by Director Schmelzer. Motion passed 4-0.

3. Request of Kenneth Eckleberry, 810 North Cory Street, for a four-way stop sign at the intersection of the ally running north/south between North Cory Street and Franklin Avenue and the east/west alley located next to 814 North Cory Street.

Property owner at 810 North Cory Street needs to trim back bushes for visibility. A trailer needs to be moved from the line of visibility at another property. Check the right of way clearance on the alley intersection. Have Engineering Department identify right of way markers in the alley.

Motion to table request pending Engineering Department survey by Chief Lonyo, second by Chief Horne. Motion passed 4-0.

4. Request of Cary Cox, 228 Stadium Drive, to make the portion of South West Street from Stadium north to the alley bi-directional.

Mr. Cox stated that in order to get to his backyard he has to go around the block for alley access. He has parking available off Stadium Drive.

Chief Lonyo stated that when Findlay City Schools was planning the new Donnell School there were numerous neighborhood meetings regarding changing the traffic pattern on Lime Street and South West Street. There were no objections from residents during the discussion period. The City Planning Commission and Traffic Commission reviewed and recommended that Lime Street and South West Street to Stadium Drive be one way. Those not familiar with the area will get to the midblock one way and have no recourse but to turn around or go down the alley. Alleys were not meant to be thoroughfares.

Motion to deny request by Chief Lonyo, second by Chief Horne. Motion passed 4-0.

5. Request of Joe Edinger to remove the two hour parking limit between 605 North Main Street and the corner of Pine Street.

Have apartments on Pine Street. The 2 hour limit was posted for Washington School. The building is a church now. Parking in the area except for this section has no restriction.

Motion to remove 2 hour parking restriction between 605 North Main Street and the corner of Pine Street and paint the curb around the radius at North Main Street and Pine Street by Director Schmelzer, second by Chief Lonyo. Motion passed 4-0.

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

Respectfully submitted,



Kathy K. Launder
City Clerk

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

July 30, 2013

Honorable City Council
Findlay, OH 45840

RE: Fire Department Appropriation

Dear Council Members:

The 2013 Capital Improvements Plan includes \$22,000 for Fire Department apparatus maintenance. An amount of \$13,000 was appropriated earlier in the year for replacing the transmission on Engine 1. The additional \$9,000 is now needed to complete the necessary maintenance on Engine 2.

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

FROM:	CIT – Cap. Imp.	\$9,000
TO:	Fire Department 21014000-other	\$9,000

Thank you for your consideration in this matter.

Sincerely,



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

pc: Don Rasmussen, Law Director
Chief Tom Lonyo, Fire Department
Jim Staschiak II, City Auditor

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310

Findlay, OH 45840

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

www.findlayohio.com

July 31, 2013

Honorable City Council
City of Findlay, Ohio

RE: Appointment to City Planning Commission

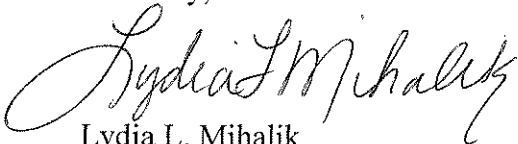
Dear Council Members:

This letter is to inform you that I am appointing Dan Clinger to the City Planning Commission to fill the unexpired term of Grant Russel.

Mr. Clinger has expressed a desire and willingness to serve the community as a member of the City Planning Commission. This appointment will be effective through July 6, 2015.

This appointment does not require the confirmation of City Council, however, I trust that you will concur with this selection.

Sincerely,



Lydia L. Mihalik
Mayor

cc: Dan Clinger
City Planning Commission Members
File

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

July 2013

Total collections for July 2013: \$1,402,248.52

	2013	2012	
	<u>Year-to-date</u>	<u>Year-to-date</u>	<u>Variance</u>
Withholders	10,039,922.32	10,693,247.44	-653,325.12
Individuals	1,950,027.04	1,881,262.81	68,764.23
Businesses	<u>1,237,851.45</u>	<u>1,043,484.00</u>	<u>194,367.45</u>
Totals	13,227,800.81	13,617,994.25	-390,193.44
			-2.87%

Actual & Estimated Past-due Taxes

Withholders	459,221.21
Individuals	839,723.48
Businesses	<u>32,765.92</u>
Total	1,331,710.61

Refunds Paid

	<u>Monthly</u>	<u>Year-to-date</u>
	40	1,334
	12,393.95	365,086.14



Andrew Thomas, Administrator

8-1-13

Date

Findlay Income Tax Department

Monthly Collections Report

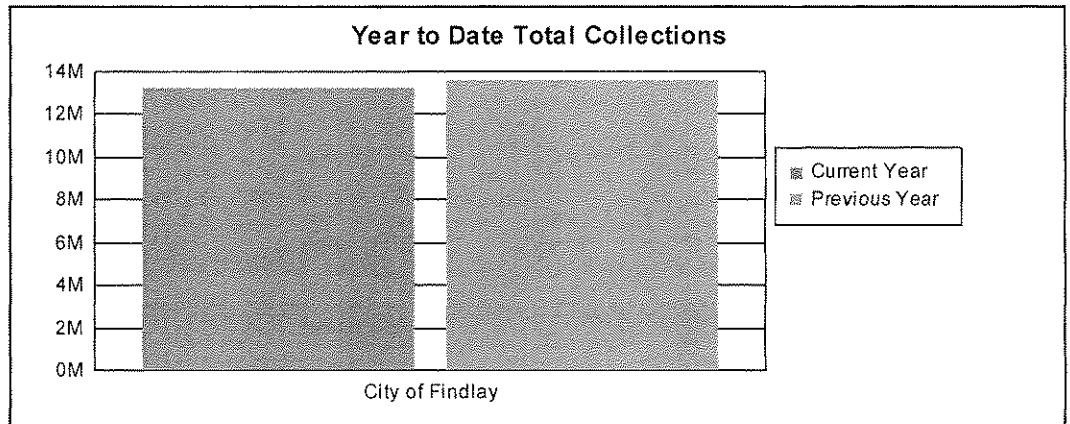
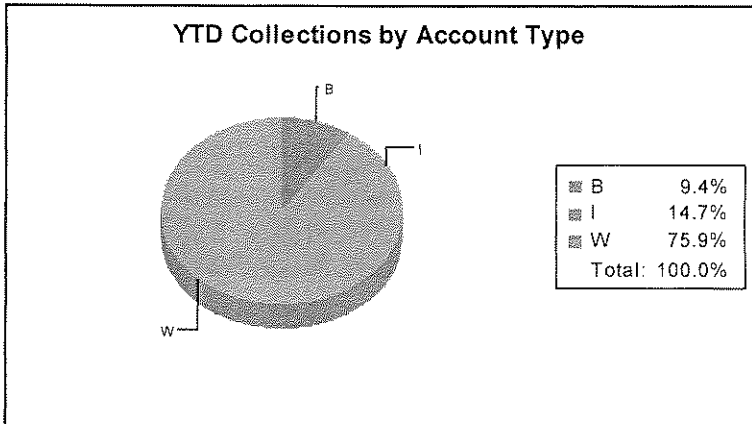
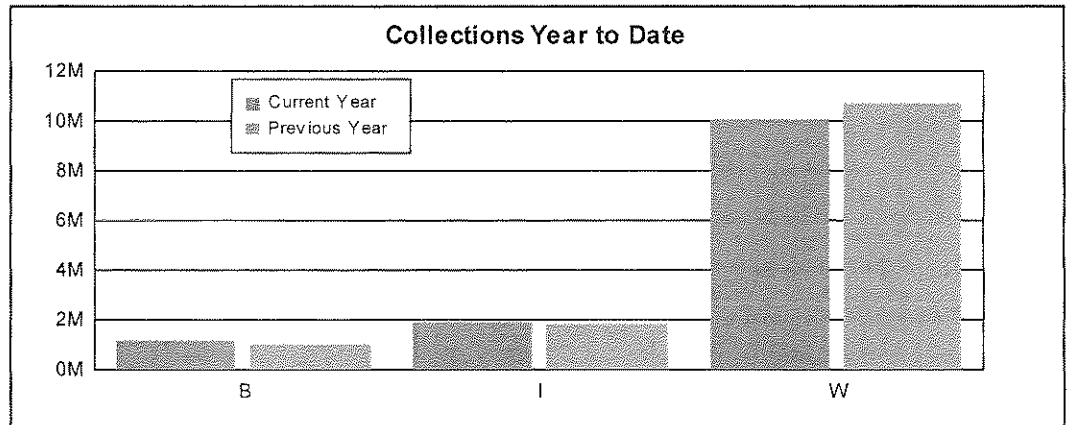
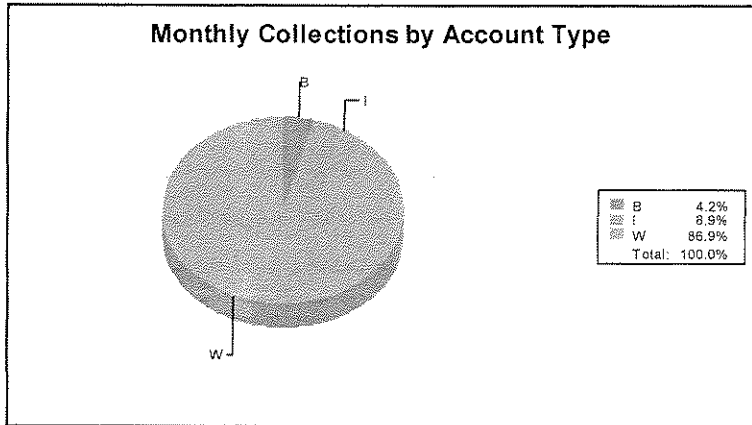
Thursday, August 1, 2013

8:32:35AM

For Period July 1, 2013 through July 31, 2013

City of Findlay

Account Type	Monthly Total	2013 Year to Date	2012 Year to Date	Increase (Decrease)	% Change	2013 Month to Date	Previous Year(s) Month to Date
W	1,218,520.80	10,039,922.32	10,693,247.44	-653,325.12	-6.11	1,216,630.94	1,889.86
I	124,308.72	1,950,027.04	1,881,262.81	68,764.23	3.66	78,579.32	45,729.40
B	59,419.00	1,237,851.45	1,043,484.00	194,367.45	18.63	16,779.46	42,639.54
Totals:	1,402,248.52	13,227,800.81	13,617,994.25	-390,193.44	-2.87	1,311,989.72	90,258.80





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

August 1, 2013

Honorable City Council
Findlay, OH 45840

RE: Swimming Pool Umbrellas

Council Members:

In May of 2013, the Parks and Recreation Board met and reported to Council the decision to move forward with the purchase of two umbrellas for the swimming pool. The umbrellas were chosen as a way to provide shade in lieu of relocating fencing to encompass a shelter house. The cost for the fencing was originally included in the capital plan. Matt Stoffel collaborated on research with Will Welsh from the YMCA. The umbrellas that were chosen were much more cost effective than the fence relocation. Two umbrellas for \$3,405 each were selected.

Due to the lower cost, the items do not meet the capital threshold of \$5,000 so they cannot be purchased through the capital improvement fund.

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

FROM:	General Fund	\$6,810
TO:	Swimming Pool 25076000 - Other	\$6,810

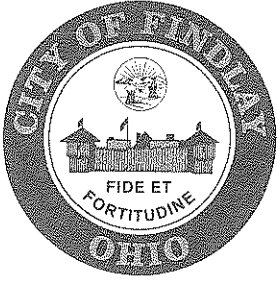
It is my suggestion that the monies originally planned for the fence improvement remain in the capital improvement fund for use on future projects.

If you have any questions, please contact me.

Sincerely,


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

pc:
Don Rasmussen
Jim Staschiak
Matt Stoffel



City of Findlay

Lydia Mihalik, Mayor

POLICE DEPARTMENT

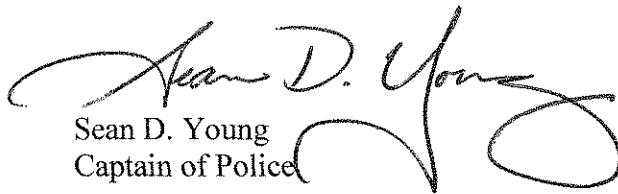
Gregory R. Horne, Chief of Police
318 Dorney Plaza, Room 207 • Findlay, OH 45840
Phone: 419-424-7194 • Fax: 419-424-7296
www.findlayohio.com

August 1, 2013

Honorable Council:

Attached are the Findlay Police Department Activity Stats
for July of 2013.

Sincerely,



Sean D. Young
Captain 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: July 2013**

	<u>Month</u>	<u>Year to Date</u>
Traffic Stops:	599	4545
Citations:	230	1732
Operating Vehicle while Intoxicated:	7	103
Accidents (non injury):	52	419
Injury Accidents:	17	96
Accident Waivers:	12	121
Property Damage Complaints:	32	190
Theft Complaints:	106	587
Unlawful Entry Complaints:	19	139
Domestic Dispute Complaints:	64	408
Assault Complaints:	16	124
Sex Offense Complaints:	8	49
Alcohol/Drug Complaints:	22	188
Warrants Served:	58	417
Arrests:	155	1076
Total Reports Generated:	1121	8035



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



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

Vice Narcotics Unit/METRICH Unit

Activity Report

July 2013

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

Narcotics Investigations: 28

Felony Arrests: 5 (9 charges)

Misdemeanor Arrests: 0

Drug Talks: 1

Sgt. Justin Hendren 818

Detective Division

July, 2013 Activity

Cases Submitted for Prosecution

	Month	Year to Date
Law Director:	126	702
County Prosecutor:	28	173
Juvenile Prosecutor:	22	167

There were a total of 13 new cases assigned for investigation during the month of July.



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

August 1, 2013

Honorable City Council
Findlay, Ohio 45840

RE: Lease of Municipal Building Parking Spaces

Dear Council Members:

Parking in the downtown area is a continuing discussion. I recently received a letter formulated at the request of FD Main Street, Ltd. regarding the lease of 20 parking spaces in the municipal building parking lot. The leases would be utilized by the properties located at 320-326 South Main Street and 316 Dorney Plaza.

Recall that last year, the City took the opportunity to rehab the parking lot on Crawford Street. Employees that were parking in reserved spaces in the municipal building lot were relocated to create more spaces for the downtown businesses and their employees to utilize. This move has been well received.

When I examine the redevelopment momentum that the downtown area has, it seems obvious that the City should collaborate with the private sector and our economic development arm to further develop a strategy to address parking in the downtown area.

I am referring this request for your consideration. I recommend this be forwarded to the Parking Authority for an informational meeting. Please let me know if you would like any additional data prior to a meeting.

I have also asked the group requesting the parking leases to attend the Council meeting on the August 6th to provide more insight into the project.

Sincerely,

Paul Schmelzer, PE, PS
Service-Safety Director

Pc: Don Rasmussen
Jim Staschiak



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

Friday, August 02, 2013

The Honorable Council
Findlay, Ohio

Dear Council Members,

As mentioned in the Mid-Year review there are several appropriation/transfers to be addressed in the 8/6/13 meeting.

Due to the present need for the funds, by copy of this letter I have asked the Director of Law to prepare the necessary legislation as an emergency.

Thank you for the consideration of this matter,

Jim Staschiak II
City Auditor

CC: Director of Law D. Rasmussen
Mayor L. Mihalik

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **WATER AND SEWER COMMITTEE** to whom was referred a request from the Service-Safety Director to discuss the MS4 permit.

We recommend

Continued effort to improve the compliance and enforcement of the MS4 permit.

Aye Nay

Absent

R. Ronald Monday, Chairman

LEGISLATION: _____

Aye Nay

[Signature]

J. Michael Slough

DATED: July 17, 2013

Aye Nay

[Signature]

Randy Ward

COMMITTEE:
WATER & SEWER

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Philip Rooney to rezone 721 Rockwell Avenue in the Wyoming Place Addition from I1 Light Industrial to R3 Single Family.

We recommend **RE-ZONE OF 721 ROCKWELL AVENUE TO R3 SINGLE FAMILY AND WOULD RECOMMEND THAT ADJACENT RESIDENCES DO THE SAME.**

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

Aye Nay
Grant Russel
Grant Russel

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

PLANNING & ZONING COMMITTEE

Aye Nay
J. Michael Slough
J. Michael Slough

DATE: July 23, 2013

Aye Nay
Anne Spence
Anne Spence

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Philip Rooney to rezone 133 Hillcrest Avenue in the Brown Addition from R1 Single Family Low Density to O1 Institutions & Offices.

We recommend **ACCEPTANCE OF THE REQUEST TO REZONE FROM R1 TO O1 INSTITUTIONS AND OFFICES.**

Aye Nay

W. Jerry Murray
W. Jerry Murray, Chairman

Aye Nay

Grant Russel
Grant Russel

Aye Nay

William Schedel Jr.
William Schedel Jr.

PLANNING & ZONING COMMITTEE

Aye Nay

J. Michael Slough
J. Michael Slough

DATE: July 23, 2013

Aye Nay

Anne Spence
Anne Spence

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Harrison Griffith to vacate part of north of Fifth Street and being adjacent to lots 5543, 5544, 5545, 5485, 5486, and 5487 in the Leiser Addition.

We recommend VACATION OF 8' SIDE ~~PROVISIONS~~
EXCLUDING
RIGHT OF WAY.

Aye Nay J. Murray
W. Jerry Murray, Chairman

Aye Nay Grant Russel
Grant Russel

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

PLANNING & ZONING COMMITTEE

Aye Nay J. Michael Slough
J. Michael Slough

DATE: July 23, 2013

Aye Nay Anne Spence
Anne Spence

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from Phil Rooney to annex the real property described in the Darway annexation petition, and that upon annexation to the City, that the property be zoned as C2 General Commercial District.

We recommend *ANNEXATION OF SAID PROPERTY INTO THE CITY OF FINDLAY.*

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

Aye Nay *Grant Russel*
Grant Russel

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

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

Aye Nay *Anne Spence*
Anne Spence

PLANNING & ZONING COMMITTEE

DATE: July 23, 2013

LEGISLATION _____

COMMITTEE REPORT

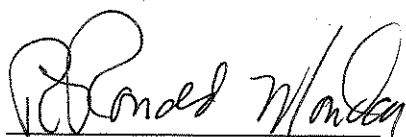
THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to appropriate funds for Byal Avenue improvements (Phase II) CDBG FY2012 and OPWC project #32523000.

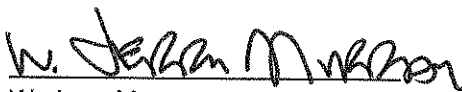
FROM:	OPWC	— \$250,000.00
FROM:	CIT – Capital Improvements	\$ 1,000.00
TO:	Byal Avenue Improvements (Phase II) Project #32523000	~ \$251,000.00

We recommend *Approval of above request..*

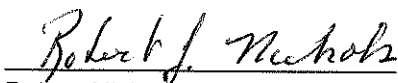
Aye Nay


R. Ronald Monday

Aye Nay



W. Jerry Murray

Aye Nay


Robert Nichols

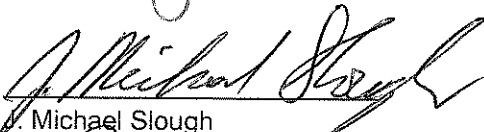
APPROPRIATIONS COMMITTEE

Aye Nay


William J. Schedel, Jr.

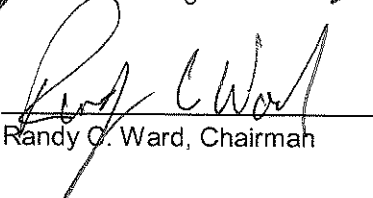
DATE: July 23, 2013

Aye Nay


J. Michael Slough

LEGISLATION

Aye Nay


Randy C. Ward, Chairman

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the Service-Safety Director to discuss Health Care Plan Wellness.

We recommend continued progress in obtaining a vendor.

Aye Nay R. Ronald Monday
R. Ronald Monday

Aye Nay W. Jerry Murray
W. Jerry Murray

Aye Nay Robert J. Nichols
Robert Nichols

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

Aye Nay J. Michael Slough
J. Michael Slough

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

APPROPRIATIONS COMMITTEE

DATE: July 23, 2013

LEGISLATION _____

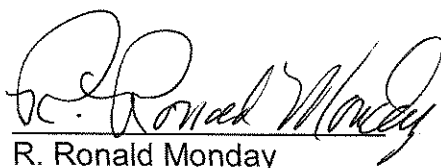
COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

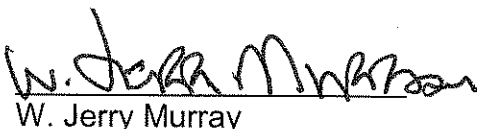
The **APPROPRIATIONS COMMITTEE** to whom was referred a request by the Safety Service Director to appropriate funds from CIT Cap Improvement to Water Treatment Plant project 357111 for the repair of the 24" water line. Request for \$400,000 per the Capital Improvement Plan.

We recommend *Approval of the above request*

Aye Nay


R. Ronald Monday

Aye Nay

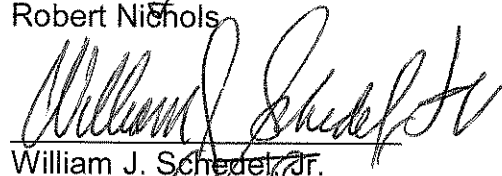

W. Jerry Murray

Aye Nay


Robert Nichols

APPROPRIATIONS COMMITTEE

Aye Nay


William J. Schedel, Jr.

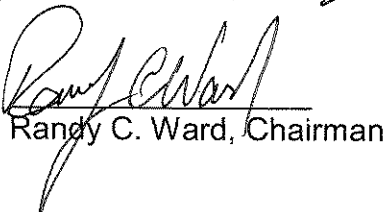
DATE: July 23, 2013

Aye Nay


J. Michael Slough

LEGISLATION *U*

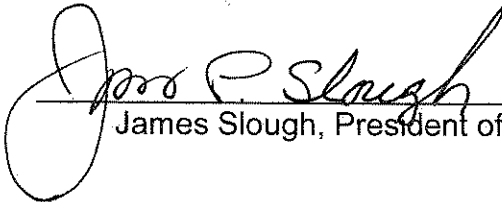
Aye Nay


Randy C. Ward, Chairman

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A **COMMITTEE OF THE WHOLE** to whom was referred a request from the City Auditor for a mid-year budget review.


James Slough, President of Council

COMMITTEE OF THE WHOLE

DATED: July 23, 2013

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
August 6, 2013**

2013-037
(Read alley vacation)

Third reading

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

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

AUGUST 6, 2013

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, AUGUST 6, 2013 MEETING.

RESOLUTIONS

- 026-2013 A RESOLUTION COMMENDING CYNTHIA KIMMET FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.
- 027-2013 A RESOLUTION COMMENDING CARMEN BREMER FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.
- 028-2013 A RESOLUTION COMMENDING SHERYL YODER FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.
- 029-2013 A RESOLUTION AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO WAIVE ZONING PERMIT FEES THROUGH THE CITY'S ENGINEERING DEPARTMENT, AS WELL AS WATER AND SEWER FEES FOR THE VACANT PROPERTY LOCATED AT 2627 CRYSTAL AVENUE DESIGNATED AS A SPECIAL NEEDS HOUSE, AND DECLARING AN EMERGENCY.

ORDINANCES

- 2013-044 AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE MAYOR TO EXECUTE A SUPPLY AGREEMENT WITH CONSTELLATION ENERGY GAS CHOICE, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND NOVEMBER 2013 WHEN THE CURRENT SUPPLY AGREEMENT ENDS, AND DECLARING AN EMERGENCY.
- 2013-045 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2013-046 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 ROCKWELL REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "R3 SINGLE FAMILY".
- 2013-047 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 HILLCREST REZONE) WHICH PREVIOUSLY WAS ZONED "R1 SINGLE FAMILY LOW DENSITY" TO "O1 INSTITUTIONS AND OFFICES.
- 2013-048 AN ORDINANCE VACATING A PORTION OF FIFTH STREET RIGHT-OF-WAY (HEREINAFTER REFERED TO AS GRIFFITH RIGHT-OF-WAY VACATION) IN THE CITY OF FINDLAY, OHIO.
- 2013-049 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS WITH BRAVO WELLNESS, LLC FOR THE IMPLEMENTATION OF A HEALTH MANAGEMENT PLAN, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 026-2013

A RESOLUTION COMMENDING CYNTHIA KIMMET FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Cynthia Kimmet, who served the City of Findlay, Ohio for ten (10) years as a dedicated employee, retired July 5, 2013. Cindy began her career as a Temporary Clerk Typist I in the Income Tax Department on February 10, 2003 before being promoted to Tax Administrator Agent I on November 2, 2003, a position she held until her retirement, and;

WHEREAS, during her years of service to the City of Findlay, Ohio, Cindy has performed as an outstanding public servant for the citizens of Findlay by exhibiting an exceptional level of accuracy and thoroughness in her responsibilities within the Income Tax Department.

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

SECTION 1: That the said Cynthia Kimmet be and she is hereby commended for her diligent services to this city, and that this Council extends its best wishes to her upon her retirement.

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. 027-2013

A RESOLUTION COMMENDING CARMEN BREMER FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Carmen Bremer, who served the City of Findlay, Ohio thirty (30) years as a dedicated loyal employee, retired August 1, 2013. Carmen began her career as an Operator/Programmer in the Computer Services Department on June 6, 1983 before being promoted to Computer/Programmer II on December 29, 1985, and then to Computer Programmer III on December 27, 1998, then to Computer Programmer/Analyst on January 7, 2001, and lastly to Computer Services Supervisor on May 14, 2007, a position she held until her retirement, and;

WHEREAS, Carmen completed her Hazard Communication training on February 13, 1995, and her Microsoft Vista Overview courses through the Millstream Adult Education Center on March 20, 2007, and;

WHEREAS, Carmen received a letter of appreciation on August 15, 1985 from the then Chief of Police for her role in the Police Department's set up, training, and trouble-shooting of their C.O.P.S. computer system, a letter of appreciation from the then Safety-Service Director on May 25, 1988 for her presentation given on behalf of the City before the Ohio Association of Public Safety Directors in Columbus, and;

WHEREAS, during her service to the City of Findlay, Ohio, Carmen has performed as an outstanding public servant in a loyal and dedicated manner to the citizens of Findlay through her responsibilities within the Computer Services Department.

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

SECTION 1: That the said Carmen Bremer be and she is hereby commended for her long and loyal services to this city, and that this Council extends its best wishes to her upon her retirement.

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. 028-2013

A RESOLUTION COMMENDING SHERYL YODER FOR THE EXCELLENCE OF HER SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Sheryl Yoder, who served the City of Findlay, Ohio twenty-six (26) years as a dedicated loyal employee, retired May 31, 2013. Sheryl began her career as a Registrar of Vital Statistics in the Health Department on February 2, 1987, a position she held until her retirement, and;

WHEREAS, Sheryl completed her Hazard Communication training on February 13, 1995, and;

WHEREAS, Sheryl is a graduate of Findlay High School. She completed computer training through Owens Community College as well as Registrar training through the Ohio Department of Health. She is a Notary Public. During her tenure, Sheryl was recognized by the Ohio Paternity Enhancement Program for her exemplary record and was subject to regular site visits from the Ohio Department of Health where she was always found to be in complete compliance with all the rules and regulations. Her personnel file is filled with letters from the public both locally and across the nation commending her on her helpfulness and willingness to take the extra time to help them with issues associated with birth and death certificates. Sheryl was committed to her work and had an exceptional eye for detail, and;

WHEREAS, during her service to the City of Findlay, Ohio, Sheryl has performed as an outstanding public servant in a loyal and dedicated manner to the citizens of Findlay through her responsibilities within the Health Department.

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

SECTION 1: That the said Sheryl Yoder be and she is hereby commended for her long and loyal services to this city, and that this Council extends its best wishes to her upon her retirement.

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 _____
CITY COUNCIL, FINDLAY, OHIO 45840

RESOLUTION NO. 029-2013

A RESOLUTION AUTHORIZING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO WAIVE ZONING PERMIT FEES THROUGH THE CITY'S ENGINEERING DEPARTMENT, AS WELL AS WATER AND SEWER FEES FOR THE VACANT PROPERTY LOCATED AT 2627 CRYSTAL AVENUE DESIGNATED AS A SPECIAL NEEDS HOUSE, AND DECLARING AN EMERGENCY.

WHEREAS, the Auditor of the City of Findlay, Ohio is directed and authorized to waive zoning permit fees through the City's Engineering Department, as well as water and sewer fees be waived as the City's contribution to this cause, and;

WHEREAS, the Hancock County Board of Alcohol, Drug Addiction and Mental Health Services as well as Century Health have applied for a Federal Home Loan grant to assist with the development of special needs housing for individuals struggling with substance abuse for a vacated property at 2627 Crystal Avenue. This grant is graded on a point system in which they are eligible to receive one (1) additional point if the City commits to waive aforementioned fees.

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

SECTION 1: That the Auditor of the City of Findlay, Ohio, be and he is hereby authorized to waive said fees.

SECTION 2: That this Resolution is hereby declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this Resolution must be immediately effective in order to allow both the Hancock County Board of Alcohol, Drug Addiction and Mental Health Services as well as Century Health to secure aforementioned grant through the Federal Home Loan Association.

SECTION 3: This Resolution shall be in full force and effect from and immediately after its adoption by the required number of votes, otherwise, at the earliest time permitted by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-044

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE MAYOR TO EXECUTE A SUPPLY AGREEMENT WITH CONSTELLATION ENERGY GAS CHOICE, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND NOVEMBER 2013 WHEN THE CURRENT SUPPLY AGREEMENT ENDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of cities to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas, and;

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually, and;

WHEREAS, this Council finds and determines that it is in the best interest of the City, its residents, businesses and other Natural Gas consumers located within the limits of the City to continue its Natural Gas opt-out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement that will take effect on or about December 1, 2013, and;

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

SECTION 1: The Mayor of the City of Findlay is hereby authorized to enter into a Master Service Agreement for Natural Gas Supply Services with Constellation Energy Gas Choice, Inc., (attached hereto and incorporated herein by reference as Exhibit A) to facilitate the sale and purchase of Natural Gas to consumers in the City's opt-out program.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to execute said agreement so that the aforementioned governmental natural gas aggregation program may continue,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-045

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:	General Fund (Wal-Mart Grant)	\$ 1,000.00	
TO:	Fire Department #21014000-other		\$ 1,000.00
FROM:	Water Fund	\$ 400,000.00	
TO:	WTP Leak Detection and Repair (24" W/L) #35711100		\$ 400,000.00
FROM:	OPWC	\$ 250,000.00	
FROM:	CIT - Capital Improvements	\$ 1,000.00	
TO:	Byal Avenue Improvements (Phase II) Project #32523000		\$ 251,000.00
FROM:	General Fund	\$ 142,200.00	
TO:	Fire Department #21014000-personal services		\$ 110,000.00
TO:	Zoning #21032000-personal services		\$ 1,700.00
TO:	Service-Safety Director #21020000-personal services		\$ 30,500.00
FROM:	Severance Payout Reserve Fund	\$ 150,000.00	
TO:	Severance Payout Reserve #22090000-personal services		\$ 150,000.00
FROM:	CIT - Capital Improvements	\$ 9,000.00	
TO:	Fire Department #21014000-other		\$ 9,000.00
FROM:	General Fund	\$ 6,810.00	
TO:	Swimming Pool #25076000-other		\$ 6,810.00

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 Fire Department may utilize funds received from the aforementioned grant, so that repairs to the 24" water line at the Water Treatment Plant may begin, so that expenses for the Byal Avenue Improvements project may be paid, so that funds will be available within the Fire Department, the Zoning Department, and the Service-Safety Director Department to pay for personnel costs, so that retirement settlement for 2013 may be paid, so that maintenance on Engine 2 in the Fire Department may be made, and so that umbrellas for the swimming pool may be purchased,

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 _____
CITY COUNCIL, FINDLAY, OHIO 45840

ORDINANCE NO. 2013-046

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 ROCKWELL REZONE) WHICH PREVIOUSLY WAS ZONED "I1 LIGHT INDUSTRIAL" TO "R3 SINGLE FAMILY".

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 Lot 10733 and part of vacated alleys to the south and east of said lot as platted in the Wyoming Place Addition to the City of Findlay, Ohio (57.50 feet by 159.50 feet).

SECTION 2: That said property above described herein be and the same is hereby rezoned from I1 Light Industrial to R3 Single Family.

SECTION 3: That from and after the effective date of this ordinance, said property above described herein shall be subject to R3 Single Family 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. 2013-047

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 HILLCREST REZONE) WHICH PREVIOUSLY WAS ZONED "R1 SINGLE FAMILY LOW DENSITY" TO "O1 INSTITUTIONS AND OFFICES.

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 Lot 224 and the west ten feet (10') of Lot 223 in the Brown Addition to the City of Findlay, Ohio.

SECTION 2: That said property above described herein be and the same is hereby rezoned from R1 Single Family Low Density to O1 Institutions and Offices.

SECTION 3: That from and after the effective date of this ordinance, said property above described herein shall be subject to O1 Institutions and Offices 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. 2013-048

AN ORDINANCE VACATING A PORTION OF FIFTH STREET RIGHT-OF-WAY (HEREINAFTER REFERED TO AS GRIFFITH RIGHT-OF-WAY VACATION) IN THE CITY OF FINDLAY, OHIO.

WHEREAS, City Planning Commission has recommended the vacation of a portion of Fifth Street right-of-way which is described herein, and;

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

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

SECTION 1: That the following described portion of Fifth Street right-of-way be and the same is hereby vacated:

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

Being that part of Leiser Avenue lying north of Fifth Street and being adjacent to lots 5543, 5544, 5545, 5485, 5486, and 5487 in the Leiser Addition to the City of Findlay, Ohio.

SECTION 2: That the aforesaid vacation is hereby made subject to the preservation of the public utilities right-of-way, in accordance with the provisions of Ohio Revised Code Section 723.041.

SECTION 3: That this Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-049

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO WAIVE FORMAL ADVERTISING AND BIDDING REQUIREMENTS AND ENTER INTO A CONTRACT OR CONTRACTS WITH BRAVO WELLNESS, LLC FOR THE IMPLEMENTATION OF A HEALTH MANAGEMENT PLAN, AND DECLARING AN EMERGENCY.

WHEREAS, the City's consultant Corporate One Benefits recommends Bravo Wellness, LLC to administer the implementation of the City of Findlay's health management plan, and;

WHEREAS, costs associated with the aforementioned services would be sixty-eight thousand dollars (\$68,000.00) the first year and one hundred fifteen thousand dollars (\$115,000.00) for the second year.

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

SECTION 1: That the Service-Safety Director for the City of Findlay be and he is hereby authorized to waive the formal advertising and bidding process pursuant to §735.051 of the Ohio Revised Code and enter into a contract or contracts with Bravo Wellness, LLC for the implementation of the City's health maintenance plan.

SECTION 2: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason, it is immediately necessary to authorize said waiving of formal advertising and bidding requirements so that administrative services for the City's health management plan may proceed expeditiously.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____