

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

November 15, 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 October 15, 2013 Regular Session City Council meeting minutes.

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

PROCLAMATION – none.

RECOGNITION/RETIREMENT RESOLUTIONS:

RESOLUTION NO. 2013-045 (*Mike Kelley retirement*)

First reading

A RESOLUTION COMMENDING ROBERT KELLEY FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WRITTEN COMMUNICATIONS:

Hancock County Solid Waste Management District Interim Coordinator Melissa Edson – ratification of draft amended Solid Waste Management Plan

On October 1, 2013, the Hancock County Solid Waste Management District Policy Committee formally adopted the draft amended Solid Waste Management Plan. The draft plan was submitted for public notice on August 26, 2013 and was adopted without modifications, based on comments received during the 30-day public comment period and the public hearing that was held on October 1, 2013. The adopted draft plan is in accordance with Ohio Revised Code (ORC) 3734.55 and is to be approved or disapproved by City Council. As specified in ORC 3734.55, each legislative authority within the District is required to either approve or disapprove the draft plan and issue a resolution or an ordinance stating the decision with a copy of that resolution or ordinance delivered to the District Policy Committee. Issuance and delivery of the resolution or ordinance must both occur within 90 days of receiving the adopted draft plan. The 90-day ratification period will expire on December 29, 2013. Ordinance No. 2013-075 was created.

ORAL COMMUNICATIONS – none.

PETITIONS – none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay City Board of Health minutes – September 18, 2013.

City Planning Commission agenda – November 14, 2013.

Treasurer's Reconciliation Report – September 30, 2013.

Traffic Commission Minutes – October 21, 2013.

Service-Safety Director Paul Schmelzer – HAN-330/568.0.20/0.23; ODOT PID #76823 Project No. 32831100

In September, \$122,082.00 was appropriated to this based on an estimate from ODOT. After receiving bids for the project, ODOT anticipates the City owing an additional \$2,254.00. If there are any unused funds after construction, ODOT will refund any overpayment to the City. An appropriation of funds is requested.

FROM: Capital Improvements – CIT

\$ 2,254.00

TO: ODOT Resurfacing 568 project #32831100

\$ 2,254.00

Needs referred to the Appropriations Committee.

Hancock Regional Planning Commission Director Matt Cordonnier – amendments to the Findlay Zoning Code

Hancock Regional Planning Commission (HRPC) is submitting several changes to the City of Findlay Zoning Code. There are a total of six (6) proposed changes to the code that are listed below.

1. Downtown Parking Buffer

Currently, downtown is undergoing some very significant changes. The removal of buildings has left some "holes" in the fabric of downtown. In order to help preserve the aesthetic character of downtown, HRPC has crafted parking regulations that would apply to parcels zoned C-3 Downtown Business. Please note that the C-3 Downtown Zoning District is the only non-residential district that does not have parking lot screening requirements. The O-1, C-1, C-2, I-1, and I-2 all have parking lot screening requirements.

The proposed amendment would require new or expanded C-3 zoned parking lots with frontage on Main Street or Main Cross to install a masonry wall or masonry wall/fence combination. The purpose of the required wall is to preserve the aesthetic quality of downtown and to minimize the visual impact of surface parking lots directly on Main Street. A new parking lot that has frontage on both Main Street/Main Cross and a secondary street would be required to install the wall on Main Street/ Main Cross and the secondary street. The secondary street wall would only be required to be installed to the nearest public right-of-way or two hundred feet (200'), whichever is less.

Finally, the C-3 parking amendment would require all other new parking lots without frontage on Main Street to install the similar perimeter landscaping screening that is required in the O-1, C-2, C-2, I-1, and I-2 Districts.

2. R-3 Setback Changes

The R-3 residential zoning classification is designed to accommodate the smallest residential lots in the City. Very often the R-3 zoned lots are very small and the current setbacks cause significant barriers and limit property owner options.

The first proposed change is to modify the rear setback from a static thirty feet (30') to a variable standard. The proposal reads, "Rear Yard Setback: Fifteen percent (15%) of the lot depth or thirty feet (30'), whichever is less". This standard was used in the old code, and after some practical usage in the field, it has been determined that the flexibility that it allows is better than a static thirty foot (30') setback.

The second proposed change is to the front setback requirement. Currently, the front yard setback allows for a variable distance depending on the setback of the neighboring houses. This works very well, but we propose to add a statement that limits the variable setback to a minimum of five feet (5') to provide at least a minimal standard of setback.

The final proposed change to the R-3 setbacks is to state that "Overhangs may not encroach into any setback by more than two feet (2)". Todd Richard deals with this question very often and the code does not address it. The allowance of a two foot (2') overhang is one foot (1') less than the smallest setback ensuring that overhangs do not encroach into a neighboring property.

3. Non-Conformity Replacement

This is a proposed addition to the non-conforming section of the Zoning Code. It allows for the replacement of porches, attached garages, and other portions of a non-conforming structure provided that the replacement is the same or smaller in size.

4. C-1 Residential

Sometime in 2005 or 2006, residential uses were removed from commercial zoning district. Currently, the code allows residential in the O-1 (Office Institution) which is intended. The proposed change is in the C-1 district which allows all uses from the O-1 district (pyramidal structure). The proposed change is to add the phrase, "except residential uses" to the list of permitted uses in the C-1 District.

5. Electronic Message Center

Electric Message Centers are allowed to make up twenty-five percent (25%) of a sign. The current wording of the code is somewhat vague. The proposed new wording will make it clear that the message center may only be twenty-five percent (25%) of the actual sign that is constructed, not twenty-five percent (25%) of the theoretical maximum sign allowed.

6. Accessory Building Allowances

The first change to accessory buildings in residential areas is to increase the allowable square footage of accessory structures from eight hundred square feet (800 sq ft) to nine hundred square feet (900 sq ft).

The second change is to exclude detached garages from the permitted accessory use calculation of nine hundred square feet (900 sq ft). The change is an attempt to create a level playing field for those houses with a detached garage versus those with an attached garage. Essentially, the code as written today allows less accessory building square footage to those houses with detached garages.

Ordinance No. 2013-076 and 2013-077 were created.

City Income Tax Monthly Collection Report – October 2013.

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

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to discuss downtown parking screening.
We recommend adoption of revised zoning 1161.064 landscaping standards – parking lots C-3.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to discuss Community Reinvestment Areas #1 and #2.
We recommend that the CRA proposal with incentives as presented by HRPC be developed into legislation.

A **COMMITTEE OF THE WHOLE** to whom was referred a request from the Mayor to discuss a communications plan.

**LEGISLATION:
RESOLUTIONS**

RESOLUTION NO. 045-2013 - See page 1

RESOLUTION NO. 046-2013

First reading

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

ORDINANCES

ORDINANCE NO. 2013-067 (124 & 124 ½ Center Street)

Third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS CENTER STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY HIGH DENSITY" TO "M2 MULTIPLE FAMILY HIGH DENSITY.

ORDINANCE NO. 2013-068 (1806, 1810, 1822, and 1849 Payne Avenue)

Third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS PAYNE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "R3 SINGLE FAMILY.

ORDINANCE NO. 2013-074 (Arts Partnership)

Second reading

AN ORDINANCE DESIGNATING TEN PERCENT (10%) OF THE HOTEL/MOTEL TRANSIENT TAX TO BE DISTRIBUTED TO THE ARTS PARTNERSHIP ON A QUARTERLY BASIS DURING CALENDAR YEARS 2014, 2015 AND 2016 AND APPROPRIATING SAID SUMS AS NECESSARY.

ORDINANCE NO. 2013-075 (Solid Waste Management renewal)

First reading

AN ORDINANCE APPROVING THE 2012 REVISED SOLID WASTE MANAGEMENT PLAN OF THE HANCOCK COUNTY SOLID WASTE MANAGEMENT DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-076 (zoning code additions)

First reading

AN ORDINANCE AMENDING SECTIONS 1123.05, 1133.02, 1161.01.1(C)(2), 1161.12.13(B) AND 1162.05(C) OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED.

ORDINANCE NO. 2013-077 (zoning code amendments)

First reading

AN ORDINANCE ENACTING SECTIONS 1161.06.4 AND 1161.11.5.1 OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED, PROVIDING FOR LANDSCAPING STANDARDS AND PARKING STANDARDS FOR CERTAIN PARKING LOTS WITHIN THE C-3 DOWNTOWN COMMERCIAL DISTRICT.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS

October 15, 2013

City Council of Findlay
318 Dorney Plaza
Findlay, Ohio 45840

Re: Ratification of Draft Amended Solid Waste Management Plan

Dear City Council Members,

On October 1, 2013, the Hancock County Solid Waste Management District Policy Committee formally adopted the Draft Amended Solid Waste Management Plan. The draft plan that was submitted for public notice on August 26, 2013 was adopted without modifications, based on comments received during the 30-day public comment period and the public hearing that was held on October 1, 2013.

Enclosed, please find once copy of the adopted draft plan. The adopted draft plan is being provided to you in accordance with Ohio Revised Code (ORC) 3734.55. The adopted draft plan is to be approved or disapproved by the City of Findlay City Council. As specified in ORC 3734.55, each legislative authority within the District is required to either approve or disapprove the draft plan and issue a resolution or an ordinance stating the decision (an example resolution has been enclosed for your reference). A copy of that resolution or ordinance must then be delivered to the District Policy Committee. Issuance and delivery of the resolution or ordinance must both occur within 90 days of receiving the adopted draft plan.

The 90-day ratification period will expire on December 29, 2013. Please send a copy of the resolution or ordinance approving or disapproving the draft plan by that date to my attention at the following address: Hancock County Solid Waste Management District, 300 S. Main St., Findlay, Ohio 45840.

If you have questions, or if I can be of further assistance, please call me at (419)299-3525 or email at maedson@co.hancock.oh.us.

Sincerely,



Melissa Edson, Interim Coordinator
Hancock County Solid Waste District

Enclosures

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

September 18, 2013

MUNICIPAL BUILDING CONFERENCE ROOM

Members Attendance:

A Mayor Lydia Mihalik, *President Ex Officio*
A Dr. Stephen Mills, Health Commissioner/Board Secretary
X Mr. Gregory Cline, *President Pro Tempore*
X Mr. William Alge
A 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
A Mr. Eric Helms, Plumbing Inspector
X Mr. Chad Masters, Emergency Response

Guests

Call to Order: In the absence of the Mayor, Mr. Cline called the meeting to order at 7:35 A.M.

Minutes: Mr. Cline called for a motion to approve the minutes of the August 21, 2013 Board Meeting. Mrs. Work moved to accept the minutes of the August 21, 2013 Board of Health meeting as circulated. Seconded by Mr. Niemeyer. Motion carried 4-0. Filed

HEALTH COMMISSIONER REPORT

1. No report. Dr. Mills is on vacation.

DEPUTY HEALTH COMMISSIONER REPORT

1. Mrs. Wilhelm shared copies of a recent insert in the Courier outlining the activities of the Hancock County Prescription/Opiate Drug Abuse Task Force. She and Dr. Kose serve as co-chairs of the medical subcommittee and some of the medical subcommittee's accomplishments include the adoption of emergency room prescribing protocols by the hospital and development of a treatment referral guide for medical providers. A locally produced DVD was recently completed for patient education. This DVD will be piloted with the local pain clinic and additional copies will be made available throughout the community. Hancock County has been very proactive in taking a comprehensive approach to the problem of prescription and opiate drug abuse.

Mrs. Wilhelm recently attended a meeting in Columbus, along with Zach Thomas of the Hancock County ADAMHS Board on a new initiative called Project DAWN (Deaths avoided with Naloxone). Portsmouth City Health Department has already been participating in Project DAWN as Scioto County has been a hotbed of prescription drug abuse with a high rate of overdose deaths. Through Project DAWN their health department has been distributing kits containing nasal naloxone for use in reversing the effects of opiate overdose. In this program individuals who are identified as fitting criteria for being high risk for opiate overdose can be prescribed a kit. As a condition of receiving a kit the individual and those close to him/her will be educated as to the correct use of the kit in the event there is an overdose.

The kit contains naloxone to be administered nasally and would act in a risk reduction capacity by reducing the chance of irreversible overdose. Individuals would also be taught rescue breathing and be given information on treatment options. Portsmouth has distributed 150 kits and has recorded 23 overdose reversals.

ODH is currently seeking additional Project DAWN sites and has released an RFP (Request for Proposals). John Stanovich from the University of Findlay's College of Pharmacy has offered to partner with the health department on submitting a proposal. The Findlay City Health Department would act as fiscal agent and project manager. The health department, through Dr. Mills, would screen participants and prescribe the kits as appropriate and the University Of Findlay College Of Pharmacy would fill the prescription by providing the kits and the education. There is a short turnaround time for the proposals which are due next week. Mrs. Wilhelm is willing to write the proposal if the Board of Health is in support of the project. Only three proposals will be funded. Mr. Cline noted that we do not have a high rate of overdose deaths and Mrs. Wilhelm agreed but added with state funding we would not limit our program to Findlay residents only. If awarded we would be available to anyone seeking this type of service. Mrs. Work felt the program fits the definition of prevention and that is what the health department is about. Mr. Alge asked what other health districts are doing to which Mrs. Wilhelm replied that this is a new program with Portsmouth being a pilot. There did seem to be interest around the state judging from the meeting she attended but she was not aware of any other interest in Northwest Ohio. Mr. Cline likened the kits to having an epi pen. The sooner you give someone in need a dose of naloxone the better the outcome is likely to be. He felt the program made sense but questioned if we were the ideal location. Mrs. Wilhelm also advised the board that she has not had the chance to talk to Dr. Mills since he has been out of town and would have to make sure he is on board to prescribe the kits. Mr. Alge asked what else is being done in larger metropolitan areas and Mrs. Wilhelm shared information regarding the Naloxone Bill and the 911 Good Samaritan Bill also being worked on in the legislature. Mr. Cline asked if any board member was opposed to submitting an application for this project to which there was none voiced. Mr. Alge stated he was OK with submitting an application but would still like more information and Mrs. Wilhelm shared with him an information sheet from the meeting she attended. Mrs. Wilhelm will go ahead with the application and will pull the application if Dr. Mills is not able to participate as the prescriber.

2. Family and Children First Council is mandated by the state and the Hancock County Educational Service Center has served as fiscal agent for many years. County Superintendent Larry Busdeker recently shared with Mrs. Wilhelm that the E.S.C. is not likely to apply to be fiscal agent with the next grant cycle that begins in July of 2014. He also shared this information with Precia Stuby from ADAMHS and Connie Ament from Blanchard Valley Center as he felt any of the three might be likely candidates to take over. Mrs. Wilhelm advised the board that she had actually sat down with Ginger Sampson from the Auditor's office and the then Family and Children First Council Coordinator several years ago to look at the feasibility of taking on this program and at that time felt the program was too cumbersome (Family First oversees Help Me Grow) and without sufficient resources. Mrs. Wilhelm reported that if no one else steps up to take on Family First it will fall back to the Hancock

County Commissioners. After some discussion the Board felt they would need more time to review information regarding Family and Children First Council before making any moves.

3. Mrs. Wilhelm attended the Fall AOHC Conference last week. Many of the breakout sessions revolved around accreditation. Only one Ohio health department has achieved accreditation thus far; Summit County. Mrs. Wilhelm feels there is still a lot of uncertainty as many health departments are adding to the conversation but only one has been through the entire process. We will need to continue to listen and learn. AOHC has teamed up with Wright State's School of Public Health to form an Accreditation Learning Community. This group will meet regularly and provide a venue for sharing useful information, templates and plans. Mrs. Wilhelm shared that our billing clerk, Dawn Laberdee, was asked to serve on a panel discussion regarding the Ohio Billables Project at one of the breakout sessions at the conference and represented the health department extremely well. Mrs. Wilhelm attended the session and based on the presentation felt we were way ahead of the other pilot projects in billing and reimbursement.

NURSING REPORT

1. All flu vaccine has been received and clinics for the public will begin on Sept. 26th. The nurses will be at the Municipal Building on the 25th to provide vaccine for city employees. Mr. Alge asked if there were different versions of the vaccine this year and Mrs. Bern explained that we have trivalent vaccine which protects against two type A's and one type B virus while quadravalent protects against two A's and two B's. We also have high dose vaccine for those over 65 and there is a nasal vaccine that is also quadravalent.

ENVIRONMENTAL HEALTH REPORT

1. ODH conducted a site survey of our pool and spa program in July and the written report was received last week. There were no findings against our program so we have no issues to address and no action plan to submit.

EMERGENCY RESPONSE / EPI REPORT

1. Mr. Masters informed the Board that there had recently been several bat bites/exposures reported to the health department. Mr. Masters conferred with Mr. Niese, and a health alert notification (HAN) was sent by fax to healthcare providers on September 11th. The alert included the explanation of the reporting requirements, the public health animal bite report form, and the algorithm for post-exposure prophylaxis for rabies. This measure was meant to raise the providers' awareness of the possibility that they could have a patient

present with this type of injury (instead of seeking treatment at the emergency department or urgent care center, which is the more common reporting source) and know how to report it to the appropriate health jurisdiction.

2. The Hancock County MRC had several volunteers assist with the "Be Healthy Now" event held during the county fair on August 29th. The volunteers were set up at the half-way point of the walk to serve as the hydration station. The MRC purchased bottled water and provided this to the participants, along with information on the importance of staying hydrated and exercising. Mr. Masters also stated that the Simple Triage and Rapid Treatment (START) triage course for MRC volunteers will be held in October in partnership with Blanchard Valley Hospital.

PLUMBING REPORT

1. The plumbing inspector is out on extended sick leave and inspections are being conducted once a week through our contract with Ottawa County. Mrs. Wilhelm did ask the board if they would like to waive the permit fees for the latest Habitat House at 1806 Payne Ave. **Mrs. Work motioned to waive the permit fees for Habitat at 1806 Payne Ave.** Seconded by Mr. Alge. **Motion Carried 4-0.** Filed.

MEETING REQUESTS

Mrs. Work moved to approve the travel requests;

1. Oct. 17-18, 2013: Kurt Schroeder and Craig Niese to Northwest Ohio Environmental Health Assoc. Fall Conference Sandusky, OH. Cost: Registration: \$200, Meals Lodging.

Seconded by Mr. Niemeyer **Motion carried 4-0.** Filed

OLD/UNFINISHED BUSINESS

None

NEW BUSINESS

Mr. Cline invited everyone to the Komen Race for the Cure to be held next weekend. (September 28). Mr. Cline's wife Karen is serving to chair the event and there are already over 1700 participants signed up.

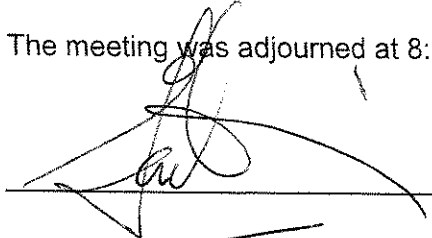
EXPENSES

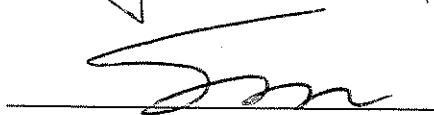
Mr. Alge asked for clarification regarding the \$2800 bill for the generator. Mrs. Wilhelm explained that Mike Couchot picked up the generator from the 428 Main Cross building and moved it to 1644 Tiffin Ave. It required several days on Mr. Couchot's part to complete wiring and attach the transfer switch. AEP needed to be called to come out as well. The generator is natural gas and wired to kick on automatically should the power go out. The generator was tested and will continue to self-test once per week. This will help protect the large amount of vaccine that is kept in the clinic refrigerators and will produce enough energy to keep computers, lights and phones functional so as not to disrupt employee work in the event of an outage. The generator was purchased with grant money and initially placed at 428 Main Cross when the plans were to place the health department at that location.

Mr. Alge moved to approve the expenses, as circulated, for payment by the City Auditor.

Seconded by Mr. Niemeyer. **Motion carried 4 – 0.** Filed.

The meeting was adjourned at 8:26 A.M.


_____, President


_____, Secretary (Health Commissioner)

City of Findlay City Planning Commission

Thursday, November 14, 2013 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

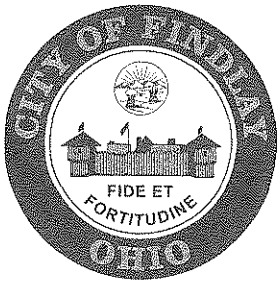
1. **ALLEY VACATION PETITION #AV-06-013** filed by Gregory Meyers, 119 First Street, Findlay, OH to vacate a north/south alley running between 1003, 1009 & 1015 S. Main Street and 119 1st Street.
2. **FINAL PLAT APPLICATION #FP-10-2013** filed by Steven D. Taylor Family Properties, LLC, PO Box 351750, Toledo, OH to Replat Lots 10, 11, and 12 in the North End Commercial Park.
3. **APPLICATION FOR CONDITIONAL USE #CU-03-2013** filed by **316 DORNEY PLAZA TOWNSHOUSES**
4. **SITE PLAN APPLICATION #SP-19-2013** filed by **1024 BLANCHARD ST - LAO CHURCH**

ADMINISTRATIVE APPROVALS

SITE PLAN APPLICATION #SP-16-2013 filed by JDP Ventures, LLC, 1100 E. Main Cross Street, Findlay for expansion of parking area at 1100 E. Main Cross Street, Findlay, OH.

SITE PLAN APPLICATION #SP-17-2013 filed by Findlay Cartage Co, Inc., 200 Northparke Drive, Findlay for an addition of a truck dock on an existing warehouse building at 200 Northparke Drive.

ADJOURNMENT



TREASURER'S OFFICE

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

SUSAN JO HITE
CITY TREASURER

Treasurer's Reconciliation for September 30, 2013

TREASURER

Fifth Third Initial Balance	3,662,439.49
- Withdrawals ()	(4,469,296.73)
+ Deposits	4,203,849.60
Ending Balance	3,396,992.36

- Outstanding checks () (385,726.55)

Auditor's adjustment

Bank Adjustment

+ Outstanding error

Treasurer's Checking Bal	3,011,265.81
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Investment Principal 42,051,219.69

Accrued Bond Interest 608.06


Treasurer's Total Cash and Investments	45,063,093.56
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AUDITOR

Auditor's Checking Bal	3,011,265.81
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Auditor's Total Cash and Investments	45,063,093.56
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Respectfully submitted,



Susan Jo Hite
Treasurer

TRAFFIC COMMISSION

City of Findlay

October 21, 2013

MINUTES

ATTENDANCE:

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

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

GUESTS PRESENT: Martinez family, residents of Glendale Avenue.

NEW BUSINESS

1. Request of Lee Ann Ireland, 220 18th Street, to examine the traffic situation during dismissal at Glenwood Middle School.

Motion to table request pending contact with Findlay City Schools to determine a solution by Chief Lonyo, second by Director Schmelzer. Motion passed 4-0.

2. Request of Deb Vance, 201 Glendale Avenue, to make the Glendale Avenue and Maple Street intersection a four-way stop.

The Commission stated that traffic count warrants would not justify the placement of a stop sign. Residents are concerned for the safety of the children in the area due to the high rate of speed motorists are travelling down Glendale Avenue. Most of the other residential streets that parallel Glendale have a 4-way stop at the Maple Street intersections.

Motion to convert the intersection of Glendale Avenue and Maple Street to a four-way stop and install appropriate signage by Director Schmelzer, second by Councilman Monday. Motion passed 4-0.

3. Request of Ruben Martinez, Jr., 3424 Crosshill Drive, to reconsider the No Parking Any Time decision on the west side of Crosshill Drive from Hillshafer north to the dead end.

The Martinez family stated that they have been parking in front of their house for 21 years. Now the City changed it to No Parking Any Time: Would like the City to consider posting the opposite side of the street as No Parking Any Time instead. Chief Lonyo suggested to circle back with the DePuys who made the initial request for No Parking Any Time to determine their thoughts on changing the side of the street that is No Parking Any Time.

Motion to have Service-Safety Director Paul Schmelzer meet with both property owners and come to an agreement on which side of the street the signs are to be posted by Director Schmelzer, second by Chief Lonyo. Motion passed 4-0.

4. Request of H.R. "Puck" Rowe, 625 West Lake Court, for the following:
 - a. Painting of a split yellow line down the middle of Hobart Street
 - b. Painting of white edge lines on both sides of Hobart Street.
 - c. No Parking Any Time on both sides of Hobart Street or just the north side of the Hobart Street.
 - d. Installation of additional 25 MPH signs on Hobart Street.
 - e. Installation of larger stop signs or stop signs with solar lighting added at the intersection of Hobart Street and Chapel Drive

There are established standards for painting stripes on residential streets. Hobart Street does not meet the standard for striping. Additional input is needed from residents prior to making decision on No Parking Any Time request. Director Schmelzer will circle back with Mr. Rowe to either require attendance to the Traffic Commission by residents or to schedule a neighborhood meeting to discuss.

Motion to take no action on requests for painting of a split yellow line down the middle of Hobart Street, painting of white edge lines on both sides of Hobart Street, and installation of larger stop signs or stop signs with solar lighting added at the intersection of Hobart Street and Chapel Drive; table request for No Parking Any Time signs until additional input is received from residents; have Street Superintendent Matt Stoffel drive Hobart Street to double check the number of 25 MPH signs posted on the street to determine if they meet requirements for number required, by Director Schmelzer, second by Chief Horne. Motion passed 4-0.

With no further business to discuss, the meeting adjourned. The next meeting of the City of Findlay Traffic Commission will be held on November 18, 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

October 30, 2013

Honorable City Council
Findlay, OH 45840

RE: HAN-330/568.0.20/0.23; ODOT PID #76823
Project No. 32831100

Dear Council Members:

In September, an amount of \$122,082 was appropriated to the above-referenced project based on an estimate from the Ohio Department of Transportation (ODOT). After receiving bids for the project, ODOT anticipates the City owing an additional amount of \$2,254.

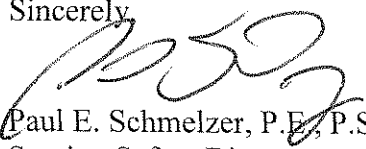
Please refer this matter to the Appropriations Committee for further discussion of the following appropriation:

FROM:	Cap. Imp. – CIT	\$2,254
TO:	ODOT Resurfacing 568 Project #32831100	\$2,254

If there are any unused funds after construction, ODOT will refund any overpayment to the City.

Thank you for your consideration in this matter.

Sincerely,


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

pc: Jim Staschiak II, City Auditor
Engineering Department



October 31, 2013

Findlay City Council
318 Dorney Plaza
Findlay, Ohio 45840

Attention: James P. Slough, President

RE: Amendment to the Findlay Zoning Code

Honorable Members of Council:

Hancock Regional Planning Commission is submitting several changes to the City of Findlay Zoning Code. There are a total of six proposed changes to the code. Below is a list of the changes and the reasoning for each.

1) Downtown Parking Buffer

Currently downtown is undergoing some very significant changes. The removal of buildings has left some "holes" in the fabric of downtown. In order to help preserve the aesthetic character of downtown HRPC has crafted parking regulations that would apply to parcels zoned C-3 Downtown Business. Please note that the C-3 Downtown Zoning District is the only non-residential district that does not have parking lot screening requirements. The O-1, C-1, C-2, I-1, and I-2 all have parking lot screening requirements,

The proposed amendment would require new or expanded C-3 zoned parking lots with frontage on Main Street or Main Cross to install a masonry wall or masonry wall/fence combination. The purpose of the required wall is to preserve the aesthetic quality of downtown and to minimize the visual impact of surface parking lots directly on Main Street. A new parking lot that has frontage on both Main Street/Main Cross and a secondary street would be required to install the wall on Main Street/Main Cross and the secondary street. The secondary street wall would only be required to be installed to the nearest public right-of-way or 200 feet whichever is less.

Finally the C-3 parking amendment would require all other new parking lots without frontage on Main Street to install the similar perimeter landscaping screening that is required in the O-1, C-1, C-2, I-1, and I-2 Districts.

2) R-3 Setback Changes

The R-3 residential zoning classification is designed to accommodate the smallest residential lots in the City. Very often the R-3 zoned lots are very small and the current setbacks cause significant barriers and limit property owner options.

The first proposed change is to modify the rear setback from a static 30 feet to a variable standard. The proposal reads, "*Rear Yard Setback: Fifteen percent (15%) of the lot depth or thirty feet (30), whichever is less*". This standard was used in the old code and after some practical usage in the field it has been determined that the flexibility that it allows is better than a static thirty foot setback.

The second proposed change is to the front setback requirement. Currently the front yard setback allows for a variable distance depending on the setback of the neighboring houses. This works very well but we propose to add a statement that limits the variable setback to a minimum of five feet to provide at least a minimal standard of setback.

The final proposed change to the R-3 setbacks is to state that "*Overhangs may not encroach into any setback by more than two (2) feet.*". Todd Richard deals with this question very often and the code does not address it. The allowance of a 2 foot overhang is one foot less than the smallest setback ensuring that overhangs do not encroach into a neighboring property.

3) Non-Conformity Replacement

This is a proposed addition to the Non-conforming section of the Zoning Code. It allows for the replacement of porches, attached garages, and other portions of a non-conforming structure provided that the replacement is the same or smaller in size.

4) C-1 Residential

Sometime in 2005 or 2006 residential uses were removed from commercial zoning districts. Currently the code allows residential in the O-1 (Office Institution) which is intended. The proposed change is in the C-1 district which allows all uses from the O-1 district. (pyramidal structure) The proposed change is to add the phrase, "*except residential uses*" to the list of permitted uses in the C-1 district.

5) Electronic Message Center

Electronic Message Centers are allowed to make up 25% of a sign. The current wording of the code is somewhat vague. The proposed new wording will make it clear that the message center may only be 25% of the actual sign that is constructed, not 25% of the theoretical maximum sign allowed.

6) Accessory Building Allowances

The first change to accessory buildings in residential areas is to increase the allowable square footage of accessory structures from 800 SF to 900 SF.

The second change is to exclude detached garages from the permitted accessory use calculation of 900 SF. The change is an attempt to create a level playing field for those houses with a detached garage versus those with an attached garage. Essentially the code as written today allows less accessory building square footage to those houses with detached garages.

Sincerely,



Matt Cordonnier, Director
Hancock Regional Planning Commission

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

October 2013

Total collections for October 2013: \$6,278,199.85

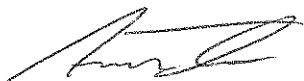
	2013	2012	
	<u>Year-to-date</u>	<u>Year-to-date</u>	<u>Variance</u>
Withholders	13,486,955.49	14,846,210.68	-1,359,255.19
Individuals	2,291,117.13	2,306,653.89	-15,536.76
Businesses	<u>6,390,451.39</u>	<u>1,467,331.94</u>	<u>4,923,119.45</u>
Totals	22,168,524.01	18,620,196.51	3,548,327.50
			19.06%

Actual & Estimated Past-due Taxes

Withholders	483,590.27
Individuals	921,292.58
Businesses	<u>39,322.06</u>
Total	1,444,204.91

Refunds Paid

<u>Monthly</u>	<u>Year-to-date</u>
62	1,523
24,451.07	442,679.59


Andrew Thomas, Administrator

10-31-13
Date

Findlay Income Tax Department

Monthly Collections Report

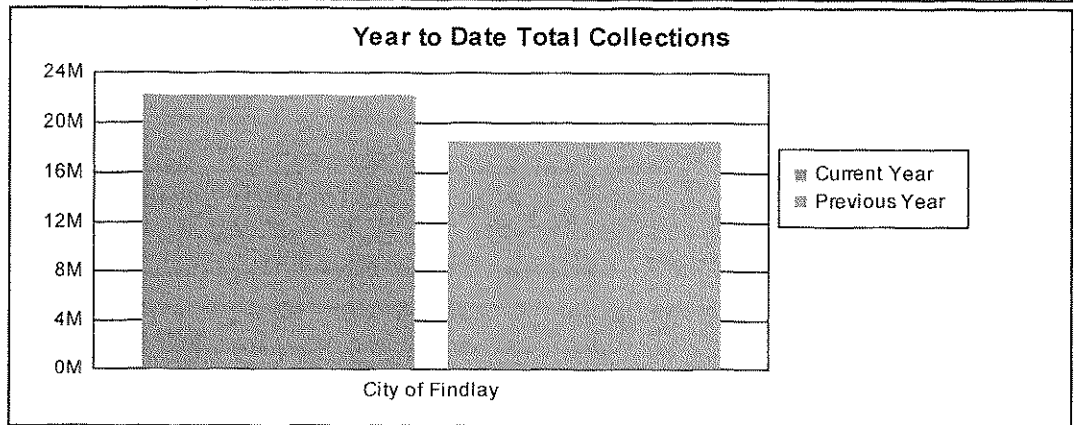
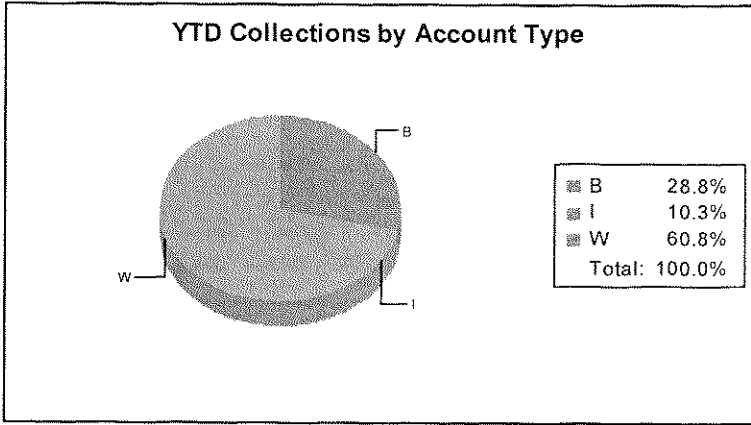
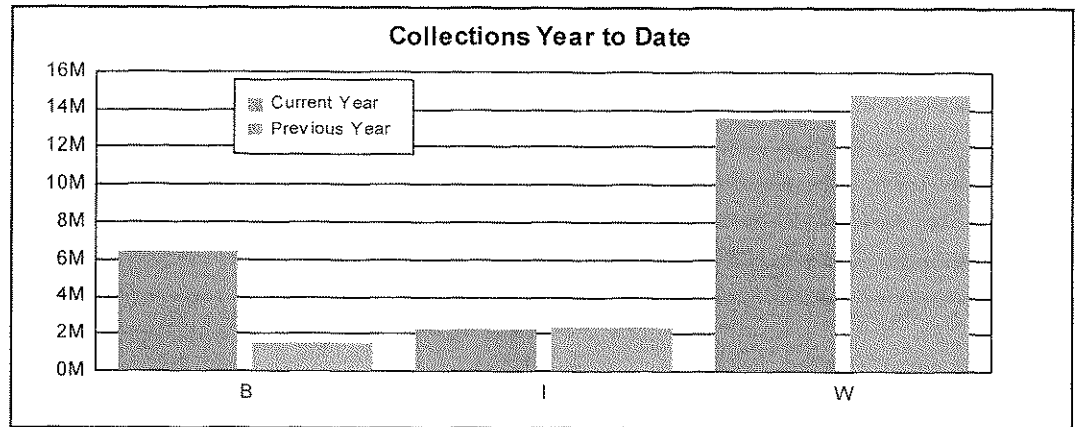
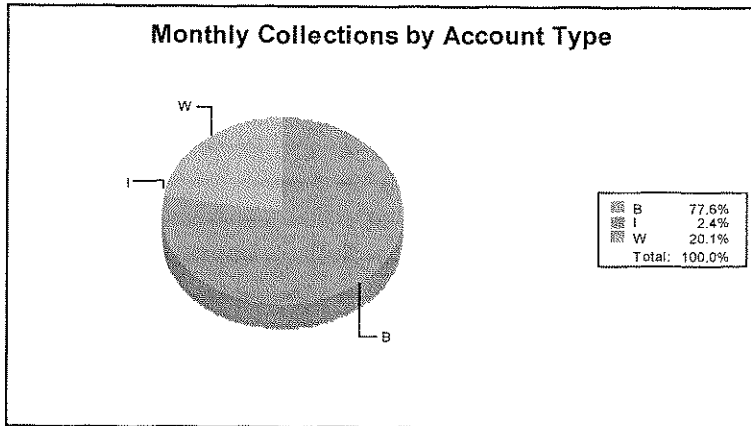
Thursday, October 31, 2013

3:01:19PM

For Period October 1, 2013 through October 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	1,259,755.31	13,486,955.49	14,846,210.68	-1,359,255.19	-9.16	1,258,770.98	984.33
I	148,952.11	2,291,117.13	2,306,653.89	-15,536.76	-0.67	90,352.54	58,599.57
B	4,869,492.43	6,390,451.39	1,467,331.94	4,923,119.45	335.52	10,251.29	4,859,241.14
Totals:	6,278,199.85	22,168,524.01	18,620,196.51	3,548,327.50	19.06	1,359,374.81	4,918,825.04



City of Findlay

Lydia Mihalik, Mayor

N.E.A.T. DEPARTMENT

Neighborhood Enhancement and Abatement Team

318 Dorney Plaza, Room 304 • Findlay, OH 45840

Phone: 419-424-7466

www.findlayohio.com

November 1, 2013

City Council
City of Findlay, Ohio

RE: Departmental Activity

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

Dilapidated Structures

12 cases year to date

16 cases pending

Weeds

391 cases year to date

81 cases pending

Junk on Premises

191 cases year to date

127 cases pending

Junk Vehicles

140 cases year to date

111 cases pending

Minor Maintenance

7 cases year to date

6 cases pending

Miscellaneous

41 cases year to date

9 cases pending

Overgrowth

25 cases year to date

9 cases pending

Right of Way Issues

23 cases year to date

3 cases pending

Sidewalks

7 cases year to date

0 cases pending

Trash

100 cases year to date

4 cases pending

The Neighborhood Enhancement and Abatement Team received 86 new cases which involved 61 properties. Neat personnel closed 100 cases during the month of October and continue to work diligently on the 366 cases that remained active at the end of the month.

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

Respectfully Submitted,



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

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The PLANNING & ZONING COMMITTEE to whom was referred a request to discuss downtown parking screening.

We recommend ADOPTION OF REVISED ZONING
1161.06.4 LANDSCAPING STANDARDS -
PARKING LOTS C-3.

Aye Nay

W. Jerry Murray
W. Jerry Murray, Chairman

Aye Nay

Grant C Russel
Grant Russel

Aye Nay

William Schedel, Jr.
William Schedel, Jr.

PLANNING & ZONING COMMITTEE

Aye Nay

J. Michael Slough
J. Michael Slough

DATE: October 22, 2013

LEGISLATION _____

Aye Nay

Anne Spence

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

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

We recommend **THAT THE CRA PROPOSAL WITH INCENTIVES AS PRESENTED BY HRPC BE DEVELOPED INTO LEGISLATION.**

J. Murray

Aye Nay

W. Jerry Murray, Chairman

Grant Russel

Aye Nay

Grant Russel

William Schedel, Jr.

Aye Nay

William Schedel, Jr.

PLANNING & ZONING COMMITTEE

J. Michael Slough

Aye Nay

J. Michael Slough

DATE: October 22, 2013

LEGISLATION _____

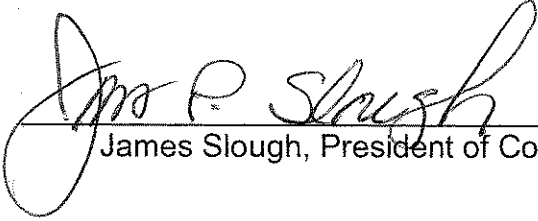
Aye Nay

Anne Spence

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

A **COMMITTEE OF THE WHOLE** to whom was referred a request from the Mayor to discuss a communications plan.


James Slough, President of Council

COMMITTEE OF THE WHOLE

DATED: October 22, 2013

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

2013-067

Third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS CENTER STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY HIGH DENSITY" TO "M2 MULTIPLE FAMILY HIGH DENSITY.

2013-068

Third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS PAYNE AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO "R3 SINGLE FAMILY.

21013-074

Second reading

AN ORDINANCE DESIGNATING TEN PERCENT (10%) OF THE HOTEL/MOTEL TRANSIENT TAX TO BE DISTRIBUTED TO THE ARTS PARTNERSHIP ON A QUARTERLY BASIS DURING CALENDAR YEARS 2014, 2015 AND 2016 AND APPROPRIATING SAID SUMS AS NECESSARY.

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

NOVEMBER 5, 2013

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

RESOLUTIONS

- 045-2013 A RESOLUTION COMMENDING ROBERT KELLEY FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 046-2013 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

ORDINANCES

- 2013-075 AN ORDINANCE APPROVING THE 2012 REVISED SOLID WASTE MANAGEMENT PLAN OF THE HANCOCK COUNTY SOLID WASTE MANAGEMENT DISTRICT, AND DECLARING AN EMERGENCY.
- 2013-076 AN ORDINANCE AMENDING SECTIONS 1123.05, 1133.02, 1161.01.1(C)(2), 1161.12.13(B) AND 1162.05(C) OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED.
- 2013-077 AN ORDINANCE ENACTING SECTIONS 1161.06.4 AND 1161.11.5.1 OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED, PROVIDING FOR LANDSCAPING STANDARDS AND PARKING STANDARDS FOR CERTAIN PARKING LOTS WITHIN THE C-3 DOWNTOWN COMMERCIAL DISTRICT.

RESOLUTION NO. 045-2013

A RESOLUTION COMMENDING ROBERT KELLEY FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Robert Michael "Homer" Kelley, who served the City of Findlay, Ohio for thirty-one years (31) as a dedicated loyal employee, retired August 30, 2013. Mike began in the Traffic Signs Department on August 9, 1982 and continued to work in both the Traffic Signs Department and the Street Department throughout his career with the City of Findlay, retiring as a Street Maintenance Worker II, and;

WHEREAS, Mike dedicated many summers to assist with catch basin work, and;

WHEREAS, Mike completed his work zone traffic control training with the Ohio State University Department of Civil Engineering Ohio Transportation Technology Transfer Center on April 14, 1992, and completed his Hazard Communication training on August 31, 1994, and;

WHEREAS, Mike received a memorandum of appreciation on June 2, 2004 from the then Supervisor of the Building Maintenance Department for concrete work he did. He received a thank you letter from Jim and Nan Radabaugh on August 9, 2004 for the curb work he did at Cobblestone Drive. He received a letter of commendation from the then Mayor on January 10, 2005 for his volunteer work with the Secret Santa program. Mike was recognized by City Council through Resolution No. 039-2012 for the actions he took during and after the severe wind storm that occurred on June 29, 2012, and;

WHEREAS, during his service to the City of Findlay, Ohio, Mike has performed as an outstanding public servant in a loyal and dedicated manner to the citizens of Findlay through his responsibilities within the Street, Traffic Sign, and Sewer Maintenance Departments..

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

SECTION 1: That the said Robert Kelley be and he is hereby commended for his long and loyal services to this City, and that this Council extends its best wishes to him upon his 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. 046-2013

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

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

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

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

OVER PURCHASE ORDER/NO PURCHASE ORDER- COUNCIL AUTHORIZATION

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
UNITED INSURANCE SERVICE	118943	MULTIPLE	MULTIPLE VARIOUS	20933.61	LIABILITY AND PROPERTY INSURANCE PREMIUMS	ACTUAL COSTS EXCEEDED THOSE ENCUMBERED ON PURCHASE ORDERS
ASPHALT MATERIALS	118867	MULTIPLE	STREETS	4050.00	RAPID SET LIQUID ASPHALT	NO PURCHASE ORDER REQUESTED BEFORE PRODUCT WAS PICKED UP

ORDINANCE NO. 2013-075

AN ORDINANCE APPROVING THE 2012 REVISED SOLID WASTE MANAGEMENT PLAN OF THE HANCOCK COUNTY SOLID WASTE MANAGEMENT DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Hancock County Commissioners (the Board) has established the Hancock County Solid Waste Management District (the District) and has established and convened a "Solid Waste Management Policy Committee" (the "Policy Committee") in accordance with §3734.54 of the Ohio Revised Code, to prepare a "Solid Waste Management Plan" ("the Plan") for the District as required by §3734.53 through §3734.55 of the Ohio Revised Code; and

WHEREAS, the Solid Waste Management Policy Committee for the District completed the 2007 Amended Plan in accordance with the §3734.53 through §3734.55 of the Ohio Revised Code, and same was submitted and approved by the Director of the Ohio EPA on October 9, 2007; and

WHEREAS, pursuant to the 2007 plan and Ohio Revised Code, §3734.54, the District solid Waste Management Plan must be revised every five (5) years for a new planning period of greater than ten (10) years; and

WHEREAS, pursuant to the 2007 Plan, the Policy Committee reconvened in June 2012 and revised the Hancock County Solid Waste Management Plan in accordance with the Ohio Revised Code and the new format prescribed by the Ohio EPA; and

WHEREAS, the Hancock County Solid Waste Policy Committee submitted the draft of the 2012 Revised Plan to the Ohio EPA Director for preliminary review and comment and received the Agency's written non-binding advisory opinion regarding the draft of the 2012 Revised Plan on October 29, 2012; and

WHEREAS, after making some revisions to the Plan in response to the non-binding comments from the agency, the Policy Committee on August 13, 2013, approved the final draft of the 2012 Revised Solid Waste Management Plan, established the written and public comment period from August 26, 2013 through September 25, 2013 and scheduled a public hearing to receive oral comments concerning the final draft of the 2012 Revised Plan on October 1, 2013; and

WHEREAS, the Hancock County Solid Waste Policy Committee, after consideration of the comments and recommendations received concerning the draft of the 2012 Revised Plan, made no corrections to the final 2012 Revised Plan and adopted the same pursuant to Policy Committee Resolution No. 2013-01 on October 1, 2013; and

WHEREAS, the Policy Committee has submitted to this legislative authority a copy of the final 2012 Revised Solid Waste Management Plan for the Hancock County Solid Waste Management District as so modified (the Final 2012 Revised Plan").

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 Final 2012 Revised Hancock County Solid Waste Management Plan is hereby approved in the form submitted to this legislative authority and presently on file with the Clerk of this legislative authority.

SECTION 2: That the 2012 revised Hancock County Solid Waste Management Plan shall be in effect for calendar years 2014 through 2018 upon acceptance by the Director of the Ohio EPA.

SECTION 3: That the Clerk of this legislative authority is hereby authorized and directed to mail or otherwise deliver promptly, a certified copy of this Ordinance to the Policy Committee, in care of the Hancock County Commissioners.

SECTION 4: That this Council finds and determines that all formal actions of this Council relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council, which resulted in formal actions were taken in meetings open to the public in full compliance with applicable legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is hereby declared to be an emergency measure of the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Hancock County, Ohio, and for the further reason that the immediate effectiveness of this Ordinance is required in order to permit the timely submission of the Final 2012 Revised Solid Waste Management Plan to the Director of the Ohio EPA for final approval which is prerequisite to the implementation of the 2012 Revised Plan and provisions thereby for the efficient and sanitary management of solid waste for the District and Municipality.

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. 2013-076

AN ORDINANCE AMENDING SECTIONS 1123.05, 1133.02, 1161.01.1(C)(2), 1161.12.13(B) AND 1162.05(C) OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio a majority of members elected thereto concurring:

SECTION 1: That Section 1123.05 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1123.05 REQUIRED BUILDING SETBACKS

- A. FRONT YARD SETBACK
Major & secondary thoroughfares: fifteen feet (15')
All other streets: ten feet (10')
- B. SIDE YARD SETBACK
Three feet (3')
- C. STREET SIDE YARD SETBACK
Ten feet (10')
- D. REAR YARD SETBACK
Thirty feet (30')
- E. AVERAGE FRONT YARD SETBACK
Available for use on lots not able to comply with requirements herein. See CHAPTER 1174 DEFINITIONS.

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

1123.05 REQUIRED BUILDING SETBACKS

- A. FRONT YARD SETBACK
Major & secondary thoroughfares: fifteen feet (15')
All other streets: ten feet (10')
- B. SIDE YARD SETBACK
Three feet (3')
- C. STREET SIDE YARD SETBACK
Ten feet (10')
- D. REAR YARD SETBACK
Fifteen percent (15%) of the lot depth or thirty feet (30'), whichever is less
- E. AVERAGE FRONT YARD SETBACK
Available for use on lots not able to comply with requirements herein, yet not have less than a five foot (5') yard setback.
- F. OVERHANGS
Overhangs may not encroach into any setbacks by more than two feet (2').

SECTION 2: That Section 1133.02 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1133.02 PERMITTED USE – CERTIFICATE REQUIRED.

All uses permitted in O-1 are permitted in this district, in addition to which the following uses are also permitted: Retail Business (except conditions per Section 1161.15).

- A. PROFESSIONAL ACTIVITIES
- B. LIBRARIES
- C. RESTAURANTS
- D. ART AND ANTIQUE SHOPS
- E. BAKERIES – RETAIL
- F. BED & BREAKFASTS
- G. BOOK STORES
- H. BUSINESS SERVICES
- I. COFFEE SHOPS
- J. CONVENIENCE STORES
- K. CRAFT SUPPLIES
- L. DANCE STUDIOS
- M. DAY CARE CENTERS
- N. DRY CLEANERS
- O. FLOWER SHOPS
- P. FOOD RETAILING
- Q. HARDWARE STORES
- R. HEALTH SERVICES
- S. ICE CREAM SHOPS
- T. BEAUTY SALONS
- U. BARBER SHOPS
- V. BODY CLINICS
- W. VETERINARY CLINICS (NO KENNEL)
- X. PAWN SHOPS
- Y. ACCESSORY USES

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

1133.02 PERMITTED USE – CERTIFICATE REQUIRED.

All uses permitted in O-1, except residential uses, are permitted in this district, in addition to which the following uses are also permitted: Retail Business (except conditions per Section 1161.15).

- A. PROFESSIONAL ACTIVITIES
- B. LIBRARIES
- C. RESTAURANTS
- D. ART AND ANTIQUE SHOPS
- E. BAKERIES – RETAIL
- F. BED & BREAKFASTS
- G. BOOK STORES
- H. BUSINESS SERVICES
- I. COFFEE SHOPS
- J. CONVENIENCE STORES
- K. CRAFT SUPPLIES
- L. DANCE STUDIOS
- M. DAY CARE CENTERS

- N. DRY CLEANERS
- O. FLOWER SHOPS
- P. FOOD RETAILING
- Q. HARDWARE STORES
- R. HEALTH SERVICES
- S. ICE CREAM SHOPS
- T. BEAUTY SALONS
- U. BARBER SHOPS
- V. BODY CLINICS
- W. VETERINARY CLINICS (NO KENNEL)
- X. PAWN SHOPS
- Y. ACCESSORY USES

SECTION 3: That Section 1161.01.1(C)(2) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

- 2. Maximum Floor Area: The combined building footprint of all accessory buildings on site shall not exceed eight hundred (800) square feet. This does not include the structures exempted in the residential districts. Example: the 50 sq ft allowable accessory building permitted in all residential districts.

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

- 2. Maximum Floor Area: The combined building footprint of all accessory buildings on site shall not exceed nine hundred square feet (900 sq ft). One accessory building that is fifty square feet (50 sq ft) or less shall be exempt from this requirement. In no instance shall any separate accessory building be larger than nine hundred square feet (900 sq ft). All accessory buildings are subject to maximum lot coverage requirements as prescribed in each zoning district. The following stipulations apply to properties without attached garage:
 - a. Any detached garage up to five hundred seventy-six square feet (576 sq ft) shall not count against the total allowable accessory building area. Any detached garage greater than five hundred seventy-six square feet (576 sq ft) will have that area in excess of five hundred seventy-six square feet (576 sq ft) deducted from the maximum allowable accessory building area.
 - b. An existing primary garage less than five hundred seventy-six square feet (576 sq ft) can be increased in area so the total building area does not exceed five hundred seventy-six square feet (576 sq ft), even if the property contains other accessory buildings that exceed the nine hundred square foot (900 sq ft) limit.

SECTION 4: That Section 1161.12.13(B) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

B. Size

Electronic Message Centers shall not exceed twenty-five percent (25%) of the total sign area permitted on site.

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

B. Size

Electronic Message Centers shall not exceed twenty-five percent (25%) of the total area of the sign as approved and constructed.

SECTION 5: That Section 1162.05(C) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1162.05 NONCONFORMING STRUCTURES

C. LOCATION OF NONCONFORMITY. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District in which it is located after it is removed. This does not preclude the elevation of structures to comply with the flood damage reduction ordinance.

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

1162.05 NONCONFORMING STRUCTURES

C. LOCATION OF NONCONFORMITY. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District in which it is located after it is removed. This does not preclude the elevation of structures to comply with the flood damage reduction ordinance. Portions of nonconforming buildings such as porches, attached garages or other appurtenances may be replaced so long as the replacement does not increase the degree of nonconformity of the structure.

SECTION 6: That this Ordinance shall be in full force and effect at the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2013-077

AN ORDINANCE ENACTING SECTIONS 1161.06.4 AND 1161.11.5.1 OF CHAPTER 1100 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE OF THE CITY OF FINDLAY, OHIO, AS AMENDED, PROVIDING FOR LANDSCAPING STANDARDS AND PARKING STANDARDS FOR CERTAIN PARKING LOTS WITHIN THE C-3 DOWNTOWN COMMERCIAL DISTRICT.

WHEREAS, Council is desirous of establishing landscaping standards and parking standards for certain parking lots within the City of Findlay with frontage on Main Street or Main Cross Street, 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: That Sections 1161.06.4 be and the same hereby is enacted to read as follows:

1161.06.4 LANDSCAPING STANDARDS – PARKING LOTS C-3

A. PERIMETER LANDSCAPING

Parking lots with frontage on Main Street or Main Cross Street shall have the following perimeter screening. This includes:

1. Any newly constructed parking lot;
2. The expansion of an existing parking lot frontage by twenty-five percent (25%) or more within a two (2) year period;
3. The demolition and rebuilding of the site;
4. Major redevelopment of the site.

1. Buffer

- a. Parking lots with frontage on Main Street or Main Cross Street shall have a minimum five foot (5') wide buffer area for a decorative wall or wall/fence combination for screening.
- b. Corner clearance standards do not apply to this section.
- c. If a parking lot has street frontage on Main Street or Main Cross Street and a secondary street, it will be required to continue a masonry wall or wall/fence combination on the secondary street until it intersects with a public right of way, such as a street or alleyway, or two hundred feet (200') whichever is less. The remainder of the frontage on a secondary street must be screened by landscaping.
- d. For areas that are not required to have a masonry wall, they are required to have landscape screening as required in Section B Landscaping Standards.

2. Walls

- a. A decorative wall or wall-fence combination that is a minimum of three and a half feet (3½') in height and no more than six feet (6') in height must be installed within the buffer area.

- b. The wall must be blank and monotonous in appearance and must incorporate decorative patterns or architectural elements such as piers, pilasters or breaks in the wall.
- c. Decorative walls must not be more than fifty percent (50%) masonry above three and a half feet (3½'). Smooth faced blocks, wire or chain link fencing, painted or stained wood screens, unpatterned or unpainted concrete or concrete blocks, or split faced block shall not be permitted.
- d. The decorative wall and primary structure should appear as a unified architectural statement.
- e. Decorative name plates or lettering encompassing no more than eight square feet (8 sq ft) in size are permitted on wall space to identify the lot.
 - i. Name plates or lettering shall not be internally lit
 - ii. Back lighting or external lighting is permitted.
- f. The placement of the wall within the buffer area is left to the discretion of the owner.
- g. At minimum one shrub shall be installed for every five feet (5') of masonry wall. At least fifty percent (50%) of shrubs must be evergreen. The layout and design of the shrubs is left to the discretion of the owner. The shrubs may be clustered or evenly spaced and or placed on either side of the wall.

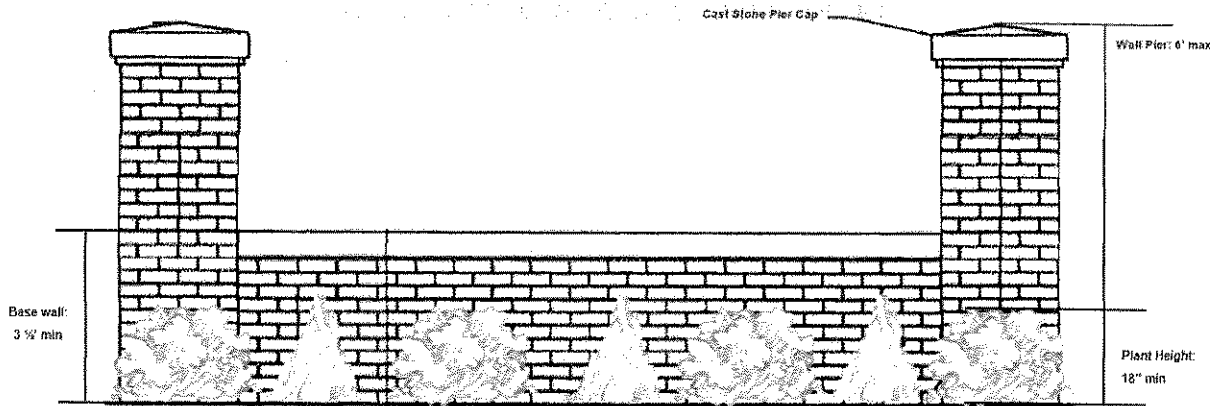


Figure A: Example of decorative wall and shrub line

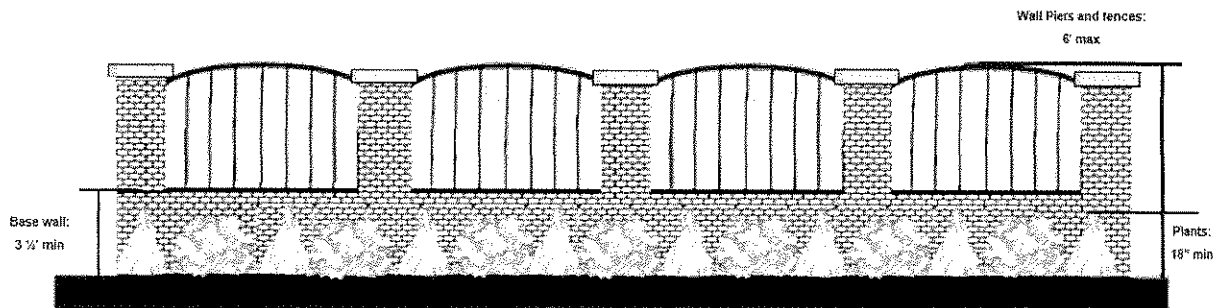


Figure B: A second example of decorative wall and shrub line

3. Fences

- a. For parking lots that are required to construct over one hundred feet (100') of masonry wall, masonry pillars with wrought iron or wrought iron like fencing and landscaping may be substituted for a complete masonry wall. For fence runs of one hundred to one hundred fifty feet (100-150 ft), pillars should be placed twenty feet (20') apart. For fence runs one hundred fifty to two hundred feet (150-200'), pillars should be placed thirty feet (30') apart. Fence runs over two hundred feet (200') or more, pillars should be spaced fifty feet (50') apart. Pillars must be evenly spaced along the frontage. See *Figure C*.
- b. Landscaping shall be placed between pillars and designed to provide one hundred percent (100%) opacity up to three feet (3') in height within two (2) years of planting.



Figure C: A example of decorative pillar/wrought iron fence combination and shrub/tree line

4. Exceptions

- a. Parking lots with frontage on Main Street or Main Cross Street that are set back fifty feet (50') or more from the right of way are not required to construct a masonry wall or fence. However they are still required to meet the landscaping standards of a parking lot in C-3 that does not have frontage on Main Street or Main Cross Street. See Section B.
- b. Car dealerships are not required to screen parking lots that are for the display of vehicles for sale. Screening is still required for any parking lots that are used for purposes other than the display of vehicles for sale.

B. PARKING LOTS WITHIN C-3 DISTRICT WITHOUT FRONTAGE ON MAIN STREET OR MAIN CROSS STREET SHALL HAVE THE FOLLOWING PERIMETER SCREEINGS:

1. Buffer
Parking lots with frontage on all other streets in C-3 shall have a minimum three feet (3') wide buffer area for a landscaping screen.
2. Screening
Parking lots shall be screened from streets using either plant materials or decorative walls. Parking lots directly adjacent to residential uses shall have opaque fencing or masonry walls for screening from the abutting residential use.

3. Shrubs

Shrubs shall be planted at a minimum ratio of one (1) shrub per five (5) lineal feet around the perimeter. Minimum size at planting shall be twenty-four inches (24") in height. A minimum of fifty percent (50%) of the shrubs shall be evergreen.

4. Walls

A masonry wall may be used in lieu of shrubs. See Chapter 1161.03 (fencing) for applicable requirements.

SECTION 2: That Sections 1161.11.5.1 be and the same hereby is enacted to read as follows:

1161.11.5.1 PARKING STANDARDS FOR THE C-3 DOWNTOWN COMMERCIAL DISTRICT

A. Screening

Parking lots with frontage on Main Street or Main Cross Street are required to have a five foot (5') wide buffer that includes a low profile masonry wall or wall/fence combination. Surface parking lots with frontage on streets other than Main Street or Main Cross Street must include a landscape buffer. See Chapter 1161.4 Landscaping for C-3.

B. Access

Parking lots with frontage on Main Street are required to have ingress/egress onto secondary streets or alleyways. Curb cuts onto Main Street are discouraged.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____