#### FINDLAY CITY COUNCIL AGENDA

#### REGULAR SESSION

#### **FEBRUARY 5, 2019**

#### COUNCIL CHAMBERS

#### ROLL CALL of 2018-2019 Councilmembers

#### ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Acceptance or changes to the January 15, 2019 Public Hearing minutes to rezone 701-807 Adams Street/700-714 Putnam Street.
- Acceptance or changes to the January 15, 2019 Public Hearing minutes to rezone Birchaven Lane/Eastern Woods Lot 2.
- · Acceptance or changes to the January 15, 2019 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: - none.

PETITIONS: - none.

#### **WRITTEN COMMUNICATIONS:**

#### Mary Jane S. Hill, Flynn, Py & Kruse Co. - proposed trust fund for Norma and Francis Collingwood

Ms. Hill requests to establish a trust fund through the Findlay Cemetery Department on behalf of Richard Collingwood and the family of Norma and Francis Collingwood for the yearly placement of flowers on the gravesite of Block 24/Lot 156/Graves 7 and 10. A check payable to the City of Findlay in the amount of one thousand three hundred fifty-seven dollars and twenty-six cents (\$1,357.26) was enclosed for deposit into a trust fund for this purpose. Upon Council's confirmation of the approval of the establishment of this trust fund and the acceptance of payment, the Auditor's Office will then send confirmation of the establishment of the trust fund to both Ms. Hill, as well as, the City of Findlay Maple Grove Cemetery. Council's confirmation is requested.

#### Ohio Department of Agriculture Ag Inspection Manager David Adkins - Gypsy Moth

The Ohio Department of Agriculture (ODA) each year conducts an extensive trapping program across Ohio to detect growing populations of the invasive species Lymantria dispar better known as the Gypsy Moth. This insect does its damage by defoliating the tree during its caterpillar life stage. A couple of years of defoliation and other environmental stresses can cause the trees to die. With over three hundred (300) species of trees and shrubs that can be affected, it is considered one of the most destructive insect pests threatening forests and ornamental plants in Ohio. If left unchecked, Gypsy Moth infestations can grow quite rapidly. It is vital to eliminate growing populations as soon as possible. ODA has recently completed an analysis of Gypsy Moth populations throughout Ohio. Based on rising moth captures and/or egg mass counts within your area, the ODA has concluded that a treatment is needed. ODA, in cooperation with the United States Department of Agriculture (USDA), Forest Service/Forest Health Protection/Gypsy Moth Slow the Spread Program will be conducting a gypsy Moth Treatment Project during the months of May and June in our area. Aerial treatment(s) of forested areas infested with the Gypsy Moth pest may begin in early to mid-May with a larvacide treatment, and in mid-June, with a mating disruption treatment.

#### Treatments will be made with the following:

- A single or double application of the biological insecticide B.t.k. (Bacillus thuringiensis, subspecies kurstaki, known under the commercial name Foray 48B, to the tree canopy. This application(s) will occur in early to mid-May while the pest is in its early caterpillar stages. If a second application is made, it will take place approximately five to seven (5-7) days after the first application. when ingested by the Gypsy Moth, toxins form in the stomach causing the caterpillar to stop eating, resulting in death.
- A single application of mating disruption product, Splat Gypsy Moth Organic. The product contains a synthetic Gypsy Moth pheromone, disparlure. This application will occur in early to mid-June at the beginning of the mating season. When applied to the tree canopy, the pheromone disrupts the communication between the male and female moths, preventing them from finding each other and mating. This treatment does not kill the Gypsy Moth, but reduces the population in the area for next year.

Even though scientific research shows the products used are not considered harmful to humans, residents with concerns may want to remain indoors during the treatments, but there is no requirement to do so. All treatments will be applied from an aircraft flown approximately fifty to one hundred feet (50-100 ft) above the tree tops. The exact time and date of treatment applications in our area cannot be determined in advance. The timing of treatments is dependent on insect development and environmental conditions. ODA will attempt to contact the City by phone or email prior to the start of treatments in the area.

Information about the Gypsy moth and the ODA Gypsy Moth Management Program is available on their website: <a href="www.agri.ohio.gov">www.agri.ohio.gov</a>. Once there, click on "Safeguarding Animals & Plants", then click on "Plant Health", and then click on "Gypsy Moth Program". Copies of the fact sheets, insecticide label, MSDS, and a map of the treatment area(s) are enclosed.

An open house has been scheduled for the public on Wednesday, February 20, 2019 at the Burgeman Lodge, Riverbend Recreational Area, 16618 Twp Rd 208, Findlay, OH from 6;00pm-8:00pm.

Notification letters will be sent to all residents that will be affected by this treatment. The public comment period ends February 28, 2019. Questions are directed to 614-728-6400 or adkins@agri.ohio.gov.

#### REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

#### City Auditor Staschiak - summary financial reports

A set of summary financial reports for the prior month follows including:

- Summary of Year-To-Date Information as of December 31, 2018
- Open Projects Report as of December 31, 2018
- Cash & Investments as of December 31, 2018

Treasurer's Reconciliation Report - December 31, 2018.

#### Findlay Police Department Captain Robert Ring - donation from NAMI Ohio

The Police Department received a check from NAMI Ohio in 2018 to help fund training, equipment, and other items for the Crisis Intervention Training program. Legislation to appropriate funds is requested. <u>Ordinance No. 2019-009 was created</u>.

FROM: General Fund (NAMI Ohio) \$1,000.00

TO: 2017 Crisis Intervention Training PD #31976900 \$1.000.00

City Planning Commission agenda – February 14, 2019; minutes – January 10, 2019.

#### Hancock Regional Planning Commission Director Matt Cordonnier - amendments to Findlay Zoning Code

Hancock Regional Planning Commission respectfully submits three (3) text amendments to the City of Findlay Zoning Code for adoption. The first proposed amendment is to Section 1161.11.3 and 1161.11.6 which reduces the number of parking spaces required for multi-family developments zoned M-1 or M-2. Over the last year, HRPC has worked with several developers who have commented that Findlay's parking standards are much higher than the industry standards. Upon further investigation, a reduction in the number of parking spaces required from 2.5 spaces per unit to 2 spaces per unit is being proposed. Additional language to Section 1161.15 Conditional Use Requirements is also being proposed. The proposed language outlines the criteria that the City Planning Commission shall use when considering a conditional use. Also being proposed is additional language to Section 1113.20(C) that outlines the framework of discretion when reviewing cases. Ordinance No. 2019-010 was created.

#### Safety Director Schmelzer - 4th qtr 2018 Key Performance Indicators (KPIs)

The Strategic Plan initiatives for 2019 are finalized and complied for the foruth quarter 2018 Key Performance Indicators (KPIs). The 2019 journey for the strategic plan can be found on pg 4 of that document. The KPI document, "Findlay Performs," can also be found on the City website: <a href="https://www.findlayohio.com/government/transparency-performance">https://www.findlayohio.com/government/transparency-performance</a>).

The KPIs are the performance measurements that are monitored for each department on a continuous basis. Highlights of 2018 final measurements are:

- · Safety incidents and lost days are down considerably compared to prior year(s) and the target
- Police crime rates are running at or below average
- Fire response rates are good and showing steady improvement
- Fire days of optimal manpower is showing improvement
- Water days of drinking water in compliance is again 100%
- Sewer sewer maintenance is a bit behind previous years
- · Airport fuel sales are up over prior year and above target
- Engineering projects performed at or below bid estimate was 100%

#### **COMMITTEE REPORTS:** - none.

# LEGISLATION: RESOLUTIONS

RESOLUTION NO. 006-2019 (Officer Brian Young) requires one (1) reading

first reading

A RESOLUTION COMMENDING BRIAN YOUNG FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

#### **ORDINANCES**

ORDINANCE NO. 2018-068 (Zoning personnel enforcement rights in right-of-way) requires three (3) readings tabled after third reading on 8/7/18 AN ORDINANCE ENABLING THE CITY OF FINDLAY ZONING DEPARTMENT PERSONNEL ENFORCEMENT RIGHTS WITHIN RIGHT-OF-WAY AREAS WITHIN CITY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-132 (701-807 Adams St/700-714 Putnam St rezone) requires three (3) readings tabled after third reading on 1/15/19 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 701-807 ADAMS STREET AND 700-714 PUTNAM STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY HIGH DENSITY RESIDENTIAL" TO "M2 MULTIPLE FAMILY RESIDENTIAL DISTRICT".

ORDINANCE NO. 2019-004 (IAFF (FD) contract renewal) requires three (3) reading

second reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 381, AFL-CIO, EFFECTIVE JANUARY 1, 2019, EXPIRING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2019-005 (OPBA (PD) contract renewal) requires three (3) readings

second reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO THREE (3) YEAR CONTRACTS WITH THE OHIO PATROLMANS BENEVOLENT ASSOCIATION ON BEHALF OF THE DIVISIONS OF DISPATCH, PATROL OFFICERS, SERGEANTS AND LIEUTENANTS IN THE FINDLAY, OHIO POLICE DEPARTMENT, EFFECTIVE JANUARY 1, 2019, AND EXPIRING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2019-007 (bank credit card policy) requires three (3) readings

second reading

AN ORDINANCE APPROVING THE BANK CREDIT CARD POLICY ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A.

ORDINANCE NO. 2019-009 (NAMI donation to PD) requires three (3) readings

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2019-010 (amendments to Zoning Code) requires three (3) readings

first reading

AN ORDINANCE AMENDING SECTIONS 1161.11.3, 1161.11.6, 1161.15, AND 1113.20(C) AND ADDING NEW SECTIONS 1161.15.1 AND 1161.15.2 TO CURRENT SECTION 1161.15 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE.

#### **UNFINISHED BUSINESS:**

OLD BUSINESS NEW BUSINESS



John A. Coppeler Gary S. Ferber Kenneth E. Bogden James W. Hart\* Mary Jane S. Hill John R. Ball Eric M. Muehlhauser Wm. R.S. Steuk Carl J. Kamm III† Eric R. Wead

\*Also licensed in Texas

†OSBA Board Certified Specialist in Estate Planning, Trust and Probate Law

Writer's Email Address: MJSHill@flynnpykruse.com

January 23, 2019

THE HONORABLE CITY COUNCIL Municipal Building 318 Dorney Plaza Findlay, OH 45840

RE: Maple Grove Cemetery
Proposed Trust Fund for
Norma and Francis Collingwood
Block 24 / Lot 156 / Graves 7 and 10

Dear Council Members,

On behalf of Richard Collingwood and the family of Norma and Francis Collingwood, please accept this letter as application to establish a trust fund through the Findlay Cemetery Department for the yearly placement of flowers on the above-referenced gravesite. Enclosed is a check in the amount of \$1,357.26 payable to the City of Findlay for deposit into a trust fund for this purpose.

Please approve the establishment of this trust fund and accept the enclosed check for the purposes set forth above. Please send confirmation of the establishment of the trust fund to my attention at your earliest convenience.

Sincerely,

Mary Jane S. Hill

Enclosure

Governor Mike DeWine • Lt. Governor Jon Husted Director Dorothy Pelanda Division of Plant Health - Gypsy Moth Program 8995 East Main Street, Reynoldsburg, OH 43068 Phone: 614-728-6400 • Fax: 614-728-6453 agri.ohio.gov • plantpest@agri.ohio.gov

January 14, 2019

Council c/o Denise DeVore City of Findlay 318 Dorney Plaza Rm 114 Findlay, OH 45840

# RECEIVED JAN 2 2 2019 MAYOR'S OFFICE

Dear Council:

The Ohio Department of Agriculture (ODA) each year conducts an extensive trapping program across Ohio to detect growing populations of the invasive species *Lymantria dispar*, better known as the Gypsy Moth. This insect does its damage by defoliating the tree during its caterpillar life stage. A couple of years of defoliation and other environmental stresses can cause the trees to die. With over 300 species of trees and shrubs that can be affected, it is considered one of the most destructive insect pests threatening our forest and ornamental plants in Ohio. If left unchecked, Gypsy Moth infestations can grow quite rapidly. Therefore, it is vital to eliminate growing populations as soon as possible.

ODA has recently completed an analysis of Gypsy Moth populations throughout Ohio. Based on rising moth captures and/or egg mass counts within your area, we have concluded that a treatment is needed. ODA, in cooperation with the United States Department of Agriculture (USDA), Forest Service / Forest Health Protection / Gypsy Moth Slow the Spread Program will be conducting a Gypsy Moth Treatment Project during the months of May and June in your area. Aerial treatment(s) of forested areas infested with the Gypsy Moth pest may begin in early to mid-May with a larvacide treatment and in mid-June, with a mating disruption treatment.

The purpose of this letter is to inform your department that this program will take place and supply you with informational material so that your staff is well informed to answer any questions from the public.

Treatments will be made with the following:

- A single or double application of the biological insecticide *B.t.k.* (*Bacillus thuringiensis*, subspecies *kurstaki*, known under the commercial name **Foray 48B**, to the tree canopy. This application(s) will occur in early to mid-May while the pest is in its early caterpillar stages. If a second application is made it will take place approximately 5 to 7 days after the first application. When ingested by the Gypsy Moth, toxins form in the stomach causing the caterpillar to stop eating, resulting in its death.
- A single application of mating disruption product, **Splat Gypsy Moth Organic**. The product contains a synthetic Gypsy Moth pheromone, *disparture*. This application will occur in early to mid-June at the beginning of the mating season. When applied to the tree canopy, the pheromone disrupts the communication between the male and female moths, preventing them from finding each other and mating. This treatment does not kill the Gypsy Moth but reduces the population in the area for next year.

Even though scientific research shows the products used are not considered harmful to humans, residents with concerns may want to remain indoors during the treatments, but there is no requirement to do so.

All treatments will be applied from an aircraft flown approximately 50 to 100 feet above the tree tops. The exact time and date of treatment applications in your area cannot be determined in advance. The timing of treatments is dependent on insect development and environmental conditions. We will attempt to contact your department by phone or e-mail prior to the start of treatments in your area.

Information about the Gypsy Moth and the ODA Gypsy Moth Management Program is available on our website <a href="https://www.agri.ohio.gov">www.agri.ohio.gov</a>, click on "Safeguarding Animals & Plants", then click on "Plant Health", and then click on "Gypsy Moth Program". Copies of the fact sheets, insecticide label, MSDS, and a map of the treatment area(s) are enclosed for your reference.

An Open House has been scheduled for the public on the following date: Wednesday, February 20, 2019, at the Burgeman Lodge, Riverbend Recreational Area, 16618 Township Rd. 208, Findlay, OH, 6:00pm to 8:00pm.



Notification letters will be sent to all residents that will be affected by this treatment. The public comment period ends February 28, 2019. If you have any questions, please contact our office at 614-728-6400 or by e-mail at adkins@agri.ohio.gov.

Sincerely,

David Adding

David Adkins Ag Inspection Manager

Enclosures:





# OHIO DEPARTMENT OF AGRICULTURE GYPSY MOTH PROGRAM



Division of Plant Industry, Plant Pest Control Section 8995 E. Main St. Reynoldsburg, OH 43068 Phone: (614)-728-6400 http://www.agri.ohio.gov/divs/plant/gypsy/gypsy-index.aspx



# FORAY 48B Fact Sheet

#### What is Btk and how does it work?

Bacillus thuringiensis (Bt) is a naturally occurring bacterium found in soils across Ohio. The active ingredient in FORAY 48B is Bacillus thuringiensis var. kurstaki (Btk), a variety of Bt. The insecticidal properties of Btk are specific to caterpillars of certain moths and butterflies. The alkaline conditions present in the mid-gut of these caterpillars releases a toxin from the insecticidal crystalline proteins (ICP's) found in the Btk. Once the toxins have attacked the stomach wall, the caterpillar stops feeding on the leaves of trees and within a few days the caterpillar dies. The Btk must be eaten by the gypsy moth caterpillar, not just come in contact with it, for it to be effective. The effectiveness of Btk declines rapidly, due to sunlight and other microbes, usually only lasting for days after application.

#### Does Btk Affect Humans, Mammals, Birds, Fish, Honeybees or any beneficial insects?

No, Btk is not toxic to humans, mammals, birds, fish, honeybees or many beneficial insects. Btk needs alkaline conditions to release the toxin from the ICP's. These alkaline conditions are only present in the stomach of Lepidoptera larvae. Alkaline conditions do not exist in the stomachs of humans, mammals, birds, honey bees or fish which is why the Btk does not affect them.

As with the application of any control product, people, pets or domestic animals with known health concerns may wish to avoid exposure by staying indoors during the spray operation and until the Btk product is dry (usually 30 minutes). Foray 48B has been approved for organic crop production.

#### **Beneficial Effects**

The effectiveness of **Btk** starts to decline rapidly, usually starting within hours after application, due to sunlight and other microbes, and usually lasting only 4-6 days after application. No long term environmental effects occur.

By preventing trees defoliation we can reduce tree mortality, maintain water quality and temperature for all of the organisms living in, and depending on, the water, prevent increased predation of nesting songbirds, protect all native leaf eating and canopy dependent insects, preserve acorn production that is important for the many species of birds, rodents and mammals dependent on this food source, reduce the risk of forest fires, and allow the natural cycles of the forest ecosystem to continue to thrive and sustain diverse, interdependent populations of plants and animals.

#### **Adverse Effects**

Btk applications may reduce the number of non-target moths and butterflies that are specifically in the caterpillar life stage and are feeding on leaves containing Btk during the short window of effectiveness. Each species of Lepidoptera has a little bit different life cycle and they have different tolerance levels to Btk than gypsy moth. The number of species that could be effected are small due to the timing of the application (early May) and the low rate being used.



For Commercial Forestry and Wide-Area Pest Treatment—Aerial Application Only



#### FOR ORGANIC PRODUCTION

#### **ACTIVE INGREDIENT:**

Bacillus thuringiensis, subsp. kurstaki, strain ABTS-351, fermentation solids, spores and insecticidal toxins 12,65% OTHER INGREDIENTS ..... 87.35% TOTAL ..... 100.00%

Potency: 10,600 Cabbage Looper Units (CLU) per mg of product (equivalent to 48 billion CLU per gallon).

The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No. 73049-427 EPA Est. No. 33762-IA-001

List No. 60181

#### INDEX:

- 1.0 First Aid
- 2.0 Precautionary Statements
  - 2.1 Hazards to Humans and Domestic Animals
  - 2.2 Personal Protective Equipment (PPE)

  - 2.3 Agricultural Use Requirements2.4 Non-agricultural Use Requirements
  - 2.5 User Safety Recommendations2.6 Environmental Hazards
- 3.0 Directions for Use
- 4.0 Agricultural Use Requirements
- 5.0 Storage and Disposal
- 6.0 Warranty and Disclaimer
- 7.0 Directions for Use Booklet
- 8.0 Agricultural Use Requirements9.0 Non-agricultural Use Requirements
- 10.0 Application
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- 13.0 General Agricultural Use Requirements
- 14.0 General Non-agricultural Use Requirements
- 15.0 Aerial Application

#### KEEP OUT OF REACH OF CHILDREN **CAUTION**

#### 1.0

If in eyes

#### **FIRST AID**

- · Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- · Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

#### **HOT LINE NUMBER**

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

#### PRECAUTIONARY STATEMENTS 2.0

#### 2.1 HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

#### Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### 2.3 **Agricultural Use Requirements:**

Mixers/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95 or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

IMPORTANT: When reduced PPE is worn because a closed system is being used, handlers must provide all PPE specified above for "applicators and other handlers" and have such PPE immediately available for use in an emergency. such as spill or equipment breakdown.

#### Non-agricultural Use Requirements:

Mixers/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95 or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

#### 2.5 **User Safety Recommendations**

Users should:

- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product.
   Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### 2.6 Environmental Hazards

Except under the forest canopy, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

This product must not be applied aerially within 1/4 mile of any habitats of threatened or endangered lepidoptera.

#### 3.0 DIRECTIONS FOR USE

4.0

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to supplemental labeling under "Agricultural Use Requirements" in the Directions For Use section for information about this standard.

Refer to the Directions For Use (below) for further directions.

#### 5.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **Pesticide Storage:** Store in a cool, dry place. Keep containers tightly closed when not in use. Store in temperatures above freezing and below 32 degrees C (90 degrees F).

Pesticide Disposal: To avoid wastes, use all material in this container by application according to label directions. If wastes can not be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

Refillable Container: Refill this container with pesticide only. Do not use this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

#### 6.0 WARRANTY AND DISCLAIMER

To the extent permitted by applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with accompanying directions.

#### 7.0 DIRECTIONS FOR USE BOOKLET

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.

Apply this product only through aerial application.

#### 8.0 AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 4 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard (that involves contact with anything that has been treated, such as plants, soil, or water) is:

- Coveralls
- Waterproof gloves
- · Shoes plus socks

#### 9.0 NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

#### 10.0 APPLICATION

Apply Foray 48B, undiluted or with quantities of water sufficient to provide thorough coverage of plant parts to be protected, only by aerial equipment. The amount of water needed per acre will depend upon crop size, weather, spray equipment, and local experience.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower/treatment coordinator are responsible for considering all of these factors when making decisions.

#### 11.0 HANDLING & MIXING

If Foray 48B is applied undiluted, the operator must ensure that the bulk quantity is well agitated and homogenous.

When Foray 48B is shipped by bulk tankers and transferred via a closed-loop mixing/loading system, the material is measured by passing through in-line flow meters directly into the aircraft, minimizing exposure to ground handling personnel.

In a similar manner, smaller containers of Foray 48B are also to be used with a closed-loop mixing/loading system to minimize the potential for accidental spills and exposure of ground handling personnel.

If dilution with water is needed for full crop coverage, fill tank with approximately 3/4 of the water required for dilution. Begin agitation and pump Foray 48B into the water while maintaining continuous agitation. Agitate as necessary to maintain suspension. Do not allow diluted mixture to remain in the tank for more than 72 hours.

When applying a diluted spray mixture, the use of a spreader-sticker approved for use on growing crops will improve the weather-fastness of the spray deposits. Add the spray adjuvant to the tank after the Foray 48B is added, and before the final volume of water is added to complete the mixture. Reduce or momentarily halt tank agitation and then add the required amount of adjuvant to the diluted mix. Use a closed-loop system to siphon the required quantity of adjuvant or pour the adjuvant into the top hatch of the tank. Once added, close tank opening, and resume agitation; add the rest of the water to complete the spray mix.

Combinations with commonly used spray tank adjuvants are generally not deleterious to Foray 48B, if the mix is used promptly. Before mixing in the spray tank, identify possible problems with physical compatibility by mixing all components in a small container in proportionate quantities. Check with an adjuvant supplier for advice on spray adjuvants that are compatible with biological pesticides such as Foray 48B to avoid incompatibilities.

#### 12.0 SPRAY VOLUMES

12.1 Aerial Application: Use appropriate amount of Foray 48B, as indicated in the tables that follow, in aerial equipment undiluted or with quantities of water sufficient to provide thorough coverage of plant parts to be protected. In the western U.S., use a normal minimum of 5-10 gallons per acre; in the eastern regions, use a normal minimum of 2-3 gallons. The minimum amount of water needed per acre will depend upon crop size, weather conditions, spray equipment used and local experience.

#### 13.0 GENERAL AGRICULTURAL USE INSTRUCTIONS

Foray 48B is a biological insecticide for the control of lepidopterous larvae. It contains the spores and endotoxin crystals of *Bacillus thuringiensis kurstaki*. Foray 48B must be ingested by the larvae to be effective. For consistent control, apply at first sign of newly hatched larvae (1st and 2nd instar larvae). Susceptible larvae that ingest Foray 48B cease feeding within a few hours and die within 2-5 days. Foray 48B may be applied up to and on the day of harvest. For maximum effectiveness, follow the instructions listed below:

Monitor fields to detect early infestations.

Apply Foray 48B when eggs start hatching and larvae are small (early instars) and before significant crop damage occurs. Larvae must be actively feeding to be affected.

Repeat applications every 3 to 14 days to maintain control and protect new plant growth. Factors affecting spray interval include rate of plant growth, weather conditions, and reinfestation. Monitor populations of pests and beneficials to determine proper timing of applications.

Under conditions of heavy pest pressures or when large worms are present use the higher rate, shorten the application interval, and/or improve spray coverage to enhance control. When these conditions are present, consider use of contact insecticide to enhance control.

Thorough coverage is essential for optimum performance.

Crop	Pests	(fl. oz./acre)
Forests,	Gypsy Moth & Asian Gypsy	21 - 107
Shade Trees,	Moth, Elm Spanworm	
Ornamentals,	Spruce Budworm, Browntail	21 - 80
Shrubs, Sugar	Moth, Douglas Fir Tussock	
Maple Trees,	Moth, Coneworm, Buck Moth	
Seed Orchards,	Tussock Moths, Pine Butterfly,	16 - 43
Ornamental	Bagworm, Leafrollers, Tortrix,	
Fruit, Nut and	Mimosa Webworm, Tent	
Citrus Trees <sup>2</sup>	Caterpillar, Jackpine Budworm,	
	Blackheaded Budworm, Saddled	
	Prominent, Saddleback	
	Caterpillar, Eastern and Western	
	Hemlock Looper, Orangestriped	
	Oakworm, Satin Moth	
	Redhumped Caterpillars, Spring	11 - 31
	and Fall Cankerworm, California	
	Oakworm, Fall Webworm	

Date1

#### Special Instructions:

<sup>1</sup> Use the higher rates on advanced larval stages or under high density larval populations.

<sup>2</sup> In treating Gypsy Moth and Asian Gypsy Moth infected trees and shrubs in urban, rural, and semi-rural areas, exposure of non-target vegetation including, but not limited to, native and ornamental species and food or feed crops is permitted.

Use and mix this product with other pesticides only in accordance with the most restrictive of label limitations and precautions. Do not mix this product with any product containing a label prohibition against such mixing. Do not exceed label dosage rates.

# 14.0 GENERAL NON-AGRICULTURAL USE INSTRUCTIONS

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in ornamental gardens or parks, or on golf courses or lawns and grounds.

Not for use on trees being grown for sale or other commercial use, or for commercial seed production, or for the production of timber or wood products, or for research purposes except wide-area public pest control programs sponsored by government entities, such as mosquito abatement, Gypsy Moth control, and Mediterranean Fruit Fly eradication.

Foray 48B contains the spores and endotoxin crystals of *Bacillus thuringiensis kurstaki*. Foray 48B is a stomach poison and is effective against lepidopterous larvae. After ingestion, larvae stop feeding within hours and die 2-5 days later. Maximum activity is exhibited against early instar larvae. Apply Foray 48B only by aerial application.

Use Foray 48B with a closed-loop mixing/loading system that will minimize the potential for accidental spills and exposure of ground handling personnel.

If dilution with water is needed for full crop coverage, fill tank with approximately 3/4 of the water required for dilution. Begin agitation and pump Foray 48B into the water while maintaining continuous agitation. Agitate as necessary to maintain suspension. Do not allow diluted mixture to remain in the tank for more than 72 hours.

Monitor to detect early infestations.

Сгор	Pests	Rate <sup>1</sup> (fl. oz./acre)
Forests,	Gypsy Moth & Asian Gypsy	21 - 107
Shade Trees,	Moth, Elm Spanworm	
Ornamentals,	Spruce Budworm, Browntail	21 - 80
Shrubs, Sugar	Moth, Douglas Fir Tussock	
Maple Trees,	Moth, Coneworm, Buck Moth	
Seed Orchards,	Tussock Moths, Pine Butterfly,	16 - 43
Ornamental	Bagworm, Leafrollers, Tortrix,	
Fruit, Nut and	Mimosa Webworm, Tent	
Citrus Trees <sup>2</sup>	Caterpillar, Jackpine Budworm,	
	Blackheaded Budworm, Saddled	
	Prominent, Saddleback	
	Caterpillar, Eastern and Western	
	Hemlock Looper, Orangestriped	
	Oakworm, Satin Moth	
	Redhumped Caterpillars, Spring	11 - 31
	and Fall Cankerworm, California	
	Oakworm, Fall Webworm	

#### Special Instructions:

- 1 Use the higher rates on advanced larval stages or under high density larval populations.
- <sup>2</sup> In treating Gypsy Moth and Asian Gypsy Moth infected trees and shrubs in urban, rural, and semi-rural areas, exposure of non-target vegetation including, but not limited to, native and ornamental species and food or feed crops is permitted.

Use and mix this product with other pesticides only in accordance with the most restrictive of label limitations and precautions. Do not mix this product with any product containing a label prohibition against such mixing. Do not exceed label dosage rates.

#### 15.0 AERIAL APPLICATION

Apply Foray 48B, either alone or diluted with water, aerially at the rates per acre shown in the application rates table. Spray volumes of 32-107 fluid ounces of product per acre give optimum coverage. Best results are expected when Foray 48B is applied to dry foliage.

For smaller spray volumes, mix the proper number of teaspoons of Foray 48B from the following chart to attain the desired rates:

If the rate is:	Add this amount per gallon of mix:
8 fl. oz. (0.5 pt.)/acre	1/2 teaspoon
16 fl. oz. (1.0 pts.)/acre	1 teaspoon
24 fl. oz. (1.5 pts.)/acre	1-1/2 teaspoons
32 fl. oz. (2.0 pts.)/acre	2 teaspoons
48 fl. oz. (3.0 pts.)/acre	3 teaspoons
64 fl. oz. (4.0 pts.)/acre	4 teaspoons

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**ISSUED 2/6/14** 

#### 1. CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

MATERIAL NAME: Foray® 48B

EPA Reg.No.: 73049-427 Code Number: 27309, 76822 List Number: 60181, 60182

PMRA Reg. No.: 24977

SYNONYMS:

VBC-60013

MANUFACTURER: Valent BioSciences Corporation 870 Technology Way, Suite 100 Libertyville, Illinois 60048

EMERGENCY TELEPHONE NUMBERS Emergency Health or Spill:

> Outside the United States: 651-632-6184 Within the United States: 877-315-9819

#### 2. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENT NAME: Bacillus thuringiensis, var. kurstaki

CONCENTRATION: 12.65%

CAS NUMBER: 68038-71-1

OSHA-PEL 8HR TWA: N/L

STEL: N/L

CEILING: N/L

ACGIH-TLV 8HR TWA: N/L

STEL: N/L

CEILING: N/L

OTHER 8HR TWA: N/A

LIMITS STEL: N/A

CEILING: N/A

INGREDIENT NAME: Inert/Other ingredients - Proprietary Information

CONCENTRATION: 87.35%

CAS NUMBER: N/A

OSHA-PEL 8HR TWA: N/L

STEL: N/L

CEILING: N/L

ACGIH-TLV 8HR TWA: N/L

STEL: N/L

CEILING: N/L

OTHER 8HR TWA: N/A

LIMITS STEL: N/A

CEILING: N/A

Foray® 48B MSDS# BIO-0315 Rev. 6

ISSUED 2/6/14

#### 3. HAZARDS INFORMATION

EMERGENCY OVERVIEW: Product is non-toxic by ingestion, skin contact, or inhalation. May cause mild eye irritation.

ROUTE(S) OF ENTRY: Skin: No

Inhalation: No Ingestion: No

INGESTION RATING: None
SKIN ABSORPTION RATING: N/D
INHALATION RATING: None
CORROSIVENESS RATING: N/D

SKIN CONTACT RATING: None

SKIN SENSITIZATION RATING: None EYE CONTACT RATING: Mild irritant

TARGET ORGANS: Eyes

CARCINOGENICITY RATING: NTP: N/L IARC: N/L OSHA: N/L ACGIH: N/L None

SIGNS AND SYMPTOMS: Direct contact with eyes may cause mild irritation.

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE: N/D Pre-existing eye lesions

#### 4. FIRST AID MEASURES

EYES: Remove from source of exposure. Flush with copious amounts of water. If irritation persists or signs of toxicity occur, seek medical attention. Provide symptomatic/supportive care as necessary.

SKIN: Remove from source of exposure. Flush with copious amounts of water. If irritation or signs of toxicity occur, seek medical attention. Provide symptomatic/supportive care as necessary.

INGESTION: Remove from source of exposure. If signs of toxicity occur, seek medical attention. Provide symptomatic/supportive care as necessary.

INHALATION: Remove from source of exposure. If signs of toxicity occur, seek medical attention. Provide symptomatic/supportive care as necessary.

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#### 5. FIRE FIGHTING PROCEDURES

FLASH POINT: N/D

FLASH POINT METHOD: N/A

LOWER EXPLOSIVE LIMIT (%): N/A

UPPER EXPLOSIVE LIMIT(%): N/A

AUTOIGNITION TEMPERATURE: N/A

FIRE & EXPLOSION HAZARDS: Non-flammable and no explosive properties.

EXTINGUISHING MEDIA: Use appropriate media for underlying cause of fire.

FIRE FIGHTING INSTRUCTIONS: Wear protective clothing and self-contained breathing apparatus.

#### 6. ACCIDENTAL RELEASE MEASURES

SPILL OR RELEASE PROCEDURES: Recover product and place in an appropriate container for disposal. Ventilate and wash the spill area.

#### 7. HANDLING AND STORAGE

HANDLING: The usual precautions for handling chemicals should be observed.

STORAGE: Store product in tightly closed containers in cool and dry place when not in use.

SPECIAL PRECAUTIONS: N/D

#### 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

ENGINEERING CONTROLS: Use local exhaust

RESPIRATORY PROTECTION: Not usually required. If necessary, use a MSHA?NIOSH approved (or equivalent) respirator with dust-mist/organic vapor cartridge combination.

SKIN PROTECTION: Butyl or nitrile rubber gloves, clothing to minimize skin contact.

EYE PROTECTION: Safety glasses or goggles.

OTHER PROTECTION: Wash thoroughly with soap and water after handling.

Foray® 48B MSDS# BIO-0315 Rev. 6

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#### 9. PHYSICAL AND CHEMICAL PROPERTIES

APPEARANCE/PHYSICAL STATE: Light brown opaque liquid

ODOR: Yeast-like

BOILING POINT: Approx. 100°C (212°F)

MELTING/FREEZING POINT: Approx. 0° (32°)

VAPOR PRESSURE (mm Hg): N/D VAPOR DENSITY (Air=1): >1

EVAPORATION RATE: <1

BULK DENSITY: 1.0-1.2 g/cm3

SPECIFIC GRAVITY: N/D

SOLUBILITY: Miscible in water

pH: 4.2-4.8 as a 10% solution in water

VISCOSITY: 561 cp at 25°C

#### 10. STABILITY AND REACTIVITY

CHEMICAL STABILITY: Stable. No oxidizing or reducing properties.

INCOMPATIBILITIES: N/D

HAZARDOUS DECOMPOSITION PRODUCTS: N/D

HAZARDOUS POLYMERIZATION: Will not occur.

#### 11. TOXICOLOGICAL INFORMATION

Acute Toxicity

ORAL LD50: > 5,000 mg/kg (rat) DERMAL LD50: > 5,000 mg/kg (rat) INHALATION LC50: > 2.14 mg/L (rat)

CORROSIVENESS: N/D.

DERMAL IRRITATION: Slightly irritating to the rabbit skin. Effects were reversible within 48 hours.

OCULAR IRRITATION: Mild irritant to the rabbit eye. Effects were reversible within 7 days.

DERMAL SENSITIZATION: Not a contact sensitizer in the Guina pig

SPECIAL TARGET ORGAN EFFECTS: N/D

CARCINOGENICITY INFORMATION: N/D. None of the components are classified as carcinogens.

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#### 12. ECOLOGICAL INFORMATION

ECOLOGICAL INFORMATION: N/D

#### 13. DISPOSAL CONSIDERATIONS

WASTE DISPOSAL METHODS: Dispose of product in accordance with federal, state, and local regulations.

#### 14. TRANSPORTATION INFORMATION

DOT STATUS: Not Regulated

PROPER SHIPPING NAME: N/A

HAZARD CLASS: N/A

UN NUMBER: N/A

PACKING GROUP: N/A

REPORTABLE QUANTITY: N/A

IATA/ICAO STATUS: Not Regulated

PROPER SHIPPING NAME: N/A

HAZARD CLASS: N/A

UN NUMBER: N/A

PACKING GROUP: N/A

REPORTABLE QUANTITY: N/A

IMO STATUS: Not Regulated

PROPER SHIPPING NAME: N/A

HAZARD CLASS: N/A

UN NUMBER: N/A

PACKING GROUP: N/A

REPORTABLE QUANTITY: N/A

FLASH POINT: N/A

#### 15. REGULATORY INFORMATION

TSCA STATUS: Exempt RCRA STATUS: N/D

CERCLA STATUS: N/D PROP 65 (CA): N/D

SARA STATUS: N/D

ISSUED 2/6/14

16. OTHER INFORMATION

REASON FOR ISSUE: Reviewed MSDS.

APPROVAL DATE: 2/6/14
MSDS Number: BIO-0315
SUPERSEDES DATE: 10/17/11
EPA Reg. No.: 73049-427

LEGEND: N/A = Not Applicable

N/D = Not Determined

N/L = Not Listed

L = Listed C = Ceiling

S = Short-term

 $^{\mathbb{R}}$  = Registered Trademark of Valent BioSciences = Registered Trademark of Valent BioSciences

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# Frequently Asked Questions

#### What Is SPLAT GM-0?

SPLAT GM-O is an organic, biodegradable formulation for the control of Gypsy Moth (Lymantria dispar) using Mating Disruption. It is made entirely of food grade materials and has the consistency of hand cream. SPLAT GM-O uses pheromone, an effective and safe method to control Gypsy Moth without impacting other insects, mammals or the surrounding environment.

#### What Are Pheromones?

Pheromones are natural compounds that insects use to communicate, similar to the way humans use language. Applying pheromone to a field confuses the insects, removing their ability to mate and controlling populations in a completely non-lethal manner.

# What Is Mating Disruption?

Mating disruption is a mechanism for insect control that utilizes species-specific pheromones to disrupt the life cycle of insects. Confusing insects and removing their ability to mate controls populations without the use of toxic chemicals.

# How Will SPLAT GM-O Be Applied?

SPLAT GM-O is almost always applied aerially. Airplanes or helicopters flying 100 to 200 feet above treetops will spray SPLAT GM-O over areas where gypsy moth control is desired.

Page 1 of 2





### How Much SPLAT GM-O Will Be Used?

For control of Gypsy Moth, doses of active ingredient (pheromone) can range from a low of 3 grams per acre to a high of 30 grams per acre. Most frequently, it is applied at a dose of 6 grams per acre, which equates to 46 grams of SPLAT GM-O. This is less than a cup of SPLAT GM-O being spread over an acre of forest per year to control Gypsy Moth.

### Is SPLAT GM-O Harmful To Humans Or Animals?

No, SPLAT GM-O is completely harmless to humans and animals. All of the ingredients in SPLAT GM-O are listed by the Environmental Protection Agency (EPA) as safe and have been approved for food use. Should you, your children and/or pets come in contact with SPLAT GM-O, simply wash the affected area with soap and water. Clothing can be cleaned with hot water and laundry detergent.

# Is SPLAT GM-0 Harmful To The Environment?

No. SPLAT GM-O is completely harmless to the environment. SPLAT GM-O is a biodegradable formulation specifically targeted at the Gypsy Moth. It will not affect other insects or wild life.

# Is SPLAT GM-0 Organic?

Yes, SPLAT GM-O is certified organic under the USDA's National Organic Program.

# What If SPLAT GM-O Lands on My Car or Lawn?

SPLAT GM-O will not harm the paint of your car. If you notice SPLAT GM-O droplets on your car, wash it with a mild detergent and water like you would with road grime. SPLAT GM-O will not harm your lawn and will immediately start biodegradation into the soil.



GM -O

For Mating Disruption of Lymantria dispar, gypsy moth

SPLAT (Specialized Pheromone & Lure Application Technology) is an amorphous polymer matrix for the sustained release of insect pheromones. SPLAT GM-O provides control by disrupting mating behavior.



For Organic Production



ACTIVE INGREDIENT:
Disparlure
(Z)-7,8-Epoxy-2-methyloctadecane:

OTHER INGREDIENTS:

TOTAL:

13.00% <u>87.00%</u> 100.00%

Net Contents: _	Lbs	Kg
Batch Number:		

EPA Reg. No. 80286-12 EPA Est. No. 80286-CA-004

# KEEP OUT OF REACH OF CHILDREN CAUTION

#### FIRST AID STATEMENT

#### IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- · Call poison control center or doctor for treatment advice.

#### IF ON SKIN OR CLOTHING:

- · Take off contaminated clothing.
- Wash skin immediately with soap and water, then rinse with plenty of water for 15-20 minutes.

#### IF SWALLOWED:

- Call poison control center or doctor immediately for treatment advice.
- · Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

#### **HOTLINE NUMBER**

National Pesticides Information Center: Have the product container or label with you when calling a poison control center, doctor, or going for treatment. For emergency information concerning this product, call the National Pesticides Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Time (NPIC Web site: www.npic.orst.edu).

See side/back panel for additional precautionary statements.

HAZARDS TO HUMANS AND DOMESTIC ANIMALS, CAUTION: Causes moderate eye irritation. Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash before use. PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear long-sleeved shirt and long parits, waterproof gloves, and shoes plus socks. Follow the manufacturer's instructions for cleaning maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS: For terrestrial uses: Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Incidental applications to water under the forest canopy are not considered to be a direct application to water, but should be avoided if practicable. Spray valves must be shut off when passing over surface water not under the canopy. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

CIRCTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Always consult your pest control advisor, distributor or ISCA Technologies, Inc. for advice regarding the use of SPLAT GM-O.

GENERAL	SPLAT GM-O uses the pheromone of the gypsy moth (Lymantria dispar), to disrupt adult moth mating and thus reduce larval damage to trees.
TARGET PEST	Gypsy Moth (Lymantria dispar)
AREA-WIDE CONTROL	This product is only for use in wide-area gypsy moth control programs sponsored by government entities. Areas of application include, but are not limited to: forests; residential, municipal, and shade tree areas; recreational areas such as campgrounds, goif courses, parks, and parkways; ornamental and shade trees; shelterbelts, rights-of-way; and other easements. Area-wide or wide-area application of SPLAT GM-O is most effective. The efficacy of any mating disruption strategy will be reduced by the influx of adults from surrounding areas. It is for this reason that mating disruption works increasingly well with larger acreages, where the ratio of exposed borders to overall area treated is reduced. Always make application of SPLAT GM-O in consultation with your pest control advisor, distributor, or ISCA Technologies, Inc.  No intentional food uses are permitted. However, an exemption from the requirement of a tolerance is established for residues of (Z)-7,8-epoxy-2-methyloctadecane (Disparlure) on all food and feed crops that occur when it is used to treat trees, shrubs, and pastures and such use results in unintentional spray and drift to non-target vegetation including non-food, food, and feed crops.
MONITORING	Monitor for pests on a regular basis so that timely intervention with insecticides or alternative controls are possible. Use gypsy moth pheromone-baited monitoring traps made by ISCA Technologies or other suitable traps to monitor the presence of male moths, their emergence and their movement. Place monitoring traps before applying SPLAT GM-O to determine the infestation level. Continue monitoring throughout the season to evaluate efficacy and longevity of the pheromone application. Monitor treated plots for the target pest. Implement supplementary control measures if the pest population densities are above economic threshold levels.
APPLICATION TIMING	Apply SPLAT GM-O anytime in the two weeks preceding male flight and adult activity. Additional applications may be made if populations exceed the economic threshold. Consult your pest control advisor, distributor, or ISCA Technologies, Inc. for proper application timing.
APPLICATION CONDITIONS	Apply SPLAT GM-O when the ambient air temperature is above 50°F. SPLAT GM-O will cure within 3-4 hours following application, after which it will become rain fast and UV resistant. Do not apply if rain is expected within 1-2 hours of application or the temperature is outside of this range.
APPLICATION RATE	The application rate of SPLAT GM-O ranges from 23 grams to 230 grams of undiluted product per acre. This is equivalent to 3 grams to 30 grams of pheromone active ingredient (AI) per acre. Do not exceed 150 grams of AI per acre per year for multiple applications.
PREPARATION FOR USE	Always check SPLAT GM-O 24 hours before using. If SPLAT GM-O has been stored in a refrigerated area and has hardened, allow at least 48 hours at room temperature to achieve a workable consistency. Always mix SPLAT GM-O thoroughly before use: a drill with a paint mixing paddle or similar device works best. Avoid mechanical mixing with sharp blades, which come into contact with the plastic container as this can introduce shards of plastic into the SPLAT GM-O formulation, which might interfere with product flowability and application.
APPLICATION EQUIPMENT	SPLAT GM-O is applied either aerially or by ground with conventional application systems pressurized either by centrifugal pumps or positive displacement pumps, pressurized gas

	cylinders, or a combination of both. The flow of SPLAT GM-O product can be controlled with agricultural-type scienoids. Calibrate applications based on volume output and application speed and swath area treated. Do not apply this product through any type of irrigation system. SPLAT GM-O can also be applied manually using other devices like a metered dosing gun. To ensure proper application, consult your pest control advisor, distributor, or ISCA Technologies, Inc.
POINT SOURCE SIZE, PLACEMENT, AND SPACING	For ground applications, SPLAT GM-O dollop size can be varied depending on pest population and duration of control desired. A dense infestation will require a higher density of point sources to achieve optimal mating disruption. With aerial applications, there is less control over the variation in droplet size and there will be a range from approximately 300 to 2000 microns in size. When SPLAT GM-O is sprayed on the tree canopy at 46 grams per acre (6 grams AI per acre), the range in droplet size will usually be 300 to 1000 microns. This will provide area-wide, season-long management of low-density populations. To ensure proper application, please consult your pest control advisor, distributor, or ISCA Technologies, Inc.
CLEANING EQUIPMENT	Clean equipment with water and citrus or limonene detergents.
	STORAGE AND DISPOSAL
	Do not contaminate water, food or feed by storage and disposal.
PESTICIDE STORAGE	Store product sealed and refrigerated, if possible. If refrigerated, do not store with food. If refrigeration is not available, store product in a cool dry place, out of direct sunlight. Do not exceed 75°F for long-term storage. Avoid freezing. In case of leak or spill, wipe with paper towel and dispose of waste when product hardens.
PESTICIDE DISPOSAL	Wastes resulting from the use of this product may be disposed of on site or at an approved waste facility.
CONTAINER DISPOSAL	Nonrefillable container. Do not refill or reuse this container. Triple rinse (or equivalent) promptly after emptying. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities by burning. If burned, stay out of smoke.
	WARRANTY AND LIMITATION OF DAMAGES
Read all directions directed, ISCA Te	s carefully. All statements concerning the use of this product apply only when used as chnologies warrants that this material conforms to the specifications on the label and is

directed. ISCA 1 echnologies warrants that this material cornorms or one specifications on the label and is reasonably fit for the intended purpose referred to on the label. To the extent consistent with applicable law, ISCA Technologies makes no other express or implied warranty of merchantability or fitness for a particular purpose or any other express or implied warranty. ISCA Technologies, Inc. 1230 Spring St., Riverside, CA, 92507 951-686-5008 www.iscatech.com



# Safety Data Sheet

Splat GM-O

Version: 1/17

#### Section 1: Identification

**Product Name**: Splat GM-O **Product Code**: Splat GM-O

Manufacturer: ISCA TECHNOLOGIES, Inc. 1230 Spring Street Riverside, CA 92507

www.iscatech.com
Emergency Phone Number: 951 686 5008

**Recommended Use:** For the control of Gypsy Moth, Lymantria dispar. SPLAT GM-O uses the pheromone of the gypsy moth (Lymantria dispar), to disrupt adult moth mating and thus reduce larval damage to trees.

#### Section 2: Hazard Identification

#### **GHS-US classification and Hazard Statement:**

H305 - May be harmful if swallowed and enters airways

H316 - Causes mild skin irritation

H320 - Causes eye irritation

H333 - May be harmful if inhaled

#### **Hazard Pictograms:**



#### **Precautionary Statements:**

P102 - Keep out of reach of children

P103 - Read label before use

P270 - Do not eat, drink or smoke when using this product

P233 - Keep container tightly closed.

P264 - Wash hands, forearms, and exposed areas thoroughly after handling.

P280 - Wear eye protection, protective clothing, protective gloves

P303+P361+P353 - IF ON SKIN (or hair): Remove/Take off immediately all contaminated clothing. Rinse skin with water/shower

P304+P340 - IF INHALED: Remove person to fresh air and keep comfortable for breathing

P305+P351+P338 - If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing

P337+P313 - If eye irritation persists: Get medical advice/attention

P403+P233 - Store in a well-ventilated place. Keep container tightly closed

P235 - Keep cool

P501 - Dispose of contents/container according to local, regional, national, and international regulations

#### SECTION 3: Composition/information on ingredients

Name	CAS#	Molecular	Molecular	Chemical Name	GHS-US Classification
		Mass	Formula		
Disparlure	29804-22-6	282.50	C <sub>19</sub> H <sub>38</sub> O	Cis-7,8-Epoxy-2-methyloctadecane	H227, H316, H320, H335
Mixture of Wax,	Not applicable	Not applicable	Not applicable	Not applicable	H305, H316, H320, H333

#### **SECTION 4: First aid measures**

#### **Description of first aid measures**

Inhalation: Move victim to fresh air and keep comfortable for breathing.

**Skin:** In case of contact with substance, wash skin with soap and water. Take off contaminated clothing and wash before reuse. If skin irritation occurs: Get medical advice/attention.

**Eye:** IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists: Get medical advice/attention.

**Ingestion:** Call poison control center or doctor for treatment advice. Do NOT induce vomiting unless told to do so by poison control center or doctor. Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person.

**Notes to Physician:** All treatments should be based on observed signs and symptoms of distress in the patient. Consideration should be given to the possibility that overexposure to materials other than this product may have occurred.

#### **SECTION 5: Firefighting measures**

Suitable Extinguishing Media: Not applicable. Splat GM-O is not flammable.



# Safety Data Sheet

Splat GM-O

Version: 1/17

#### **SECTION 6: Accidental release measures**

Personal precautions, protective equipment and emergency procedures:

Personal Precautions: Applicators and other handlers must wear long-sleeved shirt and long pants, waterproof gloves, and shoes plus socks. Safety glasses are recommended. Follow the manufacturer's instructions for cleaning maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Environmental precautions: For terrestrial uses: Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Incidental applications to water under the forest canopy are not considered to be a direct application to water, but should be avoided if practicable. Spray valves must be shut off when passing over surface water not under the canopy. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

Methods and material for containment and cleaning up: In case of leak or spill, wipe with paper towel and dispose of waste when product hardens. Clean equipment with water and citrus or limonene detergents.

#### Section 7 - Handling and Storage

**Storage:** Store product sealed and refrigerated, if possible. If refrigerated, do not store with food. If refrigeration is not available, store product in a cool dry place, out of direct sunlight. Do not exceed 75°F for long-term storage. Avoid freezing.

Incompatible materials: Keep away from heat, oxidizers and strong acids.

#### SECTION 8: Exposure controls/personal protection

**Exposure Controls:** 

Personal Protective Equipment: Applicators and other handlers must wear long-sleeved shirt and long pants, waterproof gloves, and shoes plus socks. Follow the manufacturer's instructions for cleaning maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. Safety glasses are recommended.

**General Hygiene measures:** Handle in accordance with good industrial hygiene and safety practice. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco.

#### Section 9 - Physical and Chemical Properties

Physical state:

Thick liquid, semi-solid,

Specific Density:

0.93 g/cm<sup>3</sup> Temp: 25 °C

Odor:

grease-like consistency Waxy, fatty

Partition coefficient n-octanol/water:

Data not available

pH:

6.88

Solubility:

Partially soluble in water

Melting point:

Data Not Available Above 100°C Evaporation Rate: Vapor Pressure:

Data Not Available
Data not available

Boiling point: Flash Point:

Not applicable. Product is not flammable

#### Section 10: Stability and Reactivity

**Reactivity:** No dangerous reaction known under conditions of normal use. **Chemical stability:** Stable under normal temperatures and pressures.

Possibility of hazardous reactions: Hazardous polymerization will not occur.

Conditions to avoid: High temperatures, sparks, open flames and live electrical circuits.

Incompatible materials: Oxidizing agents, strong acids.

Hazardous decomposition products: In case of fire oxides of carbon, fumes or vapors, soot and smoke may be produced.

#### Section 11 - Toxicological Information

**Active Ingredient:** 

Acute oral LD<sub>50</sub> (rat): >34600 mg/kg Acute dermal LD<sub>50</sub> (rabbit): >2025mg/kg Inhalation LC<sub>50</sub> (rat): >5000mg/m<sup>3</sup>

#### SPLAT GM-O (Mixture: Active Ingredient + Inert Ingredients):

Toxicological properties of this product have not been thoroughly investigated.

#### Section 12 - Ecological Information

Data is not available.



# Safety Data Sheet

Splat GM-O

Version: 1/17

Product should not be directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Incidental applications to water under the forest canopy are not considered to be a direct application to water, but should be avoided if practicable. Spray valves must be shut off when passing over surface water not under the canopy. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

#### Section 13 - Disposal Considerations

**Appropriate Method of disposal:** Contact a licensed professional waste disposal service to dispose of this material. This material may be burned in a chemical incinerator equipped with an afterburner and scrubber or disposed in a sanitary landfill in accordance with local, state, and federal regulations. Observe all federal, state, and local environmental regulations.

#### Section 14 - Transport Information

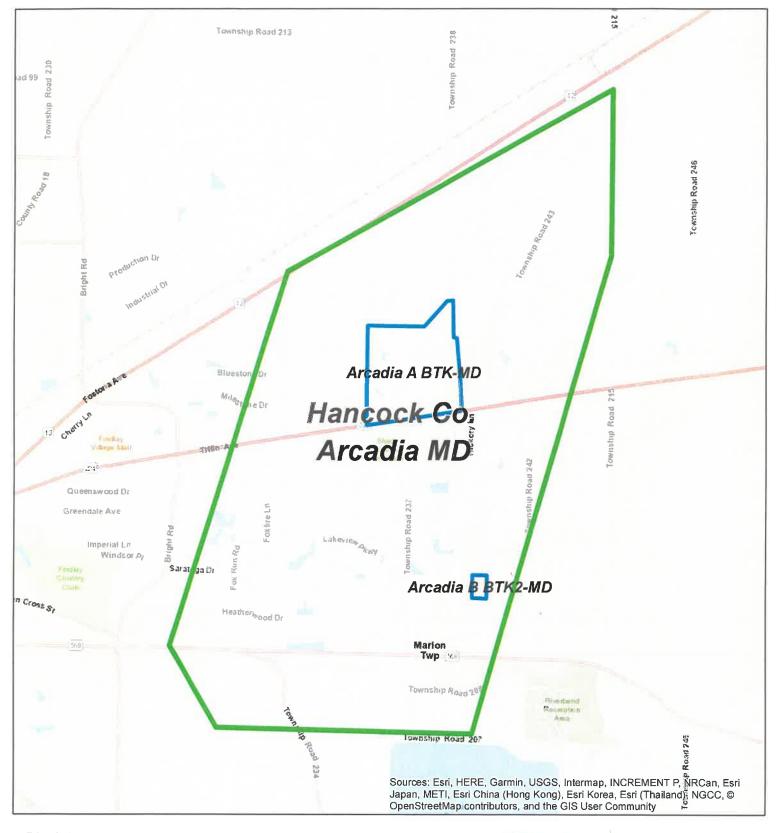
Transport in accordance with local, state and federal regulations.

#### Section 15 - Regulatory Information

**US Classification and label Text**: Indication of Danger: Irritant. Safety Statements: Keep away from heat – no smoking. **United States Regulatory information:** SARA Listed: No

#### Section 16 - Other Information

The above information is believed to be correct but does not purport to be all inclusive and shall be used only as a guide. The information in this document is based on the present state of our knowledge and is applicable to the product with regard to appropriate safety precautions. It does not represent any guarantee of the properties of the product. Users are advised to confirm in advance of need that information is current, applicable and suited to the circumstance of use. Isca Technologies, Inc. shall not be held liable for any damage resulting from handling or from contact with the above product. Furthermore, Isca Technologies, Inc. assumes no responsibility for injury caused by abnormal use of this material even if reasonable safety procedures are followed. Any questions regarding this product should be directed to the manufacturer as described in Section 1.



Block Name/Program: Arcadia MD / STS

Product/Rate/Acres: SPLAT / 6g / 4296 acres



Department of Agriculture

County/Notes: Hancock Co
0 0.25 0.5 1 1.5 2 2.5 3 3.5 Miles
0 0.25 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 Kilometers





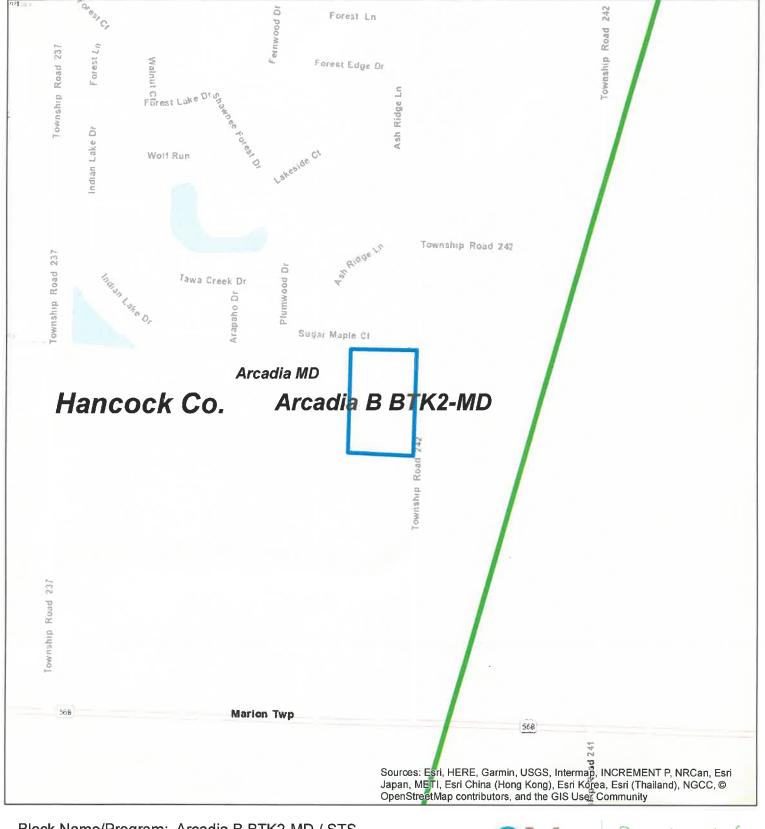
Block Name/Program: Arcadia A BTK-MD / STS

Product/Rate/Acres: Valent 48B / 24BIUx1 / 219 acres



Department of Agriculture





Block Name/Program: Arcadia B BTK2-MD / STS

Product/Rate/Acres: Valent 48B / 24BIUx2 / 8 acres



Department of Agriculture





# **AUDITOR'S OFFICE**

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

JIM STASCHIAK II
CITY AUDITOR

Wednesday, January 23, 2019

The Honorable Council Findiay, Ohio

Council Members,

A set of summary financial reports for the prior month include:

Summary of Year-To-Date Information as of December 31, 2018 Open Projects Report as of December 31, 2018 Cash & Investments as of December 31, 2018

Respectfully Submitted,

Jim Staschiak II
City Auditor

# CITY OF FINDLAY SUMMARY OF YEAR-TO-DATE INFORMATION AS OF DECEMBER 31, 2018

				ANNUAL		
	<b>EXPENDITURE</b>	Y-T-D	Y-T-D	REVENUE	Y-T-D	Y-T-D
	BUDGET	EXPENSED	%	BUDGET	RECEIVED	%
COUNCIL	184,631	175,200	94.9%	4,271	4,269	100.0%
MAYOR'S OFFICE	325,040	306,159	94.2%	4,351	3,661	84.1%
AUDITOR'S OFFICE	643,802	603,927	93.8%	366,651	366,084	99.8%
TREASURER'S OFFICE	20,298	19,027	93.7%	-	_	0.0%
LAW DIRECTOR	619,597	578,007	93.3%	110,258	110,258	100.0%
MUNICIPAL COURT	2,320,731	1,853,651	79.9%	1,728,921	1,800,673	104.2%
CIVIL SERVICE OFFICE	133,006	117,111	88.0%	52,930	50,851	96.1%
PLANNING & ZONING	154,075	147,956	96.0%	-	-	0.0%
COMPUTER SERVICES	426,130	397,278	93.2%	415,130	415,030	100.0%
GENERAL EXPENSE	4,680,871	4,396,096	93.9%	-	-	0.0%
GENERAL REVENUE	-	-	0.0%	24,052,233	24,041,111	100.0%
POLICE DEPARTMENT	7,601,491	7,421,935	97.6%	597,150	601,703	100.8%
DISASTER SERVICES	51,705	46,908	90.7%	-	17,362	0.0%
FIRE DEPARTMENT	7,737,408	7,214,605	93.2%	333,648	385,184	115.4%
DISPATCH CENTER	1,238,848	1,100,831	88.9%	80	80	0.0%
N.E.A.T.	70,755	34,374	48.6%	292	292	99.9%
SAFETY DIRECTOR	150,257	112,673	75.0%	-	-	0.0%
HUMAN RESOURCES	155,250	128,230	82.6%	-	-	0.0%
SERVICE DIRECTOR	114,336	92,870	81.2%	-	-	0.0%
ENGINEERING OFFICE	796,735	666,857	83.7%	131,476	131,757	100.2%
PUBLIC BUILDING	422,591	381,196	90.2%	-	-	0.0%
ZONING	300,837	286,437	95.2%	63,500	68,575	108.0%
PARK MAINTENANCE	958,855	845,226	88.1%	177,331	176,846	99.7%
RESERVOIR RECREATION	5,272	4,298	81.5%	-	-	0.0%
RECREATION MAINTENANCE	121,493	104,169	85.7%	10,900	10,900	0.0%
RECREATION FUNCTIONS	929,261	769,972	82.9%	638,167	636,483	99.7%
CEMETERY DEPARTMENT	474,220	432,574	91.2%	201,575	200,870	99.7%
TOTAL GENERAL FUND	30,637,495	28,237,568	92.2%	28,888,864	29,021,989	100.5%

CONTINUED ON REVERSE

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
SCM&R STREETS	3,153,945	3,008,339	95.4%	3,254,950	3,314,626	101.8%
TRAFFIC-SIGNALS	450,023	436,236	96.9%	133,193	133,232	100.0%
TOTAL SCM&R FUND	3,603,968	3,444,575	95.6%	3,388,143	3,447,858	101.8%
TOTAL SCHOOL FUND	3,003,700	3,444,373	93.070	3,300,143	3,447,030	101.0 / 0
SCM&R HIWAYS	112,827	110,144	97.6%	144,290	146,729	101.7%
TOTAL SCM&R HIWAYS FUND	112,827	110,144	97.6%	144,290	146,729	101.7%
AIRPORT OPERATIONS	1,373,238	1,091,004	79.4%	1,317,457	1,380,374	104.8%
TOTAL AIRPORT FUND	1,373,238	1,091,004	79.4%	1,317,457	1,380,374	104.8%
TOTAL AIRCORT FUND	1,373,236	1,001,004	12.770	1,511,451	1,500,574	104.070
WATER TREATMENT	2,551,603	2,315,802	90.8%	62,859	61,467	97.8%
WATER DISTRIBUTION	2,449,691	1,764,870	72.0%	308,273	327,141	106.1%
UTILITY BILLING	1,202,332	1,105,385	91.9%	8,477,564	8,342,600	98.4%
SUPPLY RESERVOIR	698,316	605,752	86.7%	21,807	21,164	97.1%
TOTAL WATER FUND	6,901,942	5,791,809	83.9%	8,870,503	8,752,373	98.7%
SANITARY SEWER MAINT	1,025,176	861,216	84.0%	10,647	11,019	103.5%
STORMWATER MAINT	287,280	250,875	87.3%	771,330	775,734	100.6%
WATER POLLUTION CONTROL	3,308,116	3,152,649	95.3%	9,192,399	9,087,375	98.9%
TOTAL SEWER FUND	4,620,572	4,264,741	92.3%	9,974,376	9,874,129	99.0%
PARKING	132,710	117,191	88.3%	161,081	166,520	103.4%
TOTAL PARKING FUND	132,710	117,191	88.3%	161,081	166,520	103.4%
SWIMMING POOL	87,074	60,804	69.8%	72,000	72,000	100.0%
TOTAL SWIMMING POOL FUND	87,074	60,804	69.8%	72,000	72,000	100.0%
1011H by mining 1 00H the	07,074	00,001	021070	,000	,,,,,	
CIT ADMINISTRATION	20,549,091	20,418,852	99.4%	24,797,880	24,719,357	99.7%
TOTAL CIT FUND	20,549,091	20,418,852	99.4%	24,797,880	24,719,357	99.7%

# CITY OF FINDLAY OPEN PROJECTS AS OF DECEMBER 31, 2018

PROJECT NUMBER	PROJECT NAME	TOTAL APPROPRIATED INCEPTION TO DATE	TOTAL EXPENSED INCEPTION TO DATE	TOTAL PENDING PURCHASE ORDERS	CURRENTLY AVAILABLE TO SPEND
31942400	DOWNTOWN REVITALIZATION	4,724,564	4,723,678	~	886
31948200	OHIO 629 - MARATHON	250,000	-	-	250,000
31950900	MUNI BLDG VIDEO RECORDING	130,000	-	350	129,650
31955300	ROWMARK 629 ROADWORK	100,000	1,516	2,234	96,250
31960100	CITY FIBER LOOP INSTALLATION	1,120,000	1,106,529	500	12,971
31961900	16/17 EMORY ADAMS IMPROVEMENTS	30,000	24,366	5,530	104
31966700	TYLER CASHIERING IMPLEMENTATION	38,500	18,075	20,310	115
31966800	2017 ORC PD REQUIRED TRAINING	39,556	-	-	39,556
31970300	FFD #3 FACILITY UPGRADE	25,000	21,035	2,500	1,465
31971800	2017 EDE PARK IMPROVEMENTS	10,000	373	-	9,627
31972000	2017 SWALE LOT & WALK PATH	70,000	40,245	9,755	20,000
31972500	FOOTBALL BLDG POWER	38,000	4,842	***	33,158
31972900	SALT BARN STRUCTURE	30,000	160	-	29,840
31976600	RESERVOIR PARKING LOT	15,000	-	-	15,000
31976900	2017 CRISIS INTERVENTION TRAINING	5,103	1,853	-	3,250
31977100	CAMPBELLS SOUP OHIO 629	280,694	-	280,694	-
31977900	PUBLIC SAFETY SOFTWARE SYSTEM	725,000	427,555	214,371	83,074
31978000	PD QUICK RESPONSE TEAM	87,500	46,893	40,607	-
31980300	BLANCH RVR GREENWAY TRAIL	80,000	61,730	18,170	100
31980800	ORC PD REQUIRED TRAINING	29,320	28,093	-	1,227
31982700	RIVERSIDE PARK COURT CONVERSION	73,525	68,457	-	5,068
31983000	VHF RADIO SYSTEM	354,077	-	-	354,077
31983400	2018 SKATE PARK REPAIRS	7,000	-	-	7,000
31983700	RECREATION STORAGE STRUCTURES	25,000	19,956	-	5,044
31984000	PARKS MANLEY BLDG LIGHTING	26,000	5,276	20,724	-
31984100	2018 CUBE CODE UPDATES	600,000	180	589,550	10,270
31984200	GIS SOFTWARE REPLACEMENT	40,000	37,166	2,400	434
31984700	MIRACLE FIELD EXPANSION 2018	100,000	98,000	-	2,000
31985000	FFD 1 & 4 EXHAUST SYSTEM AFG	135,091	-	135,090	1
31985300	AUTOLIV OHIO 626	363,000	-		363,000
	GENERAL FUND PROJECTS	9,551,930	6,735,979	1,342,785	1,473,166

		TOTAL	TOTAL	TOTAL	CURRENTLY
PROJECT		APPROPRIATED	EXPENSED	PENDING	AVAILABLE
NUMBER	PROJECT NAME	INCEPTION TO DATE	INCEPTION TO DATE	PURCHASE ORDERS	TO SPEND
32542300	OIL DITCH CLEANING	20,000	-	-	20,000
32549500	HOWARD RUN DITCH CLEANING	2,000	-	750	1,250
32556000	B4 & B6 SEWER SEPARATION PH 1	361,500	287,428	68,602	5,470
32556100	B4 & B6 SEWER SEPARATION PH 2	737,383	706,815	26,885	3,684
32842500	BLANCHARD/6TH TRAN ALT PLAN	31,000	13,211	17,289	500
32852700	W SANDUSKY/WESTERN AVENUE	190,000	15,299	1,265	173,436
32852800	E SANDUSKY/BLANCHARD INTERSECTION	20,000	-	_	20,000
32852900	LIMA/WESTERN INTERSECION	339,934	50,526	-	289,408
32863400	W BIGELOW/NORTHGATE INTERSECTION	125,000	80,002	4,815	40,183
32864600	CR212/CR236 WIDENING	140,000	70,727	64,716	4,558
32871700	N MAIN/FFD 2 SIGNAL	75,000	26,325	-	48,675
32872100	S MAIN/LINCOLN INTERSECTION	125,000	-	43,783	81,217
32872800	S MAIN/MAIN CROSS INTERSECTION	125,000	-	44,684	80,316
32873100	S MAIN/ SANDUSKY INTERSECTION	125,000	-	44,089	80,911
32876000	BLANCHARD/LINCOLN LIKE LANE	421,500	101,432	318,702	1,367
32876300	ODOT FY 18 RESURFACING	800,000	699,106	17,098	83,796
32880100	2018 STREET RESURFACING	1,250,000	706,647	304,204	239,149
32880800	2018 STREET PREV MAINT	500,000	481,912	10,921	7,166
32884400	ODOT FY 19 RESURFACING	1,000	-	475	525
32885200	2019 STREET PREV MAINT	50,000	-	-	50,000
	SCM&R FUND PROJECTS	5,439,317	3,239,431	968,276	1,231,610
35250600	AIRPORT DRAINAGE IMPROVEMENTS	145,750	106,437	32,588	6,724
35284600	ODOT AVIAT BEACON & WINDSOCK	23,000	20,700	2,300	-
	AIRPORT FUND PROJECTS	168,750	127,137	34,888	6,724

		TOTAL	TOTAL	TOTAL	CURRENTLY
PROJECT		APPROPRIATED	EXPENSED	PENDING	AVAILABLE
NUMBER	PROJECT NAME	INCEPTION TO DATE	INCEPTION TO DATE		TO SPEND
35577600	HOWARD ST SEWER SEP PH 1	50,000	15,989	13,511	20,500
35674500	LTCP EVALUATION STUDY	340,000	187,350	110,619	42,031
35674900	SEWER PARKING LOTS	38,000	27,123	8,742	2,136
35675000	SANITARY SEWER CR 212	45,000	7,269	731	37,000
35675200	HIGH ST SEWER REPLACEMENT	706,100	638,362	-	67,738
35675300	EAST & FRONT CSO ELIMINATION	82,738	43,020	_	39,718
35675400	SEWER FLAP GATE PROJECT	128,485	102,643	24,288	1,554
35675500	DISTRIBUTION DR SAN SEWER	94,530	834	74,530	19,166
35677700	WASHINGTON PARK SANITARY	45,000	12,885	1,015	31,100
35680200	2018 SEWER LINING & MANHOLE	385,900	1,033	369,619	15,248
35681100	2018 ANNUAL SEWER TELEVISING	20,000	456	-	19,544
35681200	WPC UV SYSTEM REPLACEMENT	268,500	64,447	203,680	373
35681500	WPC CLARIFIER 1 & 2 REHAB	20,000	3,812	500	15,688
	SEWER FUND PROJECTS	2,224,253	1,105,221	807,235	311,798
35741400	BLANCHARD RVR/STANFORD W/L	25,000	13,976	-	11,024
35754100	RAW WATERLINE/TRANSFER STATION	210,000	198,540	4,350	7,110
35773400	RESERVOIR OVERFLOW DESIGN	15,000	-	-	15,000
35774300	TR215 WATERLINE EXTENSION	411,575	321	381,575	29,679
35775800	RESERVOIR 1 RAMP REPAVING	20,000	-	-	20,000
35776100	WTP UNDER UTILITY CAPACITY	100,000	5,449	79,499	15,052
35780400	SANDUSKY W/L TO DOLD	200,000	132,822	46,165	21,013
35781000	MILTON ST WATERLINE REPLAEMENT	125,000	108,695	-	16,305
35781300	SUMMIT ST WATERLINE REPLACEMENT	175,000	424	119,855	54,721
35781600	MERRIWEATHER WL REPLACEMENT	65,000	231	56,032	8,736
35781800	WTP SCADA SYSTEM UPGRADES	25,000	616	-	24,384
35781900	WATER ASSET MGT OEPA MSTR	350,000		45,000	305,000
35782200	UB OFFICE RENOVATIONS	10,000	-	-	10,000
35782300	WTP ROOF REPLACEMENT	160,000	-	149,405	10,595
35782400	WTP FIRE ALARM SYSTEM	20,000	305	3,250	16,445
35782500	RESERVOIR #2 RAMP REPAVING	25,000	-	-	25,000
35782600	WTP & RES SECURITY CAMERAS	150,000	-	-	150,000
35782800	RESERVOIR TRANSFER LINE REHAB	20,000	-	-	20,000
35783300	WATER METER SYSTEM REPLACE	250,000	154	-	249,846
35783500	2018 UTILITY RATE STUDY	25,000	-	-	25,000
35783600	2018 SMALL WATERLINES	75,000	31,700	-	43,300
35783900	WTP BULK WATER STATION	50,000	<u>-</u>	<u>-</u>	50,000
	WATER FUND PROJECTS	2,506,575	493,234	885,131	1,128,210

NUMBER	PROJECT NAME	INCEPTION TO DATE	INCEPTION TO DATE	PURCHASE ORDERS	TO SPEND	
PROJECT		APPROPRIATED	EXPENSED	PENDING	AVAILABLE	
		TOTAL	TOTAL	TOTAL	CURRENTLY	

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# CITY OF FINDLAY CASH & INVESTMENTS AS OF DECEMBER 31, 2018

<u>AMOUNT</u>	DESCRIPTION AND RATE	BANK/FIRM
\$ 810,000.00	STAR OHIO @ 2.410%	
121,547.00	STAR OHIO @ 2.410%	
23,003,500.00	STAR OHIO @ 2.410%	
1,442,401.75	STAR OHIO @ 2.410%	
1,000,000.00	STAR PLUS @ 2.40%	
5,505,000.00	SAVINGS ACCOUNT	FIFTH THIRD BANK
1,000,625.00	US TREASURY @ 1.250%	PNC BANK
1,000,300.00	FFCB @ 1.300%	HUNTINGTON BANK
995,429.69	US TREASURY @ 1.237%	HUNTINGTON BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 1.100%	WATERFORD BANK
1,999,040.00	US TREASURY @ 1.250%	D A DAVIDSON
999,120.00	FFCB @ 1.375%	HUNTINGTON BANK
986,640.00	US TREASURY @ 1.000%	D A DAVIDSON
996,895.93	FHLB @ 1.550%	HUNTINGTON BANK
1,970,880.00	US TREASURY @ 0.875%	KEY BANK
1,996,875.00	US TREASURY @ 2.000%	PNC BANK
986,484.38	US TREASURY @ 1.625%	HUNTINGTON BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 1.834%	FIRST FEDERAL BANK
979,531.25	US TREASURY @ 1.500%	PNC BANK
1,998,649.10	US TREASURY @ 2.500%	D A DAVIDSON
981,110.00	US TREASURY @ 1.625%	KEY BANK
973,610.00	US TREASURY @ 1.375%	KEY BANK
1,995,820.00	FFCB @ 2.900%	KEY BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 2.600%	FIRST NATIONAL BANK
¢ 50 479 450 10	INVESTMENT TOTAL	
\$52,478,459.10	INVESTMENT TOTAL	
4,467,030.40	5/3 BANK ACCOUNT BALANCE	
3,923.84	ACCRUED INVESTMENT INTEREST	
\$56,949,413.34	TOTAL CASH & INVESTMENTS	

#### CITY OF FINDLAY

#### BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF DECEMBER 31, 2018

*******	0 15 1
\$15,803,874.18	General Fund
1,000,000.00	General Fund Restricted Rainy Day
1,955,548.68	General Fund Projects
771,076.62	SCM&R Fund
1,521,032.00	SCM&R Fund Projects
-	County Permissive License Fund
347,631.83	State Highway Fund
589.57	Law Enforcement Trust Fund
1,537.00	Drug Law Enforcement Trust Fund
282,531.55	ID Alcohol Treatment Fund
60,860.62	Enforcement & Education Fund
420,692.35	Court Special Projects Fund
115,428.38	Court Computerization Fund
2,109.56	METRICH Drug Law Enforcement Trust Fund
121,393.79	Alcohol Monitoring Fund
117,858.79	Mediation Fund
152,896.65	Electronic Imaging Fund
20,502.85	Legal Research Fund
1,329,831.10	Severance Payout Fund
-	Debt Service Fund
-	CR 236 TIF Fund
493,699.77	Municipal Court Improvemement Fund
670,665.39	Airport Fund
45,062.66	Airport Fund Projects
9,116,548.78	Water Fund
869,323.05	Water Fund Restricted
1,922,592.64	Water Fund Projects
7,662,028.99	Sewer Fund
5,737,177.26	Sewer Fund Restricted
1,154,783.39	Sewer Fund Projects
64,980.48	Parking Fund
-	Parking Fund Projects
30,110.98	Swimming Pool Fund
-	Swimming Pool Fund Projects
31,470.49	Internal Service Central Stores Fund
784,904.60	Internal Service Workers Comp Fund
835,983.63	Internal Service Self Insurance Fund
162,195.56	CIT Fund
1,545,996.39	CIT Fund- Restricted Capital Improvements
-	CIT Fund-Restricted Flood Mitigation
_	Police Pension Fund
-	Fire Pension Fund
13,233.94	Unclaimed Monies Fund
13,334.80	Tax Collection Agency Fund
1,444,801.75	Cemetery Trust Fund
157,474.06	Private Trust Fund
166,728.07	Guaranteed Deposits
-	Special Assessments Pavements Fund
-	Special Assessments Sidewalks Fund
_	Special Assessments Sidewalks Fund Projects
921.14	Special Assessments Storm Fund
\$56,949,413.34	TOTAL CASH & INVESTMENTS
Ψ 30,272,713,37	TO THE CHOIL OF HIT PROTESTION



## TREASURER'S OFFICE

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

www.findlayohio.com

## Treasurer's Reconciliation for December 31, 2018

TREASURER		<u>AUDITOR</u>	
Fifth Third Initial Balance	2,619,764.87		
- Withdrawals ()	(4,940,026.35)		
+ Deposits	7,142,106.72		
Ending Balance	4,821,845.24		
- Outstanding checks ()	(366,597.59)		
Deposit in Transit	6,049.75		
Deposit in Transit	5,733.00		
Treasurer's Checking Bal	4,467,030.40	Auditor's Checking Bal	4,467,030.
Investment Principal	52,478,459.10		
Accrued Bond Interest	3,923.84		
Treasurer's Total Cash		Auditor's Total Cash and	
and Investments	56,949,413.34	Investments	56,949,413

Respectfully submitted,

Susan Jo Hite Treasurer

## City of Findlay

## POLICE DEPARTMENT

John E. Dunbar, Chief of Police 318 Dorney Plaza, Room 116 • Findlay, OH 45840 Phone: 419-424-7194 • Fax: 419-424-7296 www.findlayohio.com

January 17, 2019

Paul E. Schmelzer, P.E., P.S. Safety Director City of Findlay Findlay, Ohio 45840

Re: Appropriation of Funds

Dear Paul,

The Police Department received a check from NAMI Ohio in 2018 to help fund training, equipment, and other items for the Crisis Intervention Training program. I respectfully request that the money be appropriated as follows:

From:

General Fund (NAMI Ohio)

\$1000.00

To:

2017 Crisis Intervention Training PD

\$1000.00

(31976900)

Thank you for your consideration in this matter. If you should have any further questions, please let me know.

Sincerely,

Captain Robert Ring

Caps. Rt f 1885

Findlay Police Dept.

## City of Findlay City Planning Commission

City Council Chambers, 1<sup>st</sup> floor of Municipal Building Thursday, February 14, 2019 - 9:00 AM

## **AGENDA**

CALL TO ORDER

**ROLL CALL** 

**SWEARING IN** 

APPROVAL OF MINUTES

## ITEMS TABLED AT THE JANUARY 10, 2019 MEETING

APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 filed by Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition.

## **NEW ITEMS**

- 1. SITE PLAN APPLICATION #SP-02-2019 filed by HuntCar, LLC, 1329 White Birch Drive, Findlay for Northern Lofts hair salons and associated parking to be located at 3150 N. Main Street, Findlay.
- 2. APPLICATION FOR SITE PLAN REVIEW #SP-03-2019 filed by Stewart Hengsteler, Shelly Hengsteler, Todd Hengsteler, 6981 Hampton, Castle Road, CO for a wind turbine to be located at 2749 Crystal Avenue, Findlay, OH.
- 3. REVIEW OF AMENDMENTS TO CITY OF FINDLAY ZONING ORDINANCE.

## *ADMINISTRATIVE APPROVALS*

APPLICATION FOR SITE PLAN REVIEW #SP-04-2019 filed by Blanchard Valley Center, 1700 E Sandusky Street, Findlay for parking lot improvements to be located at 1700 E Sandusky Street.

### *ADJOURNMENT*

# City of Findlay City Planning Commission

Thursday, January 10, 2019 – 9:00 AM

## **Minutes**

(Staff Report Comments from the meeting are incorporated into the minutes in lighter text. Actual minutes begin with the DISCUSSION Section for each item)

\*The Digital Recording for this meeting was corrupted. The minutes for this meeting were created from staff notes taken during the meeting.

**MEMBERS PRESENT:** Mayor Lydia Mihalik

Jackie Schroeder Brian Thomas Dan DeArment Dan Clinger

**STAFF ATTENDING:** Eric Atkins, Code Enforcement Office

Jeremy Kalb, Engineering Project Manager

Matt Cordonnier, HRPC Director

Jacob Mercer, Planner Matt Pickett, Fire Inspector Kyle Inbody, Zoning Inspector

GUESTS: Rod Siddons, Todd Valentine, Dan Stone, Jim Koehler,

Michael Brown, Ben Taylor, Kelley Foltz, Ryan Brown, Dawn Riser, Tom Shindledecker, Tom Croy, Matt Croy

## CALL TO ORDER

## ROLL CALL

The following members were present:

Mayor Lydia Mihalik

Dan Clinger
Dan DeArment
Jackie Schroeder
Brian Thomas

## **SWEARING IN**

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

## APPROVAL OF MINUTES

Dan DeArment made a motion to approve the minutes of December 13, 2018. Brian Thomas seconded. Motion carried 5-0-0.

## **NEW ITEMS**

1. PRELIMINARY PLAT APPLICATION #PP-01-2019 filed by Krystal Ridge, Inc., 655 Fox Run Rd, Findlay for Krystal Ridge 2nd Addition.

## **CPC STAFF**

## **General Information**

This request is for a 22-acre parcel located to the south of Bishop Lane. It is currently zoned M-2 Multi-Family. Land to the west is zoned R-3 single family. To the east is zoned MH – mobile home district and R-3 single family to the south and north. It is not located within the 100-year flood plain.

## **Parcel History**

This site is a vacant parcel.

## **ENGINEERING**

No Comment

## FIRE PREVENTION

No Comment

## RECOMMENDATION

Staff recommends that FCPC approve the PRELIMINARY PLAT APPLICATION #PP-01-2019 filed by Krystal Ridge, Inc., 655 Fox Run Rd, Findlay for Krystal Ridge 2nd Addition.

## **DISCUSSION**

Dan Clinger opened with questions about the connection to the neighborhood through Bishop Lane. He wanted to know if the developers had any ability to create a second connection to the street at Concord Court to the south of the property. Dan Stone said that they had not explored the connection to Concord Court as of yet. He stated that the proposed development was in keeping with how subdivisions are typically done, and that the stub would have the appropriate size for turnaround of emergency vehicles. It also followed the original intention that the PUD had first intended.

Lydia asked if there were any questions or comments from the audience.

Kelly Foltz, owner of 550 Markle Street, had questions regarding the drainage ponds located on the north and south of her property. Dan Stone reassured her that the current ditch, which runs along the northeast of the Krystal Ridge property, would be piped and drained into the northern detention pond. The water in this pond would be coming from existing neighborhood to the north of the property. The water from the new development on Krystal Ridge, would flow down and drain into the pond to the south of the property. She wanted to know if Dan could guarantee that this wouldn't create any standing water on her property. He said that the development wouldn't impact any standing water, but he would connect with her to go out to her property and address any additional concerns from her.

She then asked if the existing chain link fence would remain in place between her property and the new R-3 homes that would abut her property. Dan said that there are no plans to remove the fence. Upon further review, he thought a significant portion of the fence was located in an easement rather than the new R-3 lots, which would allow the fence to stay.

Ben Taylor, owner of 1845 Bishop Lane, spoke about the connectivity between the site and the neighborhood. He did not think that the way the neighborhood exists currently should tie into the site on Bishop Lane. Bishop Lane is a cut-through for many people to avoid a stoplight on Crystal Avenue. This has led to a large number of cars driving very quickly through the residential area and often leading to rolling stops at the stop sign at Bishop Lane and Sheridan Avenue. Based on the aerial map, he believed that Breckenridge Road was the natural and best fit for access into the site.

Dan Stone stated that the access to Breckenridge is outside of their property and owned by a different landowner. They have no control on how that property develops and their road access. A representative of Blanchard Station Housing Partners, LLC stated that they have conducted an environmental review for the proposed but an environmental review has not been completed for the land that would be used for a potential connection to Breckenridge Road.

Dan DeArment stated that the Planning Commission would be more comfortable with the proposed preliminary plat if the site had a second access point. Dan Clinger suggested that they use Breckenridge Road as a construction entrance into the site to avoid further congestion on Bishop Lane. Dan Stone stated, again, that they do not have control of that lot connection with Breckenridge Road and could not guarantee that they could commit to doing that.

Lydia Mihalik summarized that we needed two access points into the site and asked the developers if they would be opposed if they needed to extend the road through the site south to connect with Concord Court in this phase. Dan Stone said they wouldn't be opposed to this plan.

## **MOTION**

Lydia made a motion to recommend approval to Findlay City Council of the PRELIMINARY PLAT #PP-01-2019 filed by Krystal Ridge, Inc., 655 Fox Run Rd, Findlay for Krystal Ridge 2nd Addition subject to the following conditions:

• The preliminary plan included a road connection to the south at Concord Court.

2<sup>nd</sup>: Dan DeArment seconded

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

Dan DeArment had to leave the meeting at this point.

2. APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 filed by Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2nd Addition.

## **CPC STAFF**

## **General Information**

This request is for an 11-acre parcel located to the south of Bishop Lane. It is currently zoned M-2 Multi-Family. Land to the west is zoned R-3 single family. To the east is zoned MH – mobile home district and R-3 single family to the south and north. It is not located within the 100-year flood plain.

## **Staff Analysis**

This request is for a multi-family development consisting of 14 buildings with a total of 50 units. The proposed 50 units falls within the permitted density, the M-2 zoning district would permit up to 116 units be constructed on the 11-acre site. All the proposed buildings meet or exceed the required setbacks. The development exceeds the minimum parking requirements, they provide 157 parking spaces and only 150 spaces are required. Staff has calculated the lot coverage to be at 38 percent which is under the maximum lot coverage of 40 percent. The proposed site plan meets all the landscaping standards expect for the foundation planting requirement. They are required to plant 2 shrubs per 12 lineal feet of building circumference.

Staff does have some concern about the overall traffic circulation for the site. There is less concern about this development as a standalone project. However, there is a significant amount of undeveloped land and the overall traffic flow could be problematic as the surrounding property is developed in the future.

## **ENGINEERING**

Access –

The plans are proposing two new drives to come off of the extension of Bishop Lane. Each drive is roughly 70 LF in size and will serve as the access points to the Blanchard Station Apartments.

## Sanitary Sewer –

The plans show a new sanitary sewer to be ran throughout the apartment complex to serve each of the buildings. The proposed sanitary sewer ties into the sanitary sewer that will be running along the new Bishop Lane extension. The new sanitary is proposed to be 8-inch to 6-inch in size. Consultant will need to verify if the sanitary within the complex is private or public.

## Waterline –

The plans are proposing a new waterline to be looped throughout the apartment complex. The proposed waterline will tie onto the waterline that is running along Bishop Lane. Each apartment building will have its own 1.5 inch service line. Consultant will need to verify if the waterline within the complex is private or public.

## Storm water Management –

Detention calculations have been submitted with the plans. The plans are proposing two detention ponds to accommodate the storm water for the subject area. The first pond (N) is a proposed wet pond that will detain the storm water for the apartments, and the second pond (SW) will received the metered flow from the apartment's pond, along with flow from the 11 acres surrounding the Krystal Ridge subdivision.

## MS4 Requirements –

The amount of erodible material that will be disturbed will be more than one acre so the site is will be required to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

### Recommendations:

• Approval of the Site Plan

Following Permits are Needed Before Construction Can Start:

Waterline Taps - 2 total
Waterline Service Connections- 14 total
Sanitary Sewer Taps- 4 total
Storm Sewer Permit- 3 total
Drive/ Curb Cut Permit (70 LF & 75LF) - 2 total

## FIRE PREVENTION

-Maintain sufficient turn radius for fire apparatus throughout the development.

-The dead end of the proposed Bishop Ln. extension shall accommodate the largest FFD apparatus when backing from the most southern drive entrance of the development.

-The number of proposed fire hydrants are sufficient but will realign as discussed with Dan Stone.

## RECOMMENDATION

Staff recommends approval of the APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 filed by Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition.

## **DISCUSSION**

Darlene Beuschlein asked if this was a done deal. She was wondering if the approved preliminary plat meant that this site plan was for sure going to be approved as is. Lydia Mihalik said that they had only approved the plat of the site with the condition of the connector at Concord Court. They would still need to approve the site plan for where the buildings are located on the site.

An unidentified resident of Bishop Lane then shared that she does not feel safe letting her children play on their bikes without supervision. She added that she feels the cars drive too fast on the road, don't obey the stop sign, and have hit her mailbox multiple times. She worries that the increased traffic will make it impossible for her children to safely play in the front yard without supervision.

Dan Clinger asked if they could have two access roads to the site, one on Bishop and one from Breckenridge. Dan Stone said that was not what his clients had envisioned for the site. If they included a second road, that would cut down on the amount of buildable land for the site. That would effectively end this proposed development, and limit the potential development to only single family homes. He reminded the neighbors that based upon ITE standards, the proposed development would see roughly 350 extra trips originating from the new development to be absorbed by the neighborhood. If they changed the development to a single-family neighborhood, that would equal 600 plus extra trips through the neighborhood. If the neighbors are concerned about traffic, the proposed development is roughly half as many trips.

Ryan Brown, owner of 1835 Bishop Lane, asked the Planning Commission if there had been a traffic study done in the area to determine what the traffic volume is at the moment and if the new development would have a negative impact on the neighborhood. Dan Stone said there had not been a traffic study.

Dan Stone asked the Planning Commission if it would be beneficial for traffic commission to look at the area to consider whether or not the area should be reduced from parking on two sides of the street down to one. This was met with disapproval from the neighbors.

Matt Cordonnier mentioned that, while looking back at the history of the PUD for the site, there were plans that showed that a road was to go along the east perimeter of the site, stretching all the way north to Melrose Avenue. This would alleviate traffic flow problems in the future, however, there isn't a final plan for the other portion of the site, making plans like this difficult to project into the future.

Jackie Schroeder asked if there was a possibility that the site had a second access point that connected the existing roads in the site, to the cul-de-sac development north of the site which would be connected to Breckenridge Road. Dan Stone said that he would need time to discuss with the owner about getting the road connected. He asked the residents if a plan like that, which would allow two access points north to Melrose Avenue, would alleviate their concerns, to which the neighbors were in vocal support.

One of the representatives of Blanchard Station Housing Partners, LLC asked the Planning Commission to table the APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 filed by Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition.

### **MOTION**

Lydia Mihalik made a motion to table the APPLICATION FOR SITE PLAN REVIEW #SP-01-2019 filed by Blanchard Station Housing Partners, LLC, 12125 Pleasant Valley Rd, Chillicothe, OH for Blanchard Station Apartments to be located on the west side of Bishop Lane on Lot 73 in the Krystal Ridge 2<sup>nd</sup> Addition.

2<sup>nd</sup>: Dan Clinger

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

<b>ADJO</b>	URNN	<b>MENT</b>
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Lydia L. Mihalik	Brian Thomas, P.E., P.S.
Mayor	Service Director



January 30, 2019

Findlay City Council 318 Dorney Plaza Findlay, Ohio 45840

Attention: Ron Monday, President

RE: Amendments to the Findlay Zoning Code

Honorable Members of Council:

Hancock Regional Planning Commission respectfully submits three text amendments to the City of Findlay Zoning Code for adoption.

The first proposed amendment is to Section 1161.11.3 and 1161.11.6 reduces the number of parking spaces required for multifamily developments zoned M-1 or M-2. Over the last year HRPC has worked with several developers who have commented that Findlay's parking standards are much higher than the industry standards. Upon further investigation we are proposing a reduction in the number of parking spaces required from 2.5 spaces per unit to 2 spaces per unit.

Secondly, HRPC proposes additional language be added to Section 1161.15 Conditional Use Requirements. The proposed language outlines the criteria that the City Planning Commission shall use when considering a conditional use.

The third amendment adds language to Section 1113.20(C). This section outlines the framework of "discretion" that City Planning Commission has when reviewing cases.

Please let me know if you have any comments or concerns.

Sincerely,

Matt Cordonnier, Director

Hancock Regional Planning Commission

## 1161.11.3 PARKING, M-1 & M-2 MULTI-FAMILY

## A. OFF-STREET PARKING SPACES

A minimum of two (2) and one-half (2 1/2) off-street parking spaces are required per dwelling unit.

#### B. SETBACKS

A. Parking lots may project into the minimum setbacks, but shall not project into or interfere with any screening requirements except as permitted in 1161.06 Landscaping Standards. A parking lot shall not be installed within five (5) feet of a side lot line or within ten (10) feet of a front or rear lot line.

## C. VISITOR PARKING SPACES

Requirement

At least one (1) off-street space per two (2) five (5) units is required for visitor parking and shall be spread evenly throughout the development.

## D. EXCLUSION

Visitor parking spaces cannot include spaces in car ports, garages, or spaces that may block a carport or garage.

## E. CROSS DISTRICT STANDARD - MULTI-FAMILY USE INCLUDED

All multi-family uses located in other zoning districts shall adhere to this Chapter

## 1161.11.6 GENERAL PARKING REQUIREMENTS TABLE

Zoning District
Minimum Requirement
SINGLE FAMILY DISTRICTS – R-1, R-2, R-3
2 SPACES PER UNIT
MULTI-FAMILY DISTRICTS – R-4, M-1, M-2
2.5 2 SPACES PER UNIT
O-1 INSTITUTIONS AND OFFICES DISTRICT
1 SPACE PER 300 SQ. FT.
C-1 LOCAL COMMERCIAL
1 SPACE PER 325 SQ. FT.
C-2 GENERAL COMMERCIAL
1 SPACE PER 375 SQ. FT
C-3 DOWNTOWN COMMERCIAL
NO REQUIREMENT
I-1, I-2 INDUSTRIAL DISTRICTS
1.1 SPACES PER EMPLOYEE ON LARGEST SHIFT

## 1161.15 CONDITIONAL USE REQUIREMENTS

In addition to other requirements found in this Ordinance, some special conditions may be imposed. Conditional Uses, not specified herein, shall be regulated at the City Planning Commission's discretion. Conditional uses may be appropriate at some, but not all locations within a zoning district and are subject to the discretion of the City Planning Commission.

## 1161.15.1 GENERAL STANDARDS

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use of the proposed location:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objective of the Findlay Zoning Code of current adoption;
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, and school; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

## 1161.15.2 REGULATIONS PERTAINING TO CONDITIONAL USES

Uses may be permitted or denied depending upon how well they can address the following conditions:

A. COMMUNITY NON-COMMERCIAL RECREATIONAL & COMMUNITY RECREATIONAL FACILITY

Buildings located within 100 feet of a residential district or use shall incorporate a minimum of level 1 screening. This distance shall be measured from the building to the residential property line. A higher level of screening may be prescribed by the City Planning Commission depending on the intensity of use.

## B. BARS, NIGHT CLUBS, TAVERNS

1. Not to exceed 2,500 gross square feet

Outdoor patios and smoking areas

Not permitted on elevations facing residentially zoned districts, except when a 75' setback can be maintained between the district boundary and the outdoor patio edge.

#### Screening

- a. Additional screening and/or distance may be imposed to consider requests from establishments not able to meet proper setback or frontage requirements.
- b. Level 3 Screening when adjacent to residential zoned districts.

## 1113.20 PLANNING COMMISSION ACTION

In making their recommendation or decisions, the Planning Commission may take any of the following actions including: approval of the application; approval with modifications or conditions; denial of the application; or; tabling/deferring the application to another date. In the course of review and decision making, the Planning Commission:

## A. MAY APPLY CONDITIONS TO THE APPLICATION

May apply conditions on the application if the effect is to: Allow a less intensive use or zoning district than indicated in the application, Reduce the impact of the development or; Reduce the amount of land area included in the application.; Provide for the public's safety and general welfare.

## 1. Cannot Expand the Request

May not approve a greater density of development, a more intensive use or a more intensive zoning district than was indicated in any notice.

## 2. Has Discretion

- a. Is not required to approve the maximum density or intensity of use allowed.
- b. The Planning Commission reserves the right to determine if a use not specified in this ordinance is appropriate in the zoning district of the subject site.
- c. The Planning Commission may add, subtract, or substitute any condition of a conditional use.
- d. The Planning Commission shall have the power to safeguard the intent and objectives of this Zoning Ordinance by imposing appropriate restrictions and safeguards as conditions of any approval it gives.

## Office of the Mayor

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. Safety Director

Brian A. Thomas, P.E., P.S. Service Director

Honorable City Council City of Findlay, Ohio

January 30, 2019

Dear Honorable Council Members:

We have finalized our strategic plan initiatives for 2019 and compiled the fourth quarter 2018 KPIs. Our 2019 Journey for the strategic plan can be found on page 4 of that document. (The KPI document, "Findlay Performs," can also be found on the City website: <a href="https://www.findlayohio.com/government/transparency-performance">https://www.findlayohio.com/government/transparency-performance</a>)

The KPIs are the performance measurements we monitor for each department on a continuous basis. A few highlights of 2018 final measurements are:

- Safety incidents and lost days are down considerably compared to prior year(s) and the target
- Police crime rates are running at or below average
- Fire response rates are good and showing steady improvement
- Fire days of optimal manpower is showing improvement
- Water days of drinking water in compliance is again 100%
- Sewer sewer maintenance is a bit behind previous years
- Airport fuel sales are up over prior year and above target
- Engineering projects performed at or below bid estimate was 100%

These KPIs are a critical tool we use to measure our service delivery and operational effectiveness. They allow us to see our progress towards goals we set for continuous improvement.

Sincerely,

Paul E. Schmelzer, Safety Director

Brian Thomas, Service Director

# Findlay Performs



Findlay Performs connects the performance of City departments to the City's Strategic Plan. Our Journey framework is a map for the City's overall direction and lays out our Vital Few Objectives.

Key Performance Indicators, or KPIs, are a critical tool in the City's ability to: demonstrate progress on its goals; provide leadership with the information to make data-driven decisions as it allocates resources; and share the information necessary to tell the organization's story. This performance data will provide service delivery and operational effectiveness measurements and will serve as a report card to demonstrate the City's pledge to hold our service delivery to a high standard.

Included in this report are 39 performance indicators that were identified by City departments as "key" or "most important" in determining success or improvement of city services. Depending on the nature of the data, these measures are reviewed either monthly, quarterly or annually by department staff and City administration leadership.

## Contents (click a link below)

- KPI Dashboard Overview
- 2018 Journey Strategic Plan Overview
- KPIs by Department:
  - Enterprise City
  - Police
  - Fire
  - Public Works
  - Parks & Recreation
  - Water
  - Sewer
  - Airport
  - Engineering

## KPI Dashboard (click on a KPI for more detail)

See more KPIs at each department section

## **SAFETY**

Police

violent crimes

21

average incidents per month in 2018

even with 3 year average

Police

non-violent crimes

98

average incidents per month in 2018

lower than 3 year avg

Police

average response time

5:52

minutes for 2018

quicker than target

Fire

average response time

4:01

minutes for 2018

quicker than target

## **SERVICES**

Water

safe drinking water

100%

days in compliance meets target

Sewer

regulatory compliance

100%

days in compliance meets target

Public Works

pothole repairs

1 day

average time to complete quicker than target

Airport

hangar capacity

84%

capacity filled

under target of 90%

Engineering

lane miles paved

18.5

miles paved in 2018

## **PARKS & RECREATION**

The Cube

ice usage

70%

2018 average capacity utilized

The Cube

public skate

84

participants per session in 2018

**Ball Diamonds** 

field usage

46%

2018 average capacity utilized

## **FINANCIAL**

Citv

ratio of actual to budget

0.92

ratio for 2018

spending less than target

City

overtime

\$149k

incurred in Q4 2018

above 5 year average

## 2019 Journey



#### MISSION

Enduring stewardship dedicated to service and safety for citizens, promoting Findlay as the premier place for opportunity and growth.

### VALUES

ACCOUNTABILITY

TRUST

PROFESSIONALISM

COMMITMENT

EXCELLENCE

DEDICATION

SAFETY

DIVERSITY

## 2023 Vision

#### BE:

- A great place to Live, Learn, Work, and Play
- Vibrant world class community
- Best in class in economic development
- An employer of choice

#### DO:

- Promote successful flood mitigation
- Preserve financial stability and leverage opportunities
- Lead local government innovation
- Maintain excellent infrastructure
- Maximize our resources

#### HAVE:

- Inclusive and welcoming community
- Strong innovative partnerships
- Collaborative pillars of citizens, business and education
- Open, effective community engagement
- Valued community/customer satisfaction

Vital Few Objectives	Measures	2019 Target	2019 Initiatives
Financial Vision			
VFO — Manage Revenue	Actual/Forecast ratio (Monthly)	1.00	
VFO — Manage Expenses	Actual/Budget ratio (Monthly)	1.00	
VFO — Manage Reserves	Actual/Policy Minimum Ratio	1.00	
Customer/Stakeholder			
VFO—Achieve Excellent Community Satisfaction	Quality of Life Survey Score (Biennially)	3.0	Init 36—Improve/ Update Zoning Init 38—Improve Airport Facilities
VFO — Continue Strong, Innovative Partnerships	Partner Engagement Inde Score	ex 1.00	Init 39—Champion Community Initia- tives Init 40—Increase US Census Participa- tion
Operations & Service			•
VFO—Achieve Public Service Excel- lence	Performance Standards b Department (KPIs)	oy Various	Init 33 — Improve Technology and communication
VFO—Enhance Infrastructure Including Equipment	Capital Expenditure as a General Revenue	% 20%	Init 37 — Assess Water & Sewer Lines Init 42 — Improve Public Safety Init 43 Improve and Optimize City Infrastructure
People Investment			
VFO—Improve Employee Satisfaction	Annual Survey Score	3.5	Init 34—Implement Safety Training
VFO—Promote an Accident Free Workplace	10% Reduction of 5-Year Avg. of reportable/ recordable incidents	. 14	Program  Init 35 — Improve Employee Satisfaction  Init 41 — Assess, Train and Optimize
VFO—Promote an Accident Free Workforce	10% Reduction of 5-Year Avg. of Lost Days	125	Workforce
VFO — Support Wellness Program			

Dept.	ENTERPRISE		
KPI Measure	Actual vs. Budget – YTD Ratios		
Rationale/ Definition	We monitor the rate of spending as a ratio to the budget to try to stay below budget. The year-to-date (YTD) actual spend is compared to the pro-rated budget, be on a uniform spend assumption.		
Frequency	Quarterly (YTD amounts at end of each quarter)		
Data Source	Financial summary data		
Graph	2018 Actual Spending vs. Budget  1.10  1.00  9.00  9.00  9.00  9.00  Police Fire Recreation Engineering Streets Airport Water WPC Total General Fund  Key Operational Departments  Spending Level Unspent Budget — Target (.95)		
Other/	Our target spending is a .95 level. This provides us with flexibility to allocate additional funds to capital improvements and/or increase cash reserves.		



Dept.	ENTERPRISE	ENTERPRISE
KPI Measure	Safety: # of Reportable Incidents	Safety: # of Lost Days (due to injury)
Rationale/ Definition	Tracking the number of incidents each year allows us to examine trends and take steps to reduce injuries and accidents in the workplace.	The days lost due shows the cost and productivity that is lost due to injuries and accidents in the workplace.
Frequency	Quarterly	Quarterly
Data Source	Bureau of Workers Compensation data	Bureau of Workers Compensation data
Graph	Reportable Incidents  Reportable incidents  Target - to stay under  25  20  18  17  16  10  2014  2015  2016  2017  2018	Lost Days  Lost Days  Target - to stay under  293  293  293  2014  2015  2016  2017  2018
Other/ comments	The target is a 10% reduction from the 5 year average; not to exceed the previous year's target incidents.	The target is a 10% reduction from the 5 year average; not to exceed the previous year's target incidents. In 2016 and 2017, the majority of the lost days are attributed to 1-2 incidents.

Dept. EN	NTERPRISE		
KPI Ove	vertime		
Rationale/ We Definition	Ve monitor overtime costs by comparing to a 5-year quarterly average.		
Frequency Qua	luarterly		
Data Ove Source	Overtime summary		
Graph	S200,000  \$150,000  \$150,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000  \$50,000		

Dept.	POLICE		
KPI Measure	# of Violent & Non-Violent Crimes		
Rationale/ Definition	We monitor crime incidents as compared to a 3-year average in order to examine changing trends. Communities are evaluated on the number of non-violent and violent crimes committed in their jurisdiction. This measure allows us to prudently direct resources.		
Frequency	Monthly		
Data Source	Police Statistics		
Graph	CRIME INCIDENTS  Violent crimes Non-violent crimes 3 year avg. 3 year avg.  180 160 140 120 100 80 60 40 20 JAN FEB MARAPR MAYJUN JUL AUG SEP OCT NOV DEC JAN FEB MARAPRMAYJUN JUL AUG SEP OCT NOV DEC 2016 2017 2018		
Other/ comments	Our target for comparison is a 3-year average. Violent crimes include: homicide, rape, robbery and aggravated assault.		

Dept.	POLICE				
KPI Measure	# of Traffic Accidents				
Rationale/ Definition	We monitor traffic accidents as compared to a 3-year average. This measure allows us to determine effective resource allocation to enforce laws related to motorists and pedestrians.				
Frequency	Monthly				
Data Source	Police Statistics				
Graph	TRAFFIC ACCIDENTS  Traffic accidents = 3 year avg.  120 100 80 60 40 20 JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC 2017 2018				
Other/ comments	Our target for comparison is a 3-year average.				

Dept.	POLICE				
KPI Measure	Average response time – Priority Calls				
Rationale/ Definition	Quick response times to emergency calls are key to police effectiveness. People expect the police to respond in a timely manner. That is why response times to emergency/in-progress calls are evaluated.				
Frequency	Monthly				
Data Source	CAD Incidents Unit Response Report				
Graph	Average response time - Priority Calls  10.00  Average response time — Target  8.00  4.00  2.00  Dec/230  Jan/250 Feb/209 Mar/278 Apr/213 May/299 Jun/196 Jul/306 Aug/279 Sep/277 Oct/231 Nov/234 Dec/226 2018  Month/# calls				
Other/ comments	Our target is 6 minutes. The target is based on prior year data and the desire to set an assertive, yet realistic goal.				

Rationale/ Definition  The Crime Prevention/Community Outreachs are a vital aspect of the function of the Findlay Police Department. These include activities by the Crime Prevention Officer as well as school walk-throughs/visits by officers, in addition to any other outreach an officer does.  Frequency  Monthly  Data Source  Police Statistics  Crime Prevention/Community Outreach Activities  300  250  250  250  250  250  250  250	Dept.	POLICE				
Definition Prevention Officer as well as school walk-throughs/visits by officers, in addition to any other outreach an officer does.  Frequency Monthly  Data Source Police Statistics  Crime Prevention/Community Outreach Activities  300  250  250  200  300  300  300  300	KPI Measure	Crime prevention and community outreach activities				
Graph  Crime Prevention/Community Outreach Activities  300  250  200  300  300  300  300  300						
Graph  Crime Prevention/Community Outreach Activities  300  250  200  300  300  300  300  300	Frequency	Monthly				
Graph    250	Data Source	Police Statistics				
	Graph	300 250 200 301 100 50 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec				

Dept.	FIRE	FIRE
KPI Measure	Response Time and Turnout Time	Average Response Time & Turnout Time
Rationale/ Definition	Quick response is vital to the effectiveness of the fire department. We strive to meet standards set by the NFPA (National Fire Protection Association).	We also monitor our average response times to examine trends and identify efficiency areas to be addressed.
Frequency	Monthly	Monthly
Data Source	Apparatus Response Report	Apparatus Response Report
Graph	Response Times & Turnout Times - % time at target  100% 90% 80% 90% 60% 50% 40% 20% 10% 2017 2018 2018 2018 2018 2018 2018 2018 2018	Response Times & Turnout Times - average response time  6.00  90  4.00  2.00  2.00  2.017  2.018  2.
Other/ comments	Our target is to meet the 5 minute response time and 70 second turnout time, 90% of the time.  Response time: Time from alarm at station to arrival at scene  Turnout time: Time from alarm at station to vehicle in motion to scene	Our target response time is 5 minutes. Our target turnout time is 70 seconds.  Response time: Time from alarm at station to arrival at scene  Turnout time: Time from alarm at station to vehicle in motion to scene

Dept.	FIRE														
KPI Measure	Daily manpower level														
Rationale/ Definition	Having the appropriate level of personnel on duty daily is key to the effectiveness of the fire department. The optimal level is 15 or more, which allows for a dedicated ladder truck company. The daily minimum level is 14. This number does not include fire prevention personnel or the Fire Chief.														
equency	Monthly														
ta Source	Fire Departme	nt													
							[	Daily N	lanpov	ver					
		100%													
		90%													
		80%													
		70%	-												
		60%													
1		50%													
		40%													
		30%							_	-					
		20%													
		10%													
		0%													
			Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018	Jun 2018	Jul 2018	Aug 2018	Sep 2018	Oct 2018	Nov 2018	Dec 2018
			2017	1			2018 (15 firefigh					l (14 firefi	1	2010	2010
					70 Days Iu	cai Level	(±2 III ciiRi	icoraj	- 70 Day	Jac IVIIIIIII	nulli Leve	1 (14 III GII	iBilici3)		

Dept.	PUBLIC WORKS	PUBLIC WORKS			
KPI Measure	Potholes – Days to complete repair	Traffic Signals – Days to complete repair			
Rationale/ Definition	We strive to respond to and repair reported problems in a timely manner.	We strive to respond to and repair reported problems in a timely manner.			
Frequency	Monthly	Monthly			
Data Source	Work order data	Work order data			
Graph	Potholes - Days to complete request  Avg days to complete request  Target days (3 or less)  3.5 3 2.5 2 1.5 1 0.5 0 1 0.5 0 1 0.5 0 1 0.5 0 1 0.5 0 2 2017 2018	Traffic signals - Days to complete request  Avg days to complete request  Target days (1 or less)  1.5  Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2017			
Other/ comments	Target is 3 days or less. The monthly average number of pothole repairs is 10.	Target is 1 day or less. The monthly average number of traffic signal repairs is 7.  In July 2018, a complete upgrade was performed on one light, driving the average days higher than usual.			
1	<u> </u>	1.4			

Dept.	PUBLIC WORKS						
KPI Measure	Damaged signs – Days to complete repair						
Rationale/ Definition	We strive to respond to and repair reported problems in a timely manner.						
Frequency	Monthly						
Data Source	Work order data						
Graph	Damaged Signs - Days to complete request  Avg days to complete request  Target days (4 or less)  16 14 12 10 88 6 4 2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0						
Other/ Target is 4 days or less. The monthly average number of sign repairs is 3. comments							
	Note: If digging is needed to replace a sign, there is a 2 day wait for an OUPS check.						
	In November & December of 2018, there were instances of a temporary sign being put up until it could be fully replaced; and a no parking sign where there was nearby sign which was suffice until it could be replaced.						

Dept.	RECREATION	RECREATION						
KPI Measure	Average # of participants per day of offered public skate	"Learn to Skate" program participants						
Rationale/ Definition	To measure level of participation in our offered programs.	To measure level of participation in our offered programs						
Frequency	Monthly	Seasonally						
Data Source	Recreation department data	Recreation department data						
Graph Other/	2018 Avg # of participants per day of offered public skate  240 220 200 180 168 169 147 147 140 20 30 100 100 100 100 100 100 100 100 100	Learn to Skate Participants    195						
Other/ comments	This is a newer measure and no formal targets have been set.  There were no public skates in August.	This is a newer measure and no formal targets have been set.						

Dept.	RECREATION	RECREATION			
KPI Measure Rationale/	# Teams – Adult Softball  To measure level of participation in our offered programs.	# Participants - Lacrosse  To measure level of participation in our offered programs.			
Definition Frequency	Seasonally	Seasonally			
Data Source	Recreation department data	Recreation department data			
Graph	Adult Softball Teams  70  60  50  25  25  21  10  Summer Fall Summer Fall Summer Fall Summer Fall 2016 2016 2017 2017 2018 2018  Coed Teams Men's Teams	Lacrosse Participants  45  40  35  30  ipited 20  ipited 15  10  5  Spring 2017 Fall 2017 Spring 2018 Summer 2018			
Other/ comments	This is a newer measure and no formal targets have been set.	This is a newer measure and no formal targets have been set.			

Dept.	RECREATION	RECREATION				
KPI Measure	Ice capacity used at the Cube	Ball field capacity used at the Diamonds				
Rationale/ Definition	To measure the level of use of our facilities.	To measure the level of use of our facilities.				
Frequency	Seasonally	Seasonally				
Data Source	Recreation department data	Recreation department data				
Graph	CUBE: Ice Capacity Used  90.0% 82.9% 81.5% 82.4%  80.0% 70.0% 66.1% 67.2%  59.0% 59.0%  10.0% 10.0% 10.0%  Jan-Mar Sept-Dec Jan-Mar Sept-Dec 2016 2017 2017 2018 2018 2018  © Capacity used	Diamonds: Ball Field Capacity Used  90.0% 80.0% 77% 70.0% 66.0% 65%65% 61% 66% 66% 66% 50.0% 30.0% 20.0% Field 1 Field 2 Field 3 Field 4 Field 5				
Other/ comments	This is a newer measure and no formal targets have been set.	This is a newer measure and no formal targets have been set.				
	The floor is also used for dry floor events from April – August each year. 2018: 4 events, including indoor lacrosse 2016: 6 events 2017: 5 events	2018: 5 tournaments were canceled due to weather or other. 2017: 4 tournaments were canceled due to weather or other.				

Dept.	WATER DEPARTMENT	WATER DEPARTMENT
KPI Measure	% Days Drinking Water is in Compliance	Identification of Lead and Unknown Water Service Lines
Rationale/ Definition	This is used to measure the quality of our water, as well as compliance with regulatory requirements of the State of Ohio EPA.	To track our identification of lead service lines.
Frequency	Quarterly	Annually
Data Source	Water Department Data	Water Department Data
Graph	% Days Drinking Water in Compliance  % Days in Compliance  Target - 100%  90%  80%  90%  100%  100%  100%  100%  100%  100%  100%  2014  2015  2016  2017  2018	Lead Service Lines, 59, Unknown Service Lines, 68, 0.34%  Non-lead lines, 20,034, 99.37%
Other/ comments	Our target is 100%. We meet or exceed the regulatory requirements which include, but are not limited to, lead and copper levels.	Our ongoing objective is to reduce the number of Lead & Unknown service lines. Lead service lines were reduced from 64 in 2017 to 59 in 2018.  Because of our stability and high water quality, we inspect the water lines as projects occur. (i.e. when a street is being torn up for a project, we take that opportunity to

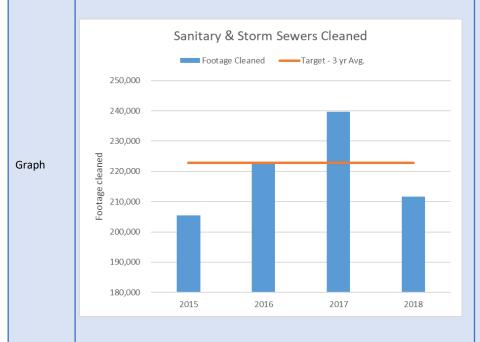
inspect the lines.)

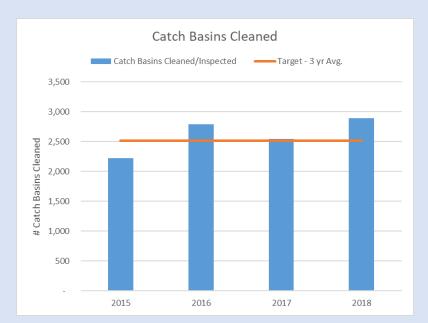
Dept.	WATER DEPARTMENT							
KPI Measure	Unaccounted	Unaccounted for Water						
Rationale/ Definition	To monitor v	vater that is unaccounted for and/or non-revenue producing.						
Frequency	Monthly							
Data Source	Water Depar	tment Data						
Graph		Unaccounted for water  Unaccounted for water  Goal - 18%  25.0%  25.0%  25.0%  22.3%  22.3%  22.9%  21.5%  22.9%  18.6%  17.6%  18.6%  10.0%  5.0%  Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2018						
Other/ comments	unauthorized	tems have a % of water that goes unbilled – this can be due to: unavoidable leakage, use by fire department, water meter inaccuracies, d consumption, etc. The water department is actively monitoring and analyzing this.						

Dept.	WATER DEPARTMENT	WATER DEPARTMENT				
KPI Measure	% of Total Fire Hydrants in Service	% of Fire Hydrants Inspected Each Year				
Rationale/ Definition	To measure the level of service and usability of fire hydrants to make sure all are in good working order when needed.	To measure efforts to inspect and maintain fire hydrants. Inspections and flushing of hydrants is done to improve the quality and flow of the water.				
Frequency	Quarterly	Quarterly				
Data Source	Water Department Data	Water Department Data				
Graph	% of Total Fire Hydrants in Service  120%  100%  80%  40%  2016  2017  2018  Sin service  Goal	% of Total Fire Hydrants Inspected Each Year  100% 75% 50% 25% 0% 2017 2018  ¶% inspected ■Goal				
Other/ comments	Our goal is to keep 100% of the fire hydrants in service.	All fire hydrants are inspected each year and therefore our goal is 100%.				
	The City maintains approximately 2470 fire hydrants.	Fire hydrant inspections will begin in May.				

Dept.	WATER POLLUTION CONTROL	WATER POLLUTION CONTROL
KPI Measure	% Days in Compliance with NPDES requirements for treatment	% Days in Compliance with NPDES requirements for reporting
Rationale/ Definition	Ensure a final effluent quality for compliance with requirements specified by the U.S. EPA and the Ohio EPA.	To comply with monthly reporting – completing and submitting Discharge Monitoring Reports to the Ohio EPA.
Frequency	Quarterly	Quarterly
Data Source	WPC Department data	WPC Department data
Graph	Compliance: Treatment that meets or exceeds NPDES requirements	Compliance: Regulatory reporting requirments for NPDES  permit  We have in Compliance Target - 100%  100%  90%  80%  70%  100%  100%  100%  100%  100%  100%  2014  2015  2016  2017  2018
Other/ comments	Our target is 100%  NPDES – National Pollutant Discharge Elimination System	Our target is 100%  NPDES – National Pollutant Discharge Elimination System
	The City Of Findlay Wastewater Treatment Plant provides wastewater treatment of residential, commercial and industrial wastewater. The Wastewater Treatment Plant treats on average four (4) billion gallons a year.	22

Dept.	WATER POLLUTION CONTROL	WATER POLLUTION CONTROL
KPI Measure	Footage of Sanitary & Storm Sewers Cleaned	Catch Basins Cleaned
Rationale/ Definition	To ensure we maintain our infrastructure and keep it working consistently and properly.	To ensure we maintain our infrastructure and keep it working consistently and properly.
Frequency	Quarterly	Quarterly
Data Source	WPC Department data	WPC Department data





Other/comments

Our comparison is to a 3-year average.

The sanitary sewer system has over 16,999 customers and is estimated to consist of over three hundred (300) miles of sanitary sewer, several thousand manholes and approximately six thousand four hundred (6,400) catch basins. It is imperative to maintain these systems for proper drainage – especially in times of rain events.

Dept.	WATER POLLUTION CONTROL	WATER POLLUTION CONTROL
KPI Measure	Footage of Sanitary & Storm Sewer Lines Televised	Sewer Problem Complaints - % that are the responsibility of the City
Rationale/ Definition	To ensure we maintain our infrastructure. We televise lines to ensure flow capacity and assess the need for repairs & maintenance.	To ensure we maintain and repair our infrastructure and swiftly address problems that are our responsibility.
Frequency	Quarterly	Quarterly
Data Source	WPC Department data	WPC Department data
Graph	Footage Televised  110,000 105,000 100,000 95,000 90,000 85,000 75,000 70,000 65,000 45,000 45,000 35,000 35,000 25,000 20,000 15,000 10,000 5,000 10,000 5,000 10,000 10,000 5,000 10,0	Sewer Problem Complaints  160  140  100  100  100  100  100  100
Other/ comments	This is a newer measure and no formal targets have been set.	Our target is for sewer complaints to be the City's responsibility no more than 10% of the time. A homeowner's private line begins a the point of connection to the sewer main.
	The sanitary sewer system has over 16,999 customers and is estimated to consi approximately six thousand four hundred (6,400) catch basins.	st of over three hundred (300) miles of sanitary sewer, several thousand manholes and

Dept.	AIRPORT	
KPI Measure	Jet A Fuel Sales	
Rationale/ Definition	Fuel sales are the largest revenue stream for the airport, especially the sale of Jet A.	
Frequency	Monthly	
Data Source	Jet A Fuel Sales Data	
Graph	Jet A Fuel Sales - Monthly  30000  25000  20000  10000  5000	
	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2016 2017 2018	
Other/ comments	The target is based on an average growth rate on the last 10 years of sales data. It represents a 3% increase from 2017 sales.  2018 fuel sales increased 18% over the prior year.	
	The airport facilitates a high volume of corporate aircraft traffic, which primarily purchases Jet A fuel.	

Dept.	AIRPORT	AIRPORT
KPI Measure	Hangar Capacity Utilized	Star Rating – airnav.com
Rationale/ Definition	To monitor the management of this revenue-generating asset.	Feedback from our customer base is an important way of measuring the level of service we offer.
Frequency	Monthly	Quarterly
Data Source	Airport Director	Airport Director/airnav.com website
Graph Other/	Hangar Capacity Utilization  100%  90%  80%  70%  60%  30%  20%  10%  Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2018  Hangar capacity utilized  Target  Our target is 90% capacity utilized.	Star Rating - airnav.com  Substitute    Star Rating - airnav.com  Actual Rating    Star Rating - airnav.com  Actual Rating    Target Rating (4 or higher)
comments	The airport owns and maintains twenty-five hangars, with varying size and capacity.  Monthly rental income provides a solid revenue stream for operations.	airport that offer FBO services. Users are able to rate and review The City of Findlay Airport (FBO) for other potential customers to see. Along with written reviews, users are able to give a 1-5 star rating. Our target is a 4 star rating or higher.

Dept.	ENGINEERING	ENGINEERING
KPI Measure	Lane miles paved	MS4 Compliance
Rationale/ Definition	Lane miles paved measures our progress in street maintenance and improvements.	MS4 relates to our adherence to certain USEPA standards.
Frequency	Annually	Quarterly
Data Source	City Engineer	City Engineer
Graph	20.000 25.000 10.000 2012 2013 2014 2015 2016 2017 2018	MS4 Compliance  100% 90% 80% 70% 60% 10% 20% 20% 10% Qtr 1 Qtr 2 Qtr 3 Qtr 4 2018  Solve Days in Compliance Target
Other/ comments	The lane miles paved each year is based on projects in the Capital Plan and availability of other funding sources in a given year.  MS4 stands for Municipal Separate Storm Sewer System. The MS4 standards relat storm water runoff, erosion, and water quality. It is to protect surface water such Blanchard River, Eagle Creek, etc.	
		27

Dept.	ENGINEERING	ENGINEERING
KPI Measure	Projects: # Planned vs. # Bid	% of Projects closed at or below bid and/or estimate
Rationale/ Definition	This measure shows our ability to be pro-active and get planned projects out to bid timely.	This measure tracks our ability to keep costs within project estimates.
Frequency	Quarterly	Annually
Data Source	City Engineer	City Engineer
Graph	Projects: # Planned vs. # Bid  2018 Summary: 31 projects planned 29 projects bid  Qtr 1 Qtr 2 Qtr 3 Qtr 4  2018  Planned Bid	% Projects closed at or below bid and/or estimate  100%  90%  80%  84%  70%  40%  30%  20%  2015 (19 projects)  2016 (5 projects)  2017 (12 projects)  2018 (12 projects)
Other/ comments	We develop and follow a 5-year capital plan (revised annually) which includes multiple year grants, etc. Each year the projects are planned by quarter based on nature of the project and to obtain optimal pricing.	This is a newer measure and no formal targets have been set.

# FINDLAY CITY COUNCIL CARRY-OVER LEGISLATION FEBRUARY 5, 2019

ORDINANCE NO. 2018-068 (Zoning personnel enforcement rights in right-of-way) requires three (3) readings

AN ORDINANCE ENABLING THE CITY OF FINDLAY ZONING DEPARTMENT PERSONNEL ENFORCEMENT RIGHTS

WITHIN RIGHT-OF-WAY AREAS WITHIN CITY LIMITS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2018-132 (701-807 Adams St/700-714 Putnam St rezone) requires three (3) readings tabled after third reading on 1/15/19 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 701-807 ADAMS STREET AND 700-714 PUTNAM STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R3 SINGLE FAMILY HIGH DENSITY RESIDENTIAL" TO "M2 MULTIPLE FAMILY RESIDENTIAL DISTRICT".

ORDINANCE NO. 2019-004 (IAFF (FD) contract renewal) requires three (3) reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A THREE (3) YEAR CONTRACT WITH

THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 381, AFL-CIO, EFFECTIVE JANUARY 1, 2019, EXPIRING

DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2019-005 (OPBA (PD) contract renewal) requires three (3) readings

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO THREE (3) YEAR CONTRACTS WITH
THE OHIO PATROLMANS BENEVOLENT ASSOCIATION ON BEHALF OF THE DIVISIONS OF DISPATCH, PATROL OFFICERS,
SERGEANTS AND LIEUTENANTS IN THE FINDLAY, OHIO POLICE DEPARTMENT, EFFECTIVE JANUARY 1, 2019, AND EXPIRING
DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2019-007 (bank credit card policy) requires three (3) readings

AN ORDINANCE APPROVING THE BANK CREDIT CARD POLICY ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A.

# City of Findlay Office of the Director of Law

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

Donald J. Rasmussen
Director of Law

**FEBRUARY 5, 2019** 

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, FEBRUARY 5, 2019 MEETING.

# RESOLUTIONS

006-2019

A RESOLUTION COMMENDING BRIAN YOUNG FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

# **ORDINANCES**

2019-009

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

2019-010

AN ORDINANCE AMENDING SECTIONS 1161.11.3, 1161.11.6, 1161.15, AND 1113.20(C) AND ADDING NEW SECTIONS 1161.15.1 AND 1161.15.2 TO CURRENT SECTION 1161.15 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE.

# RESOLUTION NO. 006-2019

# A RESOLUTION COMMENDING BRIAN YOUNG FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Brian Young who has served the City of Findlay, Ohio for twenty-seven (27) years as a dedicated and loyal employee, retired on December 27, 2018. Brian began his career with the City of Findlay as an Auxiliary Police Officer within the Findlay Police Department on August 26, 1991 before becoming a full-time Dispatcher in that department on November 20, 1995, and then a full-time Police Officer on August 30, 1996, a position he held until his retirement, and;

WHEREAS, Brian served the Findlay Police Department as a Patrol Officer, Field Training Officer, Crime Prevention Officer, Shift Officer in Charge, and as a Drone Operator, and;

WHEREAS, Brian received the Officer of the Year award given by the Findlay Police Department in 2005. He was nominated for the 2007 John Edward Seman Award for Employee Excellence. He received life-saving commendations in 2004 and 2007 for his direct involvement in a lifesaving incident. He also received three (3) other commendations and ten (10) letters of compliments throughout his career, and;

WHEREAS, during her twenty-seven (27) years of service, Brian has performed as an outstanding public servant in a loyal and dedicated manner to the citizens of the City of Findlay, Ohio through his responsibilities within the City of Findlay Police Department.

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

SECTION 1: That the said Brian Young be and he is hereby commended for his long and loyal services to his City, and that this Council extends its best wishes to him upon his retirement from the City of Findlay, Ohio.

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

	PRESIDENT OF COLUNION
	PRESIDENT OF COUNCIL
PASSED	MAYOR
ATTESTCLERK OF COUNCIL	
APPROVED	

# **ORDINANCE NO. 2019-009**

# 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 (NAMI Ohio) \$ 1,000.00

TO: 2017 Crisis Intervention Training PD #31976900

\$ 1,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that the Findlay Police Department may utilize funds received from NAMI Ohio,

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

	PRESIDENT OF COUNCIL
PASSED	MAYOR
ATTESTCLERK OF COUNCIL	
APPROVED	

#### **ORDINANCE NO. 2019-010**

AN ORDINANCE AMENDING SECTIONS 1161.11.3, 1161.11.6, 1161.15, AND 1113.20(C) AND ADDING NEW SECTIONS 1161.15.1 AND 1161.15.2 TO CURRENT SECTION 1161.15 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE.

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 1161.11.3 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

#### 1161.11.3 PARKING, M-1 AND M-2 MULTI-FAMILY

A. OFF-STREET PARKING SPACES.

A minimum of two and one-half (2 1/2) off-street parking spaces are required per dwelling unit.

#### B. SETBACKS.

1. Parking lots may project into the minimum setbacks, but small not project into or interfere with any screening requirements except as permitted in 1161.06. Landscaping Standards. A parking lot shall not be installed within five (5) feet of a side lot line or within ten (10) feet of a front or rear lot line.

#### C. VISITOR PARKING SPACES.

Requirement

At least one (1) off-street space per two (2) units is required for visitor parking and shall be spread evenly throughout the development.

D. EXCLUSION.

Visitor parking spaces cannot include spaces in car ports, garages, or spaces that may block a carport or garage.

E. CROSS DISTRICT STANDARDS - MULTI-FAMILY USE INCLUDED.

All multi-family uses located in other zoning districts shall adhere to this Chapter.

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

#### 1161.11.3 PARKING, M-1 AND M-2 MULTI-FAMILY

A. OFF-STREET PARKING SPACES.

A minimum of two (2) off-street parking spaces are required per dwelling unit.

#### B. SETBACKS.

A. Parking lots may project into the minimum setbacks, but small not project into or interfere with any screening requirements except as permitted in 1161.06. Landscaping Standards. A parking lot shall not be installed within five (5) feet of a side lot line or within ten (10) feet of a front or rear lot line.

#### C. VISITOR PARKING SPACES.

Requirement

At least one (1) off-street space per five (5) units is required for visitor parking and shall be spread evenly throughout the development.

# D. EXCLUSION.

Visitor parking spaces cannot include spaces in carports, garages, or spaces that may block a carport or garage.

E. CROSS DISTRICT STANDARDS - MULTI-FAMILY USE INCLUDED.

All multi-family uses located in other zoning districts shall adhere to this Chapter.

SECTION 2: That Section 1161.11.6 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

# 1161.11.6 GENERAL PARKING REQUIREMENTS TABLE

Zoning District

Minimum Requirement

SINGLE FAMILY DISTRICTS - R-1, R-2, R-3

2 SPACES PER UNIT

MULTI-FAMILY DISTRICTS - R-4, M-1, M-2

2.5 SPACES PER UNIT

O-1 INSTITUTIONS AND OFFICES DISTRICT

1 SPACE PER 300 SQ. FT

C-1 LOCAL COMMERCIAL

1 SPACE PER 325 SQ. FT

C-2 GENERAL COMMERCIAL

1 SPACE PER 375 SQ. FT

C-3 DOWNTOWN COMMERCIAL

NO REQUIREMENT

I-1, I-2 INDUSTRIAL DISTRICTS

1.1 SPACES PER EMPLOYEE ON LARGEST SHIFT

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

#### 1161.11.6 GENERAL PARKING REQUIREMENTS TABLE

Zoning District

Minimum Requirement

SINGLE FAMILY DISTRICTS - R-1, R-2, R-3

2 SPACES PER UNIT

MULTI-FAMILY DISTRICTS - R-4, M-1, M-2

2 SPACES PER UNIT

O-1 INSTITUTIONS AND OFFICES DISTRICT

1 SPACE PER 300 SQ. FT

C-1 LOCAL COMMERCIAL

1 SPACE PER 325 SQ. FT

C-2 GENERAL COMMERCIAL

1 SPACE PER 375 SQ. FT

C-3 DOWNTOWN COMMERCIAL

NO REQUIREMENT

I-1, I-2 INDUSTRIAL DISTRICTS

1.1 SPACES PER EMPLOYEE ON LARGEST SHIFT

SECTION 3: That Section 1161.15 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

#### 1161.15 CONDITIONAL USE REQUIREMENTS.

In addition to other requirements found in this Ordinance, some special conditions may be imposed. Conditional Uses, not specified herein, shall be regulated at the City Planning Commission's discretion. Uses may be permitted or denied depending upon how well they can address the following conditions:

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

#### 1161.15 CONDITIONAL USE REQUIREMENTS

In addition to other requirements found in this Ordinance, some special conditions may be imposed. Conditional Uses, not specified herein, shall be regulated at the City Planning Commission's discretion. Conditional uses may be appropriate at some, but not all locations within a zoning district and are subject to the discretion of the City Planning Commission:

SECTION 4: That new Section 1161.15.1 and new Section 1162.15.2 be added to the Codified Ordinances of the City of Findlay, Ohio to read as follows:

#### 1161.15.1 GENERAL STANDARDS

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use of the proposed location:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objective of the Findlay Zoning Code of current adoption;
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, and school; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

#### 1161.15.2 REGULATIONS PERTAINING TO CONDITIONAL USES

Uses may be permitted or denied depending upon how well they can address the following conditions:

A. COMMUNITY NON-COMMERCIAL RECREATIONAL & COMMUNITY RECREATIONAL FACILTIY

Buildings located within 100 feet of a residential district or use shall incorporate a minimum of level 1 screening. This distance shall be measured from the building to the residential property line. A higher level of screening may be prescribed by the City Planning Commission depending on the intensity of use.

#### B. BARS, NIGHT CLUBS, TAVERNS

1. Not to exceed 2,500 gross square feet

Outdoor patios and smoking areas

Not permitted on elevations facing residentially zoned districts, except when a 75' setback can be maintained between the district boundary and the outdoor patio edge.

# Screening

- a. Additional screening and/or distance may be imposed to consider requests from establishments not able to meet proper setback or frontage requirements.
- b. Level 3 Screening when adjacent to residential zoned districts.

SECTION 5: That Section 1113.20(C) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

#### 1113.20 PLANNING COMMISSION ACTION.

In making their recommendation or decisions, the Planning Commission may take any of the following actions including: approval of the application; approval with modifications or conditions; denial of the application; or; tabling/deferring the application to another date. In the course of review and decision making, the Planning Commission:

#### A. MAY APPLY CONDITIONS TO THE APPLICATION.

May apply conditions on the application if the effect is to:

- 1. Allow a less intensive use or zoning district than indicated in the application,
- 2. Reduce the impact of the development;
- 3. Reduce the amount of land area included in the application;
- 4. Provide for the public's safety and general welfare.

#### B. CANNOT EXPAND THE REQUEST.

May not approve a greater density of development, a more intensive use or a more intensive zoning district than was indicated in any notice.

# C. HAS DISCRETION.

- 1. Is not required to approve the maximum density or intensity of use allowed.
- 2. The Planning Commission reserves the right to determine if a use not specified in this ordinance is appropriate in the zoning district of the subject site.
- 3. The Planning Commission may add, subtract, or substitute any condition of a conditional use.

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

#### 1113.20 PLANNING COMMISSION ACTION.

In making their recommendation or decisions, the Planning Commission may take any of the following actions including: approval of the application; approval with modifications or conditions; denial of the application; or; tabling/deferring the application to another date. In the course of review and decision making, the Planning Commission:

# A. MAY APPLY CONDITIONS TO THE APPLICATION

May apply conditions on the application if the effect is to: Allow a less intensive use or zoning district than indicated in the application, Reduce the impact of the development or; Reduce the amount of land area included in the application; Provide for the public's safety and general welfare.

## B. CANNOT EXPAND THE REQUEST

May not approve a greater density of development, a more intensive use or a more intensive zoning district than was indicated in any notice.

#### C. HAS DISCRETION

- 1. Is not required to approve the maximum density or intensity of use allowed.
- 2. The Planning Commission reserves the right to determine if a use not specified in this ordinance is appropriate in the zoning district of the subject site.
- 3. The Planning Commission may add, subtract, or substitute any condition of a conditional use.
- 4. The Planning Commission shall have the power to safeguard the intent and objectives of this Zoning Ordinance by imposing appropriate restrictions and safeguards as conditions of any approval it gives.

SECTION 6: That this Ordinance shall be	in full force and effect at the earliest period provided by law.
	PRESIDENT OF COUNCIL
	MAYOR
PASSED	
ATTESTCLERK OF COUNCIL	
APPROVED	