

# FINDLAY CITY COUNCIL MINUTES

**REGULAR SESSION**

**FEBRUARY 5, 2019**

**COUNCIL CHAMBERS**

**PRESENT:** Frische, Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough, Wobser

**ABSENT:** Ostrander, Watson

Acting Mayor Monday asked Council to allow for a moment of silence after the Pledge of Allegiance in memory of former Councilman Mike "Doc" Slough who passed away.

President Pro-Tem Russel opened the meeting with the Pledge of Allegiance.

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

- Councilman Slough moved to accept the January 15, 2019 Public Hearing minutes to rezone 701-807 Adams Street/700-714 Putnam Street. Councilman Harrington seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Wobser moved to accept the January 15, 2019 Public Hearing minutes to rezone Birchaven Lane/Eastern Woods Lot 2. Councilman Slough seconded the motion. All were in favor. Motion carried. Filed.
- Councilman Slough moved to accept the January 15, 2019 Regular Session City Council meeting minutes. Councilman Shindledecker seconded the motion. All were in favor. Motion carried. Filed.

## **ADD-ON/REPLACEMENT/REMOVAL FROM THE AGENDA:**

Councilman Harrington moved to add the following to tonight's agenda. Councilman Slough seconded the motion. All were in favor. Motion carried. Filed.

### **ADD-ONS:**

- Letter from Service Director/Acting City Engineer Brian Thomas – HAN-Findlay FY19 Resurfacing (PID100185) Project No. 32884400 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section)
- Letter from Service Director/Acting City Engineer Brian Thomas – Salt Barn Structure, Project No. 31972900 (**REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS** section)
- Resolution No. 007-2019 (**LEGISLATION** section) – no PO
- Ordinance No. 2019-011 (**LEGISLATION** section) – HAN-Findlay FY19 Resurfacing (PID100185) Project No. 32884400
- Ordinance No. 2019-012 (**LEGISLATION** section) – Salt Barn Structure, Project No. 31972900
- Ordinance No. 2019-013 (**LEGISLATION** section) – 1<sup>st</sup> qtr 2019 Capital Improvements

**PROCLAMATIONS:** - none.

**RECOGNITION/RETIREMENT RESOLUTIONS:** - 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.

### **Discussion:**

City Auditor Staschiak noted that the last time there were funds given for a private trust was in 2009. The Auditor's Office needs to be able to set up the account and work with the Cemetery Department. He does not need any written legislation, but needs a motion to accept moving the money to a private trust with a voice vote.

Councilman Wobser moved to approve the request, seconded by Councilwoman Frische.

### **Discussion:**

Councilman Hellmann asked what all this entails. City Auditor Staschiak replied that the Cemetery Department operates out of the General Fund. There are Cemetery funds and private trust funds for the Cemetery. The interest from the lots that are sold in the Cemetery are received and used for operations of the Cemetery Department. It is the same thing for private trusts on the regulations and rules that go with it. It gives the public the opportunity to build funds up for the care of mausoleum. The funds are tracked as individual accounts within the private fund that is set up under the City accounts. When Cemetery lots are sold, the hope is that the interest generated off the money from selling those lots will pay for all of the operations and maintenance of the Cemetery. That is the ultimate goal that should be studied from time to time. The last time a study was done was under Jim Rhodes back in 2006 and may have looked at it briefly since then. Councilman Hellmann asked what the flowers portion of the request was about. He asked if City workers are putting flowers on the graves. City Auditor Staschiak replied that the funds cover many things (i.e. flowers, repair of a mausoleum, etc.). The Cemetery Department does a wonderful job making sure those wishes are honored with the funds they are provided to do that with.

All were in favor. Motion carried. Filed.

### **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: [www.agri.ohio.gov](http://www.agri.ohio.gov). 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 Brugeman 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](mailto:adkins@agri.ohio.gov).

#### **Discussion:**

President Pro-Tem Russel noted that the information was mailed to the Council Clerk who emailed it to all Councilmembers. He asked for it to be included in tonight's agenda because of the information on the aerial treatment of the areas infested with Gypsy Moth that will start in early to mid-May and also again in mid-June. In the past, when treatments similar to this started, the City started receiving phone calls asking why a plane is flying over the City. Additional information is on the City's website. The Ohio Department of Agriculture has scheduled a meeting for Wednesday, February 20, 2019 at the Brugeman Lodge. He has asked for someone with the Shade Tree Commission to attend as a representative to hear what the ODA has to say. Filed.

### **ORAL COMMUNICATIONS:**

President Pro-Tem Russel noted that Council's rules limit comments to three (3) speakers in favor and three (3) opposed to a subject, but given the nature of the rezoning Ordinance, there are multiple individuals wanting to speak. Due to the positive general approach of the speakers on this topic, he asked if Council would be in favor of allowing all five (5) individuals to speak on the matter with the four (4) minute time limit. All nodded in agreement.

#### **Tony Scanlon – Ordinance No. 2018-132**

Mr. Scanlon is before City Council tonight to ask that Ordinance No. 2018-132 be removed from the table and voted on affirmatively to pass the Ordinance this evening. The Ordinance proposes to rezone the former St. Michael's school property from R3 High Density Residential to M2 Multiple Family Residential zoning. Mr. Scanlon is a partner with Blanchard Design Associates, a local Engineering and Surveying firm. He is before City Council tonight to represent Mr. John Vorst who currently owns the property. He may become a partner in the project as it proceeds as he and Mr. Vorst are partners on other projects (i.e. downtown apartments being constructed near the Marathon Arts Center). Both he and Mr. Vorst are long-time members of the community that feel that the project they are proposing will enhance the value of the neighborhood as well as add needed additional housing to the community. Mr. Vorst has been building houses in Findlay since the mid-1980s. Mr. Scanlon was born and raised here where he attended St. Michael's school. He is well versed in the area surrounding the project as he was employed with the City of Findlay Engineering Department for thirty-three (33) years. When Mr. Vorst decided to purchase the property, they met with City officials to explain their ideas for the proposed development. Through those meetings, they requested the zoning change with the City Planning Commission and the Planning and Zoning Committee both approving the request. Through the various meetings, it became apparent that the neighbors surround the project had some concerns, which brings this to why he is here tonight. He presented his suggestions to accommodate the neighbor's concerns. The first slide shows an aerial photograph of the site as it exists today which is mostly an asphalt paved parking lot where the former St. Michael's school used to set. One of the neighbor's concerns was to maintain access to the rear of the properties located along Putnam Street, as well as the existing alley that was vacated behind those properties. He and Mr. Vorst are aware of that. As he stated from the initial meeting, they will be glad to accommodate that in some form, possibly leaving the pavement there or rededicating the alley if that is what the Administration or Council wishes. The second slide shows some pictures of the old school. The old school that fronted on Western Avenue was approximately thirty-five feet (35 ft) high, and the new portion that fronted on Adams Street was about twenty-five feet (25 ft) high. The third slide is their proposal for the site that reflects some revisions that he and Mr. Vorst made to accommodate the neighborhood. He originally proposed thirty-five (35) total units on the property which is the maximum permitted in multiple-family zoning which would have included one hundred five (105) parking spaces that would take up a good portion of the property.

President Pro-Tem Russel interrupted Mr. Scanlon to inform him that he has reached his four (4) minute limit and asked Council for permission to extend his time in order for him to continue to present. Councilmembers nodded in agreement.

Mr. Scanlon continued stating that he originally proposed three (3) story apartments facing Western Avenue, a couple of groups of three (3) story apartments facing Adams Street, and one (1) facing Putnam Street. The height of those became a concern of the neighborhood. The height of a three (3) story apartment would be approximately thirty-seven feet (37 ft) which is a little higher than the old school was. So, it would have been a total of thirty-five (35) units at thirty-seven feet (37 ft) high on all three (3) streets. He revised the plan to include a total of thirty (30) units on the whole property which is a significant reduction. He also eliminated all of the three (3) story units, and instead proposed a two (2) story unit and two and a half (2 ½) story unit. The two and a half (2 ½) story complex would be approximately thirty feet (30 ft) high which is not as high as the old school and would all be located along Western Avenue. All of the remaining units along Adams and Putnam Streets would be two (2) stories high which would be similar in height to most two (2) story houses that exist in the neighborhood. Parking is also being reduced from one hundred five (105) spaces to approximately eighty (80) spaces partially to accommodate the proposed new zoning provisions regarding parking. By making these changes, they have added additional green space all around the property that should enhance the project. Traffic congestion has also been a concern of the neighborhood. Western Avenue is a very busy thoroughfare, but given the number of vehicles that travel along Western Avenue on a daily basis, the increase in traffic would be minimal. The next slide indicates what the two and a half (2 ½) story units that would front on Western Avenue might look like. The top three (3) stories would be above ground, and the first story would be recessed five feet (5 ft). There would be six (6) or seven (7) steps to the first level, which is a significant improvement over the three (3) story unit. The final slide is a photo of similar townhouses that he found. It is not the actual building, but would be similar to what would be on Western Avenue facing north. It includes the required green space setback off of Western Avenue.

**Discussion:**

Councilwoman Frische thanked Mr. Scanlon for coming to Council and providing additional information. She appreciated meeting with him earlier this week. She asked what the rental price range would be, if they would be subsidizing, and what their clientele goal is. Mr. Scanlon replied it would be market rate on an upscale apartment at \$1,500/month.

**Michelle Landis – Ordinance No. 2018-132**

Ms. Landis noted that she is three (3) houses away from this project. Council has already heard the complaints about traffic and infrastructure and asked Mr. Scanlon how this project will enhance the neighborhood. She appreciated the comparison of this project to the former school, but the school occupied about a third (1/3) of that area and not all of it as the proposed townhouses would. School traffic was relatively minimal during school hours and lasted only about fifteen (15) minutes total. With the proposed townhouses, the neighborhood will have traffic the entire time, all day long. Mr. Scanlon's comment about traffic indicates to her that he does not know the area or the amount of traffic that they get. For Mr. Scanlon to say that thirty (30) units with the potential of forty-five to sixty (45-60) cars is not going to impact on traffic is a vast misconception. Just yesterday, she had to wait two (2) cycles of the traffic light to leave her house at eleven o'clock in the morning (11:00am) at Main Cross and Western because the Adams Street intersection was blocked by traffic. It only takes two (2) minutes for a fire to become an actual hazard to a person. The Traffic Department stated that lights cycle every one hundred fifty (150) seconds which is two and a half (2 ½) minutes, and she sat through almost two (2) complete cycles. In that time, a building can be fully engulfed in flames. While she does think Mr. Scanlon's plan is a good plan, it is just not good for the neighborhood. There is only one (1) entrance to the proposed townhouses and does not think that is safe. If traffic is backed up on Western Avenue and cannot go anywhere, there is no way to clear the area and there would only be one entrance for emergency vehicles to enter. She read the opening intent of the City's Zoning Code:

This ordinance is adopted for the purpose of promoting and protecting the public health, safety, peace, comfort, convenience, and general welfare of the inhabitants of the City of Findlay are protecting and conserving the character social and economic stability of the residential, commercial, industrial and other use areas by securing the most appropriate use of the land by preventing overcrowding of the land and undue congestion of population by providing adequate light, air, and reasonable access, and by facilitating adequate and economical provision of transportation, water, sewers, schools, recreation, and other public requirements and by other means, all in accordance with the City of Findlay land use plan.

This plan, unfortunately, does none of that. It does not protect the residents. It adds to the congestion and over-population. There are forty-four (44) houses on Adams Street. This proposal adds thirty (30). It is ridiculous that they should have to accept that amount of people. Councilmembers, when they are elected, agree to uphold those zoning codes, along with other regulations of Findlay. She asked Council to do exactly that and turn down this request and protect the properties, the neighborhood, as the zoning codes as it states they should.

**Discussion:**

Councilman Wobser noted that the last time Ms. Landis was before Council and spoke, it was agreed that this was not going to stay a blank piece of property, nor make it a dog park, or any other kind of park. It is private piece of property. Mr. Scanlon has made some considerable changes to this, but from some of Ms. Landis's comments tonight, it appears that there is nothing worthwhile in any of it. Mr. Scanlon has made some considerable changes to an area that is blighted right now that would be an upgrade. He asked Ms. Landis if she sees nothing worthwhile in the proposed development. Ms. Landis replied that she did not say that, nor did she mean to suggest that. She did state that she likes the plan very much, but she does not think it is suitable for the area. Thirty (30) units is way too much for the congestion that already exists and for the size of the neighborhood in general. Her objection to the plan is the total number of units. She appreciates the fact that they changed the plan and did listen to the neighbors. She spoke with Councilman Niemeyer about the spaces between the buildings and lowering the height of the townhouses. Her sole disappointment and sole problem is still with the number of units. The developer may have certain financial obligations or things they need to do to make it profitable, but she would like to work with together to reduce the number which is the most beneficial thing that she would ask for. Councilman Wobser asked if ultimately it is a traffic issue. Ms. Landis replied that it is a traffic issue, a safety issue, and the complete demographic change of the neighborhood. Thirty (30) units is a lot for a small neighborhood. There is probably only eighty-five (85) residents on all of Adams and Putnam Streets, and will be sixteen (16) residents surrounding just that place. It is overwhelming to those who are already there in established homes. Councilman Wobser pointed out that Western Avenue has had increased traffic due to certain happenings going on around the City, but the traffic is not really the developer's problem. It is a City issue for the City to take care of that he suspects the Administration has an idea of how to take care of that. He asked Ms. Landis if she is more on the side of approving the proposed plan much more than where she was last meeting. Ms. Landis replied that everyone in their neighborhood knows that something is going to happen there sooner or later, but the best they can hope for is that the developers will continue to listen to the neighborhood. She disagrees with Councilman Wobser's outlook on the traffic issue. While she agrees it is not the developers fault on the traffic, but is their fault that they want to add to it. She does not believe the City can do anything about the traffic there. That area is landlocked. She attended the meetings on the South Main Street project where she talked with the presenters because she was worried about the traffic in that area. One of the presenters told her that there was going to be in a dedicated left turn lane for northbound traffic on Western Avenue. He did not even realize there was a church there. It is not the City's fault with the traffic as the City has grown. City growth is a good thing, but still needs to be realized that there still is an issue there, and while it cannot be fixed, the problem does not need to be added to.

Councilwoman Frische asked if traffic has been evaluated to see if it will fit before approving a zoning change. She asked if traffic counts are done. Service Director/Acting City Engineer Thomas replied that whenever a development like this is going to happen, it is done in two (2) phases if the zoning is not accurate. One being a zoning change and the other is a site plan review. No one is going to pay for a site plan until they know that the zoning can be changed as no one will spend money and then try to get all that approved and then have it rezoned and it doesn't pass. The first step is always to get it rezoned. As part of the rezoning, applicants are not required to show them what they want to do. They do not have to provide a layout of what they want to do for a rezoning. They are asked what rezoning they want and can give an idea, but do not have to submit what they want to do. They are going above and beyond what they have to do. The zoning cannot conditionally be approved with the stipulation that they can only do what the City tells them they can do. They are allowed to do any of the uses that are included in that zoning classification. He asked what use the City looks at when looking at the traffic. There are five (5) uses that can be done, so he would have no way to know which use to look at. The traffic is not looked at when rezoning. When the site plan is submitted, it indicates what they are proposing, so the proposed traffic can then be estimated and can be determined if it will or will not increase traffic with decisions made based on it then. It is taken care of at the site plan review stage of the process. Councilwoman Frische asked what is looked at when doing a zoning change. When changing the zoning for whatever uses there are, there should be an idea of what they want to do at that point. She agrees that someone is not going to spend money on a site plan if they are not going to be able to get the zoning, but when looking at the zoning change, there is some criteria that is looked at. She asked what is looked at before a rezone is approved. She asked how it is determined if what is being proposed fits into that area of town to make that change. Even if the zoning change is made and the developer does the site plan work, but it doesn't work out and does not get approved, then there is an area that is rezoned. She asked if the next owner has to get it zoned back. She asked what criteria is used when approving a rezone. President Pro-Tem Russel asked if the Hancock Regional Planning Commission Director in the audience could answer that because the first step on a rezone is to go through that department. Councilwoman Frische replied that would be fine. She is looking to the City's Engineer for this because the City has to be intentional and thoughtful when making planning changes. Hancock Regional Planning Commission (HRPC) Director Cordonnier informed Council that when HRPC looks at rezoning a property, they review a Land Use Plan. Land Use Plan looks for compatibility (i.e. in this situation, C2 would not be compatible because it is a residential neighborhood). M-2 zoning next to R-3 zoning would be compatible because it is the most dense residential zoning. Land Use Plans do not look at traffic impacts. They do look at worst case scenarios. In I-1 Light Industrial, they do not have any idea what it is going to be and could be any of the items listed on that page.

Councilman Shindledecker pointed out that he appreciates the manner in which this issue has been discussed over the past couple of weeks. With only one exception, everyone has been polite and understanding on both sides of the issue which has not necessarily been the case over the last several months in these chambers. His concern is if not this, than what. He asked if this is presently R-2 zoning. President Pro-Tem Russel replied it is presently zoned R-3. The request is to change it to M-2. Councilman Shindledecker noted that if this is not zoned as multi-units for this project, there would be space for a number of single family dwellings. *Someone from the audience stated "What is wrong with that". President Pro-Tem Russel hit the gavel and stated that it is a one-way conversation. There are four (4) individuals left to make public comment who will be given the opportunity to come to the microphone and speak.* Councilman Shindledecker continued stating that the point he was trying to make with single family units is the number of vehicles that might be housed in that neighborhood, the amount of traffic, etc. is not significantly different from what is being proposed. One hundred percent (100%) versus eighty percent (80%) and not one hundred percent (100%) versus thirty or forty percent (30-40%).

President Pro-Tem Russel reiterated that Ms. Landis brought up the capacity of infrastructure, specifically with water and sewer. He asked the Service Director/Acting City Engineer if he can speak to that. Service Director/Acting City Engineer Thomas replied that there are waterlines on all three (3) of the roads that are currently shown, so the water is not an issue. They will have to provide detention for the sewer line. He is unsure where they are planning on outletting it, so he is unsure what sewer they are planning on going to. That is looked at during the Site Plan review. When it gets to that point, they have to follow all of the standards that are in place. President Pro-Tem Russel asked about the storm sewers. Service Director/Acting City Engineer Thomas replied that is for storm.

### **Shelby Coleman – Ordinance No. 2018-132**

*(typed verbatim)*

*Are you people really gonna sit here and whitewash this program through here knowing that this many people have shown up, the amount of letters that have been written, emails, the phone calls. You just stated that the amount of cars that was gonna be added to the neighborhood, not really significant. Well, you're wrong about that. We've been called a mix bag. Now we've been called a blight. Let me tell you a little something about that blighted up little neighborhood over there buddy. The neighborhood produces things. President Pro-Tem Russel interrupted – Sir, I would ask that you treat this with respect . . . Mr. Coleman interrupted – well, I will if he does not call it a blight. President Pro-Tem Russel continued - Sir, Sir, I would ask that you treat this with respect and the Council Representatives here with respect. Thank you. Mr. Coleman - We'll see how it goes. President Pro-Tem Russel replied – Sir, it will go with respect or it will not continue. Mr. Coleman continued stating that neighborhood over there that you (pointing to Councilman Wobser) referred to as a blight, produces things. It's produced three (3) generations over there where Jim lives, as a matter of fact, third generation in his house. That's something that neighborhood produced. My landlord has raised their children in my house. Their grandkids lived below me. Three (3) generations in that house. Her (pointing to someone in the audience) family has been on her property for over one hundred (100) years. Four (4) doors down we've got the Heldman family. Four (4) generations. So, the families don't just come and go out of this neighborhood. They are long-term existing families. That man right there (pointing to someone in the audience) raised his family on his property. I think he's going to hand it off to his son or his daughter and their grandkids. Everybody is up for election this year. Some of you want to be Mayor. District such as large district, vote-wise, I suppose you better pay attention because we are. This is just ridiculous. That right there (pointing to the screen) that's the beginning of the end of this town. I want to be very clear about that. Last Friday, when the eleven o'clock (11:00) news from Toledo stood right down the off ramp at the end of Main Cross and did their special report about the Heroin and Fentanyl that's flowing into Findlay, Ohio. Yeah, they did that special report four (4) blocks away from what he's (pointing to the developer in the audience) planning. All I hear is how this is gonna help Findlay, Ohio. It's gonna help Findlay, Ohio. How does this help Findlay, Ohio that is already living here. It doesn't. That fifteen hundred dollar (\$1,500) a month apartments is not for the common working people. Not at all. Not at all. Nobody that's working an industrial job can afford to live there. Nobody that can afford to pay fifteen hundred dollars (\$1,500) a month will want to live there. What we're trying to help is his bank account (pointing to the developer in the audience) at the expense of the long-term residents of this neighborhood. I don't think the sewage can handle it. It is only a couple of blocks out of the flood zone. This whole thing is just ridiculous. That man bought that property knowing what the current zoning was. Now did he buy it and he's gonna do it because somebody over there is gonna help him. I'd like to think not. I'd like to think in time I'm gonna be able to tell my friends and all these people I do work for, yeah we had an issue. We went to City Council. Everybody acted like an adult. We worked it out. Or, I'm gonna have to tell them something different. I know what you're thinking. You're sitting over there thinking, so tell them what you want. In case you haven't noticed, I like to talk. I talk to a lot of people. A lot of people. You would not believe some of the people in this town I've talked to. Some of them have actually sat in them very seats. So, be careful what you do with your town, people. That right there, that's the projects at Putnam. In twenty (20) years, that's what you will have. It is projects style living at Putnam and Adams.*

*There's no way the traffic can be held. There is no way. First it was we're gonna build this to protect that neighborhood from the downtown area. Where did that idea go? Seems to me that church sitting down there on corner has been protecting that area for over one hundred (100) years and doing a pretty good job of it because its still there. It's been there through some floods and a whole lot of bad weather. A bunch of contractors and developers as well. Now, you're almost gonna double the amount of cars in that neighborhood. I don't know where you're getting your information. I just don't. It just doesn't seem legitimate. You can't look at that and tell me that looks like low income housing structured living that you probably shouldn't be even over there guys. This is ridiculous to even be considering this.*

President Pro-Tem Russel informed Mr. Coleman that his four (4) minutes are up. He asked Council if they have any questions for Mr. Coleman.

**Discussion:**

Councilwoman Frische pointed out that the developer has made some concessions and has listened to the neighbors. She asked Mr. Coleman what he likes about the plan and how he wants to see it because there has to be a give and take. Mr. Coleman replied that he would like to see home style homes built, even if they are duplexes, with central in the middle parking and not out on the side streets. He does not want it to enter or exit off of Putnam or Adams Streets. He wants the alley that runs directly behind his residence on Putnam Street. He wants it closed to them, and not close the alley. Close their access from their parking lot into that alley because they will roll up to Western Avenue and Main Cross and decide to go to Glessner and make a left-hand turn into the alley and put their foot to the floor. There will be more traffic accidents and kids getting run over and everything else in that alley. Closing that alley will also prevent the unwanted type people coming into that residential neighborhood. They won't be able to walk through the townhouses parking lot. If the alley is not closed, within five (5) years, there will be someone lying dead in it. They will come out of the townhouses parking lot with the intention of robbing or stealing on Putnam or Adams Streets and will get smoked. They will be lying right there on the floor or ground dead.

Councilman Wobser corrected Mr. Coleman on what he took out of context. When he stated that the property was blighted, he did not mean the neighborhood. He apologized to Mr. Coleman if he misunderstood what he said. He would never say that the neighborhood was blighted because it is not. It is a very nice neighborhood. Mr. Coleman's first two (2) minutes of his oral communications were based on that comment. He was referring to the property being a concrete and asphalt parking lot right now. Three (3) out of the four (4) things Mr. Coleman just mentioned have already been taken care of. The developer has given the alley back and is not open to their property. Mr. Coleman interrupted stating he wants the alley that is behind the houses on Putnam closed off. The alley comes through the middle of the proposed parking lot and runs north and south. The alley behind his house runs east and west with an entrance right into that parking lot. That entrance has to be closed so that they cannot exit that residence or structure. Councilman Wobser asked Mr. Coleman to point it out on the diagram. Mr. Coleman pointed to Western Avenue (Councilman Wobser corrected him stating it is Putnam Street). He then pointed to the alley behind his house and stated that it exists into the alley behind his house. Councilman Wobser correct Mr. Coleman stating it does not. Green space is proposed. Mr. Coleman agreed that it is closed. Councilman Wobser noted that Mr. Coleman requested not to exit onto Putnam or Adams Streets which the diagram shows that to be correct. The only exit is onto Western Avenue. Mr. Coleman replied that is the unknown. It could be, may be, might be. Councilman Wobser replied everything is could be, may be, want be as that is the discussion that is happening now, but the drawing that the developer is showing tonight is . . . Mr. Coleman interrupted stating that the developer could show us anything he wants to. There is nothing set in stone. Everything is speculation. Councilman Wobser replied that is correct. It is all speculation as is Mr. Coleman's comments. Mr. Coleman replied that fifteen hundred dollars (\$1,500) a month is not helping the housing situation in this town. It is not. He asked who can afford fifteen hundred dollars (\$1,500) a month rental payment. Nobody. Councilman Wobser replied they have already rented the townhouses over on West Street, the ones that are exactly like this. They are all done. Mr. Coleman replied that's not the neighborhood. It's like tomatoes and tomatoes.

**Ron Polen – Ordinance No. No. 2018-132**

Mr. Polen noted that his eighty-five (85) year old mother lives in this neighborhood (he pointed to her property on the map on the screen). Western Avenue is a traffic problem. If the townhouses are built facing Western Avenue, the City will never widen Western Avenue and they will have locked themselves in. The only way to help the traffic on Western Avenue is to widen the road. He suggested building one group of townhouses at the corner of Western Avenue to start and see how that goes. Most of the neighborhood would be more understanding with that. That way, the City can see how the traffic holds in a year or two and then continue with the other townhouses. When the developer showed the picture of the school, the school was not as wide as all the proposed townhouses. The rest was parking lot for the last fifty (50) years. He does not believe there will be a water problem, but may be a sewer issue. He asked if it is a combined sewer. Service Director/Acting City Engineer Thomas replied he does not know in that area. Mr. Polen pointed out that if it is a combined sewer, all the roofs of the townhouses will be a lot higher than most of the homes that are currently there with water dropping from twenty-eight feet (28 ft) going down into the storm or sewer - he guesses a sewer. The homes there will be trying to get their basements pumped and toilets flushed, but the water rushing down from the taller townhouses will be a problem. That needs to be recognized now. It can probably be taken care of if a detention pond is put in, but he has not heard anything of a detention pond. Mr. Polen noted that he is just throwing ideas out there. He has dealt with this for thirty (30) years. He is a water and sewer guy as a Village Administrator. He agrees that there needs to be some development there, but would be offended if Council gave the developer permission to build all the townhouses now instead of doing just a little bit first to see how it goes. Everyone needs to understand that something there is going to change, but everything does not need to change at once. He suggested doing a little bit at a time to see if the developer keeps his word. Even if the plans go through, there is nothing to stop him from selling it in six (6) months and everything that has been proposed is lost because the new buyer will build whatever he/she wants.

**Discussion:**

Councilwoman Frische pointed out that this is a rezone for the entire area. Mr. Polen replied it doesn't have to be. A variance could be put on it. As a Council, they can say they don't want that all at once.

Safety Director Schmelzer reiterated that a lot of the concerns that are being brought up are related to site plan issues that will all be taken into account assuming that this is developed into some fashion regardless of a rezone or not. Those are all taken into account. If the abutting property owners would like, the resident that have been showing up to Council can be informed on when the City Planning Commission would be reviewing this. These same questions and concerns have been heard over and over again by the City Planning Commission for different properties (sewer capacity, water capacity, and run off, etc.). Although the development's parking lot is almost one hundred percent (100%) impervious now, the City's Engineering Department will make sure the water run off co-officiants flow rates into the sewer are appropriate for the project. Mr. Polen interrupted stating that the City will end up having to do something but will not find out until it is too late. He is here tonight so that the City cannot say they were not aware of that. Western Avenue is a busy part of town. The City will eventually have to widen it. He suggested the developer offset his development further back off of Western Avenue. Safety Director Schmelzer replied that he is not going to argue with Mr. Polen and that the City Planning Commission will have to take a look at the site plan that will be submitted. If the residents want, they can be invited to the City Planning Commission meeting when it is discussed and can be a part of that conversation when all those issues are weighed. Mr. Polen replied that the issues will now be in the minutes, so all should understand.

**Steve Winget – Ordinance No. 2018-132**

Mr. Winget pointed out that there is a big map of Findlay on the wall dated 1863 or 1864 at the Hancock Historical Museum that has Adams Street on it. He asked why anyone should care about Adams Street. Around 1910, a couple of brothers had Adams Street named after them who started the Adams Automobile Company that built fire trucks and cars in Findlay. They were located on the corner of Hurd and West Main Cross Street. After a couple of years of production there, they moved their production over to Putnam Street. The area affected by the proposed townhouses is a blue collar neighborhood and not a townhouse neighborhood. The people that live in these neighborhoods have lived there for the last one hundred (100) years who are metal workers, office workers, carpenters, etc. They are not a townhouse neighborhood. The townhouses are going to ruin the ascetics of the neighborhood. They are not South Main Street. They do not have Victorian houses. They do have some nice old houses that the neighbors try to keep nice. They take into consideration the appearance of the neighborhood. While there are storm sewers and sidewalks drains on the first block of Adams Street, the second block does not have them because the City did not want to go on down the street when they put the project in years ago, because they didn't have to. The neighborhood talked to them who told them it would add five thousand dollars (\$5,000) onto their taxes for every fifty foot (50 ft) of ground. They would include sidewalks and drains, but would have to take out all the trees and parking on one side which would mean everyone would have to park in front of everyone else's house that doesn't have a driveway, so the neighborhood let it go. If more vehicles, more water runoff, and more sewage is added to the development, the runoff water will go down to the existing area. His biggest problem with it is the ascetics of the new development going into one of Findlay's oldest neighborhoods. It has been there since 1863. He would like to keep it one of Findlay's oldest neighborhoods. The neighborhood knows it is going to be developed. They do not have a problem with it being developed. They do not care how many single-family homes are built in the area as long as it does not mess up the neighborhood. Townhouses are not going to work for that neighborhood, nor does he think they will be rented out for that kind of money in that neighborhood because it is in an old neighborhood. Those that pay high dollars for an apartment usually want to have a view of a pond, field or something nice. Maybe even over the Marathon Center. It does not fit the neighborhood.

**Theresa Albers – Ordinance No. 2018-132**

Ms. Albers is a trustee for 718 Putnam Street. There are still two (2) family members living at that property which is corned by two (2) sides of the proposed development. She is in support of the zoning change. The property had been a parking lot and recently had been nothing for way too long. It needs to have something. Ideally, it would be nice to have single-family housing, but if that were going to happen, it would have happened by now. They could have sectioned off the properties and sold them off, but she does not see that happening. It has not happened in the past, and she does not see it happening in the future. She was concerned about access to the back of the properties, so she met with Tom Vorst and Tony Scanlon before the Zoning Commission meeting who assured her that they could work around that, and from the plan tonight, she sees that. The plan is in progress for the City of Findlay.

**Hancock Regional Planning Director Matt Cordonnier – Ordinance No. 2018-132**

After the last meeting, he went through the zoning code to determine how many single-family houses and apartments could be built. It is zoned R-3 which is the highest density single-family. On that lot, twenty-four (24) single-family homes could be built with a thirty-five foot (35 ft) wide lot and a minimum one hundred foot (100 ft) depth, which is the minimum lot size in the R-3. If it was zoned M-1 where twenty-three (23) apartments could be built. If it is zoned M-2 as requested, up to thirty-five (35) apartments could be built.

**Discussion:**

Councilman Wobser asked if he understands correctly that there could be twenty-four (24) single-family homes built there. Mr. Cordonnier replied that is correct. He asked Mr. Scanlon if he is looking at thirty (30) units. Mr. Scanlon from the audience replied that is correct. Councilman Wobser pointed out that it is a difference of six (6).

Councilman Hellmann asked if he understands correctly that if it is zoned M-1, twenty-three (23) apartments could be put there. Mr. Cordonnier replied that is correct. He asked if he is correct that if it is zoned M-1, it would be less units than if it is zoned R-3 single-family. Mr. Cordonnier replied that is correct. R-3 is the most dense zoning classification that is designed to fit all the older lots. There is over one thousand (1,000) single-family residential lots in the City of Findlay that are less than thirty-five feet (35 ft) wide. When the zoning code was redone in 2012, the lot width was set at thirty-five feet (35 ft) to capture most of the older housing area. Twenty-four (24) is the amount of single-family homes that they could be constructed and would not be required to go through site plan review. They would just have to file for a zoning permit.

Councilman Shindledecker asked what the parking requirement breakdown would be between the R-3 and the M-2. Mr. Cordonnier replied that for R-3 single-family homes, it would be two (2) parking spots with one possibly being in the garage. Councilman Shindledecker asked if that is a total of forty-eight (48). Mr. Cordonnier replied that is correct. Councilman Shindledecker asked what it would be for M-2. Mr. Cordonnier replied that it currently is three (3) parking spots for every unit. The zoning amendment he has for Council reduces that to two (2) per unit, plus one for every five (5) units. Developers have told him that Findlay has the worst parking requirements, so they are addressing that issue. A thirty (30) unit complex would require sixty-five (65) parking spaces. Councilman Shindledecker replied that the number of cars would be a significant difference.

President Pro-Tem Russel asked what the maximum lot coverage is for M-2 versus R-3's maximum. He also asked that lot coverage be explained. Mr. Cordonnier replied that lot coverage differs in each classification. In M-2, there can be forty percent (40%) lot coverage which means that forty percent (40%) of the lot can be covered with the building and the pavement. In R-3, there can be fifty percent (50%) lot coverage which does not include the driveway and only includes the footprint of the building. In R-3, sixty to seventy percent (60-70%) of the lot could be covered compared to what can be covered in M-2. In R-3 and M-2, the lot coverage is defined in two (2) separate ways. In M-2, it is the impervious surface and the buildings (i.e. parking lots and buildings). In R-3, it is only the buildings. President Pro-Tem Russel asked if R-3 is a more intensive use of property versus M-2, from a coverage standpoint. Mr. Cordonnier replied that with an R-3 lot, more of it can be covered with concrete and building.

**PETITIONS:** - none.



## 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

Filed.

**Treasurer's Reconciliation Report – December 31, 2018.** Filed.

### 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. Ordinance No. 2019-009 was created.

FROM: General Fund (NAMI Ohio)	\$ 1,000.00
TO: 2017 Crisis Intervention Training PD #31976900	\$ 1,000.00

Filed.

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

### 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. Referred to the PLANNING AND ZONING COMMITTEE. Filed.

### Safety Director Schmelzer/Service Director Thomas – 4<sup>th</sup> qtr 2018 Key Performance Indicators (KPIs)

The Strategic Plan initiatives for 2019 are finalized and compiled for the fourth 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: <https://www.findlayohio.com/government/transparency-performance>.

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%

Filed.

### Service Director/Acting City Engineer Thomas – HAN-Findlay FY19 Resurfacing (PID100185) Project No. 32884400

By authorization of Ordinance No. 2018-075, a bid opening was held for this project on January 31, 2019. Bids were received from five (5) potential contractors with bid amounts ranging from \$520,821.25 to \$570,458.11. The lowest and best bid was received from M&B Asphalt Co., Inc. \$1,000 was previously appropriated for project startup. At this time, an appropriation for construction, inspection and contingency is needed to complete the project. Legislation to appropriate and transfer funds is requested. Ordinance No. 2019-011 was created.

FROM: ODOT	\$ 446,131
TO: HAN-Findlay FY19 Resurfacing (PID100185) Project no. 32884400	\$ 446,131
FROM: CIT Fund – Capital Improvement Restricted Account	\$ 118,765
TO: HAN-Findlay FY19 Resurfacing (PID100185) Project no. 32884400	\$ 118,765

Discussion:

Councilman Harrington asked what this project is. Service Director/Acting City Engineer Thomas replied that it is part of the money that the City receives from ODOT that can only be used on certain streets. This year, they are looking at replacing some curbing and paving on Production Drive and Industrial Drive out in the Tall Timbers area that is beat up from the truck traffic. This is a project that was set up prior to him coming to the City. The funding requires a five (5) year plan, so he is falling along with what was already scheduled. Filed.

**Service Director/Acting City Engineer Thomas – Salt Barn Structure Project No. 31972900**

By authorization of Ordinance No. 2017-006, qualifications were solicited for the design and build of the salt barn structure. Qualifications were received from two (2) firms. Based upon the qualifications, pricing proposals were requested from both firms. A proposal was received from Alvada Construction of Alvada for \$566,300. The second firm did not submit their proposal until after the deadline, so it was not reviewed. \$30,000 was previously appropriated for the project startup. At this time, an appropriation for construction, inspection and contingency is needed to complete the project. At the last Appropriations Committee meeting, a decision was made to wait to discuss a possible transfer from the General Fund to the Capital Improvement Restricted Account until the year end balances were known for all of the funds. This project needs to keep moving so that the salt barn can be designed and built in a timely manner in order to fill it with salt and other projects/equipment that need to be funded through the Capital Improvement Restricted Account, therefore, funds from the General Fund or from the Capital Improvement Restricted account are requested. Legislation to appropriate and transfer funds is requested. Ordinance No. 2019-012 was created.

FROM: General Fund \$ 550,000  
TO: Salt Barn Structure Project No. 31972900 \$ 550,000

**Discussion:**

Councilwoman Frische requested that the letter be read. The Council Clerk read it in its entirety.

Councilwoman Frische noted that there were two (2) firms who submitted bids for this and asked who the other firm was and how late they were. Service Director/Acting City Engineer Thomas replied that he does not recall who the other firm was, but knows they are out of Indiana. The deadline was Wednesday at 5:00pm, and they submitted it at the end of day on Thursday, so they were over twenty-four (24) hours late.

Councilman Harrington asked the City Auditor if there are any advantages or disadvantages on which fund this is to come out of. City Auditor Staschiak replied that there are significant advantages to funding it in the way the request currently reads which is the General Fund. The City's Engineering Department is phenomenal and will come way under bid and will be way early on this project. Monies that are unspent will remain in the General Fund unobligated so that they can be used for other things down the road. If funds are transferred to the Capital Improvement Restricted Account, they will only be able to be used for capital and will not be available for potential other operational needs with the dynamic approach that is being taken to economic development should a need for some fund matching or something else that may come up, there would be some extra dollars there. It is a way that gives you the benefit of both worlds. One that can fund important capital projects, and keeps funds as fluid and unobligated as possible so that unused funds can be used as best as it can be for future needs. Filed.

**COMMITTEE REPORTS: - none.**

**LEGISLATION:  
RESOLUTIONS**

**RESOLUTION NO. 006-2019** (*Officer Brian Young*) requires one (1) reading **first reading adopted**  
A RESOLUTION COMMENDING BRIAN YOUNG FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

**Discussion:**

Councilman Harrington requested that the entire Resolution be read. The Council Clerk read it in its entirety.

Councilman Harrington moved to adopt the Resolution, seconded by Councilman Hellmann.

**Discussion:**

Councilman Harrington wished that Mr. Young was in attendance tonight so he could give him a standing ovation as he is a prime example of the City's Safety Officers. The service that he gave to our City expresses his dedication not only to the Police Department, but also to the City of Findlay.

Acting Mayor Monday also knew Mr. Young very well. Mr. Young worked for him when he was the head of security at the high school part-time and he was greatly respected by both students and staff out there. On Acting Mayor Monday's very first day as Interim Mayor of the City, he had the privilege to swear Mr. Young in as an Auxiliary Police Officer which means he will be working as a Police Officer from time to time at the request of the Police Department because he is very active with the Drone program. He will be working as a volunteer with no pay. He is doing it for the service of the City, which is admirable.

Ayes: Frische, Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough, Wobser. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.

**RESOLUTION NO. 007-2019** (*No PO*) requires one (1) reading **first reading adopted**  
A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

Councilman Harrington moved to adopt the Resolution, seconded by Councilman Niemeyer.

**Discussion:**

Councilman Harrington pointed out that the back side of the Ordinance states that it is for Hancock Public Health for three hundred sixty thousand dollars (\$360,000). He asked if this was just a yearly purchase order that was missed. City Auditor Staschiak replied he cannot answer as he is not sure who was supposed to enter the PO, but knows it was not the City Auditor's Office. Councilman Harrington assumes it is the City's portion of the Health Department. Safety Director Schmeizer replied that is correct.

Ayes: Harrington, Hellmann, Niemeyer, Russel, Shindledecker, Slough, Wobser, Frische. The Resolution was declared adopted and is recorded in Resolution Volume XXXIV, and is hereby made a part of the record.



**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**  
**lifted from table during OLD BUSINESS and permanently removed from the agenda**

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**  
**lifted from table during OLD BUSINESS and permanently removed from the agenda**

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.

Second reading of the Ordinance.

**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.

Second reading of the Ordinance.

**ORDINANCE NO. 2019-007** (*bank credit card policy*) requires three (3) readings **removed from the agenda during OLD BUSINESS**  
**after its second reading during the 2/5/19 City Council meeting**  
AN ORDINANCE APPROVING THE BANK CREDIT CARD POLICY ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A.

Councilman Harrington moved to table the Ordinance, seconded by Councilman Russel. Ayes: Hellmann, Russel, Shindledecker, Slough, Harrington. Nays: Niemeyer, Wobser, Frische. Motion defeated.

Second reading of the Ordinance.

**ORDINANCE NO. 2019-009** (*NAMI donation to PD*) requires three (3) readings **first reading adopted**  
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

Councilman Russel moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilman Hellmann. Ayes: Niemeyer, Russel, Shindledecker, Slough, Wobser, Frische, Harrington, Hellman. The Ordinance received its second and third readings. Councilman Hellmann moved to adopt the Ordinance, seconded by Councilman Slough.

Discussion:

Councilman Russel noted that the reason he requested this Ordinance be given its second and third readings is because it is just moving the NAMI donation to the Police Department which is just routine business.

Ayes: Russel, Shindledecker, Slough, Wobser, Frische, Harrington, Hellman, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-009 and is hereby made a part of the record.

**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.

First reading of the Ordinance.

**ORDINANCE NO. 2019-011** (*HAN-Findlay FY19 resurfacing (PID100185) Project No. 32884400*) requires three (3) readings **first reading adopted**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

Councilman Harrington moved to suspend the statutory rules of Council and give the Ordinance its second and third readings, seconded by Councilwoman Frische. Ayes: Shindledecker, Slough, Wobser, Frische, Harrington, Hellman, Niemeyer, Russel. The Ordinance received its second and third readings. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Russel.

Discussion:

Councilman Russel noted that the Service Director/Acting City Engineer asked that this Ordinance be given its second and third readings today because ODOT has some date time limits on when they want to see this moving by the end of February.

Ayes: Slough, Wobser, Frische, Harrington, Hellman, Niemeyer, Russel, Shindledecker. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2019-011 and is hereby made a part of the record.

**ORDINANCE NO. 2019-012** (*Salt Barn Structure Project No. 31972900*) requires three (3) readings **first reading**  
AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

**ORDINANCE NO. 2019-013** (*1<sup>st</sup> qtr 2019 Capital Improvements*) requires three (3) readings **first reading**  
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO A CONTRACT OR CONTRACTS FOR CONSTRUCTION OF VARIOUS PROJECTS IN ACCORDANCE WITH THE 2017 DEPARTMENT EQUIPMENT LIST WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A, APPROPRIATING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

First reading of the Ordinance.

## **UNFINISHED BUSINESS: OLD BUSINESS**

Councilman Harrington pointed out that his reason for requesting to table Ordinance No. 2019-007 was because it is the credit card policy that the Law Director had proposed for himself. With the amended ordinance that was passed during the January 31, 2019 Special Session City Council meeting, this is no longer needed, so he thought this ordinance should be tabled. He moved to reconsider Ordinance No. 2019-007, seconded by Councilman Wobser. Councilman Wobser asked if this could just be removed from the agenda instead of just tabling it and letting it die after the end of the year. President Pro-Tem Russel replied that there is a plan to remove that ordinance and the other tabled ordinance from the agenda later on in tonight's meeting. It is better to have it tabled and then removed. Law Director Rasmussen replied that the answer is yes to just get rid of it. Whenever there are ordinance that Council is not going to deal with, they can be removed from the agenda to clean up the agenda. Councilman Harrington reminded Council that he has already made a motion to reconsider the Ordinance, seconded by Councilman Slough. Councilwoman Frische moved to permanently remove the Ordinance from the agenda, seconded by Councilman Wobser. All were in favor. The Ordinance is permanently removed from the agenda.

President Pro-Tem Russel noted that Ordinance No. 2018-068 has also been tabled for awhile, and that the intent was to do the same thing to it at the same time as the last ordinance. Councilman Harrington moved to permanently remove the Ordinance from the agenda.

Councilman Harrington moved to reconsider Ordinance No. 2018-068 (Zoning personnel enforcement rights in right-of-way) that was tabled after its third reading on August 7, 2018 and be permanently removed from agenda, seconded by Councilman Wobser.

All were in favor. Ordinance Nos. 2019-007 and 2018-068 are permanently removed from the agenda.

Councilman Russel moved to lift Ordinance No. 2018-132 (*701-807 Adams St/700-714 Putnam St rezone*) from the table, seconded by Councilman Slough. Ayes: Wobser, Harrington, Hellmann, Russel, Shindledecker, Slough. Nays: Frische, Niemeyer. The Ordinance is lifted from the table. Councilman Harrington moved to adopt the Ordinance, seconded by Councilman Shindledecker.

Discussion:

Councilwoman Frische informed Council that she will not be able to support passing this ordinance tonight because there still needs to be discussion on it. She would like to have it go to a COMMITTEE OF THE WHOLE to finish hashing it out. There is a need for housing in the community. There are a lot of questions and unknowns with infrastructure, etc. and she'd rather have those answers. She'd also like to know if Mr. Vorst is interested in potentially doing it all with the current zoning that is there. There is too much at risk, so she is voting against it at this point.

President Pro-Tem Russel noted that Council is being asked what the appropriate zoning is for the property. As Mr. Cordonnier mentioned earlier in the meeting, a property can have more than one appropriate zoning. It is appropriate to be R3 with a very intense use of the land, or it would be appropriate to be M1 or M2. Council is not asked to give judgement as to what the project would be. That is what the City Planning Commission does with a site plan. That group thoroughly evaluates site plans into great detail (i.e. how stormwater is retained and let into the sewer systems, how much light flows off the project, details on setbacks, etc.). They go through a very detailed process. The City does need more housing. Right now, this vacant piece of property is not generating significant amount of property tax nor housing anyone that can pay income tax, so from a city standpoint, there is a benefit to take underutilized property such as this lot and put it into productive use.

The fact that it is in-fill development for residential housing that is badly needed in the City. The number of individuals coming into the City to work is approximately thirty thousand plus (30,000+) have stated that there is a need for housing. The comment about that this housing will not be rentable is on the developer. If the developer did not think that they could bring a product to market that would be rented, he doubts they would be doing so. If they thought there was a better profit margin in developing this as R-3 housing, they would do so. During his time on Council, he has not seen any large R-3 development done on this scale, except for what Habitat for Humanity did in Westpark. If there was a demand for R-3, he assumes they would take lots one at a time and put houses on them. Concern about parking and traffic for this zoning has been brought up, but R-3 would be a much more intensive use. It allows for two (2) cars per unit with one in the garage. Any extras will be parked on the street with houses emptying out onto Putnam and Adams Streets which is how R-3 will be developed as it is currently zoned that way, and does not have to go through City Planning. Owners simply decide to put a house up and the neighborhood has zero input. The developer listened to the conversations from the last City Council meeting which is indicative of what a good local developer would do who lives in the community when looking at the property. They have the best interest of developing a product that they will be comfortable to have in the community who is willing to work with the neighbors as they have already indicated. The presentations that they have given tonight does not provide any guarantees that is what is going to be built, but is an indication that they are willing to work with the City and the neighborhood to make a product that works. He is in support of this ordinance for those reasons.

Councilwoman Frische compared this from last year with a property on Spruce Drive that abutted Applebees where they wanted to rezone, but did not fit the neighborhood. Had the abutting property owners not come in full-force, Council probably would have changed it to a multi-family in a two to three thousand dollar neighborhood (\$200,000-\$300,000). This difference in that project and this one is that she believes there is a way to make it work. There are a lot of unknowns. The developer needs to be thoughtful and intentional when making their plans before changing the zoning. That is where she is at with this project and is not against the proposed development.

Ayes: Harrington, Hellmann, Russel, Shindledecker, Slough, Wobser. Nays: Frische, Niemeyer. The Ordinance was declared adopted and is recorded in Ordinance Volume XXI, Page 2018-132 and is hereby made a part of the record.

Councilman Harrington noted that during the last City Council meeting, he asked that a proclamation be drafted for the Mayor to be read at the next meeting, but would like it to be read at the convenience of when she can attend as it is important that she is here when that is done.

## **NEW BUSINESS**

Councilman Russel made a motion to excuse the absence of Councilwoman Ostrander and Councilman Watson, seconded by Councilman Harrington. All were in favor. Filed.

Councilman Hellmann reminded Council that City Auditor Staschiak mentioned that City Council would not be able to be paid next term because of the way the Ordinance is worded. He went back and read the Ordinance. The Ordinance does cover the issues that were brought up. City Auditor Staschiak replied that the language in the Ordinance will work, but will need a letter from the Law Director to clarify that it was the intent to be an ongoing matter. He asked for the letter within the next couple of days. That letter and the current Ordinance will take care of it.

President Pro-Tem Russel adjourned Council at 8:44pm.



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CLERK OF COUNCIL



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PRESIDENT OF COUNCIL PRO-TEM