

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

JANUARY 7, 2014

COUNCIL CHAMBERS

ROLL CALL of 2012-2013 Councilmembers

PLEDGE OF ALLEGIANCE

MOMENT OF PRAYER

PROCLAMATIONS - none.

RECOGNITION/RETIREMENT RESOLUTIONS

ACCEPTANCE OR CHANGES OF MINUTES AND PUBLIC HEARINGS

Acceptance or changes to the December 17, 2013 City Council meeting minutes.

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

RECOGNITION/RETIREMENT RESOLUTIONS - none.

WRITTEN COMMUNICATIONS - none.

ORAL COMMUNICATIONS - none.

PETITIONS - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS - none.

COMMITTEE REPORTS - none.

LEGISLATION - none.

UNFINISHED BUSINESS - none.

REGULAR SESSION

JANUARY 7, 2014

COUNCIL CHAMBERS

ROLL CALL of 2014-2015 Councilmembers

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

PROCLAMATIONS - none.

RECOGNITION/RETIREMENT RESOLUTIONS

RESOLUTION NO. 003-2014

First reading

A RESOLUTION COMMENDING COUNCILMAN JERRY MURRAY FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 004-2014

First reading

A RESOLUTION COMMENDING COUNCILMAN WILLIAM SCHEDEL FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 005-2014

First reading

A RESOLUTION COMMENDING COUNCILMAN MICHAEL "DOC" SLOUGH FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 006-2014

First reading

A RESOLUTION COMMENDING COUNCILMAN RANDY WARD FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WRITTEN COMMUNICATIONS - none.

ORAL COMMUNICATIONS - none.

PETITIONS - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS

City Planning Commission agenda - January 9, 2014; minutes - November 14, 2013 and December 12, 2013.

Service-Safety Director Paul Schmelzer – 2014 Airport Improvements (AIP-25), Project No. 35240100

Again this year, the City has the opportunity to apply for grant funds from the Federal Aviation Administration (FAA). The grant funds will be used for design services on the Runway 18/36 rehabilitation.

The estimated grant amount for 2014 is one hundred sixty-three thousand nine hundred sixty-six dollars (\$163,966.00) with the City's matching share of eighteen thousand two hundred eighteen dollars (\$18,218.00). The project will be included in the 2014 Capital Improvements Plan. Legislation authorizing the Service-Safety Director to sign the grant application and agreement is requested. Ordinance No. 2014-002 was created.

City Income Tax Monthly Collection Report – December 2013.

Mayor Lydia Mihalik – Mayor appointments to various Boards or Commissions

Mayor Mihalik is requesting the following appointments to the following Boards or Commissions:

Airport Advisory Board – does not require Council confirmation
Jeff Koehler, term to expire December 31, 2016

Board of Health – requires Council confirmation
B. Joan Work, term to expire December 31, 2018

Board of Zoning Appeals – requires Council confirmation
George McAfee
David Russell
Terms to expire on December 31, 2017.

Civil Service Commission – does not require Council confirmation
Chuck Clapper, term to expire on December 31, 2019

Hancock Regional Planning Commission Board – requires Council confirmation
Joan Kagy
Dennis McPheron
Terms to expire December 31, 2015

Parks and Recreation Board – does not require Council confirmation
Mike Siough filling vacant position, term to expire December 31, 2015
Greg Myers, term to expire on December 31, 2016

Revolving Loan Fund – requires Council confirmation
Warren Krout
Andrew Rill
Donald Bledsoe
Bret Spaeth
Terms to expire December 31, 2014

Chris Alexander
Randy VanDyne
Matt Wood
Terms to expire December 31, 2015

Shade Tree Commission – does not require Council confirmation
Lynn Farwig
Deb Seng
Terms to expire December 31, 2016

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

Findlay W.O.R.C. Program Charge Statistics – 01/1/2013 through 12/31/2013; **Findlay Work Release Program Monthly Payment Statistics Summary** – 01/01/2013 through 12/31/2013; **Findlay W.O.R.C. Program Monthly Tally Sheet** – 01/01/2013 through 12/31/2013; **Findlay W.O.R.C. Financial Analysis** – 01/1/2013 through 12/31/2013.

Service-Safety Director Paul Schmelzer – 2014 Capital Improvements Plan

A draft copy of the 2014 Capital Improvements Plan was included in Council's budget binder for preliminary review. The plan will be finalized and ready for consideration by Council by the next Appropriations Committee meeting. Needs to be referred to the Appropriations Committee or a date set for a Committee of the Whole meeting to review and discussion.

City Auditor Jim Staschiak – Committee of the Whole 2014 budget meeting

Resolution No. 047-2010 established a Severance Payout Reserve Fund for the City. It was initially funded with enough money to pay for three (3) years of known eligible retiree payouts that would have been funded out of the General Fund. It is notable that many more employees have been eligible and received retirement payout than originally budgeted for. This reserve has served us well and as discussed at the budget meeting, it is time to replenish the funds to the three (3) year level. In order to do so, a transfer of five hundred seventy-two thousand two hundred fifty dollars (\$572,250.00) is required. Ordinance No. 2014-003 was created.

City Auditor Jim Staschiak – Committee of the Whole 2014 budget meeting

Resolution No. 007-2008 established a Minimum Reserve Policy for the City. Currently, the reserve is set at a target amount of twelve percent (12%) of the current years General Fund Expenses. As discussed at the budget meeting, a recommended reserve of sixteen and seven tenths percent (16.7%) or two (2) full months of General Fund Expenses has been made. This amount represents a minimum best practice recommendation as stated by the Government Finance Officers Association:

"... GFOA recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures."

Council's approval of this change is noteworthy and significantly improves the stability of the City's financial picture as we continue to move forward with various planning initiatives.

COMMITTEE REPORTS:

An AD HOC COMMITTEE met on December 10, 2013 to select Council committee assignments and review Council's Rules of Procedures for the 2014-2015 Council term.

We recommend the attached information. Committee Assignments and Rules of Procedure for 2014-2015 requires Council's approval.

**LEGISLATION
RESOLUTIONS**

RESOLUTION NO. 001-2014 (tax advances)

First reading

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2014 PURSUANT TO OHIO REVISED CODE §321.34.

RESOLUTION NO. 002-2014 (5 year capital improvement plan)

First reading

A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 003-2014

See page 1.

RESOLUTION NO. 004-2014

See page 1.

RESOLUTION NO. 005-2014

See page 1.

RESOLUTION NO. 006-2014

See page 1.

RESOLUTION NO. 007-2014

First reading

(amend Res 007-2008 minimum reserve balance policy)

A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND REPEALING ALL RESOLUTIONS AND/OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

ORDINANCES

ORDINANCE NO. 2014-001 (2014 departmental budgets)

First reading

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2014, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-002 (Airport Improvements AIP-25)

First reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE AIP-25, DESIGN SERVICES FOR RUNWAY 18/36 REHABILITATION, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-003

First reading

(2014 retirement settlements, stormwater maintenance)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-004 (amend Ord 2013-003 CIT allocation)

First reading

AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS

City of Findlay City Planning Commission

Thursday, January 9, 2014 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

ITEM TABLED AT THE DECEMBER 12, 2013 MEETING

APPLICATION FOR CONDITIONAL USE #CU-04-2013 filed by Fernco Development, Ltd., Lenco Development, Ltd., & Norco Development, Ltd., c/o Philip L. Rooney, 119 E. Crawford St., Findlay for an emergency services garage to be located at 1155 Croy Drive, Findlay, OH.

NEW ITEMS

1. SITE PLAN APPLICATION #SP-01-2014 filed by Hancock County Performing Arts Center, 101 W. Sandusky Street, Suite 207, Findlay, OH for a performing arts center to be located at 200 W. Main Cross Street, Findlay, OH.

ADMINISTRATIVE APPROVALS

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, November 14, 2013 - 9:00 AM
Municipal Building, Council Chambers

Minutes

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

MEMBERS PRESENT:

Lydia Mihalik
Paul Schmelzer
Thom Hershey
Joe Opperman
Dan Clinger

STAFF ATTENDING:

Judy Scrimshaw, HRPC Staff
Matt Pickett, FFD
Matt Cordonnier, HRPC Director
Don Rasmussen
Steve Wilson

GUESTS:

Todd Jenkins, Charles Bills, Jerry Murray, Ed Hartman,
Martin Terry, Myreon Cobb, Steven Rackley, Jack Berry,
Rebecca Jenkins, Beth Meyers, Lou Wilin, Shawn
Garmong

CALL TO ORDER

ROLL CALL

The following members were present:

Lydia Mihalik
Paul Schmelzer
Thom Hershey
Joe Opperman
Dan Clinger

SWEARING IN

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

APPROVAL OF MINUTES

Thom Hershey moved to approve the minutes of the September 12, 2013 meeting. Joe Opperman seconded. Motion to accept carried 5-0.

NEW ITEMS

1. **ALLEY VACATION PETITION #AV-06-2013** filed by Gregory Meyers, 119 First Street, Findlay, OH to vacate a north/south alley running between 1003, 1009 & 1015 S. Main Street and 119 1st Street.

HRPC

General Information

The alley in this request runs south from 1st Street to the first east/west alley. It is in a residential neighborhood.

Parcel History

None

Staff Analysis

All of the abutting property owners have signed the petition to vacate the above described alleyway.

There are garages and other buildings along the alleyway and access will need to be maintained for these structures. Emergency vehicles may also need access through the area if there is a fire or other crisis situation.

ENGINEERING

No objections.

AEP will retain an easement for their poles if the alley is vacated.

FIRE PREVENTION

Currently, out buildings and garages exist behind the residential homes and it provides off street parking for the residents. The alley also allows for structural firefighting and FFD truck access. If allowed to vacate the alley, a recommendation would be not to block either end at 1st St. or 2nd St.

STAFF RECOMMENDATION

Staff recommends that FCPC **recommend approval of ALLEY VACATION PETITION #AV-06-2013** to vacate a north/south alley running between 1003, 1009 & 1015 S. Main Street and 119 1st Street. As stated above, AEP will retain easement for their poles and access should be maintained to aid in emergency situations.

DISCUSSION

Beth Meyers, 119 1st Street spoke. They would like to block off the south end at the stop sign possibly with a gate. Traffic has been increasing here. It gets used more as a street than just access for those living there. The east/west alley will still be open and there will still be access from the 2nd Street end.

P. Schmelzer noted that when vacated the neighbors will need to agree on access and

maintenance. Mrs. Meyers replied that they had already discussed this and were in agreement. They had also spoken with the neighbors to the south and they had no issues.

Paul Schmelzer made a motion to recommend the vacation to City Council. The motion died for lack of a second.

Joe Opperman said he did not see any point in vacating an alley if it is still open to people for use. Paul Schmelzer replied that from the City standpoint, they no longer have to maintain it and if they do not have any interest in the property he has no problem with turning it over to private ownership. Lydia Mihalik stated that she does have some concern with Fire Department access if the owners gate it.

Beth Meyers stated that the alley becomes Main Street during parades. Foot traffic has greatly increased in recent years and there have been garage break-ins. They would also like to be able to pave it themselves and clean it up. Dan Clinger noted that they should have a maintenance agreement between the properties. Ms. Meyers explained that they have already discussed this and that her husband as well as one of the other owners are attorneys and they will draft a legal document when the time comes.

Thom Hershey commented that normally CPC does not like to create a "T" intersection. This could make it difficult to maneuver for some of the garages. He stated that foot traffic and vehicular traffic applies to all alleys. That is what they are for.

Ms. Meyer stated that there are really only two (2) garages that need the alley for access. The others are accessed from 1st Street, the east/west alley or S. Main Street.

Lydia made a new motion to recommend approval of the vacation with the condition that the alley is not blocked off. Paul Schmelzer seconded. Paul then asked if we can put such a condition on something that will be private property. Don Rasmussen replied that the alley vacation would, by statute, grant each property owner half the alley and that unless they voluntarily agree to do so, we can't make a condition dictating what they can or cannot do on their private property (zoning excepted).

Matt Cordonnier commented that modern subdivisions only access lots from the front. If that is the only access these homes have it is similar to the majority of Findlay. The Fire Department accesses other homes from the street frontage and a secondary access is more of a luxury than a necessity.

Thom Hershey stated that modern subdivisions have driveways to their garages. Paul Schmelzer commented that he has little experience in this issue, but he doesn't know how many driveways the Fire Department goes down during a fire. Matt Pickett replied that it is very rare. Usually we can reach everything from the road. He would just not like to see both ends blocked so that they can get to the rear if needed. He does not want to see the street ends blocked.

Lydia Mihalik withdrew her motion and started again. **Ms. Mihalik moved to recommend approval of the vacation. Paul Schmelzer seconded.**

Dan Clinger stated that he doesn't see the advantage to vacating the alley. They are still keeping it open. It will take the maintenance out of the City's hands but they will not impede traffic flow. He is struggling to see a valid reason to vacate.

Lydia Mihalik stated that she felt the applicant had talked about it. The issues were safety, access and control. This isn't the first alley that we have vacated.

Thom Hershey replied that others did not create a "T" intersection. We normally do not do that. Why not vacate it all the way south instead of half of it? Paul Schmelzer replied that we don't have the property owners on the other half agreeing to that.

MOTION:

L. Mihalik had made a **motion to recommend approval to Findlay City Council of ALLEY VACATION PETITION #AV-0-2013** to vacate the north/south alley running between 1003, 1009 & 1015 S. Main Street and 119 1st Street.

2nd: P. Schmelzer

VOTE: Yay (2) Nay (3) Abstain (0)

Motion Failed.

2. FINAL PLAT APPLICATION #FP-10-2013 filed by Steven D. Taylor Family Properties, LLC, PO Box 351750, Toledo, OH to Replat Lots 10, 11, and 12 in the North End Commercial Park.

HRPC

General Information

This project is located in the North End Commercial Park on the southeast corner of Speedway Drive and CR 99. The lots are zoned C-2 General Commercial. Land to the north is in Allen Township and has no zoning. To the west the land is zoned C-2. Land to the south is zoned I-1 Light Industrial and to the east is C-2 and I-1. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

All of the lots are currently vacant.

Staff Analysis

The applicant proposes to combine the three (3) platted lots into one large parcel for development as a single site.

The replat will also serve to vacate some existing easements on the original lots and establish the appropriate new setback lines and easements for a single lot.

The original plat of this subdivision had a note on the plat that Lots 10, 11 and 12 were limited to using the 40' Access Easement from Speedway Drive as their only means of ingress/egress. A notation should be put on this new lot that it's only means of access will be from Speedway Drive. No access will be permitted directly onto CR 99.

We didn't see a lot number for the new parcel. One will need to be given for the new lot.

Staff Recommendation

HRPC Staff recommends approval of **FINAL PLAT APPLICATION #FP-10-2013** with the

inclusion of a notation stating that the parcel shall only use Speedway Drive for access and that a lot number is assigned to the new lot.

ENGINEERING

No objections.

FIRE PREVENTION

No comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve **FINAL PLAT APPLICATION #FP-10-2013** subject to the following conditions:

- Note added to the plat that the new lot shall only use Speedway Drive for ingress/egress (HRPC)
- A lot number is assigned to the new lot (HRPC)

DISCUSSION

Thom Hershey stated that he would like to know if there is a commercial development lined up for this site. What is the reason for combining the lots?

Shawn Garmong replied that yes he does believe there is someone looking to develop the parcels as one site.

T. Hershey asked what type of development it might be. Mr. Garmong replied that he was not totally sure, but it may be a car dealership.

Dan Clinger commented that he assumed that the original easements on the plat were proposed. There are not currently any utilities in these? Judy Scrimshaw replied that she believes that is the case. Those were proposed for use if the lots had developed as originally platted.

Paul Schmelzer stated that it is typical to have those easements at the rear of lots. I assume there would be conflicts with developing over lot lines and easements as far as setbacks are concerned if they were left in place.

Joe Opperman commented as a matter of form that this is labeled as a final plat. Was there a preliminary at some point? J. Scrimshaw replied that when someone does a replat of existing lots, we use the final plat form. This is basically a lot combination which in some cases can be handled between us and the auditor's office. However, if there are recorded easements to be vacated, it must be done within the context of a plat.

MOTION:

Dan Clinger made a **motion to approve FINAL PLAT APPLICATION #FP-10-2013** to Replat Lots 10, 11, and 12 in the North End Commercial Park subject to the following conditions:

- Note added to the plat that the new lot shall only use Speedway Drive for ingress/egress (HRPC)
- A lot number is assigned to the new lot (HRPC)

2nd: Thom Hershey

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

3. APPLICATION FOR CONDITIONAL USE #CU-03-2013 filed by FD Main Street, Ltd., 655 Fox Run Rd., Findlay for Townhouse Apartments occupying the first and second floor at 316 Dorney Plaza.

HRPC

General Information

This request is located off the west side of S. Main Street. It is zoned C-3 Downtown and all surrounding parcels are also zoned C-3. The property is located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as downtown.

Parcel History

Buildings are vacant.

Staff Analysis

The applicant is proposing to convert the building into three (3) two story residential townhouses.

In the C-3 Downtown zoning district residential uses are a Conditional Use and are limited to the upper floors of the commercial buildings. The BZA cannot grant a use variance so the applicant is asking Planning Commission for a waiver to allow the residential use to occupy the first floor of the building.

Their application states that retail/office uses would not have street exposure in this location nor available adjacent parking. HRPC contends that adequate retail or office parking is very accessible since the Municipal Building parking lot is adjacent to the building and is available for 2 hour public parking. There is probably more of a dilemma with residential parking which is long term at any time of day. HRPC also has concerns about residents using Dorney Plaza as part of their personal space. HRPC would like the developer to present a plan to prevent the placement of patio furniture, grills, etc. on Dorney Plaza. The fact that the plaza is a public space could present an enforcement issue if residents start utilizing it as a front porch area.

Shops down the side of a building in a downtown area are not uncommon in other towns. There are similar situations were what may have formerly been an alley or building site is now a plaza type area and small eateries, shops or offices are located there. Walkability is a key factor in a downtown setting so street exposure is not necessarily required for businesses.

HRPC does recognize that the site's layout presents challenges for retail/office or residential development. HRPC views the ideal development to be a single office/retail user that utilizes the majority of the building with the potential for upper floor residential similar to the other office and retail establishments in downtown.

Staff Recommendation

HRPC Staff is withholding a recommendation, pending the presentation of the project by the

developer.

ENGINEERING

No Comment

FIRE PREVENTION

Although not applicable for conditional use review, I was advised by Jerry Murray to provide the following information:

- Recommend to place the Fire Department Connection (FDC) on front of building. FDC shall be 5 inch Storz fitting with 30 degree angled elbow. Outside notification shall be a horn/strobe working on water flow only and placed above the FDC. Area in front of FDC shall be kept clear.
- A Knox Box will be required for buildings with alarm and sprinkler systems.
- Address shall be clearly marked for all structures.

DISCUSSION

Judy Scrimshaw noted that she and Matt Cordonnier had met with the applicants yesterday to discuss the project and are now recommending approval.

Jerry Murray noted that the building will be sprinkled in response to the fire department comments.

Mr. Murray went on to explain the project. This is a unique situation. The building is historical and the developer has applied for historic tax credits. There was a street in front of this building many years ago and that was closed. This part of Dorney Plaza is County owned property. 320 S. Main to the west will have offices with frontage on Main Street giving the street exposure and accessibility.

The thought was that townhouses would be the best approach here. The buildings lend themselves to three (3) units with the three (3) existing entrances. The downstairs will be an open floor plan with the living and dining areas. Upstairs will be the bedrooms. The full length windows will be shaded up to seven (7) feet and you will see the upper part of the Courthouse from the top portions of the windows.

There must be a step to get out of the buildings. The drawings show a small stoop. Because these are leased apartments, they can be restricted in any manner the commission desires. We can say no grills, no outdoor entertainment. These can be restrictions in the lease so we can have cause to remove a tenant for violation. The units will be roughly \$1200 a month so they will be luxury living.

Parking should not be an issue. The developer has been generous with parking spaces they own off site. These will be made available to the tenants. So, public parking will not be used except for possible visitors and these will more than likely be in the evening hours and on weekends when public parking is available.

We see this as the future of Findlay. With the explosion of Marathon and other companies in town we have a more urban liver. These can be younger people perhaps not even having a car. They want to walk to work. They like the restaurants and activity downtown.

If you go to other communities, even ones smaller than ours, there are townhouse type developments with walk up flats. I agree that a Main Street location for this would not be conducive. This is a unique lot in our C-3 district. It's not truly accessible to anything. It does not have any street frontage.

I think we may see other developments of this type. If we fix the river flooding problem, we may see a redevelopment of the banks and this type of development may happen in the future there.

We are asking for a waiver of the condition because it is a unique situation that lends itself more highly to downtown townhouse living and I hope you would agree with this.

Dan Clinger stated that he will abstain from any discussion and voting on this issue.

Thom Hershey asked if the stoop area is part of the building property or if it extends into the right of way.

Jerry Murray replied that it is part of the County's property and they will be seeking permission to use the space. If you think it is too large, we can look at reducing it. The units have to step out onto two steps either on the public property or we can cut into the building. We thought it would be more urban to have a gated stoop with an area for some potted plants to give the feel of some green space and define the front door as being a bit more private. We do have to work with the Commissioners on approval for that. If they say no we will make the modification for the front door. Thom Hershey replied that he felt the stoop area is a good idea.

Paul Schmelzer stated that he would like to echo Mr. Murray's comments on urban living. Historically Findlay has not had a great deal of downtown living and he thinks it is a great idea. There are a lot of cities that are certainly more advanced in dealing with this issue. It is something we need to take a look at. He particularly liked that idea of a vestibule so there is an off public space entrance. It is great that you are investing in this property and he is in favor of the project.

Thom Hershey asked if the Commission has the right to grant the Conditional Use.

Don Rasmussen replied that they are being asked to grant a waiver of the condition that all residential units are to be on the second floor or higher.

MOTION: Thom Hershey made a motion to waive the Condition that residential uses cannot occupy the first floor of a building in C-3 Downtown district.

2nd: J. Opperman

VOTE: Yay (4) Nay (0) Abstain (1)

4. SITE PLAN APPLICATION #SP-19-2013 filed by Somphanh Phadphom & Inh Cysanah, 2050 Lakewood Drive, Lima, OH for conversion of an existing garage into a church and construction of accessory parking to be located at 1024 S. Blanchard Street.

HRPC

General Information

This site plan is located on the west side of S. Blanchard Street just north of 2nd Street. The land is zoned R-3 Single Family High Density Residential. The properties to the north are also zoned R-3. The property to the south, east and west is zoned R-2 Single Family Medium Density. The City Land Use Plan designates the land as Single Family Small Lot. The site is not located within the 100 year flood plain.

Parcel History

None

Staff Analysis

There are no new buildings being constructed in this request. The existing garage on the north end of the parcel is going to be used as a Church. Churches are a Conditional Use in the Residential Districts.

A paved parking lot is proposed west of the church. It is shown in two (2) phases. The first phase contains 11 parking spaces. The application states that the current congregation is only around 25 persons. They hope to grow the Church and could have capacity for 60 or more at which time they would construct the second phase of parking. Parking for a place of worship is listed as three (3) spaces per every seven (7) seats. The 11 spaces shown would provide adequate parking for the small congregation.

There is a six (6) foot privacy fence shown on the north side of the parking lot which abuts a residence. There is also a 10' wide detention area indicated here between the parking lot pavement and the fence. There also appears to be some existing trees and shrubs shown on the plan. Section 1161.07.2 of the code gives 3 screening options for such an instance as this. Option 1 would suffice for this situation as this would not be considered an everyday commercial use. The first option has a very minimal landscaping requirement. Credit will be given for any useable trees that exist along the property line now.

There is no indication of any signage proposed. If signage is requested it will require a separate approval and permit from the zoning officer.

ENGINEERING

Access – An existing drive on S. Blanchard will be used and is adequate for the proposed use.

Water & Sanitary Sewer – Connection points for the sanitary and water systems shall be reviewed by engineering before any permits, zoning or otherwise are issued.

Stormwater Management – Proposed detention pond on the north side of the property meets our requirements. Applicable OEPA NPDES requirements for both construction and post-construction water quality shall be met.

Sidewalks – Existing sidewalks will remain in place.

Recommendation: Approval of the plan subject to occupancy requirements from Wood County Building Department and engineering review of connection points for the sanitary and water systems.

The following permits may be required prior to construction:

- Sanitary Sewer permits
- Water permits
- An approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

Submit all change of use and plan information to Wood County Building Department

STAFF RECOMMENDATION

Staff recommends **approval of SITE PLAN APPLICATION #SP-19-2013** for the conversion of an existing garage into a church and construction of accessory parking to be located at 1024 S. Blanchard Street subject to the following conditions:

- Adequate trees and evergreens as screening along the north property line (HRPC)
- Approval of any signage requested by the zoning officer. (HRPC)
- Engineering approval of connection points for water and sewer (ENG)
- Approval of Wood County Building Department (ENG & FIRE)

DISCUSSION

Dan Clinger noted that it is apparent that the building is not currently being used a garage. He stated that building code needs to be met for this use. There are handicapped parking spaces indicated and facilities for the handicapped may be required in the structure. It appears that the parking will not be expanded unless the congregation grows. At what point would this happen? Say all of a sudden there are the 60+ members and there is no room to park because the extra parking was not built. We may need to have some language to kick in the phase II parking plan. Also, there is access shown to the west and he is not sure what that is.

Judy Scrimshaw responded that it is technically Bank Street running parallel with the RR tracks. It is basically no more than an alley. She did drive down it and you can get through and out to 2nd Street.

Paul Schmelzer asked if there is a concept plan for the Church. Jack Berry replied that there are no plans for adding any structure. Right now they are working with Mike Rudey at Wood County Building Department to make the building code compliant for the change of use. They are basically looking at the building being an open space for worship with moveable seating. It is a Laotian congregation that serves that community in Findlay. He would not call it a fast growing Church. Obviously they would like to increase their membership but in reality how soon that happens is questionable because of the size of the community in Findlay.

Lydia Mihalik asked if the lack of water and sewer connections on the plan were an oversight on their part. Mr. Berry replied that because they wanted to wait to get contingent approvals, right now there is nothing that requires new sanitary sewer connection. It is all existing right now. Mr. Schmelzer asked if there is not anything to require these through Wood County. Mr. Berry responded that that is up to Mike Rudey. Right now the building is just a garage. They will probably require restrooms. Chapter 34 of the code has compliance alternatives. We're trying to minimize the financial impact for the Church. We are trying to get these approvals, then take the next step.

Dan Clinger asked if the City would have any authority here to have the owner do phase II of the parking once they are using available areas on the street to park.

Paul Schmelzer stated that this is an issue he has also. It is all temporary seating with nothing concrete to base the number of parking spaces on. He is not sure what language we can attach as a condition.

He certainly recognizes the financial implications for the Church of putting in 3 times the number of spaces needed.

Don Rasmussen said that he can see they (the commission) can attach the condition but enforcement is the issue. How do you know how many are in the congregation? Mr. Schmelzer stated that he thinks it is like any other issue that if they have a phase II plan it is submitted as a matter of record for expansion. If there is a case when the parking available can't handle an event it will be an issue for Todd and us. I would imagine that if they were fortunate enough to grow the Church that they would add the parking anyway.

Matt Cordonnier stated that showing a plan with Phase II parking is a step ahead of if we would have just had a plan presented for 25 members and the lesser amount of parking to satisfy the smaller requirement. The fact that it is on the plan being approved today gives the City some leverage if and when parking becomes an issue.

MOTION: P. Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-19-2013** for conversion of an existing garage into a church and construction of accessory parking to be located at 1024 S. Blanchard Street subject to the following conditions:

- Adequate trees and evergreens as screening along the north property line (HRPC)
- Approval of any signage requested by the zoning officer. (HRPC)
- Engineering approval of connection points for water and sewer (ENG)
- Approval of Wood County Building Department (ENG & FIRE)

2nd: D. Clinger

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

5. APPLICATION FOR SPECIAL REVIEW #SR-01-2013 filed by The Fergus Company, LLC, 8377 Green Meadows Dr. N., Suite A, Lewis Center, OH 43035 for an auto parts store to be located at 420 Trenton Avenue.

HRPC

General Information

This site is on the north side of Trenton Avenue west of Morey Street. It is zoned C-2 General Commercial. All land to the east, west and south is also zoned C-2. Land to the north is R-3 Single Family High Density and MH Mobile Home. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial.

Parcel History

This is the former site of Findlay Truck Lines.

Staff Analysis

This is a Special (Conceptual) Review thus no formal decision is required of the Planning Commission today.

HRPC Staff and Todd Richard have met with the applicant on a couple of occasions to hash out the details for this site.

The applicant is proposing to split the parcel into two commercial sites. After more

consideration of the proposal, HRPC is recommending that this be a two lot commercial subdivision. The site is currently a conglomeration of multiple platted lots and vacated alleyways. We would recommend that Planning Commission accept as a single submission Final Plat coinciding with the formal site plan application if possible. If the plat cannot be completed at the same time as approval of the site plan, the development can occur on the existing land as it exists and the plat recorded later.

At this time, the Advance Auto Parts store is the only known development. The proposal is for a 6,895 square foot store on a 138' x 260' site.

There are 26 parking spaces shown which exceeds the requirement. The minimum required would be 19 at one per 375 square feet. The pavement is set back 10' from the right of way as required.

The building meets all setback minimums. (50' front, 15' side and 30' rear)

Landscaping is indicated on the plan as we had discussed with the developer. The level 2 buffer was recommended for the rear along Madison Avenue. There will be foundation plantings and plantings along the frontage.

A single access from Trenton Avenue was discussed as the preferred option. Trenton Avenue is full of multiple drive cuts in close proximity and cars often come head to head in the turn lane to get into one restaurant or another on opposite sides of the street. There is also a single access onto Madison Avenue. We hope that more traffic will exit here and turn east to get onto Morey then head south where they can exit onto Trenton Avenue at the traffic signal. There will be cross access easements recorded for the two (2) parcels.

The building meets minimal architectural standards. The applicant discussed projecting the sign area on the building out to create some depth and provide some overhang above the doorway. Two tones of color and a band will break up the monotony of the straight walls.

There is no sign detail provided today but a location in front of the Advance Auto store is shown. It is in the middle of the parking spaces along the front of the site. We had discussed with the applicant that one sign would be preferred for the combined site. We had advised them to create a cabinet within the guidelines that could accommodate two businesses. There is no restriction on signage located on the building and the Advance sign is certainly a prominent feature there. Some discussion was given to having a small island in the entry area with a pylon for both businesses. This may create some maneuverability issues for truck delivery however.

The sign code in section 1161.12.8 Low Profile Signs: O-1, C-1, C-2, I-1, & I-2 Districts gives guidelines for this type of sign. It states that one is permitted for each site. Section 1161.12.9 Pylon Signs: C-1, C-2, I-1 & I-2 Districts gives the guidelines for pylon signs. This also states that one is permitted per site. Both sections state that a site cannot have both. We ask if this perhaps gives the Planning Commission the option of deciding which one is better suited for a development. If so, we feel that low profile signs here and most anywhere there is new development would be the best option. We have had several low profile signs in recent developments. The Culver's sign west of this area at the I-75 ramp is a slightly modified low profile. It was permitted to be slightly taller due to the fact that the ramp area makes the site sit lower than the roadway. There are very few signs in the area of the proposed new auto parts store and beginning the trend here would make sense.

ENGINEERING

Access – The site is currently accessed by two (2) curb cuts on Trenton Avenue. Single access points proposed for Trenton and Madison Avenues are preferable to the existing condition.

Water & Sanitary Sewer – No connections are shown on the conceptual plan but both utilities are available on Trenton and Madison Avenues with sufficient capacity to service the proposed uses.

Stormwater Management – The existing site is 100% impervious so stormwater detention will not be required. The conceptual plan does not address how stormwater would be managed on the site. Applicable OEPA NPDES requirements for both construction and post-construction water quality shall be met.

Sidewalks – Existing sidewalks will remain in place.

Recommendation: Endorsement of the conceptual plan.

FIRE PREVENTION

- Submit all plan information to Wood County Building Department
- Natural gas or electric meters within the driving area shall have crash protection
- Address shall be clearly marked for proposed structure

DISCUSSION

Paul Schmelzer said that he would echo Ms. Scrimshaw's comments regarding the signage. He stated that he also couldn't tell where any access points are across the street from this site. He would encourage, if possible, the alignment of this access with any across the street. Regarding sidewalks he replied that the City recently had an approval where the applicant thought the City would replace any broken down sidewalks. He would like to be sure the applicant understands that this is not the case.

Lydia Mihalik responded that she too concurred on the low profile sign issue. She feels this is the perfect opportunity for us to begin to redesign what it looks like when you come in off of I-75 into our community. Anything that would help enhance that area would be appreciated.

Dan Clinger stated that he has some concerns with dumping additional traffic onto Madison Avenue, but he also realizes it will contribute to safety for someone trying to cross Trenton Avenue to go east. It is probably the lesser of the two evils.

Thom Hershey stated that this will be a definite enhancement to the area as it exists now.

John Fergus commented that he had met with Todd Richard, Judy Scrimshaw and Steve Wilson on various occasions and they have been most helpful with working through our code and helping us understand the issues. He stated that their primary concern here is that this building is going to be "invisible" for people coming from the west because of the mobile home park on that side. The only way people will be able to identify where this is is by the street signage. That is one of the reasons that they want the pylon sign as well as the fact that they don't yet know where, who or if someone develops the east lot. Site lines will be critical to where the building is. The case of a low profile versus a modest height pylon is the factor of readability. He further commented that unlike many developed areas where all the buildings are set back, we are pioneers in this area. The ability to see the signage is very important to Advance. His concern is

with the obstructed views and so many structures to the west that he doesn't know how anyone will see the sign.

Mayor Mihalik responded that she can understand where they are coming from. Her only concern is that this is an opportunity for the City to improve the skyline so to speak of our community. Tiffin Avenue is a perfect example of what occurs when everyone is permitted to install pylon signs because they are worried about their visibility. There are plenty of communities that have embraced the low profile sign idea and she is pretty sure the companies that invest there do just fine. We have the opportunity to bring the signage down. Properly designed this can be easily identifiable.

Dan Clinger stated that he would also agree with the low profile sign. This type of business is not one that you just happen to see while driving by and decide to pull in. It is a destination. He feels that visibility would be appropriate with the low profile.

Mr. Fergus asked to keep in mind that the building is not up on the street. There is some green space, setbacks, etc. What would the committee think of possibly bifurcating there rules? The west side of the site faces a different visibility issue than the eastern. Until that site is developed, the visibility issue doesn't go away. Would the committee perhaps consider allowing the west half which will be first in to have something with some height but only permit a low profile on the west half?

Lydia Mihalik replied that as the applicant moves forward, gets their plan together and goes through the approval process that will be the opportunity to discuss this further. We will then have the Staff recommendation and the opinion of what the Commission would like to see.

Mr. Fergus replied that that is fair enough. He appreciates the willingness to consider it. This is very important to Advance.

Matt Cordonnier added that the last few developments on Tiffin Avenue have put in the low profile signs. That is what we have been requiring and that is what has been placed.

John Fergus commented that he appreciated the Commission's time and really liked this format that allows applicants to come in and have a dialogue. It is very helpful.

6. FINAL PLAT APPLICATION #FP-11-2013 filed by Ohio Logistics Business Park, 1800 Industrial Drive, Findlay for a Replat of CDS Industrial Park.

HRPC

General Information

This project is located in Allen Township. The township is not zoned. All surrounding parcels are also in Allen Township. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Industrial.

Parcel History

This area was platted as a two lot subdivision in 1998. A warehouse was constructed on Lot 1 in 1998 also.

A site plan for an addition to the existing warehouse and a new warehouse was reviewed and approved by FCPC at the August, 2013 meeting.

Staff Analysis

The Replat will divide current Lot 2 into 5 smaller lots. Lot 6 is the site of a new warehouse approved in August. In comparing the site plan and the new lot dimensions it appears that the building as approved on the site plan will be able to comply with the required setbacks on the new lot configuration.

The applicant is also dedicating the road right of way for Distribution Drive as public. The prior private roadway was platted at 60' wide. The new public road will be an 80' right-of-way. The new road will go to the north property line of the subdivision and then turn west with a bulb end. This is provided for future connection to land to the north. Subdivision regulations require that connections to vacant parcels be provided on plats. There needs to be a stub provided to the Drerup land to the east also.

The property line for the Danny Stahl parcel on the east side of Distribution Drive needs to be corrected. It goes much farther north than shown on the plat.

HRPC Staff wants to inform the applicant that when the initial warehouse was developed, it was assigned an address on CR 99. Lot 2 was also addressed in that manner. We notice in the Auditor's records that they are using Distribution Drive as the address. If the properties will now want to be addressed on Distribution Drive, the numbers will need to be changed as they will be in a totally different range going north and south. That area falls in the 5000 range.

ENGINEERING

Access – Distribution Drive has existed as a private street for several years. The replat dedicates a public right of way that will allow improvements to Distribution Drive to be made through Tax Increment Financing (TIF).

Water & Sanitary Sewer – Existing waterline will be extended. Sanitary sewer will be installed commencing at the existing lift station adjacent to Howard Run on County Road 212. Both the water and sanitary sewer improvements will be contracted through Hancock County and financed by the TIF.

Stormwater Management – The existing detention pond was sized to serve the entire development. No additional detention is required.

Recommendation: Approval of the plat.

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends approval of **FINAL PLAT APPLICATION #FP-11-2013** for a Replat of CDS Industrial Park subject to the following conditions:

- A stub-street connection be provided east to the Drerup parcel (HRPC)
- Correction of the location of the north property of the Stahl parcel to the east (HRPC)

DISCUSSION

Judy Scrimshaw added that a condition of approval that should be added is that a variance be granted for the length of the cul-de-sac.

Steve Wilson commented that at the HRPC Subdivision Review Committee meeting we had discussed having the applicant only plat a Phase I somewhere near the south line of Lot 7 and providing a temporary cul-de-sac there. Also it was suggested that the easement on the east side of Lot 6 be moved to the property line. This will provide easy access to the vacant land to the east if it develops someday.

Mr. Wilson explained that the improvements are going to be done using Tax Increment Financing (TIF).

Todd Jenkins commented that they are working with the Commissioners to get the TIF in place. They have enough construction underway at the moment to fund the majority if not all of the project.

Dan Clinger asked if there was an access drive to the Ball property. Judy Scrimshaw replied that yes there is a drive to go back and forth between the lots. It is not a stub street, just a private easement. Mr. Clinger asked if the Commission would see a revised plat with the temporary cul-de-sac. Ms. Scrimshaw replied that it will come in that way, if they decide to do so, when they bring in the plat for signatures. They must meet the conditions listed here or the plat will not be signed.

Mr. Schmelzer noted that the temporary turn around will show on the construction drawings submitted to the engineer. He stated that he thought the reduction in the platted length of the right of way was a good idea. What he really likes is that they know the project will pay for the TIF.

Steve Wilson asked to make one more comment on the reason for just having a cul-de-sac at the end of the plat. There was some discussion about running the street all the way north through to TR 215 someday. There is a long narrow parcel owned by the Oman family adjacent to this development. There is a wooded area that is probably mostly wetlands here so extension of the road to TR 215 was problematic. The concept we are looking at is that the Oman parcel would be developed as a stand-alone lot with one industrial user. They would have access by means of the cul-de-sac in this plat and could also have separate access from TR 215. So we wouldn't have to worry about traffic using Distribution Drive to cut to TR 215.

Dan Clinger commented that he had mentioned a lift station on CR 212. He asked for clarification of where CR 212 and CR 99 separate.

Steve Wilson replied that the intersection of CR 99 and TR 99 is where CR 212 begins.

Thom Hershey asked for clarification in regard to what HRPC meant by shortening the cul-de-sac. Judy Scrimshaw replied that they talked about constructing the road in two phases. There would be a temporary cul-de-sac on the end and when needed, the rest of the road would be constructed. Thom asked where the stub street to the east would be. Judy replied that they had not yet determined that exact location. Todd Jenkins said that the stub will either go across the north end of Lot 5 or the south end of Lot 7.

MOTION: Thom Hershey made a motion to approve **FINAL PLAT APPLICATION #FP-11-2013** for a Replat of CDS Industrial Park subject to the following conditions:

- A stub street connection be provided east to the Drerup parcel (HRPC)
- Correction of the location of the north property of the Stahl parcel to the east (HRPC)
- A variance is granted for the length of the cul-de-sac
- The easement on Lot 6 is moved to the east property line

2nd: Joe Opperman

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

7. APPLICATION FOR SPECIAL REVIEW #SR-02-2013 filed by the University of Findlay, 1000 N. Main Street, Findlay for a Stadium and associated ancillary facilities to include the vacation of W. Foulke Avenue from N. Cory Street to Morey Avenue.

HRPC

General Information

This proposal is located in the block bounded by Morey Avenue on the west, N. Cory Street on the east, Trenton Avenue on the north and Howard Run on the south. It is in the University Overlay District with various underlying zoning districts. Portions of the south end are within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as University

Parcel History

The area is currently used for various uses by the university as well as some remaining residential properties.

Staff Analysis

The applicant is proposing to construct a football/lacrosse stadium with ancillary parking on the site. This block of W. Foulke Avenue will have to be vacated as well as several alleys.

As the only information we have is in colorful renderings, we will ask the applicants and their engineering representative to discuss the details of the project for feedback from the Commission.

ENGINEERING

Access – Access to the proposed improvement is adequate via Trenton Ave, Cory St, or Morey Ave. The vacation of Foulke Avenue will have some impact on traffic patterns in the neighborhood. It is the opinion of the engineering department that Trenton Avenue has the capacity to pick up the volume of traffic that currently utilizes this residential area to move east and west. The applicant should perform a Traffic Impact Study in the area of the proposed vacation to ensure any traffic issues are addressed.

Water & Sanitary Sewer – These utilities exist on Trenton and Morey and have sufficient capacity for the proposed use. Water and sanitary sewers exist in the portion of Foulke Ave proposed to be vacated. A plan will need to be developed to determine the best way to deal with removal or relocation of these services.

Stormwater Management – Much of the proposed site is currently developed. The proposed plan will need to be reviewed to determine if there is an increase in impervious area that would require stormwater detention.

Applicable OEPA NPDES requirements for both construction and post-construction water quality shall be met.

Recommendation: Endorsement of the conceptual plan.

FIRE PREVENTION

- No concerns for 200 block street vacation
- Currently, The University has various uses for the residential houses on the 200 blk. of W. Foulke including; residential housing, offices and workshops, etc. Many are older but maintained structures. FFD has no objection for the proposed construction of a new facility as long as access is available for Fire and EMS trucks/personnel when in use.
- Once completed, submit a site plan

DISCUSSION

Todd Jenkins commented that they are taking a look at the utility and traffic aspects. They do not have any problem dealing with these. They will probably use the existing waterlines for possible irrigation, fire protection, etc. Trenton Avenue has plenty of capacity to be able to take the traffic load. They will do a traffic impact study and present and review with the City prior to site plan approval.

Marty Terry spoke in regard to the project. He stated they are very excited about this project. It will help the University in recruiting for football. The University has a women's lacrosse team and this is a fast growing sport across the country. This too has opened up a lot of recruiting area for us. The players tend to come from the south and the east coast areas. This will bring a lot of people to the City. The entrance off of Trenton Avenue will enhance that area also.

Mr. Terry said he feels that the stadium will also help with the student body. They have about 3000 students in intramural programs. The band can use for practice. In the GLIAC league, there are currently only three schools without a stadium on their campus. So this will help our status there also.

The concept came about with a gentleman speaking with our lacrosse coach. He is in the entertainment business. He would like to have concerts here which will be fully vetted by the University. This also offers the opportunity for more people visiting our community. The stage will be placed on the north end so sound will go back toward campus and not out to the residential areas. All in all we feel it is great not just for the University but the entire City of Findlay.

Thom Hershey commented that it looks like a very nice concept and a wonderful addition to the University. He asked if there is a proposed timeline for this to happen. Mr. Terry explained that what the University would like to do (and they do have to raise some money yet of course) is to start late spring, early summer of 2014. It will be a tight schedule to have the field only ready for Spring 2015 lacrosse and the stadium ready for Fall 2015 football.

Dan Clinger commented that the parking lot is on the east. He is concerned with traffic going out onto Trenton Avenue that wants to go east and west from Cory Street. At Morey Avenue there is a light to help facilitate access. Perhaps they should look at moving the stadium more east and putting the parking on the opposite side to promote use of Morey for exiting.

Marty Terry replied that they do have just under 4000 parking spots within about a six block

radius. There are probably close to 900 in the immediately vicinity and we look at adding a lot at the northeast corner of Foulke and Morey.

Paul Schmelzer stated he is glad the Cory Street has come up. Any improvements from a functional standpoint would be dictated by the Traffic Impact Study. We have a new performing arts center coming. It is time to take a look at what Cory Street means to the City from the standpoint of the connection between the University and downtown. He then commented on the fact that there is a lot happening on today's agenda. We have a stadium project for the University, redevelopment in the downtown and a new industrial park. Great things are happening for Findlay.

Matt Cordonnier commented that this is a great opportunity. He has confidence in the University as they always put a very nice "face" on what they do. When you are designing this we would appreciate you giving special consideration to the view from Trenton Avenue. Obviously, this will be a huge upgrade for Trenton. In a few years we may not even recognize it. Mr. Terry replied that we could count on the University to put on a great "face".

ADJOURNMENT

With no further business the meeting was adjourned.

Lydia L. Mihalik
Mayor

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

City of Findlay City Planning Commission

Thursday, December 12, 2013 - 9:00 AM
Municipal Building, Council Chambers

Minutes

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

MEMBERS PRESENT:

Lydia Mihalik
Paul Schmelzer
Joe Opperman

STAFF ATTENDING:

Judy Scrimshaw, HRPC Staff
Matt Pickett, FFD
Matt Cordonnier, HRPC Director
Steve Wilson
Todd Richard

GUESTS:

John Burkhardt, Steve Carr, Nate Meyer

CALL TO ORDER

ROLL CALL

The following members were present:

Lydia Mihalik
Paul Schmelzer
Joe Opperman

SWEARING IN

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

APPROVAL OF MINUTES

Joe Opperman made a motion to approve the minutes of the November 14, 2013 meeting. Paul Schmelzer seconded. Motion to accept carried 3-0.

NEW ITEMS

1. ALLEY VACATION PETITION #AV-07-2013 filed by Bill Johns, 517 3rd Street, Findlay, OH to vacate a north/south alley running south from 3rd Street to a vacated east/west alley.

HRPC

General Information

The alley in this request runs south from 3rd Street through to 4th Street. It is in a residential neighborhood.

Parcel History

None

Staff Analysis

All of the abutting property owners have signed the petition to vacate the portion of the alley as described.

This is an unimproved alleyway that runs between 3rd and 4th Streets. It is the first alley east of Park Street.

The duplex at 517 3rd Street uses the alleyway as its driveway. There is gravel on this portion back to the rear of the home. Beyond that area the alley is grass through to 4th Street.

Staff would recommend vacating the entire alley rather than stopping in the middle in this instance. The east/west alley which had crossed this alley is already vacated. There are power poles running down the right of way and of course the utility will retain an easement of access for maintenance.

ENGINEERING

No objections.

AEP will retain an easement for their poles if the alley is vacated.

FIRE PREVENTION

No comment

STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval of ALLEY VACATION PETITION #AV-07-2013 to vacate the first north/south alley east of Park Street running south from 3rd Street to a vacated east/west alley. As stated above, AEP will retain easement for their poles.

DISCUSSION

Judy Scrimshaw noted that she had received correspondence from two properties along the west side of the south half of the alley in opposition to closing their half of the alleyway. Both had indicated that they use the right of way to access the rear of their parcels and did not want to lose the right to do so. She noted that in many cases we have advised the abutting owners of properties on vacated alleys to enter into some agreement with all the owners for maintaining access if it is still to be used as such. In this instance, both respondents had stated that they are not likely to get such an agreement with the property owner on the east side of the alley.

Joe Opperman made a motion to recommend vacation of the entire alley between 3rd and 4th

Streets to City Council. Motion died for lack of a second.

Paul Schmelzer commented that since we have some objections from owners on the south half of the alley he would rather have a motion to deny the petition as presented. Mr. Opperman asked if we recommended vacation of the entire alley could Council still only vacate half of it. Judy Scrimshaw stated that the decision rests with Council and they can take this body's recommendation or not if they so choose. She also stated that she had informed both parties to contact their Council representative with their concerns.

P. Schmelzer noted that when vacated the neighbors will need to agree on access and maintenance. Mrs. Meyers replied that they had already discussed this and were in agreement. They had also spoken with the neighbors to the south and they had no issues.

MOTION:

Paul Schmelzer made a **motion to recommend denial to Findlay City Council of ALLEY VACATION PETITION #AV-07-2013** to vacate the north/south alley running south from 3rd Street to the first vacated ease/west alley

2nd: Lydia Mihalik

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

2. SITE PLAN APPLICATION #SP-20-2013 filed by Mike Lammers, 700 Western Avenue, Findlay for a wireless communication structure to be located at the rear of the Lammers property.

HRPC

General Information

This property is located at the rear of 700 Western Avenue. The area is zoned I-2 General Industrial. All abutting land is also zoned I-2. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as PMUD (Planned Mixed Use Development).

Parcel History

None

Staff Analysis

The applicant proposes to construct a wireless communication tower on this location.

According to the plans submitted, the tower will be 120' high with a 10' lightning rod for a total of 130' height. Setbacks for towers are calculated using 80% of the height. In this instance, the setback should be 104'. The plans show only 100' from the property lines. Todd Richard has since received communication from the company that they propose to lower the height of the lightning rod so the total height will now be 125'. 80% of 125 will place the setback at the 100' mark.

They will still need to go before BZA for a variance on the distance from a residence. The requirement is 500' and according to the site plan, three homes on the east side of Western Avenue are only 381', 390', and 429' away from the center point of the tower.

It was noted in the review of this site plan that there are multiple parcels of record on the

Lammers' property with buildings crossing property lines. A vacated alleyway runs through the center and appears to be a stand-alone parcel. HRPC would advise that the owners combine all the parcels into one lot to prevent issues of setbacks if any new construction would ever occur.

Another issue noted while reviewing the site plan, is that this block of Lincoln Street is still public right of way and there is a parking lot located directly off of Western Avenue and a billboard which are both located completely in that right of way. The remainder of the right of way west of the paved area is grass. Perhaps the City should initiate the vacation of this right of way if it serves no purpose to them. Normally the Auditor will divide this equally between abutting owners. Lammers' could negotiate with the owners to the north if they wish to acquire the full 66 feet.

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-20-2013** for a wireless communication structure to be located at the rear of the Lammers property subject to obtaining the variance on the distance from the residences from the City BZA.

ENGINEERING

No objections.

FIRE PREVENTION

No comment

STAFF RECOMMENDATION

Staff recommends that FCPC approve **SITE PLAN APPLICATION #SP-20-2013** for a wireless communication structure at 700 Western Avenue subject to the following conditions:

- Variance for the distance from the residential structures is granted by Findlay BZA (HRPC)

DISCUSSION

J. Scrimshaw commented that the applicants had submitted a new drawing after the comments had gone out that lowered the height of the tower so that it would now comply with the setbacks. The applicant distributed copies to the members and staff.

Todd Richard explained that the distance from the residences was still an issue and the BZA would be meeting tonight to discuss that.

MOTION:

Joe Opperman made a **motion to approve SITE PLAN APPLICATION #SP-20-2013** for a wireless communication structure to be located at the rear of 700 Western Avenue subject to the following condition:

- That BZA grants the variance on the distance from the residential structures (HRPC).

2nd, Paul Schmelzer

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

3. SITE PLAN APPLICATION #SP-21-2013 filed by Darway Ltd./Triple C Development, 1330 Trenton Avenue, Findlay for Zippy's Car Wash to be located at 1301 Trenton Avenue, Findlay.

HRPC

General Information

This site is on the south side of Trenton Avenue and is zoned c-2 General Commercial. Property to the north, east and west is zoned B-2 General Business in Liberty Township. Directly south is zoned C-2 General Commercial in the City of Findlay. The area is not within the 100 year flood plain. The Land Use Plan designates the site as Regional Commercial.

Parcel History

A previous plan for Zippy's Car Wash was reviewed and approved by FCPC on June 14, 2012. At that time the parcel was in Liberty Township. Because the plan was more than a year old and no construction was started, the approval had lapsed. Since the last approval, the land has been annexed to the City of Findlay.

Staff Analysis

The applicant is proposing to construct a 3,989 square foot auto wash building just southeast of the AutoZone store.

Access to the site will be via either the shared drive from Trenton Avenue through the Auto Zone area or through the Wal-Mart site to the east. These areas are labeled as mutual access, utility, and fire lane easements. There are no new access points proposed onto public right of way. Traffic flow on the site will travel south along the west end of the building then move along the south side of the building through the payment canopy to enter the car wash on the east end. Once through the building, the vehicles may either go north and out onto the access easement or can turn into the vacuum area.

There are 15 parking spaces provided as well as room for an additional 14 cars under canopies in the vacuuming areas.

The building placement exceeds all setback requirements.

The plans indicate that a sign will be located on the same pole as the Auto Zone sign along Trenton Avenue. They also propose a sign block to be located on the existing Wal-Mart signage. Approval of the zoning inspector for permitted size will be required for issuance of the permits. There are also two (2) small ground signs at either end of the mutual access drive along the north property line proposed as well. The City of Findlay zoning code does not permit extra identification signage for the site. If these are to be small directional signage, that is permitted. Size and height will have to be approved by the zoning inspector when applying for permits.

Vacuum areas for car washes are a conditional use only permitted in I-2 Light Industrial according to the City Zoning Code. This was probably included due to the fact that many car washes are located in proximity to residential areas and if open 24 hours, noise can be a factor. Because this location is surrounded by commercial uses, we feel it would be appropriate for CPC to waive that condition.

Staff Recommendation

HRPC Staff recommends approval of Site Plan Application #SP-21-2013 for Zippy's Express

Wash subject to the following conditions:

- Waiver of condition prohibiting vacuum areas in the C-2 district
- Approval of the zoning inspector for any additional directional signage

ENGINEERING

Access – Will share an existing access to Trenton Avenue with AutoZone and construct a new access onto the adjacent property near the Murphy Oil gas station. No objections to proposed access.

Water & Sanitary Sewer – Water will extend a 2” service from the existing meter pit that serves AutoZone. Sanitary sewer will connect to an existing 18” sewer at the southwest corner of the parcel.

Stormwater Management – Proposed detention pond meets our requirements.

Sidewalks – Parcel is not adjacent to a through street so sidewalks are not required.

Recommendation: Approval of the plan

The following permits may be required prior to construction:

- Sanitary Sewer permits
- Water permits
- An approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

Provide street address that is visible in conspicuous location with four inch minimum letters. Any Natural Gas or Electrical meters shall have crash protection if located within the driving area.

STAFF RECOMMENDATION

Staff recommends **approval of SITE PLAN APPLICATION #SP-21-2013** for Zippy’s Express

Wash subject to the following conditions:

- Waiver of condition prohibiting vacuum areas in the C-2 district (HRPC)
- Approval of the zoning inspector for any additional directional signage (HRPC)
- Provide street address that is visible in conspicuous location with four inch minimum (FIRE)
- Provide crash protection for any natural gas or electrical meter locate within the driving area (FIRE)

DISCUSSION

Todd Richard discussed the sign issue with John Burkhardt. He offered him the options available in the code and advised him to meet with him to discuss those options.

The Planning Commission was amenable to permitting the vacuums in this instance due to the nature of the surroundings.

MOTION: Paul Schmelzer made a **motion to approve SITE PLAN APPLICATION #SP-21-2013** for Zippy’s Car Wash to be located at 1301 Trenton Avenue, subject to the following conditions:

- Approval of the zoning inspector for any additional directional signage (HRPC)

- Provide street address that is visible in conspicuous location with four inch minimum (FIRE)
- Provide crash protection for any natural gas or electrical meter locate within the driving area (FIRE)

2nd: Lydia Mihalik

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

4. APPLICATION FOR CONDITION USE #CU-04-2013 filed by Fernco Development, Ltd., Lenco Development, Ltd., & Norco Development, Ltd., c/o Philip L. Rooney, 119 E. Crawford St., Findlay for an emergency services garage to be located at 1155 Croy Drive, Findlay, OH.

HRPC

General Information

This site plan is located on the east side of Croy Drive directly north of the Flag City Auto Wash. The land is zoned MH Mobile Home district. The properties to the north and east are also zoned MH. The property to the south and west is zoned C-2 General Commercial. The City Land Use Plan designates the land as Regional Commercial. The site is not located within the 100 year flood plain.

Parcel History

The building is currently used for storage and maintenance for the mobile home park.

Staff Analysis

There are no new buildings being constructed in this request. The applicants wish to convert the existing building into an emergency services garage for an ambulance service. Emergency services are a Conditional Use in the Mobile Home District. The Conditional Use requires CPC approval.

Level 2 screening is required where the property abuts the mobile home park.

There are no details on utility connections, etc. on the small plan enclosed. There are certainly issues that need to be addressed with the Wood County Building Department on the interior requirements of the building. Zoning does not have any jurisdiction on anything other than the footprint and this is not changing.

ENGINEERING

Access – An existing drive on Croy Drive is adequate for the proposed use.

Water & Sanitary Sewer – Water and sewer connections are not shown on the site plan?

Stormwater Management – No change in pervious area is proposed so additional detention will not be required.

Sidewalks – Existing sidewalks will remain in place.

Recommendation: Endorsement of the proposed use subject to change of use and occupancy requirements required by Wood County Building Department.

The following permits may be required prior to construction:

- Sanitary Sewer permits
- Water permits
- An approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

Submit all plan information to Wood County Building Department

STAFF RECOMMENDATION

Staff recommends **approval of CONDITIONAL USE APPLICATION #CU-04-2013** for the conversion of an existing maintenance building into an emergency services garage to be located at 1155 Croy Drive subject to the following conditions:

- Level 2 screening to be provided along north and east sides which abut the mobile home park (HRPC)
- Engineering approval of connection points for water and sewer (ENG)
- Approval of Wood County Building Department (ENG & FIRE)

Phil Rooney, representing the applicant, asked to table this item prior to the meeting.

MOTION: Lydia Mihalik made a **motion to table APPLICATION FOR CONDITIONAL USE #CU-04-2013.**

2nd: Paul Schmelzer

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

ADJOURNMENT

With no further business the meeting was adjourned.

Lydia L. Mihalik
Mayor

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

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310
Findlay, OH 45840

Telephone: 419-424-7137 • Fax: 419-424-7245
www.findlayohio.com

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

January 2, 2014

Honorable City Council
Findlay, OH 45840

RE: 2014 Airport Improvements (AIP-25), Project No. 35240100

Dear Council Members:

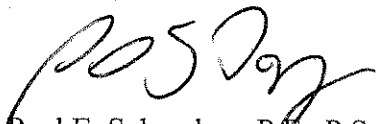
Again this year, the City has the opportunity to apply for grant funds from the Federal Aviation Administration (FAA). The grant funds will be used for design services on the Runway 18/36 rehabilitation.

The estimated grant amount available for 2014 is \$163,966 with the City's matching share of \$18,218. The project will be included in the 2014 Capital Improvements Plan.

By copy of this letter, the Law Director is requested to prepare legislation for authorizing me to sign the grant application and agreement.

Thank you for your consideration.

Sincerely,



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

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

Flag City, USA

City of Findlay Income Tax Department

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

Lydia L. Mihalik
Mayor

Monthly Collection Report to Findlay Council

December 2013

Total collections for December 2013: \$1,446,847.34

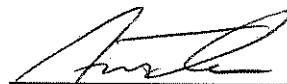
	<u>2013</u> <u>Year-to-date</u>	<u>2012</u> <u>Year-to-date</u>	<u>Variance</u>
Withholders	15,811,122.25	17,850,224.19	-2,039,101.94
Individuals	2,486,360.48	2,505,396.68	-19,036.20
Businesses	<u>6,684,682.49</u>	<u>1,688,434.43</u>	<u>4,996,248.06</u>
Totals	24,982,165.22	22,044,055.30	2,938,109.92
			13.33%

Actual & Estimated Past-due Taxes

Withholders	497,019.27
Individuals	1,022,882.60
Businesses	<u>34,198.43</u>
Total	1,554,100.30

Refunds Paid

<u>Monthly</u>	<u>Year-to-date</u>
21	1,569
14,971.59	465,478.82



Andrew Thomas, Administrator

1-2-14

Date

Findlay Income Tax Department

Monthly Collections Report

Thursday, January 2, 2014

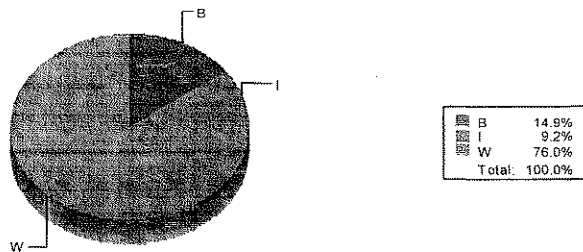
8:30:37AM

For Period December 1, 2013 through December 31, 2013

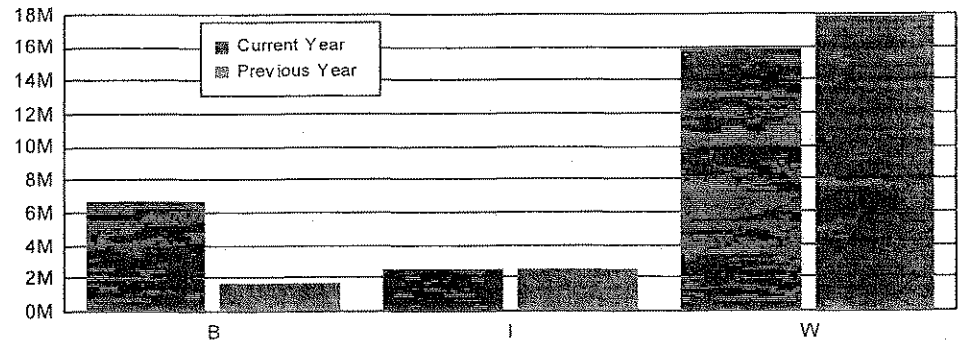
City of Findlay

Account Type	Monthly Total	2013 Year to Date	2012 Year to Date	Increase (Decrease)	% Change	2013 Month to Date	Previous Year(s) Month to Date
W	1,099,186.36	15,811,122.25	17,850,224.19	-2,039,101.94	-11.42	1,097,496.33	1,690.03
I	132,750.96	2,486,360.48	2,505,396.68	-19,036.20	-0.76	67,614.52	65,136.44
B	214,910.02	6,684,682.49	1,688,434.43	4,996,248.06	295.91	156,720.21	58,189.81
Totals:	1,446,847.34	24,982,165.22	22,044,055.30	2,938,109.92	13.33	1,321,831.06	125,016.28

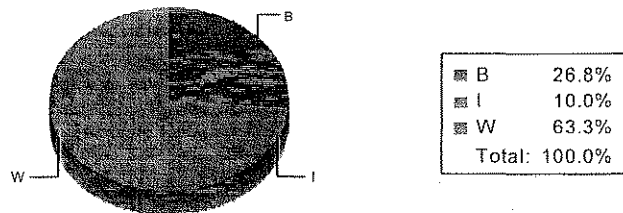
Monthly Collections by Account Type



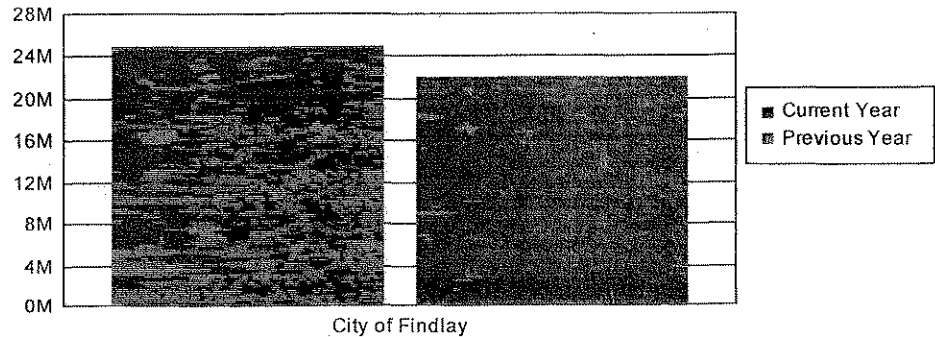
Collections Year to Date



YTD Collections by Account Type



Year to Date Total Collections



Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310
Findlay, OH 45840
Telephone: 419-424-7137 • Fax: 419-424-7245
www.findlayohio.com

January 2, 2014

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

This letter will serve as my request for your confirmation of the following individuals to the respective Boards or Commissions:

Airport Advisory Board

Does not require Council confirmation
Term will expire on December 31, 2016
Jeff Koehler

Board of Health

Requires Council Confirmation
Term will expire on December 31, 2018
B. Joan Work

Board of Zoning Appeals

Requires Council Confirmation
Terms will expire on December 31, 2017
George McAfee
David Russell

Civil Service Commission

Does not require Council confirmation
Term will expire on December 31, 2019
Chuck Clapper

Hancock Regional Planning Commission Board

Requires Council confirmation
Terms will expire on December 31, 2015
Joan Kagy
Dennis McPheron

Honorable City Council

Page 2

January 2, 2014

Parks and Recreation Board

Does not require Council confirmation

Term will expire on December 31, 2015

Filling vacant position: Mike Slough

Term will expire on December 31, 2016

Greg Myers

Revolving Loan Fund

Requires Council confirmation

Terms will expire on December 31, 2014

Warren Krout

Andrew Rill

Donald Bledsoe

Bret Spaeth

Terms will expire on December 31, 2015

Chris Alexander

Randy VanDyne

Matt Wood

Shade Tree Commission

Does not require Council confirmation

Term will expire on December 31, 2016

Lynn Farwig

Deb Seng

I trust that you will concur with my choices and confirm my appointments. Thank you for your consideration.

Sincerely,



Lydia L. Mihalik

Mayor

City of Findlay

Lydia Mihalik, Mayor

N.E.A.T. DEPARTMENT

Neighborhood Enhancement and Abatement Team

318 Dorney Plaza, Room 304 • Findlay, OH 45840

Phone: 419-424-7466

www.findlayohio.com

January 2, 2014

City Council
City of Findlay, Ohio

RE: Departmental Activity

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

Dilapidated Structures

12 cases year to date
13 cases pending

Weeds

392 cases year to date
34 cases pending

Junk on Premises

206 cases year to date
115 cases pending

Junk Vehicles

182 cases year to date
102 cases pending

Minor Maintenance

9 cases year to date
5 cases pending

Miscellaneous

42 cases year to date
5 cases pending

Overgrowth

25 cases year to date
3 cases pending

Right of Way Issues

23 cases year to date
2 cases pending

Sidewalks

54 cases year to date
0 cases pending

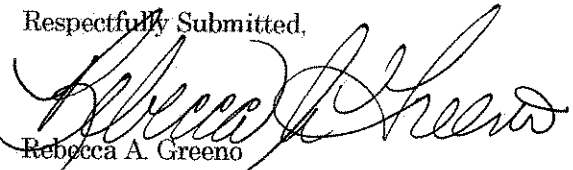
Trash

110 cases year to date
8 cases pending

The Neighborhood Enhancement and Abatement Team received 76 new cases which involved 62 properties. Neat personnel closed 117 cases during the month of December and continue to work diligently on the 287 cases that remained active at the end of the month.

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

Respectfully Submitted,


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



Findlay Work Release Program Monthly Payment Statistics - Summary 01/01/2013-12/31/2013

Summary:	Day Charge A1	Replacement Charges	Drug Test Charges	Sub Total	Write-Off Amount	Net Total
Cash	85,794.01	67.00	20.00	85,956.01		85,956.01
Money Orders	2,265.00	0.00	0.00	2,300.00		2,300.00
Credit Cards	8,774.99	3.00	0.00	8,777.99		8,777.99
Total	96,834.00	70.00	20.00	97,034.00	1,000.00	97,034.00



Charge Statistics 01/01/2013-12/31/2013

Month	Amount Billed
January 2013	1,355.00
February 2013	2,453.00
March 2013	8,040.00
April 2013	9,750.00
May 2013	18,135.00
June 2013	0.00
July 2013	14,048.00
August 2013	933.00
September 2013	8,930.00
October 2013	9,726.00
November 2013	12,925.00
December 2013	1,953.00
Total:	88,248.00



Monthly Tally Sheet 01/01/2013-12/31/2013

	# of 1	Days 2		Case Completion Status 4				
		Sentenced	Served	Successful	Unsuccessful	No Show	Denied Entry	Reschedules
January 2013	16	380	192	10	2	3	2	2
February 2013	15	206	110	10	0	3	1	2
March 2013	39	590	343	19	1	12	6	5
April 2013	40	800	377	20	5	5	3	5
May 2013	44	1086	665	26	2	11	4	8
June 2013	13	386	96	4	0	6	0	3
July 2013	34	907	510	25	1	10	1	2
August 2013	18	414	137	5	1	5	2	3
September 2013	48	872	376	21	3	16	9	9
October 2013	48	1085	387	21	0	16	2	3
November 2013	48	1101	595	27	2	15	8	9
December 2013	15	350	90	3	0	7	0	3
Total	378	8177	3878	191	17	109	38	54

FINDLAY WORC FINANCIAL ANALYSIS

JANUARY 01, 2013 THRU DECEMBER 31, 2013

PLEASE NOTE: THE WORC WAS CLOSED FOR 7 DAYS - FOR 6 DIFFERENT WEEKS = 42 DAYS.

1	FiMC cases	Findlay City Ordinance cases, days served=	2147
2	FiMC cases	State Code cases, days served =	1154
3	FiMC cases	Total days served (combined City and State) =	3301

<u>Other Courts using WORC</u>	<u>Days Served</u>	<u>Additional Income to date</u>
Fostoria Municipal Court	0	\$0.00
Hancock County Common Pleas Court	441	\$11,025.00
Hancock County Juvenile Court	0	\$0.00
Upper Sandusky Municipal Court	55	\$1,375.00
Henry County Common Pleas Court	0	\$0.00
Fremont Municipal Court	83	\$2,075.00
Other Courts Usage Total Days:		Total Additional Income: \$14,475.00
	579	

5 Hancock Co. Justice Center Cost: 2147 City Ordinance case days served x \$55 / day saved by
not serving time at the Justice Center = \$118,085.00

6 Total fees collected at \$25 / day from all residents = \$97,000.00

7 Outstanding fees = \$957.00 (13 accounts)

8 Expenses = \$307,060.72

9 Charge Statistics = \$88,248.00 (charged upon entry for full stay) (JUNE MAY SHOW 0.00 CHARGE DUE TO CHARGE
RECEIVED A CREDIT DUE TO FURLOUGH OR REFUNDS DUE TO EARLY RELEASE REFUNDS -
THESE CREDITS ARE SUBTRACTED FROM THE BILLED AMOUNT);

10 Payment Statistics = \$97,034.00 (this amount may be larger than the Charge Statistics at times, due to the fact that residents
are charged upon entry for their full stay - i.e.: charged in May but made
payments in following months). (This also includes Reimbursables).

11 Net Expense = \$210,026.72
(Expenses - Payments)

12 Program Savings: Net vs. Justice Center cost = (\$91,941.72) *
(Justice Center Cost - Net Expense)

13 Commissions Received from Securus Pay Phones = \$81.70

*** All information in this document was hand tallied due to errors in the WORC computer programming.

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

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310
Findlay, OH 45840
Telephone: 419-424-7137 • Fax: 419-424-7245
www.findlayohio.com

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

December 31, 2013

Honorable City Council
City of Findlay, Ohio

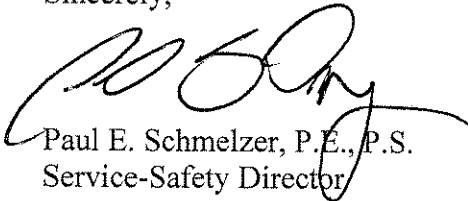
RE: 2014 Capital Improvements Plan

Dear Council Members:

A draft copy of the 2014 Capital Improvements Plan was included in Council's budget binder for preliminary review. The plan will be finalized and ready for consideration by Council by the next Appropriation meeting.

Please refer this matter to the Appropriations Committee or set a date for Committee of the Whole for review and discussion of the capital plan.

Sincerely,



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

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



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

Friday, January 03, 2014

The Honorable Council
Findlay, Ohio

RE: Committee of the Whole 2014 budget meeting

Council Members,

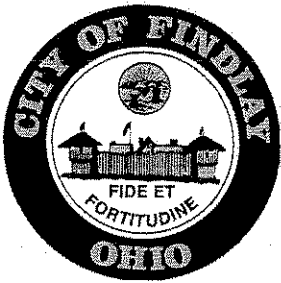
Resolution 047-2010 established a 'Severance Payout Reserve' fund for the City. It was initially funded with enough money to pay for three years of known eligible retiree payouts that would have been funded out of the General Fund. It is notable that many more employees have been eligible and received retirement payouts than originally budgeted for.

This reserve has served us well and as discussed at the budget meeting it is time to replenish the funds to the three year level. In order to do so a transfer of \$572,250.00 is required.

Legislation has been prepared for your approval of this transfer.

Respectfully,

Jim Staschiak II
City Auditor



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

Friday, January 03, 2014

The Honorable Council
Findlay, Ohio

RE: Committee of the Whole 2014 budget meeting

Council Members,

Resolution 007-2008 established a 'Minimum Reserve' policy for the City. Currently the reserve is set at a target amount of 12% of the current years General Fund Expenses. As discussed at the budget meeting, a recommended reserve of 16.7% (2 full months) of General Fund Expenses has been made. This amount represents a minimum best practice recommendation as stated by the Government Finance Officers Association:

"... GFOA recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures."

Your approval of this change is noteworthy and significantly improves the stability of our financial picture as we continue to move forward with various planning initiatives.

Respectfully,


Jim Staschiak II
City Auditor

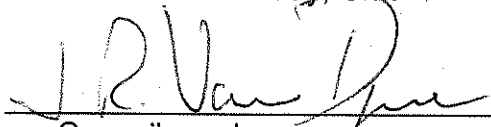
COMMITTEE REPORT

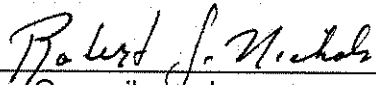
THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

An **AD HOC COMMITTEE** met on December 10, 2013 to select Council committee assignments and review Council's Rules of Procedures for the 2014-2015 Council term.

We recommend *THE ATTACHED INFORMATION*


R. Ronald Monday, Chr.


Councilmember


Councilmember

LEGISLATION: _____

DATE: DECEMBER 10, 2013

COMMITTEE: AD HOC RULES OF PROCEDURE

COMMITTEE ASSIGNMENTS FOR 2014-2015

APPROPRIATIONS:

Chairman: R. Ronald Monday
Randy VanDyne
Tom Klein
Robert Nichols
Grant Russel
Anne Spence

PLANNING & ZONING:

Chairman: Grant Russel
John Harrington
Tom Shindledecker
Andy Douglas

WATER & SEWER:

Chairman: Anne Spence
R. Ronald Monday
Holly Frische

STREETS, SIDEWALKS, STREETLIGHTS & PARKING:

Chairman: Tom Shindledecker
John Harrington
Holly Frische

INTER-GOVERNMENT RELATIONS & LEGISLATION REVIEW

Chairman: Robert Nichols
Tom Klein
Andy Douglas

PRESIDENT PRO-TEM - R. Ronald Monday

CLERK OF COUNCIL – Denise DeVore

THE ALLIANCE– Randy Van Dyne

AIRPORT ADVISORY BOARD – Andy Douglas

ARTS PARTNERSHIP – Randy Van Dyne

DOWNTOWN FINDLAY IMPROVEMENT DISTRICT BOARD – Tom Klein

FLOOD MITIGATION –Randy Van Dyne/Tom Klein

HANCOCK REGIONAL PLANNING COMMISSION REP – Robert Nichols

HOME BUILDERS ASSOCIATION – Robert Nichols

PARKS AND REC BOARD – Robert Nichols

PARKING AUTHORITY – Grant Russel

RE-INVESTMENT HOUSING & REVOLVING LOAN FUND – John Harrington

SHADE TREE COMMISSION – Anne Spence

STORM WATER ADVISORY COMMITTEE (SWAC) – Anne Spence

STREET DESIGNATION COMMITTEE – Holly Frische

TRAFFIC COMMISSION – R. Ronald Monday

BE HEALTHY NOW HANCOCK CO. COALITION - Tom Shindledecker

RULES OF PROCEDURE 2014-2015

COUNCIL OF THE CITY OF FINDLAY, OHIO

The following rules and regulations are hereby adopted by the Council of the City of Findlay, Ohio, as the rules and procedure governing the conduct and business of said legislative body.

They shall be in full force and effect from and after January 1, 2014, subject, however, to amendment or repeal in whole or in part, at any time, by the Council of the City of Findlay, in accordance with the rules and regulations hereinafter set forth governing the amendment or repeal of these rules and procedure.

SECTION I. MEETINGS

A. REGULAR

Regular meetings will be held on the first and third Tuesday of each month in the Chambers of the Council of the City of Findlay (hereinafter referred to as "Council") located in the Municipal Building, beginning at 7:30 P.M.

B. SPECIAL

A Special Meeting may be called at any time by the Mayor or any three members of Council. Notice will be given to each member, served personally; left at the member's residence or usual place of business; or by email with receipt verification received by the sender at least twenty-four (24) hours prior to the time of such meeting. Special Meetings shall be held in Council Chambers, unless otherwise designated.

C. QUORUM

No business shall be conducted at any meeting of Council unless a majority of the members shall be present.

D. ADJOURNMENT OF MEETING

The members of Council may adjourn a meeting to another designated time and/or public place.

E. DISCIPLINARY ACTION

Council may punish or expel any member from committee assignment, without chair approval, or regular meetings for disorderly conduct or for violation of its rules and for an absence which continues for two (2) months without a valid excuse. A vote of two-thirds of the members of Council will expel a member, but only after notice of the charge on which the motion for expulsion is based and an opportunity for the member to be heard.

F. ORDER OF BUSINESS

The order of business at all regular Council meetings is:

1. Call to Order
2. Roll Call

3. Pledge to the Flag and moments of meditation (Council President shall be authorized to invite members of the Clergy and the community to open Council with a prayer, not to exceed two minutes in length).
4. Minutes
5. Add to Agenda (as needed)
 - (a) A Resolution of commendation, such as retirement or special recognition may be presented immediately after the acceptance of the Minutes.
6. Communications
 - (a) Written communications, including letters, petitions, etc.
 - (b) Oral communications, including comments upon proposed legislation, requests, etc. from the gallery.
7. Reports of Municipal Officers and Municipal Departments
8. Committee Reports
9. Resolutions
10. Ordinances
11. Unfinished Business
12. New Business
13. Adjournment

G. PUBLIC COMMUNICATIONS

1. WRITTEN COMMUNICATIONS

All letters addressed to and received by Findlay City Council will be on display to the public during regular City Council office hours. Only those letters making a specific request for service or letters that should be referred to a committee of City Council will be read. In all cases, letters that do not have a proper name, address, and signature of the sender will not be considered or sent to Council. A Council member may have a specific letter read aloud unless there is an objection from another Council member.

2. ORAL COMMUNICATIONS

Oral comment from the gallery shall be limited to four minutes per person. No more than three speakers shall speak to each side of a specific question or issue before Council. Council may extend debate with regard to a particular question or issue, depending upon the number of speakers, the nature of the question before Council and the urgency of the question or issue. Speakers from the gallery shall be requested to fill out a form giving the speaker's name, address, phone number and the subject of his or her presentation to aid the Clerk of Council in preparing minutes of Council. No citizen or interested party will be refused the right to address Council, within the limits described above.

H. RULES OF ORDER

Council hereby adopts Robert's Rules of Order, the latest edition, to govern the conduct of business at all meetings of Council insofar as said rules are not in conflict with these Rules of Procedure and Ohio Statutes.

SECTION II. PRESIDENT OF COUNCIL

- A. The President of Council shall preside at all regular and special meetings of Council but shall have no vote therein except in the case of a tie.
- B. The President of Council shall be the Acting Mayor when the Mayor is absent or unable to perform his or her duties, but shall not serve as President while acting as Mayor.
- C. The President of Council shall refer matters requiring study by committee to the proper committee(s). Council, by a majority vote, can refer matters to a standing committee.
- D. The President of Council is separately elected official and being part of the Executive Branch of City Government shall not enter into debate on any question before Council, all in accordance with Robert's Rule of Order.

SECTION III. OFFICERS OF COUNCIL

A. PRESIDENT PRO TEMPORE

A member of Council shall be elected President Pro Tempore of Council within the first ten (10) days of the term of Council. The President Pro Tempore shall:

- 1. Preside at all regular and special meetings where the President of Council is unable to preside.
- 2. The President Pro Tempore shall appoint members to all ad hoc committees as may be created.
- 3. The President Pro-Tem will appoint a representative for contract negotiations for police and fire as needed.

B. CLERK OF COUNCIL

Within ten (10) days from the commencement of their term, the members of Council shall elect a Clerk of Council who shall serve for two (2) years unless sooner removed.

In the absence of the President and the President Pro Tem, the Clerk shall call the meeting of Council to order and call the roll. If a quorum is present, the Council shall appoint one of its members President Pro Tem, who shall proceed with the Order of Business.

C. PARLIAMENTARIAN

The Director of Law shall act as the Parliamentarian of Council.

SECTION IV. COMMITTEES

A. RULES/ORGANIZATION

A committee comprised of three members of Council appointed by the President Pro Tempore, will submit proposed committee assignments and committee chairmen to Council before the start of each two (2) year term. Confirmation of these recommendations is required by a majority of Council during its organizational meeting.

B. STANDING COMMITTEES

The following committees shall be standing committees:

1. Appropriations
2. Streets, Sidewalks, Streetlights & Parking
3. Planning & Zoning
4. Water and Sewer
5. Inter-Government Relations & Legislation Review

C. COUNCIL REPRESENTATIVES

Council shall have a representative appointed to each of the following boards/commissions/committees who shall report to council twice each year as indicated below:

1. Park and Recreation Board
2. Shade Tree Commission
3. Hancock Regional Planning Commission
4. Traffic Commission
5. Re-investment Area Housing Council & Revolving Loan Fund (1st Mtg. April/September)
6. Airport Advisory Board (2nd Mtg. April/September)
7. Street Designation Committee (1st Mtg. May/October)
8. The Alliance Board (1st Mtg. February/July)
9. Home Builders' Association (2nd Mtg. February/July)
10. Storm Water Advisory Committee (SWAC) (2nd Mtg. May/October)
11. Downtown Findlay Improvements District (1st Mtg. June/November)
12. Arts Partnership liaison (2nd Mtg. March/August)
13. Flood Mitigation liaison (1st Mtg. March/August)
14. Be Healthy Now Hancock Co. Coalition (2nd Mtg. June/November)

The committees of Council shall expeditiously investigate and dispose of all matters coming within the area of their committee responsibility and all matters referred to the committee. A written report of their dispositions shall be submitted. All committee recommendations should be written during the meeting when possible. Voting to accept the committee report is a vote accepting the recommendation as written.

The Appropriations Committee shall have six members. All committee meetings are open to the public.

Executive sessions may be called when confidential matters need to be considered in accordance with Ohio Revised Code 121.22

D. COMMITTEES OF THE WHOLE

Committee of the Whole may be called by a majority of Council to discuss an issue(s) which is deemed to be of such importance so as to involve the entire Council.

E. AD HOC COMMITTEES

Ad Hoc Committees may be created. Their term shall expire with the Council that created them.

SECTION V. GENERAL PROVISIONS

A. LEGISLATION

Legislation from the floor must be recommended / requested by at least two Council members. Requests for appropriations that require legislation for money already budgeted may be requested by the Administration.

All routine requests for legislation proposed for the consideration of Council shall be in the hands of the Director of Law by noon on the Wednesday preceding the meeting at which it is to be considered. Proposed legislation must accompany the agenda of legislation. No proposed legislation regarding zoning issues shall be presented to Council unless they have gone through City Planning Commission and the Planning and Zoning Committee.

B. AGENDA OF LEGISLATION

The Director of Law shall prepare a detailed agenda of legislation to be considered by Council at each meeting. Such agenda shall be available to each member of Council and available to the public by the Friday preceding each regular meeting. Such agenda shall be delivered to each member of Council at least twenty-four (24) hours prior to a special meeting.

C. MOTION TO RECONSIDER

Any member who was absent or voted with the prevailing side may move a reconsideration of any action of Council, excepting measures which shall be in immediate effect. Such a Motion for Reconsideration shall be made not later than the next regular meeting after the action to which it relates was taken. No Motion to reconsider shall be made more than once on any measure, and such a motion shall require a majority of all members elected to Council in order to prevail.

D. REPORTS

All reports and communications from the public, Municipal Administrative officials, Municipal Department heads, Municipal employees shall be in writing and delivered to the Council Office by 3:00 P.M. on the Friday preceding each regular meeting.

E. IMPROPER PETITION OR COMMUNICATION

Incorrect, incomplete or unsigned petitions and other communications to Council shall be returned by the Clerk of Council to the petitioner or communicator, accompanied by an explanation as to why they are found to be improper and will not be presented to Council until in proper order.

F. MAJORITY REQUIREMENTS FOR COUNCIL ACTION

All actions of Council shall be by a majority vote of those elected or appointed thereto, except emergency legislation, which shall require three-fourths (3/4) vote of Council to suspend the Statutory Rules and two-thirds (2/3) vote of Council to enact said emergency legislation. Also, any other affirmative requirement dictated by the laws of Ohio, or by financial procedure, or in order to secure public funding shall be adhered to, even though in conflict with these requirements for Council action.

G. MINUTES

The Clerk of Council shall mail, make available or otherwise deliver, at the option of each member of Council, minutes of each regular and special meeting to or for each member of Council not more than seven (7) days after such meeting.

H. MAILING PRIVILEGES

Mailing privileges for each Council member will be granted as long as no more than five (5) letters are used to address the same topic. The cost per member (including stationery, envelopes, and postage) shall not exceed \$25.00 per term unless full Council approval is granted.

I. GOVERNING LAWS

Should any of the foregoing Rules of Procedure or portions thereof conflict with the law of the State of Ohio or of the United States of America, such law shall govern the conduct of Council.

J. VOTE BY ROTATION

Every vote will be by rotation so that one member of Council will not always vote first.

K. ATTENDANCE REQUESTED OF ADMINISTRATIVE OFFICIALS AND DEPARTMENT HEADS

The Mayor, Director of Law, Auditor, Safety-Service Director and City Engineer are requested to attend the regular meetings of Council and to answer questions relating to the affairs of the City under their respective supervision and control. The Mayor shall be entitled to take part in the discussion of all questions before Council.

L. MISCELLANEOUS

No legislation, reports or other communications shall be added to the Agenda unless Council, upon majority vote, determines that it is immediately necessary to insure the continued operation of essential City services.

M. Salary consideration for elected officials must be passed and approved by October 31, of the year prior to commencement of the elected officials' term.

SECTION VI. ADOPTION

The above Rules of Procedure are hereby adopted and shall be in full force and effect as of the time of their adoption.

Adopted by Council January _____, 2014.

R. RONALD MONDAY, CHAIRMAN

ROBERT NICHOLS

RANDY VAN DYNE

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

JANUARY 7, 2014

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, JANUARY 7, 2014 MEETING.

RESOLUTIONS

- 001-2014 A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2014 PURSUANT TO OHIO REVISED CODE §321.34.
- 002-2014 A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND DECLARING AN EMERGENCY.
- 003-2014 A RESOLUTION COMMENDING COUNCILMAN JERRY MURRAY FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 004-2014 A RESOLUTION COMMENDING COUNCILMAN WILLIAM SCHEDEL FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 005-2014 A RESOLUTION COMMENDING COUNCILMAN MICHAEL "DOC" SLOUGH FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 006-2014 A RESOLUTION COMMENDING COUNCILMAN RANDY WARD FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 007-2014 A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND REPEALING ALL RESOLUTIONS AND/OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

ORDINANCES

- 2014-001 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2014, AND DECLARING AN EMERGENCY.
- 2014-002 AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE AIP-25, DESIGN SERVICES FOR RUNWAY 18/36 REHABILITATION, AND DECLARING AN EMERGENCY.
- 2014-003 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2014-004 AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 001-2014

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2014 PURSUANT TO OHIO REVISED CODE §321.34.

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

SECTION 1: That the County Auditor be and he is hereby requested to draw from the County Treasurer to pay on such draft to the Treasurer of the City of Findlay, Ohio, such money as may be in the County Treasury from time to time during the year 2014, to the account of the City of Findlay, Ohio, and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payments to be made from time to time as the Auditor of City of Findlay, Ohio, may request.

SECTION 2: That the Clerk of Council be and she is hereby directed to transmit a certified copy of this Resolution to the Auditor of Hancock County, Ohio.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 002-2014

A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Auditor has set forth a proposed a Minimum Reserve Balance Policy, and a Five Year Capital Improvement Plan Policy which Council deems appropriate and wishes to endorse same to serve as guidelines for the future operations of City of Findlay; and,

WHEREAS, Ohio Revised Code 5705.13 permits a municipality to establish a Rainy Day Reserve Account which requires a city to set forth a purpose for said account; where said reserve will be established; and the total amount to be reserved in said account; and,

WHEREAS, it is the desire of this Council to also establish a Rainy Day Reserve Account within the General Fund for with the purpose of stabilizing the City budget's against cyclical changes in revenues and expenditures.

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

SECTION 1: That the following Financial Plan Policies be and the same is hereby approved and adopted as follows:

Five Year Capital Improvement Plan Policy

Annually, the Administration will present to Council a five-year capital improvement plan when submitting next year's capital improvement budget. The plan will prioritize all anticipated expenditures greater than one hundred thousand dollars (\$100,000.00) and estimate the impact of debt service on the City budget for any proposed debt.

For business-like projects and enterprise reserves, a five-year pro-forma revenue and expense statement will be created in addition to the five-year capital improvement plan, to determine the impact of future capital improvements. The Administration will also report to Council the expected impact on rates or user fees, if applicable.

Minimum Reserve Balance Policy

The City will budget Minimum Reserve Balance for unforeseen emergencies or revenue shortfalls and to eliminate the need for short-term borrowing for cash-flow needs. The minimum reserve balances for next year will be estimated during the operational budgeting process. If events trigger a breach of the reserve balance reserves during a fiscal year, this will be brought to Council and corrective action planned to eventually restore the Minimum Reserve Balance. This Minimum Reserve Balance should be adjusted periodically upward to keep pace with the City's expenses, so that the Minimum Reserve Balance target is approximately sixteen and seven tenths percent (16.7%) of the City's General Fund expenses.

Minimum Target Balance

General Fund \$3M

SECTION 2: That a Rainy Day Reserve Account be and the same is hereby established as follows:

Purpose: to stabilize City budgets against cyclical changes in revenues and expenditures.

Rainy Day Reserve Account – established pursuant to Ohio Revised Code 5705.13 a Reserve Balance Account, also called the "Rainy Day Reserve Account", will be created within the General Fund, to be used in emergencies for operational expenses thus stabilizing City budgets against cyclical changes in revenues and expenditures. The reserve balance account will not exceed five percent (5%) of the previous year's revenues, as dictated by state law. The target amount for this reserve account should be adjusted upward in future years as the City's expenses grow, to stay at approximately four percent (4%) of the City's General Fund expenses. The total amount to be reserved in said Rainy Day Reserve Account will be one million dollars (\$1,000,000.00).

SECTION 3: That the Auditor be and he is hereby authorized to establish a Rainy Day Reserve Account within the General Fund, and to transfer one million dollars (\$1,000,000.00) from the General Fund to the Rainy Day Reserve Account.

SECTION 4: This Resolution 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 enact said legislation so that these policies and statutorily-created reserve may be established forthwith thus enhancing the City's overall fiscal policy.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 003-2014

A RESOLUTION COMMENDING COUNCILMAN JERRY MURRAY FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Jerry Murray, who has served the City of Findlay, Ohio as Councilman At Large since January 1, 2012, will be leaving December 31, 2013 after serving a two (2) year term as a Council Member, and;

WHEREAS, during his term on City Council, Jerry served as Chairman of the Planning & Zoning Committee. He also served on the Airport Advisory Board, Appropriations Committee, and the Parking Authority Board. He has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

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

SECTION 1: That the said Jerry Murray be and he is hereby commended for his loyal services to his City, and his fellow Council Members join in extending their best wishes to him upon the occasion of his Council Career coming to an end, December 31, 2013.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 004-2014

A RESOLUTION COMMENDING COUNCILMAN WILLIAM SCHEDEL FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Bill Schedel, who has served the City of Findlay, Ohio as Sixth Ward Councilman since January 1, 2004, will be leaving December 31, 2013 after serving a ten (10) year term as a Council Member, and;

WHEREAS, during his term on City Council, Bill served on the Capital Improvements Committee from 2004 through 2005, on the Appropriations Committee from 2006 through 2013, on the Downtown Findlay Improvements Committee from 2010 through 2011, on the Planning & Zoning Committee from 2006 through 2013, on the Streets, Sidewalks, Streetlights & Parking Committee from 2006 through 2013, serving as Chairman from 2008 through 2013. He also served on the Airport Advisory Board from 2006 through 2011, on the Flood Mitigation Committee from 2012 through 2013, on the Street Lights Committee from 2004 through 2005, and also on the Shade Tree Commission from 2004 through 2005. He has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

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

SECTION 1: That the said Bill Schedel be and he is hereby commended for his loyal services to his City, and his fellow Council Members join in extending their best wishes to him upon the occasion of his Council Career coming to an end, December 31, 2013.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 005-2014

A RESOLUTION COMMENDING COUNCILMAN MICHAEL "DOC" SLOUGH FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Mike Slough, who has served the City of Findlay, Ohio as First Ward Councilman since January 1, 2004, will be leaving December 31, 2013 after serving his fifth term as a Council Member, and;

WHEREAS, during his term on City Council, Mike served on the Capital Improvements Committee from 2004 through 2005, on the Appropriations Committee from 2008 through 2013, on the Parks & Plats Committee from 2004 through 2005, on the Parks & Recreation Board from 2004 through 2013, on the Planning & Zoning Committee from 2006 through 2013, on the Streets, Sidewalks & Parking Committee from 2004 through 2005, on the Water & Sewer Committee from 2006 through 2013, and on the Street Designation Committee from 2004 through 2005. He has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

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

SECTION 1: That the said Michael Slough be and he is hereby commended for his loyal services to his City, and his fellow Council Members join in extending their best wishes to him upon the occasion of his Council Career coming to an end, December 31, 2013.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 006-2014

A RESOLUTION COMMENDING COUNCILMAN RANDY WARD FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.

WHEREAS, Randy Ward, who served the City of Findlay, Ohio as President Pro-Tem from January 1, 1994 to December 31, 2013, served as a 5th Ward Councilman from January 1, 1994 to December 31, 2003, and as Council At Large from January 1, 2004 to December 31, 2013, will be leaving City Council on December 31, 2013 after serving twenty (20) years as a Council Member, and;

WHEREAS, during his term on City Council, Randy served on numerous City Council Committees. He served on the Capital Improvements Committee from 1994 through 1997, and as Chairman of that committee from 1998 through 2005. He served on the Finance Committee from 2000 through 2003, and as Chairman of that committee from 2004 through 2005. He then served as Chairman of the Appropriations Committee from 2006 through 2013. He served on the Inter-Government Relations Committee from 1994 through 1995, and then as Chairman of that committee from 1998 through 1999. He served on the Water and Sewer Committee his entire City Council term from 1994 through 2013. He served on the Street Lights Committee from 1998 through 1999, and also on the Street Designation Committee from 1998 through 2013. He also served on the Re-Investment Housing Council and Revolving Loan Fund Plan Committee from 1996 through 2001, and also on the Shade Tree Commission from 1994 through 1995. He served on the Community Development Foundation and assumed the Income Tax Board position in 2005. He has performed as an outstanding public servant to the citizens of Findlay and to the City of Findlay, Ohio.

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

SECTION 1: That the said Randy Ward be and he is hereby commended for his loyal services to his City, and his fellow Council Members join in extending their best wishes to him upon the occasion of his Council Career coming to an end, December 31, 2013.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 007-2014

A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PLAN POLICY; A MINIMUM RESERVE BALANCE POLICY; AND A RAINY DAY RESERVE ACCOUNT AS PROMULGATED BY THE CITY AUDITOR'S OFFICE, AND REPEALING ALL RESOLUTIONS AND/OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, the City Auditor has set forth a proposed a Minimum Reserve Balance Policy, and a Five Year Capital Improvement Plan Policy which Council deems appropriate and wishes to endorse same to serve as guidelines for the future operations of City of Findlay; and,

WHEREAS, Ohio Revised Code 5705.13 permits a municipality to establish a Rainy Day Reserve Account which requires a city to set forth a purpose for said account; where said reserve will be established; and the total amount to be reserved in said account; and,

WHEREAS, it is the desire of this Council to also establish a Rainy Day Reserve Account within the General Fund for with the purpose of stabilizing the City budget's against cyclical changes in revenues and expenditures.

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

SECTION 1: That the following Financial Plan Policies be and the same is hereby approved and adopted as follows:

Five Year Capital Improvement Plan Policy

Annually, the Administration will present to Council a five-year capital improvement plan when submitting next year's capital improvement budget. The plan will prioritize all anticipated expenditures greater than one hundred thousand dollars (\$100,000.00) and estimate the impact of debt service on the City budget for any proposed debt.

For business-like projects and enterprise reserves, a five-year pro-forma revenue and expense statement will be created in addition to the five-year capital improvement plan, to determine the impact of future capital improvements. The Administration will also report to Council the expected impact on rates or user fees, if applicable.

Minimum Reserve Balance Policy

The City will budget Minimum Reserve Balance for unforeseen emergencies or revenue shortfalls and to eliminate the need for short-term borrowing for cash-flow needs. The minimum reserve balances for next year will be estimated during the operational budgeting process. If events trigger a breach of the reserve balance reserves during a fiscal year, this will be brought to Council and corrective action planned to eventually restore the Minimum Reserve Balance. This Minimum Reserve Balance should be adjusted periodically upward to keep pace with the City's expenses, so that the Minimum Reserve Balance target is approximately sixteen and seven tenths percent (16.7%) of the City's General Fund expenses or approximately two months operating expenses in said fund.

SECTION 2: That a Rainy Day Reserve Account be and the same is hereby established as follows:

Purpose: to stabilize City budgets against cyclical changes in revenues and expenditures.

Rainy Day Reserve Account – established pursuant to Ohio Revised Code 5705.13 a Reserve Balance Account, also called the "Rainy Day Reserve Account", will be created within the General Fund, to be used in emergencies for operational expenses thus stabilizing City budgets against cyclical changes in revenues and expenditures. The reserve balance account will not exceed five percent (5%) of the previous year's revenues, as dictated by state law. The target amount for this reserve account should be adjusted upward in future years as the City's expenses grow, to stay at approximately four percent (4%) of the City's General Fund expenses. The total amount to be reserved in said Rainy Day Reserve Account will be one million dollars (\$1,000,000.00).

SECTION 3: That the Auditor be and he is hereby authorized to establish a Rainy Day Reserve Account within the General Fund, and to transfer one million dollars (\$1,000,000.00) from the General Fund to the Rainy Day Reserve Account.

SECTION 4: This Resolution 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 enact said legislation so that these policies and statutorily-created reserve may be established forthwith thus enhancing the City's overall fiscal policy.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE 2014-001

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FINDLAY, OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2014, 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 to provide for the current expenses and other expenditures of the City of Findlay, Ohio, during the fiscal year ending December 31, 2014, the following sums be and they are hereby set aside and appropriated as follows:

SECTION 2: That there hereby be appropriated from the General Fund the following:

Council	21001000 – personal services	\$	115,474.00
	21001000 – other		25,608.00
Mayor's Office	21002000 – personal services		184,331.00
	21002000 – other		31,981.00
Auditor's Office	21003000 – personal services		444,050.00
	21003000 – other		104,651.00
Treasurer's Office	21004000 – personal services		7,591.00
	21004000 – other		4,805.00
Law Director	21005000 – personal services		428,625.00
	21005000 – other		145,946.00
Municipal Court	21006000 – personal services		1,380,622.00
	21006000 – other		306,017.00
Civil Service Office	21007000 – personal services		80,876.00
	21007000 – other		17,546.00
Planning & Zoning	21008000 – other		136,591.00
Computer Services	21009000 – personal services		276,456.00
	21009000 – other		63,681.00
General Expense	21010000 – other		1,997,850.00
Police Department	21012000 – personal services		6,179,604.00
	21012000 – other		483,453.00
Disaster Services	21013000 – other		45,077.00
Fire Department	21014000 – personal services		6,466,427.00
	21014000 – other		394,779.00
Dispatch Center	21015000 – personal services		877,975.00
	21015000 – other		125,773.00
N.E.A.T.	21016000 – personal services		73,199.00
	21016000 – other		26,027.00
Human Resources	21018000 – personal services		113,122.00
	21018000 – other		27,834.00

W.O.R.C.	21019000 – personal services	61,144.00
	21019000 – other	274,082.00
Service Safety Director	21020000 – personal services	157,055.00
	21020000 – other	55,914.00
Engineering Department	21021000 – personal services	635,589.00
	21021000 – other	144,060.00
Public Building	21022000 – personal services	82,334.00
	21022000 – other	245,753.00
Health Department	21030000 – personal services	1,052,823.00
	21030000 – other	339,168.00
Zoning	21032000 – personal services	96,149.00
	21032000 – other	10,726.00
Parks Maintenance	21034000 – personal services	362,800.00
	21034000 – other	159,865.00
Reservoir Recreation	21035000 – other	3,981.00
Reservoir Maintenance	21042000 – other	176,634.00
Recreation Functions	21041000 – personal services	277,985.00
	21041000 – other	368,541.00
Cemetery Department	21046000 – personal services	224,393.00
	21046000 – other	52,684.00
GENERAL FUND TOTAL		\$ 25,347,651.00

SECTION 3: There hereby be appropriated from the Special Revenue Funds the following:

SCM&R Streets	22040000 – personal services	\$ 1,611,092.00
	22040000 – other	481,549.00
Traffic Signals	22043200 – personal services	143,773.00
	22043200 – other	109,914.00
SCM&R Hiways	22045000 – other	92,967.00
Law Enforcement Trust	22060000 – other	664.00
Drug Law Enforc Trust	22065000 – other	581.00
I. D. Alcohol Treatment	22070000 – other	20,000.00
Enforcement/Education	22075000 – other	62,365.00
Court Special Projects	22079000 – personal services	140,710.00
	22079000 – other	164,480.00
Court Computerization	22080000 – other	61,000.00
METRICH Drug Law Enf	22081000 – other	1,718.00
Alcohol Monitoring	22082000 – other	36,950.00
Mediation Services	22083000 – other	6,500.00

Electronic Imaging	22084000 – personal services	38,398.00
	22084000 – other	52,000.00
Severance Payout Res.	22090000 – personal services	30,800.00
C I T Administration	27047000 – personal services	129,518.00
	27047000 – other	18,753,277.00
Police Pension	27078000 – other	230,500.00
Fire Pension	27079000 – other	230,500.00
SPECIAL REVENUE		
FUND TOTAL		\$ 22,399,256.00

SECTION 4: There hereby be appropriated from the CIT Capital Improvements/Debt Service Fund the following:

Crystal/Melrose DS	23035000 – other	\$ 7,200.00
'04 Ref '96 Fire Issue DS	23045000 – other	197,650.00
Energy Bonds Ser A DS	23056000 – other	73,668.38
Energy Bonds Ser B DS	23056100 – other	27,972.28
HRC Land Purchase DS	23060000 – other	96,570.00
HRC Rehab 08 Issue DS	23060100 – other	126,580.00
CR236 Land 08 Issue DS	23060200 – other	38,457.50
CR236 Widen 08 Issue	23060300 – other	165,006.26
5-Plex 08 Issue DS	23060400 – other	216,837.50
Howard St Improv DS	23065000 – other	7,483.12
DEBT SERVICE FUND		
TOTAL		\$ 957,425.04

SECTION 5: There hereby be appropriated from the Capital Improvement Funds the following:

Muni Court Improvement	24020000 – other	\$ 469,300.00
CAPITAL		
IMPROVEMENT FUND		
TOTAL		\$ 469,300.00

SECTION 6: There hereby be appropriated from the enterprise funds the following:

Airport Operations	25010000 – personal services	\$	338,999.00
	25010000 – other		893,329.00
Sanitary Sewer Maint	25048000 – personal services		813,986.00
	25048000 – other		192,989.00
Stormwater Maintenance	25049500 – personal services		144,016.00
	25049500 – other		144,689.00
Water Treatment	25050000 – personal services		1,040,711.00
	25050000 – other		969,068.00
Main Street W/L DS	25050200 – other		6,961.32
Sherman Park W/L DS	25050600 – other		10,000.00
CR 144 W/L DS	25050700 – other		9,242.96
Broad Ave W/L DS	25050800 – other		10,000.00
W Melrose W/L DS	25050900 – other		9,679.50
Center Street W/L DS	25051000 – other		7,925.00
2003 Water Refunding	25051500 – other		330,765.00
1 st , 2 nd , 3 rd W/L DS	25051700 – other		1,529.88
'04 Ref '96 Wtr Issue	25051900 – other		173,862.50
'11 Wtr Refunding DS	25052400 – other		253,010.00
OWDA WTP Improvemt	25052600 – other		275,581.34
OWDA '09 Clearwell DS	25052700 – other		10,534.20
Water Distribution	25053000 – personal services		912,540.00
	25053000 – other		412,759.00
2001 EPA Loan DS	25060200 – other		213,556.18
2000 EPA Loan DS	25060300 – other		2,449,506.68
'04 Ref '96 Swr Issue DS	25060900 – other		764,037.50
Water Pollution Control	25061000 – personal services		1,232,976.00
	25061000 – other		1,565,877.00
Utility Billing	25072000 – personal services		672,303.00
	25072000 – other		374,243.00
Supply Reservoir	25073000 – personal services		95,607.00
	25073000 – other		527,811.00
Parking Facilities	25075000 – personal services		82,236.00
	25075000 – other		17,130.00
Swimming Pool	25076000 – other		43,072.00
 ENTERPRISE FUND TOTAL		\$	 15,000,533.06

SECTION 7: There hereby be appropriated from the Internal Service Funds the following:

Int Serv – Central Stores	26063000 – other	\$	26,300.00
Self Insurance	26066000 – other		91,000.00

INTERNAL SERVICE FUND TOTAL		\$	117,300.00
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SECTION 8: There hereby be appropriated from the Trust and Agency Funds the following:

Cemetery Trusts	27086000 – other	\$	750.00
Private Trusts	27087000 – other		2,500.00

TRUST AND AGENCY FUND TOTAL		\$	3,250.00
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SECTION 9: There hereby be appropriated from the Special Assessments Funds the following:

Spec Assmt Sidewalks	28020000 – other	\$	10,279.00
Spec Assmt Storm Sewer	28030000 – other		21,882.50

SPECIAL ASSESSMENT FUNDS TOTAL		\$	32,161.50
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TOTAL OPERATING FUNDS		\$	64,326,876.60
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SECTION 10: That the City Auditor is hereby authorized to draw warrants on the City Treasurer for payment from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore or an ordinance or resolution of the Council to make the expenditures provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

SECTION 11: This ordinance is subject to review and amendments by the City Council if and when it becomes apparent the expenditures for 2013 may exceed the certificate of resources.

SECTION 12: The City Auditor is hereby authorized to debit various accounts within a particular department for charges incurred by said department up to the amount appropriated to that department without the necessity of transferring funds within an appropriated fund.

SECTION 13: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason that it is immediately necessary to appropriate said money to insure the continued operation of essential City functions;

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

President of Council

Mayor

Passed _____

Attest _____
Clerk of Council

Approved _____

ORDINANCE NO. 2014-002

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY GRANT APPLICATION(S) AND/OR AGREEMENT(S) TO RECEIVE GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE AIP-25, DESIGN SERVICES FOR RUNWAY 18/36 REHABILITATION, AND DECLARING AN EMERGENCY.

WHEREAS, the City is in the process of securing a grant from the Federal Aviation Administration in the estimated amount of one hundred sixty-three thousand nine hundred sixty-six dollars and no cents (\$163,966.00), and;

WHEREAS, said grant along with the City's matching share of eighteen thousand two hundred eighteen dollars and no cents (\$18,218.00) will be used for design services for Runway 18/36 rehabilitation.

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

SECTION 1: That the Service-Safety Director of the City of Findlay be and he is hereby authorized to sign the necessary grant applications and agreements for the AIP-25 grant from the Federal Aviation Administration.

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 advertise for said bids and secure said contract(s), as well as sign the grant application so that this project may proceed on an expedited basis.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2014-003

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	\$ 572,250.00
TO:	Severance Payout Reserve Fund	\$ 572,250.00
FROM:	Sewer Fund (Stormwater restricted account)	\$ 288,705.00
TO:	Sewer Fund	\$ 288,705.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that so that retirement settlements for 2014 may be paid as they are incurred, and so that storm water funds to support the operating budget of Stormwater Maintenance may be utilized,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2014-004

AN ORDINANCE AMENDING CHAPTER 193.12 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to reallocate City Income Tax funds, effective January 1, 2014.

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

SECTION 1: That Chapter 193.12 of the Codified Ordinances of the City of Findlay, Ohio which reads as follows:

193.12 ALLOCATION OF FUNDS.

Effective January 1, 2013 funds collected under the provision of this chapter shall be deposited in the City Income Tax Administration Fund, and the funds shall be disbursed as follows.

- (a) The part necessary to defray all costs of collecting the taxes, and the cost of administering and enforcing the provisions hereof.
- (b) The balance shall be disbursed, appropriated, and allocated as follows.
 - (1) Eighty-four percent (84%) to the General Fund.
 - (2) Sixteen percent (16%) to the CIT-Capital Improvement Fund.
- (c) A special windfall tax collection provision is hereby enacted and defined as being business income tax collections that exceed the Auditor's estimate for business income tax collections for that calendar year. In such an event, fifty percent (50%) of the windfall collections shall be allocated and go to the rainy day fund, and the other fifty percent (50%) shall be allocated and go to the Capital Improvements Fund. When the balance in the Rainy Day Fund reaches one million dollars (\$1,000,000.00), all windfall collections received thereafter are hereby allocated to the Capital Improvements Funds.

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

193.12 ALLOCATION OF FUNDS.

Effective January 1, 2013 funds collected under the provision of this chapter shall be deposited in the City Income Tax Administration Fund, and the funds shall be disbursed as follows.

- (a) The part necessary to defray all costs of collecting the taxes, and the cost of administering and enforcing the provisions hereof.
- (d) The balance shall be disbursed, appropriated, and allocated as follows.
 - (1) Eighty-three percent (83%) to the General Fund.
 - (2) Seventeen percent (17%) to the CIT-Capital Improvement Fund.
- (e) A special windfall tax collection provision is hereby enacted and defined as being business income tax collections that exceed the Auditor's estimate for business income tax collections for that calendar year. In such an event, fifty percent (50%) of the windfall collections shall be allocated and go to the rainy day fund, and the other fifty percent (50%) shall be allocated and go to the Capital Improvements Fund. When the balance in the Rainy Day Fund reaches one million dollars (\$1,000,000.00), all windfall collections received thereafter are hereby allocated to the Capital Improvements Funds.

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 reallocate the City Income Tax collections so that Capital Improvement Fund may receive increased funding to support needed projects,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____