

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

DECEMBER 2, 2014

COUNCIL CHAMBERS

ROLL CALL of 2014-2015 Councilmembers

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

- Acceptance or changes to the November 18, 2014 Public Hearing minutes for the rezoning of 325 Emma Street.
- Acceptance or changes to the November 18, 2014 Public Hearing minutes for the rezoning of 2440 Bright Road.
- Acceptance or changes to the November 18, 2014 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: – none.

RECOGNITION/RETIREMENT RESOLUTIONS: – none.

WRITTEN COMMUNICATIONS: – none.

ORAL COMMUNICATIONS:

Peggy Grandbois –Arts Partnership

PETITIONS: - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

Findlay City Board of Health minutes – October 15, 2014.

Findlay Fire Department Activities Report – October 2014.

Board of Zoning Appeals Minutes – October 16, 2014.

Parks and Recreation Board minutes – November 17, 2014.

Traffic Commission minutes – November 17, 2014.

City Planning Commission agenda – December 11, 2014; minutes – November 13, 2014

Treasurer's Reconciliation Report – October 31, 2014.

Service-Safety Director Paul Schmelzer – vehicle insurance payment

The City has received payment for the repair of a vehicle and towing cost from an accident from the other party's insurance company in the amount of eighteen thousand six hundred sixty-nine dollars and fifty-three cents (\$18,669.53) that has been deposited into the Water Fund. Legislation to appropriate funds is requested. Ordinance No. 2014-098 was created.

FROM: Water Fund (insurance proceeds)	\$ 18,669.53
TO: Water Distribution Department #25053000-other	\$ 18,669.53

Service-Safety Director Paul Schmelzer – Marathon Petroleum CRA Development Agreement

The past year has brought the City many exciting opportunities. One of which was the approval of the ODOT Transportation Alternative Plan (TAP) for our downtown. During the discussion regarding funding for the project, the Service-Safety Director stressed the fact that it could be done without significantly impacting our other plans for capital improvement throughout the City.

The main source for the funds to match the City's share of the two million four hundred thousand dollar (\$2,400,000.00) commitment from ODOT will be made available through a development agreement between the City and Marathon Petroleum Corporation (MPC). MPC committed early to the project, believing that it would increase the impact of its investment in their campus and new headquarters for MPLX, LP.

MPC not only committed to the Transportation Alternative Plan, but has allowed for the flexibility to look at other transportation projects that will increase the ability to move traffic and pedestrians safely and effectively. The development agreement outlines the framework whereby MPC will give back up to five million dollars (\$5,000,000.00) of the abatement created under the recently passed CRA legislation.

Authorization to enter into a development agreement is requested. Ordinance No. 2014-097 was created.

Service-Safety Director Paul Schmelzer – Health Department Combination

The committee work dedicated to the creation of one Hancock County Public Health Department has been very productive. The members, facilitated by the Hospital council of Northwest Ohio have developed a path forward. The Service-Safety Director requests an opportunity to discuss the plan, along with a proposed schedule at a Committee of the Whole meeting preferably sometime before the end of the year. The County District Advisory Council is also planning to meet on this topic. Thank you to the members of the committee and the employees of both City and County Health Departments for coming together to work on this issue. There is still a lot of work to do, but the framework that has been developed allows for a transition that will position to achieve their mission to prevent disease, promote healthy lifestyles, and protect the environment for the residents of Hancock County.

Service-Safety Director Paul Schmelzer – road salt purchase

It was mentioned earlier this year that there may be a request for an appropriation of funds to purchase salt for the coming winter. Availability of supply through ODOT has been monitored, but with the shortage that occurred last winter, preparations to receive salt as soon as ODOT makes it available. Because ODOT had to make different arrangements this year due to low supply, they originally stated that municipalities would have to pick up the salt from an ODOT location, but it now sounds like they may deliver to our location if we are positioned to accept it. Legislation to transfer funds into the Street Construction Maintenance and Repair (SCM&R) Fund for a portion of what is needed to get through the winter is requested. Ordinance No. 2014-100 was created.

FROM: General Fund	\$ 199,000.00
TO: SCM&R Fund	\$199,000.00
FROM: SCM&R Fund	\$ 199,000.00
TO: SCM&R #22040000-other	\$ 199,000.00

COMMITTEE REPORTS: - none.

LEGISLATION

RESOLUTIONS:

RESOLUTION NO. 041-2014 (*Lynn Ritchie retirement*)

first reading

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

RESOLUTION NO. 042-2014 (*Health Board – transfer emergency quarantine authority*)

first reading

A RESOLUTION APPROVING THE POLICY ESTABLISHED BY THE FINDLAY CITY HEALTH DEPARTMENT TO TRANSFER EMERGENCY QUARANTINE AUTHORITY FROM THE FINDLAY CITY BOARD OF HEALTH TO THE HEALTH COMMISSIONER, UNTIL SUCH TIME THAT THE BOARD CAN CONVENE, ALL IN ACCORDANCE WITH OHIO REVISED CODE 3707.04 – 3707.34, SPECIFICALLY 3707.34(B), AND DECLARING AN EMERGENCY.

ORDINANCES:

ORDINANCE NO. 2014-095 (*McLane project*)

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-096 (*EMA contract renewal*)

second reading

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH HANCOCK COUNTY EMERGENCY MANAGEMENT AGENCY TO DEVELOP AN EMERGENCY OPERATION PLAN THAT WILL ENCOMPASS ALL POLITICAL SUBDIVISIONS OF HANCOCK COUNTY, DEVELOP A TRAINING PROGRAM, AND COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF ALL THE POLITICAL SUBDIVISIONS ACCORDING TO THE DUTIES AND REQUIREMENTS OF SECTION 5502.27 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-097 (*Marathon Petroleum Company – development agreement*)

first reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MARATHON PETROLEUM COMPANY (HEREINAFTER REFERRED TO AS MPC) TO FORMALIZE THE FINANCIAL CONTRIBUTION BY MPC TOWARD THE PUBLIC IMPROVEMENTS AT, AROUND, AND IN SUPPORT OF THE MARATHON CAMPUS EXPANSION PROJECT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-098 (*vehicle insurance payment*)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-099 (*HRPC provide CDBG program*)

first reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2014-100 (*road salt*)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS

ORAL COMMUNICATION FORM

TO THE HONORABLE COUNCIL OF THE CITY OF FINDLAY, OHIO:

I, Peggy Grandbois, RESIDING AT
804 Selby Street, 419-306-8517
(ADDRESS) (PHONE)

WISH TO ADDRESS YOUR HONORABLE BODY IN REGARDS TO:

Thank you to Council for funds provided to The
Arts Partnership and a report to the Council
on how the funds have been used and how
members of our community have benefitted.

Peggy Grandbois
(SIGNATURE) Executive Director
The Arts Partnership

Due to limited time and in order to permit all persons and groups equal time, all oral communications are limited to a time period of not more than **four (4) minutes per person**. No more than three speakers shall speak to each side of a question before Council. Council may extend or limit debate with regard to a particular question, depending upon the number of speakers, the nature of the question before Council and the urgency of the question.

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

October 15, 2014

FINDLAY CITY HEALTH DEPARTMENT

Members Attendance:

- X Mayor Lydia Mihalik, *President Ex Officio*
- X Dr. Stephen Mills, Health Commissioner/Board Secretary
- X Mr. Gregory Cline, *President Pro Tempore*
- X Mr. William Alge
- A Dr. Robert McEvoy
- X Mrs. Joan Work
- X Mr. James Niemeyer

Staff Attendance:

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

Guest: None

Call to Order: Mayor Mihalik called the meeting to order at 7:33 A.M.

Minutes: Mayor Mihalik called for a motion to approve the September 17, 2014 minutes. Mrs. Work moved to accept the minutes from the September 17, 2014 Board of Health meeting as circulated. Seconded by Mr. Niemeyer. Motion carried 4-0. Filed

HEALTH COMMISSIONER REPORT

1. Dr. Mills noted that he has received confirmation that the Hancock County Medical Society has agreed to donate money to cover the cost of "No E-Cigarettes" signage for food service establishments. Once the signs are available he and Dr. Watson will personally visit each restaurant to ask them to voluntarily ban e-cigarettes in their establishments.
2. November is Diabetes Awareness Month and Dr. Mills noted several things that will be happening. He has one billboard paid for and is working on securing another. He will also be doing a radio broadcast the first week in November and will be meeting with the Courier for an article. The nurses will be conducting diabetes screening several times during the month as well.

DEPUTY HEALTH COMMISSIONER REPORT

1. A draft copy of the 2015 budget was included in the board packets. Mrs. Wilhelm directed the Board to the last column indicating the 2015 request with the second to last column being the projection to complete 2014. Mrs. Wilhelm noted a jump in salaries and part time wages from 2014 and she explained that this indicates a 3% wage increase and was included at the direction of the administration. Mrs. Wilhelm also noted that a 2016 budget projection was prepared and the total for 2016 is about \$20,000 more than the 2015 budget. Mayor Mihalik noted that the 2016 individual budgets will not be presented to Council but are for planning purposes.

Aside from the jump in personnel Mrs. Wilhelm noted that she spent substantial time trying to accurately project vaccine cost. As a matter of fact she noted that she had just been to City

Council Appropriation Committee last night to ask for a transfer of funds so that she might purchase additional meningitis vaccine for a special event at the University of Findlay on October 30. The transitioning to private insurance billing has made it difficult to project vaccine cost. Mrs. Wilhelm does feel comfortable with the projected amount that she has purposed for 2015.

Mr. Cline noted there was no cost included for computer services and Mrs. Wilhelm explained that number will be assigned by the Auditor's office once computer services submits their own budget. Their cost is then divided among all departments using their services. Mr. Cline also noted a jump in the cell phone cost and Mrs. Wilhelm explained that with a second nurse conducting Help Me Grow visits she is asking for a second cell phone. These phones are extremely useful tools in communicating with this particular clientele as they often prefer to communicate by text messages.

Mrs. Wilhelm also noted that some money was budgeted for food service education. In the past we had purchased educational materials for our food service operators and we are now completely out of these items. In addition Mrs. Wilhelm pointed out a substantial drop for 2015 in the cost of Environmental Health chemicals as we will be purchasing a supply in 2014 and will not need to reorder in 2015.

Mrs. Wilhelm explained that she will be "locked out" of the MUNIS budget this Friday and that will allow the administration time to review it before it then goes to the Auditor's office. The actual City Council budget review will occur in December.

With no further questions, **Mr. Alge moved to accept the draft Health Department Budget for 2015 as presented.** Seconded by Mr. Cline. **Motion carried 4-0.** Filed.

2. We have received word that the CDC Creating Healthy Communities grant that we applied for in July was approved but not funded. Each approved grant was ranked and Mrs. Wilhelm noted that basically the CDC ran out of money before they got to our grant. We have been informed that they will keep our application on file for 1 year and we could potentially still be funded if more money became available. Mrs. Wilhelm commented that she does not consider this a failure as it was a good exercise to put a federal grant together and we can continue to look for additional funding opportunities. We are still awaiting word on a competitive state grant that we also applied for with similar objectives.
3. We were recently notified that we have received a Silver Level Healthy Community Award from the Ohio Department of Health. We received a Gold Level last year and Mrs. Wilhelm noted the criteria are becoming tougher. Findlay was one of only 18 cities, townships and counties recognized.
4. Mrs. Wilhelm distributed a DVD produced by the Ohio Association of Boards of Health to each Board member in attendance along with a written posttest. The DVD is broken down into 10, 15 minute segments and each Board of Health member must complete at least 8 of

these segments in order to earn the required CEU's. Mrs. Wilhelm asked the members to view the necessary section and complete the post test, sign and return the form by December 31, 2014.

5. Mrs. Wilhelm provided some clarification for the meeting requests listed on the agenda. Because we are a Healthy Communities award winner we have received a free one day registration to the Society of Ohio Public Health Educators Fall conference to be held this month at Maumee Bay State Park. Mrs. Wilhelm felt this would be a good opportunity for our health educator and he can also accept our award during the ceremony that will be held during the luncheon. In addition the Hancock County Prescription & Opiate Drug Abuse Task Force has been asked to share information and strategies on WBGU's Northwest Ohio Journal Program. As a co-chair of the medical subcommittee of the Task Force Mrs. Wilhelm has been asked to attend the taping. Finally there is an upcoming Northwest Ohio Summit on Collective Impact on Community Health and Mrs. Wilhelm would like to sponsor a team from Hancock County. She has already received interest from United Way, ADAMHS and the Community Foundation. There was also a travel request that was inadvertently left off the agenda. Chad Masters has been asked to present at the Northwest Ohio Fall Ohio Environmental Health Association conference in Sandusky this Thursday. His presentation will be on the partnership between epidemiology and environmental health.

NURSING REPORT

1. Mrs. Bern informed the Board that our nurse replacement for Cassie Van Horn will start on November 3, 2014. Her name is Sara Heinze and she has been working at Caughman Clinic with their vaccine program. She has experience with both the VFC and BCMH programs and we hope that will cut down on training time. Mrs. Wilhelm noted that Sara was one of the candidates with a lot of experience that was discussed at the October Board of Health meeting. At that time she indicated that she needed a full time position and we were not able to offer that. Since then our other current full time nurse, Missy Jack, indicated that she would like to step down to part time and this provided us with the opportunity to offer Ms. Heinze a full time position.
2. Mrs. Bern also reported that flu clinics are well underway.

ENVIRONMENTAL HEALTH REPORT

1. Mr. Niese shared that there will be a Medication Collection held on Saturday October 25, 2014 at the Municipal Building. He encouraged anyone with expired, unused or unneeded prescription medications to take advantage of the opportunity to drop them off and have

them properly disposed. The Findlay City Health Department has been assisting with these collections since their inception.

EMERGENCY RESPONSE / EPI REPORT

1. Enterovirus and Ebola both continue to be in the news. The good news with enterovirus is that activity typically starts to wane this time of year. Mr. Masters has received requests for more information on Enterovirus D68 from one local school principal as well as a local day care and this information was provided.
2. He also noted that there has been a second health care worker in Texas test positive for Ebola. The first health care provider that became ill is being treated with antibodies through blood transfusion and Mr. Masters noted that a vaccine is currently being tested in Canada and human trials will soon begin. Mr. Masters attended a local meeting last Friday with Fire Chief Tom Lonyo, Rob Martin from Hanco, Lt. Scott Lowery, and Nancy Clifford Sherman from Police Dispatch and discussed protocols for handling a patient with a potential Ebola diagnosis. Discussion was held on how to screen dispatch calls to identify potential Ebola patients. Mr. Masters discussed the current guidance from CDC. There is also another meeting that will be held today at Blanchard Valley Hospital that Mr. Masters will attend as well. Mr. Masters also sent an alert to medical providers on October 3, 2014 with CDC guidance on screening and testing. Mr. Masters is awaiting additional guidance from the state on the proper questionnaires and contact tracing guidance should a case arise locally. Dr. Mills noted that while in the Emergency Room at Blanchard Valley Hospital recently he observed that screening for Ebola is automatically occurring through a template in the electronic medical records. Some general discussion regarding Ebola followed.

PLUMBING REPORT

1. There was no plumbing report.

MEETING REQUESTS

Mrs. Work moved to approve the travel requests with the addition of Chad Masters travel to the NWOEHA conference.

1. Oct. 23, 2014: Noah Stuby to 2014 Health Educators Conference Maumee Bay State Park. Registration covered by Healthy Ohio.
2. Oct. 29, 2014: Barb Wilhelm to Bowling Green for taping of Northwest Ohio Journal program.
3. Nov. 4, 2014: Barb Wilhelm to Collective Impact for Healthy Communities Perrysburg, OH Team Registration \$250.

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

OLD/UNFINISHED BUSINESS

Mr. Alge had no new information regarding the health department merger.

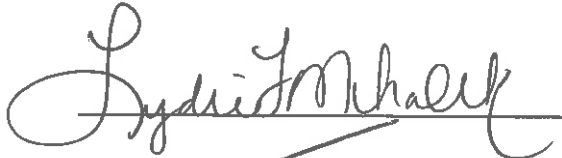
NEW BUSINESS

None

EXPENSES

Mrs. Work moved to approve the expenses, as circulated, for payment by the City Auditor. Seconded by Mr. Niemeyer. Motion carried 4 – 0. Filed.

The meeting was adjourned at 8:21 A.M.

 _____, President

 _____, Secretary (Health Commissioner)

Findlay Fire Department
Monthly Activities Report - 2014
 Submitted By: Thomas R. Lonyo, Chief

Fire Statistics	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Fires	8	5	5	9	12	10	15	13	9	7		
Assist Other Agency	3	0	6	0	4	8	4	1	6	3		
Medical Assists	97	68	93	86	77	85	100	94	95	98		
Car Accidents	20	22	14	19	20	24	19	18	15	25		
Rescues (Extrication, Water, Elevator)	0	1	0	2	1	3	0	0	1	1		
Hazmat	24	17	9	9	7	10	11	8	19	9		
Good Intent	8	2	3	13	3	1	5	2	4	2		
Burning Complaints	0	0	5	17	13	5	13	13	12	9		
False Alarms	36	26	21	16	17	16	22	13	25	14		
Totals	196	141	156	171	154	162	189	162	186	168	0	0

Runs by District	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Station 1 - (South Main St)	65	50	42	53	53	53	67	60	58	47		
Station 2 - (North Main St)	50	36	48	49	38	44	45	34	52	43		
Station 3 - (Tiffin Ave)	35	22	33	29	26	30	37	36	31	32		
Station 4 - (CR 236)	46	33	33	40	37	35	40	32	45	46		
Totals	196	141	156	171	154	162	189	162	186	168	0	0

Firefighter Training (by hours)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
EMS Formal	94	136	75	17	63	92	56	132	87	133		
Fire Formal	107	200	34	139	507	302	61	303	116	50		
Fire Informal	1516	1603	1859	1597	1495	1588	1395	1473	1578	1414		
Totals	1717	1939	1967	1753	2064	1982	1512	1908	1781	1596	0	0

Fire Prevention Bureau

Construction	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations	1	1	2	2	2	11	3	12	4	22		
Inspections		0	1		3	3	11	1	2	6		
Plan Reviews		5	3	13	23	18	0	13	5	20		
System Acceptance Tests						2	0	0	3	6		
Totals	1	6	6	15	28	34	14	26	14	54	0	0

Existing Structure - Additions	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations	5	3	7	9	11	16	9	8	9	12		
Inspections	2	3	4	2	4	5	5	6	2	4		
Plan Reviews		6	0	3	2	11	11	2	5	9		
System Acceptance Tests	2	0	0	6	1	3	8	6	8	2		
Totals	9	12	11	20	18	35	33	22	24	27	0	0

Fire Investigations	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Cause and Determination												
Accidental	4	2	3	4	2	2	5	2	1	1		
Undetermined	1	2			2	1	1		1	1		
Incindliary							0	1		1		
Fire Investigation Activities												
Follow-up	0	13	6	8	8	9	33	19	27	33		
Interviews	21	25	10	24	17	16	22	59	18	33		
Assists				1	1		0	2	2	1		

Inspections	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Assembly	1	8	1	1	24	20	4	5	8	11		
Business	1	17	6	1	11	5			3	4		
Education K-12	1		1		1				2	13		
Education Pre-School	3		0		3	3	1	1	2	1		
Factory			1					1		2		
Fireworks						1	4	1				
Hazardous						1			1			
Institutional							3					
Mercantile		1	2	1	1	1	1			4		
Residential	1			1	1	1						
Adoption / Foster Care	1		1	4	3	1	2	1	2	3		
Storage			1		1			1				
Utility Mobile Food Vendors						1		23				
Utility Outbuildings								21				
Vacant Structures		1								1		
Totals	8	27	13	8	45	34	15	54	18	39	0	0

Prevention	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations	11	7	19	4	7	17	18	11	23	20		
Complaints	4	8	4	5	6	5	6	3	14	11		
Fireworks Exhibitions						1	2	1		1		
Knox Box Consults/Maint.	1	19	4	4	11	7	5	29	9	21		
Other	2	3	10	3	5	8	8	4	7	8		
Fire Plan Updates		2	4		2				2	16		
Pre-Fire Plan		1	1				1	2				
Property Research	4		6	9	4	3	8	1	5	6		
Safety Presentations		5	15		14	13	5	3	17	8		
Re-inspections	73	16	16	41	27	48	37	28	27	27		
Totals	95	61	79	66	76	102	90	82	104	118	0	0

Public Presentations	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Station Tours	0	2	2	0	2	4	3	0	1	4		
Truck Visits	1	0	4	2	2	2	2	3	1	11		
Meetings Attended	5	3	5	6	4	6	5	6	3	4		
School / Seminars Attended	7	7		2	6	7	2	4	5	4		
Totals	13	12	11	10	14	19	12	13	10	23	0	0

Board of Zoning Appeals

October 16, 2014

Members present: Chairman, Phil Rooney; Secretary, David Russell; Sharon Rooney; Douglas Warren.

The meeting was called to order at 6:01 p.m. by Mr. Rooney. Mr. Rooney introduced the members to the audience and the general rules were reviewed.

Case # 52599-BA-14 (170 Blue Bonnet Drive) was reviewed by Todd Richard, City of Findlay:

Filed by Michael and Laura Heldman, the applicants are seeking a variance from section 1161.01.1.C2 of the City of Findlay Zoning Ordinance. This section prohibits accessory buildings from exceeding 900 square feet in area. The applicants have constructed an accessory building that exceeds the limitation by 108 square feet.

On June 2, 2014, a zoning permit for a 22' x 36' storage barn was issued. Both the application and plan indicate the dimensions of the building. On June 23rd, an inspection was made regarding the size and location of the building. The construction matched the plan and passed the inspection. A final inspection was performed in early September and a porch was discovered. This was never indicated as part of the original plan. The porch floor was probably formed and pored as a slab at a later time.

Although the porch area is not a part of the storage area, it is still an area of the building that must be accounted for. The porch could be enclosed in the future without a permit because the building line has already been established. The porch roof is a part of the roof system and isn't simply just a lean-to that can be easily removed.

It does not appear that there was any intention of the applicants to build something in violation of the zoning ordinance and it seems to be an honest mistake, however, justifying such a variance may prove to be a challenge.

If the variance is granted, perhaps a deed restriction could be placed on the future enclosure of the porch.

Michael Heldman, 170 Blue Bonnet Drive testified. He stated that he was not aware the porch was part of the overall square footage of the building. It was a part of their plan originally. He intentionally made the building 22' 36' in size to stay under the 900 square foot limit.

James Goodman, 171 Orchard Lane, was sworn in. He reviewed the events. The overage is 12% more than what is allowed and is not insignificant. Deed restrictions prohibited these barns and sheds. This building was not built to plan and the permit should be invalid. There is no hardship to grant this variance and there is no condition unique to the land. Mr. Goodman stated that this is not an

enhancement to his property value. Mrs. Heldman has been in real estate and should have known that the porch was part of the building.

Mr. Richard confirmed the building complies with the height restriction. He stated the cupola is exempt from the height restrictions.

Mr. Goodman went through a construction project for an office he built years ago and he had to follow all of the rules and the same principle should be followed in this case. He can only put up an 8 foot high fence to block the view of the barn.

Photos submitted by Mr. Goodman were kept for the record.

Mr. Richard read a letter from Mr. Blaine Wells, 163 Orchard Lane as follows:

"Please allow this letter to serve as my response to the above referenced Board of Zoning Appeals case filed by the Heldmans. It is my opinion that the structure in question be allowed to remain in place as presently constructed. As an adjoining property owner and a professional, licensed real estate broker, I have zero issues with the structure in question. The structure was constructed of quality materials and professionally built. I feel the structure adds measurable value to the Heldman's property which could subsequently have a positive effect on all of the surrounding properties and their values. I see no measurable, negative impact on the adjoining properties and therefore, would be in favor of a variance to allow the building to remain as is."

Mrs. Rooney made a motion to grant the variance on the condition a deed restriction be recorded prohibiting the porch from being enclosed. Mr. Rooney objected because the deed restriction would not prevent the porch from being enclosed.

Mr. Rooney made a motion to grant the variance as presented. The lot is very large and is a unique circumstance. Tearing off the roof would have no impact and would make no sense. Mr. Richard stated that there was already a motion on the floor.

Mrs. Rooney's motion died for lack of being seconded.

Mr. Rooney Made a motion to grant the variance as requested with the condition the permit be amended to reflect the current condition. Mr. Russell seconded the motion. The motion passed 4-0.

Mr. Rooney made a motion to approve the September 11, 2014 minutes. Mrs. Rooney seconded the motion. The minutes were approved 4-0.

The meeting was adjourned.



Chairman



Secretary

PARKS AND RECREATION BOARD

City of Findlay

November 17, 2014

MINUTES

ATTENDANCE

Members Present: Paul Schmelzer, Chair, Bob Nichols, Gary Pruitt, Dave Trisel.

Staff Present: Lu Draper, Matt Stoffel, and Kathy Launder.

APPROVAL OF MINUTES

Minutes of the October 20, 2014, meeting was not approved for lack of a quorum.

NEW BUSINESS

Ohio Flag Football: No representatives from Ohio Flag Football attended the meeting. Therefore, no discussion occurred.

DEPARTMENT REPORTS

Recreation Department Report: Draper reported that The University of Findlay baseball coach requested to borrow the portable pitchers mound for indoor practice. Schmelzer stated that he agrees to allow The University of Findlay to borrow the portable pitchers mound for one year only. Any damage done to the pitchers mound will need to be repaired or the mound replaced by The University of Findlay. An agreement will need to be signed prior to The University of Findlay borrowing the mound.

Draper is working with the Hancock County Convention & Visitors Bureau to develop an economic impact methodology reporting system using the National Park and Recreation Association and Ohio Travel Association models. This will be forwarded to the Service-Safety Director for review and approval prior to release.

The Marathon Diamonds will be hosting Team USA and U14 Eastern National Girls Fastpitch Softball Tournament in 2015. Silver Blades is hosting the Flag City Open at the Huntington Bank Arena on November 22 and 23.

Parks Maintenance Department Report: Stoffel reported that holes have been drilled for the soccer kicking wall at Emory Adams Park. The ballfields are finished for winter. The Parks Maintenance Department has its snow equipment ready and will be clearing sidewalks this winter.

OTHER REPORTS

Hancock Park District Report: Pruitt distributed brochures for the Raccoon Run Winter Sports Center. The Raccoon Run is open from December through March during good snow conditions. A Night Ski is being offered this year.

OTHER BUSINESS

Next Meeting: The next meeting of the Parks and Recreation Board is scheduled for December 15, 2014, at 4:00pm in the third floor conference room of the Municipal Building.

Being no further business, the meeting adjourned.

Respectfully submitted,



Kathy Launder
City Clerk

TRAFFIC COMMISSION

City of Findlay

November 17, 2014

MINUTES

ATTENDANCE:

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

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

GUESTS PRESENT: Bill Hohenbrink.

OLD BUSINESS

1. Request of George Scaife, 2326 Park Street, to post "No Thru Trucks" signs at Park Street and Sixth Street heading south and Park Street and Olive Street heading north.

09/15/2014

George Scaife stated that semi trucks are travelling on Park Street and Washington Avenue from Sixth Street to Olive Street. He noticed it started happening this summer. He states that the semis are breaking up the street. He could not say how many semis per day, per week are travelling down these streets.

Director Schmelzer stated that Park Street and Washington Avenue can support semi traffic, not a large volume, and can support regular use by garbage trucks and delivery trucks, etc.

Chief Lonyo stated that if we were to post "No Thru Trucks" on Parks Street, we would also have to post it on Washington Avenue and Brookside Drive.

Director Schmelzer stated that the City will perform a traffic count on Park Street and Washington Avenue to determine the number of semis that are travelling down those streets.

Motion to table request until traffic counts can be performed on Park Street and Washington Avenue by Chief Horne, second by Director Schmelzer. Motion passed 4-0.

10/20/2014

Item remains tabled.

11/17/2014

Item remains tabled.

2. Request of Bill Hohenbrink, Hohenbrink Building, LLC, 5975 Lugabill Road, Columbus Grove, Ohio, to appeal the decision of Service-Safety Director Schmelzer to deny a request for an additional curb cut at 1112 Sixth Street to allow for an additional drive access.

10/20/2014

Hohenbrink stated that there are six other houses on this street that have double access to their property. The homeowner has a handicapped child, and it would make maneuvering her vehicle a lot safer and easier for her.

The standard currently is one driveway access per lot. Councilman Monday stated that this is strictly an Engineering Department decision to make. Chief Lonyo stated that this is similar to the mid block crosswalk discussion. We need parameters for allowing additional driveway access points from Engineering Department so we can make an informed decision. Director Rasmussen stated the Director Schmelzer did suggest an alternative that would allow for the safety of maneuvering a vehicle without having another driveway access.

Motion to table and to request the Engineering Department to develop parameters for allowing dual access drive in residential areas by Chief Lonyo, second by Councilman Monday. Motion

passed 3-0.

11/17/2014

Motion to lift from table by Service-Safety Director Schmelzer, second by Councilman Monday. Motion passed 3-0.

Director Schmelzer distributed a copy of Access Management Regulations for Hancock County dated March 23, 2006, with his comments that apply for the City of Findlay. Director Schmelzer discussed alterations to the document. This standard is to be reviewed by the Commission members and submit comments to Schmelzer. This request is for two curb cuts on a property on a secondary thoroughfare which is not permitted. Schmelzer stated that we have to look at the big picture when considering variances. The City appreciates the disability that the property owner faces, however, another option for a turnaround on the property is available as previously given by Director Schmelzer when the denial of the original request was made.

Councilman Monday stated that the request is valid. However, there is a solution to put a turnaround on the property off the driveway rather than the addition of a curb cut.

Motion to deny request by Councilman Monday, second by Director Schmelzer. Motion passed 3-0.

NEW BUSINESS

1. Request of Nancy Walther to install curve ahead signs at the turn on Hamlet Drive between County Road 212 and Production Drive.

Director Schmelzer stated that this is a gradual reverse curve. The issue is that the street lights are not activated on at this time. This road was previously a private road and the service for the lights was paid by the property owner. Since this road has been dedicated to the City, the responsibility for the lights is being turned over to the City. There is a logistical issue that is being worked on that needs to be resolved prior to the lights being able to be activated.

Motion to deny request due to maintaining consistency with similar curves in the City and work with previous property owner to get the street lights on the City's circuit, by Director Schmelzer, second by Chief Horne. Motion passed 3-0.

With no further business to discuss, the meeting adjourned. The next meeting of the City of Findlay Traffic Commission will be held on December 15, 2014, at 2:30 p.m. in the third floor conference room of the Municipal Building.

Respectfully submitted,



Kathy K. Launder
City Clerk

City of Findlay City Planning Commission

Thursday, December 11, 2014 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

1. ALLEY/STREET VACATION PETITION #AV-14-2014 filed to vacate a north/south alley running between 333 and 337 E. Lincoln Street, Findlay.
2. SITE PLAN APPLICATION #SP-26-2014 filed by Herbert Murphy for a 71,400 square foot industrial building to be located at 1640 Westfield Drive, Findlay.
3. SITE PLAN APPLICATION #SP-27-2014 filed by EFSF, Ltd., 6 Hunter's Gate, Findlay, OH for an industrial shop and office for Rader Environmental at 1752 W. Romick Parkway, Findlay.
4. SITE PLAN APPLICATION #SP-28-2014 filed by MAAPE, LLC, 1930 N. Main Street, Findlay for a veterinary clinic to be located at 1611 N. Main Street, Findlay, OH.

ADMINISTRATIVE APPROVAL

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, November 13, 2014 - 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 for each item)

MEMBERS PRESENT:

Mayor Lydia Mihalik
Paul Schmelzer
Jackie Schroeder
Joe Opperman

STAFF ATTENDING:

Judy Scrimshaw, HRPC Staff
Matt Pickett, FFD
Matt Cordonnier, HRPC Director
Steve Wilson, City Engineering Department
Todd Richard
Don Rasmussen

GUESTS:

Dan Stone, Lou Wilin, Rob Sweet, David Roth, John Sperry, Bruce Kearns, John Whitson, George Whitson, Kerry Trumbley, Josie Keck, Tom Shindledecker, Denise Clafin, Stefanie Griffith, Rob Finney, Don Malarky, Dave Moore

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Lydia Mihalik
Paul Schmelzer
Jackie Schroeder
Dan Clinger
Joe Opperman

SWEARING IN

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

APPROVAL OF MINUTES

Paul Schmelzer made a motion to approve the minutes of the October 9, 2014 meeting. Jackie Schroeder seconded. Motion to accept carried 4-0.

NEW ITEMS

1. PRELIMINARY PLAT APPLICATION #PP-04-2014 filed by filed by Brookview Homes for Somerset Park 1st-3rd Addition.

HRPC

General Information

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

Parcel History

The last Preliminary Plat approved by FCPC was in June, 2013. Phases 1 and 2 were final platted in July, 2013.

Staff Analysis

The plan submitted is the same as the one filed in 2013.

Staff Recommendation

HRPC Staff recommends approval.

ENGINEERING

No objections

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends **approval of PRELIMINARY PLAT APPLICATION #PP-04-2014 for Somerset Park 1st – 3rd Additions.**

DISCUSSION

Steve Wilson stated that at an HRPC Subdivision Review Committee meeting yesterday, it was noted that lots 42 and 43 do not meet the Liberty Township zoning standard for lot frontage.

MOTION

Paul Schmelzer made a **motion to approve PRELIMINARY PLAT APPLICATION #FP-04-2014 for Somerset Park 1st-3rd Additions.**

2nd: Jackie Schroeder

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

2. FINAL PLAT APPLICATION #FP-11-2014 filed by Brookview Homes for Somerset Park 3rd Addition.

HRPC

General Information

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

Parcel History

The Preliminary Plat was reviewed and approved in Item #1 of today's agenda. The 1st and 2nd phases were Final Platted in July, 2013.

Staff Analysis

This 3rd phase contains 12 building lots along Coldwater Creek Drive. This street is extended to the west property line of the subdivision. Silver Lake Drive is projected south and intersects Coldwater Creek extending to the south line of the Preliminary Plat. Both streets should have some type of temporary turn a around at the dead ends.

Liberty Township requires lots in its R-1 District to have a minimum 15,000 square feet and frontage of 100'. Two of the lots, #42 and #43, are only 80.08' wide. These lots will either need to be adjusted to meet the 100' of frontage or a variance obtained from Liberty Township on the width. The Zoning Inspector could refuse to issue a building permit if left at this width.

Staff Recommendation

HRPC Staff recommends approval of the plat subject to the following:

- **Temporary turnarounds on the dead ends of Coldwater Creek Drive and Silver Lake Drive**
- **Variance from Liberty Township on the width of Lots 42 & 43**

ENGINEERING

Access – Existing Coldwater Creek Drive and Silver Lake Drive will be extended to serve this addition

Water & Sanitary Sewer – *Construction plans are to be submitted on Monday Nov 10. Hope to have recommendations available at the Planning Commission meeting.*

Stormwater Management – Detention will be provided by existing regional facility.

Recommendation: *Conditional approval subject to review of construction plans and detention calculations*

FIRE PREVENTION

No Comment

STAFF RECOMMENDATION

Staff recommends approval of FINAL PLAT APPLICATION #FP-11-2014 for Somerset Park 3rd Addition subject to the following conditions:

- **Temporary turnarounds on the dead ends of Coldwater Creek Drive and Silver**

- Lake Drive (HRPC)
- Variance from Liberty Township on the width of Lots 42 & 43 (HRPC)
- Approval of Construction Plans (ENG)

DISCUSSION

Paul Schmelzer commented for clarity that although the 1st Addition was included in the Preliminary Plat, that section has already been constructed so there will not be a gap in between this phase and what is shown to exist. He also commented that as far as temporary turnarounds are concerned he thought we had a standard of the dead end being more than 200' long. Ms. Scrimshaw said she did not think we had a definite number. She said it was noted that these are fairly short at the HPRC meeting and whether a turnaround would be beneficial in this instance. Mr. Stone stated that at that meeting they did not make that requirement. He said there is concern that a cul-de-sac would severely limit where a drive way could be located. Mr. Schmelzer said that he thought this could be worked out in the Engineering review on the construction plans.

MOTION

Paul made a motion to recommend approval FINAL PLAT APPLICATION #FP-11-2014 for Somerset Park 3rd Addition subject to the following conditions:

- Variance from Liberty Township on the width and size of Lots 42 & 43 (HRPC)
- Approval of Construction Plans (ENG)

2nd: Jackie Schroeder

Joe Opperman asked if this will be the completion of this subdivision. Mr. Stone replied that Dr. Havens does own the land to the south. He had presented some conceptual layouts for that at one time. Right now he does not own any connection to TR 94 on the south end. That is something that he would like to have before proceeding farther. So he has pretty much stopped for now.

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

3. SITE PLAN APPLICATION #SP-22-2014 filed by Koehler Bros Inc., DATSKO Ltd., 655 Fox Run Road, Findlay for a 43,200 square foot building expansion at 555 Marathon Blvd., Findlay.

HRPC

General Information

This request is located on the east side of Marathon Blvd. south of E. Sandusky Street. It is zoned I-1 Light Industrial. Land to the west is zoned I-1 Light Industrial in Liberty Township. To the south is zoned I-1 Light Industrial in the city of Findlay. To the north is zoned C-2 General Commercial and to the east is Interstate 75. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Industrial.

Parcel History

This is the site of the existing Freudenberg NOK Company.

Staff Analysis

The applicant is proposing a large addition to the east side of the existing building that will

double the size of the manufacturing facility. All setback requirements are met. The building exterior will match the existing surfaces and roof lines.

Although there were no landscaping standards when the existing building was constructed, there are foundation plantings around the front of the building and partially down both sides. There is also some minimal landscaping around the sign at the entry and the flag pole area. The zoning code does not specify landscaping for industrial buildings but it would be nice to see it be continued across the front of the new addition as well.

The parking calculations on the plan state that there are 50 employees on the largest shift at the facility. The requirements for parking in an Industrial zoning are 1.1 spaces per number of employees on the largest shift. This calculates to 55 required spaces. The site already well exceeds this with 115 spaces provided. When the site plan was initially submitted, the parking increase was much less. (15 or 16 spaces) The revised plan shows an additional 56 parking spaces. 52 of these are on the east side of the lot and there are 4 more on the south side of the entry. There are landscaping requirements in the code in the I-1 district for parking lots. (1161.06.3) Perimeter landscaping is required as well as interior landscaping for 20 or more spaces. The front (north side of the lot) abuts the detention pond and there is no space available for landscaping. The east and west sides however do have available space. The additional parking would require a minimum of two landscaped bump outs in the parking lot. These can be located anywhere in the lot.

Staff Recommendation

HRPC Staff recommends **approval of SITE PLAN APPLICATION #SP-22-2014 for a 43,200 square foot building expansion at 555 Marathon Blvd. subject to the following conditions:**

- **Perimeter landscaping for the parking lot on the east and west ends**
- **Interior landscaping for the additional parking spaces which would require a minimum of two (2) bump outs.**

ENGINEERING

Access – Existing access will remain unchanged

Water & Sanitary Sewer – Building expansion will utilize plumbing provided in existing building. Add a bypass to the existing water meter. Right now there is no way to test without shutting off the water to the entire facility.

Stormwater Management – The existing stormwater detention is sized to accommodate the additional impervious area.

Sidewalks – Sidewalks are not required in Industrial zoning

Recommendation: Approval of the plan

The following permits may be required prior to construction:

- An approved Stormwater Pollution Prevention Plan

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department.

Verify if the current sprinkler system water supply is capable of this expansion or if a fire pump will be required.

STAFF RECOMMENDATION

Staff recommends approval of SITE PLAN APPLICATION #SP-22-2014 for a 43,200 square foot building expansion at 555 Marathon Blvd. subject to the following conditions:

- Perimeter landscaping for the parking lot on the east and west ends (HRPC)
- Interior landscaping for at least the east end of parking lot which would require a minimum of two (2) bump outs. (HRPC)
- Water Department suggests adding a bypass to the existing water meter. (ENG)
- Apply for all necessary permits with Wood County Building Department (FIRE)
- Verify if the current sprinkler system water supply is capable of this expansion or if a fire pump will be required (FIRE)

DISCUSSION

Mr. Schmelzer commented that he thinks it is great that the company is applying for this expansion.

Dave Roth stated that they do plan on carrying the landscaping across the front of the new addition. They had not planned on the bump outs, but he felt the owner would not have issue with this.

MOTION

Lydia Mihalik made a motion to approve SITE PLAN APPLICATION #SP-22-2014 for a 43,200 square foot building expansion at 555 Marathon Blvd., Findlay subject to the following conditions:

- Perimeter landscaping for the parking lot on the east and west ends (HRPC)
- Interior landscaping for at least the east end of parking lot which would require a minimum of two (2) bump outs. The bump outs can be placed anywhere along the frontage. (HRPC)
- Water Department suggests adding a bypass to the existing water meter. (ENG)
- Apply for all necessary permits with Wood County Building Department (FIRE)
- Verify if the current sprinkler system water supply is capable of this expansion or if a fire pump will be required (FIRE)

2nd: Paul Schmelzer

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

4. SITE PLAN APPLICATION #SP-23-2014 filed by J & B Investment Co., LLC, 510 Forest Lake Drive, Holland OH for a Mattress Firm retail store to be located at 912 Interstate Drive, Findlay.

HRPC

General Information

This site is located on the north side of Interstate Drive between the existing movie theater complex and Interstate 75. It is zoned C-2 General Commercial and all land to the west and south is also zoned C-2. Land to the north is zoned R-3 Multiple Family in Liberty Township. Immediately east is Interstate 75. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Regional Commercial

Parcel History

Vacant parcel

Staff Analysis

The applicant is proposing to construct a 10,457 square foot single story retail mattress store on a 1.772 acre site. The parcel sits directly east of the Cinemas on Interstate Drive.

Access to the site is through a lane running north from Interstate Drive along the east side of the Cinema parking lot. All vehicular traffic may enter here including delivery trucks. Trucks can travel along the east side of the building to the rear dock area or cross in front of the building and use a shared access drive on the west side of the structure. Direct entry could also be via that shared access drive on the west side of the lot.

There are 15 on-site parking spaces shown on the plan along the south property line. These directly abut an existing 18 space row. There is a shared parking agreement with the Cinema. The parking requirement for retail space is calculated at 1 space per 375 square feet. This store would require 28 spaces. These two rows comprise 33 parking spaces.

Setbacks for the C-2 District are 45' in front, 15' on sides and 60' in rear abutting residential uses. All setbacks for the main building are exceeded on the plan. A dumpster is shown in the northwest corner of the parcel. As an accessory structure it is to be no closer than 10' to a side or rear property line. It appears that the structure is only about 8' from the west side property line.

Only one freestanding sign is shown on the plans. This will be an Interstate high rise located on the east side of the building. The details show a sign face of 112 square feet and a height of 50'. These meet the standards of the sign code. Wall signage will be located on the front of the store.

Exterior elevations show the highest point of the structure to be 23'-10". The front and interstate sides of the structure will have brick and a cut stone band. The majority of the front (south) side will have display windows with awnings. The secondary facades will have decorative concrete masonry units as permitted in the code.

A privacy fence was put in place across the entire north side of the Whitson development when the cinemas were constructed. The landscaping plan submitted for this site has added various deciduous trees in the rear yard. The rear of the dumpster area is screened with spruce trees. Foundation planting is required at two (2) shrubs or trees per every 12 lineal feet of building circumference. (1161.06.2) We squared off the building as being 80" x 120" for this requirement. This calculates to 400 lineal feet which requires 33 trees/shrubs for the perimeter planting. The plan shows 28 shrubs and 2 trees along the foundation. These can be clustered rather than lined up along the foundation, so a couple could be added to another area of the lot if desired. Screening is required along the Interstate as well (1161.08). The standard is one deciduous or evergreen per 60' of property contiguous to the roadway. We will omit the area of the drive which is a part of the parcel and use the bulk of the lot where the actual development is located. This measures about 260' which at one per 60' calculates to four trees. The plan has three (3) so one additional tree is needed here.

Parking lots require some perimeter landscaping. (1161.06.3) Because the lot does not have any road frontage and will immediately abut existing parking spaces, there will not be any

landscaping required along the south line. Landscaping should be included on the east and west sides of the row of parking however. The areas shown as striped off on both ends of the row could become islands with the necessary landscaping.

A lighting plan submitted shows the foot candles at the property lines to be in accordance with the requirements of no more than .5 at any residential property line or 1.0 at any other line. (1161.09.4) The light poles are shown as 25' in height and mounted on a 2 ½' base. The maximum elevation per the code is 25'. (1161.09.4 #5)

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-23-2014 for a Mattress Firm retail store to be located at 912 Interstate Drive, Findlay subject to the following conditions:**

- **Move dumpster enclosure east to meet the 10' setback**
- **Add one tree along I-75**
- **Add landscaping on east and west ends of parking row.**
- **Reduce total height of light fixtures to 25'**

ENGINEERING

Access – Will utilize existing access for adjacent movie theater

Water & Sanitary Sewer – New water service will connect to existing 8" line on the south side of the lot. New sanitary service will connect to existing 10" sewer on the north side of the lot.

Stormwater Management – Stormwater detention is provided by a regional facility. A water quality stilling basin is proposed for the site which will have some detention affect.

Sidewalks – Site does not abut a city street

Recommendation: Approval of the plan

The following permits may be required prior to construction:

- An approved Stormwater Pollution Prevention Plan
- Water permit
- Sanitary sewer permit
- Storm sewer permit

FIRE PREVENTION

Spoke with Engineer John Sperry with DuBose & Associates regarding sprinkler system installation and he was not aware if this will be a requirement at this time.

A Knox Box will be required if a sprinkler system is installed.

Apply for all necessary permits with Wood County Building Department.

STAFF RECOMMENDATION

Staff recommends approval of **SITE PLAN APPLICATION #SP-23-2014 for a Mattress Firm retail store to be located at 912 Interstate Drive, Findlay subject to the following conditions:**

- **Move dumpster enclosure east to meet the 10' required setback (HRPC)**

- Add one tree along I-75 (HRPC)
- Add landscaping on east and west ends of parking row. (HRPC)
- Reduce total height of light fixtures to 25' (HRPC)
- A Knox Box will be required if a sprinkler system is installed. (FIRE)
- Apply for all necessary permits with Wood County Building Department. (FIRE)

DISCUSSION

John Sperry informed Mr. Pickett that they will be installing a fire barrier so this will not exceed the 8,000 to require a sprinkler system.

Joe Opperman commented that he did not see the row of 15 parking spaces on the plan. Judy Scrimshaw pointed out the location and said that perhaps they had pulled the wrong plan sheet for the presentation. She assured Mr. Opperman that the plans she had showed the parking.

Mr. Sperry commented that they had no issues with the Staff Comments.

MOTION

Paul Schmelzer made a motion to approve **SITE PLAN APPLICATION #SP-23-2014 for a Mattress Firm retail store to be located at 912 Interstate Drive, Findlay subject to the following conditions:**

- Move dumpster enclosure east to meet the 10' required setback (HRPC)
- Add one tree along I-75 (HRPC)
- Add landscaping on east and west ends of parking row. (HRPC)
- Reduce total height of light fixtures to 25' (HRPC)
- A Knox Box will be required if a sprinkler system is installed. (FIRE)
- Apply for all necessary permits with Wood County Building Department. (FIRE)

2nd: Joe Opperman

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

5. SITE PLAN APPLICATION #SP-24-2014 filed by Speedway Superamerica, LLC and Suemar Realty, Inc. for a new Speedway Gas Station to be located at 752 Trenton Avenue.

HRPC

General Information

This request is located on the northeast corner of Trenton Avenue and Broad Avenue. It is zoned C-2 General Commercial. Property on the east, west and south sides of the site are also zoned C-2. Property to the north is zoned I-1 light industrial. It is not located within a 100 year flood plain. The City of Findlay Land Use Plan designates the parcel as Regional Commercial.

Parcel History

The proposed development is the site of the existing Speedway Station and a Ralphie's restaurant.

Staff Analysis

The applicant is proposing to demolish the existing gas station and restaurant and construct a

new, larger gas station/convenience store. They propose to build a new 4000 +/- square foot convenience store and 5400 +/- square foot fuel canopy over eight (8) double-sided fuel dispensers.

There are issues with the setbacks of the structures. A 50' setback is required for front yards in the zoning code. The Trenton Avenue and Broad Avenue sides are both considered as front yards. The canopy encroaches 17' into that setback on the Broad Avenue side. Side yard setbacks are 15' in the zoning code. We are considering the east side (abutting Wendy's) as a side yard. The convenience store is only shown at 5' from that property line. The dumpster enclosure in the northeast corner of the lot is 10' from the side yard and only 6' from the rear (we are considering the north property line as a rear yard in this case.) A rear yard setback is 30' normally. We have a couple of conflicting sections in the code in regard to a dumpster. One states that a dumpster enclosure cannot be in any required yards. (1161.07.5.3) However in the accessory structure section (1161.01 3 D) it states that these only need to be 10' from any property line. The plan meets this on the east side, however the north side is encroaching 4' into that. HRPC Staff is in favor of using the less restrictive section with the 10' setbacks. The applicant is on the agenda for the November 13, 2014 BZA meeting for these issues. Our approval will be contingent on their approval.

Zoning Inspector, Todd Richard, noted that the layout of this site is very similar to the Speedway at 6th and S. Main Streets in regard to the size of the maneuvering and traffic circulation lanes. He and the Staff of HRPC have been reviewing the new zoning code and will be proposing some changes in the C-2 district in regard to setbacks that are a little less restrictive. Many of the older lots in town will always have difficulty redeveloping under the new standards.

The main entrance for the convenience store will be is on the west side facing Broad Avenue. The south side will also have a customer entrance. The exterior walls will be a quikbrik in Heritage Blend color. The building has a peaked roof. Mechanical units are roof mounted on the east side and screened with panels. The dumpster enclosure will have the same "brick" appearance.

The canopy is approximately 192' long running parallel to Broad Avenue. There will be Speedway logos and signs on the face of the canopy. There is no limitation on signage on a canopy. There are two freestanding signs shown on the parcel. A high rise Interstate sign is shown on the south side of the building. The details show this to be 90' high. This is the maximum height permitted. The sign face is 300 square feet. This is the maximum permitted size for such a sign. Another pylon sign is indicated at the corner of Broad and Trenton Avenue. This sign is 29 ½ feet tall per the applicants. The maximum height in the zoning code is 30' for pylon signs. The sign face is 166 square feet according to the submitted drawing. We measured the full interior area between the poles and came up with 17.2 square feet. Using the Broad Avenue side of the property as the longest frontage, it was calculated that the maximum sign face could be 168.6 square feet. This item is scheduled for BZA review tonight also.

There are 23 parking spaces shown on the plan along the building. For the 4000 square foot building there are only 11 spaces required. Parking under the canopy at the fuel pumps is considered as parking also for fueling stations.

The plan indicates 3 access points to the site. On the Trenton Avenue side, there is only one access. Currently there are two at the existing Speedway on the Trenton Avenue side. The drive opening close to the intersection has been eliminated which is good. On the Broad Avenue side,

it appears that the access point which currently exists for the gas station is to remain. The existing cut on this side has always been very close to the intersection. Staff thinks this could be eliminated and the site could still function with only one access per roadway. The drive cut that exists for Ralphie's has been moved north close to the property line of the new development. A connection is provided to a parking lot north of the site so that cross access is to will be maintained there.

A landscaping plan for the site show ample landscaping on the perimeters of the site. The east side of the building abuts a ditch which has brush and trees. The plan indicates that this area will be trimmed up and maintained. There are clustered plantings around both signs. Eight Elm trees are dispersed around the site as well as three Norway Spruce. The green space on the site has been greatly increased with the new plan. While there are no foundation plantings on the drawings, the other plantings have made up for these.

The light poles will be 17' in total height (15' poles on 2' bases). The maximum height is 25' per the zoning code. The lighting plan appears to show some rather high readings on some of the perimeters. We would ask for some clarification of the intensity to determine if it can meet the standards of our code.

Staff Recommendation

HRPC Staff recommends approval of **SITE PLAN APPLICATION #SP-24-2014 for a new Speedway Gas Station at 752 Trenton Avenue subject to the following:**

- **Approval of BZA on all variances in regard to dumpster setback, side yard setback for convenience store, canopy setback along Broad Avenue and pylon sign square footage**
- **Elimination of southern access point on Broad Avenue**
- **Clarification of lighting plan**

ENGINEERING

Access – The site will combine the existing Speedway and Ralphie's to the north. One access onto Trenton Avenue will remain; one will be eliminated. Two accesses are proposed for Broad Avenue. *We recommend the south access either be eliminated or be limited to right turn in/right turn out.*

Water & Sanitary Sewer -- New water service is proposed from Broad Avenue. New sanitary service will connect to existing lateral.

Stormwater Management – No stormwater detention is required since existing site is 100% impervious. A water quality stilling basin is proposed for the site which will have some detention affect.

Sidewalks – Existing sidewalks will remain.

Recommendation: Approval of the plan

The following permits may be required prior to construction:

- An approved Stormwater Pollution Prevention Plan
- Water permit
- Sanitary sewer permit
- Storm sewer permit

- Curb cut permit

FIRE PREVENTION

Apply for all necessary permits with Wood County Building Department

Apply for all necessary permits with the State Fire Marshal for the removal and installation for all Underground Tanks.

STAFF RECOMMENDATION

Staff recommends **approval of SITE PLAN APPLICATION #SP-24-2014 for a new Speedway Gas Station at 752 Trenton Avenue subject to the following:**

- **Approval of BZA on all variances in regard to dumpster setback, side yard setback for convenience store, canopy setback along Broad Avenue and pylon sign square footage. (HRPC)**
- **Elimination of southern access point on Broad Avenue (HRPC)**
- **Clarification of lighting plan (HRPC)**
- **Recommend the south access either be eliminated or be limited to right turn in/right turn out. (ENG)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Apply for all necessary permits with the State Fire Marshal for the removal and installation for all Underground Tanks. (FIRE)**

DISCUSSION

Steve Wilson commented that the southeast corner of the building is very close to the top of the bank of Dalzell Ditch. The City has petitioned for improvements to the ditch. He stated he hopes to have plans ready in the next few months for those improvements. He hopes to be able to coordinate the construction for this site with those plans. The Engineering consultant said they would be building their foundations fairly deep so the bottom of the foundations and footers would be below the flow line of the ditch so they won't have any issues with erosion and sediment getting into the building. The area is subject to periodic flooding. Dalzell Ditch can overflow if we get a heavy rainfall. Mr. Wilson stated that the area is not in the actual Flood Plain so there are no flood plain requirements. He just wanted to advise caution to the developer. He said he hopes they can make good improvements in this area in conjunction with this project.

In regards to the southern access onto Broad Avenue, Mr. Wilson commented that he feels the predominant movement out of the site will be to go south to get back to I-75. The farther away from the intersection we can keep left turn movement on Broad Avenue, the better.

Mr. Wilson also commented that a new water service is proposed on the plan but he wants to try to use one of the existing services that goes into Ralphie's if possible. He will have the water department coordinate with the developer on that.

Matt Pickett asked if a canopy suppression system is proposed. The developer said no. Mr. Pickett asked if this is manned 24/7. The developer responded yes.

Jackie Schroeder stated she also had concerns with the drive cut close to the intersection. She stated she is not sure if right in/right out is a solution. There are many around town and they still get a lot of movement in the opposite directions. Ms. Schroeder asked Steve Wilson if the culvert that crosses the property is in very good condition at this time. Mr. Wilson replied yes. They will make an inspection in conjunction with the Dalzell Ditch plan. At a minimum it will

need to be cleaned. He said they were in there about 10 years ago and it was good. There may be some minimal concrete patching. Ms. Schroeder commented that it will be good that there will no longer be any structures over it.

Paul Schmelzer said that there was a statement made that there is an existing cross access agreement for the property to the north. The applicant stated yes that they are going with the owners records right now. Where the parking lot is located and back to the hotel, there is an agreement there. He said he believes that Speedway is purchasing that existing parking lot also and they will maintain that access easement with the hotel. Mr. Schmelzer stated then there is no access agreement with this parcel and the one to the north now. The applicant stated that he believes the existing parking lot is a part of the purchase and they will be leaving it as parking. Then there is an agreement to give the hotel access to Broad. Judy Scrimshaw stated that she had a gentleman from the hotel call and ask about the plans. She had sent them a copy of the layout and had assumed that the parking lot was not a part of the Speedway purchase. She had told him that as far as she knew the access would not change for them. Mr. Schmelzer asked to rephrase his question. He asked if a vehicle from your parcel has the legal right to egress from the property to the north of you. Assuming that the parking lot is a part of the purchase and he means the next property north, the applicant stated that they had not found any agreements connecting that parcel. Mr. Schmelzer said he would amend the statement then that there is an easement. He asked the developers if they intended to put one in place or if it mattered to them. The developers stated that they were not really concerned with their usage.

Dave Moore asked if there will be any future induced flooding to the south of that site from this project. Paul Schmelzer said he could answer that. He said from his perspective there would be no risk of more induced flooding. The amount of impervious area is being decreased significantly. There is detention being added where there is none now. They are not impacting the flow capacity of the culvert which is the real bottleneck if there is one for drainage.

Todd Richard stated that unfortunately, the BZA meeting to tonight has been postponed. He had a cancellation early this morning and they will not have a quorum. They will meet next Thursday, November 20 instead.

Judy Scrimshaw asked if the Commission had a consensus on the south access from Broad Avenue. The Developer offered to ask that a right in only be allowed at that location. Ms. Scrimshaw stated she was thinking about the Marathon located at the corner of N. Main Street and E. Bigelow Avenue. It has a cut very close to the corner also but it is cut at an angle that discourages that movement. It has signs posted on site that it is not an exit. She lived in the area for several years and frequented the site and had never seen anyone go out there. It is so close to the corner that if someone tried to come out they would have so much difficulty crossing the other lanes that is definitely discouraging. The developers said they could design such an angle. Mr. Schmelzer asked if they saw much value to keeping that location. The developers said they think they do. It is what Speedway is about. Getting the customers in and out in a safe and efficient manner is the goal. He said he thinks any of the driveways they plan will be better than what is out there now. Mr. Schmelzer agreed.

Todd Richard said he will need to see some detail on any directional signage they will use.

Steve Wilson said that if you looked at their plan on the screen, you can see the BP station across the street. There is a drive in lane that has since been eliminated with the improvements made to Trenton Avenue. He thought perhaps it was something like they were proposing. The

developers said it would probably be an even sharper angle than that. Mr. Schmelzer stated that it would also be a bit farther from the intersection than the BP had.

MOTION

Paul Schmelzer made a motion to approve #SP-24-2014 for a new Speedway Gas Station to be located at 752 Trenton Avenue subject to the following conditions:

- **Approval of BZA on all variances in regard to dumpster setback, side yard setback for convenience store, canopy setback along Broad Avenue and pylon sign square footage. (HRPC)**
- **The south access will be designed for right turn in only. (ENG & HRPC)**
- **Apply for all necessary permits with Wood County Building Department (FIRE)**
- **Apply for all necessary permits with the State Fire Marshal for the removal and installation for all Underground Tanks. (FIRE)**

2nd: Jackie Schroeder

Ms. Schroeder asked if the configuration of the right in only lane will go to the Engineer for approval before construction. Mr. Schmelzer stated yes.

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

ADMINISTRATIVE APPROVAL

1. SITE PLAN APPLICATION #SP-25-2014 filed by Marathon Petroleum LP, 539 S. Main Street, Findlay for an electrical substation at 221 E. Lincoln Street.

Judy Scrimshaw noted that representatives from Marathon are in attendance and she believes there are also some abutting neighbors in the audience as well. She explained that she had received some landscaping plans from Mr. Malarky early this morning and has them to show.

Paul Schmelzer explained that typically for an administrative approval, the plan meets all zoning requirements, there are no access changes, no utility changes, and no increase in impervious surface. The use is permitted in the district it is located.

Judy Scrimshaw showed the proposed landscaping plan. The plan shows tall shrubs around the actual substation. Landscaping on the perimeter of the parking lot area is grass and trees. A fence is shown on the south property line abutting the alley. Ms. Scrimshaw asked Mr. Malarky if that is a chain link fence. Mr. Malarky replied yes it is with weaving material in the fence. Ms. Scrimshaw replied that she believes our code does not permit the webbing material in chain link fence. She will verify that but a privacy fence of some kind is preferable.

There was discussion between Mr. Malarky and some of the concerned neighbors on the effects this may have on their homes. The Commission agreed to allow Marathon and the neighbors to come to an agreement on a type of screening favorable to both as long as it met the standards of the City of Findlay Zoning Code. Ms. Scrimshaw will provide the allowable options to Marathon and Marathon will report back on their decision.

ADJOURNMENT

With no further business the meeting was adjourned.

Lydia L. Mihalik
Mayor

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



TREASURER'S OFFICE

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

SUSAN JO HITE
CITY TREASURER

Treasurer's Reconciliation for October 31, 2014

TREASURER

Fifth Third Initial Balance	3,413,568.60
- Withdrawals ()	(8,390,590.54)
+ Deposits	7,874,739.74
Ending Balance	2,897,717.80
- Outstanding checks ()	(403,394.25)
Bank Error	0.00

Treasurer's Checking Bal	2,494,323.55
Investment Principal	53,977,992.96
Accrued Bond Interest	133.33
Treasurer's Total Cash and Investments	56,472,449.84

AUDITOR

Auditor's Checking Bal	2,494,323.55
Auditor's Total Cash and Investments	56,472,449.84

Respectfully submitted,


Susan Jo Hite
Treasurer

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

November 21, 2014

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The City has received payment for the repair of a vehicle and towing cost from an accident from the other party's insurance company in the amount of \$18,669.53. It has been deposited in the Water Fund.

An appropriation is respectfully requested as follows:

FROM:	Water Fund (insurance proceeds)	\$18,669.53
TO:	Water Distribution Department 25053000-other	\$18,669.53

Thank you for your consideration.

Sincerely,



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

cc: Donald J. Rasmussen, Director of Law
Jim Staschiak II, City Auditor
Water Distribution Department



Office of the Mayor

Lydia L. Mihalik

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Findlay, OH 45840

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

Honorable City Council
Findlay, Ohio

November 24, 2014

RE: Marathon Petroleum CRA Development Agreement

Dear Council Members:

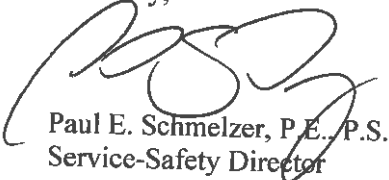
The past year has brought the City many exciting opportunities. One of which was the approval of the ODOT Transportation Alternative Plan (TAP) for our downtown. During the discussion regarding funding for the project, I stressed the fact that I believed we could get it done without significantly impacting our other plans for capital improvement throughout the City.

The main sourcing for the funds to match our share of the \$2.4 million commitment from ODOT will be made available through a development agreement between the City and Marathon Petroleum Corporation (MPC). MPC committed early to the project, believing that it would increase the impact of its investment in their campus and new headquarters for MPLX, LP.

MPC not only committed to the Transportation Alternative Plan, but has allowed us the flexibility to look at other transportation projects that will increase our ability to move traffic and pedestrians safely and effectively. The development agreement outlines the framework whereby MPC will give back up to \$5 million of the abatement created under the recently passed CRA legislation.

I appreciate the time that MPC has put into working with us on this ground-breaking agreement. I ask your permission now to enter into this partnership and allow us to start planning to bring these improvements to fruition. I will have much more detail on objectives outside the TAP as part of the capital planning discussion.

Sincerely,



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

pc: Don Rasmussen
Jim Staschiak
J.R. Haley, MPC



Office of the Mayor

Lydia L. Mihalik

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Findlay, OH 45840

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

www.findlayohio.com

Honorable City Council

November 24, 2014

RE: Health Department Combination

Dear Council Members:

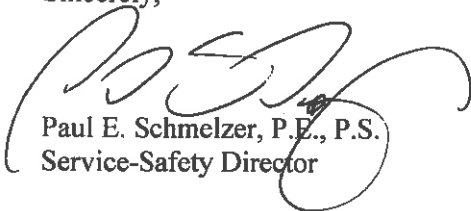
The committee work dedicated to the creation of one Hancock County Public Health Department has been very productive. The members, facilitated by the Hospital Council of Northwest Ohio have developed a path forward.

I would like the opportunity to discuss the plan, along with a proposed schedule at a committee of the whole. If Council could find time, I would prefer to have the informational meeting some time before the end of the year.

The County District Advisory Council is planning to meet on this topic as well. I would like to thank the members of the committee and the employees of both City and County Health Departments for coming together to work on this issue.

We still have a lot of work to do, but I believe the framework we have developed allows for a transition that will position to achieve our mission to prevent disease, promote healthy lifestyles, and protect the environment for the residents of Hancock County.

Sincerely,



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

pc: Phil Riegle, County Commissioner
Dick Fenstermaker, Hancock County DAC
Barb Wilhelm, Findlay Health Dept.



Office of the Mayor

Lydia L. Mihalik

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Honorable City Council

November 24, 2014

RE: Salt Purchase

Dear Council Members:

I mentioned to you earlier this year that I may come to you with a request for an appropriation to purchase salt for the coming winter. We have continued to monitor the availability of supply through ODOT. With the shortage that occurred last winter, we want to be prepared to receive it as soon as ODOT makes it available. Because ODOT had to make different arrangements this year due to low supply, they originally stated that municipalities would have to pick up the salt from an ODOT location. It now sounds like they may deliver to our location if we are positioned to accept it.

I am requesting the Law Director draft legislation to transfer funds into the Street Construction Maintenance and Repair (SCM&R) Fund for a portion of what we may need to get through the winter.

From: General Fund \$199,000.00
To: SCM&R Fund \$199,000.00

From: SCM&R Fund \$199,000.00
To: SCM&R (22040000-other) \$199,000.00

Findlay and Hancock County are in the same position as many other communities. ODOT rejected all initial winter bids because bids were in the \$139/ton range. The rebid left many Counties without a salt contract, including Hancock. ODOT then went to work to find another resource at \$105/ton. We are fortunate that ODOT worked on this source, as I know that some contractors are paying over \$120/ton this winter, with limited supply promised.

While last winter was an anomaly, severe winter conditions will occur again. Hindsight is always 20/20. What we need to do now is examine practices that can better insulate the City from adverse market conditions. One way to do this is to create storage space similar to what the County has for larger salt supplies. The County Engineer has to purchase salt at the same price as the City. The County has agreed to allow us to temporarily use space in their salt barn so that we are able to take advantage of any advanced delivery from ODOT. I intend on furthering the discussion with the County to explore our combined continued use of their salt barn, as well as a combined bid with the County to better control our purchasing power and timing outside of an ODOT contract. I will be working with Matt Stoffel from the Public Works department on a few options for our capital discussion.

Given the latest information from ODOT, I believe we should be prepared to act in the coming weeks.

Sincerely,


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

pc: Don Rasmussen
Jim Staschiak, II
Matt Stoffel

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
December 2, 2014**

ORDINANCE NO. 2014-095 *(McLane project)*

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

second reading

ORDINANCE NO. 2014-096 *(EMA contract renewal)*

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE-SAFETY OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO A CONTRACT WITH HANCOCK COUNTY EMERGENCY MANAGEMENT AGENCY TO DEVELOP AN EMERGENCY OPERATION PLAN THAT WILL ENCOMPASS ALL POLITICAL SUBDIVISIONS OF HANCOCK COUNTY, DEVELOP A TRAINING PROGRAM, AND COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF ALL THE POLITICAL SUBDIVISIONS ACCORDING TO THE DUTIES AND REQUIREMENTS OF SECTION 5502.27 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

second reading

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

DECEMBER 2, 2014

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, DECEMBER 2, 2014 MEETING.

RESOLUTIONS:

- 041-2014 A RESOLUTION COMMENDING ROBERT LYNN RITCHIE FOR THE EXCELLENCE OF HIS SERVICES TO THE CITY OF FINDLAY, OHIO.
- 042-2014 A RESOLUTION APPROVING THE POLICY ESTABLISHED BY THE FINDLAY CITY HEALTH DEPARTMENT TO TRANSFER EMERGENCY QUARANTINE AUTHORITY FROM THE FINDLAY CITY BOARD OF HEALTH TO THE HEALTH COMMISSIONER, UNTIL SUCH TIME THAT THE BOARD CAN CONVENE, ALL IN ACCORDANCE WITH OHIO REVISED CODE 3707.04 – 3707.34, SPECIFICALLY 3707.34(B), AND DECLARING AN EMERGENCY.

ORDINANCES:

- 2014-097 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MARATHON PETROLEUM COMPANY (HEREINAFTER REFERRED TO AS MPC) TO FORMALIZE THE FINANCIAL CONTRIBUTION BY MPC TOWARD THE PUBLIC IMPROVEMENTS AT, AROUND, AND IN SUPPORT OF THE MARATHON CAMPUS EXPANSION PROJECT, AND DECLARING AN EMERGENCY.
- 2014-098 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2014-099 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.
- 2014-100 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 041-2014

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

WHEREAS, Robert Lynn Ritchie who served the City of Findlay, Ohio for thirty (30) years as a dedicated loyal employee, will retire effective December 31, 2014. Lynn was appointed to the City of Findlay Computer Services Department as a Computer Operator on October 1, 1984 before being promoted to Computer Operator/Programmer I on December 29, 1985, then to Computer Operator/Programmer II on December 25, 1988, to Computer Programmer on July 3, 1994, to Computer Specialist I on February 23, 1997 and lastly to a Computer Specialist II on December 27, 1998. His title changed to Computer Network Specialist II on January 7, 2001, a position he held until his retirement, and;

WHEREAS, Lynn completed his Hazard Communication training on February 9, 1995, received a certificate of completion in Microsoft Vista Overview on March 20, 2007, and received a certificate of achievement in Websense-Web Security on February 29, 2008, and;

WHEREAS, Lynn received the John Edward Seman Award for Employee Excellence on June 6, 2012, and;

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

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

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

RESOLUTION NO. 042-2014

A RESOLUTION APPROVING THE POLICY ESTABLISHED BY THE FINDLAY CITY HEALTH DEPARTMENT TO TRANSFER EMERGENCY QUARANTINE AUTHORITY FROM THE FINDLAY CITY BOARD OF HEALTH TO THE HEALTH COMMISSIONER, UNTIL SUCH TIME THAT THE BOARD CAN CONVENE, ALL IN ACCORDANCE WITH OHIO REVISED CODE 3707.04 – 3707.34, SPECIFICALLY 3707.34(B), AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the city of Findlay, State of Ohio, two-thirds (2/3) of all members elected or appointed thereto concurring:

WHEREAS, Ohio Revised Code 3707.34(B) provides that each board of health shall adopt a policy, subject to the approval of the district advisory council or city council for city health districts not governed by an advisory council, specifying the actions that a health commissioner may take pursuant to this section. Any action a health commissioner takes in accordance with the board's policy is deemed an action taken by the board unless the board votes to nullify the commissioner's action.

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

SECTION 1: That the policy transferring emergency quarantine authority from the Findlay City Board of Health to the Health Commissioner, until such time when the Board can convene, be hereby approved, all in accordance with Ohio Revised Code 3707.04 – 3707.34, specifically 3707.34(B).

SECTION 2: 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 approve said policy so that the Health Commissioner may enjoy emergency quarantine authority until such time as the Board of Health can convene, all in accordance with law,

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 _____



Public Health
Prevent. Promote. Protect.

**Findlay City Health Department
Isolation and Quarantine Policy for Infectious Diseases**

The Findlay City Health Department acknowledges that in the event that a person or community must be quarantined to prevent further spread of a highly-infectious disease, specific protective measures would need to be implemented to restrict an individual's or community's movement. The Findlay City Board of Health is given the authority by the Ohio Department of Health under Ohio Revised Code 3707 to institute quarantine. It is recognized that in certain circumstances, the Findlay City Board of Health may not be able to convene to discuss the situation and issue the quarantine order. To that end, and in accordance with Ohio Revised Code 3707.34, the Findlay City Board of Health may transfer its authority to the Health Commissioner to act on the Board's behalf, until such time in the future that the Board can meet.

The Findlay City Health Department maintains and annually reviews its Isolation and Quarantine plan, which includes those actions that the Health Commissioner may take pursuant to ORC 3707.34. This ORC section, in part, states that "Each board of health shall adopt a policy, subject to the approval of the district advisory council or city council for city health districts not governed by an advisory council, specifying the actions that a health commissioner may take pursuant to this section."

The Findlay City Board of Health passed a resolution on February 18, 2004 giving full emergency quarantine authority to the Health Commissioner. However, to be fully compliant with ORC 3707.34(B), Findlay City Health Department requests approval of this policy by both the Findlay City Board of Health and the City of Findlay City Council to ensure that the transfer of authority is recognized by both entities. The Board of Health will request this approval from City Council to be in the form of a resolution to be included as part of this policy thereafter.

Gregory W. Cline, R PH
Findlay City Board of Health President Pro Tempore

Date

ORDINANCE NO. 2014-097

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MARATHON PETROLEUM COMPANY (HEREINAFTER REFERRED TO AS MPC) TO FORMALIZE THE FINANCIAL CONTRIBUTION BY MPC TOWARD THE PUBLIC IMPROVEMENTS AT, AROUND, AND IN SUPPORT OF THE MARATHON CAMPUS EXPANSION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Council of the City of Findlay, Ohio is desirous of accepting the contribution of Marathon Petroleum Company toward the construction of the public improvements at, around and in support of their campus expansion.

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

SECTION 1: That the Mayor of the City of Findlay, Ohio, be and is hereby authorized to enter into a Development Agreement with Marathon Petroleum Company for the public improvements at, around and in support of their campus expansion.

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 authorize entering aforementioned agreement so that the City of Findlay may begin aforementioned project expeditiously,

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. 2014-098

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:	Water Fund (insurance proceeds)	\$ 18,669.53
TO:	Water Distribution Department #25053000-other	\$ 18,669.53

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 funds received from an insurance payment for repairs to a City vehicle and towing costs 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. 2014-099

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE HANCOCK REGIONAL PLANNING COMMISSION (HEREINAFTER REFERRED TO AS HRPC) FOR THE FACILITATION AND PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

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 Mayor of the City of Findlay, Ohio be and she is hereby authorized to enter into an agreement with HRPC for their facilitation and preparation of all activities involving the CDBG program.

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 authorize said agreement so that current services provided by HRPC for the CDBG program may continue without interruption.

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. 2014-100

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	\$ 199,000.00
TO:	SCM&R Fund	\$ 199,000.00
FROM:	SCM&R Fund	\$ 199,000.00
TO:	SCM&R #22040000-other	\$ 199,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate said funds so that road salt for the upcoming winter season may be purchased,

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____