

FINDLAY CITY COUNCIL AGENDA

REGULAR SESSION

April 21, 2015

COUNCIL CHAMBERS

ROLL CALL of 2014-2015 Councilmembers

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Acceptance or changes to the April 21, 2015 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: - none.

RECOGNITION/RETIREMENT RESOLUTIONS: -none.

WRITTEN COMMUNICATIONS:

Department of the Army, Buffalo District, Corps of Engineers, Toledo Project Office Project Manager Michael Pniewski

The Draft Detailed Project Report and Environmental Impact Statement (DPR/EIS) for the Blanchard River Watershed Study is available for review and comment. The Buffalo District of the U.S. Army Corps of Engineers (USACE) prepared the DPR/EIS to develop and analyze flood risk management alternatives in the Blanchard River watershed, develop a recommended flood risk management plan, and to identify impacts of the recommended plan on the affected environment.

The project area is situated in Hancock County, Ohio within the Blanchard River watershed, primarily in the vicinity of the City of Findlay. In addition to the "No Action" alternative, eight flood risk management alternatives are considered in the DPR/EIS. Components of the recommended plan include the following:

- 1) a 9.4-mile diversion channel which diverts flow from Eagle Creek, south of the City of Findlay, to a point in the Blanchard River downstream of the City of Findlay.
- 2) An approximately 1.5-mile levee located on the west bank of the Blanchard River, extending from the Findlay Reservoir to State Route 15. The purpose of the levee is to interrupt crossflow between the Blanchard River and Lye Creek during low frequency flood events.

The DPR/EIS is not a decision document. Instead, its purpose is to inform the public and interested parties of impacts associated with implementing the recommended plan. This DPR/EIS also provides information to other regulatory agencies for use in their decision making process for other permits required for implementation for the project.

The DPR/EIS is available for review online at: <http://bit.ly/lrb-comment>

USACE is soliciting written comments on the DPR/EIS. The forty-five (45) day public comment period for the DPR/EIS will begin on April 10, 2015 and end on May 26, 2015. A CD containing the DPR/EIS is available upon request. Please contact the Buffalo District USACE at 1-800-833-6390 (option 3) to request a CD.

USACE will host a public meeting on April 22 from 5-9:30pm at the Findlay High School, 1200 Broad Avenue, Findlay, Ohio. The meeting will include a poster session from 5:00pm to 6:00pm, presentation from 6:00pm to 6:30pm, followed by a question and answer session. The meeting will provide an overview of the Project, and take public comments on the recommended plan and DPR/EIS. In addition, staff from the Buffalo District will be available on April 23 from 9am-12pm and from 2pm-5pm to answer questions about the project and accept public comments at the Hancock County Engineer's Office, 1900 Lima Avenue, Findlay, Ohio.

Comments on the DPR/EIS should be as specific as possible. It would be helpful if comments referred to chapters and/or sections of the DPR/EIS. Comments may address the adequacy of specific analyses in the DPR/EIS and the merits of the alternatives formulated and discussed in the document (refer to Council on Environmental Quality regulations at 40 Code of Federal Regulations (CFR) Part 1503.3).

For further information, please contact the undersigned at michael.d.pniewski@usace.army.mil or via telephone at (419) 726-9121.

ORAL COMMUNICATIONS: - none.

PETITIONS: - none.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

N.E.A.T. Departmental Activity Report – March 2015

Board of Zoning Appeals Minutes – February 12, 2015.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Diaz Investments Inc. dba Los Mariachis Mexican Restaurant located at 2411 Tiffin Avenue, Findlay, Ohio for a D1, D2, D3, and D6 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Diaz Investments Inc. dba Los Mariachis Mexican Restaurant, located at 2411 Tiffin Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Victor Jimenez-Gonzalez

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Speedway LLC dba Speedway 5282, located at 752 Trenton Avenue, Findlay, Ohio for a C1 and C2 liquor permit. This requires a vote of Council.

Gregory R. Horne, Chief of Police – Speedway LLC dba Speedway 5282, located at 752 Trenton Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Glenn Plumby
Anthony Kenney
Ronald Edmiston
David Ball

Findlay W.O.R.C. Financial Analysis Report – January 1, 2015 through March 31, 2015.

Findlay Fire Department Activities Report – March 2015.

Findlay City Board of Health minutes – March 18, 2015.

Mayor Lydia Mihalik - monetary donation

The City of Findlay received sixty dollars (\$60.00) in memory of Shirley Koehler for the purchase of American flags for Main Street. The funds have been deposited in the General Fund. An appropriation is respectfully requested as follows:

FROM: General Fund	\$ 60.00
TO: Mayor's Office #21002000-other	\$ 60.00

Ordinance No. 2015-035 was created.

City Auditor Jim Staschiak – summary financial reports

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

- Summary of Year-To-Date Information as of March 31, 2015
- Cash & Investments as of March 31, 2015
- Open Projects Report as of March 31, 2015
- Financial Snapshot for General Fund as March 31, 2015

COMMITTEE REPORTS:

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to rezone 724 North Main Street from C-2 General Commercial to R-2 Single Family Residential.

We recommend move for approval as requested. Ordinance No. 2015-033 was created.

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to rezone 306 West Bigelow Avenue from R-1 Single Family Low Density Residential to O-1 Institutions and Offices.

We recommend move to approval as requested. Ordinance No. 2015-034 was created.

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the City Auditor to discuss the City's financial position, as related to debt.

We met and discussed the issue.

The **APPROPRIATIONS COMMITTEE** to whom a request was made to adjust the Police and Fire contributions.

We recommend an increase from 11.5% to 12.25% as the employee contribution for the Police and Fire. Resolutions No. 011-2015 & 012-2015 were created.

LEGISLATION

RESOLUTIONS:

RESOLUTION NO. 011-2015 (12.25% pick up FPD)

first reading

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 012-2015 (12.25% pick up FPD)

first reading

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCES:

ORDINANCE NO. 2015-025 (*YMCA operate Riverside Swimming Pool*)

third reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT (CONTRACT) WITH THE YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2015 SEASON, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-027 (*222 Center St rezone*)

third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 222 CENTER STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SINGLE FAMILY HIGH DENSITY" TO "C-1 LOCAL COMMERCIAL".

ORDINANCE NO. 2015-028 (*YMCA swimming pool expenses*)

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-029 (*MPC reimbursement*)

second reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO ENTER INTO CONSULTING AGREEMENTS FOR THE DESIGN PHASE OF THE DOWNTOWN REVITALIZATION PROJECT NO. 31942400, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-033 (*724 N Main St rezone*)

first reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 724 NORTH MAIN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "R-2 SINGLE FAMILY RESIDENTIAL".

ORDINANCE NO. 2015-034 (*306 W Bigelow Ave rezone*)

first reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 306 WEST BIGELOW AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R-1 SINGLE FAMILY LOW DENSITY RESIDENTIAL" TO "O-1 INSTITUTIONS AND OFFICES".

ORDINANCE NO. 2015-035 (*American flags donation*)

first reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-036 (*new Section 931.06*)

first reading

AN ORDINANCE ENACTING NEW CODIFIED SECTION 931.06, KNOWN AS THE DEFINITIONS FOR STORM WATER REGULATIONS FOR THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2015-037 (*new Chapter 935*)

first reading

AN ORDINANCE ENACTING NEW CODIFIED CHAPTER 935 KNOWN AS THE ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) FOR THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2015-038 (*new Chapter 937*)

first reading

AN ORDINANCE ENACTING NEW CODIFIED CHAPTER 937 KNOWN AS DRAINAGE, EROSION AND SEDIMENT CONTROL FOR THE CITY OF FINDLAY, OHIO.

UNFINISHED BUSINESS

OLD BUSINESS
NEW BUSINESS



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
TOLEDO PROJECT OFFICE
3906 NORTH SUMMIT STREET
TOLEDO, OHIO 43611-5003

REPLY TO
ATTENTION OF: CELRB-PM-PM

April 10, 2015

Findlay City Council
City of Findlay
318 Dorney Plaza
Findlay, Ohio 45840

RE: Review of Draft Detail Project Report and Environmental Impact Statement for Blanchard River Watershed Study, Hancock County, Ohio

Honorable City Council,

The Draft Detailed Project Report and Environmental Impact Statement (DPR/EIS) for the Blanchard River Watershed Study is available for review and comment. The Buffalo District of the U.S. Army Corps of Engineers (USACE) prepared the DPR/EIS to develop and analyze flood risk management alternatives in the Blanchard River watershed, develop a recommended flood risk management plan, and to identify impacts of the recommended plan on the affected environment.

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April 10, 2015

Page 2

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For further information, please contact the undersigned at michael.d.pniewski@usace.army.mil or via telephone at (419) 726-9121.

Thank you for your interest in the Blanchard River Watershed Study and we look forward to receiving your comments.

Sincerely,



Michael D. Pniewski, PE, PS, PMP
Project Manager

City of Findlay

Lydia Mihalik, Mayor

N.E.A.T. DEPARTMENT
Neighborhood Enhancement and Abatement Team
318 Dorney Plaza, Room 304 • Findlay, OH 45840
Phone: 419-424-7466
www.findlayohio.com

April 7, 2015

City Council
City of Findlay, Ohio

RE: Departmental Activity

This report will serve as a summary of activities for the Neighborhood Enhancement and Abatement Team (NEAT) during the month of March, 2015.

Dilapidated Structures

1 case year to date
13 cases pending

Weeds

0 cases year to date
25 cases pending

Junk on Premises

20 cases year to date
112 cases pending

Junk/Abandoned Vehicles

15 cases year to date
50 cases pending

Minor Maintenance

3 cases year to date
9 cases pending

Miscellaneous

4 cases year to date
6 cases pending

Overgrowth

1 case year to date
3 cases pending

Right of Way Issues

0 cases year to date
1 case pending

Sidewalks

270 cases year to date
0 cases pending

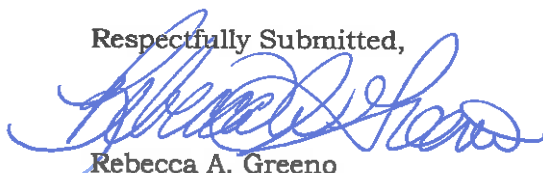
Trash

16 cases year to date
2 cases pending

The Neighborhood Enhancement and Abatement Team received 36 new cases during the month, of which 1 was invalid. Of the 35 valid issues reported, 18 properties were involved with 6 of the owners being non-residents. Neat personnel closed 37 cases during March and continue to work diligently on the 221 cases that remained active at the end of the month.

Please contact NEAT personnel at any time if there are concerns. The staff is dedicated to prompt response to issues that are brought to the attention of the department and works conscientiously with property owners and tenants to achieve compliance. The team appreciates the cooperative spirit of the administration and City Council which aids in the betterment of our community.

Respectfully Submitted,



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

Board of Zoning Appeals

February 12, 2015

Members present: Chairman, Phil Rooney; Secretary, David Russell; and 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 # 52911BA-15 (2131 S. Main Street) was reviewed by Todd Richard, City of Findlay:

This case has been filed by Nancy Moody-Russo regarding a new fence at 2131 S. Main Street. The applicant is seeking a variance from section 1161.03B.1 of the City of Findlay Zoning Ordinance. This section prohibits fences greater than four feet in height to be placed in a required front yard. The applicant has constructed a six foot high aluminum fence in the required front yard without a zoning permit.

The fence has thin vertical spindles with a wide gap between each one. It extends from the garage and ends at the property line where it ties into a four foot high fence made of the same material and is of the same design. As far as any visibility issue is concerned, the large evergreen trees are more of an obstruction than what the fence is.

This appears to be a case where the fence regulation does not apply very well to the subject property.

Mr. Roger Miller, attorney, spoke on behalf of the applicant. Mr. Miller said this fence replaced an old chain link fence. He referenced photos of the old and new fence for comparison. He stated that the new fence was not a perimeter fence and was not a visibility hazard.

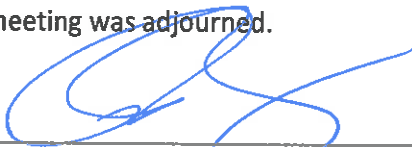
There was no other testimony.

Mr. Warren made a motion to approve. He stated that the owner had no disregard for the code and the property is peculiar since it is a corner lot. The fence blends in well with the surrounding area. Mr. Warren said that the fence contractor (Todd Olson) should have known better and gotten the permit in the first place. A permit must be obtained within 60 days.

Mr. Russell seconded the motion. The motion passed 3-0.

There was a motion to approve the January 8, 2015 minutes by Mr. Rooney. Mr. Russell seconded the motion. The motion passed 3-0.

The meeting was adjourned.



Chairman



Secretary

City of Findlay

Lydia Mihalik, Mayor

POLICE DEPARTMENT

Gregory R. Horne, Chief of Police
318 Dorney Plaza, Room 207 • Findlay, OH 45840
Phone: 419-424-7194 • Fax: 419-424-7296
www.findlayohio.com

April 10, 2015

The Honorable Council:

A check of the records of this office shows no criminal record on the following:

Victor Jimenez-Gonzalez

VYC8 LLC, 2411 Tiffin Avenue, Findlay, OH 45840

Sincerely,



Gregory R. Horne
Chief of Police

NOTICE TO LEGISLATIVE
AUTHORITY

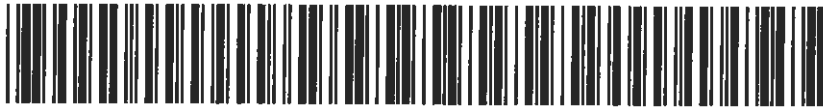
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

9358500 <small>PERMIT NUMBER</small>			TRFO <small>TYPE</small>	VYC8 LLC 2411 TIFFIN AV FINDLAY OH 45840
07	31	2014 <small>ISSUE DATE</small>		
04	06	2015 <small>FILING DATE</small>		
D1	D2	D3	D6 <small>PERMIT CLASSES</small>	
32	044	A	F13901 <small>RECEIPT NO.</small>	

FROM 04/08/2015

2124745 <small>PERMIT NUMBER</small>				DIAZ INVESTMENTS INC DBA LOS MARIACHIS MEXICAN RESTAURANT 2411 TIFFIN AV FINDLAY OH 45840
07	31	2014 <small>ISSUE DATE</small>		
04	06	2015 <small>FILING DATE</small>		
D1	D2	D3	D6 <small>PERMIT CLASSES</small>	
32	044		<small>RECEIPT NO.</small>	



MAILED 04/08/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/11/2015

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 9358500**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF FINDLAY CITY COUNCIL
MUNICIPAL BLDG RM 114
318 DORNEY PLAZA
FINDLAY OHIO 45840-3346

9358500 PERMIT NBR
VYC8 LLC
2411 TIFFIN AV
FINDLAY OH 45840

VICTOR JIMINEZ GONZALEZ 04/06/2015 ACTIVE PRESIDENT MNMB5%V5%M

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

City of Findlay

Lydia Mihalik, Mayor

POLICE DEPARTMENT

Gregory R. Horne, Chief of Police

318 Dorney Plaza, Room 207 • Findlay, OH 45840

Phone: 419-424-7194 • Fax: 419-424-7296

www.findlayohio.com

April 13, 2015

The Honorable Council:

A check of the records of this office shows no criminal record on the following:

Glenn Plumbly
Anthony Kenney
Ronald Edmiston
David Ball

Speedway LLC, DBA Speedway 5282, 752 Trenton Avenue, Findlay, OH 45840

Sincerely,



Gregory R. Horne
Chief of Police

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

84189942455 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	SPEEDWAY LLC DBA SPEEDWAY 5282 752 TRENTON AV FINDLAY OH 45840	
ISSUE DATE				
04 08 2015				
FILING DATE				
C1 <i>CS</i>				
PERMIT CLASSES				
32	044	A	A77246	
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>		

FROM 04/10/2015

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 04/10/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/11/2015

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 8418994-2455**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF FINDLAY CITY COUNCIL
MUNICIPAL BLDG RM 114
318 DORNEY PLAZA
FINDLAY OHIO 45840-3346

RENEWAL YEAR 2015-2016

MANAGING MEMBERS, PERSONS HOLDING 5% OR GREATER MEMBERSHIP OR VOTING INTEREST IN A LLC.	LAST FOUR DIGITS OF SOCIAL SECURITY #	INTEREST	OFFICE HELD
MPC INVESTMENT LLC GLENN PLUMBY ANTHONY KENNEY RONALD EDMISTON DAVID BALL	*****7018 *****3531 *****6445 *****8451 *****8445	5% MEMSHIP	VICE PRES. PRESIDENT TREASURER SECRETARY

IF INFORMATION LISTED ABOVE IS NOT ACCURATE, PLEASE INDICATE CHANGES BELOW.

MANAGING MEMBERS, PERSONS HOLDING 5% OR GREATER MEMBERSHIP OR VOTING INTEREST IN A LLC.	SOCIAL SECURITY #	INTEREST	OFFICE HELD	BIRTHDATE
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		

FINDLAY WORC FINANCIAL ANALYSIS

JANUARY 01, 2015 THRU MARCH 31, 2015

PLEASE NOTE: THE WORC WILL CLOSE FOR 7 DAYS - FOR 6 DIFFERENT WEEKS = 42 DAYS THROUGHOUT THE YEAR.

FIMC cases	Findlay City Ordinance cases, days served=	439
FIMC cases	State Code cases, days served =	523
FIMC cases	Total days served (combined City and State) =	962

<u>Other Courts using WORC</u>	<u>Days Served</u>	<u>Additional Income to date</u>
Fostoria Municipal Court	0	\$0.00
Hancock County Common Pleas Court	138	\$3,450.00
Hancock County Juvenile Court	0	\$0.00
Upper Sandusky Municipal Court	10	\$250.00
Henry County Common Pleas Court	0	\$0.00
Fremont Municipal Court	0	\$0.00
Other Courts Usage Total Days:		148
		Total Additional Income: \$3,700.00

Hancock Co. Justice Center Cost: 439 City Ordinance case days served x \$84 / day saved by
not serving time at the Justice Center = \$36,876.00

Total fees collected at \$25 / day from all residents = \$27,750.00

Outstanding fees = \$2,357.00 (15 accounts)

Expenses = \$77,345.28

Charge Statistics = \$28,775.00 (charged upon entry for full stay) (JUNE MAY SHOW 0.00 CHARGE DUE TO CHARGE RECEIVED A CREDIT DUE TO FURLOUGH OR REFUNDS DUE TO EARLY RELEASE REFUNDS - THESE CREDITS ARE SUBTRACTED FROM THE BILLED AMOUNT).

Payment Statistics = \$28,031.00 (this amount may be larger than the Charge Statistics at times, due to the fact that residents are charged upon entry for their full stay - i.e.: charged in May but made payments in following months). (This also includes Reimbursables).

Net Expense = \$49,314.28
(Expenses - Payments)

Program Savings: Net vs. Justice Center cost = (\$12,438.28) *
(Justice Center Cost - Net Expense)

Commissions Received from Securus Pay Phones = \$32.60

*** All information in this document has been tallied due to errors occurring in the WORC computer program.

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

Findlay Fire Department
Monthly Activities Report - 2015
 Submitted By: Matthew Traver, Interim Fire Chief

Fire Statistics	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Fires	10	5	14									
Assist Other Agency	0	0	1									
Emergency Medical Service (EMS)	107	87	90									
Car Accidents	16	22	13									
Rescues (Extrication, Water, Elevator)	2	3	2									
Hazmat	14	6	15									
Good Intent	3	6	3									
Burning Complaints	1	0	5									
False Alarms	27	37	25									
Totals	180	166	168	0	0	0	0	0	0	0	0	0

Runs by District												
Station 1 - (South Main St)	61	56	63									
Station 2 - (North Main St)	51	40	40									
Station 3 - (Tiffin Ave)	28	39	24									
Station 4 - (CR 236)	40	31	41									
Totals	180	166	168	0	0	0	0	0	0	0	0	0

Firefighter Training (by hours)												
EMS Formal	56	122	119									
Fire Formal	57	395	94									
Fire Informal	1425	1325	1437									
Totals	1538	1841	1650	0	0	0	0	0	0	0	0	0

Fire Prevention Bureau

Construction												
Code Interpretations	8	30	15									
Inspections	2		4									
Plan Reviews	11	24	13									
System Acceptance Tests			5									
Totals	21	54	37	0	0	0	0	0	0	0	0	0

Existing Structure - Additions												
Code Interpretations	16	19	15									
Inspections	7	1	4									
Plan Reviews	5	8	13									
System Acceptance Tests	3	7	5									
Totals	31	35	37	0	0	0	0	0	0	0	0	0

Fire Investigations	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Cause and Determination												
Accidental	4	4	3									
Undetermined	1											
Incendiary												
Fire Investigation Activities												
Follow-up	45	32	29									
Interviews	47	31	31									
Assists	2											

Inspections	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Assembly	9	10	12									
Business	2	1	3									
Education K-12			1									
Education Pre-School	1											
Factory			1									
Mercantile			2									
Hazardous												
Institutional	2	1										
Mercantile	2											
Residential	1											
Adoption / Foster Care	1	2	1									
Storage / Mixed Use		6										
Utility Mobile Food Vendors												
Utility Outbuildings			1									
Vacant Structures	1		2									
Totals	19	20	23	0	0	0	0	0	0	0	0	0

Prevention	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Code Interpretations	15	31	12									
Complaints	5	23	22									
Fireworks Exhibitions / Events			.									
Knox Box Consults/Maint.	7	10	3									
Other	3	8	11									
Fire Plan Updates	2	5	5									
Pre-Fire Plan			3									
Property Research	5	7										
Safety Presentations			4									
Re-inspections	103	71	25									
Totals	140	155	85	0	0	0	0	0	0	0	0	0

Public Presentations	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Station Tours												
Truck Visits												
Meetings Attended	5	5	4									
School / Seminars Attended	1	9	6									
Totals	6	14	10	0	0	0	0	0	0	0	0	0

FINDLAY CITY BOARD OF HEALTH MINUTES

REGULAR SESSION

March 18, 2015

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*
- A Mr. William Alge
- X Dr. Robert McEvoy
- X Mrs. Joan Work
- A Licensing Council Rep Vacant

Staff Attendance:

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

- X Guest: Paul Schmelzer
- X Guest: Clay Bruno

Call to Order: Mayor Mihalik called the meeting to order at 7:34 A.M.

Minutes: Mayor Mihalik called for a motion to approve the January 21, 2015 and February 18, 2015 minutes. Dr. McEvoy moved to accept the minutes from the January and February Board of Health meeting as circulated. Seconded by Mrs. Work. Motion carried 3-0. Filed

HEALTH COMMISSIONER REPORT

1. Dr. Mills introduced student Clay Bruno who is in a Master's Program in Health Administration at Wright State University. He is here to observe the meeting.
2. An update was given on a Master Trails Plan meeting that was held earlier this month. Potential trail development strategies were discussed. It was agreed that it is time to start gaining advocates for the plan and to start implementing trail development. It was discussed that it might be worthwhile to focus on the partial east-west trail that currently exists along the river. This would intersect nicely with the north-south trail that is proposed as part of the Cory Street plan. Other communities that have successfully raised the funding for trail development were discussed along with grant possibilities such as ODOT's TAP funding. Our community health assessment has already given us data to substantiate the need for improved opportunities for physical activity. A great path and trail system is a sign of a vibrant growing community.

DEPUTY HEALTH COMMISSIONER REPORT

1. Community partners met on March 5 to begin the process of question selection for the 2015 Health Assessment. Questions were finalized for the child and youth survey and another meeting was scheduled on April 14 to complete the adult questionnaire. Many of the questions will remain the same as this gives us the ability to identify trends over time but we also evaluated whether new questions should be asked. For example we will ask about e-

cigarette use among youth with the new survey. For the adult survey we worked on how to incorporate the questions asked in the United Way's 2013 Quality of Life Survey so that we can eventually just complete one comprehensive survey. The funding for the assessment has been secured with contributions already received from Blanchard Valley Hospital and Family and Children First Council. Mrs. Wilhelm has secured \$15,000 from the Child and Family Health Services grant as well as a separate \$17,000 grant from the Findlay-Hancock County Community Foundation. Money has been pledged from Hancock County ADAMHS, Hancock County United Way and the Hancock County Health Dept. as well. Mrs. Wilhelm noted that the appropriation request for moneys already received should have been before council last night. The surveys will likely go out in late summer and early fall.

2. Mrs. Wilhelm notified the Board that she has received word that we have been awarded a Local Government Innovation Fund Grant as a result of a grant she wrote at the request of the merger committee last fall. These are state funds that are available to conduct feasibility studies and this particular grant was written to look at the feasibility of using the current Hancock County Health Department location on County Road 140 for the newly combined health department. This information will be shared with the newly formed combined Board of Health. Mr. Cline asked if anyone has gone back out to the Family Center and looked at what might be available in that location. This location had been debated in the past as a good site but in the absence of a combination the Community Foundation was not willing to pursue discussions. Mr. Schmelzer noted that the lease rate there would be high but should other options prove to be costly the location could again be considered and the Community Foundation approached. Mr. Cline noted that from a location perspective he felt the area made sense in terms of reaching clients in need.
3. Mrs. Wilhelm clarified a meeting request that she had made regarding Health Commissioner University. She explained that every few years, as need warrants, the Association of Ohio Health Commissioners puts on a training entitled Health Commissioners University. This is a three day training offered to new health commissioners to bring them up to speed on a variety of public health administration topics. A copy of the agenda was available. Mrs. Wilhelm had spoken to Mr. Schmelzer earlier in the year when AOHC was trying to gauge interest as she felt it might be an ideal opportunity for a new health commissioner for the combined health department. Mr. Schmelzer had concurred and a spot was reserved for our community to potentially send a new commissioner should one be appointed in time. Although the timetable for hiring a new commissioner is short, one of our current employees has expressed an interest in the class. As a part of our workforce development plan Dr. Mills and Mrs. Wilhelm had spoken to employees individually during employee evaluations to identify ways that administration could help them achieve individual development goals. Health Educator Noah Stuby holds a Master's Degree in Business Administration with a focus on Health Care and expressed a short term goal of developing administrative skills in public health with the intention of becoming a health commissioner. Mrs. Wilhelm purposed that if no new health commissioner is in place prior to the start of the class that we send Noah Stuby.

NURSING REPORT

1. Healthy Kids Day will be held Friday evening April 10 at the University of Findlay. Noah Stuby is spearheading this for the health department. The nurses will be on site to perform health screenings and a variety of fun and education activities will be available. Dr. Hoffman and Dr. Chen have volunteered to help with the event along with eight of our Medical Reserve Corps volunteers.
2. Mrs. Bern expressed some concerns that have been voiced by her staff regarding the upcoming merger. For example the preordering of flu vaccine, scheduling for vaccine clinics that occurs 6 months out, insurance contracts that need to be handled etc. The staff also feels like they are in "limbo" as they are concerned with whether they have a job and what that job will look like. She would like to be able to give them some positive feedback soon. Mr. Cline noted the new Board of Health will need to meet soon and will be able to start providing this information. Mrs. Bern reiterated that there are many steps that need to be taken to make sure things are in place by January. Mr. Cline suggested she begin making a list of her concerns so that the new board will know what is on the radar and what things will need addressed. Mr. Schmelzer noted that the newly combined Board of Health meets tomorrow and one of the first orders of business will be to name an interim commissioner or hire a consultant or someone to begin to handle all those issues that need addressed. From his perspective the new Board will need to talk about influx of capital to start the process, facilities and someone to handle the process.

ENVIRONMENTAL HEALTH REPORT

1. At the February Board of Health meeting the Dawn Thompson property variance came up for discussion but no action was taken due to a lack of a quorum. Mr. Niese confirmed there has been no change in the situation since last year. Mrs. Work inquired as to whether there would be any concern due to recent conversations regarding the purity of Lake Erie but Mr. Niese responded this issue is not a concern in comparison to other issues that would ultimately dump into the lake. He noted that if there was a good solution for the problem it would definitely need to be addressed but at this point until there is additional development allowing her to hook up to sanitary sewer there is no other solution short of abandoning her property. **Dr. McEvoy motioned to grant a continued variance for this property for one year.** Seconded by Mr. Cline. **Motion carried 2-1. Mrs. Work voted nay. Filed.**
2. **Mr. Cline motioned to approve the plans for The Cupboard, 331 S. Main St. and Ralphies, 730 Trenton Ave.** Seconded by Dr. McEvoy. **Motion carried 3-0. Filed.**

EMERGENCY RESPONSE / EPI REPORT

1. Mr. Masters updated the Board on the gastrointestinal outbreak regarding the long-term care facility that was discussed at the February meeting. The day following the February

Board meeting, Mr. Masters received information from the facility that there were a significant number of ill residents and staff with gastrointestinal symptoms. Mr. Masters explained that he was able to collect stool samples again for this secondary outbreak. This was to determine if the agent was the same strain as the initial outbreak, since several employees who were ill during this outbreak were also ill during the initial outbreak. The samples were positive for Norovirus G1 – the same as the initial outbreak – and one of the more uncommon strains being seen. Mr. Masters had inquired of ODH and consulted the CDC’s website to determine if there is a period of immunity to Norovirus. However, both stated that due to there being approximately 25 variations of the virus, the period of immunity is minimal and subjective. Dr. McEvoy commented that he, too, did not realize that there was this lack of immunity once a person had experienced symptoms.

The total number of ill residents and staff members from this event was 91 and began around January 15th and the last reported illness was on February 20th. Though this was a long investigation process, it was good to see the facility implement Norovirus education among employees and increase the frequency of hand washing observations of staff members throughout the facility to ensure proper technique is followed.

2. Mr. Masters spoke to the Board on a funding opportunity that will focus on Ebola response. The Ohio Department of Health received federal dollars that will be allocated to each region in Ohio for distribution among the health districts within those regions. These funds can be used to develop plans and processes, along with purchasing of equipment/supplies, to further the preparedness efforts locally. Mr. Masters stated that Findlay will be receiving \$14,483.00, which will be used for: staff time to develop these Ebola-specific plans and processes, paying the pager stipend for the designated employees required to respond after hours, and several boxes of N-95 masks. Dr. McEvoy inquired about what is to be done with a suspect Ebola case who is seen at the hospital and may need to be transported to a designated treatment hospital. Mr. Masters replied that Ohio is currently working to designate hospitals where these suspect cases would be sent and is aware of only one in the Cleveland area. Mr. Masters stated that at the peak of the Ebola situation, local discussions were occurring regarding the transport of such cases from Blanchard Valley Hospital to a pre-identified healthcare system. Dr. McEvoy mentioned that this is information that the medical community needs to be aware, and Mr. Masters replied that some of these major questions will be answered through this upcoming planning effort.
3. Mr. Masters began by correcting the date of the regional functional exercise, as it was listed on the Board agenda for April 9th. The exercise will be occurring April 7, 8, and 9th for public health and hospitals, with Findlay participating on April 8th. The purpose of the exercise is to test our continuity of operations plan (COOP) to ensure that our essential services can still be provided after a disaster. It will be a good opportunity to work through some of the same challenges we faced when we were displaced by the 2007 flood.

PLUMBING REPORT

1. With the weather warming up Mr. Helms is seeing a pickup in business. He also reported to the Board that he was not selected for the state plumbing inspector's board at the recent state plumbing inspector's conference. While at the conference he attended an interesting session regarding salons and the equipment used for pedicures and noted recent infections associated with them.
2. Mrs. Wilhelm noted that there will be two upcoming Habitat houses built and in the past the Board has chosen to waive the plumbing fees associated with these houses. **Dr. McEvoy motioned to waive the fees for the two Habitat Houses.** Seconded by Mrs. Work. **Motion carried 3-0. Filed.**

MEETING REQUESTS

Mrs. Work moved to approve the travel requests: (some meeting requests were carried over from the February meeting when no quorum was available).

1. March 24, 2015: Sara Heinze, Missy Jack and Becky Bern to World TB Day Conference, Columbus OH. Cost: Lunch
2. February 23, 2015: Eric Helms to Plumbing Class with Ohio Chief Plumbing Inspector, Port Clinton, OH. No Cost
3. March 26, 2015: Shannon Kasselder to SIDS Risk Reduction/Infant Safe Sleep Workshop, Toledo, Ohio. No Cost
4. April 3, May 1, June 5, 2015: Noah Stuby to attend AOHC Health Commissioner University, Columbus OH. Cost Registration \$200
5. April 16, 2015: Three employees to attend regional Child Passenger Seat Update in Bowling Green. No cost.

Seconded by Dr. McEvoy. **Motion carried 3-0. Filed.**

OLD/UNFINISHED BUSINESS

Prior to leaving for another meeting Mr. Schmelzer noted that the newly formed combined Board of Health will be meeting tomorrow morning. In addition to all Board members, Mrs. Wilhelm will be in attendance but he was not sure who, from the operations side for the county health department, would be there. There will be discussion regarding an interim health commissioner and Mr. Schmelzer also has a follow up meeting with Steve Wermuth next week regarding the formation process. He noted that the message could be shared with staff that they will indeed have a job and he also offered to stop back at the health department to answer questions for employees. He also hoped that Mrs. Wilhelm would be in attendance for most of the combined Board of Health meetings and would communicate those discussions with staff.

NEW BUSINESS

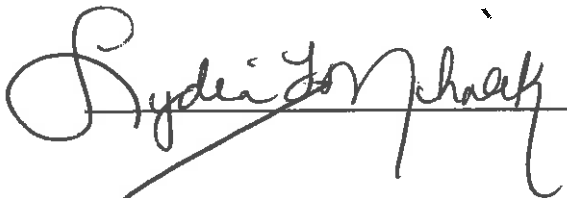
Mrs. Work inquired as to the State of the City. The Mayor replied there will be a joint State of the City and State of the County address at the University of Findlay and there will be a celebration after regarding the recent naming of Findlay as a top micropolitan community which is a very exciting thing. A million and half dollars have also been made available for capital improvements for the city which is also a very positive thing for the city.


The Mayor noted that at last night's City Council meeting there were several appropriations approved that were requested by the health department as well as some positive discussion surrounding the upcoming health assessment.

EXPENSES

Mrs. Work moved to approve the expenses for both February and March, as circulated, for payment by the City Auditor. Seconded by Mr. Cline. Motion carried 3 – 0. Filed.

The meeting was adjourned at 8:23 A.M.

 _____, President

 _____, Secretary (Health Commissioner)

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310
Findlay, OH 45840

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

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

April 13, 2015

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The City of Findlay received \$60.00 in memory of Shirley Koehler for the purchase of American flags for Main Street. The funds have been deposited in the General Fund.

An appropriation is respectfully requested as follows:

FROM:	General Fund	\$60.00
TO:	Mayor's Office 2100200-other	\$60.00

By copy of this letter, I am requesting the Director of Law prepare the necessary legislation.

Thank you for your consideration.

Sincerely,



Lydia L. Mihalik
Mayor

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



AUDITOR'S OFFICE

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

JIM STASCHIAK II
CITY AUDITOR

Friday, April 17, 2015

The Honorable Council
Findlay, Ohio

Council Members,

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

Summary of Year-To-Date Information as of March 31st, 2015
Cash & Investments as of March 31st, 2015
Open Projects Report as of March 31st, 2015
Financial Snapshot for General Fund as of March 31st, 2015

Respectfully Submitted,

Jim Staschiak II
City Auditor

cc: L. Mihalik

CITY OF FINDLAY
SUMMARY OF YEAR-TO-DATE INFORMATION AS OF MARCH 31, 2015

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
COUNCIL	143,717	37,953		3,050	1,000	
MAYOR'S OFFICE	225,453	51,487		5,000	1,329	
AUDITOR'S OFFICE	582,741	125,263		340,258	156	
TREASURER'S OFFICE	11,585	3,963		-	-	
LAW DIRECTOR	593,092	148,919		113,100	-	
MUNICIPAL COURT	1,683,848	350,109		1,323,900	479,429	
CIVIL SERVICE OFFICE	108,947	22,723		54,000	25,358	
PLANNING & ZONING	146,272	77,774		-	-	
COMPUTER SERVICES	309,001	57,420		309,006	310,328	
GENERAL EXPENSE	4,212,434	2,666,826		-	-	
GENERAL REVENUE	-	-		20,978,876	4,978,195	
POLICE DEPARTMENT	6,813,737	1,511,700		611,248	274,271	
DISASTER SERVICES	50,924	19,816		-	-	
FIRE DEPARTMENT	7,073,926	1,579,168		299,650	78,082	
DISPATCH CENTER	960,826	229,567		17,546	17,546	
N.E.A.T.	106,067	23,130		3,000	99	
HUMAN RESOURCES	141,068	45,174		-	-	
W.O.R.C.	357,265	77,345		120,200	47,773	
SERVICE SAFETY DIRECTOR	218,307	41,570		-	-	
ENGINEERING OFFICE	796,415	167,116		144,600	62,350	
PUBLIC BUILDING	399,449	47,663		58,500	57,700	
HEALTH DEPARTMENT	1,551,489	316,665		1,039,200	296,945	
ZONING	115,512	26,120		56,700	8,600	
PARK MAINTENANCE	625,586	100,152		177,700	139,427	
RESERVOIR RECREATION	4,063	415		-	-	
RECREATION MAINTENANCE	134,100	1,250		-	-	
RECREATION FUNCTIONS	863,318	127,238		842,350	325,908	
CEMETERY DEPARTMENT	372,128	79,557		165,910	92,993	
TOTAL GENERAL FUND	28,601,270	7,936,083	27.7%	26,663,794	7,197,488	27.0%

CONTINUED ON REVERSE

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
SCM&R STREETS	3,162,805	685,750		3,046,733	1,595,611	
TRAFFIC-SIGNALS	521,160	69,231		210,000	210,170	
TOTAL SCM&R FUND	3,683,965	754,981	20.5%	3,256,733	1,805,782	55.4%
SCM&R HIWAYS	258,730	44,226		143,170	34,983	
TOTAL SCM&R HIWAYS FUND	258,730	44,226	17.1%	143,170	34,983	24.4%
AIRPORT OPERATIONS	1,257,431	248,662		1,072,090	241,354	
TOTAL AIRPORT FUND	1,257,431	248,662	19.8%	1,072,090	241,354	22.5%
WATER TREATMENT	2,124,629	387,080		18,000	2,102	
WATER DISTRIBUTION	1,643,825	292,448		58,869	11,606	
UTILITY BILLING	1,092,716	234,229		8,204,591	2,238,714	
SUPPLY RESERVOIR	414,369	64,975		9,930	950	
TOTAL WATER FUND	5,275,539	978,732	18.6%	8,291,390	2,253,372	27.2%
SANITARY SEWER MAINT	1,160,587	220,694		300	256	
STORMWATER MAINT	490,269	41,695		763,223	200,461	
WATER POLLUTION CONTROL	2,956,591	975,179		8,703,780	2,128,276	
TOTAL SEWER FUND	4,607,447	1,237,568	26.9%	9,467,303	2,328,994	24.6%
PARKING	100,141	27,782		107,200	51,439	
TOTAL PARKING FUND	100,141	27,782	27.7%	107,200	51,439	48.0%
SWIMMING POOL	55,482	506		49,000	49,000	
TOTAL SWIMMING POOL FUND	55,482	506	0.9%	49,000	49,000	100.0%
CIT ADMINISTRATION	18,374,479	3,713,131		22,207,500	5,471,322	
TOTAL CIT FUND	18,374,479	3,713,131	20.2%	22,207,500	5,471,322	24.6%

CITY OF FINDLAY
CASH & INVESTMENTS AS OF MARCH 31, 2015

<u>AMOUNT</u>	<u>DESCRIPTION AND RATE</u>	<u>BANK/FIRM</u>
\$ 300,900.00	STAR OHIO @ 0.05%	
700.00	STAR OHIO @ 0.05%	
3,500.00	STAR OHIO @ 0.05%	
138,675.00	STAR OHIO @ 0.05%	
9,000,000.00	STAR PLUS @ 0.20%	
22,005,000.00	SAVINGS ACCOUNT	FIFTH THIRD BANK
719,100.00	SAVINGS ACCOUNT	CHASE BANK
120,247.00	SAVINGS ACCOUNT	CHASE BANK
1,175,026.75	SAVINGS ACCOUNT	CHASE BANK
3,500,000.00	SAVINGS ACCOUNT	CHASE BANK
1,001,367.29	FHLB @ 0.500%	FIFTH THIRD BANK
500,695.82	FFCB @ 0.550%	FIFTH THIRD BANK
999,663.00	FFCB @ 0.280%	DAVIDSON & CO
245,000.00	CERTIFICATE OF DEPOSIT @ 0.400%	FIRST NATIONAL
769,769.00	FHLMC @ 0.400%	KEY BANK
996,914.06	US TREASURY @ 0.250%	DAVIDSON & CO
1,033,667.00	FNMA @ 0.506%	KEY BANK
335,354.06	CONSTRUCTION SAVINGS ACCOUNT	PNC BANK
998,240.49	FHLB @ 0.400%	MORGAN STANLEY
999,065.81	FFCB @ 0.450%	FIFTH THIRD BANK
999,500.00	FFCB @ 0.500%	FIFTH THIRD BANK
999,531.25	US TREASURY @ 0.500%	FIFTH THIRD BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 0.500%	CITIZENS NATIONAL BANK
999,596.51	FFCB @ 0.600%	MORGAN STANLEY
999,609.23	FHLB @ 0.700%	HUNTINGTON BANK
998,635.89	FHLB @ 0.700%	HUNTINGTON BANK
499,284.44	COMMERCIAL PAPER @ 0.320%	SOC GEN
499,413.34	COMMERCIAL PAPER @ 0.240%	PRUDENTIAL
245,000.00	CERTIFICATE OF DEPOSIT @ 0.250%	FIRST FEDERAL BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 0.500%	WATERFORD BANK
<hr/>		
\$51,573,455.94	INVESTMENT TOTAL	
4,160,836.93	5/3 BANK ACCOUNT BALANCE	
847.22	ACCRUED INVESTMENT INTEREST	
<hr/>		
<u>\$55,735,140.09</u>	TOTAL CASH & INVESTMENTS	

UNAPPROPRIATED FUND BALANCES

GENERAL	\$ 8,625,242
SCM&R	261,842
SCM&R HIWAY	152,962
SEVERANCE PAYOUT RESERVE	926,072
AIRPORT	624,843
WATER	8,596,123
SEWER	9,427,297
STORMWATER	3,047,984
PARKING	20,396
CIT ADMINISTRATION	382,424
CIT CAPITAL IMPROVEMENT	4,833,936

CITY OF FINDLAY
BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF MARCH 31, 2015

\$13,112,961.51	General Fund
1,000,000.00	General Fund Restricted Rainy Day
2,191,695.55	General Fund Projects
2,049,277.08	SCM&R Fund
3,929,266.36	SCM&R Fund Projects
-	County Permissive License Fund
218,301.29	State Highway Fund
589.57	Law Enforcement Trust Fund
320.53	Drug Law Enforcement Trust Fund
285,644.05	ID Alcohol Treatment Fund
52,398.87	Enforcement & Education Fund
164,491.52	Court Special Projects Fund
65,020.18	Court Computerization Fund
2,109.56	METRICH Drug Law Enforcement Trust Fund
78,503.54	Alcohol Monitoring Fund
56,733.76	Mediation Fund
102,692.51	Electronic Imaging Fund
20,310.89	Legal Research Fund
944,672.60	Severance Payout Fund
831,744.35	Debt Service Fund
35,992.75	CR 236 TIF Fund
508,511.34	Municipal Court Improvement Fund
430,665.60	Airport Fund
10,000.00	Airport Fund Projects
9,025,250.29	Water Fund
1,108,654.15	Water Fund Restricted
1,295,959.71	Water Fund Projects
5,104,543.13	Sewer Fund
4,401,400.75	Sewer Fund Restricted
1,760,953.66	Sewer Fund Projects
48,684.57	Parking Fund
-	Parking Fund Projects
59,797.87	Swimming Pool Fund
-	Swimming Pool Fund Projects
30,112.37	Internal Service Central Stores Fund
796,183.08	Internal Service Workers Comp Fund
1,026,488.37	Internal Service Self Insurance Fund
1,961,834.20	CIT Fund
967,793.27	CIT Fund- Restricted Capital Improvements
-	CIT Fund-Restricted Flood Mitigation
121,903.50	Police Pension Fund
121,903.50	Fire Pension Fund
18,137.77	Tax Collection Agency Fund
1,316,414.43	Cemetery Trust Fund
159,587.26	Private Trust Fund
290,024.84	Guaranteed Deposits
120.98	Special Assessments Pavements Fund
12,871.66	Special Assessments Sidewalks Fund
82.82	Special Assessments Sidewalks Fund Projects
14,534.50	Special Assessments Storm Fund
<u>\$55,735,140.09</u>	TOTAL CASH & INVESTMENTS

**CITY OF FINDLAY
OPEN PROJECTS AS OF MARCH 31, 2015**

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED	EXPENSED	PENDING	AVAILABLE
		INCEPTION TO DATE	INCEPTION TO DATE	PURCHASE ORDERS	TO SPEND
31903400	CIT SOFTWARE UPGRADE	150,000	145,106	4,894	-
31910200	REMDIAL PLAN 350 E HIGH	45,000	31,707	2,225	11,068
31911900	HEALTH DEPT BLDG PURCHASE	302,000	294,638	-	7,362
31924200	OHIO SAFE KIDS-HEALTH DEPT	33,773	31,950	-	1,823
31926300	HP 3000 MIGRATION	1,020,650	978,094	41,498	1,057
31931700	STREET MAINT GARAGE IMPROV	150,000	132,004	8,266	9,730
31937300	P25 MARCS CONVERSION	400,000	220,793	179,008	199
31940200	MUNI BLDG WINDOWS	120,000	3,725	109,331	6,944
31940500	MIRACLE FIELD/DIAMONDS EXPANSION	25,000	9,148	4,200	11,652
31942400	DOWNTOWN REVITALIZATION	390,000	19,045	357,189	13,766
31942800	GIS UPDATE	50,000	5,403	8,198	36,400
31947200	HEALTH DEPT MERGER STUDY	20,000	17,000	3,000	-
31947500	LYE CREEK RIPARIAN CORRIDOR	35,741	32,392	1,200	2,149
31948000	OHIO 629 - MCLANE	637,345	46,983	8,840	581,522
31948100	RIVERSIDE BANDSHELL IMPROVEMENTS	9,000	-	-	9,000
31948200	OHIO 629 - MARATHON	250,000	-	-	250,000
31949000	2015 EMERGENCY PREP GRANT	93,144	74,279	1,274	17,592
31949100	2015 CHILD & FAMILY SERV GRANT	53,000	23,512	1,117	28,371
31949400	CUBE EVAPORATIVE CONDENSER	75,000	72,690	2,000	310
31949800	MUNI COURT EXPANSION	70,000	7,216	36,332	26,452
31950300	2015 HEALTH ASSESSMENT	33,000	-	-	33,000
31950800	MUNI BLDG NETWORK REWIRING	15,000	-	-	15,000
31951000	DISPATCH RECORDING SYSTEM	19,490	-	19,490	-
31951200	REPLACE FIRE ENGINE 4	580,000	1,009	547,365	31,626
31951500	FFD 2 APPROACH REPLACEMENT	8,650	-	-	8,650
31951600	RIVERSIDE PARK LIGHTS - 2015	18,000	-	16,909	1,092
31951700	EMORY ADAMS WALK REPAVE	29,000	-	-	29,000
31951800	SWALE BALL FIELD IMPROVEMENTS	20,000	-	-	20,000
31951900	CEMETERY ROAD MAINTENANCE	15,000	-	-	15,000
31953100	COMPUTER SERVICES FIRE SUPPRESSION	28,450	-	-	28,450
31953200	MANLEY BLDG IMPROVEMENTS	68,000	-	-	68,000
31953400	MECHANICS SHOP FLOOR & HEAT	50,000	14,920	3,162	31,918
31953500	PARKER BLDG CONCRETE WORK	15,000	-	-	15,000
31953800	FENCING MANLEY & STREET DEPT	68,000	-	-	68,000
31980800	ORC PD REQUIRED TRAINING	24,360	24,133	170	57
31992400	MRC GRANT (HEALTH)	31,000	20,905	1,771	8,324
31995900	FLOOD MITIGATION	1,060,500	1,034,101	24,000	2,399
GENERAL FUND PROJECTS		6,013,103	3,240,754	1,381,438	1,390,911

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED INCEPTION TO DATE	EXPENSED INCEPTION TO DATE	PENDING PURCHASE ORDERS	AVAILABLE TO SPEND
32531900	G&H SEWER SEPARATION	30,000	11,059	3,409	15,532
32532600	LOGAN AVE PH 2 - 2013 CDBG	738,000	735,449	1,340	1,211
32542000	COLONIAL HEIGHTS DRAINAGE	30,000	-	-	30,000
32542200	DALZELL DITCH CLEANING	20,000	-	-	20,000
32542300	OIL DITCH CLEANING	20,000	-	-	20,000
32542600	W LINCOLN SEWER SEPARATION	20,000	3,740	2,000	14,260
32542700	W HARDIN SEWER SEPARATION	20,000	3,740	2,000	14,260
32549500	HOWARD RUN DITCH CLEANING	2,000	-	750	1,250
32552500	2015 DITCH MAINTENANCE	25,000	-	-	25,000
32566300	STORMWATER MGT PLAN MS4	142,970	119,683	2,570	20,717
32584300	FOSTORIA AVE DRAINAGE	405,000	29,215	-	375,785
32593600	FOSTORIA AVE DRAINAGE PH 2	25,000	19,942	935	4,123
32840600	2014 STREET PREV MAINTENANCE	350,000	340,326	9,652	22
32840700	E SANDUSKY/EAST ST INTERSECT	105,000	43,883	46,046	15,071
32840800	LIMA/S WEST INTERSECTION	20,000	9,810	-	10,190
32842100	2014 RESURFACING PROGRAM	1,900,000	1,608,296	206,754	84,950
32842500	BLANCHARD/6TH TRAN ALT PLAN	25,000	9,500	1,000	14,500
32843300	CITY CURBS RAMPS & WALKS	198,000	137,477	-	60,523
32846100	SANDUSKY/OSBORN INTERSECTION	92,000	4,604	76,574	10,823
32846200	ODOT RESURFACING FY 15	1,215,883	208	1,161,859	53,816
32847700	TIFFIN AVE CURB REPLACEMENT	935,000	9,743	826,998	98,260
32847900	ODOT US 224 & SR 568 RESURFACING	802,888	802,888	-	-
32850100	2015 RESURFACING PROGRAM	1,400,000	3,507	1,349,687	46,807
32850200	W SANDUSKY/S WEST INTERSECTION	10,000	-	-	10,000
32850400	W LINCOLN/S WEST INTERSECTION	10,000	-	-	10,000
32850500	MCMANNESS/CENTER INTERSECTION	10,000	-	-	10,000
32850700	2015 STREET PREV MAINTENANCE	400,000	1,694	4,306	394,000
32852700	W SANDUSKY/WESTERN AVENUE	190,000	-	-	190,000
32852800	E SANDUSKY/BLANCHARD INTERSECTION	20,000	-	-	20,000
32852900	LIMA/WESTERN INTERSECIION	50,000	-	-	50,000
SCM&R FUND PROJECTS		9,211,741	3,894,764	3,695,879	1,621,099
35250600	AIRPORT DRAINAGE IMPROVEMENTS	10,000	-	-	10,000
AIRPORT FUND PROJECTS		10,000	-	-	10,000

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED INCEPTION TO DATE	EXPENSED INCEPTION TO DATE	PENDING PURCHASE ORDERS	AVAILABLE TO SPEND
35602900	WPC INFLUENT PUMPS	335,000	226,509	49,045	59,446
35620900	WPC BAR SCREENS FOR OXID DITCHES	3,107,500	2,060,109	554,373	493,018
35621000	WEST PARK SANITARY SEWER	20,000	9,331	294	10,375
35641900	BRANDMAN SEWER & CSO	30,000	183	1,000	28,817
35649300	I75 SANITARY SEWER RELOCATION	10,000	2,591	870	6,539
35649900	SUTTON/GREENDALE SANITARY REP	210,000	107,050	78,197	24,753
35652300	2015 SANITARY SEWER LINING	260,000	2,119	-	257,882
35652400	2015 SEWER CLEANING	10,000	-	-	10,000
35653300	2015 CSO LTC PROGRAM	50,000	-	31,787	18,213
35654000	SEWER MAINT COLD STORAGE BLDG	135,000	-	-	135,000
SEWER FUND PROJECTS		4,167,500	2,407,891	715,566	1,044,043
35710800	WATERLINE EXT TO LANDFILL	80,000	77,407	-	2,593
35714000	WTP CLEARWELLS 1, 2 & 3	2,451,000	1,956,496	281,928	212,575
35730600	CR 99 WATERLINE LOOP	10,000	2,459	-	7,541
35731800	WTP PAINT SCU 1	10,000	6,167	200	3,633
35741100	SWEETWATER W/L REPLACEMENT	20,000	5,963	-	14,037
35741200	S CORY ST WATERLINE	274,000	-	254,000	20,000
35741300	W MELROSE WATERLINE	135,000	76,137	8,545	50,318
35741400	BLANCHARD RVR/STANFORD W/L	25,000	-	-	25,000
35742900	WTP WEATHERPROOFING/SEALING	60,000	26,311	-	33,689
35747800	RESERVOIR FORCE MAIN	20,000	11,950	-	8,050
35749200	E BIGELOW W/L REPLACEMENT	75,000	69,319	3,400	2,281
35751100	WTP EXTERIOR LIGHTING	33,000	-	25,000	8,000
35751400	WTP LAB UPGRADES	43,000	26,000	13,100	3,900
35752000	ELYRIA WATERLINE	5,000	-	-	5,000
35752100	BLAINE AVENUE WATERLINE	5,000	-	-	5,000
35752200	2015 SMALL WATERLINES	260,000	-	-	260,000
35753000	WTP CHEMICAL BLDG FLOORS	35,000	-	-	35,000
35753600	LIMA AVENUE WATERLINE	43,570	-	-	43,570
35753900	NORTH WATER TOWER PAINTING	10,000	-	-	10,000
35754100	RAW WATERLINE/TRANSFER STATION	50,000	-	-	50,000
WATER FUND PROJECTS		3,644,570	2,258,209	586,173	800,188
38813300	2011 SIDEWALK REPAIR PROGRAM	1,000	466	-	534
SPECIAL ASSESSMENT PROJECTS		1,000	466	-	534

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SNAPSHOT \$ FINANCIAL: GENERAL FUND
Revenues/Expenditures & Key Balances Snapshot as of :

2015
2/28/2015

GENERAL FUND REVENUES & EXPENSES

Prior Year Ending Cash Balance – Unappropriated		\$	10,416,074
Revenue and Receipts Projection General Fund	\$	28,274,884	
Expenses Appropriated General Fund <i>(assumes \$0.00 returned by departments)</i>	\$	<u>(30,065,716)</u>	
OPERATIONAL SURPLUS/(DEFICIT)			<u>(\$1,790,832.00)</u>

PROJECTED UNENCUMBERED YEAR END GF CASH BALANCE **\$ 8,625,242**

FINANCIAL POLICY AMOUNTS

	Minimum	Proj. Balance	Over/(Short)
Minimum Reserve Balance GF <i>(Resolution 002-2014 16.7% of Budget Expenses)</i>	\$ 4,363,963	\$ 8,625,242	\$ 4,261,280
GF Rainy Day Reserve Account #10000000-818002 <i>(up to 5% prior year revenues)</i>	\$ 1,000,000	\$ 1,000,000	\$ -
Self Insurance Fund #6060	\$ 1,000,000	\$ 874,032	\$ (125,968)

AMOUNT ABOVE FISCAL CAUTION ISSUE **\$ 6,218,717**

MONITORING INTANGIBLE / ANTICIPATED ITEMS

LIKELY POSSIBLE

GENERAL FUND

Revenue Differential + / (-)

Expense Differential + / (-)

Fund Subsidies + / (-)

Unbudgeted Projects

PROJECTED LIKELY YEAR END GF CASH BALANCE *(excludes rainy day reserve)*

2015 **\$ 8,625,242**

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to rezone 724 North Main Street from C-2 General Commercial to R-2 Single Family Residential.

We recommend

move for approval as requested

PUBLIC HEARING:

Bob Shedd representing applicants

Aye Nay *Grant Russel*
Grant Russel, Chairman

Aye Nay *[Signature]*
John Harrington

Aye Nay *Jim Niemeyer* *SECOND*
Jim Niemeyer

PLANNING & ZONING COMMITTEE

LEGISLATION: _____

Aye Nay *Tom Shindlecker* *MOTION*
Tom Shindlecker

DATED: April 9, 2015

ABSENTE
 Aye Nay *[Signature]*
Randy VanDyne

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request to rezone 306 West Bigelow Avenue from R-1 Single Family Low Density Residential to O-1 Institutions and Offices.

We recommend

move to APPROVE AS REQUESTED

PUBLIC HEARING:

*Kurt Bishop
- representing
applicants*

Aye Nay *Grant Russel*
Grant Russel, Chairman

Aye Nay *[Signature]*
John Harrington

*NOTION
A/A/A*

Aye Nay *Jim Niemeyer*
Jim Niemeyer

PLANNING & ZONING COMMITTEE

LEGISLATION: _____

Aye Nay *ABSTAIN*
Tom Shindlecker

DATED: April 9, 2015

Aye Nay *[Signature]*
Randy VanDyne

SECOND

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** to whom was referred a request from the City Auditor to discuss the City's financial position, *As Related to DEBT*

We recommend *net & Discussed the Issue*

Aye Nay *R. Ronald Monday*
R. Ronald Monday, Chairman

Aye Nay *Thomas H. Klein*
Tom Klein

Aye Nay *Robert J. Nichols*
Robert Nichols

Aye Nay *Grant Russel*
Grant Russel

Aye Nay *Anne Spence*
Anne Spence

Aye Nay *ABSENT*
Randy VanDyne

APPROPRIATIONS COMMITTEE

DATE: April 14, 2015

LEGISLATION _____

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **APPROPRIATIONS COMMITTEE** *TO WHOM A REQUEST WAS MADE TO ADJUST THE POLICE & FIRE CONTRIBUTIONS*

We recommend *INCREASE FROM 11.5% TO 12.25% AS THE EMPLOYER CONTRIBUTION FOR THE POLICE & FIRE*

Aye Nay *R. Ronald Monday*
R. Ronald Monday, Chairman

Aye Nay *Thomas Klein*
Tom Klein

Aye Nay *Robert Nichols*
Robert Nichols

APPROPRIATIONS COMMITTEE

Aye Nay *Grant Russel - motion*
Grant Russel

DATE: April 14, 2015

Aye Nay *Anne Spence*
Anne Spence

LEGISLATION *X*

Aye Nay *ABSENT*
Randy VanDyne

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
April 21, 2015**

ORDINANCE NO. 2015-025 *(YMCA operate Riverside Swimming Pool)*

third reading

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT (CONTRACT) WITH THE YMCA TO OPERATE THE RIVERSIDE SWIMMING POOL FACILITY AND ASSOCIATED YMCA PROGRAMS FOR PUBLIC AND RECREATIONAL USE FOR THE CITY OF FINDLAY FOR THE 2015 SEASON, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-027 *(222 Center St rezone)*

third reading

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 222 CENTER STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R-3 SINGLE FAMILY HIGH DENSITY" TO "C-1 LOCAL COMMERCIAL".

ORDINANCE NO. 2015-028 *(YMCA swimming pool expenses)*

second reading

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-029 *(MPC reimbursement)*

second reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, HANCOCK COUNTY, STATE OF OHIO TO ENTER INTO CONSULTING AGREEMENTS FOR THE DESIGN PHASE OF THE DOWNTOWN REVITALIZATION PROJECT NO. 31942400, APPROPRIATING FUNDS THERETO, AND DECLARING AN EMERGENCY.

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

APRIL 21, 2015

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, APRIL 21, 2015 MEETING.

RESOLUTIONS

- 011-2015 A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
- 012-2015 A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCES

- 2015-033 AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 724 NORTH MAIN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "R-2 SINGLE FAMILY RESIDENTIAL".
- 2015-034 AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 306 WEST BIGELOW AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R-1 SINGLE FAMILY LOW DENSITY RESIDENTIAL" TO "O-1 INSTITUTIONS AND OFFICES".
- 2015-035 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.
- 2015-036 AN ORDINANCE ENACTING NEW CODIFIED SECTION 931.06, KNOWN AS THE DEFINITIONS FOR STORM WATER REGULATIONS FOR THE CITY OF FINDLAY, OHIO.
- 2015-037 AN ORDINANCE ENACTING NEW CODIFIED CHAPTER 935 KNOWN AS THE ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) FOR THE CITY OF FINDLAY, OHIO.
- 2015-038 AN ORDINANCE ENACTING NEW CODIFIED CHAPTER 937 KNOWN AS DRAINAGE, EROSION AND SEDIMENT CONTROL FOR THE CITY OF FINDLAY, OHIO.

RESOLUTION NO. 011-2015

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the eligible employees of the Findlay Police Department participate in the Ohio Police & Fire Pension Fund, and;

WHEREAS, the Council of the City of Findlay, State of Ohio, has previously adopted pick-up of all of the eleven and one-half percent (11.50%) of the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Police Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund, and;

WHEREAS, Ohio Police and Fire Pension Fund has adopted new procedures for reporting pick-up contributions in order to properly prepare 1099-R forms for its members, and;

WHEREAS, effective July 5, 2015, the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Police Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund shall be twelve and one-quarter percent (12.25%).

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

SECTION 1: That all resolutions in conflict herewith be and the same hereby are repealed.

SECTION 2: That effective as of July 5, 2015, Council of the City of Findlay, State of Ohio, has determined to continue to pick-up all of the twelve and one-quarter percent (12.25%) of the mandatory contributions by the employees of the Police Department who are members of the Ohio Police and Fire Pension Fund.

SECTION 3: That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the City of Findlay in lieu of said contributions by the employee.

SECTION 4: That said pick up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund.

SECTION 5: That said employees shall not be entitled to any option of choosing to receive the contribution amounts directly instead of having them paid by the City of Findlay, State of Ohio, to the Police and Fire Pension Fund.

SECTION 6: That this Resolution hereby is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary in order to be in compliance with Section 742.31 of the Ohio Revised Code.

SECTION 7: 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. 012-2015

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF FINDLAY, OHIO TO COMPLY WITH SECTION 742.31 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the eligible employees of the Findlay Fire Department participate in the Ohio Police & Fire Pension Fund, and;

WHEREAS, the Council of the City of Findlay, State of Ohio, has previously adopted pick-up of all of the eleven and one-half percent (11.50%) of the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Fire Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund, and;

WHEREAS, Ohio Police and Fire pension Fund has adopted new procedures for reporting pick-up contributions in order to properly prepare 1099-R forms for its members, and;

WHEREAS, effective July 5, 2015, the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Fire Department of the City of Findlay who are members of the Ohio Police and Fire Pension Fund shall be twelve and one-quarter percent (12.25%).

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

SECTION 1: That all resolutions in conflict herewith be and the same hereby are repealed.

SECTION 2: That effective as of July 5, 2015, Council of the City of Findlay, State of Ohio, has determined to continue to pick-up all of the twelve and one-quarter percent (12.25%) of the mandatory contributions by the employees of the Fire Department who are members of the Ohio Police and Fire Pension Fund.

SECTION 3: That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the City of Findlay in lieu of said contributions by the employee.

SECTION 4: That said pick up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund.

SECTION 5: That said employees shall not be entitled to any option of choosing to receive the contribution amounts directly instead of having them paid by the City of Findlay, State of Ohio, to the Police and Fire Pension Fund.

SECTION 6: That this Resolution hereby is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary in order to be in compliance with Section 742.31 of the Ohio Revised Code.

SECTION 7: 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 _____

ORDINANCE NO. 2015-033

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 724 NORTH MAIN STREET REZONE) WHICH PREVIOUSLY WAS ZONED "C-2 GENERAL COMMERCIAL" TO "R-2 SINGLE FAMILY RESIDENTIAL".

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the following described property:

Situated in the City of Findlay, County of Hancock, State of Ohio:

Being Lot 1280 in the Goits Addition to the City of Findlay, Ohio.

SECTION 2: That said property above described herein be and the same is hereby rezoned from C-2 General Commercial to R-2 Single Family Residential.

SECTION 3: That from and after the effective date of this ordinance, said property above described herein shall be subject to R-2 Single Family Residential regulations.

SECTION 4: This Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2015-034

AN ORDINANCE AMENDING CHAPTER 1100 ET SEQ OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE BY REZONING THE FOLLOWING DESCRIBED PROPERTY (REFERRED TO AS 306 WEST BIGELOW AVENUE REZONE) WHICH PREVIOUSLY WAS ZONED "R-1 SINGLE FAMILY LOW DENSITY RESIDENTIAL" TO "O-1 INSTITUTIONS AND OFFICES".

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the following described property:

Situated in the City of Findlay, County of Hancock, State of Ohio, and being a part of the south part of the west half (1/2) of the northeast quarter (1/4) of Section one (1), T1N, R10E, formerly Liberty Township.

Being more particularly described in Exhibit A attached hereto and incorporated herein.

SECTION 2: That said property above described herein be and the same is hereby rezoned from R-1 Single Family Low Density Residential to O-1 Institutions and Offices.

SECTION 3: That from and after the effective date of this ordinance, said property above described herein shall be subject to O-1 Institutions and Offices regulations.

SECTION 4: This Ordinance shall be in full force and effect from and after the earliest period provided by law.

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

ORDINANCE NO. 2015-035

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 (donation)	\$ 60.00
TO:	Mayor's Office (21002000-other)	\$ 60.00

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 funds received in memory of Shirley Koehler may be utilized to purchase American flags for Main Street,

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. 2015-036

AN ORDINANCE ENACTING NEW CODIFIED SECTION 931.06, KNOWN AS THE DEFINITIONS FOR STORM WATER REGULATIONS FOR THE CITY OF FINDLAY, OHIO.

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That a new Section 931.06 of the Codified Ordinance of the City of Findlay, Ohio be and the same is hereby enacted to be known as the definitions for storm water regulations to read as follows:

For purpose of any storm water regulations, the following terms shall have the meaning herein indicated:

- (1) "ACRE": A measurement of area equaling 43,560 square feet.
- (2) "AS-BUILT SURVEY": A survey shown on a plan or drawing prepared by a Registered Surveyor indicating the actual dimensions, elevations, and locations of any structures, underground utilities, swales, detention facilities, and sewage treatment facilities after construction has been completed.
- (3) "AUTHORIZED AGENT": Any Person authorized by the City of Findlay's Safety Director to enforce the City's storm water regulations, including, but not limited to the MS4 Coordinator.
- (4) "BEST MANAGEMENT PRACTICES" (BMPs): Schedule of activities, prohibitions of practices, maintenance procedures, and other management practices (both structural and non-structural) to prevent or reduce the pollution of water resources and wetlands. BMPs also include treatment requirements, operating procedures, and practices to control facility and/or construction site runoff, spillage, or leaks; sludge or waste disposal; or drainage from raw material storage.
- (5) "CPESC Certified Professional": A Person certified as a Certified Professional in Erosion and Sediment Control or with similar qualifications as pre-approved by the City of Findlay.
- (6) "CLEAN WATER ACT": Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-4, 33 U.S.C. 1251 et. seq. Referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972.
- (7) "COMPREHENSIVE STORM WATER MANAGEMENT PLAN": The written document and plans meeting the requirements of this regulation that sets forth the plans and practices to minimize storm water runoff from a development area, to safely convey or temporarily store and release post-development runoff at an allowable rate to minimize flooding and stream bank erosion, and to protect or improve storm water quality and stream channels.

- (8) "CONSTRUCTION ENTRANCE": The permitted points of ingress and egress to development areas regulated under this regulation.
- (9) "DETENTION FACILITY": A basin, pond, oversized pipe, or other structure that reduces the peak flow rate of storm water leaving the facility by temporarily storing a portion of the storm water entering the facility.
- (10) "DEVELOPMENT AREA": A parcel or contiguous parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.
- (11) "DISTURBED AREA": An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.
- (12) "DRAINAGE": (1) The area of land contributing surface water to a specific point. (2) The removal of excess surface water or groundwater from land by surface or subsurface drains.
- (13) "DRAINAGE WATERSHED AREA": A hydraulically unique watershed with individual outlet points on the development area
- (14) "ENVIRONMENTAL PROTECTION AGENCY OR UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA)": The United States Environmental Protection Agency, or any duly authorized official of said agency.
- (15) "EROSION": The process by which the land surface is worn away by the action of wind, water, ice, gravity, or any combination of those forces.
- (16) "EROSION AND SEDIMENT CONTROL": The control of soil, both mineral and organic, to minimize the removal of soil from the land surface and to prevent its transport from a disturbed area by means of wind, water, ice, gravity, or any combination of those forces.
- (17) "EXTENDED CONVEYANCE": A storm water management practice that replaces and/or enhances traditional open or closed storm drainage conduits by retarding flow, promoting percolation of runoff into the soil, and filtering pollutants during the storm water quality event.
- (18) "EXTENDED DETENTION": A storm water management practice that replaces and/or enhances traditional detention facilities by releasing the runoff collected during the storm water quality event over at least 24 to 48 hours, retarding flow and allowing pollutants to settle within the facility.
- (19) "FINAL STABILIZATION": All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least 80% coverage for the area has been established or equivalent stabilization measures, such as the use of mulches or geotextiles, have been employed.

- (20) "FLOATABLE MATERIALS": Any foreign matter that may float or remain suspended in the water column, and includes but is not limited to, plastic, aluminum cans, wood products, bottles, and paper products.
- (21) "GRADING": The process in which the topography of the land is altered to a new slope.
- (22) "HAZARDOUS MATERIAL": A Material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present to potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- (23) "HYDROLOGIC UNIT CODE": A cataloging system developed by the United States Geological Survey and the Natural Resource Conservation Service to identify watersheds in the United States.
- (24) "ILLICIT DISCHARGE": As defined at 40 C.F.R. 122.26 (b)(2) and including any discharge to an MS4 that is not composed entirely of storm water, except for those discharges to an MS4 pursuant to a NPDES permit or as specifically excepted in Chapter 935.
- (25) "IMPERVIOUS COVER": Any surface that cannot effectively absorb or infiltrate water. This may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation.
- (26) "INFILTRATION": A storm water management practice that does not discharge to a water resource during the storm water quality event, requiring collected runoff to either infiltrate into the groundwater and/or be consumed by evapotranspiration, thereby retaining storm water pollutants in the facility.
- (27) "INSPECTION AND MAINTENANCE AGREEMENT": Agreement obligating Site Owners to perform required maintenance.
- (28) "LARGER COMMON PLAN OF DEVELOPMENT OR SALE": A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.
- (29) "MAXIMUM EXTENT PRACTICABLE": The level of pollutant reduction that site owners of small municipal separate storm sewer systems regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, must endeavor to meet.
- (30) "MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)" As defined at 40 C.F.R. 122.26 (b)(8), municipal separate storm sewer system means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- a. Owned or operated by a State, city, town, borough, county, parish, district, municipality, township, association, or public body (created by or pursuant to State law) having jurisdiction over sewage, industrial wastes, including special districts under State law such as a sewer district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United states;
 - b. Designed or used for collecting or conveying storm water;
 - c. Which is not a combined sewer; and
 - d. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at C.F.R. 122.2
- (31) "NPDES": National Pollutant Discharge Elimination System. A regulatory program in the Federal Clean Water Act that prohibits the discharge of pollutants into surface waters of the United States without a permit.
- (32) "NONSTRUCTURAL STORM WATER MANAGEMENT PRACTICE": Storm water runoff control and treatment techniques that use natural practices to control runoff and/or reduce pollution levels.
- (33) "OWNER/OPERATOR": means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.
- (34) "PARCEL": A tract of land occupied or intended to be occupied by a use, building or group of buildings and their accessory uses and buildings as a unit, together with such open spaces and driveways as are provided and required. A parcel may contain more than one contiguous lot individually identified by a 'Permanent Parcel Number' assigned by the Hancock County Auditor's Office.
- (35) "PERSON": Any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof.
- (36) "PHASING": Clearing a parcel of land in distinct sections, with the stabilization of each section before the clearing of the next.
- (37) "POLLUTANT": Anything that causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, sediment, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.

- (38) "POST-DEVELOPMENT": The conditions that exist following the completion of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.
- (39) "PRE-DEVELOPMENT": The conditions that exist prior to the initiation of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.
- (40) "PROFESSIONAL ENGINEER": A Professional Engineer registered in the State of Ohio.
- (41) "PUBLIC HEALTH NUISANCE": means any activity or failure to act that adversely affects the public health and shall include, but is not limited to, any condition which poses an immediate and direct hazard to human health if left un-remedied due to the existence of the condition itself or due to the immediate threat of transmission of disease through insects, animals, or other means of transmission or infections.
- (42) "QUALIFIED INSPECTION PERSONNEL": A person knowledgeable in the principles and practice of erosion and sediment controls, who possess the skills to assess all conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measure selected to control the quality of storm water discharges from the construction activity.
- (43) "RAINWATER AND LAND DEVELOPMENT GUIDE": Ohio's standards for storm water management, land development, and urban stream protection. The most current edition of these standards shall be used with this regulation.
- (44) "REDEVELOPMENT": A construction project on land where impervious cover has previously been developed and where the new land use will not increase the runoff coefficient. If the new land use will increase the runoff coefficient, then the project is considered to be a new development project rather than a redevelopment project.
- (45) "REGISTERED PROFESSIONAL SURVEYOR": A person who is registered as a professional surveyor under Ohio Revised Code Chapter 4733.
- (46) "RIPARIAN AREA": Land adjacent to any brook, creek, river, or stream having a defined bed and bank that, if appropriately sized, helps to stabilize streambanks, limit erosion, reduce flood size flows, and/or filter and settle out runoff pollutants, or performs other functions consistent with the purposes of this regulation.
- (47) "RUNOFF": The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually conveyed to water resources or wetlands.

- (48) "SEDIMENT": The soils or other surface materials that are transported or deposited by the action of wind, water, ice, gravity, or any combination of those forces, as a product of erosion.
- (49) "SEDIMENTATION": The deposition or settling of sediment.
- (50) "SETBACK": A designated transition area around water resources or wetlands that is left in a natural, usually vegetated, state so as to protect the water resources or wetlands from runoff pollution. Soil disturbing activities in this area are restricted by this regulation.
- (51) "SITE OWNER/OPERATOR": Any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, limited liability company, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof that is: the record owner of the property; responsible for the overall property or portion thereof; or the organization responsible for maintaining a Structural Storm Water Management Practice, including, but not limited to an owners association as defined in Ohio Revised Code Chapter 5312 to mean an organization that is comprised of owners of lots in a planned community that is responsible for the administrative governance, maintenance, and upkeep of the planned community.
- (52) "SOIL DISTURBING ACTIVITY": Clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed and that may result in, or contribute to, erosion and sediment pollution.
- (53) "SOIL & WATER CONSERVATION DISTRICT": An entity organized under Chapter 1515 of the Ohio Revised Code referring to either the Soil and Water Conservation District Board or its designated employee(s). Hereafter referred to as Hancock County SWCD.
- (54) "STABILIZATION": The use of BMPs, such as seeding and mulching), that reduce or prevent soil erosion by water, wind, ice, gravity, or a combination of those forces.
- (55) "STORM WATER" Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation
- (56) "STORM WATER POLLUTION PREVENTION PLAN (SWP3)": The written document that sets forth the plans and practices to be used to meet the requirements of this regulation.
- (57) "STRUCTURAL STORM WATER MANAGEMENT PRACTICE": Any constructed facility, structure, or device that provides storage, conveyance, and/or treatment of storm water runoff.

- (58) "UNSTABLE SOILS": A portion of land that is identified by the City of Findlay Engineer as prone to slipping, sloughing, or landslides, or is identified by the U.S. Department of Agriculture Natural Resource Conservation Service methodology as having low soil strength.
- (59) "WATER QUALITY VOLUME": The volume of runoff from a contributing watershed that must be captured and treated, per applicable OEPA NPDES guidelines and ODNR Rainwater and Land Development Manual guidelines.
- (60) "WATER RESOURCE": Any public or private body of water; including wetlands; the area within the ordinary high water level of lakes and ponds; as well as the area within the ordinary high water level of any brook, creek, river, or stream having a defined bed and bank (either natural or artificial) which confines and conducts continuous or intermittent flow.
- (61) "WATER RESOURCE CROSSING": Any bridge, box, arch, culvert, truss, or other type of structure intended to convey people, animals, vehicles, or materials from one side of a watercourse to another. This does not include private, non-commercial footbridges or pole mounted aerial electric or telecommunication lines, nor does it include below grade utility lines.
- (62) "WATERSHED": The total drainage area contributing storm water runoff to a single point.
- (63) "WETLAND": Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas (40 CFR 232, as amended).

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

PRESIDENT OF COUNCIL

MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

ORDINANCE NO. 2015-037

AN ORDINANCE ENACTING NEW CODIFIED CHAPTER 935 KNOWN AS THE ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) FOR THE CITY OF FINDLAY, OHIO.

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That a new Chapter 935 of the Codified Ordinance of the City of Findlay, Ohio be and the same is hereby enacted to be known as the illicit discharge and illegal connection control to the Municipal Separate Storm Sewer System (MS4) to read as follows:

CHAPTER 935 Illicit Discharge and Illegal Connection Control

935.01 PURPOSE AND SCOPE

The purpose of this regulation is to provide for the health, safety, and general welfare of the citizens of Findlay Ohio through the regulation of Illicit Discharges to the Municipal Separate Storm Sewer System (MS4). This regulation establishes methods for controlling the introduction of Pollutants into the MS4 in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit process mandated by the Ohio Environmental Protection Agency (Ohio EPA). The objectives of this regulation are:

- A. To implement one of the six minimum control measures identified in the MS4 General Storm Water permit (OHQ000002) issued by Ohio EPA as incorporated into the City of Findlay's Storm Water Management plan;
- B. To prohibit Illicit Discharges and illegal connections to the MS4; and
- C. To establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this regulation.

935.02 APPLICABILITY

This Chapter shall apply to all premises within the City of Findlay and all discharges to the MS4 owned or operated by the City of Findlay. The definitions in section 931.06 of the Codified Ordinances of the City of Findlay shall apply throughout this Chapter.

935.03 DISCLAIMER OF LIABILITY

Compliance with a provision of this Chapter shall not relieve any Person from responsibility for damage to any Person otherwise imposed by law. The provisions of this Chapter are promulgated to promote health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.

935.04 CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY

- A. Where this Chapter is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the City of Findlay or its Authorized Agent, shall prevail.
- B. If any clause, section, or provision of this Chapter is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.
- C. This Chapter shall not be construed as authorizing any Person to maintain a nuisance on their property, and compliance with the provision of this Chapter shall not be a defense in any action to abate such a nuisance.
- D. Failure of the City of Findlay or its Authorized Agent to observe or recognize unsightly conditions or to recommend corrective measures shall not relieve a Person from the responsibility for the condition or damage resulting therefrom, and shall not result in the City of Findlay, its officers, employees, or agents being responsible for any conditions or damage resulting therefrom.

935.05 RESPONSIBILITY FOR ADMINISTRATION

The City of Findlay or its Authorized Agent shall administer, implement, and enforce the provisions of this regulation.

935.06 DISCHARGE AND CONNECTION PROHIBITIONS

- A. Prohibition of Illicit Discharges. No person shall discharge, or cause to be discharged, an Illicit Discharge into the MS4. The commencement, conduct, or continuance of any Illicit Discharge to the MS4 is prohibited except as described below:
 - 1. Water line flushing; landscape irrigation; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; discharges or flows from fire-fighting activities, and other Storm Water discharges. If any of these aforementioned discharges are deemed by the City of Findlay or its Authorized Agent to be contaminated they will be prohibited. The aforementioned discharges are exempt until such time as they are determined by the City of Findlay to be significant contributors of Pollutants to the MS4.
 - 2. Discharges specified in writing by the City of Findlay or its Authorized Agent as being necessary to protect public health and safety.

3. Discharges from off-lot household sewage treatment systems permitted by the City of Findlay or Hancock County Health Department for the purpose of discharging treated sewage effluent in accordance with Ohio Administrative Code 3701-29-02(G) until such time as the Ohio EPA issues a NPDES permitting mechanism for residential 1,2, or 3 family dwellings. These discharges are exempt unless such discharges are deemed to be creating a public health nuisance by the City of Findlay or Hancock County Health Departments.
- B. Prohibition of Illegal Connections. The construction, use, maintenance, or continued existence of illegal connection to the MS4 is prohibited.
1. The City of Findlay or its Authorized Agent has the right to require the modification of any non-compliant structure which expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection
 2. A person is considered to be in violation of this regulation if the person connects a line conveying Illicit Discharges to the MS4, or allows such a connection to continue.

935.07 MONITORING OF ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS

- A. Establishment of an Illicit Discharge and Illegal Connection Monitoring Program: The City of Findlay shall establish a program to detect and eliminate Illicit Discharges and illegal connection to the MS4. This program shall include: the mapping of the MS4, including MS4 outfalls and home sewage treatment systems; the routine inspections of Storm Water outfalls to the MS4; and the systematic investigation of potential sources, including but not limited to any residential, commercial, industrial or institutional facilities ("Facilities"), of any dry weather flows discovered as the result of these inspections.
- B. Inspection of Residential, Commercial, Industrial, or Institutional Facilities.
1. The City of Findlay or its Authorized Agent, upon proper identification and upon stating the purpose and necessity of an inspection, may enter at reasonable times upon any private or public property, real or personal, to inspect or investigate, obtain samples, and examine or copy any records to determine compliance with this Chapter and the rules adopted under it. The City of Findlay or its Authorized Agent may apply for, and any judge of a court of record may issue, an appropriate search warrant necessary to achieve the purposes of this Chapter if entry is refused or the inspection or investigation is refused, hindered, or thwarted. The City of Findlay or its Authorized Agent shall be permitted to enter and inspect any Facilities subject to this Chapter as often as may be necessary to determine compliance with this regulation.
 2. The City of Findlay or its Authorized Agent shall have the right to set up at Facilities subject to this Chapter. such devices as are necessary to conduct monitoring and/or sampling of the facility's Storm Water discharge, as determined by the City of Findlay or its Authorized Agent.

3. The City of Findlay or its authorized agent shall have the right to require the Facility owner/operator to install monitoring processes, reporting and/or equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the Facility owner/operator. In the event of a violation, the equipment shall be installed and maintained at the owner/operator's expense. All devices used to measure Storm Water flow and quality shall be calibrated by a qualified contractor and the calibration inspection data shall be submitted to the City of Findlay or its Authorized Agent to ensure the accuracy of the equipment.
4. Any temporary or permanent obstruction to safe and reasonable access to the Facility to be inspected and/or sampled shall be promptly removed by the Facility's owner/operator at the written or oral request of the City of Findlay or its Authorized Agent and shall not be replaced. The costs of clearing such access shall be borne by the Facility owner/operator.

No Person shall cause unreasonable delay in allowing the City of Findlay or its Authorized Agent access to a Facility subject to this Chapter for the purposes of Illicit Discharge inspection.

5. Any costs incurred by the City associated with these inspections mentioned in section 4, above, may be assessed to the Facility owner/operator as determined by the City of Findlay or its Authorized Agent.

935.08 ENFORCEMENT

- A. Notice of Violation. When the City of Findlay or its Authorized Agent finds that a person has violated a provision of this Chapter, the City of Findlay or its Authorized Agent may order compliance by written Notice of Violation (NOV). Such notice must specify the violation and shall be hand delivered, and/or sent by registered or certified mail, to the owner/operator of the Facility. Such notice may require the following actions:
 1. The performance of monitoring, analyses, and reporting;
 2. The elimination of Illicit Discharges or illegal connections;
 3. The violating discharges, practices, or operations cease and desist;
 4. The abatement or remediation of Storm Water pollution or contamination hazards and the restoration of any affected property; or
 5. The implementation of source control or treatment Best Management Practices.

If abatement of a violation and/or restoration of affected property are required, the Notice of Violation shall set forth a deadline within which such remediation or restoration must be completed. Said Notice shall further advise that, should the Facility owner/operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.

Any Person receiving a Notice of Violation must meet compliance standards within the time established in the Notice of Violation.

- B. Administrative Hearing or Referral for Enforcement: If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, the City of Findlay may schedule an administrative hearing to determine reasons for non-compliance and to determine the next enforcement activity, or refer the matter to the City Attorney for civil or criminal enforcement, or both. In the case of an administrative hearing, notice of the hearing shall be hand delivered and/or sent by registered mail or certified mail.
- C. Injunctive Relief: If any Person has violated or continues to violate the provisions of this Chapter, the City of Findlay may petition for a preliminary or permanent injunction restraining the Person from activities that would create further violations or compelling the owner/operator to perform abatement or remediation of the violation.

935.09 REMEDIES NOT EXCLUSIVE

The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is in the discretion of the City of Findlay or its Authorized Agent to seek cumulative remedies.

935.99 PENALTY

- A. Any Person who has failed to comply with an order of the City or has violated any provision of this Chapter, regulations, or rules of the City, or orders of any court of competent jurisdiction may be subjected to the imposition of a civil penalty. This penalty shall be in an amount not exceeding one thousand dollars (\$1,000) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- B. Any Person violating any provision of this chapter shall be liable to the City for any expense, loss or damage caused by such violation or discharge. The City shall bill the Person for the costs incurred by the City for any cleaning, repair or replacement work caused by the violation or discharge.
- C. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter shall be punished by the imposition of a civil penalty of not more than one thousand dollars (\$1,000).

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

PRESIDENT OF COUNCIL

MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

ORDINANCE NO. 2015-038

AN ORDINANCE ENACTING NEW CODIFIED CHAPTER 937 KNOWN AS DRAINAGE, EROSION AND SEDIMENT CONTROL FOR THE CITY OF FINDLAY, OHIO.

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That a new Chapter 937 of the Codified Ordinance of the City of Findlay, Ohio be and the same is hereby enacted to be known as drainage, erosion and sediment to read as follows:

CHAPTER 937 DRAINAGE, EROSION AND SEDIMENT CONTROL

937.01 PURPOSE AND SCOPE

The purpose of this Chapter is to meet USEPA standards, and establish technically feasible and economically reasonable standards to achieve a level of Drainage, Erosion and Sediment Control that will minimize damage to property and degradation of Water Resources and Wetlands, and will promote and maintain the health and safety of the citizens of Findlay. The objectives of this regulation are based on USEPA mandates to control Storm Water quantity, quality, and Erosion and are intended to:

- A. Allow development and/or redevelopment within the municipal boundaries and outside the municipal boundaries that discharge to the MS4 while minimizing impacts to existing Drainage courses and increases in Erosion and Sedimentation.
 - (1) Control Storm Water Runoff from such Parcels and ensure that all Storm Water management practices are properly designed, constructed, and maintained.
 - (2) Control the volume, rate, and quality of Storm Water Runoff originating from such Parcels so that surface water and ground water are protected and flooding and Erosion potential are not increased.
 - (3) Preserve natural Infiltration and ground water recharge, and maintain subsurface flow that replenishes Water Resources.
 - (4) Maximize the use of Storm Water management practices that serve multiple purposes including, but not limited to, flood control, Erosion and Sediment Control, water quality protection, recreation, and habitat preservation.
 - (5) Design sites to minimize the number of stream crossings and the width of associated Soil Disturbing Activity in order to minimize the City of Findlay from future expenses related to the maintenance and repair of stream crossings.
- B. Reduce water quality impacts to receiving Water Resources and Wetlands that may be caused by new development and redevelopment activities.

937.02 APPLICABILITY

This Chapter shall apply to all Parcels used or being developed, either wholly or partially, for new or relocated projects involving: highways and roads; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; redevelopment activities; grading; and all other uses that are not specifically exempted below:

- A. This Chapter does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.
- B. This Chapter does not require a Storm Water Pollution Prevention Plan (SWP3) for linear construction projects, such as pipeline or utility line installation **on private property and approved by the Public Utilities Commission of Ohio or the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA)**, that do not result in the installation of impervious surface as determined by the City of Findlay Engineer. Such projects must be designed to minimize the number of stream crossings and the width of disturbance. Linear construction projects must comply with USEPA requirements regarding Erosion and Sediment Control.

937.03 DISCLAIMER OF LIABILITY

Compliance with this Chapter shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular Parcel.

937.04 CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY

- A. Where this Chapter is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the City of Findlay, shall prevail.
- B. If any clause, section, or provision of this Chapter is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.
- C. This Chapter shall not be construed as authorizing any person to maintain a Public Health Nuisance on their property, and compliance with the provision of this regulation shall not be a defense in any action to abate such a Public Health Nuisance.
- D. Failure of the City of Findlay to observe or recognize unsightly conditions or to recommend corrective measures shall not relieve the Site Owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the City of Findlay, its officers, employees, or agents being responsible for any conditions or damage resulting therefrom.

937.05 DEVELOPMENT OF DRAINAGE PLANS

- A. This Chapter requires that a drainage plan be submitted and implemented for all Parcels that are being developed or redeveloped and that are subject to site plan or plat approval, **unless specifically exempted in Section 937.02.**
- B. The following information shall be submitted as part of an engineered site plan or construction drawing application.
- (1) The design of storm sewer systems will be based upon the "Rational Method" using the equation $Q=CiA$ and the "Manning Formula" (A is less than 100 acres). Areas greater than 100 acres use State of Ohio Bulletin Number 43 and compare with Bulletin Number 45 Floods in Ohio or Soil Conservation Service Technical Release #55, 2nd edition.
 - (2) Complete drainage calculations shall be submitted for pipe size determinations, 10 year hydraulic gradient checks and catch basin type and spacing designs. All culverts will be designed for a 10 year frequency storm with a hydraulic gradient check for a 25 year storm. The HGL shall be consistent with any data available at the City or County Engineer's office if established. Drainage calculations shall be prepared, organized, and submitted in a report format for review by the City engineer. The report shall include the designer and/or reviewer name(s) and the seal, signature, and date of the Professional Engineer responsible for the calculations in accordance with Section 4733.14 of the *Ohio Revised Code*.
 - (3) Storm sewers shall be designed to flow just full for the 5 year intensity-duration-frequency curve. The minimum velocity at just full shall be 2 feet per second. Minimum pavement gutter elevations shall be at or above the hydraulic grade line for a 10 year frequency storm. Use the 10 year intensity-duration-frequency curve for determining this hydraulic grade line.
 - (4) Detention/Retention facilities will be required. Existing conditions may limit the allowable out flow of the proposed site. The allowable outflow will be limited to the existing 5 year intensity storm for existing conditions of the proposed site and/or available capacity of the outlet, whichever is lesser. The detention facility shall store the proposed inflow from a 100 year intensity storm without overtopping a multi-stage outlet control structure.
 - (5) A flood route will be shown on the plan depicting the flow path of storm water in the event of a structure failure or storm that exceeds design capacity

- (6) Grading plans will be required showing the proposed elevations at the right of way line, building lines and back lot lines. In areas where the site grading plan calls for the conveyance of surface storm water along or across rear property lines, a catch basin shall be provided. An absolute minimum grade of 0.3% shall be provided for rear lot swales. Flood routing shall be illustrated for the structures.
 - (7) Flood Hazard Boundary (if applicable) shall be shown along with a clear delineation and plan for work within the Flood Hazard Zone. Any FEMA permits required to accomplish grading and or construction objectives shall be identified. Reference also the City of Findlay Flood Damage Reduction Ordinance.
- C. FEMA regulations shall be strictly followed for all developments. Impacts on floodway and floodway fringe shall be addressed. Filling in floodplain requires a permit the City of Findlay. Flood boundaries shall be shown on plans along with 100 year storm elevations. All necessary CLOMRs, LOMRs, or LOMAs shall be secured from FEMA before construction of buildings can commence. FEMA studied streams and ditches require that new structures do not raise 100 year flood elevation unless public notification is performed and all parties affected by change are contacted and are agreeable to the raise in the 100 year flood elevation.
- D. The City of Findlay shall administer this regulation, and the City Engineer shall be responsible for determining the adequacy of the information submitted (B)(1)-(B)(6) of this Section and may request additional information.

937.06 DEVELOPMENT OF STORM WATER POLLUTION PREVENTION PLANS

- A. This Chapter requires that a Storm Water Pollution Prevention Plan (SWP3) be developed and implemented for all Parcels disturbing **one or more contiguous acres of land owned by one person or operated as one development unit** on which any regulated activity of Section 937.02 is proposed.
- B. The City of Findlay shall administer this Chapter, but the Site Owner/Operator shall be responsible for compliance with Section 937.06(A). The City of Findlay may consult with the Hancock County SWCD, private engineers, storm water districts, or other technical experts in administering any SWP3.

937.07 APPLICATION PROCEDURES

- A. Storm Water Pollution Prevention Plan (SWP3): The applicant shall submit any established application fee with the required number of plans consistent with the application for final plat, improvement plans, or other application for which drainage control or land disturbance activity is warranted or will be performed. The plans shall be prepared by a CPESC Certified Professional Engineer. The Plan shall show the proposed property boundaries, setbacks, dedicated open space, public roads, water resources, storm water control facilities, and easements. The SWP3 shall summarize the engineering analysis to allow the City of Findlay Engineer to determine if the site is designed to meet the intent of this Chapter and if the proposed storm water management practices are capable of controlling runoff from the site in compliance with this regulation. The SWP3 shall meet the requirements of Section 937.09 and shall be on record with the City of Findlay Engineering Department prior to any Land Clearing or Soil Disturbing Activity, approval of the final plat or before issuance of a zoning permit by the Zoning Inspector.
- B. Review and Comment: The City of Findlay Engineer and/or the MS4 Coordinator shall review the Plans submitted for completeness, and may issue comments and recommendations for revisions. A Plan rejected because of deficiencies shall be resubmitted when deficiencies have been corrected.
- C. Plan Required: Land clearing or Soil Disturbing Activities shall not begin, and zoning or building permits shall not be issued without prior submission of an SWP3, when required.
- D. Validity: A SWP3 shall remain valid for a timeframe corresponding with type of project for which the application was made.

937.08 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS

Approvals issued in accordance with this regulation do not relieve the applicant of responsibility for obtaining all other necessary permits and/or approvals from the Ohio EPA, the US Army Corps of Engineers, and other federal, state, and/or county agencies. If requirements vary, the most restrictive requirement shall prevail. These permits may include, but are not limited to, those listed below. Such permits shall be identified and the applicant shall attest to compliance with the identified state and federal permits or regulations. The City may require additional proof of compliance for the following:

- A. Ohio EPA NPDES Permits authorizing storm water discharging associated with construction activity or the most current version thereof: Proof of compliance with these requirements shall be the applicant's Notice of Intent (NOI) number from the Ohio EPA, a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the site owner certifying and explaining why the NPDES Permit is not applicable.

- B. Section 401 of the Clean Water Act: Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Section 401 of the Clean Water Act is not applicable. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Corps of Engineers at the time an application is made under this regulation.
- C. Ohio EPA Isolated Wetland Permit: Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Ohio EPA's Isolated Wetlands Permit is not applicable. Isolated wetlands shall be delineated by protocols accepted by the U.S. Corps of Engineers at the time an application is made under this regulation.
- D. Section 404 of the Clean Water Act: Proof of compliance shall be a copy of the U. S. Army Corps of Engineers Individual Permit application, public notice, or project approval, if an Individual Permit is required for the development project. If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include one of the following:
- (1) A letter from the site owner certifying that a qualified professional has surveyed the site and determined that Section 404 of the Clean Water Act is not applicable.
 - (2) A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the applicable Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U. S. Corps of Engineers at the time an application is made under this regulation.
- E. Ohio Dam Safety Law: Proof of compliance shall be a copy of the ODNR Division of Water Permit application tracking number, a copy of the project approval letter from the ODNR Division of Water, or a letter from the site owner certifying and explaining why the Ohio Dam Safety Law is not applicable.

937.09 STORM WATER POLLUTION PREVENTION PLAN

In order to control volume, quality, Sediment pollution of Water Resources and Wetlands, and minimize property damage, the applicant shall submit a SWP3 in accordance with the requirements of this regulation.

- A. Storm Water Pollution Prevention Plan (SWP3) required: The applicant shall develop a SWP3 describing how the quantity and quality of Storm Water will be managed after construction is complete for every discharge from the site and/or into a Water Resource. The Plan will illustrate the type, location, and dimensions of every non-structural and Structural Storm Water Management Practice incorporated into the site design, and the rationale for their selection. The rationale must address how these storm water management practices will address flooding within the site as well as flooding that may be caused by the development upstream and downstream of the site. The rationale will also describe how the storm water management practices minimize impacts to the physical, chemical, and biological characteristics of on-site and downstream Water Resources and, if necessary, correct current degradation of Water Resources that is occurring or take measures to prevent predictable degradation of Water Resources.
- B. Preparation by Professional Engineer: The SWP3 shall be prepared by a registered professional engineer that is a certified professional erosion and sediment control (CPESC) specialist, and include supporting calculations, plan sheets, and design details. The City of Findlay Engineer shall make the final determination of whether the practices proposed in the Comprehensive Storm Water Management Plan meet the requirements of this regulation. To the extent necessary, as determined by the City of Findlay Engineer, a site survey shall be performed by a Registered Professional Surveyor to establish boundary lines, measurements, or land surfaces.
- C. Guidance Documents: The ODNR Rainwater and Land Development Guide is to be used to provide assistance in choosing procedures for specific criteria and guidance to be followed when designing the Storm Water management system for the site. Structural and Non-structural methods, extended conveyance and extended detention are commonly used for water quality volume, sediment, and floatable material controls. These procedures may be updated from time to time, based on improvements in engineering, science, monitoring, and local maintenance experience.
- D. Contents: The Storm Water Pollution Prevention Plan (SWP3) shall contain an application, narrative report, construction site plan sheets, a long-term Inspection and Maintenance Agreement and a site description with the following information provided:
 - (1) Site description:
 - (a) A description of the nature and type of the construction activity (e.g. residential, shopping mall, highway, etc.).

- (b) Total area of the site and the area of the site that is expected to be disturbed (i.e. grubbing, clearing, excavation, filling or grading, including off-site borrow areas).
- (c) A description of pre-development conditions at the site.
- (d) An estimate of the impervious cover and areas affected by the Soil Disturbing Activity at the beginning and conclusion of the project.
- (e) Existing data describing the soils throughout the site, including the soil series and association, Hydrologic Unit Code, hydrologic soil group, porosity, Infiltration characteristics, depth to groundwater, depth to bedrock, and any impermeable layers.
- (f) If available, information of any illicit discharge.
- (g) The location and name of the immediate Water Resource(s) that will receive discharge, and the first subsequent Water Resource(s).
- (h) Describe the Pre-Development condition of on-site or impacted Water Resources including the vertical stability of stream channels and indications of channel incision that may be responsible for current or future sources of high Sediment loading or loss of channel stability.
- (i) An **implementation schedule** which describes the sequence of major Soil Disturbing Activity (i.e., grubbing, excavating, grading, utilities and infrastructure installation) and the implementation of Erosion and Sediment controls to be employed during each operation. The activities shall fall into one of the following main categories:
 - a. Perimeter Control –All the controls necessary to keep Sediment on the property during initial site work. The measures shall be installed and inspected by CPSEC Certified Professional Engineer before site work can begin.
 - b. Site Control – All other temporary measures required to be in place during all phases of construction.
 - c. Permanent Control – Those measures intended to provide post-construction Erosion and Sediment controls.
 - d. Maintenance – List the maintenance steps or best management practices required for the permanent controls.

Each of these steps shall be certified as complete by a CPESC Certified Professional Engineer.

If possible, the entire site be shown on one plan sheet to allow for a complete view of the site during plan review. If a smaller scale is used to accomplish this, separate sheets providing an enlarged view of areas on individual sheets shall be provided.

(2) Site Plan showing:

- (a) Limits of Soil Disturbing Activity on the site.
- (b) Soils types for the entire site, including locations of unstable or highly erodible soils.
- (c) Existing and proposed one-foot (1') contours. This must include a delineation of Drainage Watersheds expected before, during, and after major Grading activities as well as the size of each Drainage Watershed in acres.
- (d) Water Resource locations including springs, Wetlands, streams, lakes, water wells, flood hazard zone(s), and associated setbacks on or within 200 feet of the site, including the boundaries of Wetlands or streams and first subsequent named receiving water(s) the applicant intends to fill or relocate for which the applicant is seeking approval from the Army Corps of Engineers, FEMA, and/or Ohio EPA.
- (e) Pre-development and post-development locations of buildings, roads, parking facilities, and utilities.
- (f) The location of any in-stream activities including stream crossings.
- (g) The locations of all Erosion And Sediment Controls for each contributing Drainage Watershed area.
- (h) Areas designated for the storage or disposal of solid, hazardous or toxic wastes, including dumpster areas, areas designated for truck washout and vehicle fueling.
- (i) The location of designated Construction Entrances.
- (j) The location of each construction and Post-development Structural Storm Water Management Practice, and identification of the Drainage area served by each storm water management practice.
- (k) Ultimate outfall labeled with latitude and longitude and Ohio North State Plain Coordinates.

- (3) Contact information: Company name and contact information as well as contact name, addresses, and phone numbers for the following:
 - (a) The Professional Engineer who prepared the SWP3.
 - (b) The Site Owner.
 - (4) Phase, if applicable, of the overall development plan.
 - (5) Sublot numbers if project is a subdivision.
 - (6) Ohio EPA NPDES Permit Number and other applicable state and federal permit numbers, if available, or status of various permitting requirements if final approvals have not been received.
 - (7) Location, including complete site address and sublot number if applicable.
 - (8) Location of any easements or other restrictions placed on the use or maintenance of the property. Include volume and page for recorded document.
- E. An Inspection and Maintenance Agreement. An Inspection and Maintenance Agreement shall be required for Post-construction Structural Storm Water Management Practices and shall contain the following information and provisions for recording with the County Recorder on applicable subdivision plats or lot splits by deed:
- (1) A schedule for regular maintenance for each aspect of the Structural Storm Water Management Practice and description of routine and non-routine maintenance tasks to ensure continued performance as detailed in the approved SWP3. This schedule may include additional standards, as required by the City of Findlay Engineer, to ensure continued performance of the Structural Storm Water Management Practices.
 - (2) The location and documentation of all access and maintenance easements on the property.
 - (3) Identification of the Site Owner(s), or organization, responsible for long-term maintenance, including repairs, of the Structural Storm Water Management Practices.
 - (4) Agreement by the Site Owner(s), or organization, to maintain Structural Storm Water Management Practices in accordance with this regulation.
 - (5) Permission for the City of Findlay's Authorized Agent to enter upon the property to conduct inspections as necessary to verify that the Structural Storm Water Management Practices are being maintained and operated in accordance with this agreement/regulation.

- (6) Agreement by the Site Owner(s) to: maintain records of the results of site inspections; identify any corrective actions required to bring the Structural Storm Water Management Practices into compliance; and make such information and records available to the City upon the request of the City.
- (7) If the City of Findlay notifies the Site Owners responsible for maintenance of the maintenance problems that require correction, the specific corrective actions shall be taken within a reasonable time frame as determined by the City of Findlay.
- (8) The City of Findlay is authorized to enter upon the property and to perform the corrective actions identified in the inspection report if the Site Owner responsible for maintenance does not make the required corrections in the specified time period. The City of Findlay shall be reimbursed by the Site Owner responsible for maintenance for all expenses incurred within 10 days of receipt of invoice from the City of Findlay or the City may assess the cost thereof against the lots or lands abutting thereon.
- (9) The method of funding long-term maintenance and inspections of all Structural Storm Water Management Practices.
- (10) A waiver of liability and a release excepting the City of Findlay from all damages, accidents, casualties, occurrences, or claims that might arise or be asserted against the City of Findlay from the construction, presence, existence, or maintenance of the Structural Storm Water Management Practices.

The applicant must provide an Inspection and Maintenance Agreement as part of the Storm Water Pollution and Prevention Plan Submittal. A recorded copy of the Agreement must be submitted before bonding for erosion control is released by the City.

F. A soils engineering report. The City of Findlay Engineer may require the SWP3 to include a Soils Engineering Report based upon his/her determination that the conditions of the soils are unknown or unclear to the extent that additional information is required to protect against erosion or other hazards. This report shall be based on adequate and necessary test borings, and shall contain all the information listed below. Recommendations included in the report may be incorporated in the grading plans and/or other specifications for site development.

- (1) Data regarding the nature, distribution, strength, and erodibility of existing soils.
- (2) If applicable, data regarding the nature, distribution, strength, and erodibility of the soil to be placed on the site.

- (3) Conclusions and recommendations for grading procedures.
- (4) Conclusions and recommended designs for interim soil stabilization devices and measures, and for permanent soil stabilization after construction is completed.
- (5) Design criteria for corrective measures when necessary.
- (6) Opinions and recommendations covering the stability of the site.

937.10 PERFORMANCE STANDARDS

The SWP3 must contain a description of the controls appropriate for each construction operation and the applicant must implement such controls. The SWP3 must clearly describe for each major construction activity the appropriate control measures; the general sequence during the construction process under which the measures will be implemented; and the contractor responsible for implementation (e.g., contractor A will clear land and install perimeter controls and contractor B will maintain perimeter controls until final stabilization). The SWP3 shall identify all subcontractors engaged in activities that could impact storm water runoff. The SWP3 shall contain signatures from all of the identified subcontractors indicating that they have been informed and understand their roles and responsibilities in complying with the SWP3.

The intent of the ordinance is not to specify the engineering methodology required for meeting NPDES standards. Acceptable methods for erosion and sediment control as defined in the most recent edition of Ohio Department of Natural Resource *Rainwater and Land Development* (Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection) or the USDA NRCS *Field Office Technical Guide*.

The controls shall include the following minimum components:

- A. **NON-STRUCTURAL PRESERVATION MEASURES:** The SWP3 must make use of practices that preserve the existing natural condition to the maximum extent practicable. Such practices may include preserving riparian areas, preserving existing vegetation and vegetative buffer strips, phasing of construction operations in order to minimize the amount of disturbed land at any one time, and designation of tree preservation areas or other protective clearing or grubbing practices.
- B. **EROSION CONTROL PRACTICES:** The SWP3 must make use of erosion controls that are capable of providing cover over disturbed soils. A description of control practices designed to re-stabilize disturbed areas after grading or construction shall be included in the SWP3. The SWP3 must provide specifications for stabilization of all disturbed areas of the site and provide guidance as to which method of stabilization will be employed for any time of the year. Such practices may include: temporary seeding, permanent seeding, mulching, matting, sod stabilization, vegetative buffer strips, phasing of construction operations, the use of construction entrances, and the use of alternative ground cover.

- C. **RUNOFF CONTROL PRACTICES.** The SWP3 shall incorporate measures that control the flow of runoff from disturbed areas so as to prevent erosion. Such practices may include rock check dams, pipe slope drains, diversions to direct flow away from exposed soils and protective grading practices. These practices shall divert runoff away from disturbed areas and steep slopes where practicable.
- D. **SEDIMENT CONTROL PRACTICES.** The SWP3 shall include a description of, and detailed drawings for, all structural practices that shall store runoff, allowing sediments to settle and/or divert flows away from exposed soils or otherwise limit runoff from exposed areas. Structural practices shall be used to control erosion and trap sediment from a site remaining disturbed for more than 14 days. Such practices may include, among others: sediment settling ponds, silt fences, storm drain inlet protection, and earth diversion dikes or channels which direct runoff to a sediment settling pond. All sediment control practices must be capable of ponding runoff in order to be considered functional. Earth diversion dikes or channels alone are not considered a sediment control practice unless used in conjunction with a sediment settling pond.
- E. **NON-SEDIMENT POLLUTANT CONTROLS:** No solid or liquid waste, including building materials, shall be discharged in storm water runoff. The applicant must implement site best management practices to prevent toxic materials, hazardous materials, or other debris from entering water resources or wetlands. These practices shall include but are not limited to the following:
- (1) **Waste Materials:** A covered Dumpster shall be made available for the proper disposal of garbage, plaster, drywall, grout, gypsum, and other waste materials.
 - (2) **Concrete Truck Wash Out:** The washing of concrete material into a street, catch basin, or other public facility or natural resource is prohibited. A designated area for concrete washout shall be made available.
 - (3) **Fuel/Liquid Tank Storage:** All fuel/liquid tanks and drums shall be stored in a marked storage area. A dike shall be constructed around this storage area with a minimum capacity equal to 110% of the volume of all containers in the storage area.
 - (4) **Toxic or Hazardous Waste Disposal:** Any toxic or hazardous waste shall be disposed of properly.
 - (5) **Contaminated Soils Disposal and Runoff:** Contaminated soils from redevelopment sites shall be disposed of properly. Runoff from contaminated soils shall not be discharged from the site. Proper permits shall be obtained for development projects on solid waste landfill sites or redevelopment sites.

- F. **COMPLIANCE WITH OTHER REQUIREMENTS.** The SWP3 shall be consistent with applicable State and/or local waste disposal, sanitary sewer, or septic system regulations, including provisions prohibiting waste disposal by open burning, and shall provide for the proper disposal of contaminated soils located within the development area.
- G. **TRENCH AND GROUND WATER CONTROL.** There shall be no sediment-laden or turbid discharges to water resources or wetlands resulting from dewatering activities. If trench or ground water contains sediment, it must pass through a sediment-settling pond or other equally effective sediment control device, prior to being discharged from the construction site. Alternatively, sediment may be removed by settling in place or by dewatering into a sump pit, filter bag or comparable practice. Ground water dewatering which does not contain sediment or other pollutants is not required to be treated prior to discharge. However, care must be taken when discharging ground water to ensure that it does not become pollutant-laden by traversing over disturbed soils or other pollutant sources.
- H. **INSPECTIONS REQUIREMENTS.** All controls on the site shall be inspected at least once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24 hour period. The inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized or runoff is unlikely due to weather conditions (e.g., site is covered with snow, ice, or the ground is frozen).

The applicant shall assign CPESC qualified inspection personnel to conduct these inspections to ensure that the control practices are functional and to evaluate whether the SWP3 is adequate, or whether additional control measures are required.

These inspections shall meet the following requirements:

- (1) Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of or the potential for, pollutants entering the drainage system.
- (2) Erosion and sediment control measures identified in the SWP3 shall be observed to ensure that they are operating correctly. The applicant shall utilize an inspection form provided by the City of Findlay or an alternate form acceptable to the City of Findlay Engineer. The inspection form shall include:
 - (a) The inspection date.
 - (b) Names, titles and qualifications of personnel making the inspection.

- (c) General weather information for the period since the last inspection, or in the case of a large storm/discharge, a best estimate of the beginning of each storm event, duration of each storm event and approximate amount of rainfall for each storm event in inches, and whether any discharges occurred.
 - (d) Weather information and a description of any discharges occurring at the time of inspection.
 - (e) Locations of:
 - i. Discharges of sediment or other pollutants from site.
 - ii. BMPs that need to be maintained.
 - iii. BMPs that failed to operate as designed or proved inadequate for a particular location.
 - iv. Where additional BMPs are needed that did not exist at the time of inspection.
 - (f) Corrective action required including any necessary changes to the SWP3 and implementation dates.
- (3) Discharge locations shall be inspected to determine whether erosion and sediment control measures are effective in preventing significant impacts to the receiving water resource or wetlands.
- (4) Locations where vehicles enter or exit the site shall be inspected for evidence of off-site vehicle tracking.
- (5) The applicant shall maintain for three (3) years following final stabilization the results of these inspections, the names and qualifications of personnel making the inspections, the dates of inspections, major observations relating to the implementation of the SWP3, a certification as to whether the facility is in compliance with the SWP3, and information on any incidents of non-compliance determined by these inspections.
- I. FINAL STABILIZATION. Final stabilization shall be determined by a certified inspector and notice given to the City of Findlay Engineering Department. The City may perform inspection before bonds are released.
- J. ANNUAL INSPECTION. Annual inspections by a CPESC Certified Professional are required and shall be submitted to the City of Findlay. An annual renewal fee shall be charged. Failure to submit a report identifying repairs and timeline for repairs and or an inspection stating compliance with the required maintenance procedures as established shall be considered a violation.

937.10 FEES

The Drainage Plans and Storm Water Pollution Prevention Plan shall be submitted for review and filing an inspection fee is part of a complete submittal and is required to be submitted to the City of Findlay before the review process begins. Please consult with City of Findlay Engineer for current fee schedule.

937.12 BOND

- A. If a Storm Water Pollution Prevention Plan is required by this regulation; Soil Disturbing Activities shall not be permitted until a cash bond, construction bond, irrevocable letter of credit, or other security as pre-approved by the City of Findlay Engineer, and has been deposited with the City of Findlay. The bond amount shall be determined with an engineer's estimate. The bond will be used for the City of Findlay to perform the obligations otherwise to be performed by the owner of the development area as stated in this regulation and to allow all work to be performed as needed in the event that the applicant fails to comply with the provisions of this regulation.
- B. No project subject to this regulation shall commence without a SWP3 prepared by a qualified professional is on record with the City Engineering Department.

937.13 AS-BUILT SURVEY

- A. A survey shown on a plan or drawing prepared by a Registered Surveyor indicating the actual dimensions, elevations, and locations of any structures, underground utilities, swales, detention facilities, Water Resource Crossing and final grading, especially as related to work in the Flood Hazard Zone shall be submitted after construction has been completed. This survey shall be on record with the Engineering Department before Bonds are released.

937.14 ENFORCEMENT

- A. All development areas may be subject to inspections by the City of Findlay to ensure compliance with the submitted SWP3. Any duly authorized representative of the City may, upon identification to the Site Owner or person in charge present at the property, enter upon any part of the property deemed or described as relevant to the successful implementation of the SWP3, in order to determine whether there is compliance with this Chapter. If access is denied, the City may apply for an appropriate search warrant as necessary to achieve the purposes of this Chapter.
- B. After any inspection, the City of Findlay may prepare and distribute a status report to the Site Owner.

937.15 VIOLATIONS

- A. No person shall violate or cause to be violated any of the provisions of this regulation, or fail to comply with any of such provisions or with any lawful requirements of any public authority made pursuant to this regulation, or use or cause or permit the use of any lands in violation of this regulation or in violation of any permit granted under this regulation.

- B. Upon notice, the Mayor and/or City Engineer may suspend any active soil disturbing activity for a period not to exceed ninety (90) days, and may require immediate erosion and sediment control measures whenever he or she determines that such activity is not meeting the intent of this regulation. Such notice shall be in writing, shall be given to the Site Owner, and shall state the conditions under which work may be resumed. In instances, however, where the Mayor and/or designee finds that immediate action is necessary for public safety or the public interest, he or she may require that work be stopped upon verbal order pending issuance of the written notice.

937.16 APPEALS

Any person aggrieved by any order, requirement, determination, or any other action or inaction by the City of Findlay in relation to this regulation may appeal to the court of common pleas. Such an appeal shall be made in conformity with Chapter 2506 of the Ohio Revised Code and written notice of appeal shall be served on the City of Findlay.

937.99 PENALTY

- A. Any person, firm, entity or corporation; including but not limited to, the Owner of the property, agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this regulation is guilty of a misdemeanor of the third degree and shall be fined no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.
- B. The imposition of any other penalties provided herein shall not preclude the City of Findlay instituting an appropriate action or proceeding in a Court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this regulation or other applicable laws, ordinances, rules, or regulations, or the orders of the City of Findlay.

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

PRESIDENT OF COUNCIL

MAYOR

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____