

FINDLAY CITY COUNCIL MEETING AGENDA

REGULAR SESSION

APRIL 7, 2020

COUNCIL CHAMBERS

ROLL CALL of 2020-2021 Councilmembers

ACCEPTANCE/CHANGES TO PREVIOUS CITY COUNCIL MEETING MINUTES:

Acceptance or changes to the March 3, 2020 Regular Session City Council meeting minutes.

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

PROCLAMATIONS: none

RECOGNITION/RETIREMENT RESOLUTIONS: none

ORAL COMMUNICATIONS: none

PETITIONS:

Zoning amendment request – 701-708 Adams St/700-714 Putnam St

W. Anthony Scanlon on behalf of G & H Enterprises, LLC would like to change the zoning of 701-708 Adams Street/700-714 Putnam Street to R4 Duplex/Triplex High Density. It currently is zoned as M2 Multiple Family Residential District. Needs to be referred to City Planning Commission and Planning & Zoning Committee.

WRITTEN COMMUNICATIONS:

David Feldman, CEO Nickolas Asset Management, LLC – Argyle/City lot project

Mr. Feldman is providing his strong support for the Argyle/City lot project. In terms of growth, nothing is more important than attracting more residents to live in our city since many already make the commute every day. A vibrant downtown will only enhance the overall area. The income tax generated, future property tax generated and the robust infusion of discretionary spending into our downtown as a result, will benefit all in a win/win proposition.

Jim Heck – Argyle Lot

Mr. Heck would like to congratulate the City of Findlay for generating the interest of outside developers to invest in the downtown area. The end goal is to contribute to the success of downtown Findlay. In order to help the project along during the negotiations, there needs to be a guarantee to provide for the parking needs of the existing users of the parking lot. Existing property owners and tenants have made investments based on the current parking provided by the City. The City needs a “win-win” that will take care of the current users of the City lot plus the new proposed apartments. New development must not come at the expense of long-term property owners and tenants. As the downtown becomes busier, existing private parking lots could be used after business hours to alleviate on street parking demand. He would consider this with his private parking lots. The main goal should be to cooperate to make the downtown a success.

Dan Matheny, owner of Wine Merchant – Argyle project

Mr. Matheny was hired for his first and only teaching position in Findlay in 1976 when he was told that to criticize or suggest changes for Findlay would be highly inappropriate, until he had lived here a minimum of twenty-five (5) years. He has been in Findlay for forty-three (43) years now both as an educator and now as a local business owner where he has participated in discussions and has occasionally spoke to community interests, but today’s question seems rather simple. The Argyle fire eight (8) years ago was devastating to many, most obviously to the residents, however for he and the Weavers, there was a serious question as to whether their buildings could remain as stand alones, thankfully, they have remained. Less than a week after the fire, he was asked to discuss the possibility of creating an in-build on what has become the Argyle lot. Those discussions have continued for over eight (8) years to no avail. Over the past several years, downtown Findlay has seen many investments by the public and private sectors that provide small business owners like Mr. Matheny the opportunity to be successful. Mr. Matheny is a neighbor of the proposed Argyle Development and is very supportive of the development as proposed to City Council by Mr. Oxley. The addition of downtown residents will continue to enhance the vibrancy of downtown Findlay. He is appreciative that City Council and Mr. Oxley are working together to ensure that public parking remains within the footprint of the project after it is completed. City Council has created an environment that allows this type of proposed development to be constructed.

Richard Kirk, CEO Kirk Corporation – Argyle project

Mr. Kirk believes that forefront of a vibrant community is the shaping and defining the character of downtown Findlay and providing opportunities to accommodate a wide variety of demographics. Public entities cannot put tax dollars at risk, therefore, communities are dependent on private investors who are willing to take on economic risk which will have a positive impact on Findlay's downtown revitalization. When private developers invest in downtown development, the long-term fiscal return benefits the community for many years to come. Some of those benefits include:

- A substantial increase in tax base
- An increase in property values for other downtown properties
- Inspiration to other private investors to invest in the downtown area
- Providing community support and stability to current downtown businesses
- Aesthetically improving the appearance of our downtown footprint

It would be remiss of community leaders to dismiss the proposed Argyle development. It is a legitimate development opportunity as proposed by the Elvis Oxley Group. The community has an economic obligation to support Mr. Oxley's proposal for development of that parcel. Mr. Oxley has a sincere and vested interest in downtown Findlay. His plan includes retail, office, residential space and parking, all of which are so desperately needed and desired by the citizens of Findlay and Hancock County. Thriving communities have thriving downtowns. Mr. Kirk is encouraged by the talent and enthusiasm brought forth by Mr. Oxley's Group and believes the Argyle development will give a substantial economic boost to the City of Findlay.

John Drymon, Reverend of Trinity Episcopal Church – Argyle project

Rev. Drymon is unsure if the third (3rd) reading of Ordinance No. 2020-027 will take place on Tuesday, March 17, 2020 due to the COVID-19 pandemic, but wanted to voice his concerns publicly. This week, City Council will be copied on a letter addressed to Law Director Rasmussen from the Bishop of Ohio describing the legal status of their Trinity Parish and explaining the fact that the Diocese of Ohio holds a one hundred percent (100%) beneficial interest in all properties under Trinity, Findlay's title. The diocese itself holds this interest in trust for the Protestant Episcopal Church in the United States of America. The Bishop's letter is being sent at the request of their Diocese and Chancellor and Canon to the Ordinary, Mr. William Powel, Chief Legal Counsel, for the Diocese and Assistant Chancellor Ms. Amy Kellogg, partner in the firm of Baker and Hostetler. Rev. Drymon has been in regular contact with both of those Diocesan Attorneys over the last several weeks acquainting them with this situation.

There are also several issues that are of concern to the Diocesan Attorneys, as well as to his parishioners and to Rev. Drymon. While they do not want to be obstructionist, they insist on due diligence with respect to the issues they have raised both at City Council meetings, and in email communications with Councilmembers. Their issues of concerns are:

1. Compliance with Ohio Revised Code 723.121 concerning the conveyance of "lands not needed for municipal purposes: which requires City Council to make and enter into the minutes a formal determination that the property is no longer needed before it may be conveyed. City Council must take such action with respect to the City parking lot before it may take action on Ordinance No. 2020-027.
2. Compliance with the City of Findlay Codified Ordinance Chapter 147 which legally requires the Municipal Parking Authority to make quarterly reports to City Council on parking needs and parking lot use. After making a public records request for recent City of Findlay Parking Authority reports, they were informed that the parking authority has not met since 2011, so there are not quarterly reports. City Council needs a report from the Parking Authority assessing the need for the parking lot before making a determination that the parking lot is not needed.
3. Compliance with the restrictions on the deed is needed which donated the property to the City and that requires the City of Findlay to offer the successor or assigns of Kirk Realty a repurchase option of the lot at \$13,500 before the City may legally alienate it. Rev. Drymon has fielded a number of calls over the last several days from concerned local realtors (none of whom are his parishioners) offering to help pay for advertisements to try to track down any individual(s)/corporations that may have recourse to this legal right and may have standing should they decide either to claim it or bring suit against the City should they not be given explicit public notice.
4. Compliance with ORC 121.22, namely that the ordinance being left off the publicly available agenda for the meeting where it received its first reading, might render the first reading out of order under the Ohio Open Meetings Act. Those in the parish now know that this was an oversight and they commend Councilman Russel for his apology at the last meeting. They cannot, however, keep their Diocesan Attorneys from bringing it up should they choose to do so.
5. The need for formal recognition of an alley on the east side of the Trinity, Findlay building, between the church property and the existing parking lot which requires a new City Ordinance. They ask City Council to take action on the creation of the alley before any conveyance of the parking lot.

6. The need for written assurance, binding on the Blanchard Valley Port Authority or the ultimate private developer, stipulating church access to parking for Sunday services and other church events such as weddings or funerals on other days of the week. They ask City Council to include this stipulation in any agreement to convey the property.
7. The need for written assurance, binding on the Blanchard Valley Port Authority or the ultimate private developer, promising that the east side of their facilities will be cleaned, and if necessary, repaired after any construction in the parking lot. They ask City Council to include this stipulation in any agreement to convey the property.

Semro Henry & Barga Ltd. Attorney Jeffrey Stopar – Ordinance No. 2020-026

Mr. Stopar has been asked by Mayor Muryn and Law Director Rasmussen for his legal opinion regarding the legality of the proposed amendments to the Findlay Zoning Code on duplexes and triplexes. He has no concerns regarding the legality of the proposed text amendment and the proposed map amendment.

Mr. Stopar's background includes: fifteen years of practice in the area of local government litigation, zoning and land use, and constitutional law. He has presented to the Ohio Township Association and the Ohio Planning Association on multiple occasions. He has presented to both local governments and private entities in zoning matters, so he is capable of viewing land use issues from both the governmental and private perspectives. He has performed legal work on a variety of zoning-related matters involving extensive consultation with Hancock Regional Planning Commission Director Matt Cordonnier, as well as Law Director Don Rasmussen since 2017, recently meeting with them in October and November of 2019 where he provided input on legal issues raised by duplexes and triplexes in the City. He has reviewed the proposed changes via Ordinance No. 2020-026, as well as the proposed map amendment, and is offering the following opinions:

- The ordinance changes the setbacks for new construction in R1, R2, and R3. They are designed to make the front yard setbacks for new construction harmonious with the adjacent lots. It is an appropriate and standard land use planning device that has no legal problems.
- The proposed ordinance makes duplexes and triplexes conditional use in the R3 District. That change does not prohibit duplexes or triplexes in any district in which they are permitted. Under current law, the only district in which duplexes and triplexes are permitted, either as of right or conditionally, is the R4 District in which they are permitted used (see section 1124.02 of the Findlay Codified Ordinances). He has no concerns making duplexes and triplexes conditional uses in the R3 District.
- Duplexes and triplexes are not currently permitted in R1, R2, or R3 Districts, therefore, any existing duplexes/triplexes must be nonconforming uses in order to be legal (see Chapter 1162 of the Findlay Codified Ordinances). A conditional use permit is a preferred use to a non-conforming use because once a landowner has a conditional use permit, that use is permitted subject to its express conditions (see Sections 1161.15 and 1151.151 of the Findlay Codified Ordinances).

Basic law for non-conforming uses has been well established for decades:

Non-conforming uses, like common-law marriages, are not favorites of the law. The reason for their disfavored position is clear: if the segregation of buildings and uses, which is the function of zoning, is valid because of the beneficial results which this brings to the community, to the extent this segregation is not carried out, the value of zoning is diminished and the public is thereby harmed. Non-conforming uses are allowed to exist merely because of the harshness of and the constitutional prohibition against the immediate termination of a use which was legal when the zoning ordinance was enacted. Young, *The Regulation and Removal of Nonconforming Uses* (1961), 12 *Western Res.L.Rev.* 681, 686 (hereinafter "Young"). The rights of a non-conforming user are limited, and the clear intent and purpose is to eliminate such non-conforming uses as rapidly as possible. See *Curtiss v. Cleveland*, supra, 170 Ohio St. at 130-131, 10 O.O.2d at 87, 163 N.E.2d at 685.

City of Kettering v. Lamar Outdoor Advert., Inc., 38 Ohio App. 3d 16, 18, 525 N.E.2nd 836, 839 (1987). See, also *Ledford v. Bd. of Zoning Appeals*, 171 Ohio App.3d 24, 32. Nonconforming uses "may be regulated, and even girded to the point that they wither and die." *City of Columbus v. Union Cemetery Assn.*, 45 Ohio St.2d 47, 49 (1976).

Based on the foregoing limitations on nonconforming uses, and the significant power cities have to regulate and eliminate them, it is a benefit to any existing duplex/triplex owner to have the zoning designation changed to allow duplexes and triplexes as conditional uses.

Some concerns have been raised suggesting that there may be civil rights issues regarding zoning Ordinance No. 2020-026 and the proposed zoning map amendment. It is unclear how allowing duplexes/triplexes as conditional uses, rather than nonconforming uses, raises a constitutional concern, either under the U.S. or Ohio Constitutions. Zoning has been approved repeatedly by the U.S. Supreme Court and the Ohio Supreme Court. See *Village of Euclid v. Amber Realty*, (1926), 272 U.S. 365, 395 (a landowner must prove that the zoning regulation was “clearly arbitrary and unreasonable, having no substantial relation to the public health, safety, morals or general welfare.”) and *Goldberg Cos. V. Richmond Hts.* (1998), 81 Ohio St.3d 207, 210. Moreover, **the burden is on the landowner to demonstrate a constitutional claim “beyond fair debate,” which is similar to the “beyond reasonable doubt standard” in criminal cases.** *Goldberg*, 81 Ohio St.3d at 213; and *Cent. Motors Corp. v. Pepper Pike*, 73 Ohio St.3d 81, 584 (1995). In sum, neither the proposed text nor map amendments give rise to a viable constitutional claim.

Moreover, to the extent that an owner of a duplex/triplex wants to continue as a non-conforming use, rather than a conditional use, it should be remembered that the burden is on the property owner to show that there is a valid non-conforming use of the property. See *Barnes v. Koon*, 5th Dist. No. 08-CA-14, 2009-Ohio-277, at ¶ 17, citing *Dublin v. Finkes*, 83 Ohio App.3d 687, 690 (1983); and *State ex rel. Bailey v. Madison*, 10th Dist. No. 12AP-284, 2012-Ohio-4950 at ¶ 15, citing *State v. Teachout*, 11th Dist. No. 2004-T-0129, 2005-Ohio-05119, at ¶ 13. Thus, once the City’s records demonstrate that no duplex/triplex was lawfully established on a specific zoning lot, then that owner would be at risk for future enforcement for an unlawful use. The City, however, should be receptive to any valid documentation that would establish a valid non-conforming use.

His experience as an attorney practicing in land use and eminent domain law, he has relied on appraisers in both administrative and court proceedings. Based on those discussions, from a valuation standpoint, once a property has received a permit as a permitted use or a conditionally permitted use, that permit is far preferable to a non-conforming use because of the limitations placed on expanding or remodeling a non-conforming use. Based on his land use litigation experience, when the highest and best use of a lot is a duplex/triplex, and approved conditional use generally enhances value more than a non-conforming use.

The proposed zoning text and map amendments do not raise any legal concerns.

Elvis Oxley, Oxley Consulting, LLC – Argyle update

As a follow up to his conversation with Mayor Muryn on Wednesday, April 1, 2020, as well as the conversations the three (3) partners have had together, as well as with their finances and real estate network, Mr. Oxley is requesting that the sale of City-owned parking lot Ordinance No. 2020-027 be tabled due to our nation in a pandemic crisis and with the tenuous economic conditions at hand that could become grim in the near future. There have been well over one hundred (100) conversations with bankers, lenders, and private investors over the past week, most of which have indicated a stoppage of investment in new projects and several noted they were cutting real estate valuations by thirty percent (30%) across the board on properties they had already invested in and across the U.S. market in general. While they will not be investing in the City lot at this time, they would like to be considered first in line when this situation begins to clear up.

REPORTS OF MUNICIPAL OFFICERS AND MUNICIPAL DEPARTMENTS:

City Income Tax Monthly Collection Report – February and March 2020.

Officer/Shareholders Disclosure Form from the Ohio Department of Commerce Division of Liquor Control for Chalky Billiards LLC, dba Chalkys & Patio & Fenced Area, located at 1851 Tiffin Avenue, Findlay, Ohio for a D5 and D6 liquor permit. This requires a vote of Council.

John E. Dunbar, Chief of Police – Chalky Billiards LLC, dba Chalkys & Patio & Fenced Area, located at 1851 Tiffin Avenue, Findlay, Ohio. A check of the records shows no criminal record on the following:

Ken Caligiuri

Findlay Municipal Court Activities Report – February 2020.

Findlay Police Department Activities Report – February 2020.

City Auditor Staschiak – summary financial reports

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

- Summary of Year-To-Date Information as of February 29, 2020
- Financial Snapshot for General Fund as of February 29, 2020
- Cash & Investments as of February 29, 2020
- Open Projects Report as of February 29, 2020

Findlay Fire Department Activities Report – February 2020.

Design Review Board agenda – March 11, 2020; **minutes** – February 12, 2020.

Service Director/Acting City Engineer Thomas – 2020 CUBE parking lot repairs #31900300

By authorization of Ordinance No. 2020-006, a bid opening was held for this project on February 19, 2020. Bids were received from six (6) potential contractors with the base bid amounts ranging from \$108,892.45 to \$123,730.75. The lowest and best bid was received from M&B Asphalt Co. Inc. of Tiffin, Ohio. This project is included in the 2020 Capital Improvements Plan with an estimate cost of \$150,000.00. \$1,000 was previously appropriated to this project. An additional appropriation for construction, inspection, and contingency is now needed to complete the project. Legislation to transfer and appropriate funds is requested. Ordinance No. 2020-036 received its first reading during the 3/31/20 Special Session City Council meeting.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 132,000.00
TO:	2020 CUBE Parking Lot Repairs #3190300	\$ 132,000.00

Service Director/Acting City Engineer Thomas – CR 180 drainage plan #35594100

This County project is to install an additional storm sewer that will run along County Road 180, cross State Route 568, and outlet into the Blanchard River which will reduce the stormwater that crosses State Route 568 and County Road 180 so that those roadways will be able to remain open during larger flood events. Per the Memorandum of Understanding that was signed, the City is responsible for bidding the project and providing inspection during construction while the County will pay all design and construction costs. The City has received a check from the County Commissioners for the construction costs and now the funds need to be moved into the project so that contracts can be signed and the project can start. Legislation to transfer and appropriate funds is requested. Ordinance No. 2020-037 received its first reading during the 3/31/20 Special Session City Council meeting. Ordinance No. 2019-077 was adopted during the 10/1/19 City Council meeting to appropriate and transfer \$1,000 for bidding of this project.

FROM:	Hancock County Commissioners	\$ 89,916.00
TO:	County Road 180 Drainage Plan #35594100	\$ 89,916.00

Service Director/Acting City Engineer Thomas – fourth Capital Improvement Appropriation

The equipment list and projects for the fourth Capital Improvement allocation of the year is attached. Legislation authorizing the Service Director to advertise for bids and enter into contracts for construction and to appropriate and transfer funds is requested. Ordinance No. 2020-038 received its first reading during the 3/31/20 Special Session City Council meeting.

FROM:	CIT Fund – Capital Improvements Restricted Account	\$119,000.00
TO:	Police #21012000-other	\$ 56,000.00
TO:	Park Maintenance #21034000-other	\$ 46,000.00
TO:	Streets #22040000-other	\$ 17,000.00
FROM:	CIT Fund – Capital Improvements Restricted Account	\$ 20,000.00
TO:	Logan Avenue Phase 3 #32894300	\$ 20,000.00
FROM:	Sewer Fund	\$ 40,000.00
TO:	WPC Clarifier 3 & 4 Rehab #35601300	\$ 20,000.00
TO:	Blue Bonnet and Bittersweet	\$ 20,000.00
	Sanitary Sewer Improvements #35601200	

Treasurer’s Reconciliation Report – February 29, 2020.

Board of Zoning Appeals minutes – November 14, 2019.

Service Director/Acting City Engineer Thomas – Olive Street Waterline Replacement #35793300

A bid opening was held for this project on March 4, 2020. Bids were received from two (2) potential contractors with bid amounts ranging from \$421,000.00 to \$430,826.10. The lowest and best bid was received from Helms and Sons Excavating, LLC of Findlay, Ohio. This project is included in the 2020 Capital Improvements Plan. An appropriation of funds for construction, inspection and contingency is needed to complete the project. Legislation to accept bid results, authorizing the Service Director to enter into a contract or contracts, and to appropriate funds is requested. Ordinance No. 2020-040 was created.

FROM: Water Fund \$ 420,145.00
TO: Olive Street Waterline Replacement Project No. 35793300 \$ 420,145.00

Service Director/Acting City Engineer Thomas – Sixth Street Waterline Replacement #35795300

By authorization of Ordinance No. 2020-006, a bid opening was held for this project on March 11, 2020. Bids were received from four (4) potential contractors with bid amounts ranging from \$477,982.50 to \$543,465.10. The lowest and best bid was received from JDR Excavating, Inc. of Findlay, Ohio. The project is included in the 2020 Capital Improvements Plan. The bid price is slightly higher than what is listed in the Capital Plan. It was decided that since the project would require a bore under the railroad, it made sense to install a larger line for the bore. This will eliminate the need for any additional bores in the future when the Water Department wants to extend a larger line from Blanchard Street to serve the area west of the railroad. The cost of the actual railroad permit for the waterline boring also came in higher than expected (\$19,350.00). \$1,000 was previously appropriated to the project for design and startup. An appropriation of funds is needed at this time for construction, inspection, and contingency in order to complete the project. Legislation to appropriate funds is requested. Ordinance No. 2020-041 was created. Ordinance No. 2020-006 was adopted during on 01/07/2020 appropriating and transferring \$1,000 for bidding.

FROM: Water Fund \$ 554,430.00
TO: Sixth Street Waterline Replacement Project No. 35795300 \$ 554,430.00

Service Director/Acting City Engineer Thomas – Rehabilitate Taxiway A (Taxiway A4 to A6) Project No. 35293400

The consultant is finalizing the construction drawings for this project. Legislation authorizing the Service Director to bid the project and enter into a contract or contracts is requested. Ordinance No. 2020-043 was created.

City Planning Commission agenda – April 9, 2020; **minutes** – March 12, 2020.

Precipitation and Reservoir levels report – first (1st) quarter January-March 2020.

Mayor Muryn – Hancock County Commissioners’ share of advertising cost for 2020 Census

The City of Findlay received five thousand dollars (\$5,000.00) from the Hancock County Commissioners to go toward shared advertising cost for the 2020 Census. The funds have been deposited in the General Fund. Legislation to appropriate funds is requested. Ordinance No. 2020-044 was created.

FROM: General Fund \$ 5,000.00
TO: Mayor’s Office #21002000-other \$ 5,000.00

COMMITTEE REPORTS:

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to discuss a rotary waiver for 708 Milton Street. *We recommend a reduction in the rotary fee of 50% bringing it to \$880. Legislation will be available at a future City Council meeting.*

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to discuss updates to the rotary policy. *We recommend that more discussion is needed on these updates to the rotary policy.*

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to continue September 17, 2019 and March 13, 2019 discussions on water and sewer billing software upgrades. *We received an update on the project and when updated information is available, it will be presented at that time.*

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to discuss updates to the water meters and transmitter project. *We received an update on the project and will receive more information in future.*

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from BFB Properties LLC Brad Brogan to rezone 229 Howard Street from R2 Single Family Medium Density Commercial to R4 Duplex/Triplex.
We recommend approval to R4 from R2 as requested. Ordinance No. 2020-039 was created.

LEGISLATION:

RESOLUTIONS:

RESOLUTION NO. 013-2020 (no PO) requires one (1) reading **first reading**

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

ORDINANCES:

ORDINANCE NO. 2020-022 requires three (3) readings **third reading**

(social media accounts public records requests)

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-026 (zoning text amendments) requires three (3) readings **third reading**

AN ORDINANCE REPEALING SECTIONS 1121.05, 1122.05, 1123.03, 1123.05, AND 1124.05 OF THE CURRENT ZONING CODE AND IN ITS PLACE, ENACTING AMENDED SECTIONS 1121.05, 1122.05, 1123.03, 1123.05, AND 1124.05 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2020-027 requires three (3) readings **third reading**

(sale of City-owned parking lot behind Argyle bldg (Main St))

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY FOR THE SALE OF A CITY-OWNED PARKING LOT LOCATED IMMEDIATELY WEST OF 524 SOUTH MAIN STREET, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-032 (2019 Ordinances & Resolution changes) requires three (3) readings **second reading**

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-033 (Airport hanger lease agreement) requires three (3) readings **second reading**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO NEGOTIATE AND ENTER INTO A NEW LAND LEASE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY FOR PURPOSES OF CONSTRUCTING A PROPOSED HANGER FACILITY AT THE FINDLAY AIRPORT FOR USE AND OPERATION BY MARATHON PETROLEUM CORPORATION.

ORDINANCE NO. 2020-036 (2020 CUBE parking lot repairs) requires three (3) readings **second reading**

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-037 (CR 180 drainage plan) requires three (3) readings **second reading**

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-038 (4th Capital Improvement appropriation) requires three (3) readings **second reading**

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-039 (229 Howard St rezone) requires three (3) readings **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 229 HOWARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO R4 DUPLEX/TRIPLEX.

ORDINANCE NO. 2020-040 (*Olive St waterline replacement*) **requires three (3) readings** **first reading**
AN ORDINANCE ACCEPTING BIDS AS RECEIVED AND AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE OLIVE STREET WATERLINE REPLACEMENT PROJECT NO. 35793300, APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-041 (*Sixth St waterline replacement*) **requires three (3) readings** **first reading**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-042 (*Country Club Dr*) **requires three (3) readings** **first reading**
AN ORDINANCE REPEALING ORDINANCE NO. 2020-035 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING THIS ORDINANCE TO ACCEPT BIDS AS RECEIVED AND AUTHORIZE THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE COUNTRY CLUB DRIVE SLOPE REHABILITATION PROJECT NO. 32593900, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-043 (*Rehabilitate Taxiway A – Taxiway A4 to A6*) **requires three (3) readings** **first reading**
AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS WHERE REQUIRED FOR THE TAXIWAY A (TAXIWAY A4 TO A6) REHABILITATION PROJECT NO. 35293400, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-044 **requires three (3) readings** **first reading**
(*Hancock County Commissioners' share of advertising cost for 2020 Census*)
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

OLD BUSINESS

NEW BUSINESS

PETITION FOR ZONING AMENDMENT

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

We, the undersigned owner(s) of the following legally described property, hereby request consideration of a change in zoning district classification as specified below:

701-807 Adams Street Portz Addition

ADDRESS 700-714 Putnam Street **SUBDIVISION** Jones & Adams Addition
1889, 1891, 1891, 1892, 1893, 1894, Portz Addition

LOT No.(s) 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, Jones & Adams Addition

If a rezoning request involves more than one parcel, City Code requires that the petition be signed by the owners of at least fifty per cent (50%) of the frontage of the lots under consideration. If applicable, owners must fill in the following section:

SIGNATURE	SUBDIVISION	LOT NO.	STREET FRONTAGE
	Portz Addition	1889-1894	300'
	Jones & Adams Add.	1369-1376	400'

IF NOT LOCATED IN A RECORDED SUBDIVISION, ATTACH LEGAL DESCRIPTION

EXISTING USE Vacant Lot (former school site)

PRESENT ZONING DISTRICT M-2 Multiple Family Residential District

PROPOSED ZONING DISTRICT R-4 Duplex/Triplex High Density Residential District

ATTACH:

- a. Vicinity map showing property lines, streets, and existing and proposed zoning.
- b. List of all property owners within, contiguous to, and directly across the street from the proposed rezoning.

NOTE: COMPLIANCE WITH ABOVE REQUIREMENT IS EXTREMELY IMPORTANT. FAILURE TO NOTIFY ANY PROPERTY OWNER FALLING WITHIN THIS CRITERIA WILL POSSIBLY INVALIDATE THE REZONING ORDINANCE PASSED AS A RESULT OF THIS PETITION.

- c. A written statement of the reason for the request and justification for the change. *to allow duplex construction on individual lots.*
- d. If the area to be re-zoned is a portion of a parcel, a survey must be done for the portion to be changed and it must be recorded as a new parcel at the County Recorder's office

Name of Owner G & H Enterprises, LLC

Name of Contact Person if other than owner W. Anthony Scanlon
(A letter granting person to act on Owner's behalf must accompany application if not signed by Owner)

Mailing Address Blanchard Design Associates, Inc. P.O. Box 246, Findlay, OH 45840

Phone No. (Home) 419-348-0975 (Cell) (Business) 419-425-2830

Email: tscanlon@blancharddesign.com

March 10, 2020

Date



Signature of contact Person

OFFICE USE ONLY

\$250.00 Fee Paid _____ \$100.00 Fee Paid PUD approval _____
Applicable Advertising and Filing Fees Paid _____

Date Petition Submitted to City Council _____

Referral to Planning Commission _____ Referral to Planning & Zoning _____

Planning Commission _____ Disposition _____

Planning & Zoning _____ Disposition _____

Public Hearing Date Set By Council _____ Date
of Newspaper Notice _____

(Must be mailed at least 30 days prior to Hearing)

Date of Notice to Abutting Owners _____

(Must be mailed at least 20 days prior to Hearing)

Referred for Legislation: _____

Date of Readings by Council:

First _____ Second _____ Third _____

Action by Council: _____ Ordinance No. _____

G & H ENTERPRISES, LLC

An Ohio Limited Liability Company
1802 Lakeland Dr.
Findlay, Ohio 45840

March 10, 2020

Ms. Denise DeVore, Clerk
Findlay City Council
318 Dorney Plaza, Room 114
Findlay, OH 45840

RE: Petition for Zoning Amendment, Permission to act as owners behalf.

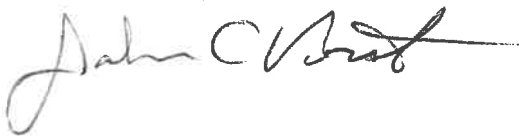
Dear Ms. Devore

I, John C. Vorst, as the owner of G & H Enterprises, LLC, do hereby grant Mr. W. Anthony Scanlon permission to act on my behalf regarding the accompanying petition for zoning amendment regarding property located on Adams and Putnam Streets in the City of Findlay, Ohio.

If you have any questions concerning this petition for zoning amendment application, please contact me at 419-722-4926.

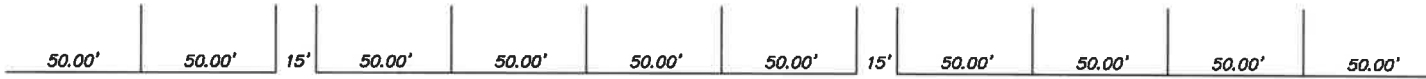
Thank you for your attention regarding this matter.

Yours truly,

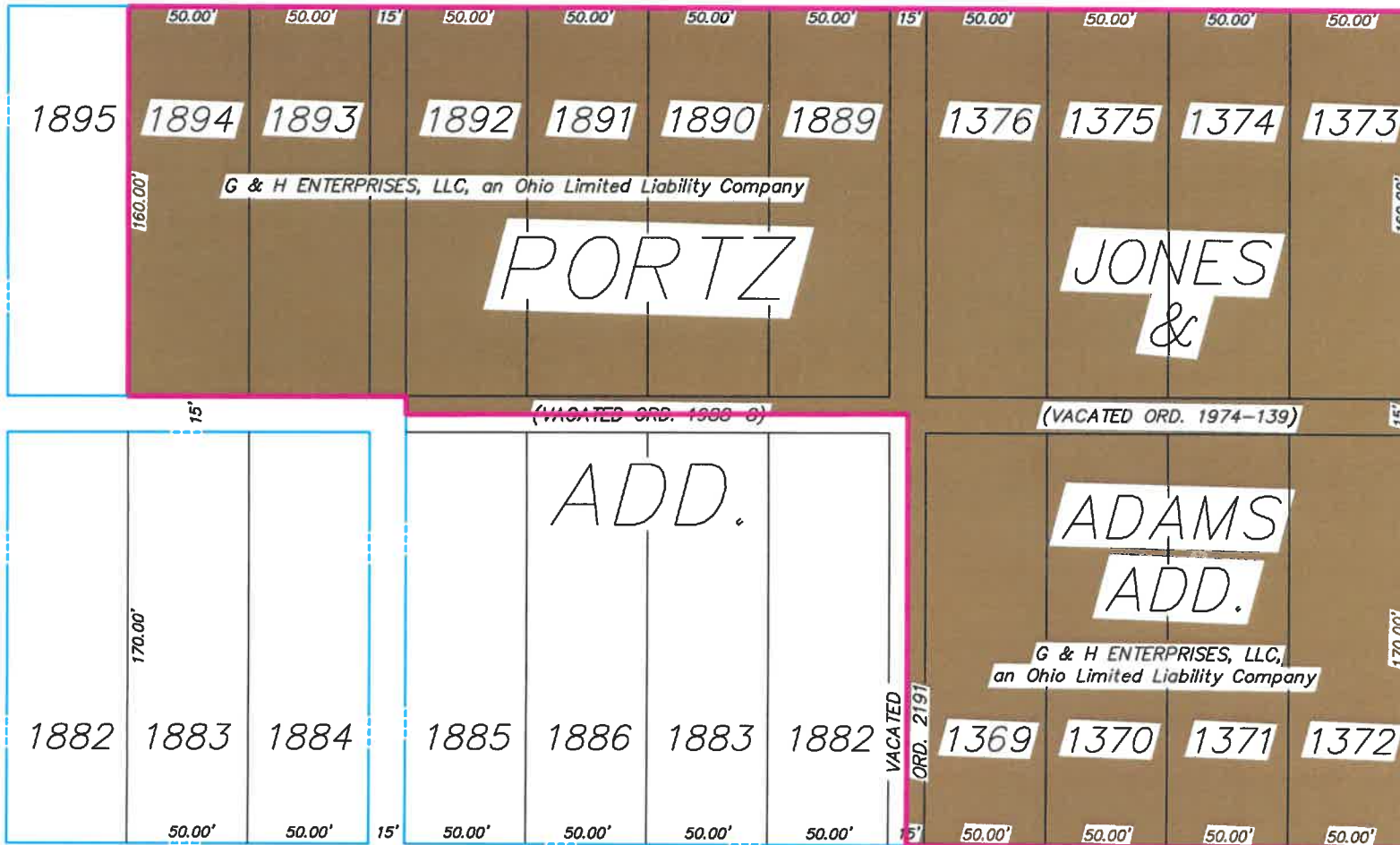
A handwritten signature in black ink, appearing to read "John C. Vorst". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John C. Vorst
G & H Enterprises, LLC

PRESENT ZONING DISTRICT M-2 MULTIPLE FAMILY RESIDENTIAL DISTRICT



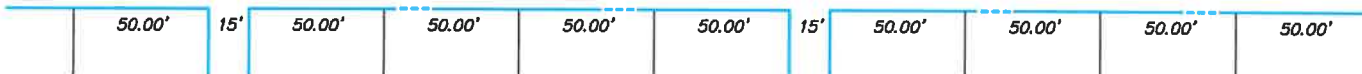
ADAMS STREET



WESTERN AVE.



PUTNAM STREET

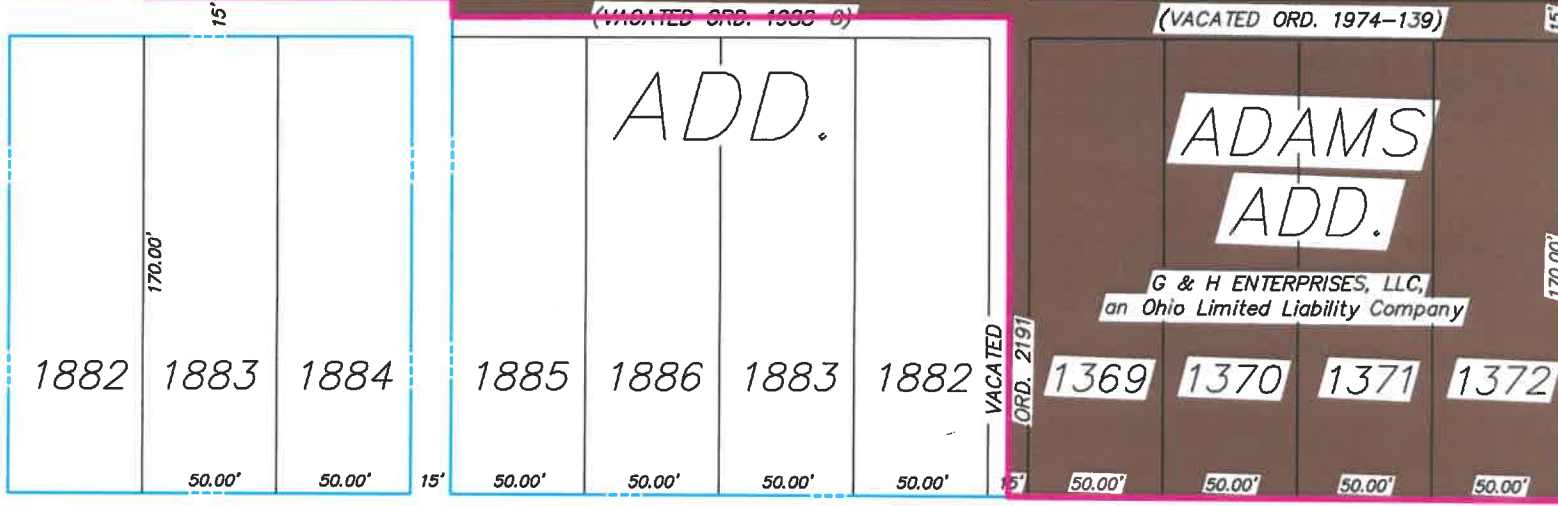
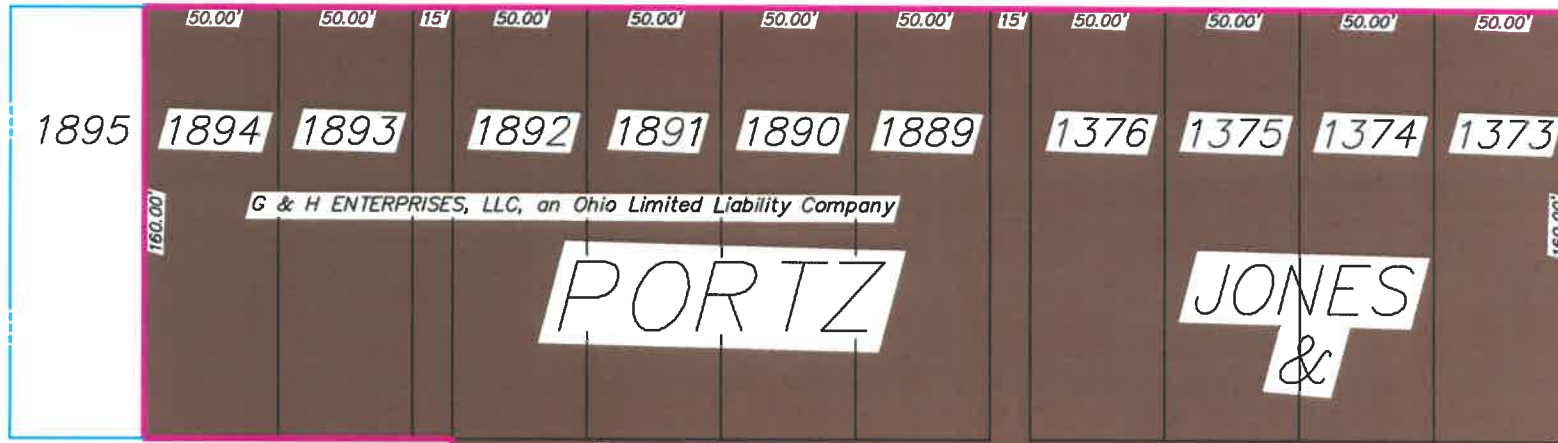


60'

PROPOSED ZONING DISTRICT R-4 DUPLEX/TRIPLEX RESIDENTIAL DISTRICT



ADAMS STREET



PUTNAM STREET



WESTERN AVE.

50'

60'



NICKOLAS ASSET MANAGEMENT

409 SOUTH MAIN ST., FINDLAY, OH 45840

RECEIVED
MAR 09 2020
MAYOR'S OFFICE

March 5, 2020

Mr. John Harrington
President of Findlay City Council
318 Dorney Plaza
Findlay, OH 45840

Dear Mr. Harrington and City Council members,

I would like to make you and City council aware of my strong support for the Argyle/city lot project. In terms of growth, nothing is more important than attracting more residents to live in our city since many already make the commute every day.

A vibrant downtown will only enhance the overall area. The income tax generated, future property tax generated and the robust infusion of discretionary spending into our downtown as a result, will benefit all in a win/win proposition.

Best regards,



David Feldman
CEO Nickolas Asset Management, LLC

downtown Findlay resident
409 1/2 S Main Street
Findlay, OH 45840

Denise Devore

From: John Harrington
Sent: Tuesday, March 10, 2020 9:25 AM
To: City Council - All
Cc: Christina Muryn
Subject: Fw: [EXTERNAL]Argyle Lot

From: Jim Heck <jim@kennedyprint.com>
Sent: Monday, March 9, 2020 4:25:37 PM
To: John Harrington
Subject: [EXTERNAL]Argyle Lot

Security Checkpoint: External Email! Do not click on links or open attachments unless you trust the source and know the content is safe.

I would like to congratulate the city of Findlay for generating the interest of outside developers to invest in the downtown area. I think we can all agree that the end goal is to contribute to the success of Downtown Findlay.

I also believe that in the negotiations to help the project along, there needs to be a guarantee to provide for the parking needs of the existing users of the parking lot. Existing property owners and tenants have made investments based on the current parking provided by the city.

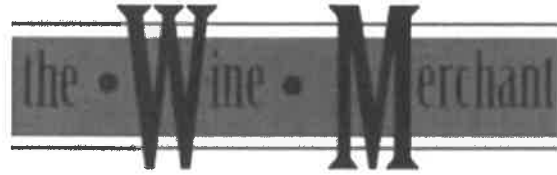
We need a "win-win" that will take care of the current users of the city lot plus the new proposed apartments. New development must not come at the expense of longterm property owners and tenants.

As the downtown becomes busier, I think existing private parking lots could be used after business hours to alleviate on street parking demand. I, for one, would certainly consider this with my private parking lots.

I think we can all agree that our main goal should be to cooperate to make the downtown a success.

Sincerely,
Jim Heck

Sent from my iPad



March 7, 2020

Mr. John Harrington
President of Findlay City Council
318 Dorney Plaza
Findlay, OH 45840

President Harrington and City Council members,

In 1976 when being hired for my first and only teaching position here in Findlay I was told that to criticize or suggest changes for Findlay would be highly inappropriate, until I had lived here a minimum of twenty-five years. I've now been here for forty-three... Both as an educator and now as a local business owner I have participated in discussions and occasionally spoken to community interests but today's question seems rather simple.

The Argyle fire eight years ago was devastating to many, most obviously to the residents however for both myself and the Weavers there was a serious question as to whether our buildings could remain as stand alones. Thankfully they have remained. No less than a week after the fire I was asked to breakfast to discuss the possibility of creating an in-build on what has become the Argyle lot. For over eight years these discussions have continued and as of yet to no avail.

Over the past several years Downtown Findlay has seen many investments by the public and private sectors that provide small business owners like myself the opportunity to be successful. As a neighbor of the proposed Argyle Development I am very supportive of the development as proposed by Mr. Oxley to City Council.

The addition of downtown residents will continue to enhance the vibrancy of downtown Findlay. I appreciate that Council and Mr. Oxley are working together to insure that public parking remains within the footprint of the project after it is completed. City Council has created an environment that allows this type of proposed development to be constructed. Thank you for continuing to invest in a downtown that many communities are envious of.

Sincerely,

Dan Matheny
Owner, Wine Merchant
540 S Main Street
Findlay, OH 45840

Cc; Mayor Muryn



March 13, 2020

John Harrington
President, Findlay City Council
218 Dorney Plaza
Findlay, Ohio 45840

Dear Mr. Harrington,

As you know, shaping and defining the character of downtown Findlay and providing opportunities to accommodate a wide variety of demographics is at the forefront of a vibrant community.

Public entities cannot put tax dollars at risk; therefore, communities are dependent on private investors who are willing to take on economic risk which will have a positive impact on Findlay's downtown revitalization. When private developers invest in downtown development, the long-term fiscal return benefits the community for many years to come. Some of those benefits include

- a substantial increase in tax base,
- an increase in property values for other downtown properties,
- inspiration to other private investors to invest in the downtown area,
- providing community support and stability to current downtown businesses and
- aesthetically improving the appearance of our downtown footprint.

Regarding the proposed Argyle development, it would be remiss of community leaders to dismiss such a legitimate development opportunity as proposed by the Elvis Oxley group. We believe the community has an economic obligation to support Mr. Oxley's proposal for development of that parcel. We feel Mr. Oxley has a sincere and vested interest in downtown Findlay. His plan includes retail, office, residential space and parking, all of which are so desperately needed and desired by the citizens of Findlay and Hancock County.

Thriving communities have thriving downtowns. I am encouraged by the talent and enthusiasm brought forth by Mr. Oxley's group and believe the Argyle development will give a substantial economic boost to the city of Findlay.

Therefore, we whole heartedly support Mr. Oxley's proposed Argyle development.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Kirk', is positioned above the typed name.

Richard Kirk
CEO Kirk Corp.

Denise Devore

From: John Drymon <jdrymon@gmail.com>
Sent: Monday, March 16, 2020 10:58 AM
To: John Harrington; Charles Haas; Dennis Hellmann; Beth Warnecke; Jim Slough; Randy Greeno; Jim Niemeyer; Joshua Palmer; Grant Russel; Tom Shindledecker; Jeff Wobser
Cc: Mayor (website); Law Director (website)
Subject: [EXTERNAL]Forthcoming Communication from the Diocese of Ohio and Continued Property Concerns

Security Checkpoint: External Email! Do not click on links or open attachments unless you trust the source and know the content is safe.

Dear Members of Council,

I hope during this time of infection-related anxiety you and yours are faring well and bearing up. I write as a matter of courtesy, not knowing whether or not the next city council meeting and the scheduled third reading of 2020-027 will take place on Tuesday, March 17, but with confidence that the following will be made public regardless. This week you will copied on a letter addressed to Law Director Rasumssen from the Bishop of Ohio describing the legal status of our Trinity Parish and explaining the fact that the Diocese of Ohio holds a 100% beneficial interest in all properties under Trinity, Findlay's title. The diocese itself holds this interest in trust for the Protestant Episcopal Church in the United States of America. The bishop's letter is being sent at the request of our Diocesan Chancellor and Canon to the Ordinary, Mr. William Powel-chief legal counsel for the Diocese-and Assistant Chancellor, Ms. Amy Kellogg, partner in the firm of Baker and Hostetler. I have been in regular contact with both of these diocesan attorneys over the last several weeks, and they are thus well acquainted with the situation in Findlay.

In addition to informing you of the forthcoming letter from the Bishop, I want to make you aware of several issues that are of concern to the diocesan attorneys as well as to my parishioners and myself. We do not want to be obstructionist, but we do insist on due diligence with respect to the issues we have raised both at city council meetings and in email communications with council members.

Issues of concern:

(1) Compliance with Ohio Revised Code 723.121, concerning the conveyance of "lands not needed for municipal purposes," which requires the City Council to make and enter into the minutes a formal determination that the property is no longer needed before it may be conveyed. We believe the City Council must take such action with respect to the city parking lot before it may take action on Ordinance 2020-027.

(2) Compliance with City of Findlay Codified Ordinances Chapter 147, which legally requires the municipal parking authority to make quarterly reports to City Council on parking needs and parking lot use. After making a public records request for recent City of Findlay Parking Authority reports, we were informed that the parking authority has not met since 2011, and thus there were no quarterly reports. We believe the City Council needs a report from the parking authority assessing the need for the parking lot before it can make a determination that the parking lot is not needed.

(3) Compliance with the restrictions on the deed which donated the property to the City and which require the City of Findlay to offer the successor or assigns of Kirk Realty a repurchase option of the lot at \$13,500 before the city may legally alienate it. I have fielded a number of calls over the last several days from concerned local realtors (none of whom are my parishioners) who have offered to help pay for advertisements to try to track down any individual/s/corporations that may have recourse to this legal right and may have standing should they decide either to claim it or, ominously, to bring suit against the City should they not be given explicit, public notice.

(4) Compliance with ORC 121.22, namely that the Ordinance being left off the publicly available agenda for the meeting where it received its first reading, might render that first reading out of order under the Ohio Open Meetings Act. We in the parish now know that this was an oversight, and we commend Councilman Russel for his apology at the last meeting. We cannot, however, keep our diocesan attorneys from bringing this up should they choose to do so.

(5) The need for formal recognition of an alley on the east side of the Trinity, Findlay building, between the church property and the existing parking lot. We believe this requires a new city ordinance. We ask that the City Council take action on the creation of the alley before any conveyance of the parking lot.

(6) The need for written assurance, binding on the Blanchard Valley Port Authority or the ultimate private developer, stipulating church access to parking for Sunday services, and other church events, such as weddings or funerals on other days of the week. We ask the City Council to include such a stipulation in any agreement to convey the property.

(7) The need for written assurance, binding on the Blanchard Valley Port Authority or the ultimate private developer, promising that the east side of our facilities will be cleaned and, if necessary, repaired, after any construction in the parking lot. We ask the City Council to include such a stipulation in any agreement to convey the property.

We hope to be able to resolve these issues without resort to litigation.

I have copied the mayor and city attorney law director to apprise them of this situation.

Yours,
The Rev'd John Drymon
Rector of Trinity, Findlay

Sent from [Mail](#) for Windows 10

District, in which they are permitted uses. See Section 1124.02 of the Findlay Codified Ordinances.) Thus, I have no concerns about making duplexes and triplexes conditional uses in the R-3 District.

As duplexes and triplexes are not currently permitted in R-1, R-2 and R-3 Districts, any existing duplexes/triplexes, to be legal, must be nonconforming uses. See Chapter 1162 of Findlay Codified Ordinances. Generally speaking, a conditional use permit is a preferred use to a nonconforming use because once a landowner has a conditional use permit, that use is permitted subject to its express conditions. See Sections 1161.15 and 1151.151 of the Findlay Codified Ordinances.

The basic law for nonconforming uses has been well-established for decades:

Nonconforming uses, like common-law marriages, are not favorites of the law. The reason for their disfavored position is clear: if the segregation of buildings and uses, which is the function of zoning, is valid because of the beneficial results which this brings to the community, to the extent this segregation is not carried out, the value of zoning is diminished and the public is thereby harmed. Nonconforming uses are allowed to exist merely because of the harshness of and the constitutional prohibition against the immediate termination of a use which was legal when the zoning ordinance was enacted. *Young, The Regulation and Removal of Nonconforming Uses* (1961), 12 *Western Res.L.Rev.* 681, 686 (hereinafter "Young"). The rights of a nonconforming user are limited, and the clear intent and purpose is to eliminate such nonconforming uses as rapidly as possible. See *Curtiss v. Cleveland, supra*, 170 Ohio St. at 130-131, 10 O.O.2d at 87, 163 N.E.2d at 685.

City of Kettering v. Lamar Outdoor Advert., Inc., 38 Ohio App. 3d 16, 18, 525 N.E.2d 836, 839 (1987). See, also *Ledford v. Bd. of Zoning Appeals*, 171 Ohio App.3d 24, 32. Nonconforming uses "may be regulated, and even girded to the point that they wither and die." *City of Columbus v. Union Cemetery Assn.*, 45 Ohio St.2d 47, 49 (1976).

Thus, based on the foregoing limitations on nonconforming uses, and the significant power cities have to regulate and eliminate them, it is a benefit to any existing duplex/triplex owner to have the zoning designation changed to allow duplexes and triplexes as conditional uses.

Some concerns have been raised suggesting that there may be civil rights issues regarding zoning Ordinance 2020-026 and the proposed zoning map amendment. It is unclear how allowing duplexes/triplexes as conditional uses, rather than nonconforming uses, raises a constitutional concern, either under the U.S. or Ohio Constitutions. Zoning has been approved repeatedly by the U.S. Supreme Court and the Ohio Supreme Court. See *Village of Euclid v. Amber Realty*, (1926), 272 U.S. 365, 395 (a landowner must prove that the zoning regulation was "clearly arbitrary and unreasonable, having no substantial relation to the public health, safety, morals or general welfare.") and *Goldberg Cos. v. Richmond Hts.* (1998), 81 Ohio St.3d 207, 210. Moreover, **the burden is on the landowner to demonstrate a constitutional claim "beyond fair debate," which is similar to the "beyond reasonable doubt standard" in criminal cases.** *Goldberg*, 81

April 2, 2020

Mayor Christina M. Muryn
City of Findlay
318 Dorney Plaza, Room 310
Findlay, Ohio 45840

Donald J. Rasmussen, Law Director
City of Findlay
318 Dorney Plaza – Room 310
Findlay, Ohio 45840

Re: Zoning Amendments Regarding Duplexes and Triplexes

Dear Mayor Muryn and Mr. Rasmussen:

I have prepared this letter in response to your request for my legal opinion regarding the legality of the proposed amendments to the Findlay Zoning Code regarding duplexes and triplexes. In short, I have no concerns regarding the legality of the proposed text amendment and the proposed map amendment.

By way of background, I have been practicing in the area of local government litigation, zoning and land use, and constitutional law for the past fifteen years. My experience includes presenting to the Ohio Township Association and the Ohio Planning Association on multiple occasions. I have represented both local governments and private entities in zoning matters, so I believe I am capable of viewing land use issues from both the governmental and private perspective.

I have been performing legal work for the City of Findlay since 2017 on a variety of zoning-related matters, which has involved extensive consultation with Matt Cordonnier, Director of the Hancock Regional Planning Commission and Don Rasmussen, the City Law Director. Indeed, I met with them in October and November of 2019 and provided input on the legal issues raised by duplexes and triplexes and the City. I have reviewed the proposed changes, in Ordinance No. 2020-026 and the proposed map amendment, and offer the following opinions.

First, the ordinance changes the setbacks for new construction in R-1, R-2 and R-3. These are designed to make the front yard setbacks for new construction harmonious with the adjacent lots. This is an appropriate and standard land use planning device that has no legal problems.

The proposed ordinance makes duplexes and triplexes conditional uses in the R-3 District. This change does not prohibit duplexes or triplexes in any district in which they are permitted. (Under current law, the only district in which duplexes and triplexes are permitted, either as of right or conditionally, is the R-4

Ohio St.3d at 213; and *Cent. Motors Corp. v. Pepper Pike*, 73 Ohio St.3d 81, 584 (1995). In sum, neither the proposed text nor map amendments give rise to a viable constitutional claim.

Moreover, to the extent that an owner of a duplex/triplex wants to continue as a nonconforming use, rather than a conditional use, it should be remembered that the burden is on the property owner to show that there is a valid nonconforming use of the property. See *Barnes v. Koon*, 5th Dist. No. 08-CA-14, 2009-Ohio-277, at ¶ 17, citing *Dublin v. Finkes*, 83 Ohio App.3d 687, 690 (1983); and *State ex rel. Bailey v. Madison*, 10th Dist. No. 12AP-284, 2012-Ohio-4950, at ¶ 15, citing *State v. Teachout*, 11th Dist. No. 2004-T-0129, 2005-Ohio-05119, at ¶ 13. Thus, once the City's records demonstrate that no duplex/triplex was lawfully established on a specific zoning lot, then that owner would be at risk for future enforcement for an unlawful use. The City, however, should be receptive to any valid documentation that would establish a valid nonconforming use.

Finally, it should be noted that, in my experience at an attorney practicing in land use and eminent domain law, I have relied on appraisers in both administrative and court proceedings. Based on those discussions, from a valuation standpoint, once a property has received a permit as a permitted use or a conditionally permitted use, that permit is far preferable to a nonconforming use because of the limitations placed on expanding or remodeling a nonconforming use. Thus, based on my land use litigation experience, when the highest and best use of a lot is a duplex/triplex, an approved conditional use generally enhances value more than a nonconforming use.

Based on the foregoing, the proposed zoning text and map amendments do not raise any legal concerns.

Very truly yours,

SEMRO HENRY & BARGA LTD.



Jeffrey M. Stopar

JMS/mss

Denise Devore

Subject: FW: [EXTERNAL]Argyle update

From: elvis@oxley-consulting.com <elvis@oxley-consulting.com>

Sent: Wednesday, April 1, 2020 4:35 PM

To: Christina Muryn <cmuryn@findlayohio.com>; Tim Mayle <tmayle@findlayhancockalliance.com>; Dan Sheaffer <dsheaffer@findlayhancocked.com>; Jerry Arkebauer <jjarkebauer@gmail.com>

Cc: kevin.ramsier@siercapital.com; grakan@vesticor.com

Subject: [EXTERNAL]Argyle update

Security Checkpoint: External Email! Do not click on links or open attachments unless you trust the source and know the content is safe.

Mme. Mayor, thank you for your time on the phone this afternoon. Pursuant to our conversation, and the conversations the three partners have had together, as well as with our finance and real estate network, we request the tabling of Ordinance # 2020-027 (sale of city owned parking lot).

As I noted in our conversation, our Nation is in pandemic crisis and the tenuous economic conditions at hand and in the near future could be grim. Well over 100 conversations with bankers, lenders, and private investors were had over the past week. Most all indicated a stoppage of investment in new projects and several noted they were cutting real estate valuations by 30% across the board – both on properties they had already invested in, and across the US market in general.

Therefore, it is imprudent for us to invest in the city lot at this time, however consider us first in line when this situation begins to clear up. We pledge to keep you updated and we appreciate you and the Economic Development team doing the same.

Please let us know if you have any questions.

Kind regards, Elvis

Elvis Oxley

Oxley Consulting, LLC

C: 202-251-1866

elvis@oxley-consulting.com

www.GovernmentContracting.net

City of Findlay

Income Tax Department

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

Christina Terry Muryn
 Mayor

Andrew Thomas
 Tax Administrator

Monthly Collection Report to Findlay Council

February 2020

Total collections for February 2020: \$1,878,117.66

	2020	2019	
	<u>Year-to-date</u>	<u>Year-to-date</u>	<u>Variance</u>
Withholders	3,319,818.28	3,054,228.85	265,589.43
Individuals	365,409.24	359,458.90	5,950.34
Businesses	<u>207,281.01</u>	<u>580,317.77</u>	<u>-373,036.76</u>
Totals	3,892,508.53	3,994,005.52	-101,496.99
			-2.54%

Actual & Estimated Past-due Taxes

Withholders	543,700.22
Individuals	2,835,541.06
Businesses	<u>172,857.04</u>
Total	3,552,098.32

Actual and Projected Revenue

	2020	Percentage	Amount	Percentage	2020
	<u>Actual</u>	<u>of Projection</u>	<u>to Meet</u>	<u>to Meet</u>	<u>Projected</u>
	<u>Year-to-date</u>	<u>Collected</u>	<u>Projection</u>	<u>Projection</u>	<u>Year End</u>
Withholders	3,319,818.28	17.28%	15,895,681.72	82.72%	19,215,500.00
Individuals	365,409.24	12.06%	2,664,590.76	87.94%	3,030,000.00
Businesses	<u>207,281.01</u>	2.96%	<u>6,792,718.99</u>	97.04%	<u>7,000,000.00</u>
Totals	3,892,508.53	13.31%	25,352,991.47	86.69%	29,245,500.00

Refunds Paid

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	6	7	897.13	942.67
Individuals	115	153	38,781.27	56,134.32
Businesses	<u>10</u>	<u>12</u>	<u>8,007.33</u>	<u>9,179.33</u>
Totals	131	172	47,685.73	66,256.32

Transfers of Overpayments

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	2	2	106.61	106.61
Individuals	57	64	15,365.93	16,421.51
Businesses	<u>45</u>	<u>66</u>	<u>30,387.73</u>	<u>40,137.49</u>
Totals	104	132	45,860.27	56,665.61



Andrew Thomas, Administrator

3-2-20

Date

City of Findlay Income Tax Department

Christina Muryn
Mayor

Monthly Collection Report to City Council


For the Month of February 2020

	<u>Individuals</u>	<u>Businesses</u>
A. Month-to-date quantity:	<u>ϕ</u>	<u>ϕ</u>
B. Cumulative quantity:	<u>2</u>	<u>81</u>
C. Cumulative quantity with no filing obligations:	<u> </u>	<u>28</u>
D. Cumulative quantity with no tax liabilities:	<u> </u>	<u>19</u>
E. Quantity not required to make estimate payments:	<u> </u>	<u>4</u>
F. Quantity already making estimate payments:	<u> </u>	<u>13</u>
G. Cumulative quantity HB 49 Opt-in election:	<u> </u>	<u>1</u>
H. Quantity remaining (B – C – D – E – F – G):	<u>2</u>	<u>16</u>

For the remaining 2 individual and 16 business taxpayers (H), the aggregate reported estimate declarations, primarily for tax year 2019 expected to be paid on the extension due date amount is \$ 582,380.00

House Bill 49 Municipal Net Profit Opt-in Information

Number of Businesses:	Month-to-date <u>11</u>	Year-to-date <u>347</u>	
HB 49 .5 Percent Fees:	Month-to-date <u>129.56</u>	Year-to-date <u>129.56</u>	


Andrew Thomas, Tax Administrator

3-2-20
Date

Findlay Income Tax Department

Monthly Collections Report

Monday, March 2, 2020

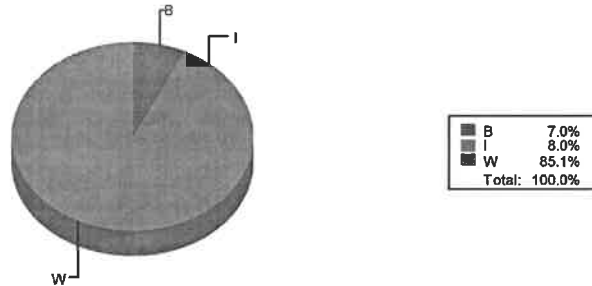
2:59:54PM

For Period February 1, 2020 through February 29, 2020

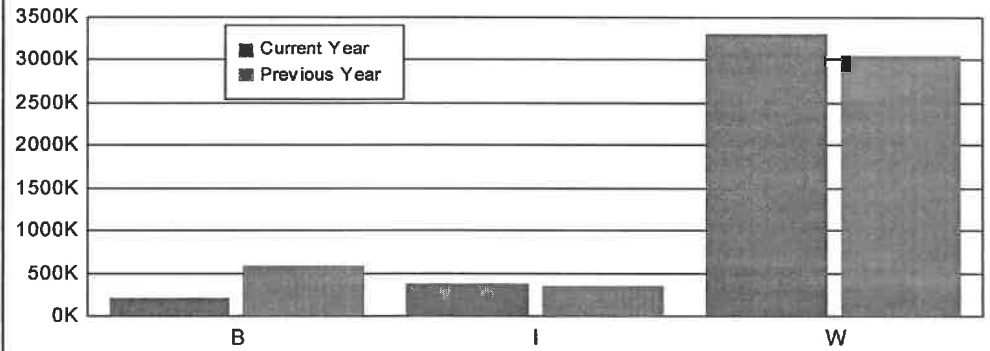
City of Findlay

Account Type	Monthly Total	2020 Year to Date	2019 Year to Date	Increase (Decrease)	% Change	2020 Month to Date	Previous Year(s) Month to Date
W	1,597,523.14	3,319,818.28	3,054,228.85	265,589.43	8.70	1,525,585.05	71,938.09
I	149,503.13	365,409.24	359,458.90	5,950.34	1.66	14,203.68	135,299.45
B	131,091.39	207,281.01	580,317.77	-373,036.76	-64.28	21,370.24	109,721.15
Totals:	1,878,117.66	3,892,508.53	3,994,005.52	-101,496.99	-2.54	1,561,158.97	316,958.69

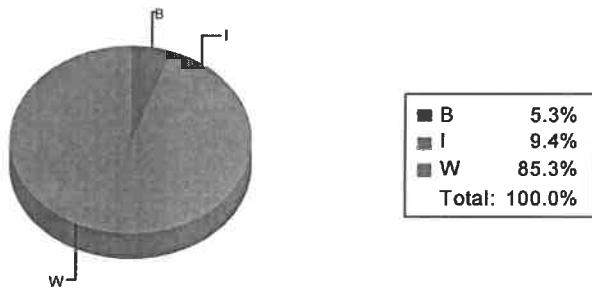
Monthly Collections by Account Type



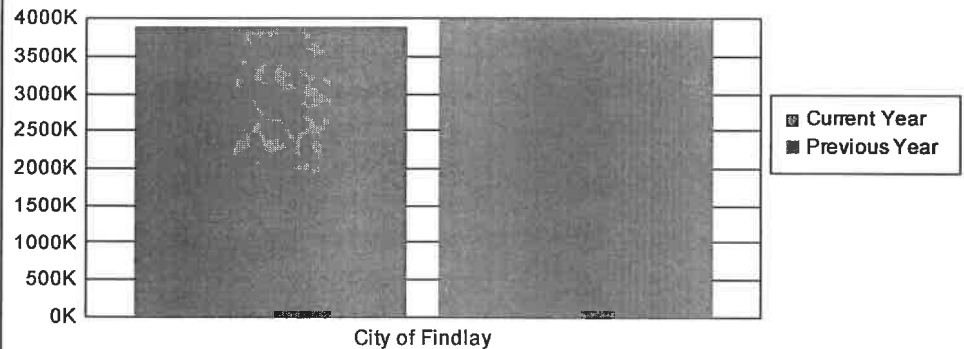
Collections Year to Date



YTD Collections by Account Type



Year to Date Total Collections



City of Findlay

Income Tax Department

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

Christina Terry Muryn
 Mayor

Andrew Thomas
 Tax Administrator

Monthly Collection Report to Findlay Council

March 2020

Total collections for March 2020: \$2,341,653.05

	2020	2019	Variance
	<u>Year-to-date</u>	<u>Year-to-date</u>	
Withholders	5,194,086.22	4,583,989.32	610,096.90
Individuals	631,023.66	627,289.25	3,734.41
Businesses	<u>409,051.70</u>	<u>700,767.44</u>	<u>-291,715.74</u>
Totals	6,234,161.58	5,912,046.01	322,115.57
			5.45%

Actual & Estimated Past-due Taxes

Withholders	543,185.41
Individuals	2,813,612.45
Businesses	<u>172,070.92</u>
Total	3,528,868.78

Actual and Projected Revenue


	2020	Percentage	Amount	Percentage	2020
	<u>Actual</u>	of Projection	to Meet	to Meet	Projected
	<u>Year-to-date</u>	<u>Collected</u>	<u>Projection</u>	<u>Projection</u>	<u>Year End</u>
Withholders	5,194,086.22	27.03%	14,021,413.78	72.97%	19,215,500.00
Individuals	631,023.66	20.83%	2,398,976.34	79.17%	3,030,000.00
Businesses	<u>409,051.70</u>	5.84%	<u>6,590,948.30</u>	94.16%	<u>7,000,000.00</u>
Totals	6,234,161.58	21.32%	23,011,338.42	78.68%	29,245,500.00

Refunds Paid

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	20	27	9,020.80	9,963.47
Individuals	183	336	63,381.63	119,515.95
Businesses	<u>12</u>	<u>24</u>	<u>19,107.79</u>	<u>28,287.12</u>
Totals	215	387	91,510.22	157,766.54

Transfers of Overpayments

	Month-to-date <u>Quantity</u>	Year-to-date <u>Quantity</u>	Month-to-date <u>Amount</u>	Year-to-date <u>Amount</u>
Withholders	1	3	43.61	150.22
Individuals	143	207	26,047.39	42,468.90
Businesses	<u>88</u>	<u>154</u>	<u>57,689.57</u>	<u>97,827.06</u>
Totals	232	364	83,780.57	140,446.18



Andrew Thomas, Administrator

4-1-20

Date

Findlay Income Tax Department

Monthly Collections Report

Wednesday, April 1, 2020

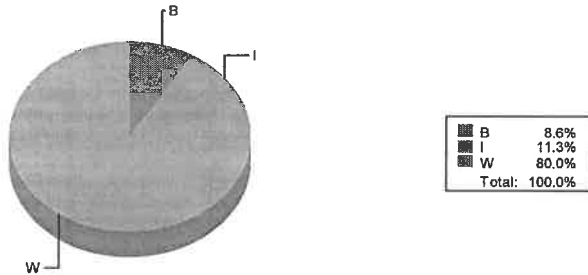
12:19:23PM

For Period March 1, 2020 through March 31, 2020

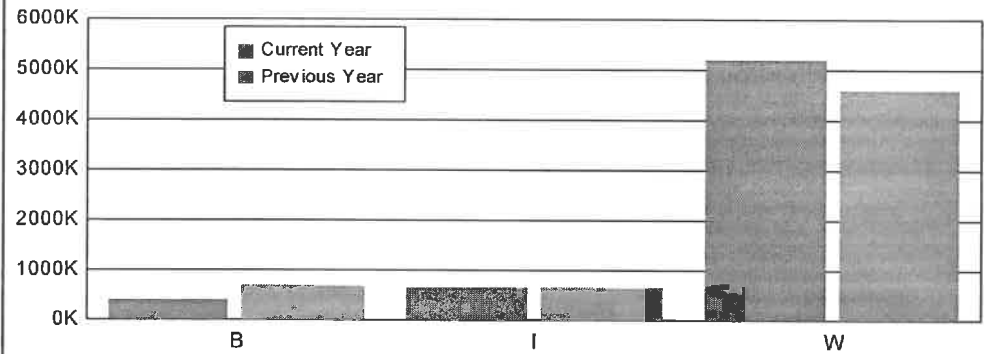
City of Findlay

Account Type	Monthly Total	2020 Year to Date	2019 Year to Date	Increase (Decrease)	% Change	2020 Month to Date	Previous Year(s) Month to Date
W	1,874,267.94	5,194,086.22	4,583,989.32	610,096.90	13.31	1,867,291.28	6,976.66
I	265,614.42	631,023.66	627,289.25	3,734.41	0.60	39,793.90	225,820.52
B	201,770.69	409,051.70	700,767.44	-291,715.74	-41.63	90,820.73	110,949.96
Totals:	2,341,653.05	6,234,161.58	5,912,046.01	322,115.57	5.45	1,997,905.91	343,747.14

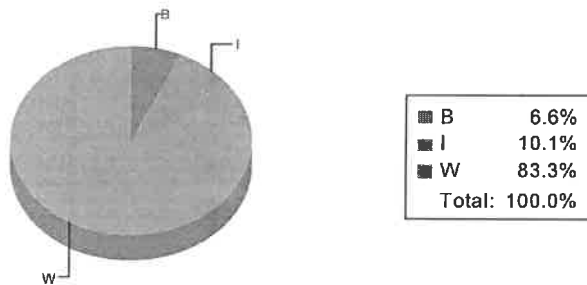
Monthly Collections by Account Type



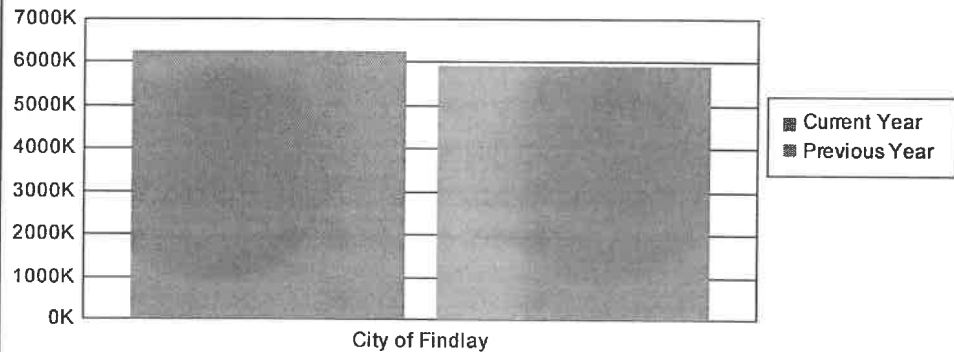
Collections Year to Date



YTD Collections by Account Type



Year to Date Total Collections



City of Findlay Income Tax Department

Christina Muryn
Mayor


Monthly Collection Report to City Council For the Month of March 2020

	<u>Individuals</u>	<u>Businesses</u>
A. Month-to-date quantity:	<u>0</u>	<u>0</u>
B. Cumulative quantity:	<u>2</u>	<u>81</u>
C. Cumulative quantity with no filing obligations:	<u> </u>	<u>28</u>
D. Cumulative quantity with no tax liabilities:	<u> </u>	<u>19</u>
E. Quantity not required to make estimate payments:	<u> </u>	<u>4</u>
F. Quantity already making estimate payments:	<u> </u>	<u>13</u>
G. Cumulative quantity HB 49 Opt-in election:	<u> </u>	<u>1</u>
H. Quantity remaining (B – C – D – E – F – G):	<u>2</u>	<u>16</u>

For the remaining 2 individual and 16 business taxpayers (H), the aggregate reported estimate declarations, primarily for tax year 2019 expected to be paid on the extension due date amount is \$ 582,380.00

House Bill 49 Municipal Net Profit Opt-in Information

Number of Businesses:	Month-to-date <u>38</u>	Year-to-date <u>347</u>
HB 49 .5 Percent Fees:	Month-to-date <u>-6.78</u>	Year-to-date <u>122.78</u>


Andrew Thomas, Tax Administrator

4.1.20
Date

City of Findlay

Christina M. Mury, Mayor

POLICE DEPARTMENT

John E. Dunbar, Chief of Police

318 Dorney Plaza, Room 116 • Findlay, OH 45840

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

www.findlayohio.com

March 3, 2020

The Honorable Council:

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

Ken Caligiuri

Chalky Billiards LLC, DBA Chalkys & Patio & Fenced Area, 1851 Tiffin Avenue, Findlay, Ohio 45840.

Sincerely,



John E. Dunbar
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

1414024		TRFO	CHALKY BILLIARDS LLC DBA CHALKYS & PATIO & FENCED AREA 1851 TIFFIN AV FINDLAY OHIO 45840
PERMIT NUMBER		TYPE	
06 01	2019		
ISSUE DATE			
02 25	2020		
FILING DATE			
D5 D6		PERMIT CLASSES	
32	044	A	F23766
TAX DISTRICT			RECEIPT NO.

FROM **02/27/2020**

9832219			YLS ENTERTAINMENT INC DBA YUCATAN & PATIO & FENCED AREA 1851 TIFFIN AV FINDLAY OHIO 45840
PERMIT NUMBER		TYPE	
06 01	2019		
ISSUE DATE			
02 25	2020		
FILING DATE			
D5 D6		PERMIT CLASSES	
32	044		
TAX DISTRICT			RECEIPT NO.

RECEIVED

MAR 02 2020

MAYOR'S OFFICE



MAILED **02/27/2020**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **03/30/2020**

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 1414024**

(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**

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA	
Permit Number	<input type="text" value="1414024"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 1414024; Name: CHALKY BILLIARDS LLC; DBA: DBA CHALKYS & PATIO & FENCED AREA; Address: 1851 TIFFIN AV FINDLAY 45840		
KEN CALIGIURI	MANAGE MEM	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

THE SUPREME COURT OF OHIO
Individual Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **ALAN D HACKENBERG**
Report for the month of: **February 2020**

Date of completion of most recent physical inventory
07/16/2019

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge
Pending beginning of period 1	205	81	121	0	13	1	0	421	0
New cases filed 2	45	13	26	0	16	0	0	100	0
Cases transferred in, reactivated or redesignated 3	2	0	4	0	1	0	0	7	0
TOTAL (Add lines 1-3) 4	252	94	151	0	30	1	0	528	0
Jury trial 5	0	0	0	0	0	0	0	0	0
Court trial 6	0	0	1	0	0	0	0	1	0
Default 7				0	0	1	0	1	0
Guilty or no contest plea to original charge 8	29	6	28					63	21
Guilty or no contest plea to reduced charge 9	1	1	2					4	0
Dismissal for lack of speedy trial(criminal) or want of prosecution (civil) 10	0	0	0	0	0	0	0	0	0
Other Dismissals 11	27	0	11	0	14	0	0	52	3
Transfer to another judge or court 12	0	0	0	0	0	0	0	0	0
Referral to private judge 13				0	0	0	0	0	0
Unavailability of party for trial or sentencing 14	6	0	4	0	0	0	0	10	0
Bankruptcy stay or interlocutory appeal 15	0	0	0	0	0	0	0	0	0
Other terminations 16	0	2	2	0	0	0	0	4	2
TOTAL (Add lines 5-16) 17	63	9	48	0	14	1	0	135	0
Pending end of period (Subtract line 17 from line 4) 18	189	85	103	0	16	0	0	393	0
Cases pending beyond time guideline 19	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline 20	0	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline 21	0	0	0	0	0	0	0	0	0

FTP 2/3/2020

Fax to:
(614) 387-9419
-or-
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431

ALAN D HACKENBERG Date

Preparer's name and telephone number if other than judge (print or type) Date

MARK C MILLER Date

THE SUPREME COURT OF OHIO
Administrative Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **MARK C MILLER**

Report for the month of : **February 2020**

	A	B	C	D	E	F	G	H	I	T
	Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL
Pending beginning of period 1	7	88	8	292	3	948	33	0	210	1589
New cases filed 2	16	130	23	658	0	289	24	0	101	1241
Cases transferred in, reactivated or redesignated 3	0	29	0	47	0	4	1	0	1	82
TOTAL (Add lines 1-3) 4	23	247	31	997	3	1241	58	0	312	2912
Trial/Hearing by judge (include bindover by preliminary hearing, guilty or no contest pleas and defaults 5	0	30	3	37	0	124	10	0	0	204
Hearing by Magistrate (Include guilty or no contest pleas and defaults 6		2	1	22	0	0	0	0	78	103
Transfer (Include waivers of preliminary hearing and individual judge assignments 7	19	90	21	43	0	33	1	0	0	207
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil) 8	0	0	0	0	0	0	0	0	0	0
Other dismissals (Include dismissals at preliminary hearing) 9	2	8	0	11	1	42	2	0	26	92
Violations Bureau 10		0		556						556
Unavailability of party for trial or sentencing 11	0	11	1	49	0	0	0	0	0	61
Bankruptcy stay or interlocutory appeal 12	0	0	0	0	0	3	0	0	0	3
Other terminations 13	0	23	0	9	0	2	0	0	1	35
TOTAL (Add lines 5-13) 14	21	164	26	727	1	204	13	0	105	1261
Pending end of period (Subtract line 14 from line 4) 15	2	83	5	270	2	1037	45	0	207	1651
Cases pending beyond time guideline 16	0	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline 17	0	0	0	0	0	0	0	0	0	0

FTP 3/3/2020

Fax to:
(614) 387-9419
-or-
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431

MARK C MILLER

Date

Preparer's name and telephone number if other than judge (print or type)

Date

THE SUPREME COURT OF OHIO
Individual Judge
MUNICIPAL COURT AND COUNTY COURT

Court: **FINDLAY MUNICIPAL COURT** Judge: **MARK C MILLER**
Report for the month of: **February 2020**

Date of completion of most
recent physical inventory
04/11/2019

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge
Pending beginning of period 1	176	72	102	1	8	2	0	361	0
New cases filed 2	45	8	17	0	17	1	0	88	0
Cases transferred in, reactivated or redesignated 3	2	2	0	0	1	0	0	5	0
TOTAL (Add lines 1-3) 4	223	82	119	1	26	3	0	454	0
Jury trial 5	0	0	0	0	0	0	0	0	0
Court trial 6	0	0	0	0	0	1	0	1	0
Default 7				0	0	0	0	0	0
Guilty or no contest plea to original charge 8	26	18	26					70	15
Guilty or no contest plea to reduced charge 9	5	1	0					6	0
Dismissal for lack of speedy trial(criminal) or want of prosecution (civil) 10	0	0	0	0	0	0	0	0	0
Other Dismissals 11	21	0	11	0	10	1	0	43	16
Transfer to another judge or court 12	0	0	0	0	2	0	0	2	0
Referral to private judge 13				0	0	0	0	0	0
Unavailability of party for trial or sentencing 14	1	1	2	0	0	0	0	4	0
Bankruptcy stay or interlocutory appeal 15	0	0	0	0	0	0	0	0	0
Other terminations 16	1	0	1	0	0	0	0	2	0
TOTAL (Add lines 5-16) 17	54	20	40	0	12	2	0	128	0
Pending end of period (Subtract line 17 from line 4) 18	169	62	79	1	14	1	0	326	0
Cases pending beyond time guideline 19	0	0	0	0	0	0	0	0	0
Number of months oldest case is beyond time guideline 20	0	0	0	0	0	0	0	0	0
Cases submitted awaiting sentencing or judgment beyond time guideline 21	0	0	0	0	0	0	0	0	0

FTP 3/3/2020

Fax to:
(614) 387-9419
-or-
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431

MARK C MILLER Date

Preparer's name and telephone number if other than judge (print or type) Date

MARK C MILLER Date

MONTHLY REPORT

ALAN D. HACKENBERG, JUDGE
 MARK C. MILLER, JUDGE
 HEATHER M EIGEL, CLERK
 DAVID D. BEACH
 Director of Court Services

FINDLAY MUNICIPAL COURT
 318 DORNEY PLAZA RM 206
 FINDLAY, OHIO 45839
 TELEPHONE 419-424-7141
 FAX 419-424-7803

FINDLAY MUNICIPAL COURT Monthly Report for February, 2020

PAGE 1

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CASES FILED:				
TRAFFIC	681	1,402	871	1,778
TRAFFIC COMPANION	75	160	93	176
CRIMINAL	146	307	166	352
CRIMINAL COMPANION	17	34	17	36
SEARCH WARRANT	9	18	6	7
CIVIL	313	846	200	457
SMALL CLAIMS	101	197	80	184
EXTRADITION	3	5	3	4
OTHER	13	23	9	21
TOTALS	1,358	2,992	1,445	3,015
COURT PROCEEDINGS:				
Admin License Suspension	-	-	1	2
Arraignment	875	2,030	968	2,216
Attachment	10	19	12	14
Bond	2	2	1	8
Civil Status Conference	1	4	6	16
COMMUNITY SERVICE REVIEW	20	46	18	42
Contempt of Court	56	101	44	101
Contested Small Claims	-	-	2	5
Continued	556	1,149	556	1,275
Damages	3	3	-	7
Debtors Examination	27	42	21	49
Default	1	3	-	-
Desk Review	271	521	105	238
DIVERSION PLEA	2	3	3	7
DUS DIVERSION REVIEW	8	19	-	-
Expungement	6	9	3	4
Extradition	3	3	2	3
Forcible Detention	17	40	27	47
Garnishment	1	1	3	3
Hearing on Motion	6	28	5	8
Jury Trial	1	2	-	-
Limited Privileges	1	1	2	4
Marriage	2	2	-	2
Mediation	-	-	-	1
Miscellaneous	4	9	5	9
Motion to Compel	1	1	-	-
Motion to Vacate Judgment	-	-	-	2
Motion to Withdraw as Counsel	1	2	-	-
Plea	128	228	158	271
Preliminary	23	32	20	36
Pre-Trial	195	381	235	447
Pre-Trial with Judge	100	158	65	127
Revivor	4	9	8	10
Revocation	12	20	5	38
SECOND PRETRIAL	103	207	73	168
Sentencing	12	26	2	6
Small Claims	68	157	63	137

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
STATUS CONFERENCE	1,595	2,738	1,416	2,905
Suppression	3	5	5	9
TELEPHONE PRETRIAL	8	10	-	-
Trial	5	10	9	19
WRIT OF RESTITUTION	16	36	20	39
WRITTEN PLEA	11	19	5	13
TOTALS	<u>4,158</u>	<u>8,076</u>	<u>3,868</u>	<u>8,288</u>

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CRIMINAL VIOLATIONS:				
ASSAULT	4	11	4	6
CONTEMPT	2	2	-	-
CRIMINAL DAMAGING	1	4	3	7
CRIMINAL TRESPASS	8	10	4	9
DISORDERLY CONDUCT	14	24	12	27
DOMESTIC VIOLENCE	14	28	13	29
DRUG ABUSE	45	84	40	78
OPEN CONTAINER PROHIBITED	7	10	3	7
RESISTING ARREST	3	5	6	10
ROBBERY	1	1	-	-
TELEPHONE HARASSMENT	1	1	-	1
THEFT	19	42	26	57
UNDERAGE CONSUMPTION	2	4	12	15
OTHER CRIMINAL	44	117	60	142
TOTALS	165	343	183	388
TRAFFIC VIOLATIONS:				
ACD/SPEED	20	41	33	84
DISOBEYING TRAFFIC CONTROL DEV	22	41	26	50
DRIVING UNDER SUSPENSION	55	114	67	132
EXPIRED REGISTRATION	26	71	41	91
FAIL TO MAINTAIN CONTROL	30	52	59	138
FAILURE TO YIELD RIGHT OF WAY	10	23	27	47
LEAVING SCENE OF AN ACCIDENT	3	11	5	9
LEFT OF CENTER	3	5	2	6
OVERLOAD	74	179	99	191
OVI	29	64	29	63
PASSING A STOPPED SCHOOL BUS	1	3	-	-
RECKLESS OPERATION	-	-	4	6
SEAT BELT	58	126	129	211
SPEEDING	270	523	226	481
OTHER TRAFFIC	155	309	217	445
TOTALS	756	1,562	964	1,954

NOTE: SEARCH WARRANTS NOT INCLUDED IN VIOLATION TOTALS

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
ARRESTING AGENCY:				
PATROL				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	457	921	595	1,175
OMVI	13	32	20	35
CRIMINAL FELONIES	1	1	-	1
CRIMINAL MISDEMEANORS	34	67	14	31
SEARCH WARRANTS	-	2	-	-
FINDLAY P.D. (BY ORDINANCE)				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	148	366	253	503
OMVI	11	21	4	17
CRIMINAL FELONIES	-	-	-	-
CRIMINAL MISDEMEANORS	38	77	51	107
SEARCH WARRANTS	-	-	-	-
FINDLAY P.D. (BY ORC)				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	-	2	2	3
OMVI	-	-	-	-
CRIMINAL FELONIES	15	28	12	23
CRIMINAL MISDEMEANORS	53	116	84	172
SEARCH WARRANTS	8	14	5	6
SHERIFF				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	100	176	74	182
OMVI	5	7	4	10
CRIMINAL FELONIES	-	2	2	2
CRIMINAL MISDEMEANORS	14	30	10	31
SEARCH WARRANTS	1	2	1	1
OTHERS				
OVERTIME PARKING	-	-	-	-
TRAFFIC OTHER	22	33	11	28
OMVI	-	4	1	1
CRIMINAL FELONIES	-	-	-	-
CRIMINAL MISDEMEANORS	8	20	10	21
SEARCH WARRANTS	-	-	-	-
TOTALS	928	1,921	1,153	2,349
PROBATION:				
ESTABLISHED	22	39	10	23
TERMINATED	21	46	8	17
CURRENT	26	26	13	13
TOTALS	69	111	31	53

ACTIVITIES ORDERED:	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
ALCOHOL/SUBSTANCE EVAL	12	33	12	23
ANGER MANAGEMENT	-	1	3	4
BENCH WARRANT TO AGENCY	209	425	223	563
COMMUNITY SERVICE	-	1	-	-
COMMUNITY SERVICE COUNTY	10	26	29	57
COMMUNITY SERVICE INDIVIDUAL	21	54	23	51
COMMUNITY SERVICE NO JAIL	-	1	1	3
DIP	19	34	19	32
DOMESTIC VIOLENCE PROGRAM	-	-	1	2
ELECTRONIC HOME MONITORING	-	3	-	2
HOUSE ARREST	1	1	1	2
JAIL	10	22	12	28
MENTAL EVAL	-	-	-	1
Pay Restitution	4	7	4	5
Probation	13	21	10	20
SCRAM	3	9	6	10
STAR Program	9	22	13	24
TREATMENT CLEARVIEW SERV	-	2	3	5
TREATMENT FRC	3	6	10	14
TREATMENT MISCELLANEOUS	4	6	6	10
UCP	-	2	-	2
VIP	18	34	17	28
TOTALS	336	710	393	886

*****CURRENT YEAR*****
 MTD YTD

*****LAST YEAR*****
 MTD YTD

RECEIPTS DEPOSITED:


ALCOHOL MONITORING	\$2,427.67	\$5,772.21	\$2,607.00	\$8,104.10
BOND FEES	\$600.00	\$1,145.00	\$275.00	\$650.00
CIVIL DEPOSIT TENDERS	\$909.08	\$1,129.02	\$465.00	\$715.00
COURT COST	\$77,646.09	\$179,226.76	\$67,266.07	\$146,188.68
DUI ENFORCEMENT	\$2,877.78	\$6,304.53	\$3,027.28	\$6,216.63
ELECTRONIC IMAGING	\$4,867.00	\$11,201.25	\$4,474.85	\$9,946.20
FINES & FORFEITURES	198,771.32	\$375,471.92	180,631.05	\$399,081.22
FUND REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00
INDIGENT DRIVER ALCOHOL	\$518.25	\$952.20	\$494.63	\$863.20
INMATE MEDICAL EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00
INTEREST	\$80.68	\$144.36	\$131.72	\$192.54
JAIL HOUSING	\$18,336.63	\$32,225.65	\$17,717.74	\$31,124.37
JAIL REIMBURSEMENT	\$523.50	\$666.87	\$104.05	\$234.05
LEGAL RESEARCH	\$3.50	\$11.00	\$4.00	\$9.50
MEDIATION	\$1,550.50	\$3,592.91	\$1,434.00	\$3,188.86
MISCELLANEOUS	\$25,888.58	\$59,179.03	\$35,038.45	\$72,903.27
MUNI COURT COMPUTERIZATION	\$4,853.00	\$11,173.19	\$4,507.15	\$9,971.70
MUNI COURT IMPROVEMENT	\$15,371.82	\$35,982.38	\$14,430.77	\$32,005.29
RESTITUTION	\$461.53	\$750.15	\$601.00	\$2,182.90
SPECIAL PROJECTS	\$26,304.91	\$60,356.91	\$23,426.25	\$51,894.53
STATE PATROL	\$20,739.65	\$49,087.13	\$24,768.89	\$50,499.69
TRAFFIC/CRIMINAL BONDS	(\$262.50)	\$2,578.05	\$7,794.87	\$17,113.35
	402,468.99	\$836,950.52	389,199.77	\$843,085.08

DISTRIBUTIONS:


ALCOHOL MONITORING	\$2,427.67	\$5,543.21	\$2,607.00	\$8,104.10
BOND FEES	\$600.00	\$1,145.00	\$275.00	\$650.00
CIVIL DEPOSIT TENDERS	\$1,013.32	\$1,987.28	\$905.00	\$1,155.00
COURT COST	\$77,567.09	\$178,962.76	\$66,476.07	\$145,229.68
DUI ENFORCEMENT	\$2,877.78	\$6,294.36	\$3,027.28	\$6,213.24
ELECTRONIC IMAGING	\$4,864.00	\$11,186.25	\$4,474.85	\$9,943.20
FINES & FORFEITURES	200,640.72	\$384,746.70	180,969.48	\$401,294.28
FUND REIMBURSEMENT				
INDIGENT DRIVER ALCOHOL	\$518.25	\$952.20	\$494.63	\$863.20
INMATE MEDICAL EXPENSE				
INTEREST	\$80.68	\$144.36	\$131.72	\$192.54
JAIL HOUSING	\$18,336.63	\$32,225.65	\$17,717.74	\$30,924.37
JAIL REIMBURSEMENT	\$523.50	\$666.87	\$104.05	\$234.05
LEGAL RESEARCH	\$3.50	\$11.00	\$4.00	\$9.50
MEDIATION	\$1,549.50	\$3,587.91	\$1,434.00	\$3,187.86
MISCELLANEOUS	\$39,685.31	\$87,169.11	\$44,729.28	\$88,559.91
MUNI COURT COMPUTERIZATION	\$4,850.00	\$11,158.19	\$4,507.15	\$9,968.70
MUNI COURT IMPROVEMENT	\$15,361.82	\$35,932.38	\$14,430.77	\$31,995.29
RESTITUTION	\$702.91	\$875.58	\$320.00	\$1,901.90
SPECIAL PROJECTS	\$26,288.91	\$60,276.91	\$23,426.25	\$51,878.53
STATE PATROL	\$20,769.65	\$48,937.13	\$24,768.89	\$50,303.19
	418,661.24	\$871,802.85	390,803.16	\$842,608.54

DISTRIBUTED TO:

	*****CURRENT YEAR*****		*****LAST YEAR*****	
	MTD	YTD	MTD	YTD
CITY OF FINDLAY	184,469.65	\$398,264.89	177,906.43	\$369,347.04
HANCOCK COUNTY	\$25,179.48	\$46,205.82	\$21,199.19	\$39,471.69
OTHERS	157,342.54	\$302,555.64	141,028.21	\$325,826.95
STATE OF OHIO	\$62,218.74	\$143,840.70	\$64,256.68	\$135,333.75
	<u>429,210.41</u>	<u>\$890,867.05</u>	<u>404,890.51</u>	<u>\$869,979.43</u>



MARK C. MILLER, JUDGE



ALAN D. HACKENBERG, JUDGE

DISCLAIMER: RECEIPTS COLLECTED ARE NOT TO BE CONFUSED WITH RECEIPTS DEPOSIT

City of Findlay

Christina M. Muryn, Mayor

POLICE DEPARTMENT

John E. Dunbar, Chief of Police

318 Dorney Plaza, Room 116 • Findlay, OH 45840

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

www.findlayohio.com

March 3, 2020

Honorable Council:

Attached are the Findlay Police Department activity stats for February 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Chief John Dunbar". The signature is fluid and cursive.

John E. Dunbar
Chief of Police



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, March 06, 2020

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 February 29th, 2020
Financial Snapshot for General Fund as of February 29th, 2020
Cash & Investments as of February 29th, 2020
Open Projects Report as of February 29th, 2020

Respectfully Submitted,

A handwritten signature in blue ink, which appears to read "Jim Staschiak II". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jim Staschiak II
City Auditor

CITY OF FINDLAY
SUMMARY OF YEAR-TO-DATE INFORMATION AS OF FEBRUARY 29, 2020

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
COUNCIL	327,935	29,641	9.0%	4,300	-	0.0%
MAYOR'S OFFICE	346,501	51,057	14.7%	3,000	1,198	39.9%
AUDITOR'S OFFICE	727,737	78,418	10.8%	407,025	57	0.0%
TREASURER'S OFFICE	23,649	1,665	7.0%	-	-	0.0%
LAW DIRECTOR	665,827	104,710	15.7%	110,000	59,286	53.9%
MUNICIPAL COURT	2,501,301	308,446	12.3%	1,680,650	330,877	19.7%
CIVIL SERVICE OFFICE	160,791	14,553	9.1%	25,000	2,170	8.7%
PLANNING & ZONING	152,592	68,250	44.7%	-	-	0.0%
COMPUTER SERVICES	525,363	80,761	15.4%	524,999	-	0.0%
GENERAL EXPENSE	2,447,193	592,216	24.2%	-	-	0.0%
GENERAL REVENUE	-	-	0.0%	26,707,803	1,976,951	7.4%
POLICE DEPARTMENT	8,729,889	1,194,490	13.7%	506,800	161,425	31.9%
DISASTER SERVICES	55,647	19,215	34.5%	-	-	0.0%
FIRE DEPARTMENT	7,956,257	1,019,799	12.8%	282,000	3,750	1.3%
DISPATCH CENTER	1,122,376	217,522	19.4%	-	-	0.0%
N.E.A.T.	9,350	-	0.0%	-	-	0.0%
SAFETY DIRECTOR	128,704	11,954	9.3%	-	-	0.0%
HUMAN RESOURCES	159,736	15,012	9.4%	-	10	0.0%
SERVICE DIRECTOR	132,277	9,878	7.5%	-	-	0.0%
ENGINEERING OFFICE	862,339	79,175	9.2%	125,120	7,477	6.0%
PUBLIC BUILDING	542,367	38,150	7.0%	-	-	0.0%
ZONING	374,507	29,616	7.9%	76,400	7,807	10.2%
PARK MAINTENANCE	1,159,333	131,198	11.3%	75,220	47,248	62.8%
RESERVOIR RECREATION	26,973	187	0.7%	-	-	0.0%
RECREATION MAINTENANCE	101,796	2,069	2.0%	-	-	0.0%
RECREATION FUNCTIONS	1,090,707	100,351	9.2%	757,350	311,515	41.1%
CEMETERY DEPARTMENT	567,259	48,038	8.5%	194,000	86,780	44.7%
TOTAL GENERAL FUND	30,898,406	4,246,373	13.7%	31,479,667	2,996,552	9.5%

CONTINUED ON REVERSE

	EXPENDITURE BUDGET	Y-T-D EXPENSED	Y-T-D %	ANNUAL REVENUE BUDGET	Y-T-D RECEIVED	Y-T-D %
SCM&R STREETS	2,992,699	357,479	11.9%	2,929,100	657,976	22.5%
TRAFFIC-SIGNALS	629,380	51,314	8.2%	20,000	20,475	0.0%
TOTAL SCM&R FUND	3,622,079	408,793	11.3%	2,949,100	678,451	23.0%
SCM&R HIWAYS	239,413	37,880	15.8%	218,600	35,449	16.2%
TOTAL SCM&R HIWAYS FUND	239,413	37,880	15.8%	218,600	35,449	16.2%
AIRPORT OPERATIONS	1,223,038	164,995	13.5%	892,925	112,848	12.6%
TOTAL AIRPORT FUND	1,223,038	164,995	13.5%	892,925	112,848	12.6%
WATER TREATMENT	3,891,814	310,658	8.0%	12,000	1,262	10.5%
WATER DISTRIBUTION	1,885,599	179,713	9.5%	132,500	8,164	6.2%
UTILITY BILLING	1,198,199	123,540	10.3%	7,870,535	1,160,166	14.7%
SUPPLY RESERVOIR	769,896	37,111	4.8%	21,502	1,325	6.2%
TOTAL WATER FUND	7,745,508	651,022	8.4%	8,036,537	1,170,917	14.6%
SANITARY SEWER MAINT	1,081,450	143,325	13.3%	4,000	35	0.9%
STORMWATER MAINT	750,132	24,805	3.3%	777,500	129,247	16.6%
WATER POLLUTION CONTROL	3,337,061	291,995	8.8%	8,737,674	1,433,862	16.4%
TOTAL SEWER FUND	5,168,643	460,125	8.9%	9,519,174	1,563,144	16.4%
PARKING	95,504	18,185	19.0%	84,700	17,818	21.0%
TOTAL PARKING FUND	95,504	18,185	19.0%	84,700	17,818	21.0%
SWIMMING POOL	122,173	4,201	%	87,000	-	0.0%
TOTAL SWIMMING POOL FUND	122,173	4,201	3.4%	87,000	-	0.0%
CIT ADMINISTRATION	23,645,671	1,714,910	7.3%	29,273,500	3,907,429	13.3%
TOTAL CIT FUND	23,645,671	1,714,910	7.3%	29,273,500	3,907,429	13.3%

SNAPSHOT \$ FINANCIAL: GENERAL FUND

2020

Revenues/Expenditures & Key Balances Snapshot as of :

Projected

2/29/2020

GENERAL FUND REVENUES & EXPENSES

Prior Year Ending Cash Balance – Unappropriated		\$	13,295,064
Revenue and Receipts Projection General Fund	\$	32,217,865	
Expenses Appropriated General Fund <i>(assumes \$0.00 returned by departments)</i>	\$	(31,323,596)	
OPERATIONAL SURPLUS/(DEFICIT)			\$894,269

BUDGETED UNENCUMBERED YEAR END GF CASH BALANCE

\$ 14,189,333

FINANCIAL POLICY AMOUNTS

	Minimum	Year End Projected Balance	Over/(Short)
Minimum Reserve Balance GF <i>(Resolution 002-2014 16.7% of Budget Expenses)</i>	\$ 5,027,962	\$ 14,189,333	\$9,161,371
GF Rainy Day Reserve Account #10000000-818002	\$ 1,000,000	\$ 1,000,000	\$0
Available Rainy Day amount that can be reserved **	\$ 1,513,452		(\$513,452)
Self Insurance Fund #6060	\$ 1,000,000	\$ 976,268	(\$23,732)
Severance Payout Reserve Fund #2090	\$ 1,000,000	\$ 980,545	(\$19,455)

MONITORING INTANGIBLE / ANTICIPATED ITEMS

LIKELY

POSSIBLE

GENERAL FUND

Revenue Differential + / (-)

Revenue Difference Projected by Tax Administrator Thomas per
Income Tax Board Discussion 2/24/20 + / (-)

(\$3,756,000)

Expense Differential + / (-)

2020 Proposed Capital Improvements Plan General Fund Dollars

(\$1,250,000)

Fund Subsidies + / (-)

Unbudgeted Projects

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

2020 \$ 9,183,333

** subject to release of prior year audit

CITY OF FINDLAY
CASH & INVESTMENTS AS OF FEBRUARY 29, 2020

<u>AMOUNT</u>	<u>DESCRIPTION AND RATE</u>	<u>BANK/FIRM</u>
\$ 1,144,000.00	STAR OHIO @ 1.770%	
123,304.26	STAR OHIO @ 1.770%	
23,003,500.00	STAR OHIO @ 1.770%	
1,487,401.75	STAR OHIO @ 1.770%	
1,000,000.00	STAR PLUS @ 1.730%	
16,505,000.00	SAVINGS ACCOUNT	FIFTH THIRD BANK
986,484.38	US TREASURY @ 1.625%	HUNTINGTON BANK
979,531.25	US TREASURY @ 1.500%	PNC BANK
1,998,649.10	US TREASURY @ 2.500%	D A DAVIDSON
981,110.00	US TREASURY @ 1.625%	KEY BANK
973,610.00	US TREASURY @ 1.375%	KEY BANK
1,995,820.00	FFCB @ 2.900%	KEY BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 2.650%	WATERFORD BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 1.790%	FIRST NATIONAL BANK
245,000.00	CERTIFICATE OF DEPOSIT @ 1.510%	FIRST FEDERAL BANK
<hr/>		
\$ 51,913,410.74	INVESTMENT TOTAL	
5,250,922.19	5/3 BANK ACCOUNT BALANCE	
-	ACCRUED INVESTMENT INTEREST	
<hr/>		
<u>\$ 57,164,332.93</u>	TOTAL CASH & INVESTMENTS	

UNAPPROPRIATED FUND BALANCES (CURRENT CASH BALANCES ON REVERSE)

GENERAL	\$ 14,189,333
SCM&R	804,743
SCM&R HIWAY	289,120
SEVERANCE PAYOUT RESERVE	980,545
AIRPORT	250,906
WATER	5,207,940
SEWER	7,628,804
STORMWATER	2,545,175
PARKING	53,792
CIT ADMINISTRATION	439,908
CIT CAPITAL IMPROVEMENT	7,599,242

CITY OF FINDLAY
BREAKDOWN OF TOTAL CASH & INVESTMENTS BY FUND AS OF FEBRUARY 29, 2020

\$14,337,449.60	General Fund
1,000,000.00	General Fund Restricted Rainy Day
2,811,500.22	General Fund Projects
1,675,607.81	SCM&R Fund
809,012.99	SCM&R Fund Projects
-	County Permissive License Fund
307,504.11	State Highway Fund
212.57	Law Enforcement Trust Fund
4,236.87	Drug Law Enforcement Trust Fund
295,114.15	ID Alcohol Treatment Fund
63,746.99	Enforcement & Education Fund
544,616.80	Court Special Projects Fund
143,582.97	Court Computerization Fund
2,109.56	METRICH Drug Law Enforcement Trust Fund
143,902.38	Alcohol Monitoring Fund
139,176.89	Mediation Fund
171,837.00	Electronic Imaging Fund
20,583.75	Legal Research Fund
988,574.94	Severance Payout Fund
552,638.40	Debt Service Fund
-	CR 236 TIF Fund
637,837.93	Municipal Court Improvement Fund
558,835.01	Airport Fund
60,403.60	Airport Fund Projects
6,977,956.26	Water Fund
885,129.05	Water Fund Restricted
2,218,691.62	Water Fund Projects
6,305,840.17	Sewer Fund
5,356,482.43	Sewer Fund Restricted
2,125,688.84	Sewer Fund Projects
66,956.24	Parking Fund
-	Parking Fund Projects
35,794.39	Swimming Pool Fund
-	Swimming Pool Fund Projects
31,394.44	Internal Service Central Stores Fund
764,235.53	Internal Service Workers Comp Fund
1,161,816.26	Internal Service Self Insurance Fund
2,231,224.44	CIT Fund
1,750,007.77	CIT Fund- Restricted Capital Improvements
-	CIT Fund-Restricted Flood Mitigation
-	Police Pension Fund
-	Fire Pension Fund
49,541.93	Unclaimed Monies Fund
192,674.37	Tax Collection Agency Fund
1,494,841.52	Cemetery Trust Fund
159,728.94	Private Trust Fund
87,146.93	Guaranteed Deposits
-	Special Assessments Pavements Fund
-	Special Assessments Sidewalks Fund
-	Special Assessments Sidewalks Fund Projects
697.26	Special Assessments Storm Fund
<u>\$57,164,332.93</u>	TOTAL CASH & INVESTMENTS

**CITY OF FINDLAY
OPEN PROJECTS AS OF FEBRUARY 29, 2020**

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED	EXPENSED	PENDING	AVAILABLE
		INCEPTION TO DATE	INCEPTION TO DATE	PURCHASE ORDERS	TO SPEND
31900300	2020 CUBE PARKING PH2	1,000	320	-	680
31900400	BAKERS CAFÉ RLF	27,274	27,274	-	-
31948200	OHIO 629 - MARATHON	250,000	-	-	250,000
31950900	MUNI BLDG VIDEO RECORDING	130,000	126,211	1,061	2,728
31955300	ROWMARK 629 ROADWORK	100,000	1,516	2,234	96,250
31966700	TYLER CASHIERING IMPLEMENTATION	38,500	18,075	20,310	115
31966800	2017 ORC PD REQUIRED TRAINING	39,556	-	2,236	37,320
31972000	2017 SWALE LOT & WALK PATH	70,000	40,245	9,755	20,000
31972500	FOOTBALL BLDG POWER	38,000	34,018	-	3,982
31972900	SALT BARN STRUCTURE	580,000	13,249	556,781	9,971
31976600	RESERVOIR PARKING LOT	15,000	-	-	15,000
31976900	2017 CRISIS INTERVENTION TRAINING	6,103	3,442	-	2,661
31977900	PUBLIC SAFETY SOFTWARE SYSTEM	731,770	616,896	31,800	83,074
31980300	BLANCH RVR GREENWAY TRAIL	666,300	80,301	532,205	53,794
31980800	ORC PD REQUIRED TRAINING	29,320	28,583	736	0
31983000	VHF RADIO SYSTEM	604,077	-	370,031	234,046
31983400	2018 SKATE PARK REPAIRS	7,000	-	-	7,000
31985900	HPD GRANT 2018	11,000	6,782	-	4,218
31990400	DISASTER RECOVERY SITE @ CUBE	55,000	3,895	-	51,105
31992500	FIBER OPTIC UPGRADE TO COUNTY	19,000	14,573	3,914	513
31992900	PARK LIGHTS TO LED	10,000	9,983	-	17
31993000	CUBE COOLING SYS CONDENSERS	20,000	-	11,800	8,200
31993600	KEEP ACTIVE KEEP HEALTHY PROG	100,000	33,589	60	66,351
31993700	19 CUBE PARKING LOT REPAIRS	144,157	167	133,957	10,033
31993800	RVR GREENTRAIL TO RIVERBEND	200,000	24,485	156,274	19,241
31994000	2019 EMORY ADAMS PARKING LOTS	10,000	-	-	10,000
31994600	PD QUICK RESPONSE GRANT FY2020	50,000	16,443	33,557	-
31994700	MUNI BUILDING HVAC CONTROLLER	195,000	57,787	-	137,213
31994800	2019 BWC FEEEG EXTRACTOR	4,829	-	4,829	-
31994900	FIRE STRICT FACILITY	250,000	-	-	250,000
31995000	HPD GRANT 2020	14,961	-	-	14,961
GENERAL FUND PROJECTS		4,389,573	1,130,240	1,871,539	1,387,794

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED INCEPTION TO DATE	EXPENSED INCEPTION TO DATE	PENDING PURCHASE ORDERS	AVAILABLE TO SPEND
32542300	OIL DITCH CLEANING	20,000	-	-	20,000
32549500	HOWARD RUN DITCH CLEANING	6,000	-	-	6,000
32593900	COUNTRY CLUB DR SLOPE REHAB	98,731	54,845	43,886	-
32800200	20 STREET PREV MAINT PROGRAM	100,000	6,342	28,658	65,000
32801100	E SANDUSKY CORRIDOR/SAFETY	50,000	-	50,000	-
32842500	BLANCHARD/6TH TRAN ALT PLAN	31,000	13,211	17,289	500
32852700	W SANDUSKY/WESTERN AVENUE	190,000	15,299	10,765	163,936
32852900	LIMA/WESTERN INTERSECCION	339,934	279,658	50,202	10,074
32864600	CR212/CR236 WIDENING	140,000	74,530	63,087	2,383
32872100	S MAIN/LINCOLN INTERSECTION	125,000	46,180	27,190	51,630
32872800	S MAIN/MAIN CROSS INTERSECTION	125,000	47,081	23,115	54,804
32873100	S MAIN/ SANDUSKY INTERSECTION	125,000	46,766	22,935	55,299
32876000	BLANCHARD/LINCOLN BIKE LANE	3,121,500	365,442	55,706	2,700,352
32884500	ODOT FY20 RESURF PID100184	100,000	57,345	2,470	40,186
32890600	TRAFFIC SIGNAL UPGRADES 2019	265,000	205,864	59,127	9
32893100	19 TRAFFIC POLE REPLACEMENT	50,000	2,180	35,750	12,070
32894500	2020 RESURFACING	1,000	187	-	813
SCM&R FUND PROJECTS		4,888,165	1,214,930	490,179	3,183,056
35284600	ODOT AVIAT BEACON & WINDSOCK	178,681	23,000	155,559	122
35293200	AIP-27 RUNWAY 7/25 REHAD CRACK SEAL	139,183	24,987	-	114,196
35293400	AIP-27 REHAB TAXIWAY A - DESIGN	59,000	-	-	59,000
AIRPORT FUND PROJECTS		376,864	47,987	155,559	114,318

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED	EXPENSED	PENDING	AVAILABLE
		INCEPTION TO DATE	INCEPTION TO DATE	PURCHASE ORDERS	TO SPEND
35500500	CHAPEL DR STORM SEWER	25,000	-	-	25,000
35577600	HOWARD ST SEWER SEP PH 1	252,000	61,868	-	190,132
35592200	BLANCH ST STORM SEW REPLACE	20,000	-	-	20,000
35592300	CIMARRON COURT DRAINAGE	95,000	9,940	52,456	32,604
35594100	CR 180 DRAINAGE PLAN	1,000	167	-	833
35595100	BLANCHARD ST CATCH BASIN REPL	151,685	167	-	151,518
35600100	SEWER TELEVIING	1,000	-	300	700
35600600	20 SEWER & MANHOLE LINING	1,000	-	-	1,000
35674500	LTCP EVALUATION STUDY	340,000	311,152	2,316	26,531
35674900	SEWER PARKING LOTS	38,000	31,052	4,812	2,136
35675000	SANITARY SEWER CR 212	45,000	7,269	731	37,000
35675500	DISTRIBUTION DR SAN SEWER	94,530	834	74,530	19,166
35680200	2018 SEWER LINING & MANHOLE	385,900	67,399	304,438	14,063
35681100	2018 ANNUAL SEWER TELEVISIONING	150,000	123,580	21,211	5,209
35681200	WPC UV SYSTEM REPLACEMENT	2,878,500	2,281,509	416,544	180,447
35691300	19 SEWER LINING & MANHOLE	400,000	5,167	388,073	6,760
35691400	19 SEWER TELEVISIONING	300,000	1,587	235,581	62,832
35691700	MADISON & MONROE	45,000	41,195	1,255	2,550
35691800	SR12 & DAVIS SAN SEWER	60,000	45,189	9,200	5,611
35691900	WEST MAIN CROSS SAN SEWER	20,000	18,891	1,109	-
SEWER FUND PROJECTS		5,278,615	3,006,966	1,512,557	759,092

PROJECT NUMBER	PROJECT NAME	TOTAL	TOTAL	TOTAL	CURRENTLY
		APPROPRIATED INCEPTION TO DATE	EXPENSED INCEPTION TO DATE	PENDING PURCHASE ORDERS	AVAILABLE TO SPEND
35754100	RAW WATERLINE/TRANSFER STATION	230,000	202,890	-	27,110
35773400	RESERVOIR OVERFLOW DESIGN	15,000	-	-	15,000
35774300	TR215 WATERLINE EXTENSION	411,575	321	381,575	29,679
35775800	RESERVOIR 1 RAMP REPAVING	20,000	-	-	20,000
35781800	WTP SCADA SYSTEM UPGRADES	585,600	7,616	-	577,984
35781900	WATER ASSET MGT OEPA MSTR	350,000	20,191	24,809	305,000
35782200	UB OFFICE RENOVATIONS	10,000	4,550	1,950	3,500
35782300	WTP ROOF REPLACEMENT	285,000	254,614	7,127	23,259
35782400	WTP FIRE ALARM SYSTEM	20,000	3,555	-	16,445
35782500	RESERVOIR #2 RAMP REPAVING	25,000	-	-	25,000
35782600	WTP & RES SECURITY CAMERAS	150,000	-	-	150,000
35782800	RESERVOIR TRANSFER LINE REHAB	20,000	167	-	19,833
35783300	WATER METER SYSTEM REPLACE	250,000	154	-	249,846
35783500	2018 UTILITY RATE STUDY	25,000	-	24,900	100
35783900	WTP BULK WATER STATION	50,000	-	-	50,000
35790200	E BIGELOW WL REPLACE	275,000	236,899	8,516	29,584
35790800	WTP CO2 TANKS REPLACEMENT	50,000	-	-	50,000
35791100	HOWARD ST WL REPLACEMENT	320,000	-	-	320,000
35792400	CR140 WATERLINE OVERSIZING	42,935	-	42,935	-
35793300	OLIVE ST WL REPLACEMENT	140,000	29,722	30,200	80,078
35794400	LARGE METER TESTING CALIBRAT	95,625	-	95,625	-
35795200	RUTHERFORD WL REPLACEMENT	1,000	317	-	683
35795300	SIXTH ST WATERLINE REPLACE	1,000	-	300	700
35795400	W MELROSE AVE WATERLINE	1,000	167	-	833
WATER FUND PROJECTS		3,373,735	761,161	617,938	1,994,636

City of Findlay
Design Review Board
City Council Chambers, Municipal Building
Wednesday March 11, 2020 – 6:00 p.m.

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

NEW ITEMS

CA-02-2020 – Movement Church façade improvements at 200 S. Main Street

CA-03-2020 – Amy May’s Taco signage and awning at 331 S. Main Street

OLD ITEMS

ADMINISTRATIVE APPROVALS

CALL/EMAIL LOG

ADJOURNMENT

City of Findlay
Design Review Board
Municipal Building City Council Chamber
Wednesday, February 12, 2020 – 6:00 PM

Minutes

MEMBERS PRESENT: Pat Ball
Jeff Fort
Hardy Hartzell
Brian Hirt
Brad Wagner

MEMBERS ABSENT: Josette Brinkman
Tim Mayle
Sharon Rooney

STAFF ATTENDING: Matt Cordonnier, HRPC Director

CALL TO ORDER

ROLL CALL

The following members were present:

Pat Ball
Jeff Fort
Hardy Hartzell
Brian Hirt
Brad Wagner

Matt Cordonnier opened the meeting by stating there currently were no items on the agenda for the board to address. The bylaws state that we should not go too long between meetings, so we wanted to get the group back together. On the agenda, we wanted to recap 2019, introduce a new board member, and address any ongoing cases.

CA-18-2019, 408 S. Main Street, is the first case that we were reviewing since it is nearing completion. This building is the Gaslight Building which used to house the Ben Franklin store amongst other businesses. It had been vacant, so the owner submitted an application to update the façade of the building as they renovated the interior. Façade work has been completed and only interior work remains. The ground floor of the building will have Baker's Café and a bank.

CA-19-2019, located at 407 S. Main Street, was another applicant that has completed the first phase of their project. This is the Bistro on Main restaurant. Matt commented that this was the most discussed application so far for the board. The applicant originally wanted to paint the entire façade black. Some Board members were concerned that the black paint on the entire façade would look out of place in the district. Painting building facades entirely black is not recommended in the Design Review Board Guidelines document. The guidelines also list some colors that look similar to black, as acceptable colors though. These suggestions led to some confusion about whether the design was appropriate. The decision the Board and applicant reached was that only the first floor would be painted black. If the applicant wanted to pursue painting the second story black in the future, she could turn in a new application for the board to review.

GT Wheels and the Lamp Doctor were both brought before the Board for maintenance violations in 2019. HRPC has sent a letter to the owners asking them to complete the improvements by June 1st, 2020. The Lamp Doctor owner has been in contact every few weeks to discuss the situation. They had issues with the contractor they selected and they ended up trying to find a new contractor. GT Wheels has been less communicative, but they have submitted the plans for their updates. Hopefully, they will be addressing their issues in the spring, otherwise the Board will need to revisit their cases.

Lanagan Construction had been doing some maintenance to the building at 413 S. Main Street. There had been broken glass in the storefront windows, which needed to be removed. They also removed the canopy over the entrance, which had become an issue. Over the façade, they have constructed a temporary façade to enclose the space, so they can do interior improvements. This was a case where we worked with the contractor to get them to paint the plywood to improve the aesthetic. There have been a few projects further north on Main Street that have also used temporary façade. Those two have used the plastic wrap to help insulation during the winter. In the winter, this is more acceptable.

Protech Rental Properties, located at 332 W. Main Cross Street, did some improvements to their façade. The original awning was torn during a wind storm, so we reached out to them. They removed the awning and took down the awning structure. A few months later, they went further and painted the façade of the building white with black trim to improve the aesthetic. We think that reaching out to the owner about the awning sparked them to make further improvements to the building.

This next project was 222 S. Main Street. We reached out to the owner, Daniel Claes, because of some broken glass. During our conversation, we learned that he was planning work to update the façade. At the moment, he has approval to replace the glass, but will come back with further design improvements.

Findlay Brewing Company has submitted an application for a decorative arch for their beer garden. The design was deemed to be an administrative approval.

The Davis-Cole Building, located at 209 S. Main Street, went through design review board for the façade improvements, but the tenant has come back to get approval for their awning. They

will use the awning to advertise the tenant, Waterford Bank. This was approved administratively.

That concluded the discussion of cases that had been administratively approved since the last meeting. Matt provided the group the entire list of cases that have come before the Design Review Board for their review.

Matt reminded the group that if anyone on the board sees any work being done within the district, it greatly helps us at HRPC to know what is going on in the district and keep up-to-date on what is being improved in the district. Matt says Jake will provide more communication with the Board so that they can have the minutes, cases reviewed, and any upcoming agenda items for their review about one week before the meeting.

The Board also requested that there be an updated list of everyone on the board, and what the term limits are for each member. Matt reminded the group that the appointments are staggered so that we don't have to renew every Board member at the same time.

The meeting ended with Matt reminding the group the next scheduled meeting will be March 11th at 6pm.

Office of the Mayor

Christina M. Muryn

318 Dorney Plaza, Room 310
Findlay, OH 45840

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

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

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

Honorable City Council
Findlay, OH 45840

March 11, 2020

RE: 2020 CUBE Parking Lot Repairs (31900300)

Dear Council Members:

By authorization of Ordinance 2020-006, a bid opening was held for the above-referenced project on February 19, 2020. Bids were received from six (6) potential contractors with the base bid amounts ranging from \$108,892.45 to 123,730.75. The lowest and best bid was received from M&B Asphalt Co. Inc. of Tiffin, Ohio.

This project is included in the 2020 Capital Improvements Plan with an estimated cost of \$150,000. Previously, an amount of \$1,000 was appropriated to the project. At this time, an appropriation for construction, inspection and contingency is needed to complete the project.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to appropriate and transfer funds as follows:

From: CIT Fund – Capital Improvements Restricted Account	\$ 132,000
To: 2020 CUBE Parking Lot Repairs (31900300)	\$ 132,000

If you have any questions, please feel free to contact me.

Sincerely,



Brian Thomas
Service Director/Acting City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor

Office of the Mayor

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Service Director

Honorable City Council
Findlay, OH 45840

March 11, 2020

RE: County Road 180 Drainage Plan (35594100)

Dear Council Members:

As a refresher, this is a County project. The purpose of the project is to install an additional storm sewer that will run along County Road 180, cross State Route 568 and outlet into the Blanchard River. This will reduce the stormwater that crosses State Route 568 and County Road 180 so that those roadways will be able to remain open during larger flood events. Per the Memorandum of Understanding that was signed, the City is responsible for bidding the project and providing inspection during construction while the County will pay all design and construction costs. We have received a check from the County Commissioners for the construction costs and now the funds need to be moved into the project so that engineering can get contracts signed and the project started.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to transfer funds as follows:

FROM: Hancock County Commissioners	\$89,916
TO: County Road 180 Drainage Plan (35594100)	\$89,916

If you have any questions, please feel free to contact me.

Sincerely,



Brian Thomas
Service Director/Acting City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor

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Honorable City Council
Findlay, OH 45840

March 11, 2020

RE: Fourth Capital Improvement Appropriation

Dear Council Members:

The equipment list and projects for the fourth Capital Improvement allocation of the year is attached.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to authorize the Service Director to advertise for bids and enter into contracts for construction and to appropriate and transfer funds as follows:

FROM: CIT Fund – Capital Improvements Restricted Account	\$119,000	
TO: Police #21012000-other		\$ 56,000
TO: Park Maintenance #21034000-other		\$ 46,000
TO: Streets #22040000 – other		\$ 17,000
FROM: CIT Fund – Capital Improvements Restricted Account	\$20,000	
TO: Logan Avenue, Phase 3 (32894300)		\$ 20,000
FROM: Sewer Fund	\$40,000	
TO: WPC Clarifier 3 & 4 Rehab (35601300)		\$ 20,000
TO: Blue Bonnet and Bittersweet Sanitary Sewer Improvements (35601200)		\$ 20,000

If you have any questions, please feel free to contact me.

Sincerely,



Brian Thomas
Service Director/Acting City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor

**2020 Capital Improvements Appropriations
Fourth Appropriation**

Appropriate Funds - Departments

From:	CIT Fund - Capital Improvements Restricted Account	\$119,000	
To:	POLICE - 21012000-other	\$56,000	
	Replace 2015 Ford Interceptor SUV		\$14,000
	Replace 2015 Ford Interceptor SUV		\$14,000
	Replace 2016 Ford Interceptor SUV		\$14,000
	Replace 2013 Ford Interceptor SUV		\$14,000
To:	PARKS MAINTENANCE -21034000 - other	\$46,000	
	Replace 550 dump		\$46,000
To:	STREETS - 22040000 - other	\$17,000	
	F550 Utility Truck Replace unit 116		\$17,000

Appropriate Funds - Projects

From:	CIT Fund - Capital Improvements Restricted Account	\$20,000	
To:	Logan Avenue, Phase 3 (32894300)		\$20,000
From:	Sewer Fund	\$40,000	
To:	WPC Clarifier 3 & 4 Rehab (35601300)		\$20,000
To:	Blue Bonnet and Bittersweet Sanitary Sewer Improvements (35601200)		\$20,000



TREASURER'S OFFICE

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

Treasurer's Reconciliation for February 29, 2020

TREASURER

Fifth Third Initial Balance	5,098,519.78
- Withdrawals ()	(3,714,923.84)
+ Deposits	4,317,611.97
Ending Balance	5,701,207.91

- Outstanding checks ()	(452,713.62)
Deposit in Transit	2,428.50
Bank Error	(0.60)
Treasurer's Checking Bal	5,250,922.19
Investment Principal	51,913,410.74

Treasurer's Total Cash and Investments	57,164,332.93
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AUDITOR

Auditor's Checking Bal	5,250,922.19
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Auditor's Total Cash and Investments	57,164,332.93
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Respectfully submitted,


Susan Jo Hite
Treasurer

Board of Zoning Appeals

November 14, 2019

Members present: Chairman, Phil Rooney; Blaine Wells; Brett Gies; David Russell and Sarah Gillespie.

Mr. Rooney called the meeting to order at 6:00 p.m.; introduced the members to the audience and the general rules were reviewed.

The following was introduced by Mr. Adkins:

Case Number: 59070-BA-19
Address: 210 Osborn Avenue
Zone: R-1 – Single Family, Low Density

Filed by Lonnie Eaton, regarding a variance from section 1161.01.1(D)(2) of the City of Findlay Zoning Ordinance in regards to rear yard setback at 210 Osborn Avenue. The applicant has erected a new 10 x 12 shed, which was built approximately 4-feet from the rear property line. This section requires a 5-foot setback.

After going through all the proper steps, the owner ended up building the northeastern corner of the shed approximately four feet from the property line and over five feet at the southwestern corner of the shed. Typically, a standard shed is prefabricated and brought onto the property, however, this shed was built onsite and anchored into the ground permanently due to the parcel being located in the floodplain.

Being that there are multiple structures in the area that sit closer to rear property lines than this one, if granted a variance, this structure will not be out of harmony.

Mr. Lonnie Eaton was sworn in and spoke (inaudible).

Mr. Inbody stated a phone call was received by Mr. Richard Zunkiewicz, a partner of Facilita LTD, which owns a rental that abuts the rear of the property at 201 Eastowne Park Row, called and stated that he was in favor of the 1-foot variance and has no objections to it.

Mr. Wells made a motion to approve the requested variance and to get required permits within 60 days.

Mr. Russell seconded the motion.

Motion to approve the request for variance, 5-0.

The following was introduced by Mr. Adkins:

Case Numbers: 59118-BA-19
Address: 310 Northgate Court
Zone: R-1 – Single Family, Low Density

Filed by Charles Shindeldecker, regarding a variance from section 1161.01.1(C)(2) of the City of Findlay Zoning Ordinance in regards to maximum accessory structure area allowed on a site at 310 Northgate

Court. The applicant is proposing to replace a 12 x 14 non-conforming structure with an 8 x 12.5 non-conforming structure. The maximum allowed area has been exceeded on the parcel. This section allows for a maximum of 900-square feet of accessory structure area.

This kind of request usually comes forward whenever a homeowner wants to add an accessory structure to a property that has already exceeded the allowable amount. In this case, the owner is looking to replace a structure that is dilapidated with a building that has a smaller footprint, but still exceeding the allowable amount by approximately 600-square feet.

Being that the owner is replacing the old with one that is smaller, the city would be for the variance for the replacement of a non-conforming structure with a new one if granted.

Mr. Shindeldecker was sworn in and spoke (inaudible).

Mr. Adkins stated there are no communications on this case.

Mr. Wells made a motion to approve the variance as requested due to it being a new building replacing an old one.

Mr. Russell seconded the motion.

Mr. Wells added to pick up permit within 60 days.

Motion to approve the request for variance, with getting the required permits within 60 days, 5-0.

Minutes for August 08, 2019 Board of Zoning Appeals meeting approved.

Minutes for October 10, 2019 Board of Zoning Appeals meeting approved.

The meeting was adjourned.



Chairman



Secretary

Office of the Mayor
Christina M. Muryn

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Service Director

Honorable City Council
Findlay, OH 45840
Honorable City Council
Findlay, OH 45840

April 1, 2020

RE: Olive Street Waterline Replacement #35793300

Dear Council Members:

A bid opening was held for the above-referenced project on March 4, 2020. Bids were received from two (2) potential contractors with bid amounts ranging from \$421,000.00 to \$430,826.10. The lowest and best bid was received from Helms and Sons Excavating, LLC. of Findlay, Ohio.


The project is included in the 2020 Capital Improvements Plan. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to accept the bid results, authorize the Service Director to enter into a contract or contracts and appropriate funds as follows:

FROM: Water Fund	\$420,145
TO: Olive Street Waterline Replacement Project No. 35793300	\$420,145

If you have any questions, please feel free to contact me.

Sincerely,


Brian Thomas
Service Director/ Acting City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor

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Honorable City Council
Findlay, OH 45840
Honorable City Council
Findlay, OH 45840

April 1, 2020

RE: Sixth Street Waterline Replacement #35795300

Dear Council Members:

By authorization of Ordinance No. 2020-006, a bid opening was held for the above-referenced project on March 11, 2020. Bids were received from four (4) potential contractors with bid amounts ranging from \$477,982.50 to \$543,465.10. The lowest and best bid was received from JDR Excavating, Inc. of Findlay, Ohio.

The project is included in the 2020 Capital Improvements Plan. The bid price is slightly higher than what is listed in the Capital Plan. It was decided that since the project would require a bore under the railroad, it made sense to install a larger line for the bore. This will eliminate the need for any additional bores in the future when the Water department wants to extend a larger line from Blanchard Street to serve the area west of the railroad. The cost of the actual railroad permit for the waterline boring also came in higher than expected (\$19,350).

Previously, an amount of \$1,000 was appropriated to the project for design and startup. At this time, an appropriation for construction, inspection and a contingency is needed to complete the project.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to appropriate funds as follows:

FROM: Water Fund	\$554,430	
TO: Sixth Street Waterline Replacement Project No. 35795300		\$554,430

If you have any questions, please feel free to contact me.

Sincerely,



Brian Thomas
Service Director/ Acting City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor

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Service Director

Honorable City Council
Findlay, OH 45840

April 1, 2020

RE: Rehabilitate Taxiway A (Taxiway A4 to A6)
Project No. 35293400

Dear Council Members:

The Consultant is finalizing the construction drawings for the above mentioned project. At this time, authorization is needed for bidding and entering a contract.

By copy of this letter, the Law Director is requested to prepare the necessary legislation to authorize the Service Director bid the project and enter into a contract or contracts as needed.

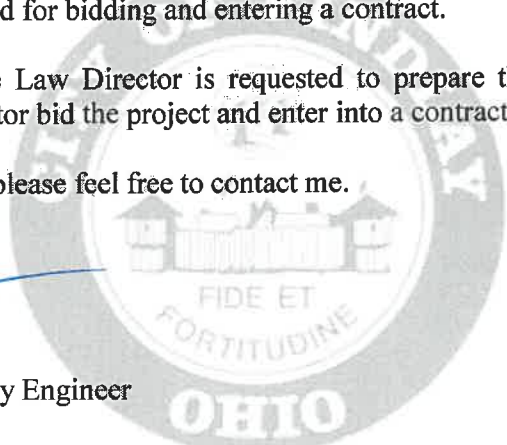
If you have any questions, please feel free to contact me.

Sincerely,



Brian Thomas
Service Director/Acting City Engineer

pc: Don Rasmussen, Law Director
Jim Staschiak II, Auditor



City of Findlay
City Planning Commission
City Council Chambers, 1st floor of Municipal Building
Thursday, April 9, 2020 - 9:00 AM

AGENDA

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF MINUTES

ITEMS TABLED AT THE MARCH 12, 2020 MEETING

APPLICATION FOR SITE PLAN REVIEW #SP-03-2020 filed by Quality Lines Inc., 2440 Bright Road, Findlay for four (4) 40' x 320' storage unit buildings and a 100' x 140' storage and maintenance building for the utility company's trucks.

NEW ITEMS

- 1. PETITION FOR ZONING AMENDMENT #ZA-04-2020 filed by G & H Enterprises, LLC to rezone Lots 1889-1894 in the Portz Addition and Lots 1369-1376 in the Jones & Adams Addition from M-2 Multiple Family High Density to R-4 Duplex/Triplex High Density.**
- 2. APPLICATION FOR SITE PLAN REVIEW #SP-07-2020 filed by Service Leaders, LLC, 8146 US 224, New Riegel, OH 44853 for three (3) mini self-storage buildings to be located at 1744 Romick Pkwy., Findlay.**

ADMINISTRATIVE APPROVALS

APPLICATION FOR SITE PLAN REVIEW #SP-06-2020 filed by Verl Warnimont, 1016 N Blanchard Street, Findlay for a 40'x45' garage addition to the rear of the building at 1016 N Blanchard Street.

APPLICATION FOR SITE PLAN REVIEW #SP-08-2020 filed by RJT Properties, LLC, 400 W. Main Cross Street, Findlay for a 38' x 70' storage building at the rear of the Dietsch's store at 400 W. Main Cross Street, Findlay.

ADJOURNMENT

City of Findlay City Planning Commission

Thursday, March 12, 2020 – 9:00 AM

Minutes

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

MEMBERS PRESENT: Mayor Christina Muryn
Jackie Schroeder
Brian Thomas
Dan Clinger
Dan DeArment

STAFF ATTENDING: Matt Cordonnier, HRPC Director
Judy Scrimshaw
Erik Adkins, Flood Plain/Zoning Supervisor
Jeremy Kalb, Engineering Project Manager

GUESTS: Jodi Mathias, Kyle Inbody, Tom Shindeldecker, Lou Wilin,
Dan Stone, Todd Jenkins, Brad Brogan, Ron Smith

CALL TO ORDER

ROLL CALL

The following members were present:

Mayor Christina Muryn
Dan Clinger
Jackie Schroeder
Brian Thomas
Dan DeArment

SWEARING IN

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

APPROVAL OF MINUTES

Dan Clinger made a motion to approve the minutes of the February 13, 2020 meeting. Jackie Schroeder seconded. Motion carried 5-0-0.

NEW ITEMS

1. PETITION FOR ZONING AMENDMENT #ZA-03-2020 filed by BFB Properties LLC to rezone 229 Howard Street from R-2 Single Family Medium Density to R-4 Duplex/Triplex.

CPC STAFF**General Information**

This request is located at the southeast corner of Howard Street and Franklin Avenue. The lot is zoned R-2 Single Family Medium Density. Property to the south is also zoned R-2, to the east and north is zoned O-1 Institutions and Offices and to the west is zoned R-3 Single Family High Density. The entire area is also within the University Overlay. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

Parcel History

None

Staff Analysis

The applicant has demolished the existing house and wishes to construct a new duplex at the location.

The neighborhood is a mix of University properties, single family homes, and duplexes. This property is also in the University Overlay district. That district has the potential to become university related uses at some point. There were two properties on the west side of Franklin Avenue that were rezoned to R-4 in 2018. One is a vacant lot that the owner stated he would like to build on and one was a former duplex that had gone to single family and the owner wanted to convert back to a duplex.

The zoning map update is proposing the R-4 zoning for this property. The applicant would like to move forward in this construction season rather than wait for the adoption of the new map. He is planning on beginning construction with full knowledge that if this rezoning does not get approved, he will only be allowed to have a single family residence. Mr. Brogan has torn down other dilapidated dwellings in the university neighborhood and replaced with new duplex units over the last couple of years.

Staff Recommendation

CPC Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-03-2020 filed by BFB Properties LLC to rezone 229 Howard Street from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

ENGINEERING

No comment.

FIRE PREVENTION

No comment.

RECOMMENDATION

Staff recommends that FCPC recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-03-2020 filed by BFB Properties LLC to rezone 229 Howard Street from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

DISCUSSION

Judy Scrimshaw stated that she had placed a copy of an email she received at each member's seat before the meeting. It is from the property owner of the home directly south of this parcel. He is not in favor of the rezoning. Ms. Scrimshaw noted that the street has multiple properties on it that are currently duplexes or triplexes. The directly west of the request on the other corner of Franklin and Howard Street is a triplex and there is a duplex directly south of that. She noted that the writer of the letter does not live on the property. He uses it as a rental.

Brad Brogan stated that he purchased the property knowing that it would be a demo house. He wants to rezone to construct a duplex similar to ones on Davis and Fox Street. He does not have finalized plans yet but it will be a similar look and style. (Mr. Cordonnier displayed photos of some prior builds done by Mr. Brogan)

Dan Clinger asked what the parking requirements are for the site. Mr. Cordonnier replied that a duplex requires four parking spots. Mr. Clinger commented that the site is pretty small and he doesn't know how he can get four spots there. Mr. Brogan replied that he has plans to use the existing foundation. He left that in place. He won't be adding anything to the former footprint. He has 50' on the east side of the property where he could add angled spaces and meet the requirement. Mr. Cordonnier commented that if he cannot meet the parking requirement, then he cannot have a duplex. Dan Clinger asked what the setbacks for parking are here. Erik Adkins replied that the front is 10' and the sides don't matter.

Mayor Muryn stated that she understands the concern of the neighbor that emailed, but she feels it is fair request.

MOTION

Christina Muryn made a motion to recommend approval to Findlay City Council of **PETITION FOR ZONING AMENDMENT #ZA-03-2020 filed by BFB Properties LLC to rezone 229 Howard Street from R-2 Single Family Medium Density to R-4 Duplex/Triplex.**

2nd: Dan DeArment

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

2. APPLICATION FOR SITE PLAN REVIEW #SP-02-2020 filed by Hancock County Agricultural Society, 1017 E Sandusky Street, Findlay for a proposed stone parking area.

CPC STAFF

General Information

This request is located on the south side of E Sandusky Street. It is currently zoned P-O Park and Open Space. Parcels to the south, east and west are zoned R-2 Single Family Medium Density. To the north is zoned R-1 Single Family Low Density. It is located within the 100-year flood plain. The City Land Use Plan designates the site as PRD Planned Residential Development.

Parcel History

The most recent review for the Fairgrounds property was for a Junior Fair building which CPC approved in August, 2019.

Staff Analysis

The applicant is proposing to add stone to a portion of a grass parking lot at the north end of the Fairgrounds property. There is currently stone parking to the west of the proposed area.

Parking lots are normally required to be paved in every zoning district except as storage area in Industrial zoning. There is a clause in the Zoning Ordinance (1161.11.1 D) that allows Planning Commission to permit the expansion of an existing gravel, rock or stone parking area after their review and subject to any conditions they may require.

The applicant's engineer has stated that the stone will still permit some of the water to infiltrate into the ground rather than the runoff from pavement. The plans indicate some existing perforated underdrains in the lot.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-02-2020 filed by Hancock County Agricultural Society, 1017 E Sandusky Street, Findlay for a proposed stone parking area.**

ENGINEERING

Access –

Will be from a private drive that is located within the Hancock County Fairgrounds.

Sanitary Sewer –

No sanitary sewer is proposed.

Waterline –

No water line work is proposed.

Stormwater Management –

Detention calculations have been submitted with the plans. Detention will be provided by the onsite widening of Lye Creek and other flood mitigation projects.

MS4 Requirements –

The amount of erodible material that will be disturbed will be less than one acre so the site is will not be required to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

Recommendations:

- Approval of the Site Plan

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-02-2020 filed by Hancock County Agricultural Society, 1017 E Sandusky Street, Findlay for a proposed stone parking area.**

DISCUSSION

Dan Clinger said he did not think there were any catch basins connected to that perforated drain on the site. Dan Stone stated that there is a natural low spot running east/west. They put the perforated tile there, it hits the catch basin and goes south through the existing storm system, through the fairgrounds and to Lye Creek.

Mr. Stone explained that they are taking out the grass and putting stone in to keep it at the same elevation. Mr. DeArment asked how much stone. Mr. Stone replied that it is roughly about a foot. The dirt must be taken off and go outside the flood plain.

Mr. Stone commented that when the event center went in, they did the widening along Lye Creek. This allowed additional capacity knowing that the fairgrounds had plans for more improvements.

MOTION

Dan DeArment made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-02-2020 filed by Hancock County Agricultural Society, 1017 E Sandusky Street, Findlay for a proposed stone parking area.**

2nd: Jackie Schroeder

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

3. APPLICATION FOR SITE PLAN REVIEW #SP-03-2020 filed by Quality Lines Inc., 2440 Bright Road, Findlay for four (4) 40' x 320' storage unit buildings and a 100' x 140' storage and maintenance building for the utility company's trucks.

CPC STAFF**General Information**

This site is located on the west side of Bright Road and the south side of Production Drive. It is zoned I-1 Light Industrial. Land to the north and west of the parcel is also zoned I-1. To the south and east is zoned C-2 General Commercial. It is not within the 100 year flood plain. The Land Use Plan designates the area as Regional Commercial.

Parcel History

This is currently the site of Quality Lines, Inc. In April, 2016 the applicant filed a plan for storage units. These were never built and the plan has expired.

Staff Analysis

The applicant is proposing to construct 4 storage unit buildings. Each will be 40' x 320' in size. This is the same as the proposal from 2016.

The buildings meet all the required setbacks for I-1. The driving and parking areas are all paved.

There is a landscaping/screening plan attached that is the same as the one submitted back in 2016. The applicant can probably cut back on some of this. In 2016 the lot directly west was zoned C-2 General Commercial. That property was rezoned to Industrial since then. The screening is not required between industrial uses. The west line would not be required to have the screening as shown.

The applicant also proposes a new 100' x 140' company storage and maintenance building on the north side of the parcel. This will replace a small (40 x 23) metal building currently located there.

The first floor of the building will mostly consist of open area for truck storage and maintenance. There are offices, a training room and restrooms in the southeast corner on the first floor. A second floor showed another large office and restroom and open storage area.

The only issue is the location of the building in relation to the north property line. Since Production Drive was installed, it now is another front yard. The I-1 district requires a building to be setback 50' from a roadway. They propose to set the building just slightly over 10' from the north property line. They have applied to BZA for a variance and the case is scheduled for March 12 at 6:00 p.m.

A drive opening is proposed to Production Drive at the northwest corner of the parcel. Access is currently only from Bright Road through Lot 1. They will maintain the right to that access as well.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-03-2020 filed by Quality Lines Inc. for four (4) 40' x 320' storage unit buildings and a 100' x 140' storage and maintenance building subject to the following conditions:**

- **BZA approval of a variance for the front setback of the Maintenance Building**

ENGINEERING

Access –

A new drive is being proposed to come off of Production Drive with heavy duty asphalt.

Sanitary Sewer –

There is no sanitary sewer proposed on the plans, but the building drawings show bathroom facilities within the new building. Where will the sanitary sewer be placed and tied into?

Waterline –

There is no water line proposed on the plans, but the building drawings show bathroom facilities within the new building. Where will the water service come from, and if a new tap is needed what size is required.

Stormwater Management –

Detention calculations have been submitted with the plans. The detention will be provided by the regional detention facility located on the south end of the development. Water Quality will be provide onsite.

MS4 Requirements –

The amount of erodible material that will be disturbed will be more than one acre so the site will be required to comply with the City of Findlay's Erosion & Sediment Control Ordinance. A SWPPP plan has been submitted with the plans.

Recommendations:

- Conditional Approval of the Site Plan with more information given on the sanitary sewer and water service for the proposed building.

Following Permits are Needed Before Construction Can Start:

Waterline Service Connections (If new service)-	1 total
Sanitary Sewer Taps (If new tap)-	1 total
Storm Sewer Permit-	1 total
Curb Cut/ Drive Permit (63 LF) -	1 total

FIRE PREVENTION

Maintain sufficient turn radius for fire apparatus throughout the site.

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-03-2020 filed by Quality Lines Inc. for four (4) 40' x 320' storage unit buildings and a 100' x 140' storage and maintenance building subject to the following conditions:**

- **BZA approval of a variance for the front setback of the Maintenance Building (CPC STAFF)**
- **Provide information on water and sewer connections to the Maintenance Building (ENG)**

DISCUSSION

Jeremy Kalb asked where the water line and sanitary would come from to service the maintenance/office building. Dan Stone replied that the sanitary will come from the existing building. He said the waterline will run off of Production Drive. He stated that he doesn't think it needs to be sprinkled so it will be a typical ¾" or 1" line.

Dan Clinger asked if the storage unit layout is the same as what was approved in 2016. Mr. Stone replied yes. Mr. Clinger asked if the property will be fenced and have a controlled gate. The applicant replied yes.

Mr. Clinger stated that he had a problem with giving a variance to allow the maintenance building to only be 10' from the property line. He felt is that is allowed, what would be the argument for another person to want the same. He stated that if this is considered a side yard, the setback is 30' and he can go along with that. Mayor Muryn stated that that will be the discussion at BZA tonight.

Dan DeArment asked if our recommendation goes to the BZA. Erik Adkins replied that it will be put in to the discussion. Mr. DeArment said he agreed with Mr. Clinger. Mr. Clinger commented that he realizes this may subject the storage units to some modifications but he thinks there is enough property there that it could adhere to the setbacks more appropriately.

Ron Smith commented that when he applied in 2016, Production Drive was not there. He stated that in the original plans Production Drive was to go through to Crystal Avenue. Currently it is a dead end. The only people using that are himself, the land to the west and to the north. It is not a throughway for open public driving. Mr. Smith stated that he has a chain link fence all around the property that is exactly where he wants to locate this building. He also stated that he cannot reposition the storage buildings without losing up to 60% of the units he is proposing.

Mr. DeArment responded that the building could be moved south and make it more rectangular. He stated that there are a lot of things that could be done. Mr. Smith replied that there may not be enough room between the buildings to maneuver. He stated that his building will block the view of the storage units. Dan Clinger asked what the height of the building is. Mr. Smith replied that it is thirty-two feet high.

Mr. Smith asked if this road should be private, just for the property owners. Judy Scrimshaw replied that it is a dedicated public roadway. Mr. Clinger said it might be able to go through to Crystal sometime. Mr. Smith noted that the buildings to the west would not allow that. Mr. Clinger stated what argument they would have if the property to the west wanted to build a 40' high building only 10' off the road also if he did his that way. Mr. Smith stated that only he and the owner to the north would care.

Dan Clinger reiterated that this is an industrial area. The zoning has certain setbacks for those areas and that is what they must review on. Mr. Smith argued that it is not interfering with anyone else in the City and is a fairly private area because of the dead end. Jackie Schroeder noted that we still have rules that the zoning code has set for them. She stated that it is not that they are unwilling to compromise, but the difference between 50' and 10' is great. She stated that he is seeing a benefit from the use of Production Drive by getting an additional access. Also, in the initial review in 2016 he was not proposing this building at all. Mr. Smith said he understands the rules and setbacks. Those are there to protect the properties around them. He said the owner to the west (Randy Strauch) does not have a problem with it.

Mayor Muryn stated that she is supportive of the project. She understands that he is saying the current owners in the area are okay with this, but as future development occurs and property owners change, we must have consistency. She would also possibly have some safety concerns with a building that close to a roadway.

Dan Clinger asked if we could approve this with our own recommendations for a setback. Mr. Cordonnier said they could approve based on BZA approval of a setback. They can make a verbal recommendation to the BZA on that setback.

Ms. Muryn said she could make a motion to approve and then send the Commission's concerns and recommendation via email to the BZA. Dan DeArment stated that he would only approve it if there is a condition to have a 30' setback. Mr. Cordonnier noted that the BZA could rule tonight for the 10' or any other measurement which would overrule that. Mr. Clinger asked if we can put in a recommendation to the BZA. Ms. Scrimshaw stated that their recommendation would be noted to the BZA via the mayor as she has stated.

MOTION

Christina Muryn made a motion to **Table APPLICATION FOR SITE PLAN REVIEW #SP-03-2020 filed by Quality Lines Inc., 2440 Bright Road, Findlay for four (4) 40' x 320' storage unit buildings and a 100' x 140' storage and maintenance building for the utility company's trucks.**

2nd: Dan Clinger

Dan Stone asked that if they go to BZA tonight and they approve the 10', they will come back to this body and where will they stand if the Commission is objecting to that. Judy Scrimshaw stated that if the BZA grants it, it is done. They can't overrule their decision when it comes back here. Mr. Cordonnier stated that they could only deny the project for other reasons. Mr. DeArment stated that they don't have any other reasons.

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

4. APPLICATION FOR SITE PLAN REVIEW #SP-04-2020 filed by the University of Findlay, 1000 N Main Street, Findlay for a 3,717 square foot addition to the Mazza Gallery at 201 College Street.

CPC STAFF

General Information

This request is located on the south side of the cul-de-sac of College Street. It is zoned O-1 Institutions and Offices in the University Overlay District. The abutting lots are zoned the same. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as University.

Parcel History

This is currently the site of Gardner Fine Art Center/Mazza Gallery.

Staff Analysis

The applicant is proposing an addition in the southeast corner of the building. It will be located in an area that is currently landscaped. Because the building is situated in an interior area of the campus, there are no property lines to consider for setbacks. The addition will have no effect on any current parking or create the need for additional parking.

The addition will contain workshop and classroom space for a STEAM (Science Technology Engineering Art & Mathematics) program. The architecture will blend with the style of the current pavilion. It is a single story structure with a height of 14'. The only new signage will be on the side of the building.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-04-2020 filed by the University of Findlay for a 3,717 square foot addition to the Mazza Gallery at 201 College Street.**

ENGINEERING

Access –

Will be from an existing building and concrete walkway.

Sanitary Sewer –

The proposed plans show a new sanitary sewer lateral to come off of an existing lateral.

Waterline –

The plans are not proposing any waterline work.

Stormwater Management –

How is the increase in impervious area being handled?

MS4 Requirements –

The amount of erodible material that will be disturbed will be less than one acre so the site is will not be required to comply with the City of Findlay's Erosion & Sediment Control Ordinance.

Recommendations:

- Approval of the Site Plan

FIRE PREVENTION

No Comment

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-04-2020 filed by the University of Findlay for a 3,717 square foot addition to the Mazza Gallery at 201 College Street subject to the following conditions:**

- **Provide Engineering with information on the handling of drainage for new impervious surface**

DISCUSSION

Jeremy Kalb asked about the detention area. He stated that they are increasing the impervious area and asked if they could expand on the note in the drawing. Todd Jenkins stated that the increase in runoff is less than .05 cfs. The existing system can handle it. Would like to get with Jeremy to work out the details. Mr. Kalb stated that that is fine.

A representative from the University stated that they are trying to enhance the learning experience of the STEM program with the addition of the Arts. This will be a very positive thing for the community. They are very excited to be bringing this to Findlay. Visitors of all ages will have a memorable experience and they will have a different outcome every time they come.

Ben Sapp, director of the Mazza Museum, stated that this was a collaborative effort. They received a grant from the State and they are working with Findlay City Schools, Hancock County Schools and the University of Findlay.

MOTION

Dan Clinger made a motion to approve **APPLICATION FOR SITE PLAN REVIEW #SP-04-2020 filed by the University of Findlay for a 3,717 square foot addition to the Mazza Gallery at 201 College Street subject to the following condition:**

- **Provide details to Engineering on the handling of the drainage**

2nd: Jackie Schroeder

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

5. APPLICATION FOR SITE PLAN REVIEW #SP-05-2020 filed by Pennrose Properties, LLC, 1435 Vine Street, Suite 312, Cincinnati OH for a 50 unit apartment building on the south side of Birchaven Lane.

CPC STAFF

General Information

This request is located on the south side of Birchaven Lane. It is zoned M-2 Multiple Family High Density. To the east is also zoned M-2. To the south is zoned C-1 Local Commercial and to the north is zoned O-1 Institutions and Offices. Land to the west is zoned R-1 Single Family. It is not located within the 100-year flood plain. The City of Findlay Land Use Plan designates the area as PMUD (Planned Mixed Use Development)

Parcel History

This parcel was rezoned to M-2 in 2019.

Staff Analysis

The applicant is proposing to construct a senior housing (55 and over) apartment complex. The number of units allowed is calculated at one unit per 3500 square feet of land. 50 units x 3500 = 175,000 square feet or 4.017 acres. The proposed site is 4.019 acres.

The site meets the maximum lot coverage of no more than 40% impervious surface. All minimum setback requirements for the building are exceeded.

Parking in M-2 is based on two spaces per unit plus one space per every five units to accommodate visitor parking. This calculates to 2.2 spaces per unit thus requiring 110 parking spaces for 50 units. The applicants went before BZA in September, 2019 and received a variance to allow them to reduce the parking to 80 spaces for the complex. I only counted 79 parking spaces on the plans. There will need to be one added somewhere. Additionally they were to obtain a shared parking agreement with the Birchaven facility across the street for overflow. There is no agreement attached with the application and plans.

Maximum building height in M-2 is 50'. I measured on the elevation plans and it appears that the peak of the roof is around 53'. Mr. Jenkins replied that they are working on the roof pitch to correct that.

There is no freestanding signage shown on the plan. We at least need the location at this time. The details can be submitted later for the permit with the zoning office.

I could not locate any light poles on the site. We need some details on those if they intend to install any. I would imagine the parking lot would have some particularly at the rear of the property.

Architectural plans show a 3-story building. There is a mix of stone and brick veneers as well as vinyl siding. Floor plans show a mix of one and two bedroom units. There are specific Handicapped units as well as potential Hearing Impaired units. The smallest seems to be approximately 620 square feet. The minimum living area permitted is 500 square feet. Amenities include a laundry on each floor, first floor Community room, Fitness room and Lobby.

Staff Recommendation

CPC Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-05-2020 filed by Pennrose Properties, LLC for a 50 unit apartment building on the south side of Birchaven Lane subject to the following conditions:**

- **Submittal of parking agreement with Blanchard Valley Health Association**
- **Roof height lowered to 50'**
- **Location of sign shown on site plan**
- **Submittal and approval of photometric plan**

ENGINEERING

Access –

Will be from a new drive coming off of the south side of Birchaven Lane. The new drive will be an 8-inch concrete drive.

Sanitary Sewer –

The proposed plans show a new 8-inch sanitary lateral to connect to an existing manhole on the south side of Birchaven Lane.

Waterline –

The plans are proposing a new water main to be tapped off of the existing 8-inch DIP waterline that is located on the north side of Birchaven Lane. The new 8-inch water line will run south to the end of the proposed site. Along with the mainline tap there will be a domestic service and a fire line that will be ran into the proposed building. There will be one new hydrant added as part of this waterline, which can be purchased from the City of Findlay Water Distribution.

Stormwater Management –

Detention will be provided by the existing detention ponds located to the west of the property. The water quality volume will be provided by the proposed water quality basin as shown on the plans.

MS4 Requirements –

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

Recommendations:

- Approval of the Site Plan

Following Permits are Needed Before Construction Can Start:

Water Main Tap-	1 total
Waterline Service Connections-	2 total
Sanitary Sewer Taps-	1 total
Curb Cut/ Drive Permit (52 LF)-	1 total
Sidewalk Permit (464 LF)-	1 total

FIRE PREVENTION

Maintain sufficient turn radius for fire apparatus throughout the site.

RECOMMENDATION

Staff recommends **approval of APPLICATION FOR SITE PLAN REVIEW #SP-05-2020 filed by Pennrose Properties, LLC, for a 50 unit apartment building on the south side of Birchaven Lane subject to the following conditions:**

- **Submittal of parking agreement with Blanchard Valley Health Association (CPC STAFF)**
- **Roof height lowered to 50' (CPC STAFF)**
- **Location of sign shown on site plan (CPC STAFF)**
- **Submittal and approval of photometric plan (CPC STAFF)**

DISCUSSION

Judy Scrimshaw noted that yesterday she received a Memorandum of Understanding (MOU) from BVHA stating that they agree that this parking arrangement will be done. They will not do the actual shared parking agreement until zoning/building permits are acquired.

Ms. Scrimshaw noted that just this morning she received an updated elevation drawing that showed a lowered roof peak. The new height is now 46'-11".

Ms. Scrimshaw stated that yesterday she also received the photometric plan for the site lighting. All the numbers were within the maximum allowed.

Dan DeArment asked what would happen if there were not enough demand for senior housing to fill this complex. Is it restricted to the age group? A representative for the complex stated that there is a land restriction put on the property. They did conduct a market study to determine the volume of demand for the project.

Dan Clinger asked Mr. Jenkins if the swales which are partially outside the property line will act as some detention also. Mr. Jenkins replied that they are for conveyance only. The existing detention pond was designed to handle the entire 22 acres. Their proposed pond will discharge into the existing.

MOTION

Dan DeArment made a motion to **approve APPLICATION FOR SITE PLAN REVIEW #SP-05-2020 filed by Pennrose Properties, LLC for a 50 unit apartment building on the south side of Birchaven Lane.**

2nd: Christina Muryn

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

ADJOURNMENT

Christina Muryn
Mayor

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

City of Findlay

Christina Muryn, Mayor

WATER TREATMENT DEPARTMENT

Jason Phillips, Superintendent

110 North Blanchard Street • Findlay, OH 45840

Phone: 419-424-7193 • Fax: 419-424-7892

www.findlayohio.com

APRIL 2, 2020

NEWS RELEASE

PRECIPITATION & RESERVOIR LEVELS

Total precipitation recorded at the City of Findlay Water Pollution Control Center was 9.23 inches of rain and 13.2 inches of snow for the first quarter (Jan-Mar) of 2020.

At the end of March, the Findlay reservoirs stood at 88% of capacity. This reservoir level represents a 920 day water supply at the city's current usage rate.

The City of Findlay Water Treatment Plant treated 557.21 million gallons of water in the first quarter of 2020. That is an average of 6.12 million gallons per day.

Thank you,



Jason Phillips
Superintendent
Water Treatment Plant

EC: City Council
Department Supervisors
File

	4/2/2020	2019					2020				
		Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	YTD Total	Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	YTD Total
Precipitation											
Rain (Inches)		8.7	15.67	10.61	6.18	41.16	9.23				9.23
Snow (Inches)		20.1			6.5	26.6	13.2				13.2
Total Precipitation (In Inches)		28.8	15.67	10.61	12.68	67.76	22.43				22.43
Reservoir											
Current Volume (Billion Gallons)		6.2	6.3	5.5	5.25		5.6				
Max Capacity (Billion Gallons)		6.4	6.4	6.4	6.4		6.4				
% of Capacity		97%	99%	86%	82%		88%				
Supply at Current Usage (Days)		1014	1058	843	855		920				
Supply at Max Capacity/Current Usage (Days)		1041	1074	976	1042		1046				
Treatment											
Gallons Treated (Millions)		553.65	542.55	604.03	565.08		557.21				
Max Treatment Capacity (Millions)		1440	1456	1472	1472		1456				
Current Treatment Capacity Utilization		38%	37%	41%	38%		38%				
AVG Gallons Treated Per Day (Millions)		6.15	5.96	6.56	6.14		6.12				
Max Daily Treatment Capacity (Millions)		16	16	16	16		16				
AVG Daily Remaining Capacity (Millions)		9.85	10.04	9.44	9.86		9.88				

Water and Sewer Rates

2017 Annual Water Rates	
Findlay	\$ 358
Ohio average	\$ 634

Year	Average Ohio Water Rate Increases	Findlay
2014	1.8%	0%
2015	3.3%	0%
2016	6.1%	0%
2017	0.9%	0%

2017 Annual Sewer Rates	
Findlay	\$ 424
Ohio average	\$ 677

Year	Average Ohio Sewer Rate Increases	Findlay
2014	3.2%	0%
2015	4.4%	0%
2016	0.9%	0%
2017	2.4%	0%

from 2017 Ohio EPA Sewer & Water Rate Survey



**OFFICE OF
THE MAYOR
CHRISTINA M. MURYN**

Brian A. Thomas, P.E., P.S.
Service Director
Paul E. Schmelzer, P.E., P.S.
Safety Director

April 2, 2020

Honorable City Council
City of Findlay, Ohio

Dear Council Members:

The City of Findlay received \$5000.00 from the Hancock County Commissioners to go toward shared advertising cost for the 2020 Census. The funds have been deposited in the General Fund.

An appropriation is respectfully requested as follows:

FROM:	General Fund	\$5000.00
TO:	Mayor's Office 21002000-other	\$5000.00

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

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads 'Christina M. Muryn'.

Christina M. Muryn
Mayor

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



Committee Members:

- Randy Greeno, Ward 5 – Committee Chair
- Joshua Palmer, Ward 7
- Grant Russel, at-large

Staff:

- Tammy Kirkpatrick, Billing Supervisor
- Jason Phillips, Water Treatment & Distribution Superintendent
- Dave Beach, WPCO Superintendent
- Brian Thomas, Service Director/ Acting City Engineer
- Ginger Sampson - Auditor's Office

Meeting Start Time: 4:00 pm

Meeting End Time: 5:45 pm

Guests:

Agenda:

Call to Order

Roll Call

New Items

1. 708 Milton Street Rotary Waiver
2. Rotary Policy Update
3. Utility Billing Software Update
4. Water Meter / Transmitter Project Update

Adjournment


 Randy Greeno, Water & Sewer Committee Chair

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to discuss a rotary waiver for 708 Milton Street.

We recommend *reduction in the rotary fee of 50% bringing to \$880.00 and ~~\$900.00 tap fee.~~*

Aye Nay *Randy Greeno* *second*
Randy Greeno, Chairman

LEGISLATION: _____

Aye Nay *Josh Palmer* *motion*
Josh Palmer

DATED: March 11, 2020

Aye Nay *Grant Russel*
Grant Russel

COMMITTEE:
WATER & SEWER

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to discuss updates to the rotary policy.

We recommend *that ~~these~~ more discussion is needed on these updates to the rotary policy.*

Aye Nay

Randy Greeno
Randy Greeno, Chairman *Motion*

LEGISLATION: _____

Aye Nay

Josh Palmer
Josh Palmer

DATED: March 11, 2020

Aye Nay

Grant Russel
Grant Russel *second*

COMMITTEE:
WATER & SEWER

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to continue September 17, 2019 and March 13, 2019 discussions on water and sewer billing software upgrades.

~~We recommend~~

We received update on project and when updated information is available, we will be presented at that time.

Aye Nay

Randy Greeno
Randy Greeno, Chairman

LEGISLATION: _____

Aye Nay

Josh Palmer *second*
Josh Palmer

DATED: March 11, 2020

Aye Nay

Grant Russel *motion*
Grant Russel

COMMITTEE:
WATER & SEWER

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **WATER AND SEWER COMMITTEE** met on March 11, 2020 to discuss updates to the water meters and transmitter project.

We recommend

Received update on project and will receive more information in future.

Aye Nay

Randy Greeno motion
Randy Greeno, Chairman

LEGISLATION: _____

Aye Nay

Josh Palmer second
Josh Palmer

DATED: March 11, 2020

Aye Nay

Grant Russel
Grant Russel

COMMITTEE:
WATER & SEWER

Committee Members:

- Grant Russel, at large – Committee Chair
- Bud Haas, Ward 1
- Dennis Hellmann, Ward 2
- Tom Shindlecker, at-large
- Jim Slough, Ward 4

Staff:

- Eric Adkins, Zoning Supervisor
- Matt Cordonnier, HRPC Director - *Kyle Inbody*
- Don Rasmussen, Law Director - *JODIE MATHEAS*
- Judy Schrimshaw, HRPC - *JACOB MERCER*
- Brian Thomas, Service Director/ Acting City Engineer *ARIC*

Meeting Start Time: 12:00

Meeting End Time: 12:04

Guests:

BRAD BROGAN

Agenda:

Call to Order

Roll Call

New Items

1. 229 Howard St Rezone Request

Adjournment

Grant Russel
Grant Russel, Planning & Zoning Committee Chair

rezone for approval.
- to R4 from R2 would do the same
- zoning map update would move
- applicant's wants to move
for ward prior to zoning
map update
- p & z approved unanimously

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from BFB Properties LLC Brad Brogan to rezone 229 Howard Street from R2 Single Family Medium Density Commercial to R4 Duplex/Triplex.

We recommend

*- approval of R4 from R2
As requested*

PUBLIC HEARING:

Aye Nay *Grant Russel*
Grant Russel, Chairman

Aye Nay *Bud Haas*
Bud Haas

Aye Nay *Dennis Hellmann*
Dennis Hellmann

PLANNING & ZONING COMMITTEE

LEGISLATION: _____

Aye Nay *Tom Shindlecker*
Tom Shindlecker

DATED: March 12, 2020

Aye Nay *James Slough* *MOTION*
James Slough

**FINDLAY CITY COUNCIL
CARRY-OVER LEGISLATION
APRIL 7, 2020**

ORDINANCE NO. 2020-022 (*social media accounts public records requests*) **requires three (3) readings**
AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

third reading

ORDINANCE NO. 2020-026 (*zoning text amendments*) **requires three (3) readings**

third reading

AN ORDINANCE REPEALING SECTIONS 1121.05, 1122.05, 1123.03, 1123.05, AND 1124.05 OF THE CURRENT ZONING CODE AND IN ITS PLACE, ENACTING AMENDED SECTIONS 1121.05, 1122.05, 1123.03, 1123.05, AND 1124.05 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.

ORDINANCE NO. 2020-027 (*sale of City-owned parking lot behind Argyle bldg (Main St)*) **requires three (3) readings**

third reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY FOR THE SALE OF A CITY-OWNED PARKING LOT LOCATED IMMEDIATELY WEST OF 524 SOUTH MAIN STREET, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-032 (*2019 Ordinances & Resolution changes*) **requires three (3) readings**

second reading

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE FINDLAY CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-033 (*Airport hanger lease agreement*) **requires three (3) readings**

second reading

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FINDLAY, OHIO, TO NEGOTIATE AND ENTER INTO A NEW LAND LEASE AGREEMENT WITH THE BLANCHARD VALLEY PORT AUTHORITY FOR PURPOSES OF CONSTRUCTING A PROPOSED HANGER FACILITY AT THE FINDLAY AIRPORT FOR USE AND OPERATION BY MARATHON PETROLEUM CORPORATION.

ORDINANCE NO. 2020-036 (*2020 CUBE parking lot repairs*) **requires three (3) readings**

second reading

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-037 (*CR 180 drainage plan*) **requires three (3) readings**

second reading

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2020-038 (*4th Capital Improvement appropriation*) **requires three (3) readings**

second reading

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND THE SAFETY DIRECTOR OF THE CITY OF FINDLAY, TO ADVERTISE FOR BIDS WHERE REQUIRED AND ENTER INTO CONTRACTS FOR VARIOUS PROJECTS, APPROPRIATING AND TRANSFERRING FUNDS FOR SAID CAPITAL EXPENDITURES, 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 7, 2020

THE FOLLOWING IS THE NEW LEGISLATION TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO, AT THE TUESDAY, APRIL 7, 2020 MEETING.

RESOLUTIONS

013-2020 A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

ORDINANCES

2020-039 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 229 HOWARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO R4 DUPLEX/TRIPLEX.

2020-040 AN ORDINANCE ACCEPTING BIDS AS RECEIVED AND AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE OLIVE STREET WATERLINE REPLACEMENT PROJECT NO. 35793300, APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

2020-041 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

2020-042 AN ORDINANCE REPEALING ORDINANCE NO. 2020-035 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING THIS ORDINANCE TO ACCEPT BIDS AS RECEIVED AND AUTHORIZE THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE COUNTRY CLUB DRIVE SLOPE REHABILITATION PROJECT NO. 32593900, AND DECLARING AN EMERGENCY.

2020-043 AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS WHERE REQUIRED FOR THE TAXIWAY A (TAXIWAY A4 TO A6) REHABILITATION PROJECT NO. 35293400, AND DECLARING AN EMERGENCY.

2020-044 AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 013-2020

A RESOLUTION APPROVING THE EXPENDITURES MADE BY THE AUDITORS OFFICE ON THE ATTACHED LIST OF VOUCHERS WHICH EITHER EXCEED THE PURCHASE ORDER OR WERE INCURRED WITHOUT A PURCHASE ORDER EXCEEDING THE STATUTORY LIMIT OF THREE THOUSAND DOLLARS (\$3000.00) ALL IN ACCORDANCE WITH OHIO REVISED CODE 5705.41(D).

WHEREAS, Ohio Revised Code 5705.41(D) provides that if expenditures are incurred by a municipality without a purchase order, within thirty (30) days, the municipality must approve said expenditures.

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

SECTION 1: That the expenditures set forth on the attached list identified as "Exhibit A" which are identified by the appropriate voucher on previously appropriated funds be and the same are hereby approved, all in accordance with Ohio Revised Code 5705.41(D)

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

PRESIDENT OF COUNCIL

MAYOR

PASSED _____

ATTEST _____
CLERK OF COUNCIL

APPROVED _____

VENDOR	VOUCHER	ACCOUNT	DEPARTMENT NAME	AMOUNT	REASON FOR EXPENSE	WHY
THE TRAVELERS INDEMNITY COMPANY	211401	26066000-449000	SELF INSURANCE FUND	3,193.00	SELF INSURNACE CLAIM	NO PO CREATED
TTL ASSOCIATES INC	211381	35681200-441100-56812	WPC CNT PROJECT	3,792.30	WPC UV DISINFECTION SYSTEM	WORK COMPLETED BEFORE PURCHASE ORDER WAS REQUESTED.

ORDINANCE NO. 2020-039

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 229 HOWARD STREET REZONE) WHICH PREVIOUSLY WAS ZONED "R2 SINGLE FAMILY MEDIUM DENSITY" TO R4 DUPLEX/TRIPLEX.

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 Lot 4738 in the Karg and Kob Addition of the City of Findlay, Ohio.

SECTION 2: That said property above described herein be and the same is hereby rezoned from R2 Single Family Medium Density to R4 Duplex/Triplex.

SECTION 3: That from and after the effective date of this ordinance, said property above described herein shall be subject to R4 Duplex/Triplex 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. 2020-040

AN ORDINANCE ACCEPTING BIDS AS RECEIVED AND AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE OLIVE STREET WATERLINE REPLACEMENT PROJECT NO. 35793300, 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 Service Director of the City of Findlay, Ohio be and he is hereby authorized to advertise for bids where necessary pursuant to law and enter into a contract or contracts for the Olive Street Waterline Replacement Project No. 35793300.

SECTION 2: That the following sums be and the same are hereby appropriated:

FROM:	Water Fund	\$ 420,145.00
TO:	Olive Street Waterline Replacement <i>Project No. 35793300</i>	\$ 420,145.00

SECTION 3: 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 the aforementioned project may proceed.

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. 2020-041

AN ORDINANCE APPROPRIATING FUNDS AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following sums be and the same are hereby appropriated:

FROM:	Water Fund	\$ 554,430.00
TO:	Sixth Street Waterline Replacement <i>Project No. 35795300</i>	\$ 554,430.00

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

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. 2020-042

AN ORDINANCE REPEALING ORDINANCE NO. 2020-035 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, AND IN ITS PLACE, ENACTING THIS ORDINANCE TO ACCEPT BIDS AS RECEIVED AND AUTHORIZE THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ENTER INTO A CONTRACT OR CONTRACTS AS REQUIRED FOR THE COUNTRY CLUB DRIVE SLOPE REHABILITATION PROJECT NO. 32593900, 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 Ordinance No. 2020-035 of the Codified Ordinances of the City of Findlay, Ohio is hereby repealed.

SECTION 2: That the following sums be and the same are hereby appropriated and transferred:

FROM:	CIT Fund – Capital Improvements Restricted Account	\$234,000.00
TO:	Country Club Drive Slope Rehabilitation <i>Project No. 32593900</i>	\$ 234,000.00

SECTION 3: 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 repeal Ordinance No. 2020-035 in order to authorize the Service Director of the City of Findlay, Ohio to advertise for bids and enter into a contract or contracts for said Country Club Drive Slope Rehabilitation Project No. 32593900 so that the aforementioned project may proceed.

WHEREFORE, 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. 2020-043

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OF THE CITY OF FINDLAY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS WHERE REQUIRED FOR THE TAXIWAY A (TAXIWAY A4 TO A6) REHABILITATION PROJECT NO. 35293400, 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 Service Director of the City of Findlay, Ohio be and he is hereby authorized to advertise for bids pursuant to law and enter into a contract or contracts where necessary for the Taxiway A (Taxiway A4 to A6) Rehabilitation Project No. 35293400.

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 necessary to advertise for bids and enter into a contract or contracts so that the aforementioned project may proceed.

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. 2020-044

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 (County Census Ad share)	\$ 5,000.00
TO:	Mayor's Office #21002000-other	\$ 5,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate funds so that funds received from the Hancock County Commissioners for the shared 2020 Census advertising costs,

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 _____