

Agenda
Sylvania City Council
Tuesday February 22, 2011 7:30 p.m.

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Cappellini.
3. Additions to the agenda.
4. Approval of the minutes;
 - a. meeting of February 7, and;
 - b. special meeting on February 15.
5. Centennial/Little Roads waterline;
 - a. Service Director's recommendation for construction inspection services; and,
 - b. proposed Ordinance 10-2011, accepting the proposal of Mannik & Smith Group in the amount not to exceed \$32,390.
6. Proposed Ordinance 11-2011, increasing water service charges per 1,000 gallons.
7. Approval of items to be sold on GovDeals.com.
8. Proposed Ordinance 12-2011, approving the banner application of St. Joseph Church.
9. Committee reports.
10. Committee referrals.

Information

- A. January bank reconciliation.
- B. Minutes of the February 16 Planning Commission meeting.
- C. Minutes of the February 16 Board of Architectural Review meeting.
- D. Zoning code changes meeting notice.
- E. 2011 Budget.

Minutes of the Meeting of Council
February 7, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, February 7, 2011 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0).

Roll call: all present.

Mayor Stough led the Pledge of Allegiance to the United States of America.

Pledge of Alleg.

Mayor Stough stated that Council will now consider agenda item 3.

Requests were made for the following additions to the agenda:

Additions to the agenda.

- 6a. Finance Committee report.
- 11. Replacement Ordinance 9-2011.
- 13a. Utilities & Environment Committee report.
- 13b. Report on the wind turbine seminar in Blissfield.
- 13c. Zoning & Annexation Committee report.

Mr. Haynam moved, Mrs. Cappellini seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 4.

Mr. Milner presented the January 18 minutes. Mr. Milner moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of January 18, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the January 18 minutes.

Mayor Stough stated that Council will now consider agenda item 5.

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 5-2011, a written copy of same having been previously furnished to each member of Council, "Appointing Bruce Groves to the Board of Trustees of Sylvania Area Joint Recreation District (SAJRD) to fill the unexpired term of Gregory D. Stalter; and declaring an emergency." Mr. Luetke moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Resolution 5-2011, "Appoint... Bruce Groves... SAJRD..."

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Mr. Luetke moved, Mrs. Husman seconded, that Resolution No. 5-2011 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 6.

Mr. Milner reported that the Finance Committee met on January 28 to review the budget. They also discussed providing a private contractor to cut ash trees on private property, and allow the cost to be assessed to the property owner. Another topic was the contract for public defender services. Mr. Milner noted that the Administration did cut the deficit amount. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 4-2011, a written copy of same having been previously furnished to each member of Council, "To make appropriations for current expenditures and other expenditures of the City of Sylvania, Ohio, for the fiscal year ending December 31, 2011; and declaring an emergency." Mr. Milner moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Ordinance 4-2011, "To make appropriations... December 31, 2011..."

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 4-2011 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 7.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 5-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with the Board of County Commissioners of Lucas County, Ohio, for after hours animal control services by the Dog Warden of Lucas County, Ohio; and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Ordinance 5-2011, "...agreement...Lucas County...After Hours Animal Control Services ..."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 5-2011 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 8.

Minutes of the Meeting of Council
February 7, 2011

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 6-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Public Defender Services to the Sylvania Municipal Court for the year 2011; and declaring an emergency." Mr. Milner moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Ordinance 6-2011, "...Lucas County...Public Defender Services...Court ..."

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 6-2011 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 9.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 7-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to expend an amount not to exceed \$14,400 for landscaping and irrigation relative to the Gateway Project; appropriating funds therefore; and declaring an emergency." Mrs. Cappellini moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance 7-2011, "...\$14,400 for landscaping and irrigation... Gateway Project ..."

Mrs. Cappellini moved, Mr. Milner seconded, that Ordinance No. 7-2011 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 10.

Service Director Jeffrey Ballmer's report on the bids received for the Centennial/Little Waterline Project, for work to be done in preparation for the new water tower, was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 8-2011, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Underground Utilities, Inc., and awarding the contract for the Centennial/Little Waterline Project to same; authorizing the expenditure for the improvements in the amount of \$430,518.30; appropriating funds therefore; and declaring an emergency." Mr. Brown moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call

Ordinance 8-2011, "Accepting the bid of Underground Utilities... Centennial/Little Waterline..."

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vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 8-2011 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 11.

Mr. Brown reported that the Utilities & Environment Committee met on January 28, and the regulations for illicit discharge and illegal connection control regarding sanitary sewers was one of the items considered. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 9-2011, a written copy of same having been previously furnished to each member of Council, "Amending Part Nine - Streets, Utilities and Public Services Code of the Sylvania Codified Ordinances by adding Chapter 930 - Illicit Discharge and Illegal Connection Control; and declaring an emergency." Mr. Brown moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Ordinance 9-2011, "Amending Part Nine...by addition Chapter 930..."

Mr. Brown moved, Mr. Luetke seconded, that Ordinance No. 9-2011 be enacted as an emergency measure as declared therein. After discussion, Mr. Haynam moved, Mr. Milner seconded, to amend Section 930.02 of the regulations by deleting references to Section 930.07, and substituting 930.05; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Amendments to "Exhibit A."

Mrs. Husman moved, Mr. Milner seconded, to change BMOs to BMPs in Section 930.03; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Vote on final passage of amended Ordinance No. 9-2011 as an emergency measure being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 12.

Mrs. Westphal moved, Mr. Luetke seconded, not to request a hearing on the transfer of a D1, D2 liquor permit from Charlies Homemade Pizza & Edibles, Inc. d/b/a Charlies Homemade Pizza, 6600 Sylvania Ave., Unit 3C to C Saw LLC, d/b/a Charlies Homemade Pizza, 6600 Sylvania Ave., Unit 3C; roll call vote being: Luetke, Milner,

No hearing requested for liquor license transfer, Charlies

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Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Homemade Pizza.

Mayor Stough stated that Council will now consider agenda item 13.

Mr. Brown gave the balance of his report on the January 28 Utilities & Environment Committee meeting. The committee is looking at additional ways to offset the cost of water to our citizens. Sylvania is working with TMACOG on creating a regional water district. Mr. Brown attended the wind turbine seminar in Blissfield, Michigan on February 5. The main theme was the effects of a wind farm on a community. Wind can only supplement power as energy companies are required to have enough energy during peak usage times. The cost for wind energy is high, but it is subsidized by the government. The site is west of the city limits. Mr. Brown recommends a resolution of preference that the turbines be at least two miles from the city limits. Mr. Milner moved, Mrs. Husman seconded, to refer further study on the wind farms impact on the City to the Utilities & Environment Committee; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Utilities Comm. report.

Mr. Haynam reported that the Zoning & Annexation Committee met at 7:00 for finishing work on the new zoning code. Poggemeyer will prepare the final draft, and a public meeting will be held at 5:30 p.m. on March 7 in Council Chambers to get public input prior to the code being referred to the Municipal Planning Commission.

Zoning code hearing March 7, 5:30 p.m.

Mayor Stough stated that all items on the agenda had been considered. Mrs. Westphal moved, Mr. Brown seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:00 p.m.

Adjournment.

Clerk of Council

Mayor

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Minutes of the Special Meeting of Council
February 15, 2011

The Council of the City of Sylvania, Ohio met in special session on Tuesday, February 15, 2011 at 8:45 a.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0).

Mr. Brown led the Pledge of Allegiance to the United States of America.

Mayor Stough stated that the purpose of the meeting is to refer a petition for zoning ordinance amendment to the Sylvania Municipal Planning Commission for review at its February 16 meeting. The amendment is needed to correct a zoning classification that was given to the parcels when they were annexed to the City. It later was determined that the classification does not fully represent the use of the property. There will be no physical changes to the facilities.

Mr. Haynam presented zoning ordinance amendment petition no. SUP-1-2011, from Kingston Care Center of Sylvania, LLC, 4121 and 4125 King Road. Mr. Haynam moved, Mrs. Husman seconded, to refer application no. SUP-1-2011 to the Municipal Planning Commission for review and recommendation; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mr. Haynam moved, Mrs. Husman seconded, to set the public hearing date for SUP-1-2011 for April 4, 2011 at 7:15 p.m., and to authorize the clerk to advertise for same; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

There were no further items for consideration or discussion and Mr. Luetke moved, Mrs. Cappellini seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:50 a.m.

Clerk of Council

Mayor

5a



DEPARTMENT OF PUBLIC SERVICE
JEFFREY P. BALLMER, PE, PS, DIRECTOR

February 14, 2011

To: The Mayor and Members of Sylvania City Council

Re: Centennial/Little Roads Waterline

Dear Mr. Mayor and Council Members:

We have received a proposal from the Mannik & Smith Group, Inc. to provide construction inspection on a daily basis for the Centennial and Little Roads waterline improvements which will feed our new water tower.

The consultant will monitor the construction labor and materials, traffic control and coordination with the City. They will provide daily inspection reports and the periodic pay requests. They will also provide an "as built" set of plans.

The proposal is for a "not to exceed" cost of \$32,390.

We would recommend that the proposal from the Mannik & Smith group, Inc. for construction inspection services for the Centennial/Little Roads Waterline improvements be accepted.

Very truly yours,

Jeffrey P. Ballmer PE&PS
Director of Public Service

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ORDINANCE NO. 10 -2011

ACCEPTING THE PROPOSAL OF THE MANNIK & SMITH GROUP TO PROVIDE CONSTRUCTION INSPECTION FOR THE CENTENNIAL/LITTLE ROADS WATERLINE; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$32,390; AND DECLARING AN EMERGENCY.

WHEREAS, as in years past, the City of Sylvania has several construction projects underway at the same time; and

WHEREAS, the Department of Public Service has solicited a proposal from the Mannik & Smith Group to provide construction inspection on a daily basis for the Centennial/Little Roads Waterline Project at a cost not to exceed Thirty-Two Thousand Three Hundred Ninety Dollars (\$32,390); and,

WHEREAS, the Mannik & Smith Group has provided inspection services previously with the City of Sylvania with excellent results; for the Centennial/Little Roads Waterline they will monitor the construction labor and materials, traffic control and coordination with the City, provide daily inspection reports and periodic pay requests as well as providing "as-built" drawings; and

WHEREAS, the Director of Public Service, by report dated February 14, 2011, has recommended the acceptance of above proposal.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the proposal of The Mannik & Smith Group for an amount not to exceed the total sum of Thirty-Two Thousand Three Hundred Ninety Dollars (\$32,390.00) for providing construction inspection for the Centennial/Little Roads Waterline Project, is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to said consultant to proceed under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said consultant services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7525-53602 – Centennial/Little Waterline Project** an amount not to exceed Thirty-Two Thousand Three Hundred Ninety Dollars (\$32,390.00).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the construction inspection of the Centennial/Little Roads Waterline Project at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2011, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

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ORDINANCE NO. 11 -2011

**AMENDING THE CODIFIED ORDINANCES OF SYLVANIA,
1979, AS AMENDED, BY INCREASING WATER SERVICE
CHARGES PER ONE THOUSAND GALLONS (1,000);
AND DECLARING AN EMERGENCY.**

WHEREAS, the City is in need of an additional water tower as well as a new waterline to feed the new tower; and,

WHEREAS, Ordinance No. 8-2011, passed February 7, 2011, accepted the bid of Underground Utilities, Inc. and awarded the contract for the Centennial/Little Waterline Project to same and appropriated funds in the amount of \$430,518.30 for the project; and,

WHEREAS, in order to fund this necessary project and also to pass through the City of Toledo rate increase of 9%, plus the 75% surcharge on water the City of Sylvania gets from the City of Toledo, the Utilities Committee and Directors of Public Service and Finance met to consider the City of Sylvania's current and future water rates; and,

WHEREAS, the Utilities Committee met on February 15, 2011 to consider the water rates and thereafter recommended that the water rates be increased as set forth on the attached "Exhibit A."

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That Section 923.02 Water Rate Schedule, of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on "Exhibit A" attached hereto and made a part hereof.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the increased water service charges should be enacted at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2011, as an emergency measure.

President of Council

APPROVED:

ATTEST:

Mayor

Clerk of Council

Date _____

APPROVED AS TO FORM:

Director of Law

* * *

923.02 WATER RATE SCHEDULE

The following rate is hereby established for consumers of water of the City and such rate applies to water consumed during each three month period unless otherwise provided in these regulations.

WATER RATE SCHEDULE

	<u>CITY USER (per 1,000 gallons)</u>	<u>NON-CITY USER (per 1,000 gallons)</u>
Commencing March 24, 2011	\$4.97	\$6.21
Commencing January 1, 2012	\$5.23	\$6.54
Commencing January 1, 2013	\$5.51	\$6.89
Commencing January 1, 2014	\$5.82	\$7.27

(Ord. ____-2011. Passed ____-2011).

"Exhibit A"

ITEMS TO BE SOLD ON GOVDEALS.COM
NEEDING CITY COUNCIL APPROVAL:

From P.D.

- Eight (8) Stinger flashlight charger brackets
- Seven (7) fabric cubicle partitions
- Three (3) fabric wall accent panels
- One (1) 20 inch Phillips TV/VCR
- Two (2) six-drawer metal desks with return
- One (1) six-drawer metal desk
- One (1) metal table with single drawer
- Six (6) Formica shelves with metal edge
- One (1) secretary's chair- burgundy
- One (1) office chair- burgundy
- One (1) office chair- blue/gray

From Property Room

- One (1) Nikon Cool Pix digital camera- model S560
- One (1) Apple i-Pod 4 gb – black
- One (1) Apple i-Pod 8 gb – blue

ORDINANCE NO. 12 -2011

**APPROVING THE BANNER APPLICATION OF ST. JOSEPH CHURCH;
AUTHORIZING THE DEPUTY DIRECTOR OF PUBLIC SERVICE TO
INDICATE SUCH APPROVAL ON BEHALF OF THE CITY OF
SYLVANIA; AND DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 19-2000, passed June 5, 2000, granted permission to install banners in the public right-of-way on the Toledo Edison poles located on Monroe Street by Wendy's across to the area in front of Country Squire Plaza (near the intersection of Corey Road and Monroe Street); and,

WHEREAS, Resolution No. 19-2000 provided that the applications were to be reviewed on an application-by-application basis and set forth the criterion on which the applications were to be considered; and,

WHEREAS, St. Joseph Church has submitted a request to hang a banner within said public right-of-way advertising its 2011 Festirama on May 20, 21, and 22; and,

WHEREAS, the banner will hang from April 22 - May 22, 2011 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000.

NOW, THEREFORE BE IT ORDINANCE by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the application of St. Joseph Church to hang a banner on the Toledo Edison poles within the public right-of-way on Monroe Street by Wendy's and across Monroe Street by Country Squire Plaza is found to comply with Section 1166.07(h)(2)(A)(1) and is hereby approved.

SECTION 2. That the Deputy Director of Public Service is authorized to sign said permit granting permission to proceed under the application hereby approved.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE

III, Section 12, of the Charter of this City.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that permission should be granted immediately to provide for the immediate installation of the banner. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2011, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

City of Sylvania

Office of Zoning & Inspection

STREET BANNER APPLICATION/PERMIT

Fee: \$ 100.00

Name of Non-Profit Organization St. Joseph Church

Event Festivama

Date of Event May 20, 21, 22, 2011

Installation & Removal Dates of Banner April 22 - May 22 - 2011
[maximum four (4) weeks]

Banner Location Toledo Edison poles by Wendy's and Country Squire on Monroe Street

Company Installing Banner: Flags, Sales & Repair

Address 4849 North Summit Street

Telephone 419-726-9571 Fax 419-726-1956

Insurance on File _____

Edison Approval _____

City Approval _____

Text of Banner _____

The banner and installation shall meet the attached specifications.

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/26/2011

PRODUCER
Payak-Dubbs Insurance 1-800-472-0867

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

P.O. Box 327
Toledo, OH 43697-0327
Joe Spenthoff Ph: 419-826-5300
INSURED
Bishop Leonard F. Blair and
Catholic Diocese of Toledo, OH
1933 Spielbusch
Toledo, OH 43696

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Cincinnati Insurance Co.	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURANCE TYPE	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	CPP0895453	06/01/10	06/01/11	EACH OCCURRENCE \$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC				DAMAGE TO TENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	CPP0895453	06/01/10	06/01/11	COMBINED SINGLE LIMIT (Per accident) \$ Included
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER				WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
St. Joseph Catholic Church, Sylvania, Ohio hanging a banner across Monroe Street in Sylvania, Ohio for their Festirama '11. The banner will hang from April 15, 2011 through May 23, 2011.

CERTIFICATE HOLDER

City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Job Page



6099 Angola Rd
Holland, OH 43528

February 14th ,2011

Flag Sales & Repairs
Attn: Sue Stoll

Re : St Joseph Festirama, May 20,21,22, 2011
Banner installation date: April 15th- May 23rd 2011

Consider this letter permission to place the above mentioned banner over Monroe St. in the area we discussed, near 5802 Monroe Street in Sylvania near Wendy's during the above dates. As always, the banner must be hung in accordance with the banner agreement and NESC codes. They should be hung by qualified personnel for a period of no longer than 30 days. In addition, the banner should be removed immediately after the event.

Thank you for your cooperation.

Sincerely,

Rick Knapik
Engineering Services
Toledo Edison
(419) 249-6021

B

Sylvania Municipal Planning Commission

Minutes of the regular meeting of February 16, 2011. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak, Thomas Lindsley, Mayor Craig Stough, (4) present. Mr. Robert Oberly present.

Dr. Backus moved, Mr. Marciniak seconded to approve the Minutes of the January 12, 2011, meeting as submitted. Vote being: Stough, Backus, Lindsley, Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 - Council Referral - SUP-1-2011 requested by Kingston Care Center of Sylvania, to allow the operation of an assisted living facility at 4121 and 4125 King Road, Sylvania. Mayor Stough said that Mr. Ballmer and Mr. Moan have assured him that this is to correct the zoning that was assigned upon annexation to the city. Kingston is going through the procedure for a special use permit. Dr. Backus moved, Mr. Marciniak seconded to recommend approval of SUP-1-2011 for Kingston Care Center of Sylvania, to allow the operation of an assisted living facility at 4121 and 4125 King Road, Sylvania. Vote being: Lindsley, Stough, Marciniak, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Marciniak moved, Mayor Stough seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission

2

Board of Architectural Review

Minutes of the regular meeting of February 16, 2011. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak, Thomas Lindsley, Mayor Craig Stough, (4) present. Mr. Robert Oberly present.

Dr. Backus moved, Mr. Marciniak seconded to approve the Minutes of the January 12, 2011, meeting as submitted. Vote being: Marciniak, Stough, Lindsley, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 - Regulated District - app. no. 5-2011 requested by Dave White for Dave White Chevrolet, 5880 Monroe Street, Sylvania. Mr. Dave White and Mr. Jim Herwalt present. Mr. White explained that he is asking to change the front of his building. The drawing label #one is the present day look of the building. Drawing #two depicts the Chevrolet corporate image program, they realize that would not meet the architectural design standards for the City of Sylvania. He is asking for approval of option #three with the addition of a blue band under the white fascia, with the band to go around the building. Mr. Marciniak asked how long the building has been at this location and if it was always a Chevrolet dealership. Mr. White answered that it has been there since the 1950's and has always been a Chevrolet dealership. Mr. Marciniak mentioned that he prefers option #4 but he is not sure about the smaller gables on the sides. Mr. Herwalt said that Chevrolet is really looking to incorporate the blue entry way on the front of the building as shown on option #three, the dormers and gables would be optional if the city wants them. Mr. White said that he wants to comply with Chevrolet and the city. Dr. Backus said that he prefers option #4, with the brick pillars and the blue panels with the word Chevrolet. Mr. Oberly suggested that the triangle on the gable could also be blue with the Chevrolet logo, and adding the blue band beneath the white area around the showroom. The member agreed that option #three takes away from the colonial look of the building. The pole sign will also be updated with new dark blue panels, but they will not change the size of the sign. The bow tie logo will be gold on a black background. Mr. Marciniak moved, Mr. Lindsley seconded to give a Certificate of Appropriateness for Dave White Chevrolet, 5880 Monroe Street, to modify the front entry as depicted on option #4, the gable with the Chevrolet bow tie to be blue with the gold logo, the addition of an approximate eight-inch wide blue band to be added below the white fascia, the Dave White letter to be either black or blue, and the existing dormers and gables are to remain as shown on rendering #one, subject to review of the revised drawing of the building and the sign. Vote being: Backus, Marciniak, Stough, Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Dr. Backus moved, Mr. Lindsley seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission



CITY OF SYLVANIA ZONING CODE IS CHANGING

Sylvania City Council's Zoning & Annexation Committee is proposing changing the zoning code for the City of Sylvania, Ohio. Prior to the Planning Commission's review, you are invited to attend a Public Information Meeting in the Council Chambers in the Police and Council Building, 6635 Maplewood Avenue, Sylvania, Ohio 43560, on Monday, March 7, 2011 at 5:30 p.m. A copy of the proposed code is posted on the City of Sylvania's web site at www.cityofsylvania.com.

Oral comments on the proposed zoning code as rewritten will be heard in Sylvania Council Chambers at said date and time or send written comments to Margaret Lintner, Clerk of Council for the City of Sylvania, 6730 Monroe Street, Suite 201, Sylvania, Ohio 43560 prior to March 7, or e-mail her at mlintner@cityofsylvania.com

Margaret Lintner, Clerk of Council
of the City of Sylvania, Ohio
419/885-8931